



Case No. SCSL-2003-01-T

THE PROSECUTOR OF
THE SPECIAL COURT
V.
CHARLES GHANKAY TAYLOR

TUESDAY, 7 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 Simon Chapman

1 Tuesday, 7 September 2010

2 [Open session]

3 [The accused not present]

4 [Upon commencing at 9.06 a.m.]

08:57:07 5 PRESIDING JUDGE: Good morning. We'll take appearances
6 first, please.

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

09:07:47 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. I am joined by
13 Mr Simon Chapman.

14 Madam President, Mr Taylor is absent, as your Honours will
09:07:59 15 have noticed, and he is absent for the same reasons he typically
16 is absent on Tuesday mornings. I am instructed that I have his
17 consent to proceed in his absence, and we anticipate that by
18 11.30 he should be present in court.

19 PRESIDING JUDGE: Very well. The Chamber is aware of the
09:08:18 20 reasons that normally keep Mr Taylor away from Court on Tuesday
21 mornings, and we are satisfied that the trial may proceed,
22 pursuant to Rule 60(B).

23 Now, before I remind the witness of his oath, there is a
24 preliminary matter that I would like to bring to the parties'
09:08:39 25 attention, and that is the matter of Defence motion 1033. This
26 is the motion for disclosure pursuant to Rule 68 in respect of
27 witness DCT-097.

28 JUDGE LUSSICK: 1039.

29

1 PRESIDING JUDGE: What did I say?

2 MR ANYAH: Madam President, I thought it was 1039.

3 PRESIDING JUDGE: I am sorry, it is 1039. Did I say
4 anything else?

5 JUDGE LUSSICK: You said 1033.

6 PRESIDING JUDGE: I do beg your pardon. In any event, this
7 is what I'd like to bring to the parties' attention in relation
8 to that motion.

9 The Defence filed motion 1039 on 4 August this year, in
09:09:25 10 respect of which a decision of the Trial Chamber is pending.

11 Now, normally the Trial Chamber would only issue a written
12 decision under the rules. However, in view of the recent
13 notification by the Defence that, "At the conclusion of the
14 testimony of DCT-008 it is not anticipated, as currently
09:09:49 15 instructed, that any further live witnesses will be called to
16 testify", the Trial Chamber considers it expedient to give a
17 brief oral decision upon this motion at this stage, and
18 undertakes to publish its recent decision in writing in due
19 course.

09:10:10 20 So the following is the oral decision:

21 In the motion 1039 the Defence requested the Trial Chamber
22 to compel the Prosecution to fulfil its Rule 68 obligation and to
23 order the following:

24 "The immediate disclosure of, (a), the existence and
09:10:34 25 substance of a statement given by witness DCT-097/TF1-354 to an
26 organisation called Global Witness of which the Prosecution is
27 aware and which predated Prosecution interviews with the same
28 witness; and, (b), an accounting and explanation of money,
29 estimated at almost \$30,000, paid to or benefits conferred on

1 DCT-097 by the Prosecution from 2004 to 2006, or at any time
2 before or after that."

3 The Trial Chamber dismisses part A of the request for
4 disclosure of the statement of DCT-097/TF1-354.

09:11:30 5 The Trial Chamber, however, grants part B of the motion and
6 orders the Prosecution as follows:

7 1. To disclose to the Defence forthwith, pursuant to Rule
8 68: (a) an account of all payments made to or benefits conferred
9 upon witness DCT-097/TF1-354 by the Prosecution for the period
09:12:00 10 2004 to 2006 or at any time before or after that period; (b) all
11 documents relating to such payments, including receipts,
12 vouchers, MoneyGram receipts, et cetera.

13 2. To provide an explanation for those payments.

14 Now, that is the oral ruling and the reasoned decision will
09:12:29 15 be published in due course.

16 Now, good morning, Mr Witness. I remind you once again of
17 your solemn declaration to tell the truth that is still binding
18 on you this morning.

19 THE WITNESS: Yes, Madam President.

09:12:43 20 WITNESS: DCT-008 [On former affirmation]

21 PRESIDING JUDGE: Thank you. Ms Hollis, please continue,
22 with cross-examination.

23 MS HOLLIS: Thank you, Madam President. Madam President,
24 before I continue with questions of this witness, yesterday I had
09:12:59 25 referred the Court to the testimony of Gibril Massaquoi in the
26 case of Brima et al and had distributed those documents. And I
27 would ask that those documents be marked for identification,
28 because I do not believe I asked that yesterday. Those were
29 documents of 7 October 2005 and the pages that were referred to

1 yesterday were pages 110 and 111.

2 PRESIDING JUDGE: I believe it is one document?

3 MS HOLLIS: That is correct.

4 PRESIDING JUDGE: So this is the transcript out of the case
09:13:53 5 Brima et al and the transcript is of 7 October 2005 and the pages
6 are 110, 111, 112 --

7 MS HOLLIS: Madam President, I had referred to pages 110
8 and 111 only, so I would ask those two pages be marked for
9 identification.

09:14:20 10 PRESIDING JUDGE: Normally we take the last page as well to
11 show us which witness it is.

12 MS HOLLIS: Yes, please.

13 PRESIDING JUDGE: So I'll do that again. The pages that
14 are going to be marked are 110, 111 and 104, funny enough. I
09:14:38 15 don't know why 104 comes before 110.

16 MS HOLLIS: That may be identifying the witness.

17 PRESIDING JUDGE: Yes. Okay. Those are the pages. They
18 will be marked MFI-10.

19 MS HOLLIS: Thank you, Madam President.

09:14:58 20 CROSS-EXAMINATION BY MS HOLLIS: [Continued]

21 Q. Good morning, Mr Witness.

22 A. Good morning, Ms Hollis.

23 Q. Yesterday we were talking about Charles Taylor's ownership
24 of White Flower and it's correct, is it not, that in 1998
09:15:15 25 Charles Taylor owned White Flower?

26 A. I don't know. In 1998 what I know is that White Flower was
27 under construction by Charles Taylor.

28 Q. Mr Witness, if Charles Taylor told this Court that he had
29 bought White Flower in the beginning of 1997, you would not

1 dispute that, would you?

2 A. I don't know when he bought White Flower, so I would not
3 have any comments to make on that. I don't know.

4 Q. Now, your testimony that White Flower was under
09:16:07 5 construction when you went to Benjamin Yeaten's house and that
6 Charles Taylor moved into White Flower in January of 1999, that's
7 new information from you after 12 May this year, correct?

8 A. I don't know, but I believe I gave that testimony before -
9 I mean, during - during the first time I met the Defence counsel.

09:16:40 10 Q. Well, that information does not appear in summaries 3, 4 or
11 5, so are you saying the Defence simply omitted that from those
12 summaries?

13 A. That's the summary, it is not a detailed report that I
14 gave. So in the detailed report it should be mentioned.

09:17:05 15 Q. So you're saying that the Defence omitted to put that in
16 the summary?

17 A. I am saying that I gave the full story and that is a
18 summary report.

19 Q. Were you informed about what was happening at White Flower
09:17:27 20 before President Taylor moved in there officially?

21 A. I heard that White Flower was under construction by
22 President Taylor.

23 Q. Were you getting any briefings about daily activities at
24 White Flower during 1998?

09:17:51 25 A. No.

26 Q. So you would not know if Charles Taylor held meetings at
27 White Flower before he moved in officially. You wouldn't know
28 that, would you?

29 A. I was not there. Whether he held meetings, I don't know.

1 But what I know is that White Flower was under construction in
2 1998 before he moved there.

09:18:27

3 Q. And in regard to his moving there, what you know is that he
4 officially took residence there in January of 1999. Isn't that
5 correct?

6 A. What I know was that White Flower was under construction in
7 1998 and what I saw at last was that President Taylor moved there
8 in January for his birthday celebration. So whether he had been
9 there before unofficially, I don't know.

09:18:52

10 Q. Mr Witness, you have told the judges about Benjamin Yeaten
11 providing ammunition to Sam Bockarie and that he had obtained
12 this ammunition from different places in Liberia. You remember
13 telling the judges that?

09:19:18

14 A. Yes, I remember telling the judges that he got the
15 ammunition from those counties or those areas that I had named in
16 Liberia.

17 Q. And you named several counties and indicated that those
18 counties had been controlled by the LPC prior to 1997, correct?

19 A. Yes, LPC and then ULIMO-K.

09:19:44

20 Q. Now, are you telling the Court that LPC and ULIMO-K did not
21 disarm during the 1995 disarmament?

22 A. I am not telling the Court that they did not disarm. What
23 I said and what I know is that he sent people to those areas to
24 buy ammunition. But what I told the Court was that those areas
25 were controlled by LPC and then ULIMO-K.

09:20:13

26 Q. Mr Witness, the NPFL didn't disarm during the 1995
27 disarmament, did it?

28 A. The NPFL disarm --

29 THE INTERPRETER: Your Honours, could the witness be asked

1 to repeat that.

2 PRESIDING JUDGE: Mr Witness, can you please repeat what
3 you said. The interpreter didn't catch it.

4 THE WITNESS: What I said was that in 1995, I know that the
09:20:48 5 NPFL disarmed, including myself, I disarmed as NPFL personnel. I
6 disarmed in 1995 in Gbarnga to ECOMOG.

7 MS HOLLIS:

8 Q. In fact, Mr Witness, the NPFL turned in weapons that were
9 not functional, or old weapons. Isn't that right?

09:21:08 10 A. Those weapons that were turned over were weapons that were
11 functioning. Every weapon that the NPFL had, that they used
12 during the war, those weapons were turned over, functioning
13 weapons.

14 Q. And the NPFL hid weapons, didn't it?

09:21:34 15 A. To my knowledge, the NPFL did not hide any weapons.

16 Q. In fact, Mr Witness, this 1995 disarmament was really a
17 fiasco, wasn't it?

18 A. It was not a joke. It was something serious. It was
19 reality. It was real.

09:22:00 20 Q. In fact, there was no disarmament in 1995, was there?

21 A. There was disarmament in 1995 and followed by the
22 elections.

23 Q. And even the United Nations privately admitted that their
24 programme of disarmament was a very big disappointment. Isn't
09:22:22 25 that right?

26 A. I did not hear that.

27 Q. Now, Mr Witness, you have told the Court that Daniel Chea
28 was the Minister of Defence after Charles Taylor was elected
29 President, correct?

1 A. Yes.

2 Q. And Charles Taylor has indicated to this Court that during
3 the NPFL time Daniel Chea at some point was also the
4 Minister of Defence. You would not dispute that, would you,
09:22:53 5 Mr Witness?

6 A. I don't know.

7 Q. And Charles Taylor has also told this Court that it was
8 Daniel Chea who was really involved with the disarmament. You
9 wouldn't dispute that, would you, Mr Witness?

09:23:10 10 A. If he said that, then that was his testimony.

11 Q. So, Mr Witness, let's hear what Daniel Chea had to say
12 about the 1995 disarmament.

13 Madam President, at this point I would like to play a clip
14 of a portion of a video interview of Daniel Chea, which was
09:23:35 15 conducted by Jessie Deeter on 25 November 2004. The entire video
16 was disclosed to the Defence 25th of March of this year.

17 Portions of that video were published on the PBS Frontline
18 World website and parts of that written transcript on the PBS
19 Frontline World website have been admitted as P-453. The clip
09:24:14 20 that I wish to play is the part of the video relating to the 1995
21 disarmament. It is not new material in the sense that it is
22 simply the video version of the written portion of P-453, which
23 talks about this disarmament.

24 So at this time, I would ask that that clip be played. And
09:24:41 25 we also have a transcript of this clip and I would ask that that
26 be distributed.

27 PRESIDING JUDGE: Yes, Mr Anyah.

28 MR ANYAH: Madam President, I have an objection regarding
29 this clip. I will ask for a moment to pull up Prosecution

1 exhibit P-453, which we are told is the written version of what
2 appears on this audio or videotape. The basis for my objection
3 is your Honours' decision from 30 November 2009, that is the
4 decision dealing with fresh evidence.

09:25:23 5 And let me state my objection more appropriately. If I
6 understood learned counsel opposite correctly, we are told that
7 this is a clip of Daniel Chea dealing with the disarmament in
8 Liberia in 1995. That's what we are told. We are also told that
9 it is the video portion of an exhibit already admitted before the
09:25:49 10 Court.

