



Case No. SCSL-2003-01-T

THE PROSECUTOR OF
THE SPECIAL COURT
V.
CHARLES GHANKAY TAYLOR

FRIDAY, 3 SEPTEMBER 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:

Ms Doreen Kiggundu

For the Registry:

Ms Rachel Irura
Ms Zainab Fofanah

For the Prosecution:

Ms Brenda J Hollis
Mr Mohamed A Bangura
Ms Maja Dimitrova

For the accused Charles Ghankay
Taylor:

Mr Morris Anyah
Mr Michael Herz

1 Friday, 3 September 2010

2 [Open session]

3 [The accused present]

4 [Upon commencing at 9.07 a.m.]

09:07:19 5 PRESIDING JUDGE: Good morning. We'll take appearances
6 first, please.

7 MS HOLLIS: Good morning, Madam President, your Honours,
8 opposing counsel. This morning for the Prosecution,
9 Mohamed A Bangura, Maja Dimitrova and Brenda J Hollis.

09:07:39 10 MR ANYAH: Good morning, Madam President. Good morning,
11 your Honours. Good morning, counsel opposite. Appearing for the
12 Defence this morning are myself, Morris Anyah, and Mr Michael
13 Herz.

14 PRESIDING JUDGE: Now, before we begin the day's
09:07:55 15 proceedings, I have an inquiry to make of the Defence. The
16 Chamber received a general email yesterday indicating that the
17 current witness would be the last witness that the Defence calls,
18 if I'm not mistaken in interpreting that email.

19 Now, my question is this: There is a pending motion, that
09:08:20 20 is motion 1039, that is the Defence motion for disclosure of
21 statement and Prosecution payments made to DCT-097, wherein, in
22 paragraph 21, the Defence indicates its intention to call
23 DCT-097.

24 Now, this paragraph would seem to be inconsistent with the
09:08:44 25 latest email that the Chamber received, and therefore we wish to
26 know the status generally of this motion, because we do not wish
27 to expend meager resources on work that is ultimately not very
28 useful. Are you able to address the Chamber on the status of
29 that motion?

1 MR ANYAH: Yes, to some extent at this point, but probably
2 more comprehensively after the break, the reason being I would
3 like to briefly consult with Mr Griffiths. I did speak with him
4 yesterday, and one matter that is clear is that we will not be
09:09:22 5 calling that particular witness, DCT-097, to give testimonial
6 evidence before the Court. But another matter that is also clear
7 to me is that Mr Griffiths's email was not intended to suggest
8 that after the current witness we would immediately close the
9 Defence's case. I think at an appropriate time that issue will
09:09:52 10 be addressed by Mr Griffiths.

11 JUDGE LUSSICK: Well, we never took it that way. We simply
12 took the email as saying that the last of the oral testimony
13 would be this witness.

14 MR ANYAH: Yes, your Honour.

09:10:02 15 PRESIDING JUDGE: We never read anything else into it.

16 MR ANYAH: Yes. I appreciate that. I am not suggesting
17 that had your Honours did. I merely mention it, to the extent of
18 this: That motion pertains to a request for documents, and so I
19 need to speak to Mr Griffiths just to ascertain whether there is
09:10:19 20 an intention to pursue that motion further, because even if we do
21 not call that particular witness, to the extent documents result
22 from that motion, further applications may be forthcoming. But
23 like I said, by 11.30 I will have a more definitive answer for
24 your Honours.

09:10:38 25 PRESIDING JUDGE: Very well. We appreciate that, Mr Anyah,
26 and we will await further briefing after the morning break.

27 Good morning, Mr Witness. This morning we continue with
28 your testimony in cross-examination by the Prosecution side.
29 And, in the same way, I still remind you of the solemn

1 declaration you took to tell the truth that is still binding on
2 you this morning.

3 Ms Hollis, please continue.

4 THE WITNESS: Yes, your Honour.

5 MS HOLLIS: Thank you, Madam President, and thank you your
6 Honours for the time you gave us yesterday to prepare.

7 WITNESS: DCT-008 [On former affirmation]

8 CROSS-EXAMINATION BY MS HOLLIS:

9 Q. Good morning, Mr Witness.

09:11:26 10 A. Good morning.

11 Q. Mr Witness, when you were testifying earlier before these
12 judges, you told the judges about border radio posts that existed
13 in 1998 and you told them that there was one such post in Loguato
14 and there was another border radio post somewhere in Cape Mount
09:11:51 15 County near the Sierra Leonean border. Do you recall telling the
16 judges about that?

17 A. Yes.

18 Q. And you said that these were VHF radio posts, correct?

19 A. Yes.

09:12:07 20 Q. Today in court do you recall the location of the border
21 radio posts in Cape Mount County?

22 A. I do not recall it.

23 Q. How did the Government of Liberia protect these border
24 radio posts in 1998?

09:12:27 25 A. These radio - border radio posts were protected by the
26 joint security, or the security operators, which was responsible
27 for such radios. For example, like I said, the radio posts at
28 the border point mainly consisted of joint securities of
29 operation, that is, the immigration, the Liberian national

1 police, the Armed Forces of Liberia and et cetera.

2 Q. And how many personnel would be assigned to protect each of
3 these posts?

09:13:20

4 A. I was not at the post. I did not know how many personnel,
5 but all I know is that the radio was there under the protection
6 of those securities, the joint security that is assigned there.

7 Q. And this joint security that you talk about, is that a -
8 some sort of combined command under one commander, or how did
9 that joint security apparatus work?

09:13:51

10 A. The joint security assigned to each border point I believe
11 is commanded by one command.

12 Q. And was there a joint security command in the Government of
13 Liberia at that time?

09:14:17

14 A. At every border point there is a joint security command
15 there headed by a particular commander.

16 Q. And if you know, to whom would that commander report? And
17 you don't have to give it by name. I'm more interested into what
18 position or higher level command would that commander report?

19 A. I believe to the Ministry of National Security.

09:14:46

20 Q. And these joint command security personnel whose job it was
21 to protect these border radio posts, they were equipped so that
22 they would be able to protect these posts, correct?

23 A. Okay. Let me make this clear. This joint security
24 operation, their sole responsibility was not to protect the
09:15:16 25 radio. The radio was only there to help them in terms of
26 dissemination of information. But their duty was to protect the
27 borderline of the Republic of Liberia. They were not provided
28 there for the protection of the radio.

29 Q. So they had a broader mandate; it was actually to protect

1 the borderline of the Liberian border, is that right?

2 A. Yes.

3 Q. And they were equipped so that they would be able to carry
4 out that function, correct?

09:15:44 5 A. Yes, I believe so.

6 Q. Mr Witness, you also told the judges that you had received,
7 in your time in the NPFL, you had received training on light
8 weapons and you said that that training included the AK-47,
9 correct?

09:16:08 10 A. Yes.

11 Q. The AK-47, what kind of weapon is that? Is it an automatic
12 weapons, semi-automatic weapon, what kind?

13 A. It is both semi and automatic weapon.

14 Q. And it has variable ways that it can be fired, correct?

09:16:35 15 For example, you could fire a single bullet at a time, you could
16 fire a short burst, or you could put it on fully automatic, is
17 that correct?

18 A. Yes. It has a control system wherein there is a way to
19 operate with a single bullet and there is a way to operate
09:16:57 20 automatic.

21 Q. And there's also a way that you can fire just a short burst
22 at a time, for example, three to five bullets, correct?

23 A. I don't have idea of reducing the range or extending the
24 range of the bullets.

09:17:15 25 Q. And this AK-47, what kind of ammunition did it use in the
26 NPFL and later in Mr Taylor's government?

27 A. Please bring that question back.

28 Q. Certainly. First, in the NPFL; what kind of ammunition was
29 used with this AK-47?

1 A. The AK-47 has its ammunition, which I cannot describe
2 anyway.

3 Q. And the NPFL used military ammunition in that AK-47, did it
4 not?

09:17:57 5 A. The AK-47 is a military gun, so it uses military
6 ammunition.

7 Q. And when an individual is hit by a round from an AK-47,
8 what kind of damage is done to that person?

9 A. I believe the AK-47 is meant to kill and to wound, so it
09:18:28 10 depends on the area of the body of an individual that it hits.
11 That is when the damage is determined.

12 Q. And the ammunition that was used in this weapon, combined
13 with the weapon's firing power meant that when it hit a person
14 extensive damage was done or the person was killed, correct?

09:18:55 15 A. It depends on the range of the target, so to speak. If it
16 hit to the point that the target --

17 THE INTERPRETER: Your Honours, could the witness be asked
18 to repeat that area.

19 PRESIDING JUDGE: Mr Witness, please repeat that area, but
09:19:18 20 speak slowly, because the interpreter's trying to run and to keep
21 up with you. So please speak slowly as you give your answer and
22 repeat your answer, please.

23 THE WITNESS: I am saying the damage - the damage caused by
24 the AK-47 rounds is dependent on the target point. It is
09:19:45 25 dependent upon the target point and also upon the distance
26 covered by the rounds.

27 MS HOLLIS:

28 Q. An AK-47 round fired from an AK-47 weapon, if, for example,
29 it hit a person in the arm, could either take a huge piece of

1 that arm out or actually take the arm off, isn't that right?

2 A. When the AK-47 hits an individual on the arm, it won't take
3 the arm off. But if it hits the bone, any part of the bone,
4 depending on the force, it either breaks the bone or maybe wound
09:20:38 5 the flesh, but it depends on the force that it takes to hit the
6 target.

7 Q. You also told the judges that you trained on the Beretta
8 weapon, correct?

9 A. Yes.

09:20:53 10 Q. And what type of Beretta weapon did you train on?

11 A. A Beretta is a light weapon. I don't know whether they
12 have differences in Berettas, but there was an arm known as
13 Beretta, but it was a light weapon as well.

14 Q. Was it also an automatic weapon?

09:21:20 15 A. Yes, automatic weapon.

16 Q. And did it fire ammunition similar to the ammunition used
17 for the AK-47?

18 A. No.

19 Q. Was the Beretta ammunition more destructive or less
09:21:39 20 destructive than the AK-47 ammunition?

21 A. I don't know whether - I don't know whether - I don't know
22 the distinction between the destructions.

23 Q. Now, Mr Witness, I'd like you to be shown a series of
24 photographs and I'd like your assistance with, among other
09:22:08 25 things, the type of weapon that is shown in the photograph.

26 And, first of all, I would ask that the witness be shown
27 P-387.

28 PRESIDING JUDGE: Ms Hollis, like I did with the Defence,
29 if you have a series of photographs, please call out the exhibit

1 numbers so that we can have them prepared.

2 MS HOLLIS: Certainly, Madam President. P-387, P-153A,
3 P-493E, and, in addition to that, we have a document we would
4 also like to have distributed and that be shown to the witness as
09:22:52 5 well. And the document that is being distributed is a document
6 with the number P-0000877.

7 So if the witness could please first be shown P-387. And
8 first of all, would you hand that to the witness, give him an
9 opportunity to look at it.

09:24:40 10 Q. Yes, Mr Witness. You could put that on the overhead,
11 please. This is an unmarked copy of the exhibit which is P-387.
12 Now, Mr Witness, as we look at this photograph, first of all, do
13 you recognise any of the people in the photograph?

14 A. Yes.

09:25:04 15 Q. And could you tell us who you recognise?

16 A. I start from the left. I recognise a lady seated with
17 something like a grip in front of her, who has on a cap with
18 yellow and black .

19 MS HOLLIS: Sorry, Madam President, is there a problem?

09:25:41 20 PRESIDING JUDGE: Yes, the witness. The witness keeps
21 mentioning this word "grape". I don't know what - "grip" or
22 "grape" or - I don't know what it is he's saying. What are you
23 saying, sir?

24 THE WITNESS: I am saying something in front of the lady in
09:26:00 25 a form of a grip, but that particular item is a communication, a
26 VHF communication radio, which is called Flyaway.

27 PRESIDING JUDGE: By "grip", you mean a briefcase?

28 THE WITNESS: Yes.

29 PRESIDING JUDGE: But, also, Ms Hollis, the witness has

1 identified the people already, I think, in chief.

2 JUDGE LUSSICK: Yes.

3 PRESIDING JUDGE: This very photograph was shown to the
4 witness.

09:26:30 5 MS HOLLIS: I'm sorry, your Honour, I wasn't remembering
6 that.

7 Q. Now, Mr Witness, if you could please take that photograph
8 and the grip that you say was a Flyaway radio, if you could be
9 given a pen, and if you could draw a line from that Flyaway radio
09:26:57 10 into the white part of the picture, and if you could write that
11 that is a communication set, I think you said a Flyaway radio.

12 PRESIDING JUDGE: Please pause. Pause, Mr Witness. Pause.

13 Yes, Mr Anyah?

14 MR ANYAH: I just have an inquiry about procedure. I don't
09:27:19 15 know if what is before the witness is already the admitted
16 exhibit, or is this a copy of it?

17 MS HOLLIS: It's a copy that we are using, an unmarked
18 copy.

19 MR ANYAH: Very well.

09:27:30 20 PRESIDING JUDGE: Now, please continue.

21 MS IRURA: Your Honour, the copy before the witness is an
22 actual exhibit.

23 MS HOLLIS:

24 Q. Then, Mr Witness, don't mark anything.

09:27:45 25 Please have the witness use my copy.

26 Now, Mr Witness, now that we are not altering an admitted
27 exhibit, I would like you to take a copy of this exhibit and draw
28 a line from what you have identified as a Flyaway radio set, draw
29 a line from that communication set to the white part of the

1 picture and then write down what it is.

2 PRESIDING JUDGE: Just to observe for the record, as the
3 witness continues, that at page 13, line 9, where the Court
4 manager said, "Your Honour, the copy before the witness is an
09:30:06 5 actual exhibit," these were comments by Ms Irura, not Mr Anyah.

6 MS HOLLIS:

7 Q. So this, you have written that this is a VHF communication
8 set called a Flyaway radio; is that correct?

9 A. That's correct.

09:30:36 10 Q. And this is a long-range radio?

11 A. Yes.

12 Q. And it is obviously a mobile radio?

13 A. Yes.

14 Q. Now, if you look at Mr Taylor, who is seated in the middle,
09:30:51 15 correct?

16 A. Yes.

17 Q. Mr Taylor has on what appears to be an American camouflage
18 military uniform; is that correct?

19 A. Yes.

09:31:04 20 Q. And do you know what kind of weapon Mr Taylor is holding?

21 A. Excuse me. Let me see it well. Yes.

22 Q. What kind of weapon is Mr Taylor holding in that
23 photograph?

24 A. This is AK-47 rifle.

09:31:37 25 Q. And is there an additional weapon attached to it?

26 A. Yes.

27 Q. And what is that additional weapon that is attached to it?

28 A. M-203.

29 Q. And what is an M-203?

1 A. That is the name I know for this weapon: M-203.

2 Q. And what kind of weapon is an M-203?

3 A. It is a grenade launcher.

09:32:20

4 Q. And you know what kind of distance the M-203 has, what its
5 distance capability is?

6 A. I don't know.

7 Q. And this M-203, do you know how many grenades can be
8 launched without having to reload this M-203?

9 A. A single grenade.

09:32:37

10 Q. Now, if you could take the copy of the photograph that you
11 have already marked, and if you could draw a line from that
12 weapon and write on the photograph what kind of weapon that is,
13 including the M-203.

14 A. I have problem with the spelling of "grenade".

09:34:42

15 Q. Mr Witness, let me assist you: G-R-E-N-A-D-E.

16 So an AK-47 with M-203 grenade launcher. Now, Mr Witness,
17 if you would take that copy back please, and on the back of it,
18 if you would put "DCT-008". And if you would put today's date,
19 and I believe that is 3 September 2010. Thank you.

09:36:04

20 And if I could ask, Madam President, that this be marked
21 for identification.

22 PRESIDING JUDGE: This photograph, which is a replica of
23 exhibit P-387 but as marked by this witness, is now MFI-4.

24 MS HOLLIS: Thank you.

09:36:27

25 If the witness could now be shown a copy - and I will give
26 the Court Assistant a copy - of P-153A.

27 Q. Now, Mr Witness, in this photograph, which shows Benjamin
28 Yeaten in the front of the photograph, correct?

29 A. Yes.

1 Q. And Jungle standing behind him, correct?

2 A. That's correct.

3 Q. Do you recognise the weapons that either of those men have?

4 A. Yes.

09:37:23 5 Q. As to Benjamin Yeaten, what kind of weapon is he carrying
6 there?

7 A. This is AK-47 rifle.

8 Q. And as to Jungle, are you able to tell what kind of weapon
9 he has?

09:37:39 10 A. The same AK-47 rifle.

11 Q. Thank you. And Madam Court Assistant, if I could take that
12 copy back, please.

13 Madam President, I do not wish that copy to be marked.

14 And if the witness could next be shown, please, P-493E, and

09:38:09 15 I do have a copy of that in case any markings are needed.

16 Now, Mr Witness, in that photograph, are you able to
17 identify any of the weapons that appear in that photograph?

18 A. Yes.

19 Q. And if you would start from the right of the photograph,
09:39:01 20 could you tell us what it is you identify?

21 A. Okay. From the - yes. From the right, there is an
22 individual here in a black suit with a white sneaker. He has in
23 his hands an AK-47 rifle.

24 Q. And that is the person on the very far right of the
09:39:31 25 photograph, correct?

26 A. Yes.

27 Q. All right. And do you recognise any of the other weapons
28 in that photograph?

29 A. Yes. All of the weapons I'm seeing are all AK-47 rifles.

1 Q. Thank you, Mr Witness. And if I could retrieve that copy,
2 please. Now, I would ask that the witness be shown the document
3 that has been handed out. The photograph that is marked
4 P-0000877. Now, first of all, Mr Witness, that is Benjamin
09:40:22 5 Yeaten in that photograph, correct?

6 A. Correct.

7 Q. Now, as we look at that photograph, it would be on our
8 left, in what appears to be a top pocket of his vest, there's
9 something protruding from that pocket. What is that? It appears
09:40:45 10 to be blue in colour.

11 A. Yes.

12 Q. Do you know what that is?

13 A. Yes.

14 Q. What is that?

09:40:57 15 A. That is Thuraya satellite phone.

16 Q. And the weapon that Benjamin Yeaten is holding, what kind
17 of weapon is that?

18 A. I don't know the name. I don't know it.

19 Q. Do you know if it is automatic weapon?

09:41:15 20 A. I don't know.

21 Q. Do you know if that was the only such weapon in Charles
22 Taylor's forces at that time or were there other such weapons?

23 A. I never saw this weapon before.

24 Q. Now, Mr Witness, if you could use the copy of the
09:41:39 25 photograph that you have, please. And if you could - well, I
26 don't think we need that. We've identified the Thuraya phone in
27 the top vest pocket on the left as we see the photograph. And
28 this camouflage uniform that he is wearing, do you know what
29 country has such camouflage uniforms?

1 A. I don't know where it was made.

2 Q. Was this a common camouflage uniform for Mr Taylor's
3 forces?

4 A. I don't know.

09:42:37 5 Q. If this document --

6 JUDGE DOHERTY: Mr Witness, there is something written on
7 the cap. I can make out the word "army" but I cannot make out
8 the other word. Are you able to tell us what's written on the
9 cap?

09:43:04 10 THE WITNESS: No. I can't see it clearly.

11 MS HOLLIS:

12 Q. And just to be sure that the record is clear on this.

13 Mr Witness, with the copy that you have, if you could just draw a
14 line from Benjamin Yeaten's head to that narrow white stripe on
09:43:24 15 the side and just write his name in there, please. You see there
16 is a narrow white band on the side of the photograph. And again,
17 just so --

18 PRESIDING JUDGE: Mr Witness, what counsel asked you just
19 now, whether what Benjamin Yeaten is wearing is a common
09:44:21 20 camouflage uniform for Mr Taylor's forces, you said - you
21 answered you don't know. Why don't you know?

22 THE WITNESS: Because he had not worn this uniform that -
23 and I did not see it before, because we had many uniforms in
24 Liberia, in Liberia at the time, that I could identify. The ATU
09:44:58 25 had a different stripe camouflage and the AFL had different types
26 of camouflage. So I can't say this is this or that.

27 PRESIDING JUDGE: Are you saying that this is not a common
28 uniform that you had ever seen, commonly worn by the forces of
29 Charles Taylor, is that what you're saying?

1 THE WITNESS: Yes.

2 PRESIDING JUDGE: Please continue.

3 MS HOLLIS: Thank you.

4 Q. Now, Mr Witness, just to be sure the document can stand on
09:45:34 5 its own, if you would, in fact, draw another line from the
6 Thuraya sat phone and write that on the side margin, please.

7 Now, could you bring that down, please, so that we can see
8 the cap again.

9 Mr Witness, is there any rank shown anywhere on that cap?

09:46:51 10 A. I can't identify the inscription on the cap, so what is
11 written, I do not recognise it. It is not clear.

12 Q. You have written "General Benjamin Yeaten". When you say
13 "general" what do you mean? Was he a brigadier general at this
14 time, a major general, a lieutenant general, a general?

09:47:22 15 A. He was a general at this time and a lieutenant - lieutenant
16 general.

17 Q. And then if you could take that again and put "lieutenant
18 general" and you can simply put "LT" before "general".

19 PRESIDING JUDGE: Ms Hollis, when the witness says "at this
09:47:45 20 time" what time are we talking about?

21 MS HOLLIS: That's what I'm going to follow.

22 Q. And when you say "at this time", Mr Witness, what time are
23 you talking about?

24 A. I am talking about from '99 up to 2003.

09:48:04 25 Q. And this rank of lieutenant general, it went with what
26 position that he held?

27 A. He was the general front line supervisor.

28 Q. A general front line supervisor for whom?

29 A. For the Government of Liberia.

1 Q. Who did he supervise?

2 A. The various front line generals.

3 Q. And as the general report line supervisor from 1999 until
4 2003, to whom did he report?

09:49:01 5 A. To the Government of Liberia.

6 Q. The Government of Liberia isn't a person. To what person
7 did he report?

8 A. He was also the chief of security to the President. But at
9 this time he was serving the Republic of Liberia. So what I know
09:49:22 10 is that he was reporting to the Government of Liberia, but I did
11 not know the individual to whom he reported, but within the
12 Government of Liberia.

13 Q. Well, give us the name of the position that this general
14 front line supervisor reported to.

09:49:47 15 A. I don't know. I said he reported to the Government of
16 Liberia, and I did not know the individual within the Government
17 of Liberia that he directly reported to.

18 Q. So you're telling us that, given your involvement at
19 various times with the Government of Liberia, you do not know to
09:50:09 20 whom Benjamin Yeaten reported from 1999 until 2003 in this
21 capacity as general front line supervisor, is that what you're
22 telling us?

23 A. Yes.

24 Q. In fact, Mr Witness, he reported to Charles Taylor, didn't
09:50:23 25 he?

26 A. I don't know.

27 Q. Now, Mr Witness, if I could - and if we could move it up so
28 that we see that the bottom shows the Thuraya. And the Thuraya
29 phone is a satellite phone, correct?

1 A. Yes, it is a satellite phone.

2 Q. Thank you. And, Mr Witness, if you could on the back of
3 that photograph put DCT-008 and today's date.

09:51:39

4 MS HOLLIS: Madam President, I ask that that be marked for
5 identification.

6 PRESIDING JUDGE: The photograph with the serial number
7 P-0000877 that has now been marked by the witness is marked
8 MFI-5.

9 MS HOLLIS: Thank you, Madam President.

09:51:58

10 Q. Mr Witness, you said that the radio operators at the
11 Executive Mansion in Monrovia after Charles Taylor was President,
12 that those radio operators worked in shifts. Do you remember
13 telling the Court that?

09:52:26

14 A. A point of correction. I did not say - the shift started -
15 I did not say the shift started after Charles Taylor became --

16 THE INTERPRETER: Your Honours, could the witness be asked
17 to repeat this area slowly.

09:52:41

18 PRESIDING JUDGE: Please pause. Mr Witness, the
19 interpreter cannot keep up with your speed. Please slow down and
20 repeat your answer. Start from the beginning.

21 THE WITNESS: Okay. I said the radio operators at the
22 Executive Mansion of the Republic of Liberia were running three
23 shifts, but I did not say after the elections of Charles Taylor,
24 but I said they were working in shifts. Three shifts.

09:53:11

25 MS HOLLIS:

26 Q. Well, Mr Witness, do you know whether they worked in shifts
27 before the election of Charles Taylor?

28 A. I got there when the shift was in place. Yes, they were
29 working in shifts before the election of Charles Taylor because I

1 met the system in place.

2 Q. And during the presidency of Charles Taylor at the
3 Executive Mansion, these radio operators worked in shifts, is
4 that correct?

09:53:42 5 A. Please say that again.

6 Q. Certainly. During presidency of Charles Taylor, the radio
7 operators at the Executive Mansion worked in shifts, correct?

8 A. Correct.

9 Q. And how many operators would work on each shift at the
09:54:00 10 Executive Mansion?

11 A. I know about my shift that I served during the time.

12 Q. So how many worked on your shift?

13 A. Well, for my shift, at times we were four, at times three,
14 and at times five. It was somehow irregular.

09:54:32 15 Q. Now, did you always work on the same shift, for example,
16 the day shift, or did you rotate shifts?

17 A. It was rotational.

18 Q. And when you worked on any of these shifts you would have
19 sometimes four, sometimes three, sometimes five. Is that
09:54:54 20 correct?

21 A. Yes.

22 Q. And what about the other shifts; do you know how many
23 worked on the other shifts?

24 A. No.

09:55:06 25 Q. Wasn't there some sort of roster that showed shift
26 assignments?

27 A. They had assignment listing, but I was concerned with my
28 assignment and the time I work.

29 Q. So your story to the judges is you didn't know how many

1 worked on the other shifts?

2 A. Yes.

3 Q. Mr Witness, when we're talking about radio frequencies,
4 what is SSB?

09:55:45 5 A. SSB is a single side band. Single side band.

6 Q. And it's single side band modulation, correct?

7 A. I don't know what you mean about that.

8 Q. Well, the SSB is an acronym for single side band
9 modulation, correct?

09:56:20 10 A. Yes.

11 Q. And you can have high frequency SSB, correct?

12 A. Yes.

13 Q. And high frequency SSB would be long range, correct?

09:56:48 14 A. It would be long range and short range. A long range is a
15 very high frequency and the short range is the high frequency.

16 Q. And this SSB had a very high frequency as well, correct?

17 A. Yes.

18 Q. And you could use this SSB frequency with sophisticated
19 transmissions, correct? And by that I mean coded transmissions,
09:57:15 20 correct?

21 A. I don't know what you are talking about now.

22 Q. SSB refers to frequency, correct?

23 A. SSB refers to the radio itself.

24 Q. But it also refers to a frequency, does it not, simply an
09:57:43 25 unregulated frequency?

26 A. I don't know.

27 Q. Now, if you were to use this SSB, you could use it to send
28 messages that were in code, correct?

29 A. Correct.

1 Q. And when you send a message that is in code, that is also
2 referred to as a content coded message, correct?

3 A. It is referred to as a coded message.

09:58:26

4 Q. And that means that the content of the message is in code,
5 correct?

6 A. That's correct.

7 Q. And you could also assign a code to a particular SSB
8 frequency, couldn't you?

9 A. Yes, I could assign a code to a particular frequency.

09:58:51

10 Q. So when you were communicating with someone, you could tell
11 them, in code, to switch to a particular SSB frequency, correct?