11 The difficulty is, irrespective of those assertions, this
12 is still a new form of evidence before the Court. It comes in a
13 tangibly different form; it comes in the form of a video. I
14 haven't watched this video before to know if anything in it
09:26:09 15 exceeds the scope of contents of Prosecution exhibit P-453.

16 But let's look at the context in which this video is being
17 brought before the Court. The first observation; if the video is
18 identical to P-453, then a question arises, why P-453, the text,
19 is not being put to the witness? Why do we now need another form
09:26:37 20 of the same information, in the nature of a video, to be - a
21 video/audio - to be put to the witness. They could easily just
22 put what is already admitted as P-453 to the witness.

23 Second of all, let's look at the questions leading up to
24 the proposal that this video be watched. The witness is not
09:26:59 25 being sought to be discredited in any way. There is no dispute
26 between counsel and the witness as to Daniel Chea's position.
27 The witness has not contradicted counsel's proposition that
28 Daniel Chea was defence minister. Indeed, the question, as I
29 have it on line number 11, my LiveNote, using a 14 point font,

1 was that - well, my line 12 on page 11:

2 "Q. And Mr Charles Taylor has also told this Court that it
3 was Daniel Chea who was really involved in this
4 disarmament. You wouldn't dispute that, would you,
09:27:40 5 Mr Witness?

6 A. If he said that, then that was his testimony."

7 Now, where is the contradiction there that warrants
8 impeaching this witness? But let's say, for the sake of it, that
9 there is something that counsel could use in this audio to
09:27:59 10 impeach the witness. The next question that begs for an answer
11 is: Is this audio something that goes to proof of the guilt of
12 the accused?

13 It is fresh evidence, that's no question, because it was
14 not admitted during the Prosecution's case in chief, irrespective
09:28:15 15 of whether or not they possessed it.

16 The next question is: Does it go to the guilt of the
17 accused? I propose yes; the disarmament process is part and
18 parcel with the Rule 93 assertions in this case - evidence of a
19 consistent pattern of conduct occurring in Liberia that the
09:28:32 20 Prosecution wishes to use vis-a-vis the conflict in Sierra Leone.
21 It goes beyond the scope of this witness's testimony.

22 This witness and I, when I examined the witness in chief,
23 there was no issues about disarmament, at least not to this
24 degree. Whether or not the NPFL disarmed was something that I
09:28:53 25 believe, if memory serves me right, the witness mentioned in
26 passing that there was disarmament in Liberia. It was not an
27 area of inquiry from the Defence.

28 So now we have a new audio being provided. I think it's a
29 video, I'm not sure what it is. We are told it was disclosed. I

1 have no reason to doubt that, that it was disclosed in March of
2 this year; but the fact is, there's nothing to impeach the
3 witness about vis-a-vis credibility, and the information goes to
4 proof of the conduct of the accused and relates to his guilt.

09:29:30 5 And so I object to it because the Prosecution has an onus on the
6 basis of your decision, they have to show that it is in the
7 interests of justice and it does not violate the fair trial
8 rights of the accused. They haven't met that burden.

9 PRESIDING JUDGE: Ms Hollis, the transcript before us has
09:29:51 10 two clips, that's clip 2 and clip 3. Are you saying you are
11 going to play two clips? Three clips actually. There's clip 1,
12 2 and 3.

13 MS HOLLIS: That's correct.

14 PRESIDING JUDGE: You are going to play three clips?

09:30:08 15 MS HOLLIS: First of all we're going to play clip number 1
16 which deals with disarmament. And then, depending upon answers
17 from this witness, we may play clips 2 and 3.

18 PRESIDING JUDGE: So for now you want the judges to look at
19 clip 1 only?

09:30:23 20 MS HOLLIS: That's correct, Madam President.

21 PRESIDING JUDGE: So what is your response to the
22 submissions by the Defence?

23 MS HOLLIS: Thank you, Madam President.

24 PRESIDING JUDGE: At least in relation to clip 1,
09:30:32 25 Ms Hollis?

26 MS HOLLIS: Thank you. This is the same material your
27 Honours have admitted in --

28 PRESIDING JUDGE: Sorry, I think the witness's headphones
29 weren't working.

1 MS HOLLIS: Thank you, Madam President.

2 Madam President, this is the same material, in substance,
3 that your Honours have admitted in P-453. This is being used to
4 impeach the testimony of this witness. This witness has not only
09:31:22 5 just recently, this morning, disputed whether the NPFL disarmed,
6 whether the disarmament was a fiasco, disputed that there was no
7 disarmament; but also, in the witness's testimony in chief, the
8 witness indicated that Benjamin Yeaten obtained ammunition,
9 supposedly in secret, and supposedly only from ULIMO-K and LPC
09:31:55 10 areas of the country.

11 In fact, on the 24th, at page 47013, this witness did say
12 that NPFL had disarmed and Jungle Fire dissolved. So this matter
13 did come up in direct examination in relation to the source of
14 the ammunition that Benjamin Yeaten provided to Sam Bockarie in
09:32:19 15 1998. And this witness has indicated, as I mentioned this
16 morning, that his testimony is the NPFL in fact did disarm, that
17 the disarmament was not a fiasco, and that there was a
18 disarmament.

19 So, number one, in substance, it is not fresh evidence. If
09:32:46 20 your Honours consider it fresh evidence, it is fresh evidence
21 that, in substance, is the same as the written version of this
22 information that was provided in an edited interview, which is
23 now P-453.

24 Why are we showing the video? Because the video, at the
09:33:07 25 beginning, identifies the person - the person himself identifies
26 himself as Daniel Chea. So it is the video of him giving this
27 information, as opposed to the written form of him giving this
28 information.

29 We believe we have a right to put this video on; that, to

1 the extent you consider the mode being fresh evidence, because
2 the substance is not - it is fresh evidence that your Honours
3 have already determined is appropriate to be used - and so we
4 believe that we have a right to do this and we would ask that
09:33:43 5 your Honours allow us to play this clip.

6 PRESIDING JUDGE: Ms Hollis, before you sit down. Could
7 you point us to the paragraph in exhibit P-453 where you say that
8 the gist of that interview is the same as the material on the
9 clip.

09:34:07 10 MS HOLLIS: Certainly.

11 MR ANYAH: May I be of assistance?

12 PRESIDING JUDGE: Yes, Mr Anyah.

13 MR ANYAH: If I may be of assistance, I have the relevant
14 portion to direct counsel to.

09:34:41 15 MS HOLLIS: I believe it's page 4.

16 MR ANYAH: Yes.

17 MS HOLLIS: And at page 4, if we are at page 4 of this
18 document, and if we count up from the bottom, the fourth
19 paragraph up where it talks about when UNMIL first arrived.

09:35:54 20 PRESIDING JUDGE: Please allow the judges to study this
21 material first.

22 We've looked at the transcript of the proposed clip 1, and
23 we do agree that it's a verbatim reproduction of the paragraph -
24 one of the paragraphs on page 1 of exhibit P-453, it is a
09:41:38 25 verbatim reproduction of that paragraph. And we are of the view
26 that there is nothing to be gained of hearing this clip, which is
27 an exact verbatim reproduction of that excerpt; and that,
28 instead, it is quite possible for the Prosecution to simply read
29 that paragraph, or put the paragraph to the witness, in order to

1 impeach his earlier testimony.

2 And so we refuse the use of clip 1.

3 MS HOLLIS: Madam President, may I simply remind the Bench
4 that when the transcript, the written transcript was used in the
09:42:19 5 cross-examination of Charles Taylor, he questioned that this was
6 actually Daniel Chea. At the time the Prosecution did not have
7 this clip, this video, and it took us some time to get it. So,
8 in that regard, we believe that the clip would have some
9 additional evidentiary value for your Honours.

09:42:44 10 PRESIDING JUDGE: Well, unfortunately, that was the time to
11 have brought this clip up, to impeach Mr Taylor. But this
12 witness has not denied that Mr Chea is the one who said all of
13 this. So it's not this witness's testimony that's in the
14 balance, it's Mr Taylor's. And, in any event, as with any
09:43:05 15 witness and any exhibit, all of these matters go to weight.

16 MS HOLLIS: Which would make the clip relevant, in our
17 view, Madam President.

18 PRESIDING JUDGE: In any event, we've ruled that the clip
19 will not be used. So please proceed.

09:43:26 20 MS HOLLIS:

21 Q. Mr Witness, let's see what Daniel Chea said about
22 disarmament, and I'm referring to page 4 of P-453:

23 "When UNMIL first arrived in this country, they told us
24 that they were here to disarm an estimated 40,000 people. I told
09:44:02 25 them to be prepared to disarm twice that number. The reason is
26 very simple. The disarmament of 1995 was a fiasco. There was no
27 disarmament. It was a haphazard attempt. Unofficially, they,
28 the United Nations, will tell you that their own programme was a
29 big disappointment and I think they learned a lot of lessons and

1 this time around I think they came quite prepared."

2 So, Mr Witness, Daniel Chea said that there was no
3 disarmament, it was a fiasco, a haphazard attempt, and even
4 unofficially, the United Nations said that their own programme
09:44:59 5 was a big disappointment.

6 Now, Mr Witness, who would be in a better position to know
7 about the quality of this 1995 disarmament, you or Daniel Chea?

8 A. For me, as an individual, and as an element of the NPFL, I
9 knew about my own house, that is, within the NPFL. I believe
09:45:38 10 that the NPFL fully disarmed to the peacekeepers, and the
11 peacekeepers were satisfied with the disarmament, and that was
12 why they allowed the elections to go on. So, if he went on to
13 say that the disarmament was a fiasco, then that is his
14 statement. I am not in the position to judge his statement, but

09:46:02 15 I am in the position to tell this Court that the disarmament of
16 1995 was complete and that was what led to a peaceful election.

17 Q. Now, Mr Witness, let's go back to my question, that I would
18 like you to answer: Who would be in a better position to know
19 about the quality of this 1995 disarmament, you or Daniel Chea?

09:46:32 20 A. I believe the peacekeepers who conducted the disarmament
21 should be in better position to say whether the disarmament was
22 complete or not.

23 Q. Who, unofficially, said their programme was a big
24 disappointment?

09:46:53 25 A. I don't know. I never heard that from anyone. I'm only
26 hearing that from you this morning, or from the script that you
27 have just read.

28 Q. Mr Witness, after he was elected President, Charles Taylor
29 relied on militia units, didn't he?

1 A. No. After he was elected President all of the militia,
2 let's say, the NPFL was dissolved; he relied on the national
3 security of the Republic of Liberia.

09:47:34 4 Q. In fact, Mr Witness, Charles Taylor was suspicious of the
5 military, the AFL, after he became President, wasn't he?

6 A. I don't know.

7 Q. Well, Mr Witness, you have told this Court a lot about what
8 Charles Taylor knew or didn't know, so why are you unable to
9 answer that question?

09:47:51 10 A. If I told the Court about what Charles Taylor knew, then
11 that was the one I knew. But the ones I don't know, I would not
12 be in a position to say I know them; I would be lying to the
13 Court if I did, and I don't want to lie to this Court.

09:48:13 14 Q. Mr Witness, Charles Taylor ran his militias out of the
15 Executive Mansion, isn't that correct?

16 A. I don't know.

17 Q. Just as he ran the SSS out of the Executive Mansion,
18 correct?

09:48:37 19 A. He never ran the SSS. The SSS were securities assigned at
20 the Executive Mansion. They controlled the Executive Mansion and
21 they controlled the life of the President and the First Family
22 and other VIPs. They were not controlled by the President. It's
23 not so.

09:48:57 24 Q. Members of the SSS actually participated in Charles
25 Taylor's militias, didn't they?

26 A. They were national securities, they were not militia.

27 Q. In fact, Benjamin Yeaten, Joe Tuah, they participated in
28 militias controlled by Charles Taylor, didn't they?

29 A. What I know is that Benjamin Yeaten took part in the

1 national security of Liberia with the military and paramilitary;
2 that is, the SSS and the Armed Forces of Liberia.

3 Q. Mr Witness, did you participate in these militias that
4 Charles Taylor ran out of the Executive Mansion?

09:49:40 5 A. I was in the Special Securities Service that was
6 responsible for the safety of the President of Liberia.

7 Q. Let's go back to my question: Did you participate in these
8 militias that Charles Taylor ran out of the Executive Mansion?