12 A. Correct.

13 Q. And we've heard of various codes that could be used. What
14 would be a type of code that could be used to designate an SSB

09:59:15

15 frequency?

16 A. It could be anything that you prefer.

17 Q. And did the Government of Liberia have particular code
18 words for their SSB frequencies?

19 A. Yes. The operators had code words for the SSB frequency.

09:59:47

20 Q. Do you remember what that code word or those code words
21 were?

22 A. I remember some.

23 Q. Could you tell us what you remember, please?

10:00:19

24 A. Yes. Like the code word for "dry rice market". Dry rice
25 market.

26 Q. And that would refer to an SSB frequency?

27 A. And that would refer to a particular frequency.

28 Q. A particular SSB frequency?

29 A. A particular frequency used on the SSB.

1 Q. And this dry rice market, when was that code word used?

2 A. I can't remember. But we used it. But I can't remember
3 when it was used, but it was part of our code for frequencies.

4 Q. Thank you, Mr Witness. Mr Witness, the Special Security
10:01:08 5 Service, it had several responsibilities, isn't that right?

6 A. Yes, it had a particular responsibility.

7 Q. Actually, it had a number of responsibilities in 1998, did
8 it not?

9 A. The SSB - I mean, the SSS had a sole responsibility, a
10:01:37 10 particular responsibility.

11 Q. And it was the President who selected the director of the
12 Special Security Service in 1998, correct?

13 A. I don't know how the director was selected or appointed.

14 Q. And it was the President who selected the deputy directors,
10:02:07 15 isn't that correct?

16 A. I don't know.

17 MS HOLLIS: At this time I would ask that a document be
18 distributed. It is a copy of Liberian Codes Revised 1998, and it
19 relates to the Special Security Service.

10:03:12 20 PRESIDING JUDGE: Yes, Mr Anyah, you're on your feet.

21 MR ANYAH: Yes, Madam President. I merely ask for some
22 time to review this document, in light of decisions by this Court
23 about the admissibility or use of fresh evidence. So I just need
24 a moment to review the document. If it's already admitted or if
10:03:30 25 it is part of an already admitted document, then, of course, I
26 don't have any problems with that.

27 MS HOLLIS: It is not already admitted. It was disclosed
28 to the Defence on 1 March this year.

29 PRESIDING JUDGE: Mr Anyah, I will give you one minute to

1 review it.

2 JUDGE LUSSICK: Ms Hollis, are you going to refer to any
3 particular part of this document? Because if so, that's the only
4 part I'll read in the next minute.

10:04:11 5 MS HOLLIS: Yes. And I will simply identify it. On the
6 first page, then I will move to what will be the fourth page that
7 shows "Copyright 1998". That would be page iv. Then page vi, I
8 will simply refer to the indexes talking about executive law.
9 Then the next pages I would refer to would be the 11th page as
10:04:47 10 you count and in the document it would be page 283, 284, 285,
11 286. And, your Honours, a later version of these revised codes
12 have been admitted into evidence. This is the 1998 version.

13 JUDGE LUSSICK: That answers my question. Thank you,
14 Ms Hollis.

10:06:46 15 PRESIDING JUDGE: Mr Anyah, your minute is up.

16 MR ANYAH: Yes. I've reviewed the document. Thank you.

17 MS HOLLIS: Thank you, Madam President.

18 Q. Mr Witness, we see the first page of this document shows us
19 that it is the Liberian Codes Revised. Then if we look at
10:07:12 20 page iv of the document, we see that it is copyright 1998 by
21 Liberia Law Experts. And if we look at page vi of the document,
22 which would be the fifth page in, we see that the document -
23 would you move it up, please, on the screen - that the document
24 contains an index of executive law.

10:07:49 25 And then if we could move to what would be the 11th page of
26 the document, the pagination in the document itself is page 283.
27 We see here, Mr Witness, subchapter C, Special Security Service,
28 section 2.40, which talks about service established and
29 functions. And if we look at the functions listed, we see, first

1 of all:

2 "To protect and secure the President, his immediate family,
3 and other officials and visiting dignitaries who are designated
4 by the President."

10:08:43 5 And you were aware of that function of the SSS, yes,
6 Mr Witness?

7 A. Yes.

8 Q. Now, Mr Witness, if we look at (b) it says: "To protect the
9 Executive Mansion and its grounds." Do you see that?

10:09:01 10 A. Yes.

11 Q. So that is also a function of the SSS, correct, "To protect
12 the Executive Mansion and its grounds"?

13 A. Yes, that is what is being read it.

14 Q. It also sets out as a function to protect all documents
10:09:24 15 which are top secret, confidential or informatory material,
16 correct?

17 A. Yes, that is what is written here.

18 Q. Mr Witness, you have talked about documents in which
19 messages, radio messages were recorded. Those types of documents
10:09:46 20 would fall within this function, yes? In other words, those
21 documents would be considered either top secret, confidential or
22 informatory material, correct?

23 A. Yes.

24 Q. Now, we need not bother - well, let's look at the - "to
10:10:10 25 security check all incoming mail, packages and things addressed
26 to or for use for the President and his household" and you were
27 aware of that function as well, yes, Mr Witness?

28 A. Are you asking me?

29 Q. I'm asking you if you were aware of that function of the

1 SSS?

2 A. I'm not aware.

3 Q. Now, if we could look to the next page, please. And if we
4 could look at (f):

10:11:01 5 "To check the residences of the President, both temporary
6 and permanent, to ensure their security."

7 You were familiar with that function, yes?

8 A. I do not know where you are reading from.

9 Q. Page 284, subpart (f), as in Foxtrot. You were familiar
10:11:36 10 with that function of the SSS, correct?

11 A. Yes.

12 Q. "(g) To serve as liaison with other security agencies in
13 matters pertaining to the screening of persons to be employed at
14 the Executive Mansion and for other services of the President."

10:11:57 15 And you were also familiar with that, correct, Mr Witness?

16 A. I'm not familiar with this.

17 Q. And let's look at the last one (h):

18 "To perform such other functions as may from time to time
19 be assigned by the President."

10:12:17 20 Now, you were familiar with that one, correct, Mr Witness?

21 A. This is referring to (g); if I'm not familiar with (g) I
22 cannot be familiar with (h).

23 Q. Well, Mr Witness, they are different functions, so with why
24 could you not be familiar with (h)?

10:12:43 25 A. Because it says here: "To perform such other functions".
26 Is it such not referring to (g)?

27 Q. No, it is not, Mr Witness. My question to you is very
28 simple: Were you aware that the SSS had, as one of its
29 functions, "To perform such other functions as may from time to

1 time be assigned by the President."

2 A. Yes.

3 Q. You are aware of that?

4 A. Yes, I'm aware of this.

10:13:21 5 Q. Now, Mr Witness, in order to carry out their function to
6 protect and secure the President, his immediate family, to
7 protect the Executive Mansion and its grounds, to check the
8 residences of the President, both temporary and permanent, to
9 ensure their security, the SSS had very strict procedures about
10:13:49 10 who could enter into areas that were considered the residences of
11 the President, correct?

12 A. Yes.

13 Q. And people entering into these premises would have to
14 provide identification which was sufficient to satisfy the SSS
10:14:12 15 that it was safe to let them in, correct?

16 A. Correct.

17 Q. And in order to carry out its function of protecting the
18 Executive Mansion and its grounds, this would include ensuring
19 that people who came into the Executive Mansion were able to
10:14:33 20 produce sufficient and valid identification, correct?

21 A. Correct.

22 Q. Did members of the SSS have identification cards?

23 A. Yes.

24 Q. Did members of the ATU have identification cards?

10:14:58 25 A. Yes.

26 Q. And did officials of the Government of Liberia have
27 identification cards indicating that, indeed, they were an
28 official of the Government of Liberia?

29 A. Yes.

1 Q. When the RUF came to Monrovia, did they have identification
2 cards that would have allowed them to enter the Executive
3 Mansion?

4 A. Repeat your question.

10:15:40 5 Q. Certainly. When the RUF came to Monrovia, did they have
6 identification cards that would have allowed them to enter the
7 Executive Mansion?

8 A. When they came to Monrovia, at what time?

9 Q. Let's talk, first, about 19 - the end of 1999, mid-December
10:16:05 10 and thereafter.

11 A. The RUF that entered the Executive Mansion Grounds were
12 people - were those that had already been enlisted into the
13 security forces and they had ID cards.

14 Q. And what about in 1998?

10:16:26 15 A. I - 1998, when, like, the trip that Sam Bockarie made to
16 meet the President in relation to the peace process, it was - I
17 don't know how to say it - it was diplomatic or what, so I don't
18 - there was security in place in order to permit them into the
19 Executive Mansion, but it was official.

10:17:04 20 Q. So VIPs or others who were visiting in an official
21 capacity, they would have access to the Executive Mansion?

22 A. VIPs or foreign guests who visit the Executive Mansion
23 would be escorted by the security of the Republic of Liberia who
24 would identify them to let them in.

10:17:35 25 Q. So if a person was being escorted, and this person did not
26 have an identity card, this person would have to be identified to
27 the security personnel at the Executive Mansion before they were
28 allowed into the Executive Mansion, is that right?

29 A. In the first place, before a guest or an official - a

1 foreign official enters the Executive Mansion, the Government of
2 Liberia had - is already aware that that person is entering the
3 country officially or legally. So the Government of Liberia
4 provides security to that official and the security is the one
10:18:16 5 who leads the official in. I don't know whether he or she had
6 identification, but the Government of Liberia is made aware and
7 the Executive Mansion is made aware of the appointment.

8 PRESIDING JUDGE: Mr Witness, I'm going to remind you to
9 slow down again, because what you are saying is being recorded as
10:18:37 10 well as interpreted. Don't forget that.

11 MS HOLLIS:

12 Q. So when this guest came into the Executive Mansion, it
13 would have to be verified that they were a member of a group or
14 that they individually were known to be an official guest before
10:19:04 15 they could enter the Executive Mansion, is that correct?

16 A. What I am saying is that any official or foreign guests or
17 officials who visit the Executive Mansion on an official visit,
18 the Government of Liberia is made aware of the person, so the
19 Government of Liberia provides security for that guest; and, if
10:19:31 20 the guest had to visit the Executive Mansion, the security
21 provided by - provided by the guest from the Government of
22 Liberia, and then a system is put in place in order to allow the
23 guest in. There was a system.

24 Q. So when they came to enter the Executive Mansion, the guard
10:20:00 25 or the supervisor there, would have some type of written document
26 indicating that this person was allowed to come into the
27 Executive Mansion, is that right?

28 A. At least there would be a document to show that this person
29 was visiting the Executive Mansion.

1 Q. And would the escort of the visitor have that document that
2 would have to be shown or would the guards at the Executive
3 Mansion have that document?

4 A. The escort for such a guest is the one who would explain to
10:20:46 5 the guys at the Executive Mansion that this is the VIP, this is
6 the official that I'm travelling with, and he is here for so and
7 so reason, and this is the document to show that he is here for
8 so and so reason; I believe that this is the system.

9 Q. So they would show them the document which would allow this
10:21:09 10 person to enter the Executive Mansion? The escort would show the
11 guards the document which allowed the guest to enter the
12 Executive Mansion, correct?

13 A. Yes, the escort would do everything that he should do in
14 respect of his duty, and he will go by whatever instruction that
10:21:34 15 he'd had from his boss or that he was performing in accordance
16 with his duties.

17 Q. Now, let's go back to this document, section 2.41,
18 Appointment and duties of Director, and we see the first sentence
19 says:

10:21:53 20 "The President, with the advice and consent of the senate,
21 shall appoint an administrative head of the service who shall be
22 designated as the director".

23 And in Mr Taylor's time, that was Benjamin Yeaten, correct?

24 A. Yes.

10:22:15 25 Q. Now, this section goes on to say:

26 "He", meaning the director, "shall be responsible to the
27 President through the Director General of National Security for
28 the administration of the Special Security Service but shall
29 report directly to the President should the President so direct."

1 And, Mr Witness, you were aware of that, correct?

2 A. Yes.

3 Q. So that --

10:22:50

4 PRESIDING JUDGE: Sorry, aware of what exactly? There's
5 a lot that you read in there. What is the witness saying yes to?

6 MS HOLLIS: Thank you, Madam President.

7 Q. Mr Witness, my question was not clear. Let me make it
8 clear to you.

10:23:09

9 You were aware that the director, that is Benjamin Yeaten,
10 would report directly to the President, that is Charles Taylor,
11 should the President so direct. You were aware of that, weren't
12 you?

13 A. Yes, in his capacity as the director of the Special
14 Security Service.

10:23:26

15 Q. And the duties of the director, under (a):

16 "To report directly to the President on all phases of the
17 operation of the service and all matters appertaining to the
18 service as may be required or as directed by the President."

10:23:51

19 And again, you were aware that Benjamin Yeaten had that
20 particular duty, correct?

21 A. Please read that again. I don't know where you're reading
22 from.

23 Q. Number (a), subpart (a):

10:24:09

24 "The director shall report directly to the President on all
25 phases of the operation of the service and all matters
26 appertaining to the service as may be required or as directed by
27 the President."

28 And you were aware that Benjamin Yeaten had this duty,
29 correct?

1 A. Yes.

2 Q. And if we look under subpart (b):

3 "The director shall develop all operations required to
4 carry out the functions of the service."

10:24:44 5 And you were aware of that duty as well, correct?

6 A. Yes. That is one of his functions.

7 Q. And, indeed, that is one of the duties that Benjamin Yeaten
8 did carry out during his time as the director of the Special
9 Securities Service, correct?

10:25:09 10 A. Yes.

11 Q. And also part (a), reporting directly to the President on
12 all phases of the operation of the service and all matters
13 appertaining to the service, that also is a duty that Benjamin
14 Yeaten carried out in his role as the director of the SSS,

10:25:32 15 correct?

16 A. Yes.

17 Q. Now, let's skip over to the next page and look at subpart
18 (d) of the duties of the director:

19 "The director shall call on other security agencies for
10:25:53 20 additional personnel whenever the need may arise for
21 reinforcement of this service."

22 And you were aware that Benjamin Yeaten had this duty,
23 correct? It's at the top, Mr Witness, subpart (d):

24 "To call on other security agencies for additional
10:26:16 25 personnel whenever the need may arise for reinforcement of this
26 service."

27 And at the very bottom of that subpart (d) it says that:

28 "Such agents, detectives, policemen, and soldiers assigned
29 to the service shall be under the complete command and

1 supervision of the director."

2 Now, Mr Witness, you were aware of that duty of Benjamin
3 Yeaten, correct?

4 A. I'm not aware of this.

10:26:52 5 Q. Well, during the time that Benjamin Yeaten was the director
6 of the SSS, did Benjamin Yeaten ever bring in security agents,
7 policemen, soldiers - did he ever bring them in to assist him in
8 his duties as director of the SSS?

9 A. It's not to my knowledge.

10:27:19 10 Q. And what about when he was the general battlefield
11 supervisor? In that capacity he had control over many different
12 fighters within the Government of Liberia, correct?

13 A. Yes.

14 Q. And that would have included the AFL?

10:27:48 15 A. The AFL that were on the front line. I said he was the
16 general front line supervisor.

17 Q. And any other fighters who were assigned to the front line
18 he would have been in charge of as well, correct?

19 A. I don't know that.

10:28:07 20 Q. Well, didn't you say that he was in charge of all the
21 fighters at the front line?

22 A. Yes, as his title suggests, general front line supervisor.
23 So other than the front line, if he was in charge of other forces
24 not on the front line, then I don't know about that. But he was
10:28:31 25 coordinating the front line.

26 Q. Well, Mr Witness, my question was that he would have been
27 in charge of any other fighters who were assigned to the front
28 line. And that is correct, is it not?

29 A. I can't say yes or no, because I don't know. But what I

1 know is that - or was that he was the general front line
2 supervisor and he supervised all of the front lines and the
3 generals on the front lines and all the front line - the fighters
4 on the front lines were directly under their command or their
10:29:26 5 generals.

6 Q. And they reported - those generals reported to Benjamin
7 Yeaten, correct?

8 A. Yes.

9 Q. Now, let's look at section 2.42, Appointment and duties of
10:29:41 10 Assistant Director:

11 "The President, with the advice and consent of the senate,
12 shall appoint an assistant director of the Special Security
13 Service who shall be the principal assistant to the director. He
14 shall perform such duties as may be assigned to him from time to
10:30:02 15 time by the director."

16 Now, you were aware of that provision, yes, Mr Witness?

17 A. I am not aware of that. I told you earlier that I am not -
18 I was not aware of the person who appointed the director. I told
19 you earlier. Whether appointed or not, I don't know. I told you
10:30:29 20 earlier.

21 Q. Well, there we were talking about the director. Are you
22 saying that you also did not know who appointed the assistant
23 director?

24 A. You asked me earlier whether - who appointed the director
10:30:45 25 of the SSS from the beginning of this and I told you that I do
26 not know.

27 Q. Now, Mr Witness, unless it's not being translated to you
28 correctly, I'm talking about the assistant director of the SSS.
29 Are you saying that you don't know who appointed the assistant

1 director of the SSS?

2 A. Yes.

3 Q. So you do not know?

4 A. Yes.

10:31:18 5 Q. Say what you mean by yes. Yes, I do not know; is that
6 correct?

7 A. Yes, I do not know who appointed the assistant director.

8 Q. Who was the principal assistant to Benjamin Yeaten in the
9 SSS?

10:31:39 10 A. In the SSS the special assistant - the special assistant to
11 Benjamin Yeaten --

12 Q. No, Mr Witness. This provision talks about the appointment
13 of "an assistant director who shall be the principal assistant to
14 the director". Do you know who this assistant director was in

10:32:09 15 the SSS who was the principal assistant to Benjamin Yeaten? Do
16 you know who that person was?

17 A. The next person to Benjamin Yeaten was the deputy director
18 for administration.

19 Q. And who was that?

10:32:27 20 A. Urias Taylor.

21 Q. And what was Urias Taylor's relationship to Charles Taylor?

22 A. He was one of Charles Taylor's securities but I did not
23 know whether he had any other relationship or biological
24 relationship to him, I don't know.

10:32:56 25 Q. So you had no knowledge of that, is that what you're
26 saying?

27 A. I don't have knowledge of that.

28 Q. Now, if we could please turn to the next page, page 286,
29 section 2.45, Power of officers and members to arrest:

1 "Officers and members of the Special Security Service shall
2 have the power to arrest vested in peace officers by the criminal
3 procedure law."

4 And you were aware of that, were you not, Mr Witness?

10:33:36 5 A. Yes, I am aware that the special security officers do not
6 arrest.

7 Q. That's not what it says, Mr Witness. Let's read it again:

8 "Power of officers and members to arrest. Officers and
9 members of the Special Security Service shall have the power to
10:34:11 10 arrest vested in peace officers by the Criminal Procedure Law."

11 And, Mr Witness, you were aware that officers and members
12 of the SSS had this power, correct?

13 A. I do not understand it, so I can't answer to that question.

14 Q. Well, it's quite simple, Mr Witness. During the time
10:34:42 15 period 1997, after Mr Taylor becomes President, until 2003.
16 During that time you were aware that officers and members of the
17 Special Security Service had the power to arrest. You were aware
18 of that, weren't you?

19 A. I was not aware of that.

10:35:18 20 MS HOLLIS: Madam President, could I ask that this document
21 be marked for identification.

22 PRESIDING JUDGE: Now, I've got to be careful about the
23 pages that you want us to mark, so please run us through the
24 pages you want marked.

10:35:39 25 MS HOLLIS: Certainly. It would be the first page, which
26 is page i; the fourth page, page iv; page vi; and then page 283;
27 284; 285; 286.

28 PRESIDING JUDGE: That's it. Okay. The document entitled
29 "Liberian Codes Revised" consisting of the pages that counsel has

1 outlined is marked MFI-6.

2 MS HOLLIS: Thank you, Madam President.

3 Q. Mr Witness, you talked about the fighting, the Camp Johnson
4 Road fighting that occurred on 18 September 1998, correct?

10:37:02 5 A. Yes.

6 Q. And after this fighting there was increased vigilance by
7 the security services of the Government of Liberia, correct?

8 A. Yes.

9 Q. And there was heightened reporting about border crossings
10:37:21 10 and events at the borders, correct?

11 A. Yes, there were rumours.

12 Q. I'm talking about the reporting. There was increased
13 reporting about border crossings and events at borders, correct?

14 A. There was a report that - there were reports about
10:37:55 15 cross-border attacks that could take place at any time and
16 security - the security were on the alert.

17 Q. And there was heightened security around the President and
18 his family, correct?

19 A. Yes, the Liberian security forces tightened the border.
10:38:20 20 They were - it was under their watch.

21 Q. Mr Witness, what I asked was: There was heightened
22 security around the President and his family, correct?

23 A. Yes.

24 Q. And there was also heightened security in terms of
10:38:36 25 individuals who would be allowed into the Executive Mansion,
26 correct?

27 A. Yes, as it was before, it was like that throughout. Even
28 throughout - even in the past administration there were strict
29 security measures that were set up at the Executive Mansion

1 Grounds or wheresoever the President or first families were.

2 There was full security.

3 Q. Now, the Executive Mansion itself, what was on the sixth
4 floor of the Executive Mansion in Monrovia?

10:39:15 5 A. On the sixth floor of the Executive Mansion in Monrovia, at
6 the time - at the time that I was assigned there, there was
7 nothing important that I could remember there. I only learnt
8 that there was a kitchen up there, the kitchen of the President
9 at the time, but there was nothing there - there was nothing
10:39:54 10 prominent there that I could remember.

11 Q. Well, this kitchen that you remember, the kitchen was to
12 serve whom?

13 A. The President.

14 Q. What was on the eighth floor of the Executive Mansion?

10:40:11 15 A. The eighth floor of the Executive Mansion, as I learnt when
16 I took up assignment, was the official residence of the
17 President. That was where President Doe resided before. But it
18 was looted by ECOMOG so it was no longer useful.

19 Q. So are you saying that when Charles Taylor was the
10:40:42 20 President, he didn't use the eighth floor of the
21 Executive Mansion?

22 A. Yes. To my knowledge, he did not use it because it had
23 been looted, it was not up-to-date.

24 Q. So between 1997 and 2003, do you know was there any time
10:41:03 25 that Charles Taylor used the eighth floor of the
26 Executive Mansion as his living quarters?

27 A. During the time that I was there - I was assigned from '97
28 to late '98 - I did not hear that the President used the eighth
29 floor as a living quarters.

1 Q. Now, Mr Witness, Charles Taylor talked to the Court about
2 the sixth and eighth floors of the Executive Mansion, and he told
3 the Court that the sixth floor were all bedrooms. And for
4 counsel's benefit, I'm talking about 19 August 2009, page 27185.

10:42:04 5 Now, he didn't say anything about a kitchen there. He said they
6 were all bedrooms. So, Mr Witness, is it possible you're wrong
7 about what was on the sixth floor?

8 A. I am saying what I know, what I heard. I said that the
9 prominent thing that I heard about the sixth floor was that there
10:42:30 10 was a kitchen there. The sixth floor had many rooms, but what I
11 heard was that one of those rooms was used as the presidential
12 kitchen. That's what I know about the sixth floor.

13 Q. And, Mr Witness, is it possible you heard wrong?

14 A. I - this is my information. I don't know whether it's
10:43:04 15 wrong or not. I think you can find out.

16 Q. Well, Mr Witness, I'm asking you the questions, all right?
17 Now, Yanks Smythe talked to this Court about the
18 Executive Mansion, and Yanks Smythe talked about the seventh
19 floor. Now, Mr Witness, you have said that there was a
10:43:31 20 communications centre on the seventh floor of the
21 Executive Mansion, correct?

22 A. Yes.

23 Q. Now, if we could have the transcript of 24 February 2010,
24 page 35894, to show that we're talking about the Executive
10:43:55 25 Mansion, and if we can look down towards the bottom, starting
26 with line 24, and we see he's talking about a blue room when you
27 have balls at the Executive Mansion, that's where they normally
28 have it.

29 Now, Mr Smythe is being asked questions about the

1 Executive Mansion. And if we turn over to page 35895, at line 3:

2 "Q. And on the seventh floor?

3 A. On the seventh floor is - it's normally - it's an open
4 area. The seventh floor is an open area. You have I think

10:44:56 5 - you also have offices there too.

6 Q. What do you mean by 'an open area'?

7 A. When I say 'an open area', it has a large area. As a
8 large area you have some offices, sitting places."

9 Now, Mr Witness, Yanks Smythe doesn't say anything about a
10 communications station on the seventh floor, does he?

10:45:17

11 A. Yes, he didn't talk about it.

12 Q. What was on the fifth floor of the Executive Mansion?

13 A. What I remember about the fifth floor of the

14 Executive Mansion is that it had a very large sitting room,

10:45:50

15 almost like a conference hall, and I was told that that was where
16 President Tubman used as a sitting room at the time.

17 Q. Did the fifth floor of the Executive Mansion have radio
18 operators for the Special Security Service?

19 A. No.

10:46:21

20 Q. Are you sure about that?

21 A. The fifth floor had no radio assigned or installed on the
22 fifth floor of the Mansion during the time that I was on
23 assignment there.

24 Q. So if someone told the Court that the SSS had a

10:46:38

25 communications section on the fifth floor, would they be lying to
26 the Court?

27 A. That would be the person's testimony of what he observed or
28 experienced, but I am speaking of what I observed or experienced.

29 Q. Let me ask you, Mr Witness, if someone told this Court that

1 the SSS had a communications section on the fifth floor, would
2 they have been lying to the Court?

10:47:16

3 A. If someone told the Court that the SSS had communication on
4 the fifth floor during the time that I was assigned there, then
5 that person would be lying.

6 Q. Well, to your knowledge, in 1998, was the SSS
7 communications section on the fifth floor of the
8 Executive Mansion?

9 A. No.

10:47:40

10 Q. What about 1999?

11 A. I don't know because I was not assigned there.

12 Q. Now, let's look at the transcript of 29 October 2009, at
13 pages 30747 and then 30748. Now, if we could go down to the 24th
14 line. Now, Mr Witness, this is the testimony of Charles Taylor
15 to the Court, and he is being asked questions about Prosecution
16 testimony and about a radio being on the fifth floor. And then
17 an answer:

10:48:42

18 "A. No. This liar knows - he had been in the mansion from
19 1995. The fifth floor of the Executive Mansion, your
20 Honours, contained the communications section of the secret
21 service, all of the - whether it is - whatever
22 sophisticated equipment, whether it is listening, whether
23 it is monitoring, whether it is telephone, all of the
24 communication gear of the secret service are located on the
25 fifth floor. This Varmuyan Sheriff" - I'm on the next
26 page - "This Varmuyan Sheriff working as assistant
27 director for operation from 1995, your Honour, is lying if
28 he says he did not know that the communication quarters of
29 the secret service that he worked for as assistant director

10:49:10

10:49:32

1 was not on the fifth floor."

2 And then if we look at line 8 and 9:

3 "A. That's why I'm saying he's lying because that fifth
4 floor contained all communication."

10:50:14 5 So, Mr Witness, Charles Taylor said it was the fifth floor
6 of the Executive Mansion that contained the SSS communications
7 section. Is Mr Taylor wrong about that?