9 A. Charles Taylor, to my knowledge, never controlled any
10 militia from the Executive Mansion.

11 Q. So then your answer would be you did not participate in any
12 such militia, is that right?

13 A. My answer is: I was a member of the Special Securities
14 Service of the Republic of Liberia.

09:50:25 15 Q. Now, because Charles Taylor was suspicious of the army, he
16 decided to transfer most of the army's duties to his militias.
17 Isn't that right?

18 A. I believe President Taylor was satisfied with the army.

19 Q. And he empowered the militias instead of empowering the
20 army. Isn't that correct?

09:50:48 21 A. I believe Mr Taylor was satisfied with the Armed Forces of
22 Liberia.

23 Q. And these militias, controlled by Charles Taylor,
24 mistreated civilians in Liberia. Isn't that correct?

09:51:04 25 A. The Armed Forces of Liberia never treated any civilians
26 badly in my presence, or that I know about.

27 Q. Let's go back to my question: These militias, controlled
28 by Charles Taylor, mistreated civilians in Liberia. Isn't that
29 correct?

1 A. To my knowledge, the President was not controlling any
2 militia in Liberia --

3 Q. Let's look at --

4 A. -- from the Executive Mansion.

09:51:47 5 Q. Well, was he controlling them from anywhere else, to your
6 knowledge?

7 A. The President was not controlling militia.

8 Q. Let's look at what Daniel Chea had to say about Charles
9 Taylor and militias, and we're looking at P-453, page 2.

09:52:10 10 And, your Honours, I'm going to page P-453 because it is my
11 understanding that your ruling would apply to both clips 2 and 3
12 as well as one, correct?

13 PRESIDING JUDGE: We haven't heard any submissions on 2 and
14 3. Our ruling was limited to clip 1.

09:52:30 15 MS HOLLIS: It will be the same issues with 2 and 3. It is
16 from P-453. It is simply the video version of that information.

17 PRESIDING JUDGE: Well, I would advise that if the material
18 is verbatim, a replica of what's contained in an existing
19 exhibit, you go with the existing exhibit. There's no point to
09:52:53 20 be served by hearing an audio of the same material.

21 MS HOLLIS: Other than, of course, seeing the identity of
22 the person and that he identified himself.

23 Q. Mr Witness, let's look at what Daniel Chea had to say about
24 Charles Taylor and militias. And I'm looking at page 2 of P-453,
09:53:23 25 the first paragraph on that page, and beginning three lines down,
26 this is Daniel Chea:

27 "But Mr Taylor had his own problems, his own suspicions and
28 one of those suspicions - and I thought this was a big mistake -
29 was his suspicion of the military. Because of his own suspicion

1 of the army, he decided to transfer most of the responsibility of
2 the army into militia groups. I thought that was a mistake.
3 And, of course, when the militia groups began to act disorderly,
4 the people began to reject them; they rejected the whole idea of
09:54:17 5 not empowering the Armed Forces, which is a constitutional
6 entity, and instead Taylor empowered militia forces."

7 And then, if we look at the third paragraph, the last
8 sentence in that paragraph:

9 "President Taylor had his own disjointed militia that he
09:54:48 10 ran from his own mansion."

11 So, Mr Witness, Daniel Chea is saying that Charles Taylor
12 was suspicious of the army; that, because of that, he transferred
13 most of the army's duties to his militias; that he empowered the
14 militias, instead of the army; that he ran it from his own
09:55:13 15 mansion; and that these militias were disorderly towards
16 civilians.

17 Now, Mr Witness, Daniel Chea, the Minister of Defence, when
18 Charles Taylor was the President, who would be in a better
19 position to know about Charles Taylor's militias, you or the
09:55:32 20 Minister of Defence?

21 A. The Minister of Defence was the Minister of Defence. He
22 was working, he was doing his work. So if there was anything
23 like that, he was supposed to have told the President at that
24 time. But what I'm here to tell this Court is that, to my
09:55:58 25 knowledge, the President did not control militia group or militia
26 from the Executive Mansion. All those security that were
27 assigned at the Executive Mansion, I believe, were national
28 securities and there were no militia group at the Executive
29 Mansion or controlled by the President.

1 Q. Let's go back to my question. The Minister of Defence or
2 you, Mr Witness, who would be in the better position to know
3 about Charles Taylor and the militias?

4 A. But I am not the one - I am not in the position to tell
09:56:42 5 what the President does, because I'm not the spokesperson for the
6 President, nor am I the spokesperson for the defence minister.

7 JUDGE LUSSICK: In the same vein, Ms Hollis, I'm sorry to
8 interrupt, but I think this is an appropriate time to ask this
9 question.

09:57:05 10 Mr Witness, regarding the 1995 disarmament, were you given
11 some role as an observer of that disarmament?

12 THE WITNESS: I was not given a role. I was an NPFL man
13 who went through the disarmament process. I was not an observer.

14 JUDGE LUSSICK: So you simply went through the disarmament
09:57:37 15 process with other people. Is that right?

16 THE WITNESS: Exactly so. And I fully disarmed, along with
17 other people.

18 JUDGE LUSSICK: You see, the reason I ask that is that not
19 so long ago this morning you told the Court, and I'm quoting you
09:57:57 20 now: "I am in the position to tell this Court that the
21 disarmament of 1995 was complete." Now, how would you know the
22 disarmament of 1995 was complete, given your limited role in it?

23 THE WITNESS: Okay. I said this because, and I stated
24 clearly, that I know about my own house, that is the NPFL. The
09:58:31 25 NPFL disarmed fully. And, secondly, I said this because the
26 ECOMOG that conducted the disarmament process - after the
27 disarmament process, they declared that it was over and that was
28 the reason they were satisfied to carry on or to allow the
29 elections to take place. So if there was a foul play or if there

1 was anything pertaining the disarmament that they were
2 dissatisfied with, I don't think they would have allowed the
3 elections to take place. That is why I am saying that the
4 disarmament was conducted. And particularly so, the NPFL turned
09:59:22 5 in all their weapons.

6 JUDGE LUSSICK: Well, that's what I'm asking you: How do
7 you know that the NPFL disarmed fully? Give me a reason why you
8 can say that.

9 THE WITNESS: Because every one of us who went to disarm,
09:59:41 10 we went with all - every weapon that we had. And I saw - within
11 the camp where I was disarmed in Gbarnga, I saw everybody with
12 their weapons, including the artillery weapons and others with
13 light weapons. Like for me, I presented all my weapons that I
14 had. So there was no doubt for me to say that nobody refused to
10:00:06 15 surrender their weapons. I am saying this from the observation
16 that I made in the disarmament camp.

17 JUDGE LUSSICK: So you saw everybody in the disarmament
18 camp disarm, did you?

19 THE WITNESS: Everybody I saw there disarmed. They all
10:00:28 20 brought their weapons.

21 JUDGE LUSSICK: And how many people are you talking about?

22 THE WITNESS: It was a very long queue. Highly populated,
23 so I can't tell the number. It was highly populated.

24 JUDGE LUSSICK: I don't have any more questions on that
10:01:01 25 issue.

26 PRESIDING JUDGE: Please continue, Ms Hollis.

27 MS HOLLIS: Thank you, Madam President.

28 Q. Mr Witness, you told the Court about Sam Bockarie going to
29 the Ivory Coast in 2000, yes?

1 A. Yes.

2 Q. Charles Taylor sent militias to the Ivory Coast to fight.
3 Isn't that right?

4 A. It's not to my knowledge.

10:01:20 5 Q. In fact, Charles Taylor sent Sam Bockarie and some of his
6 group to the Ivory Coast to fight. Isn't that right?

7 A. I don't know. It's not to my knowledge.

8 Q. In 2002 Benjamin Yeaten took fighters into the Ivory Coast.
9 Isn't that right?

10:01:38 10 A. I did not see that.

11 Q. And Joe Tuah, Edward Zammy, Ocebio Dehme, they all went
12 with Benjamin Yeaten when he went into the Ivory Coast in 2002.
13 Isn't that right?

14 A. I don't know whether Benjamin Yeaten ever took troops to
10:02:03 15 the Ivory Coast. I don't know.

16 Q. And it was Charles Taylor who sent Benjamin Yeaten and
17 these fighters into the Ivory Coast to fight with Phillip [sic]
18 Doh. Isn't that right?

19 A. I said I don't know whether Benjamin Yeaten ever led troops
10:02:20 20 to the Ivory Coast to fight.

21 Q. Mr Witness, are you aware that the Liberian TRC found that
22 in October of 2002 Benjamin Yeaten, Joe Tuah, Edward Zammy,
23 Ocebio Dehme, went into the Ivory Coast on the mandate of
24 Charles Taylor? Are you aware of that?

10:02:42 25 A. I don't know. I never came across that report.

26 Q. And that the Liberian TRC found that they were sent to the
27 Ivory Coast to act as mercenaries for Phillip Doh. Are you aware
28 of that?

29 A. I don't know.

1 Q. Mr Witness, did you go into the Ivory Coast with Benjamin
2 Yeaten and these others in 2002?

3 A. I said I don't know whether Benjamin Yeaten ever went to
4 the Ivory Coast to fight.

10:03:17 5 Q. Mr Witness, were you sent into the Ivory Coast to fight in
6 2002 or any other year?

7 A. I was not sent to the Ivory Coast and I don't know whether
8 Benjamin Yeaten ever led troops to the Ivory Coast to fight.

9 Q. Now, you were aware that there were Liberians fighting in
10:03:36 10 the Ivory Coast, weren't you?

11 A. I was not aware that there were Liberians fighting in the
12 Ivory Coast.

13 Q. Now, Mr Witness, if Daniel Chea talked about militia forces
14 from Liberia, from Charles Taylor's government, being involved in
10:04:00 15 the Ivory Coast, you would have no reason to dispute that, would
16 you?

17 A. If he said that, then that's it. But, to my knowledge,
18 Benjamin Yeaten never led troops to the Ivory Coast to fight any
19 war. So I would be in a position to say that I don't know
10:04:26 20 whether Benjamin Yeaten ever crossed into the Ivory Coast to
21 fight.

22 Q. And, Mr Witness, Charles Taylor sending Benjamin Yeaten and
23 others into the Ivory Coast was the same that he was doing with
24 Benjamin Yeaten and others when he was using them to assist and
10:04:50 25 otherwise participate with the rebels in Sierra Leone. Isn't
26 that right?

27 A. That's not so. I told you that I was not aware that
28 Benjamin Yeaten ever crossed into the Ivory Coast to fight. And
29 I told you that Benjamin Yeaten's relationship with Sam Bockarie

1 was totally not to the knowledge of the President.

2 Q. And you talked to the President about that, is that right,
3 so President Taylor told you he was surprised when you told him
4 about that? Is that how you're able to say that Charles Taylor
10:05:29 5 didn't know about this?

6 A. I never met the President on any issue like that. What I
7 know was that Benjamin Yeaten, who had this relationship with
8 Sam Bockarie, told me and others that we should be very careful
9 so that the President would not know about his relationship,
10:05:51 10 because it was a secret one with Sam Bockarie, because if the
11 President discovers it he would be arrested. And before the
12 President does that, any one of us who leaks out the secret, he
13 would deal with us before the President deals with him.

14 So this gave me the clue that the President was not
10:06:15 15 informed about this relationship; that this relationship was not
16 to the knowledge of the President.

17 Q. Mr Witness, this evidence that you've given this Court
18 about Benjamin Yeaten being provided ammunition from people in
19 counties under the control of the LPC and ULIMO-K, that's all new
10:06:37 20 information, isn't it, since 12 May?

21 MR ANYAH: Madam President, I object to the question.

22 That's not the witness's evidence. The witness did not say
23 people in counties under the control of the ULIMO or the LPC.
24 The witness said from areas controlled by the LPC and ULIMO.

10:06:59 25 And, indeed, he didn't even say areas controlled by ULIMO. He
26 said from ex-ULIMO personnel in Lofa County. That's what he
27 said.

28 PRESIDING JUDGE: In any event, Ms Hollis, perhaps you can
29 rephrase your question.

1 MS HOLLIS: Certainly.

2 Q. Mr Witness, you're telling the Court that Benjamin Yeaten
3 got ammunition from people, correct? It's people who gave him
4 the ammunition, correct?

10:07:28 5 A. I told this Court that Benjamin Yeaten sent people to these
6 counties that were controlled by ex-LPC and ULIMO. That was
7 where I used the word "people". That he sent his people, and I
8 mentioned Sampson and Jungle as examples.

9 Q. Mr Witness, let's go back to my question. When Benjamin
10:07:53 10 Yeaten sent people to these counties, from whom did he get - did
11 these people get the ammunition?