8 A. I don't know. But I am saying to the Court that during the
9 time that I served as radio operator for the Executive Mansion
10:50:45 10 and assigned to the Executive Mansion, I was assigned to the
11 fifth floor, and that was where we had the radio communication -
12 on the fourth floor, rather. That was where we had the radio
13 communication room.

14 Q. Now, when you were assigned there, that was during the time
10:51:01 15 Charles Taylor was President, correct?

16 A. Yes, in '97.

17 Q. And, Mr Witness, Charles Taylor says nothing in these pages
18 I have just read, says nothing about communication equipment on
19 the seventh floor, does he?

10:51:18 20 A. Yes. I didn't hear a communication on the seventh floor.

21 Q. Mr Witness, who was code named 405?

22 A. 405 was the chief technician for the Special Security
23 Service.

24 Q. You remember - when you say "chief technician", what were
10:51:50 25 that person's duties?

26 A. He used to repair the radio communication - all radio
27 communication sets and to install radio communication sets
28 wherever it was supposed to be installed.

29 Q. Would that include the Executive Mansion?

1 A. Yes.

2 Q. Mr Witness, it's correct, is it not, that in 1997, Sunlight
3 worked on the fifth floor in this communications section? Isn't
4 that true?

10:52:29 5 A. Say that again.

6 Q. Certainly. It's correct, is it not, that in 1997, Sunlight
7 worked on the fifth floor, and I'm talking about the
8 Executive Mansion, the fifth floor of the Executive Mansion, in
9 this communications sections? That's true, is it not?

10:52:47 10 A. It is not true that Sunlight worked as a radio operator on
11 the fifth floor of the Executive Mansion of the Republic of
12 Liberia.

13 Q. And as a radio operator on the fifth floor of the
14 Executive Mansion, Sunlight communicated with the junta in
15 Sierra Leone in 1997, correct?

10:53:09 16 A. Sunlight was not assigned on the fifth floor as a radio
17 operator of the Executive Mansion.

18 Q. And it's also correct, is it not, that in 1997, Sunlight
19 worked on the fifth floor as a radio operator and communicated
20 with the RUF component of the junta in Sierra Leone? That's
21 correct, is it not?

10:53:32 22 A. Please repeat, because I heard you saying fourth floor and
23 the interpreter is saying fifth floor. Please repeat.

24 Q. Certainly. It's also correct, is it not, that in 1997,
25 Sunlight worked on the fifth floor as a radio operator and
26 communicated with the RUF component of the junta in Sierra Leone?
27 That's correct, is it not?

10:53:54 28 A. It is not correct that Sunlight worked as a radio operator
29 of the Executive Mansion on the fifth floor.

1 Q. Mr Witness, you told the judges about RUF radio operator
2 Sellay. And you told the judges that this RUF radio operator,
3 Sellay, would sometimes call for Jungle and operators would tell
4 him that Jungle was not around. Do you recall telling the judges
10:54:44 5 that?

6 A. Correct.

7 Q. Who were these operators --

8 A. These operators --

9 Q. -- who would tell him that Jungle was not around?

10 PRESIDING JUDGE: Sorry. Ms Hollis, you got interrupted
11 and part of your question is not recorded. Please ask it again.

12 MS HOLLIS: Thank you, Madam President.

13 Q. Mr Witness, let's agree on something. I won't interrupt
14 you and you let me finish my question before you answer,

10:55:23 15 all right?

16 A. Yes.

17 Q. Now, let me ask it again. We were talking about Sellay
18 calling and asking for Jungle and operators would tell him that
19 Jungle was not around. Now, what were the names of these radio
10:55:44 20 operators who would tell Jungle - or tell Sellay that Jungle was
21 not around?

22 A. Sunlight and Dew.

23 Q. When was Dew at Base 1?

24 A. Dew started I think in December or early - in December 1998
10:56:20 25 or early 1999, but I am not precise with the time or the month.

26 Q. Now, you also told the judges about an occasion when Sellay
27 called for Jungle. Jungle was not present, and Sellay left a
28 substantive message with Sunlight. Do you remember telling the
29 judges about that?

1 A. Yes.

2 Q. And you said that that substantive message had to do with
3 the Master needing food, do you recall?

4 A. Yes.

10:57:01 5 Q. And you told the judges that the Master who was referred to
6 was Sam Bockarie, correct?

7 A. Correct.

8 Q. How many other substantive messages did Selay leave with
9 Base 1 when Jungle was not present?

10:57:17 10 A. I - to my knowledge, it was only one. That is, in relation
11 to the food, the food message.

12 Q. Now, when Selay left this message with Sunlight or Dew,
13 was this a coded message or an uncoded message?

14 A. It was not a coded message.

10:57:55 15 Q. What language was Selay speaking?

16 A. Selay spoke English.

17 Q. What kind of English?

18 A. He spoke English that had a Sierra Leonean accent, but he
19 spoke somehow in a standard manner that could be understood by

10:58:19 20 Sunlight. This was not in Krio as when he was communicating with
21 Jungle.

22 Q. When you say he spoke English, do you mean Liberian English
23 or regular English?

24 A. He spoke in the regular English.

10:58:45 25 Q. Thank you. How many times do you say Sunlight spoke with
26 Selay on the radio in 1998?

27 A. Several times.

28 Q. Well, give us an estimate. Was it more than 10, was it
29 more than 20?

1 A. I can't recall - I do not recall but Sunlight spoke with
2 Sellay several times in 1998.

3 Q. And what about in 1999? How many times do you say Sunlight
4 spoke with Sellay in 1999?

10:59:34 5 A. Sunlight spoke with Sellay in 1999 several times but it was
6 on a periodic basis.

7 Q. What do you mean it was on a periodic basis but it was
8 several times?

9 A. I mean that it was not an every day thing. It was when
11:00:06 10 either he had a message to deliver to Sunlight from Sam Bockarie
11 for Benjamin Yeaten or if Benjamin Yeaten wanted to pass on
12 information to Sam Bockarie and this was when Sunlight
13 communicated with Sellay.

14 Q. During --

11:00:33 15 PRESIDING JUDGE: Ms Hollis, I'm aware of the time.

16 MS HOLLIS: Yes.

17 PRESIDING JUDGE: We will take the midmorning break now and
18 reconvene at 11.30.

19 [Break taken at 11.00 a.m.]

11:27:10 20 [Upon resuming at 11.34 a.m.]

21 PRESIDING JUDGE: Yes, Mr Anyah.

22 MR ANYAH: Yes, good morning, Madam President. I rise to
23 indicate to the Court the results of consultations with
24 Mr Griffiths, Mr Taylor and others. Having consulted them, and
11:35:16 25 this is in relation to the question posed by your Honour this
26 morning regarding whether or not the Defence wishes to seek
27 adjudication of a current motion filed under CMS-1039. The
28 response at this time is, yes, we would like to have a decision
29 on that motion, and the related pleadings. There was an addendum

1 filed under CMS-1053 as well.

2 PRESIDING JUDGE: May I ask why, why you need a result, an
3 adjudication, on that issue?

4 MR ANYAH: Because, as I indicated earlier this morning,
11:35:53 5 the motion is a motion that seeks alternately documentary
6 evidence, the Defence having not rested its case yet, might be in
7 a position, using further provisions of the rules, besides live
8 testimony, to seek admission of any documents that result from
9 the motion.

11:36:16 10 PRESIDING JUDGE: Thank you.

11 Madam Prosecutor?

12 MS HOLLIS: Thank you, Madam President. Before
13 I recommence cross-examination, I would simply like to put on the
14 record the Prosecution's position to what the Defence just said.
11:36:35 15 And our position is that if they seek to receive these documents
16 on the basis other than their relation with 097, they would have
17 to file another motion because they cannot ask your Honours to
18 make a decision based on anything outside the parameters of the
19 arguments and the motions. That's simply to put the
11:36:56 20 Prosecution's position on the record, Madam President.

21 PRESIDING JUDGE: Just let me consult my colleagues on the
22 matter.

23 We have no further comments on the comments by Mr Anyah,
24 except, Mr Anyah, we are - should we then take the email that was
11:38:24 25 generally circulated by lead counsel for the Defence to mean that
26 this sitting witness is the last live testimony witness that the
27 Defence is intending to call?

28 MR ANYAH: Madam President, I'm trying to pull the email
29 because it was a qualified language used by Mr Griffiths. The

1 language was to the effect of "as currently instructed", and so
2 there is a qualification there. What, as your Honours probably
3 know, that means is that as of the time Mr Griffiths wrote the
4 email, his instructions from our client at that point in time
11:39:06 5 suggested that this witness would be the final witness. But -
6 and I hope the email will be available to me on this computer
7 screen - but there is the possibility that, in the coming week or
8 so, to the extent there is the need to still call a witness, we
9 will make the necessary applications.

11:39:33 10 But as of yesterday, and on the basis of instructions
11 received from the client, that was the indication that
12 Mr Griffiths gave. So it does not necessarily foreclose the
13 possibility of one or more witnesses being called. That is
14 having applied to your Honours.

11:39:52 15 PRESIDING JUDGE: The reason I'm asking is, of course, for
16 purely administrative purposes and for purposes of managing these
17 proceedings. Both the Bench and the other side need to know, we
18 all need to be on the same page, as far as time management is
19 concerned, and as far as the administration of these proceedings
11:40:13 20 is concerned. That's the only reason I ask. And when we get
21 messages which are capable of various interpretations we come
22 back and ask. We appreciate clear messages.

23 MR ANYAH: Yes, Madam President, and it is to the benefit
24 of everyone for reasons, administrative and otherwise, to know
11:40:34 25 exactly where things stand.

26 What I can say to the Court now is that at the end of the
27 close of this witness's testimony, lead counsel will be present
28 before your Honours to advise your Honours as to the status of
29 the progression of our case, whether we are indeed calling no

1 further live witnesses after this witness, and the email,
2 I think, allows us that flexibility, if you will.

3 I now have a copy of it, and essentially Mr Griffiths wrote
4 that:

11:41:03 5 "Please be informed that at the conclusion of the testimony
6 of DCT-008 it is not anticipated, as currently instructed, that
7 any further live witnesses will be called to testify."

8 So there is a qualification there and I will let
9 Mr Griffiths speak to that when he comes before your Honours.

11:41:23 10 PRESIDING JUDGE: Very well, except Madam Court Manager to
11 alert you that we are having problems on the Bench with our
12 LiveNote. The similar kind of problem we had yesterday. I don't
13 know how far we are able to limp along like this.

14 MS IRURA: Your Honours, I will contact the relevant
11:41:46 15 technician.

16 PRESIDING JUDGE: Ms Hollis, I suppose we can continue. If
17 we get to a stage where the screen is blank, I will let you know.

18 MS IRURA: Your Honour, perhaps the parties and the Chamber
19 may in the meantime be able to view the LiveNote from the booth
11:42:25 20 by pressing the transcript button on the panel next to your
21 monitors.

22 MS HOLLIS: It seems the Prosecution is having the same
23 problem. Now my screen is continuing, but we will proceed,
24 Madam President.

11:42:54 25 Q. Mr Witness, before the short break, we were talking about
26 how many times Sunlight had spoken with Sellay on the radio in
27 1998 and in 1999. Can you tell us, please, how many times in
28 1998 did Dew speak with Sellay on the radio?

29 A. I can't recall.

1 Q. In - how many times in 1999 did Dew speak with Sellay on
2 the radio?

3 A. I can't recall that also.

11:43:46

4 Q. Why is that, Mr Witness? Sunlight and Dew worked together,
5 correct?

6 A. Yes.

7 Q. So why can you not recall?

8 A. Because I was not counting the number of times Sunlight and
9 Dew spoke to Sellay on the radio. I was not recording it.

11:44:09

10 Q. Well, did Dew speak with Sellay several times in 1998?

11 A. I don't know.

12 Q. Did Dew speak with Sellay several times in 1999?

13 A. Dew spoke to Sellay in 1999, but I do not recall how many
14 times.

11:44:41

15 Q. How many times do you say Sunlight actually physically met
16 with Sellay in 1998?

17 A. Just once.

18 Q. And where did that meeting take place?

11:45:12

19 A. It took place in Sinkor, at the YWCA community in Sinkor,
20 Monrovia.

21 Q. How many times did Sunlight meet with Sellay in person in
22 1999?

23 A. Zero times.

24 Q. Do you know if Dew met in person with Sellay in 1999?

11:45:32

25 A. No.

26 Q. You do not know?

27 A. Dew did not meet with Sellay in 1999, nor did they meet in
28 1998.

29 Q. And how are you able to know that?

1 A. Because I was with Dew and Sunlight, and when Sellay came
2 to Monrovia, Dew was not assigned at Base 1, or he was not in
3 Monrovia.

11:46:21 4 Q. How many times do you say Sunlight spoke with Daf over the
5 radio?

6 A. Sunlight dealt with Daf a lot after the death of Sellay, so
7 I do not know the number of times that Sunlight spoke with Daf.

8 Q. And how many times do you say Sunlight actually met in
9 person with Daf?

11:46:46 10 A. Sunlight met in person with Daf by - I can say twice in a
11 week; that is, at the time he met Daf for the first time when Daf
12 called him on the radio, and the second time when Sunlight went
13 to the RUF guesthouse to see Mr Foday Sankoh in person, Daf was
14 also present. So that makes it two times.

11:47:31 15 Q. When Sunlight spoke with Daf over the radio, what language
16 did they communicate in?

17 A. Sunlight spoke with Daf on the radio in English.

18 Q. And when you say "English", do you mean regular English or
19 Liberian English?

11:47:55 20 A. In regular English, because Daf could not speak in the
21 Liberian tongue, but in regular English.

22 Q. So Sunlight spoke and understood regular English; is that
23 correct?

24 A. Yes, Sunlight tries in regular English.

11:48:23 25 Q. My question was: Sunlight spoke and understood regular
26 English, correct?