12 A. That is what I don't know.

13 Q. Well, are you saying that LPC led them to secret hiding
14 places and they took it, or are you saying that people in those
10:08:18 15 counties gave the ammunition to Benjamin Yeaten's
16 representatives? What are you saying?

17 A. I am saying that these people were sent to these counties
18 to purchase these ammunition, but from whom they purchased the
19 ammunition, I don't know.

10:08:33 20 Q. Well, Mr Witness, you would purchase ammunition from human
21 beings, right?

22 A. Exactly so. But I don't know the human beings that they
23 purchased the ammunition from.

24 Q. So, Mr Witness, this testimony of yours about purchases in
10:08:56 25 these counties that were formerly controlled by the LPC and
26 ULIMO-K, purchases from people in those counties, that's all new,
27 isn't it? It's new since 12 May, isn't it?

28 A. Yes, this is new information that I revealed to the Defence
29 counsel here in the Netherlands.

1 Q. This is yet another part of your story that you have
2 invented since 12 May, correct?

3 A. This was not a make up story. And let me make it clear
4 that it is not a make up story. If I hear you mentioning - I
10:09:43 5 hear you mentioning since 12 May. At the time that I met with
6 the Defence counsel in Monrovia from 19 - from 2000 -
7 in June 2009 or to 2010, I did not reveal the truth of this story
8 to these people because I was not sure of who they were and I was
9 not sure of whom I was talking to. That was why I took a
10:10:08 10 defensive position; because I did not know who they were up to
11 late 19 - 2000 when I heard Silas over the radio when he was
12 examining a witness. It was at this time that I got convinced
13 that, indeed, Silas was from the Special Court in The Hague and
14 Silas was a member of Mr Taylor's Defence counsel. But until
10:10:38 15 then, I never knew - I was not satisfied with them.

16 And maybe you might ask me what about John Gray. I heard
17 the name John Gray, but before that time I had never seen John
18 Gray and I had never known him. But I heard his name, that he
19 was the Vice-President to Moses Blah but I never knew him, so I
10:11:03 20 did not trust him to open myself up to him, for my own security.

21 So when I got here, it was at this time - because I did not
22 want to lie to this Honourable Court; I don't want to lie to this
23 Honourable Court, before this Honourable Court - so when I got
24 here, it was at that time that I revealed the truth that I'm
10:11:27 25 saying here now. Even if they had not asked me, when I left
26 Liberia if I were to come here directly, then this would have
27 been a surprise to them, because my statement to them was going
28 to be totally different than - from the truth that I am giving
29 here today.

1 Q. Mr Witness, this trial's been going on since January of
2 2008, you know that, don't you?

3 A. Yes, I know that this trial had been going on for a long
4 time.

10:11:58 5 Q. And, Mr Witness, this trial has been streamed to the
6 public, the video of it, you know that as well, don't you?

7 A. I don't have a video at my house. I do not have a
8 television. I only hear about this trial by chance on one of our
9 local stations. And all the Defence lawyer for Mr Taylor that I
10:12:24 10 know is - or was Mr Courtenay Griffiths. Apart from Mr Courtenay
11 Griffiths, I don't know about any other Defence lawyer, apart
12 from him. I saw his picture on some of our local newspapers. If
13 Mr Griffiths was the one I had met at the time, I would have told
14 him exactly what I'm saying here today because I would have
10:12:45 15 trusted him.

16 Q. And, Mr Witness, the Court has taken Outreach videos of
17 testimony in this case, which shows Defence counsel as well as
18 Prosecution counsel. They have taken these Outreach videos to
19 Liberia, beginning in 2008. Isn't that right?

10:13:04 20 A. I never came across it. You know, Liberia is a country -
21 even Monrovia is large, so you do not expect what is being shown
22 on maybe Broad Street, that everybody within Monrovia would see
23 that. I never came across the video.

24 Q. And, Mr Witness, the Defence team has gone to Liberia and
10:13:28 25 has actually given interviews in Liberia. Isn't that right?

26 A. I don't know. I never heard their interviews at all.

27 Q. And, Mr Witness, you knew that there were members of
28 Charles Taylor's Defence team who were actually stationed in
29 Monrovia. You knew that, didn't you?

1 A. Until June of 19 - let me say - I keep saying 19.
2 Until June of 2009, when I met Mr Gray, I never knew that
3 Mr Taylor ever had - never had a Defence team in Monrovia. I
4 said the only person that I heard about, and whose picture I saw,
10:14:13 5 was Mr Courtenay Griffiths.

6 Q. Mr Witness, you knew John Gray because you knew him from
7 NPFL days. That's correct, isn't it?

8 A. I never knew John Gray. I heard the name John Gray at the
9 time when Moses Blah was the President. I even did not see his
10:14:33 10 picture.

11 Q. And, Mr Witness, John Gray made you aware that Laval
12 Supuwood was also a member of the Defence case - of the Defence
13 team, and that he was in Monrovia. You knew that, didn't you,
14 Mr Witness?

10:14:49 15 A. I said I knew nothing about Mr Taylor's Defence team in
16 Monrovia. Nothing. Before I could meet Silas and Mrs Logan, I
17 never knew anything of the sort.

18 Q. And, Mr Witness, after John Gray took you to meet with
19 Silas and Logan, you had ample opportunity to find out just who
10:15:12 20 these people were. Isn't that right?

21 A. I had the opportunity to find out. But, actually, I never
22 trusted them. I did not know who they were. That was my first
23 time of seeing an American lady and another person who claimed to
24 be Mr Taylor's lawyers. I was not satisfied with them.

10:15:38 25 Q. And you had ample time to find out that these people were,
26 in fact, members of Charles Taylor's Defence team, didn't you?

27 A. But from whom would I inquire? I told you all I know, that
28 the only person I was satisfied with, if I had seen them at the
29 time, was Mr Griffiths, because I had seen his picture and I had

1 heard that he was the Defence lawyer for Mr Taylor. Apart from
2 Griffiths, nobody else.

3 Q. And, Mr Witness, you changed your story after
4 12 May because you realised at that time that a complete denial
10:16:17 5 just wouldn't be credible to the Court. Isn't that right?

6 A. I changed my story afterwards because I was now satisfied
7 that the people I was dealing with were from the Special Court
8 here; and, secondly, they were Mr Taylor's Defence lawyers.

9 Q. And --

10:16:36 10 A. And I having known their identity, I changed my - I also
11 changed my story because I did not want to come before this
12 Honourable Court and tell lies or to explain made up stories.
13 Even if you were the one I had met before, I had the intention
14 that if the Special Court ever invited me, because I dealt with
10:17:07 15 Yeaten, I was with Yeaten - because Yeaten had this connection
16 with Sam Bockarie - if the Special Court had invited me and I had
17 known that I was satisfied that they had invited me, I would have
18 come and explained this. If you were the one at the time, I
19 would have given myself to you once I was satisfied - I would
10:17:26 20 have given myself up to you and explained myself, except if you
21 disagree that I should deviate from the fact and give you the
22 story, that's where we would have disagreed.

23 Q. So, Mr Witness, you are perfectly willing to lie when it
24 suits your purposes to lie, is that what you're telling the
10:17:43 25 Court?

26 A. I'm telling the Court that I am not willing to lie. I am
27 prepared, as I am, to tell the Court the truth and nothing but
28 the truth. And I'm telling the Court that I am perfectly willing
29 not to give the Court a made-up story.

1 Q. Because before the 12 May of this year, you gave very
2 detailed lies to the Defence team, isn't that right?

3 A. Before the 12th - before I came here to The Hague, I had
4 given some of my testimony - some of my testimony was not
10:18:22 5 accurate because I did not know who they were, as I told you; I
6 was afraid of explaining myself to the wrong person. And,
7 secondly, I told you of how I got information of unknown people
8 being in search of me, to have me arrested, because of my
9 connection with Benjamin Yeaten.

10:18:46 10 Q. Now, you said that that occurred around the time that David
11 Crane left the Special Court, correct?

12 A. I said - this was the other instance. There were several
13 instances that I gave. I said number one, I gave you the
14 individual who - I said the individual who gave me the story --

10:19:13 15 PRESIDING JUDGE: Please pause.

16 MR ANYAH: Madam President, if memory serves, this
17 information was elicited in private session yesterday.

18 PRESIDING JUDGE: Yes, indeed. I was about to point this
19 out to counsel. This very area was covered in private session.

10:19:27 20 MS HOLLIS: That's correct, but the question about David
21 Crane would not identify this person at all.

22 PRESIDING JUDGE: But his answer might.

23 MS HOLLIS: I would ask we go into private session.

24 PRESIDING JUDGE: Madam Court Manager, we'll go into a
10:19:51 25 brief private session for the protection of the current witness
26 in the box.

27 [At this point in the proceedings, a portion of
28 the transcript, pages 48111 to 48117, was
29 extracted and sealed under separate cover, as

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the proceeding was heard in private session.]

1 [Open session]

2 MS IRURA: Your Honour, we are in open session.

3 MS HOLLIS:

10:35:00

4 Q. Mr Witness, you've told these judges that you - that you
5 were aware of Sam Bockarie having meetings in Monrovia
6 before December of 1999, correct?

7 A. I told this Court that before December of 1999 I saw
8 Sam Bockarie at the RUF guesthouse.

10:35:31

9 Q. And that there were several occasions that Sam Bockarie
10 came to Monrovia before December 1999, correct?

11 A. And that was the only time that I saw Sam Bockarie in
12 Monrovia before December of 1999.

10:35:55

13 Q. And, Mr Witness, this story of yours about Sam Bockarie
14 coming to Monrovia before December of 1999, this is a new story,
15 isn't it? This is a story since 12 May, correct?

16 A. I don't know.

10:36:19

17 Q. Well, Mr Witness, you never told the Defence about these
18 visits of Sam Bockarie to Monrovia before December of 1999. You
19 never told the Defence about that before 12 May of this year, did
20 you?

21 A. I believe that I told the Defence that I saw Sam Bockarie
22 in Monrovia in 1999 at the RUF guesthouse at the time of
23 Foday Sankoh's release. Maybe you don't have it in the summary
24 there, that is why you are asking that question.

10:36:46

25 Q. So, once again, it's something the Defence failed to put in
26 the summary. Is that what you're saying?

27 A. That's a summary. And that is why I am here; to give full
28 details of what has been summarised there.

29 Q. So now to the judges you are admitting that Sam Bockarie

1 came to Monrovia several times in 1998, correct?

2 A. Please repeat. I heard '98 from the interpreter.

3 Q. So now to the judges you are admitting that Sam Bockarie
4 came to Monrovia several times in 1998, correct?

10:37:29 5 A. Now I am admitting to the judges that I saw Sam Bockarie in
6 Monrovia three times in the last quarter of 1998.

7 Q. So you, personally, saw Sam Bockarie three times in the
8 last quarter of 1998. Is that what you're saying?

9 A. This is what I'm saying; that Sam Bockarie visited Liberia
10:38:02 10 three times in late in 1998 and I saw him.

11 Q. Three times, you saw him?

12 A. Three times.

13 Q. And can you give us the locations where you saw him these
14 three times?

10:38:10 15 A. Yes, I do.

16 Q. Where?

17 A. The first visit, I saw him in Sinkor at the YWCA community
18 and a house - and at a house where Benjamin Yeaten once lived in
19 the YWCA community, but at this time he had turned it over to
10:38:38 20 members of his bodyguard unit, that is Sampson Wehyee,

21 Zigzag Marzah was also there, and Pa Joe, one of his drivers.

22 And on the second - for the second time it was within that same
23 community but in a different house, within that same community.

24 And then the last time, this was in Benjamin Yeaten's yard. He

10:39:06 25 came along with Benjamin Yeaten in Benjamin Yeaten's jeep at
26 Yeaten's house. That was where I saw him for the last time in
27 1998.

28 Q. And, Mr Witness, prior to the 12th of - actually through
29 12 May of this year, your story to the Defence had been that you

1 didn't remember seeing Sam Bockarie at Benjamin Yeaten's house
2 but that it was possible he may have been there. Isn't that
3 right?

10:40:01 4 A. Before the 12th - I don't know the time you're talking
5 about. During the time that I met Defence counsel, for all of
6 their visits, I never admitted this. I never admitted this.