27 A. Yes.

28 Q. How many times do you say Sunlight spoke with Elevation
29 over the radio?

1 A. To my knowledge, Sunlight spoke with Elevation two times on
2 the radio.

3 Q. And how many times did Dew speak With Elevation over the
4 radio?

11:48:58 5 A. That, I don't know.

6 Q. And how many times, if any, did Sunlight actually meet with
7 Elevation?

8 A. Not at all.

9 Q. How many times do you say Sunlight spoke with Pascal over
11:49:19 10 the radio?

11 A. Sunlight spoke with Pascal on the radio, I think two times
12 or more, but I do not actually recall.

13 Q. And in what years?

14 A. Either late '98 or '99, but I do not actually recall.

11:49:58 15 Q. And what was the subject of these communications over the
16 radio with Pascal?

17 A. Pascal helped Sunlight to connect him with Bravo Zulu 4,
18 and Pascal also called from Bravo Zulu 4 and Sunlight told him
19 that he wanted to speak to either Daf or Mortiga.

11:50:34 20 Q. And how many times, if any, did Sunlight meet Pascal in
21 person?

22 A. At no time.

23 Q. Mr Witness, just a little while ago we talked about
24 communications from the fifth floor of the Executive Mansion. It
11:51:00 25 is correct, is it not, that after the junta was pushed from power
26 in mid-February of 1998, Sunshine continued to communicate -
27 Sunlight, thank you - continued to communicate with the rebels in
28 Sierra Leone. That's correct, is it not?

29 A. It is not correct.

1 Q. And Sunlight continued those communications from the fifth
2 floor of the Executive Mansion, correct?

3 A. Sunlight never worked on the fifth floor of the Executive
4 Mansion as a radio operator.

11:51:49 5 Q. Now, when Sunlight first went to the Executive Mansion,
6 what floor do you say the communication equipment was on?

7 A. When Sunlight first worked at the Executive Mansion, he
8 worked on the fourth floor of the Executive Mansion.

9 Q. You told the judges a bit about Seibatu Jusu. When Seibatu
11:52:22 10 Jusu came to Liberia with Sam Bockarie in December of 1999, did
11 you see her after they arrived in Monrovia?

12 A. Yes, I saw her.

13 Q. And where did you see her?

14 A. I saw Seibatu Jusu at where Sam Bockarie was living, that
11:52:51 15 is, at the Four Houses community or the Four Houses compound.
16 That is, around the ELWA community.

17 Q. And did you see her at any other location?

18 A. Yes. I saw her at the Executive Mansion during pay day.
19 That was when I also went to receive my Special Security Service
11:53:21 20 allowance. She too was there to receive her allowance, because
21 her name was on the Special Security Service monthly allowance
22 list.

23 Q. And how often did you see Seibatu Jusu after she came to
24 Monrovia with Sam Bockarie in December of 1999?

11:53:44 25 A. Not often.

26 Q. What do you mean by that? Less than five times? More than
27 five times? More than ten? What do you mean?

28 A. I mean I do not recall how many times, but I used to see
29 Seibatu Jusu once a while.

1 Q. And during what years did you see her once in a while?

2 A. During late 1999 and then in 2003 - I'm sorry, in 2000 to
3 2001.

11:54:32

4 Q. Now, you mentioned the Four Houses compound. What do you
5 mean by the Four Houses compound?

6 A. This compound consists of four structures, four buildings,
7 within a fence, four buildings within a fence, and this compound
8 was named after the four buildings that were built or in the
9 fence. So it was named after the building because - Four Houses,
10 because there were four houses in a fence.

11:55:04

11 Q. Now, you have told the Court that Seibatu Jusu was on the
12 SSS allowance payroll, and you also told the judges on 30 August
13 that that payroll was to help SSS officers, for example, with
14 their rent. You remember telling the judges that?

11:55:29

15 A. Yes.

16 Q. So Seibatu Jusu was an SSS officer after she came to
17 Liberia, is that correct?

18 A. I believe so.

11:55:44

19 Q. And she was used as a radio operator by the SSS, isn't that
20 correct?

21 A. She never operated a radio either by the SSS or any agency
22 of government.

23 Q. And she was used as a radio operator because the Government
24 of Liberia would use the skills that people brought with them
25 when they came to Liberia, correct?

11:56:06

26 A. She was not used as a radio operator.

27 Q. And so, since she was a radio operator, the SSS used her so
28 that it could rely on her area of expertise, correct?

29 A. The SSS did not use Seibatu Jusu as a radio operator.

1 Q. Mr Witness, forgive my pronunciation, Daniel Chea, he was
2 the Minister of Defence during the time that Charles Taylor was
3 the President, is that correct?

4 A. Exactly so.

11:56:48 5 Q. And he was also a Minister of Defence during the duration
6 of Mr Taylor's administration in Gbarnga, correct?

7 A. That I do not recall, but I know - I do not recall.

8 PRESIDING JUDGE: If I may interrupt you, Ms Hollis.

9 Mr Witness, you said that Seibatu Jusu was an SSS officer when
11:57:30 10 she came to Liberia. You said you believed so. What exactly was
11 her role in the SSS, if you know?

12 THE WITNESS: I said I believed she was an SSS officer
13 because she was being paid by the SSS. So an ordinary person
14 cannot receive payment or allowance from the SSS without being an
11:57:57 15 SSS personnel. Seibatu Jusu, like others who came along with
16 Sam Bockarie, as I said, were granted citizenship, and some of
17 them --

18 PRESIDING JUDGE: Mr Witness, I understand all that and
19 it's based on what you're saying that I ask - I then asked you
11:58:20 20 the question what exactly was her role in the SSS? What exactly
21 was her work in the SSS?

22 THE WITNESS: Oh, that I don't know because I was not with
23 her during her job time, so I don't know her role.

24 MS HOLLIS:

11:58:43 25 Q. But, Mr Witness, you said you visited with her, you saw her
26 at the Four Houses compound. You didn't talk with her about her
27 SSS duties?

28 A. I did not visit Seibatu Jusu, but I saw Seibatu Jusu in
29 Sam Bockarie's compound, that is the Four Houses compound, that

1 was where she was and this is what I said. But I did not go
2 there to visit Seibatu Jusu.

3 Q. So when you were at the Four Houses compound, you didn't
4 speak with her?

11:59:22 5 A. I greeted her, because I had seen her before, so I greeted
6 her, and I greeted everybody else that I saw the same way.

7 PRESIDING JUDGE: So, Mr Witness, if you do not know
8 exactly what Seibatu Jusu did in the SSS, how can you
9 categorically say that she was not a radio operator? How can you
11:59:47 10 say such a thing?

11 THE WITNESS: I said she was not a radio operator, even
12 though I was not at the Executive Mansion, but I was operating a
13 radio communication set that I could communicate with the
14 Executive Mansion and I could communicate with any - so anyone
12:00:08 15 who worked within the communication centre I must have known.

16 MS HOLLIS:

17 Q. Indeed, witness, you did know and you did know that Seibatu
18 Jusu operated as a radio operator in Liberia, didn't you?

19 A. Seibatu Jusu did not operate radio in the Republic of
12:00:37 20 Liberia.

21 Q. As an SSS officer, what type of uniform did Seibatu Jusu
22 wear?

23 A. Seibatu Jusu, I did not see Seibatu Jusu in uniforms. And,
24 secondly, not all SSS personnel wore uniforms. Like me, I never
12:01:03 25 wore uniforms.

26 Q. And the SSS uniform, the camouflage uniform, what colour
27 was it? What colours were in that camouflage uniform?

28 A. It was a sky blue shirt with a navy blue trousers.

29 Q. Perhaps I'm not being clear, Mr Witness. Do you understand

1 what a camouflage uniform is?

2 A. Yes.

3 Q. What type of camouflage uniform - what colours were in the
4 camouflage uniform worn by the SSS?

12:01:43 5 A. The SSS - the SSS uniform was strictly plain sky blue and a
6 navy blue trousers.

7 Q. Actually, Mr Witness, SSS personnel sometimes wore
8 camouflage uniforms, didn't they?

9 A. I did not see that.

12:02:10 10 Q. The Liberian national police and, within the Liberian
11 national police, the Special Operations Division, what kind of
12 uniforms did the Special Operations Division have?

13 A. I don't know what you are talking about, Special Operations
14 Division. I don't know whether the Liberian national police had
12:02:47 15 a Special Operation Division because I was not working at the
16 police barracks.

17 Q. So you didn't know what divisions were within the Liberian
18 national police, is that correct?

19 A. I don't know the different - or the sections of the
12:03:12 20 Liberian national police.

21 Q. Now, we were talking about Daniel Chea during the existence
22 of the NPRAG. Now, if Mr Taylor told the Court that at one point
23 during the NPRAG, Daniel Chea became the Minister of Defence, you
24 wouldn't dispute that, would you?

12:03:45 25 A. If he said that, he - he was the leader, so then that was
26 what he knew, but I don't know and I do not recall Daniel Chea
27 being the defence minister. Okay, I wanted to call a name but
28 I forgot. The defence minister that I recall during the NPFL was
29 one Tom Womeiyu.

1 Q. At one point in time he was, and what happened with Mr
2 Woveiyu? How long was he in the NPFL?

3 A. I heard of Mr Woveiyu but I did not see him.

4 Q. My question was how long was he in the NPFL, if you know?

12:04:41 5 A. I don't know whether he left or not, but I heard of him as
6 the defence minister.

7 Q. Charles Taylor was sometimes referred to as chief, isn't
8 that correct?

9 A. Every senior officer, be it a sergeant, is referred to as
12:05:08 10 chief by his subordinates in Liberia. So he could be referred to
11 as chief and he was referred to as chief in this manner.

12 Q. So Mr Taylor was referred to as chief, correct?

13 A. Yes, by the security officers, he was referred to as chief.

14 Q. Did you consider yourself to be a close confidant of
12:05:36 15 Charles Taylor?

16 A. I was not close to Charles Taylor. I was not close to him.

17 Q. Did he discuss matters of state with you?

18 A. Not at all. I was far away. I was very far away from him.

19 Q. And he didn't talk about security issues with you?

12:06:07 20 A. I never sat with President Taylor in any discussions of
21 security matters. I never sat with him. I told you yesterday,
22 in my testimony, that the only time that I ever directly spoke
23 with the President was in 2003 when our men, some of our forces,
24 went missing in action in the lower Lofa, in Lofa Forest.

12:06:51 25 I mentioned that that was the time that I spoke with the
26 President face-to-face. And I did not think he knew me to be
27 {redacted}, and he had not seen me before.

28 MS HOLLIS: Madam President, we would ask for a redaction.

29 PRESIDING JUDGE: Madam Court Manager, we will just redact

1 the word {redacted} from the last preceding sentences.

2 MS HOLLIS: Thank you, Madam President.

3 Q. This meeting that you had in 2003, this was because you had
4 devised a mechanism whereby you could get communications

12:07:35 5 equipment to this group who had been missing in action, correct?

6 A. I met with the President because I put in place a mechanism
7 through which to locate the men, that is number one. And,
8 secondly, Benjamin Yeaten wanted me to teach the commander there
9 about the Thuraya phone, how to use the Thuraya phone, so that
10 was the opportunity that made me see face-to-face with the
11 President.

12:08:16

12 Q. Mr Witness, I'm talking about your meeting with the
13 President, not with the commander. Now, these two things that
14 you were doing - putting in place a mechanism to locate these men
15 and teaching the commander about the Thuraya phone - these were
16 basically military operational matters, correct?

12:08:36

17 A. Yes, it is a military matter, it is a security matter.

18 Q. And when you went to meet with President Taylor, what did
19 you brief him on?

12:09:04

20 A. When I went to - when the director of SSS took me to meet
21 with the President, he asked me about the idea that I had put in
22 place and I explained it. I explained the idea that I had put in
23 place in order to locate the men, in order for the pilot to
24 easily locate the men, and Ben told him how I knew about the
25 Thuraya phone and that I could teach the commander on how to use
26 the Thuraya phone, and that was all. It was not something
27 lengthy or for a long period.

12:09:38

28 Q. So you gave this briefing to the President of Liberia
29 before you actually taught the commander how to use the Thuraya

1 phone, is that right?

2 A. I told the President what I had put in place, and before
3 I could fly out there.

12:10:19

4 Q. And then I think you told the judges that after you had
5 given this briefing to the President, he allowed you to take the
6 phone, is that correct?

7 A. And after telling the President what I had put in place,
8 I was allowed to carry the phone and Ben gave me the Thuraya
9 phone.

12:10:42

10 Q. Mr Witness, I'm curious. I ask you a question and I ask
11 you whether it's correct or not, and you repeat your story.

12 A. What is it that is correct? Please repeat what you want to
13 get from me.

12:11:36

14 Q. I asked you a question - actually, several questions. For
15 example, so you gave this briefing to the President of Liberia
16 before you actually taught the commander how to use the Thuraya
17 phone, is that correct? "I told the President what I had put in
18 place and before I could fly out there" is your answer.

12:11:56

19 Mr Witness, why couldn't you simply say yes or no to the question
20 I had asked?

21 A. Yes, but I don't know what you termed as briefing the
22 President, but I told the President what I had put in place, and
23 I then explained to the President my capability to educate the
24 commander in the forest about the Thuraya phone, and that was
25 all.

12:12:23

26 Q. And then, Mr Witness, I asked you, "And after briefing, you
27 had given this briefing to the President, he allowed you to take
28 the phone, is that correct?" And then you said, "After telling
29 the President what I had put in place, I was allowed to carry the

1 phone and Ben gave me the Thuraya phone." Is there any reason
2 you could not have answered my question with a yes or no?

3 A. After informing the President about this, Ben then
4 instructed me to leave, and I left.

12:13:04 5 Q. Mr Witness, that doesn't at all answer my question. Are
6 you having to repeat your story because it is a learned story?