7 Q. And, in fact, if we look at tab 5 of the binder that has
8 the summaries in it, CMS page 28698, and it's the first full
9 paragraph on that page, 29698 is the CMS page number:

10:40:52 10 "W will testify he does not remember seeing SB,
11 Sam Bockarie, around BY, Benjamin Yeaten's house, but that since
12 the radio room is in an adjacent small building, he would not
13 really know if SB was around."

14 So you lied to the Defence, right up through 12 May of this
10:41:20 15 year, correct?

16 A. I did not tell the Defence the truth because I was not sure
17 of who they were.

18 Q. And, in fact, if we look at this, you said, "Since the
19 radio room is in an adjacent small building, he would not know if
10:41:43 20 Sam Bockarie was around."

21 Now, when you testified to these judges, you told them
22 about the radio room being in two locations; you said it was in
23 Benjamin Yeaten's house and then later it was in an adjacent
24 small building. So, until you came here, you never told the
10:42:02 25 Defence - at least let me correct that - at least up until
26 12 May of this year, you had never told the Defence that at one
27 time the radio room was in Benjamin Yeaten's house. You had
28 never told them that, had you?

29 A. I told the Defence for this part - I told the Defence

1 during all of my visits - during all of my contacts with them in
2 Monrovia, I told the Defence that the radio was first in Benjamin
3 Yeaten's house; and, secondly, outside of his house. For this
4 part I told the Defence. And what you are reading here is - is
10:42:49 5 one part of where the radio was before, which is outside in a
6 small house; it's part of it. But I told the Defence that - I
7 told the Defence about the two locations of the radio at the
8 time. I did not - I did not avoid it.

9 Q. So you're saying this is something else the Defence failed
10:43:09 10 to put in their summary, is that what you're saying?

11 A. I am saying this is part of my statement in the summary,
12 and the detail is not here. A summary.

13 Q. Mr Witness, on 30 August you gave the judges great detail
14 about the killing of Sam Bockarie. Do you remember?

10:43:34 15 A. Yes, on 30 August I gave the judges detailed information
16 that I had about the killing - about the death of Sam Bockarie.

17 Q. And you told the judges you learned this both from an
18 official statement from the Minister of Defence and what you
19 supposedly had heard from other sources, correct?

10:44:00 20 A. Yes.

21 Q. And, for example, you knew what funeral home Sam Bockarie
22 had been taken to?

23 A. Yes, I heard it.

24 Q. You even quoted to the judges what Moses Blah had said
10:44:19 25 about arresting him or killing him, correct?

26 A. Yes.

27 Q. That's all new since 12 May of this year, correct?

28 A. This was not revealed to the Defence in Monrovia.

29 Q. And this is all part of your re-invented story to help

1 bolster Charles Taylor's case. Isn't that right?

2 A. This is not an invented story. This is an actual story
3 that I gave to the lawyer and to this Court. It's not an
4 invented story.

10:45:01 5 Q. Now, Mr Witness, when you were explaining about the death
6 or the killing of Sam Bockarie, you got confused a couple of
7 times, didn't you?

8 A. I don't know --

9 Q. You were telling us --

10:45:20 10 A. I don't know what you mean about confused, except if you
11 bring out my confusion. I don't know what you're talking about.

12 MS HOLLIS: If we could please look at the transcript of
13 30 August, page 47506.

14 PRESIDING JUDGE: We have that in front of us now.

10:46:16 15 MS HOLLIS: Thank you. Thank you, Madam President. And if
16 we could please look at - show on the screen lines 14 to 15.

17 Q. Now, Mr Witness, lines 5 to 14, you are explaining about
18 the events around the death, or the killing of Sam Bockarie, and
19 at lines 13 and 14 you say this:

10:46:42 20 "A. So Blah was given manpower under the command of
21 Benjamin Yeaten to go and arrest Moses Blah."

22 So you got a little confused in your story there; yes,
23 Mr Witness?

24 A. What's the confusion there?

10:47:02 25 Q. That Blah was given manpower under the command of Benjamin
26 Yeaten to go and arrest Moses Blah. That's the confusion; yes,
27 Mr Witness?

28 A. That's not confusion. That was a slip of tongue and I
29 corrected it.

1 Q. And, Mr Witness, the reason that you got confused with this
2 story is because you didn't have your lie quite well enough
3 rehearsed. Isn't that right?

4 A. That's not so. I said that was a slip of tongue and I
10:47:33 5 corrected it. It was not a confusion. I never got stopped in
6 between.

7 Q. And, Mr Witness, you also had this slip of tongue because
8 you knew that Benjamin Yeaten had been ordered to arrest Moses
9 Blah at a later time. You knew that, didn't you?

10:47:56 10 A. What are you saying? I did not get the context of your
11 question, please.

12 Q. You had this slip of tongue because you knew that Benjamin
13 Yeaten had been ordered to arrest Moses Blah at later time. You
14 knew that, didn't you?

10:48:25 15 A. But this slip of tongue has nothing to do with the arrest
16 of Moses Blah. How could I say Benjamin Yeaten - I mean, Moses
17 Blah was given manpower under the command of Benjamin Yeaten to
18 arrest Moses Blah again? You should - you should analyse and say
19 that was a slip of tongue, and I rectified it.

10:48:50 20 Q. And it was a slip of tongue because you know that Benjamin
21 Yeaten was later ordered to arrest Moses Blah correct?

22 A. It was not a slip of tongue because I knew that Benjamin
23 Yeaten was given orders to arrest Moses Blah.

24 Q. Now, Mr Witness, in this explanation that you gave from
10:49:09 25 lines 5 to 14, you also admit that Benjamin Yeaten was in
26 Nimba County when the killing of Sam Bockarie occurred, correct?

27 A. Yes, he went with Moses Blah and they went to Nimba County.
28 I said so.

29 Q. Now, Mr Witness, you also got confused in this story later

1 on in your explanation of this story, correct?

2 And let's look at page 47507. And if we could look at the
3 bottom of the page beginning at line 24, please. And you're
4 asked:

10:50:01 5 "Q. Did the government have its own version of this
6 sequence of events?"

7 Talking about Sam Bockarie's death and your answer was:

8 "A. What I heard from the government through the defence
9 minister was that after the death of Moses Blah the defence
10 minister said --"

10:50:17

11 And at that point you were interrupted. Now, that was
12 another slip of the tongue, wasn't it, Mr Witness?

13 A. That was not a slip of --

14 MR ANYAH: Madam President.

10:50:29

15 PRESIDING JUDGE: Please pause. Yes, Mr Anyah?

16 MR ANYAH: I remember these series of questions quite well.
17 One of them actually, her Honour Justice Doherty pointed out the
18 error in the transcript, for each of these misstatements, once
19 they appear in the record, attributable to the witness in a
20 manner that doesn't make sense in the overall context. I went
21 through the transcript with the witness, the witness corrected it
22 right after they were said. They were slips of tongue, so to
23 speak.

10:50:49

24 Now, for us to spend two or three minutes with counsel
10:51:06 25 opposite insinuating that the witness did not have his lie
26 thoroughly rehearsed, and that's why he had a slip of tongue,
27 when this happens repeatedly or recurrently in this case with
28 various other witnesses, I think it's unnecessary, even in
29 cross-examination.

1 We have had today, and throughout the cross-examination of
2 this witness, statements like appear on my page a 51, line 10:
3 "So you got a little confused in your story"; and then you go to
4 line 19 of page 51: "You didn't have your lie quite well enough
10:51:42 5 rehearsed. Isn't that right?" How does that contribute to your
6 Honours' understanding of the case when the witness merely
7 misspoke? Surely the Prosecution has other substantive matters
8 to put to the witness in cross-examination than calling the
9 witness names and saying that the witness has rehearsed
10:52:02 10 such-and-such.

11 PRESIDING JUDGE: Ms Hollis, could you respond to this kind
12 of objection to the way you are proceeding.

13 MS HOLLIS: Thank you, Madam President.

14 First of all, Madam President, let us be perfectly clear.
10:52:13 15 The Prosecution's position is that this witness has lied to your
16 Honours under oath. We are perfectly entitled to put that to
17 this witness in cross-examination. And, indeed, the Defence have
18 done that throughout the Prosecution case, so it's a bit curious
19 to hear the objection. We are not being disingenuous, we are
10:52:34 20 putting it to the witness. And we have a right to do that.

21 In terms of these slips of tongue, not only do we have the
22 right to suggest it is because the witness doesn't have his story
23 straight, but we have also put to the witness that it is because
24 the witness is aware that Benjamin Yeaten was involved in the
10:52:50 25 arrest of Moses Blah. So there was another reason why the
26 witness misspoke. He, inadvertently, we will admit, put on the
27 record something that indicates his awareness of Benjamin
28 Yeaten's involvement in the arrest of Moses Blah. And we are
29 moving to that same area with the question about the slip of the

1 tongue of the death of Moses Blah. And we believe that we have a
2 right to do it. And considering the repetitive nature of some of
3 the Defence's cross-examination and direct examination, we do not
4 believe we are unduly wasting this Court's time.

10:53:33 5 PRESIDING JUDGE: So, in other words, whilst the Defence
6 describes these errors as slips of tongue, the Prosecution view
7 is that they were more than a slip of the tongue?

8 MS HOLLIS: And as to why the slip of the tongue occurred.

9 PRESIDING JUDGE: Very well. In that case I would overrule
10:53:52 10 the objection.

11 MS HOLLIS: Thank you, Madam President.

12 Q. Now, if we could please look at 47507 and down at the
13 bottom, pages - lines 24 to 29, please. And you see there,
14 Mr Witness, we had referred to your statement about "after the
10:54:17 15 death of Moses Blah". Another slip of the tongue, correct?

16 A. Where?

17 Q. Well, I've read it to you before, let me read it to you
18 again. Line 28: "Was that after the death of Moses Blah, the
19 defence minister said." Do you see that, Mr Witness?

10:54:48 20 A. But would you consider - is Moses Blah dead?

21 Q. Mr Witness, the reason you made that slip of the tongue was
22 also because you knew that Benjamin Yeaten not only had orders to
23 arrest Moses Blah, he had orders to kill Moses Blah. Isn't that
24 right?

10:55:06 25 A. Benjamin Yeaten never had an order to kill Moses Blah.
26 Benjamin Yeaten was operating under the orders of Moses Blah at
27 this time.

28 Q. And it was Charles Taylor who gave Benjamin Yeaten the
29 order to arrest Moses Blah, correct?

1 A. I am not talking about the arrest of Moses Blah. I am
2 talking about the stories about the death of Sam Bockarie that
3 Moses Blah was given the order to go and arrest Moses Blah and he
4 was given manpower under the command of Benjamin Yeaten.

10:55:48 5 Q. Mr Witness, I am talking about an order to arrest Moses
6 Blah, so let's go back to my question. It was Charles Taylor who
7 gave Benjamin Yeaten the order to arrest Moses Blah. You know
8 that, don't you?

9 A. I don't know.

10:56:06 10 Q. And it was Charles Taylor who gave Benjamin Yeaten the
11 order to kill Moses Blah. You know that as well, don't you?

12 A. I don't know that Charles Taylor gave orders to Benjamin
13 Yeaten to kill Moses Blah.

14 Q. An order that Charles Taylor later rescinded, correct?

10:56:24 15 A. I don't know that.

16 Q. Mr Witness, you told the judges about Sam Bockarie leaving
17 Liberia for the Ivory Coast in 2000 and you testified about
18 Junior Seiatoe's relationship with Sam Bockarie and that he was a
19 bodyguard. Do you remember telling the judges about that?

10:56:48 20 A. That's correct.

21 Q. And you said that Junior Seiatoe and Musa Cisse both left
22 Liberia to follow Sam Bockarie to the Ivory Coast, correct?

23 A. Yes.

24 Q. And this is all new information as well, isn't it?

10:57:06 25 A. This is new information. This was information that I gave
26 here because I wanted to say the truth before the Court.

27 Q. And, in fact, Mr Witness, this is even new information,
28 even after the sixth summary, isn't that right? The last summary
29 didn't have this information.

1 A. If the last summary did not have the information, well, I
2 don't know. I'm - I am not the one who wrote the summary.

3 Q. Did you invent this information even after you took your
4 oath?

10:57:38 5 A. I did not invent any story.

6 Q. And, indeed, Mr Witness, Junior Seiatoe and Musa Cisse were
7 with Sam Bockarie but they went with Sam Bockarie when he
8 departed Liberia. But they were sent on Charles Taylor's order.
9 That's the truth of it, isn't it?