7 A. I am telling you how it went on - how it happened.

8 Q. Now, Mr Witness, Charles Taylor had a satellite phone even
9 before the war began in Liberia, isn't that right?

12:13:40 10 A. I don't know.

11 Q. And he had a satellite phone throughout the war in Liberia,
12 correct?

13 A. I don't know.

14 Q. You don't know what all means of communication

12:13:54 15 Charles Taylor had during the war?

16 A. I don't know. The means of communication the NPFL had was
17 the VHF radio. If - whether the President had a phone or a
18 satellite phone, I don't know, because I was not at all close to
19 the President to know what he had or what he did not.

12:14:21 20 Q. And during the NPFL times, Charles Taylor didn't consult
21 with you about his activities, did he?

22 A. During the NPFL times, I don't think Charles Taylor knew
23 that there was an individual like me within his organisation. He
24 does not know me.

12:14:50 25 Q. Now, you have told the judges that Charles Taylor's code
26 name was either Unit 1, Gentleman, or 407, correct?

27 A. Yes, I told the judges that the President's code name
28 within the SSS was Unit 1 or Gentleman, and on the VHF radio it
29 is 407. That is the correct answer.

1 Q. And you're sure about this 407, are you?

2 A. I'm surely sure about the code name 407.

3 Q. And are you as sure about 407 as you are that
4 Charles Taylor also had a code name Gentleman?

12:15:47 5 A. I'm sure of the code name 407 and I'm sure of the SSS
6 having the code Gentleman as referring to the President and also
7 the code Unit 1, within the Special Security Services codes.

8 Q. Now, Mr Witness, Charles Taylor testified to these judges,
9 he never told the judges he had a code name 407 or Gentleman.

12:16:17 10 Are you aware of that?

11 A. I am not aware of that, but all I'm aware of is that within
12 the communications section, these were the code names that we had
13 for the President.

14 Q. Do you think Charles Taylor didn't know his own code names?

12:16:42 15 A. I don't know. I don't know, but all I know is that these
16 were the code names within the system. He was not using radio to
17 have known his code names.

18 Q. Yanks Smythe also talked to these judges about
19 Charles Taylor's code name. Yanks Smythe never told the judges
12:17:04 20 that Charles Taylor had a code name 407 or Gentleman, are you
21 aware of that?

22 A. The - that is Yanks Smythe's testimony but now I am giving
23 mine.

24 Q. Do you think Yanks Smythe didn't know what the President's
12:17:27 25 code names were?

26 A. I don't know.

27 Q. Now, you also told the judges that Charles Taylor never had
28 the code 047. Do you remember telling the judges that?

29 A. Correct.

1 Q. Are you as sure of that as you are of the rest of your
2 evidence?

3 A. To the best of my knowledge, I am sure that President
4 Taylor never had a code name 047.

12:18:01 5 Q. Are you as sure of that as you are of the rest of your
6 evidence, Mr Witness?

7 A. Exactly so.

8 Q. So witnesses who said that one of Charles Taylor's code
9 names was 407, they would be lying, is that what you're saying?

12:18:24 10 PRESIDING JUDGE: You mean 047?

11 MS HOLLIS: 047, thank you, ma'am.

12 Q. 047, they would be lying, is that what you're saying?

13 A. What I am saying is that to the best of my knowledge,
14 President Taylor never had the code name 047, with the exception
12:18:49 15 of 407.

16 Q. You told the Court about one person with a code name Ebony.
17 How many people did you know who had a code name Ebony?

18 A. Correct. The code Ebony, I was told by previous operators
19 in 1994, when I got into the communication section, during the
12:19:20 20 NPFL/NPRAG, I was told that President Taylor was - they used the
21 code Ebony to refer to President Taylor but I did not use it.
22 And then Ebony, in late 1998 to 1999, when I was at Base 1, along
23 with the operators there, I heard this code name from one of the
24 RUF operators who called himself Ebony. So that makes it two
12:20:02 25 persons.

26 Q. Mr Witness, when you were telling the judges about
27 Charles Taylor's code name before, why didn't you include Ebony?

28 A. Well, I can remember saying Ebony or else maybe they did
29 not ask me. If I did not say it, it means then I was not asked.

1 Q. Well, Mr Witness, you were telling the judges about
2 Charles Taylor's code names. So why didn't you include Ebony?
3 Because you didn't.

4 A. I did not include Ebony because the code Ebony was not used
12:20:46 5 during my times of radio communication. I gave the judges the
6 codes that I knew for Mr Taylor.

7 Q. Now, the people who were radio operators in Gbarnga from
8 '94 to '96 or early '97, they would have been dealing with
9 messages for Charles Taylor, wouldn't they?

12:21:12 10 A. Say that again, please.

11 Q. The people who were radio operators in Gbarnga from 1994 to
12 1996 or early 1997, they would have been dealing with messages
13 for Charles Taylor, correct?

14 A. I was not with them, so I don't know.

12:21:34 15 Q. And just to be sure, clear, I'm talking about radio
16 operators in Gbarnga from 1994 to 1996 or early 1997. And you're
17 saying you weren't with them, is that correct?

18 A. Oh, you mean from 1994 to '97? From '94 to '97, there was
19 a radio - there was a radio at the Executive Mansion in Gbarnga
12:22:06 20 and these people might have received information from Mr Taylor
21 through the aide-de-camp because there was a system being put in
22 place and the system was a kind of system that works in China.
23 So they might have received a communication or instruction from
24 the leader of the NPFL through the aide-de-camp or the special
12:22:45 25 aide to the President.

26 Q. Mr Witness, things will go a lot more quickly if you will
27 listen carefully to the questions and answer the question asked.
28 The people who were radio operators in Gbarnga from 1994 to 1996
29 or early 1997, they would have been dealing with messages for

1 Charles Taylor, correct?

2 A. I don't know.

3 Q. Now, let's go back to code name 047 for Charles Taylor, and
4 let's look at what Charles Taylor and Yanks Smythe said about his
12:23:26 5 code names. And for Defence counsel's reference, I am talking
6 about 16 September 2009, page 28992.

7 Mr Witness, Charles Taylor told these judges that his code
8 names were Unit 1, 047, and Ebony, and Yanks Smythe. And for
9 counsel's purposes, I'm referring to 24 February of this year,
12:24:07 10 page 36284. Yanks Smythe said that Charles Taylor was Ebony and,
11 when he became President, he was 047. He was also referred to as
12 Unit 1. So Mr Witness, Charles Taylor and Yanks Smythe both said
13 Charles Taylor's code names included 047. Were both of them
14 wrong or are you wrong?

12:24:46 15 A. That is their testimony. That's their testimony. I am
16 giving mine based on what I know.

17 Q. And you don't know the correct information, do you?

18 A. That is their testimony, but I am telling you what I know.

19 Q. Now, in relation to Benjamin Yeaten, he did not move up to
12:25:16 20 the commander level until around 1993, isn't that correct?

21 A. Say that again?

22 Q. Benjamin Yeaten, he did not move up to the commander level
23 until around 1993; is that correct? And just so we are clear,
24 I'm talking about battalion commander or higher. So it wasn't
12:25:43 25 until around 1993 that Benjamin Yeaten moved up to the level of
26 battalion commander or higher, isn't that correct?

27 A. Do you mean that Benjamin Yeaten was not a battalion
28 commander before 1993? I'm not understanding your question.

29 Q. Let me help you to try to clarify that. Benjamin Yeaten

1 did not have a command position at the battalion or higher level
2 until around 1993, isn't that correct?

3 A. It's not correct. Benjamin Yeaten, to the best of my
4 knowledge, was the Special Security Services director since 1992.

12:26:51 5 Q. And, to your knowledge, what rank would that have held
6 during NPFL times?

7 A. Well, I don't know, but we were referring to him as
8 director. There was no badge shown to communicate it, and
9 because there were no uniforms as well.

12:27:25 10 Q. Mr Witness, do you remember the time when Charles Taylor
11 was a member of the council of state? This was before the
12 elections. Do you remember that time?

13 A. Yes.

14 Q. During the time that Charles Taylor was a member of the
12:27:40 15 Council of State, was Benjamin Yeaten the director or deputy
16 director of the Special Security Service?

17 A. During the time that Charles Taylor was with the Council of
18 State, he was just personal security commander to him. He was
19 not in the SSS of the Republic of Liberia. He was not a director
12:28:07 20 of the SSS of the Republic of Liberia but he was the director of
21 the SSS of the NPRAG.

22 Q. So if a witness told the Court that during the time
23 Charles Taylor was serving on the Council of State,
24 Benjamin Yeaten was the deputy director of the SSS, are you
12:28:32 25 saying that person would be wrong?

26 A. If Benjamin Yeaten was deputy director of the SSS, that I
27 don't know. But what I know is that he was the director for the
28 NPRAG during the times of the transitional government, the
29 six-month council.

1 Q. So you don't know what his position was during --

2 PRESIDING JUDGE: Please pause, Ms Hollis.

3 MR ANYAH: I just rise to make a clarification regarding
4 the record. My LiveNote transcript at page 75, line 17, using
12:29:16 5 the 14-point font has learned counsel opposite giving us a
6 reference for Yanks Smythe's testimony and it says, I'm referring
7 to 24 February of this year, page 36284. That page actually
8 appears on the transcript of 1 March of this year and not 24
9 February.

12:29:48 10 MS HOLLIS: I apologise if I have that date wrong. I
11 believe the page is correct.

12 MR ANYAH: The information is on the page but the page is
13 to be found in the transcript --

14 MS HOLLIS: 1 March.

12:30:05 15 MR ANYAH: -- of 1 March.

16 MS HOLLIS: Thank you. Thank you for that.

17 Q. So, Mr Witness, you don't know what Benjamin Yeaten's
18 position was during the Council of State, when Mr Taylor was a
19 member of the Council of State; is that correct?

12:30:39 20 A. I do not know whether Benjamin Yeaten had a position within
21 the Council of State at the time.

22 Q. Benjamin Yeaten became the director of the SSS at the time
23 Charles Taylor was sworn in as President; is that correct?

24 A. That's what I know.

12:31:00 25 Q. And we have talked about the responsibilities of the
26 director of the SSS in relation to the security for the
27 President, correct?

28 A. Yes, you read that.

29 Q. So as soon as he became the director of the SSS, it would

1 have been important for him to be able to be informed about
2 events that impacted the security of the President, correct?

3 A. Please come again.

12:31:41

4 Q. As soon as he became the director of the SSS, it would have
5 been important for him to be able to be informed about events
6 that impacted the security of the President, correct?

7 A. I don't know.

8 Q. And it would have been important that he be informed about
9 these events immediately; isn't that right?

12:32:09

10 A. I don't know.

11 Q. So it would have been important for him to have a radio as
12 soon as he became the director of the SSS; isn't that right?

13 A. Please come again.

12:32:34

14 Q. It would have been important for Benjamin Yeaten to have a
15 radio as soon as he became the director of the SSS, correct?

16 A. It was important to have - for him to have a radio with him
17 when he became the SSS director, when it was necessary.

18 Q. And that would have been necessary from the very first day
19 that he was the director of the SSS, correct?

12:33:05

20 A. On the day that he became the director of the SSS, there
21 was no necessity for him to have a radio, so it was not
22 important.

23 Q. His SSS duties and responsibilities existed whether there
24 was a conflict or not, correct?

12:33:34

25 A. I don't understand that.

26 Q. His SSS duties and responsibilities existed, and he had to
27 carry them out, whether the country was at peace or at war; isn't
28 that right?

29 A. Exactly so. It was his responsibility to carry arms.

1 Q. And that responsibility began the day that he assumed that
2 office; isn't that right?

3 A. As soon as he took up office as director, he assumed the
4 responsibility to protect the President.

12:34:16 5 Q. Now, you mentioned Varmuyan Sherif and you said that
6 Sam Bockarie told, and in your words you said "us", about getting
7 ammunition from Varmuyan Sherif. You remember telling the judges
8 about that?

9 A. That's not correct. I did not say Sam Bockarie told us.
12:34:44 10 I told the judges that I got this information through Daniel
11 Tamba, Jungle, that Sam Bockarie told Daniel Tamba.

12 Q. And we'll come back to what exactly you said at a later
13 time, Mr Witness. Varmuyan Sherif, were you good friends with
14 Varmuyan Sherif?

12:35:09 15 A. Who, I myself?

16 Q. That's you I'm talking to, you.

17 A. I was not friendly with Varmuyan Sherif. Varmuyan Sherif
18 at the time was a high-ranking officer. I was a low class
19 officer. I never had any intimate relationship with Varmuyan
12:35:31 20 Sherif. I can't consider him as my friend, but he was my boss.

21 Q. So he never discussed with you his duties; is that right?

22 A. He never discussed with me any - he never discussed
23 anything with me.

24 Q. He never discussed with you any taskings that
12:35:55 25 Charles Taylor may have given him, correct?

26 A. He never discussed anything with me.

27 Q. He was the assistant director of operations in the SSS,
28 correct?

29 A. Yes.

1 Q. And as the assistant director of operations, he worked
2 immediately for the deputy director of operations, correct?

3 A. Excuse me, what I remember is that Varmuyan Sheriff was the
4 Chief of Protective Service. That is unit 5-6. To my knowledge,
12:36:35 5 he was the Chief of Protective Service.

6 Q. If we could please look at D-141, this is the Presidential
7 papers, at page 333.

8 A. To my knowledge, Varmuyan Sheriff was the Chief of
9 Protective Services, that is unit 56.

12:37:03 10 Q. Now, Mr Witness, we are going to look at a page of the
11 Presidential papers. This is a collection of documents relating
12 to a certain time period when Mr Taylor was President, and, in
13 one of the indexes, it sets out members of the Executive Branch,
14 and if we could please look at page 333. And if we could look
12:37:36 15 down under the section Special Security Service, if that could be
16 brought up on the screen, please.

17 Now, Mr Witness, under Special Security Service, it has
18 "position" and then "name". Look at number 7, Mr Witness,
19 Assistant Director For Operations, "Captain Vamayan Sheriff".

12:38:07 20 Mr Witness, Varmuyan Sheriff was the assistant director of
21 operations for the SSS, correct?

22 A. To my knowledge --

23 PRESIDING JUDGE: Yes, Mr Anyah?

24 MR ANYAH: To be fair to the witness, the Presidential
12:38:23 25 papers in question covers a particular period of time. It is at
26 the bottom of the document on each page. It covers the period
27 from 2 August 1997 through to 31 December 1998. So, if the
28 question is whether Varmuyan Sheriff occupied that position during
29 that period of time it would be a fair question to put to the

1 witness, but if it's an open-ended question with no time frame
2 and the question is reliant on this document, then it is unfair
3 to the witness.

4 PRESIDING JUDGE: Thank you. Ms Hollis, do you want to
12:39:01 5 rephrase the question?

6 MS HOLLIS: Yes, I will, Madam President.

7 Q. Mr Witness, as Defence counsel has properly pointed out,
8 this document went from the time that the President was
9 inaugurated until 31 December 1998. So from, as Defence counsel,
12:39:24 10 we will take his date, from 2 August, 1997, through 31 December
11 1998, during that time, Varmuyan Sherif was the assistant
12 director of operations for the SSS, correct?

13 A. The positions, to my knowledge, that I knew for Varmuyan
14 Sherif was the chief of protective service.

12:39:53 15 Q. So the Presidential papers got it wrong, is that what
16 you're saying?

17 A. I don't know whether he was a deputy director of
18 operations.

19 Q. There are quite a few things you've testified about that
12:40:09 20 you have simply been wrong about, isn't that right?

21 A. Say that again.

22 Q. You have given the judges information on several different
23 topics, and you have been wrong about that information, isn't
24 that correct?

12:40:30 25 A. I have given information to the judges that I know of. I
26 don't know whether it is wrong or not, but what I know is that
27 this is what I knew at the time.

28 Q. Let's talk about the Executive Mansion Guard Battalion
29 Artillery Unit. What was the rank of the commander of the

1 Executive Mansion Guard Battalion Artillery Unit?

2 A. I don't know his rank. I only knew his title as an ATU
3 commander.

12:41:32

4 Q. And in 1991 and 1992, who was in command of the Executive
5 Mansion Guard Battalion Artillery Unit?

6 A. The commander of the Artillery Unit in Gbarnga was a
7 company commander, and he had the rank of a captain.

8 Q. And what was his name?

9 A. Joseph Kahyah.

12:42:04

10 Q. Can you help us to spell the last name.

11 A. Let me try. I may not be correct because it's an African
12 name. I think K-A-H-Y-A-H, something like that but I'm not sure.

13 Q. Thank you, Mr Witness. Who was the commander of the
14 Executive Mansion Guard Battalion in 1991 and 1992?

12:42:45

15 A. I knew of one Michael Paygar.

16 Q. And where had he been trained?

17 A. Michael Paygar was one of the Special Forces of the NPFL.

18 Q. And he was the commander of the Executive Mansion Guard
19 Battalion until perhaps the second half of 1993, correct?

12:43:17

20 A. Maybe, but I can't recall.

21 Q. Who replaced him?

22 A. What I can recall is that Cassius Jacobs became the chief
23 of staff for the entire Executive Mansion Guard Protection Force,
24 which is the EMPGF. This included the Cobra Unit, and the
25 Executive Mansion Guard Battalion.

12:44:02

26 Q. Well, my question is who took over command of the Executive
27 Mansion Guard Battalion when Paygar was no longer the commander?

28 A. I don't know. I do not recall.

29 Q. It's correct, is it not, that after Michael Paygar was no

1 longer commander, that command was turned over to Cassius Jacob,
2 that is, commander of the Executive Mansion Guard Battalion?

3 A. I do not recall the chronology of that event.

4 Q. Now, Mr Witness, you have admitted to these judges that in
12:45:03 5 1998, the RUF received ammunition from Benjamin Yeaten, yes?

6 A. Yes.

7 Q. And when was it in 1998 that you say you received this
8 ammunition from Benjamin Yeaten?

9 A. It was after Sam Bockarie's first visit to Monrovia, that
12:45:34 10 is, the last quarter of 1998.

11 Q. And what do you mean it was after this visit? You mean he
12 had come to Monrovia and had left and gone back to Sierra Leone?

13 A. Yes - it means when Sam Bockarie came to Monrovia, I think
14 that was in September or October of '98, when he left for
12:45:57 15 Sierra Leone, that was when this transaction took place.

16 Q. And you have told the Court that this was a secret deal,
17 correct?

18 A. Exactly so.

19 Q. So only trusted people were involved in this deal, is that
20 right?

21 A. What do you mean by "only trusted people"?

22 Q. Well, these collaborators, these people who were making
23 this secret deal with Sam Bockarie. They allowed only trusted
24 people to be involved in this deal, correct?

12:46:38 25 A. What I know was that this deal was between Sam Bockarie -
26 secretly between Sam Bockarie and Ben, in relation to this
27 particular ammunition that I'm speaking of.

28 Q. But, Mr Witness, the other people who knew about this, only
29 those people that Benjamin Yeaten trusted would have been aware

1 of this deal, correct?

2 A. Yes, those he trusted.

3 Q. And only people that were trusted would have been involved
4 in actually carrying out this deal, isn't that right?

12:47:23 5 A. Only those whom he trusted, those who were very close to
6 him and whom he trusted were the ones he used.

7 Q. And you said that one of these people was Sampson, he was
8 one of them who took ammunition from Liberia to the RUF in
9 Sierra Leone in 1998, correct?

12:47:43 10 A. Yes.

11 Q. And another one of those people you said was Zigzag Marzah,
12 correct?

13 A. I said Zigzag Marzah was the driver.

14 Q. Yes. And you said he would escort them, correct?

12:48:01 15 A. Yes, correct.

16 Q. Now, if a witness told the judges that Zigzag Marzah and
17 Sampson did not bring ammunition to the RUF in Sierra Leone in
18 1998, that person would not be telling the truth, would he?

19 A. If that person said that, then that would be that person's
12:48:28 20 testimony, that would be his view.

21 Q. Mr Witness, I'm not asking about the view. I'm asking you
22 if a person said that, that would not be correct, would it?

23 A. I cannot - I cannot judge the opinions of that person, but
24 I can only tell what I saw.

12:48:51 25 Q. Well, Mr Witness, according to you, it happened, so if
26 somebody else said it didn't happen, they wouldn't be telling the
27 truth, would they?

28 A. I said it happened. If another person said it did not
29 happen, so then that's the person's opinion. But I cannot judge

1 who is saying the truth or who is not saying the truth.

12:49:32 2 Q. Well, Mr Witness, during the direct examination on many
3 occasions you said that a certain person giving evidence, that
4 that information wasn't correct or it wasn't the truth. So why
5 can't you say that now?

6 A. I am saying I am not in a position to judge when somebody
7 says Sampson and Marzah did not carry ammunition, that would be
8 his testimony, that would be his view, but what I'm sure of and
9 what I know, as far as my knowledge is concerned, Sampson and
12:49:58 10 Marzah transported - they were used by Ben to carry this
11 particular consignment that I spoke - that I saw and spoke of.

12 Q. Zigzag Marzah, he was notorious in Charles Taylor's forces,
13 wasn't he?

14 A. I don't know what you mean by that. Please come again.
12:50:28 15 Notorious in terms of what?

16 Q. In terms of his conduct.

17 A. His behaviour, such as what?

18 Q. Well, Mr Witness, he had a reputation as being wicked and
19 practising cannibalism, didn't he?

12:50:59 20 A. I don't know whether it was known within the government but
21 I personally, I observed him of being someone who practised
22 cannibalism because I saw it.

23 Q. That wasn't my question, Mr Witness. Mr Witness, Zigzag
24 Marzah had a reputation as being wicked and practising
12:51:25 25 cannibalism, didn't he?

26 A. Yes, he had that reputation because I saw it.

27 Q. You understand what a reputation is, Mr Witness?

28 A. Yes.

29 Q. And he had that reputation, isn't that correct?

1 PRESIDING JUDGE: Ms Hollis, to be fair to the witness,
2 reputation amongst whom? You can have a reputation amongst your
3 peers, you can have a reputation amongst the media. So many.
4 And the witness's first answer was he didn't know if it was known
12:52:06 5 within the government, but he personally observed certain things.
6 So I, for one, would like to know what reputation amongst whom.

7 MS HOLLIS:

8 Q. Now, Mr Witness, you have heard the judge's question. So
9 he had this reputation of being wicked and a - and practising
12:52:29 10 cannibalism among whom?

11 A. Among his friends, his peers. He was well noted for that
12 among his peers.

13 Q. He was well noted for that throughout Charles Taylor's
14 forces, isn't that right?

12:52:51 15 A. He was well known for that throughout his time in the
16 Jungle Fire, during the NPFL days.

17 Q. He was also well known for that during Charles Taylor's
18 time as President, isn't that right?

19 A. For Charles Taylor's time as President, I did not see him
12:53:17 20 doing that.

21 Q. Mr Witness, have you not in the past told the Defence that
22 Zigzag Marzah was wicked and practised cannibalism?

23 A. I told - I told the lawyers, yes, I said that.

24 Q. And when you said that, you didn't qualify that with any
12:53:39 25 time period or any force, did you?

26 A. When I said that, I gave an instance where I saw it myself,
27 and that was - that dates back to the time of the NPFL, in
28 particular during the Gbarnga war - during the ULIMO war in
29 Gbarnga in 1994. If it was not mentioned, then I think they made

1 a mistake but I gave an example and an instance.

2 Q. But, Mr Witness, when you were talking about his
3 reputation, you didn't qualify that reputation, did you?

12:54:35

4 A. When I was talking about that reputation, I mentioned him
5 as one who practised cannibalism and I gave an instance and I -
6 and I connected it to the Gbarnga war in 1994.

7 Q. And, Mr Witness, when you said he was wicked, what did you
8 mean by that?

9 A. Someone who eats a human being is a wicked person.

12:55:00

10 Q. So it was the cannibalism you were referring to when you
11 said he was wicked?

12 A. Exactly so.

13 Q. Zigzag Marzah was also known as a ruthless killer, wasn't
14 he?

12:55:18

15 A. Zigzag Marzah, according to his own story, he was also
16 known as a secret killer, even before the time of the NPFL.

17 Q. What do you mean, Mr Witness, "according to his own story"?

18 A. That's correct.

19 Q. That doesn't answer my question. What do you mean

12:55:41

20 "according to his own story"?

21 A. I mean that according to his own narration about himself,
22 during the late Samuel Doe's administration, I think, I'm not
23 sure, but in the 80s, there was a murder case that involved the
24 former defence minister.

12:56:13

25 THE INTERPRETER: Your Honour, can he kindly repeat the
26 name of the minister?

27 PRESIDING JUDGE: Please pause, please pause. Can you
28 please repeat the name of the former minister, former defence
29 minister, and then continue from there.

1 THE WITNESS: I said the former defence minister of the
2 Republic of Liberia during the late President Samuel Kanyon Doe's
3 administration, General Gray D Allison. Gray D Allison.

4 THE INTERPRETER: Your Honour, can he repeat his testimony
12:57:02 5 slowly.

6 PRESIDING JUDGE: Mr Witness, pause. The interpreter
7 absolutely has not caught up with you. Now, the question that
8 was asked of you was: What do you mean "according to his story"?
9 These were your words. You said, "According to his own story he
12:57:27 10 was also known as a secret killer even before the time of the
11 NPFL." Counsel then asked you what do you mean "according to his
12 own story"? Now you're trying to answer to explain to us what
13 his own story means. So, please, start again, slowly.

14 THE WITNESS: What I mean by "according to his own story"
12:57:53 15 is that what he himself explained about himself, what he, Zigzag
16 Marzah, explained about himself. That is --

17 MS HOLLIS:

18 Q. Before you continue, when was he explaining this about
19 himself?

12:58:17 20 A. That was way back in 1994, when we were in Gbarnga.

21 Q. And to whom was he explaining this about himself?

22 A. I was around, together with other friends, NPFL friends,
23 within the Jungle Fire, and he started explaining his own
24 biography.

12:58:52 25 Q. And so his explanation about himself was that he was
26 wicked?

27 A. He explained - his explanation about himself was that this
28 was what he did that led him to be a member of the SATU, that is
29 the special terrorist unit of Samuel Doe, how he got into the

1 SATU. That was the background story that he was explaining about
2 himself.

3 Q. And did he also explain to you about his cannibalism?

12:59:42

4 A. No. He explained about - I don't know whether I could say,
5 ritualistic practices, that is secret killings.

6 Q. Do you recall when that was in 1994 that he was giving this
7 explanation?

8 A. I can recall that it was in 1994, during the Gbarnga war,
9 but I don't know the month and date.

13:00:04

10 Q. Thank you. Madam President?

11 PRESIDING JUDGE: Ms Hollis, I do realise that the time is
12 up, this being Friday. Mr Witness, we are going to adjourn to
13 Monday at 9 o'clock to continue your testimony and in the
14 meantime you are not to discuss your evidence with anyone.

13:00:28

15 THE WITNESS: Thank you, Madam President.

16 PRESIDING JUDGE: Court is adjourned accordingly.

17 [Whereupon the hearing adjourned at 1.00 p.m.

18 to be reconvened on Monday, 6 September 2010 at

19 9.00 a.m.]

13:01:15

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WITNESSES FOR THE DEFENCE:

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CROSS-EXAMINATION BY MS HOLLIS

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