10:58:06 10 A. They were not sent on Charles Taylor's orders. Junior
11 Seiatoe, according to his commander, Junior Seiatoe went AWOL.
12 According to Benjamin Yeaten, Musa Cisse went with Sam Bockarie
13 without the knowledge of the President. And when the President
14 asked Benjamin Yeaten about Musa Cisse, Ben said that he lied to
10:58:35 15 Musa Cisse - he lied to the President that Musa Cisse was sick.
16 Because Musa Cisse had always been sick, the President had to
17 believe it.

18 Q. Mr Witness, this evidence about Musa Cisse, is that
19 evidence to try to explain away the stamps in his passport,
10:58:56 20 showing him leaving at the times and going to places that
21 corroborate Prosecution evidence? Is that why you've come up
22 with this story?

23 A. That's not what I'm saying.

24 Q. Now, Mr Witness, you also went into great detail about the
10:59:13 25 death of Jungle. And that is something new to your story as
26 well, isn't it, Mr Witness?

27 A. I don't think it is new because the death of Jungle - I
28 believe I delivered this to the Defence in Monrovia.

29 Q. So this is something else they failed to put in their

1 summary, is that correct?

2 A. Just bear in mind that I am not the one that wrote the
3 summary. This was how they felt, that they would summarise the
4 report.

10:59:53 5 Q. Now, Mr Witness, you've given testimony about Benjamin
6 Yeaten speaking with Sam Bockarie on a satellite phone in 1998,
7 correct?

8 A. Yes --

9 Q. So --

11:00:08 10 A. -- in late 1998.

11 Q. So you admit that Sam Bockarie and Benjamin Yeaten had
12 contact over a satellite phone in 1998, correct?

13 A. I admit that Benjamin Yeaten and Sam Bockarie had contact
14 over a satellite phone in late 1998, correct.

11:00:28 15 Q. And was this a Thuraya satellite phone?

16 A. It was not a Thuraya satellite phone. It was a satellite
17 phone that I described here. I do not know the name of that
18 satellite phone in 1998.

19 Q. Now, Mr Witness, up until 12 May, you had not told the
11:00:52 20 Defence about this conversation in 1998, had you?

21 A. Up to 12 May I did not tell the Defence counsel about this,
22 because of the same - because of the same reasons that I decided
23 not to give the accurate story, because I did not know who they
24 were.

11:01:14 25 Q. And you had not told the Defence that Benjamin Yeaten had a
26 satellite phone in 1998, had you?

27 A. I told the Defence that Benjamin Yeaten had a satellite
28 phone - he had a satellite phone in late 1998 and I described
29 that phone. Even in Monrovia, I told the Defence that.

1 PRESIDING JUDGE: Yes, I have my eye on the clock.

2 MS HOLLIS: Yes.

3 PRESIDING JUDGE: We'll take the midmorning break now and
4 reconvene at 11.30.

11:01:51 5 THE WITNESS: Thank you, Father.

6 [Break taken at 11.02 a.m.]

7 [Upon resuming at 11.33 a.m.]

8 [The accused present]

9 PRESIDING JUDGE: Yes, Mr Anyah.

11:33:16 10 MR ANYAH: Yes, Madam President. I merely rise to indicate
11 that Mr Taylor has now joined us in court.

12 PRESIDING JUDGE: Yes, certainly. That is noted.

13 Ms Hollis, please continue.

14 MS HOLLIS:

11:33:30 15 Q. Thank you, Madam President. Mr Witness, before the break
16 we were talking about whether you had told the Defence before 12
17 May of this year that Benjamin Yeaten had a satellite phone in
18 late 1998.

19 Now, let's look at the summary behind tab 5, beginning -
11:34:03 20 for context, with the last line, at CMS page number 28697. And
21 we have looked at this before, this line is simply for context.
22 We look at that page, BY, Benjamin Yeaten, lived in a house
23 directly behind White Flower. And then it goes on:

24 "And his radio was called Base 1, BY" - Benjamin Yeaten -
11:34:48 25 "also had a travelling radio that he could take to the front
26 lines. BY also got a Thuraya satellite phone in the 2000s."

27 Mr Witness, there is nothing there about Benjamin Yeaten
28 having a satellite phone in 1998, is there?

29 A. But there is something about Benjamin Yeaten having a

1 Thuraya phone in 2000. I mentioned to the Defence in Monrovia
2 that Benjamin Yeaten had a satellite phone in late 1998, which I
3 described, like I described it here before.

4 Q. So that's something else that the Defence left out of their
11:35:35 5 summary, is that what you're saying?

6 A. It is something that is embedded within the summary.

7 Q. Now, Mr Witness, you also told the Court about Benjamin
8 Yeaten's reaction upon hearing the news that rebels had attacked
9 Freetown. Do you remember telling them about that?

11:35:58 10 A. Yes.

11 Q. And you said that Benjamin Yeaten was shouting, "Oh, when
12 did this happen? Who did this?" like it was a surprise. Do you
13 remember telling them that?

14 A. I remember telling the Court that when Benjamin heard about
11:36:19 15 the rebel attack in Freetown, from the radio in his jeep, he was
16 surprised. It was like - actually, he did not - actually, it was
17 a surprise. He was wondering about it.

18 Q. Now, Mr Witness, this is some more of your new information,
19 isn't it?

11:36:45 20 A. In terms of when?

21 Q. Certainly new since 12 May of this year, isn't it?

22 A. This is part of the information that I gave to the Defence
23 counsel here in The Hague.

24 Q. Now, Mr Witness, Benjamin Yeaten was certainly shouting,
11:37:09 25 wasn't he, but he was shouting in jubilation. That's the truth,
26 isn't it?

27 A. I never saw any form of excitement in his face. He was not
28 yelling. He was not jubilating. He was kind of concerned that
29 there was something happening within the neighbouring country.

1 Even though he did not express that, yet he did not express any
2 happiness. He did not express happiness.

3 Q. Well, Mr Witness, you just said that he wasn't yelling, but
4 on 30 August you told the judges that Benjamin Yeaten was
11:37:51 5 shouting. So was he shouting?

6 A. You said he shouted in joy. I said he did not express any
7 form of joy in his face. This is a point that I am making clear
8 to you.

9 Q. Now, Mr Witness, you also told the judges that Sampson had
11:38:24 10 confided in Sunlight, that Sampson had taken Jungle to the
11 Executive Mansion, to the seventh floor, to a radio room on the
12 seventh floor and that an operator there had assisted them to
13 communicate with the RUF. Do you remember that?

14 A. I remember telling the judges that Sampson told Sunlight
11:38:50 15 that he had taken Jungle to the Executive Mansion to communicate
16 - for Jungle to communicate with the RUF. But that was done
17 between him, Jungle, Sampson and that operator but that the
18 government was not aware of it. It was secret.

19 Q. And, indeed, you told the judges that Sampson had confided
11:39:17 20 in Sunlight that these communications from the seventh floor of
21 the Executive Mansion were secret, no other operators knew about
22 them, correct?

23 A. I told the judges that, according to Sampson, these
24 communications that went on when he took Jungle to the Executive
11:39:42 25 Mansion, were secret and that no other operator, with the
26 exception of Mission 5, knew about it.

27 Q. But, Mr Witness, several other operators would have known
28 about these secret communications, wouldn't they? Not just one
29 operator?

1 A. The operator, according to Sampson, who knew, was Mission
2 5.

3 Q. Because, Mr Witness, you told us that Sunlight's shifts -
4 radio shifts at the Executive Mansion, there would have been
11:40:24 5 three, four or even five operators on each shift, correct?

6 A. Yes. I said Sunlight heard this but did not know how many
7 manpower was on the shift with other people, I said that.

8 Q. Well, are you telling the judges that the manning for these
9 other shifts would be very different than the manning for
11:40:49 10 Sunlight's shift?

11 A. I am telling the judges that Sunlight only knew about the
12 manpower on his shift. I think I made that clear here.

13 Q. Now, Mr Witness, there is no reason to believe that these
14 other shifts would not have been manned in the same way that
11:41:09 15 Sunlight's shifts were manned, is there?

16 A. I don't know, but, according to Sunlight's shift, he knew
17 the manpower on his shift and that was the information that
18 Sunlight also got from Mission 5; that Mission 5 was the one who
19 knew about this communication. And beside him, no other operator
11:41:37 20 knew about it. It was secret. But I don't know what else you
21 want me to say other than this?

22 Q. Or, Mr Witness, was it the situation that Charles Taylor
23 arranged for just one operator to be on duty when his
24 subordinates were communicating with Buedu?

11:41:59 25 A. This is the condition that the President was not
26 responsible for the arrangement of the security shift. He had
27 nothing to do with the security shift.

28 Q. So if the President of Liberia said, "During this period of
29 time I want only one radio operator on duty at a particular radio

1 station," are you saying that that direction would have been
2 disobeyed?

3 A. That never happened, so I cannot comment on it. I have
4 idea of how the shift was run. And how the shift was run, in
11:42:45 5 fact the entire security was not run by the President. It was
6 run by the organisation that was responsible for the safety of
7 the President.

8 Q. Mr Witness, if Charles Taylor had told Benjamin Yeaten or
9 the head of the radio operators, "During a certain time I want
11:43:02 10 only one radio operator on duty," they would have obeyed that
11 instruction. Isn't that correct?

12 A. If - had Mr Taylor had told Benjamin Yeaten that he wanted
13 one operator, it was up to the security. It was up to Benjamin
14 Yeaten to either agree or disagree with this. But it's not my
11:43:27 15 judgment. And you should also realise that the SSS had what they
16 call the control system. They had the best way that they could
17 conduct the security to provide safety for the President. So
18 even if the President recommended, the director had his own
19 opinion or his own judgment, so I can't sit here and judge for
11:43:50 20 him. My duty there was to execute instructions or commands.

21 Q. My question had nothing to do with a recommendation. My
22 question had to do with Charles Taylor ordering this to be done.
23 And you know full well that, had he ordered that to be done, that
24 order would have been carried out, correct?

11:44:17 25 A. Not you. If he ordered that, then it was up to the chief
26 of security to the President to either agree or disagree. I will
27 not tell you yes or no, because I am not in the position. I was
28 not the chief of security.

29 Q. The seventh floor of the Executive Mansion was between

1 private quarters of the President on the sixth and eighth floors,
2 correct?

3 A. I don't know what you mean by private quarter of the
4 President.

11:44:51 5 Q. Well, it seems pretty clear but let's try it again. These
6 were quarters that were used for the private purposes of the
7 President of Liberia, isn't that right, both the sixth floor and
8 the eighth floor?

9 A. That is not to my knowledge.

11:45:08 10 Q. The Executive Mansion itself was exposed to a lot of
11 security, correct?

12 A. I don't know what you mean by exposed to a lot of security,
13 but all I know is that the Executive Mansion was controlled by
14 the SSS and the ATU in terms of security.

11:45:33 15 Q. Well, you do know what I meant by exposed to a lot of
16 security because that's the language you used to the judges when
17 you were testifying before, isn't that right, on 24 August?

18 A. Except if you read that to me, but I do not remember saying
19 that.

11:46:07 20 Q. Well, let's do that. Let's look at 24 August, page 47047.
21 If we could look down, beginning at line 15, please. This is
22 Defence counsel asking you a question and he is basically asking
23 you if you know why Sampson did not use Mission 5 on this
24 particular occasion and instead decided to use Sunlight. And
11:46:53 25 here's your answer to the judges. This is you speaking to the
26 judges:

27 "I believe he was afraid that Mission 5 was assigned at the
28 Executive Mansion and that his deal would be uncovered at any
29 time, and the Executive Mansion was exposed to a lot of

1 security."

2 So, Mr Witness, let me go back to my question: The
3 Executive Mansion was exposed to a lot of security. Isn't that
4 correct?

11:47:31 5 A. I don't remember using this word "exposed to security", "a
6 lot of security", but I was giving my own presumption about this
7 issue, that maybe Sampson felt that by using Mission 5
8 continuously, the other securities - this would be disclosed to
9 the other securities. The Executive Mansion is controlled by the
11:47:59 10 SSS and the ATU.

11 Q. And indeed the Executive Mansion is exposed to a lot of
12 security. It was during the time that Sampson and Jungle were
13 making these supposedly secret communications to Buedu. At that
14 time the Executive Mansion was exposed to a lot of security.

11:48:20 15 Isn't that correct?

16 A. I don't know what you mean by a lot of security. What I
17 know is that the Executive Mansion was manned by the Special
18 Security Service and the ATU. But what I said was that I
19 believed that Sampson never wanted to continue there because he
11:48:42 20 was afraid that these interruptions would be uncovered by other
21 securities around, that is the SSS or the ATU.

22 Q. And indeed there was a lot of security provided by the SSS
23 and, according to you, also by the ATU at the Executive Mansion,
24 correct?

11:49:04 25 A. The SSS controlled both the Executive Mansion building and
26 the surrounding of the Executive Mansion. And the ATU were
27 responsible for the exterior, the outside parts of the building
28 of the Executive Mansion. They were not exposed to the inside of
29 the Executive Mansion. That was what I said.

1 Q. And your story to these judges is that Jungle, who you said
2 was an RUF member, was able to enter the Executive Mansion
3 without proper identification, correct?

4 A. He was able to enter the Executive Mansion under the wings
11:49:52 5 of Sampson Wehyee, under the protective wings of Sampson Wehyee.
6 And that was common. If you were an SSS personnel and you had
7 somebody that you wanted to enter with at the Executive Mansion,
8 that you can just tell them that he or she is going with me and
9 they will allow you and that was common.

11:50:14 10 Q. Well --

11 A. You will now be serving as that individual's identity.

12 Q. Mr Witness, we went over, in a lot of detail, the
13 procedures that were followed before a person was allowed into
14 the Executive Mansion, and what you told the judges at that time
11:50:32 15 is different than what you're telling the judges now. Isn't that
16 correct?

17 A. That is not correct. The question you asked me, that's the
18 way I answered your questions because by then you were talking
19 about diplomats.

11:50:50 20 Q. And we were talking about members of the RUF. Now,
21 Mr Witness, you are also telling the judges that this Jungle was
22 able to go to a floor near the President's private quarters
23 without showing proper identification. That's what you're
24 telling the judges, yes?

11:51:11 25 A. I don't know what you are talking about, that near the
26 President's private quarters, but Sampson never had any close
27 physical contact with the President that he alone could even
28 travel and go to the President's office, let alone talk about him
29 taking with him a stranger. So that would not have happened.

1 Q. But they were able to go to the seventh floor, which is
2 between the sixth and eighth floor, correct, according to you?

3 A. Yes - no, I did not say. Sampson told me they went to the
4 Executive Mansion, and I made mention of the seventh floor when I
11:51:58 5 said it but that the radio had been transferred from the fourth
6 floor to the seventh floor. So please do not try to confuse me.

7 Q. Mr Witness, you told the Court that Sampson and Jungle had
8 gone to the seventh floor to make these radio communications,
9 didn't you?

11:52:22 10 A. I told the Court that Sampson told me that he had taken
11 Jungle to the Executive Mansion to communicate with the RUF and
12 that was through Mission 5 and it was secret.

13 Q. Mr Witness, is it possible you just don't remember exactly
14 what you told the judges about that?

11:52:49 15 A. I don't know what you want me to say, but what I recall
16 telling the judges is the story that Sampson told me and that is
17 what I am repeating.

18 Q. Could we please look at the transcript of 24 August, page
19 47040 and if we could look at lines 11 through 17. Mr Witness,
11:53:26 20 this is you talking.

21 A. Yes.

22 Q. This is a court reporter taking down what you said. Do you
23 understand that?

24 A. Yes, read it.

11:53:38 25 Q. Starting at line 11, and this is your answer:

26 "Okay, before that, when Sampson brought Jungle and told
27 Sunlight that this fellow is called Jungle and introduced Jungle
28 to Sunlight, he also said that he had been taking - he had taken
29 Jungle to the Executive Mansion, now on the seventh floor, to

1 communicate."

2 So, Mr Witness, you told these judges that Sampson had
3 taken Jungle to the seventh floor. Do you remember that now?

11:54:27

4 A. Also remember that I said earlier that the long-range radio
5 was transferred to the seventh floor before I left the Executive
6 Mansion for the other assignment.

7 Q. And so, Mr Witness, your story to these judges is also that
8 this fellow Sampson was able to go to the communications centre
9 in the Executive Mansion without proper identification, correct?

11:54:51

10 A. I am telling this Court that Jungle was under the
11 protection - that Jungle was under the protective wings of
12 Sampson when he went to the mansion and it was Sampson who took
13 him with him. And that was common. It used to happen.

11:55:13

14 Q. And that he was able to spend time in this communication
15 centre without being seen by anyone who was loyal to the
16 President. That would be your story, correct? For example,
17 other operators who were working on the same shift?

11:55:42

18 A. I was not there to have known how many operators were on
19 shift when Sampson took Jungle there. But what I was told was
20 that Sampson had taken Jungle only to Mission 5 and that it was
21 secret. Those were the expressions I got, that it was secret.

22 Q. And your story is that Jungle was able to actually use
23 communications there without being seen by anyone who was loyal
24 to the President of Liberia. Is that correct?

11:56:05

25 A. My story is that Sampson said he took Jungle with him and
26 that it was secret.

27 Q. And, in fact, this entire story is new, isn't it?

28 A. I don't know what you mean by new.

29 MS HOLLIS: Justice Doherty?

1 JUDGE DOHERTY: Sorry for interrupting, Ms Hollis.

2 Mr Witness, you have said it was secret but you've also
3 said a few moments ago that Jungle came in with Sampson and, I
4 quote, "That was common. It used to happen."

11:56:48 5 Now, are you saying that it was common only between Sampson
6 and Jungle or, as you have said earlier, that it happened that
7 other people would bring strangers without proper ID into the
8 Executive Mansion? Which was common?

9 THE WITNESS: What I said was common was that - it was only
11:57:12 10 securities, and as long as you were assigned at the Executive
11 Mansion and you were travelling with somebody who did not have ID
12 cards, the person will travel under your protection and you will
13 serve as the person's identity and you will be allowed. But
14 whatsoever thing the person does there, you will be responsible.
11:57:29 15 So it used to happen. But I am not saying --

16 JUDGE DOHERTY: So what you're saying is it was common for
17 people to bring others into the Executive Mansion without any ID?

18 THE WITNESS: What I'm saying is that people used to do it
19 and I used to see it, but they were security officers, SSS
11:57:53 20 officers.

21 JUDGE DOHERTY: Thank you.

22 MS HOLLIS:

23 Q. Mr Witness, this story is certainly new after 12 May of
24 this year, isn't it?

11:58:18 25 A. I don't know whether it is new but I believe and I remember
26 - yes, I think it was after the 12th. It was when I got here
27 that I told the lawyer all of these.

28 Q. And in fact, Mr Witness, that very important piece of
29 information is not even included in the last summary that was

1 provided by the Defence, is it?

2 A. But it is included in my total testimony that I gave to the
3 Defence. It is included in my overall testimony that I made to
4 the Defence here.

11:59:07 5 Q. So did you come up with those details after you were sworn
6 in as a witness?

7 A. I came up with those details after I had got here and
8 during the times we were doing the proofing exercise. It was not
9 after I had been sworn in as a witness.

11:59:33 10 Q. Now the fact is, of course, Mr Witness, that Jungle was
11 able to enter the Executive Mansion and that was because he was a
12 member of the SSS. Isn't that correct?

13 A. It was not because he was a member of SSS, but because he
14 travelled with a member of the SSS and a senior bodyguard to the
12:00:01 15 director of SSS.

16 Q. Major Daniel Tamba, he was a member of the SSS, wasn't he?

17 A. I don't know whether the Daniel Tamba that I know as Jungle
18 was a member of the SSS.

19 Q. And Jungle and Sampson may well have communicated with the
12:00:25 20 rebels in Sierra Leone from the Executive Mansion and that would
21 have been kept a secret from some people. That's correct, isn't
22 it?

23 A. This was kept a secret away from the entire Government of
24 Liberia and the security of the Government of Liberia, but not
12:00:50 25 "some people" like you said.

26 Q. It would have been kept secret from the Liberian general
27 public and the international community, correct?

28 A. It was kept secret from the Government of Liberia and the
29 President of the Republic of Liberia and the entire Executive

1 Mansion security guards - guard force, I mean the security
2 including the SSS and the ATU. It was kept secret from them.

3 Q. Actually when you said it was kept secret by them, that's
4 when you testified truthfully, correct?

12:01:28 5 A. That is when I make mistake.

6 Q. Let's go back to my question. It would have been kept
7 secret from the Liberian general public and the international
8 community. That's correct, isn't it?

9 A. It was kept secret from the Government of Liberia and the
12:01:50 10 President of Liberia.

11 Q. Mr Witness, do you not understand my question or do you
12 choose not to answer it?

13 A. I said this was kept --

14 Q. Mr Witness, do you not understand my question or do you
12:02:10 15 choose not to answer it?

16 A. Repeat your question.

17 Q. These communications would have been kept secret from the
18 Liberian general public and the international community. That's
19 correct, isn't it?

12:02:31 20 A. Yes. It is also correct that it was kept secret from the
21 Liberian people and it was kept secret from the international
22 community, as well as the Government of the Republic of Liberia.

23 Q. And it was kept secret from the people in the Government of
24 Liberia who were not involved in dealing with the rebels in
12:02:50 25 Sierra Leone. That's correct, isn't it?

26 A. The Government of Liberia was not having dealings with the
27 rebels in Sierra Leone. These were individuals within the
28 government, that is Sampson and his boss, Benjamin Yeaten. So,
29 don't consider this to be the Government of Liberia. It was an

1 individual and/or personal things that they did.

2 Q. And this secrecy from members of the Government of Liberia
3 who were not involved in dealing with the rebels, this secrecy
4 was at the direction of Charles Taylor. Isn't that correct?

12:03:46 5 A. It was because they were afraid that the President do not
6 know it because they will have been punished seriously by the
7 President for that.

8 Q. So being afraid that the President of Liberia would find
9 out about the communications, they went to the Executive Mansion
10 to use the radio equipment there to send these communications.

11 Is that what you're telling the judges?

12 A. I'm telling these judges that, according to him, he did it
13 and this is how he did it and that's it. It was secret.

14 Q. You have also told the judges that in late September
12:04:31 15 Sampson brought Daniel Tamba, also known as Jungle, to Base 1 and
16 that Sunlight let Jungle use Base 1 to communicate with the
17 rebels in Sierra Leone, correct?

18 A. I told the judges that in late September Sampson brought
19 Jungle to Sunlight with the instruction that Benjamin Yeaten sent
12:05:00 20 him with this individual so that he can use the radio. And
21 Sampson being a senior bodyguard to Benjamin Yeaten, Sunlight
22 never hesitated to do it. He allowed it. But it was not done by
23 Sunlight out of his own will, but it was done because of the
24 instruction given by Sampson.

12:05:23 25 Q. And, Mr Witness, when you were telling the judges about
26 this you said that Sampson told Sunlight that the chief had
27 authorised this, correct?

28 A. Yes. That was the title he used, and the chief was
29 Benjamin Yeaten.

1 Q. And Charles Taylor was also known as chief. Isn't that
2 correct?

3 A. As I told you, in Liberia everybody with a title, or a
4 superior, is regarded as chief. But within the security section
12:06:03 5 we used to refer to him as chief. But in the capacity, when he
6 was given the instruction, the instruction was from Benjamin
7 Yeaten who was his direct boss. Sampson was not dealing with the
8 President. And this is why, when Benjamin Yeaten came, Sunlight
9 confirmed it from Yeaten and Yeaten said, "Yes, because I have my
12:06:29 10 friend across there, you should allow that to happen."

11 PRESIDING JUDGE: Please excuse me for interrupting. I am
12 seeking a clarification from the witness.

13 Mr Witness, this is what you have been quoted as saying:

14 "As I told you, in Liberia, everybody with a title, or a
12:06:47 15 superior, is regarded as chief. But within the security section
16 we used to refer to him as chief".

17 Now who is the "him" you're referring to?

18 THE WITNESS: Benjamin Yeaten. For example, Sunlight was
19 referred to as chief by those operators that were working
12:07:19 20 directly under him. They used to call Sunlight chief and the
21 deputy also, Dew, they used to call him Chief Dew.

22 MS HOLLIS:

23 Q. Mr Witness, Sunlight worked directly for Benjamin Yeaten,
24 correct?

12:07:37 25 A. Yes.

26 Q. Now, you also told the judges that when Sampson came to
27 Base 1, Sampson told Sunlight about these supposedly secret
28 communications at the Executive Mansion. Do you recall telling
29 the judges that?

1 A. Yes, I remember telling the judges about this, yes.

2 Q. And that Sampson told Sunlight that these communications
3 with the RUF in Sierra Leone were a secret even from the
4 President of Liberia, correct?

12:08:13 5 A. Yes.

6 Q. And you told the judges that Sunlight informed Benjamin
7 Yeaten about this communication that had occurred between Jungle
8 and the RUF, that Sunlight told Benjamin Yeaten about this after
9 the communication had occurred when Benjamin Yeaten came home
10 that evening. Do you recall telling the judges that?

12:08:37

11 MR ANYAH: Madam President.

12 PRESIDING JUDGE: Yes, Mr Anyah.

13 MR ANYAH: I ask for clarification about the question for
14 this purpose: There are two different sets of communications

12:08:53

15 that the witness has mentioned in the sense that Jungle had been
16 taken to the Executive Mansion and, through Mission 5,
17 communication ensued. That's one set of communications.

18 The second one is Jungle's communication from his Base 1.

19 There is a distinction as to both vis-a-vis whether the witness
20 discussed either of them with Benjamin Yeaten. If it is the

12:09:12

21 latter, that is communication from Base 1, I raise no objection

22 to that. But if counsel is saying the witness testified that

23 Jungle - that Sunlight told Benjamin Yeaten about what Sampson

24 had mentioned in relation to communication from the Executive

12:09:38

25 Mansion, I need a page citation for that because that's not my

26 recollection of the witness's testimony.

27 PRESIDING JUDGE: Ms Hollis, would you like to clarify your
28 question to reflect the record?

29 MS HOLLIS: If need be I will. I will point out that this

1 entire set of questions had to do with Base 1, but I will
2 certainly clarify.

12:10:16 3 Q. Mr Witness, you told these judges that Sunlight informed
4 Benjamin Yeaten about this visit to Base 1 by Sampson and Jungle
5 that Jungle had communicated with the RUF in Sierra Leone - you
6 told these judges that Sunlight informed Benjamin Yeaten about
7 all of that after Benjamin Yeaten came home that same evening,
8 correct?

12:10:42 9 A. Yes, I told the judges that after Sampson had brought
10 Jungle and Jungle had used the radio, Sunlight after all told
11 Benjamin Yeaten when he returned from work that Sampson brought
12 an individual called Jungle to use this radio upon your directive
13 through him. And he said, "Yes, I am aware, because I have a
14 friend in Sierra Leone." He told him.

12:11:06 15 Q. And you told the judges that Sunlight informed Benjamin
16 Yeaten of all of this after Benjamin Yeaten came home that same
17 evening, correct?

18 A. All of what?

12:11:27 19 Q. What you have just gone over in great detail, Mr Witness,
20 Sampson coming to Base 1 with Jungle, Jungle communicating with
21 the RUF in Sierra Leone. You told Benjamin Yeaten about all of
22 this after he came home that evening. Isn't that correct?

23 PRESIDING JUDGE: Sorry, I think it was Sunlight who told
24 Benjamin Yeaten - not the witness - you used the word "you".

12:11:53 25 MS HOLLIS: I am sorry, I was talking about "you telling
26 the judges".

27 Q. You told the judges that Sunlight told Benjamin Yeaten
28 about all of this after Benjamin Yeaten came home that evening,
29 correct?

1 A. Correct.

2 Q. So, your story is that Sampson came with Jungle and told
3 Sunlight about secret communications before Sunlight discussed it
4 with Benjamin Yeaten, correct?

12:12:26 5 A. No.

6 Q. So you are telling the judges that Sunlight immediately
7 called Benjamin Yeaten before Sunlight allowed Jungle to use the
8 radio, is that what happened?

9 A. What I am telling the judges is that Sunlight - Sunlight,
10 by the directive that Sampson brought, that the director had sent
11 him to allow that individual to use that radio, that Sunlight
12 allowed that because Sampson was a senior bodyguard to Yeaten and
13 Sunlight accepted it and the communication went through. But
14 after all, Sunlight confirmed that from Benjamin Yeaten after Ben
12:13:16 15 had returned home from job. So I am not saying that Sunlight
16 told Benjamin Yeaten about how Sampson and Jungle used the radio
17 at the Executive Mansion, no.

18 Q. So having learned about secret communications at the
19 Executive Mansion, supposedly unknown, even to the President of
12:13:40 20 Liberia, Sunlight did not call Benjamin Yeaten to ask about
21 whether Sunlight should allow Jungle to use the radio. Sunlight
22 did not do that, did he?

23 A. Okay. Let me make it clear, that during that moment when
24 Sampson brought Jungle, he did not immediately tell Sunlight that
12:14:08 25 this is what happened. He --

26 THE INTERPRETER: Your Honours, could the witness be asked
27 to slow down and clearly repeat that area.

28 PRESIDING JUDGE: Mr Witness, you have to repeat the
29 evidence because you are going too quickly for the interpreter.

1 So the question was: So having learned about the secret
2 communication at the Executive Mansion, supposedly unknown, even
3 to the President of Liberia, Sunlight did not call Benjamin
4 Yeaten to ask whether Sunlight should allow Jungle to use the
12:14:47 5 radio. Sunlight did not do that, did he? What is your response?

6 THE WITNESS: Okay, my answer is that I want to make it
7 clear that Sampson did not tell Sunlight that moment, that this
8 was what he did. Sampson told Sunlight - after all, when
9 Sunlight had explained to 50 or to the director that Sampson
12:15:17 10 brought somebody to use the radio. So, after all, it was when
11 Sampson gave this information to Sunlight on a different date.
12 It was not at the start of this interaction.

13 MS HOLLIS:

14 Q. So now your story is that Sampson told Sunlight about all
12:15:39 15 of these secret communications at the Executive Mansion after the
16 first time Jungle had used the radio. Is that what you're
17 telling the Court now?

18 A. This is what I am making clear to the Court now.

19 Q. Now, when you were telling the Court about this before, you
12:16:06 20 didn't tell the Court that this conversation with Sampson
21 happened after the communication with Jungle, the communication
22 that Jungle had with the RUF, you didn't tell them that, did you?

23 A. When I was explaining here, I told the Court about the
24 communication that Jungle had with the RUF through Sampson from
12:16:33 25 the Executive Mansion. I told the Court this. I think I
26 mentioned that. It should be in the document.

27 Q. Now, you also told the Court that Sunlight had never met
28 this person, Jungle, before this occasion when Sampson brought
29 him to Base 1, correct?

1 A. Exactly so.

2 Q. And you told the Court that when Jungle communicated with
3 the RUF, Jungle communicated in a language that Sunlight did not
4 understand, correct?

12:17:11 5 A. Yes. I told the Court that Jungle communicated in Krio and
6 Sunlight did not understand Krio.

7 Q. And this communication you talk about occurred after the 18
8 September fighting, correct?

9 A. Correct.

12:17:28 10 Q. This story is also completely new, since 12 May, isn't that
11 right?

12 A. This was a factual story, since 12 May.

13 Q. Now, of course, Jungle and Sampson came to Benjamin
14 Yeaten's house and Base 1, they came there often, didn't they?

12:17:57 15 A. Periodically, not most of the times. They went there
16 periodically, not most of the times.

17 Q. They were?

18 A. And --

19 Q. They were members of the SSS and they were carrying out
12:18:17 20 duties in relation to the rebels in Sierra Leone, correct?

21 A. Jungle was not a member of the SSS. Sampson was a member
22 of the SSS and a bodyguard to Benjamin Yeaten.

23 Q. And they were carrying out these duties in relation to the
24 rebels in Sierra Leone at the instance of Charles Taylor. Isn't
12:18:45 25 that right?

26 A. They did this at the instance of Benjamin Yeaten, but
27 without the knowledge of President Taylor.

28 Q. Now, Mr Witness, you have also told the judges about
29 Sunlight's various contacts with the RUF operator Sellay, both

1 over the radio and also that he even met him in person, correct?

2 A. Yes, I told the Court that.

3 Q. And you told the Court that it could be remembered, this
4 name, this fellow, Sellay, because, like Sunlight, Sellay was a
12:19:38 5 radio operator and that Sunlight and Sellay had been

6 communicating for a few days, so that it was easy to remember
7 this fellow, Sellay. Do you remember telling the judges that?

8 A. Please make your question clear. When you say, "When he
9 said to remember Sellay", what do you mean?

12:20:05 10 Q. Because it was easy for Sunlight to remember Sellay
11 because, like Sunlight, Sellay was a radio operator and Sunlight
12 and Sellay had been communicating for a few days. Do you recall
13 telling the judges that?

14 MR ANYAH: Madam President.

12:20:23 15 PRESIDING JUDGE: Yes, Mr Anyah.

16 MR ANYAH: The question posed by learned counsel opposite
17 comes from page 47052, the transcript of 24 August.

18 Using this language that counsel has used, let's look at
19 the question posed by counsel. The question is: Because it was
12:20:46 20 easy for Sunlight to remember Sellay, because, like Sunlight,
21 Sellay was a radio operator and Sunlight and Sellay had been
22 communicating for a few days. Do you recall telling the judges
23 that? Counsel is asking the witness if the witness recalls
24 telling the judges this. But there is a context to this.

12:21:05 25 The witness's answer was given in relation to why he could
26 remember Sellay when Sam Bockarie visited. So to set aside the
27 context that it was in relation to a visit by Sam Bockarie to
28 Monrovia, and that's how the witness remembered Sellay, and then
29 to just ask the witness this part of his answer, whether he

1 recalls telling the Court that, is not fair to the witness.

2 PRESIDING JUDGE: Ms Hollis, what is your response?

3 MS HOLLIS: It is totally fair to the witness. It is what
4 the witness told this Court. And there was nothing about the
12:21:46 5 witness remembering because of a visit. The witness told this
6 Court that Sunlight remembers it was Sellay, the radio operator,
7 because Sunlight was also a radio operator and he met with Sellay
8 and he and Sellay had been communicating for a few days without
9 seeing each other and knowing each other.

12:22:12 10 MR ANYAH: Well, let's read the transcript.

11 MS HOLLIS: I just did.

12 MR ANYAH: No. From the 24th. I am proposing, with
13 respect, that you did not read all of it.

14 PRESIDING JUDGE: Okay. Can we go to the transcript of the
12:22:23 15 24th, please, so that we read verbatim what the transcript says.

16 MR ANYAH: I have it - I will wait for the Court Manager to
17 display it. Yes, the 24th, the page is 47052, starting at line
18 7.

19 MS HOLLIS: Actually, if you want to look at the --

12:22:43 20 MR ANYAH: Question.

21 MS HOLLIS: Go ahead.

22 MR ANYAH: The question to the witness:

23 "These names you've given us: Sellay" - well I hope this
24 is not the confidential version being published. But anyway, I
12:22:58 25 will read what it says:

26 "Q. The names you have given us, Sellay, Zigzag Marzah,
27 Sampson, Jungle, Sam Bockarie, Sunlight. Were those the
28 only persons present at the house when Sam Bockarie was met
29 by Sunlight at the YWCA community during his first visit?

1 A. During his first visit what I recall is that those with
2 whom he came, namely, that {redacted} Sellay, the
3 radio operator, because Sunlight was also a radio operator
4 and he met with Sellay, and he and Sellay had been
12:23:35 5 communicating for a few days without seeing each other and
6 knowing each other."

7 My objection is simply that to just take the sentence where
8 it begins with, "Because Sunlight was also a radio operator and
9 he met with Sellay and he and Sellay had been communicating for a
12:23:53 10 few days" and to ask the witness, "You remember telling the Court
11 this?" And it has been over a week now, and no context is given
12 to the witness, is not a fair question to the witness.

13 PRESIDING JUDGE: Very well. Now that the text, the full
14 text, has been read, Ms Hollis, please put your question.

12:24:11 15 MS HOLLIS:

16 Q. Now, you have heard what Defence counsel have read in this
17 Court. Do you remember telling the judges that on 24 August?

18 A. Yes, I remember telling the judges that Sunlight and Sellay
19 had been talking on the radio before - before Sellay's visit to
12:24:38 20 Liberia, along with Sam Bockarie. So they had been talking
21 without knowing each other. I remember saying that.

22 Q. And that Sunlight remembers Sellay because Sunlight was
23 also a radio operator and he met with Sellay. Yes, you remember
24 telling them that?

12:25:02 25 A. I remember saying that, yes, that Sunlight remembers,
26 because they had been talking on the radio. He remembers the
27 name Sellay. He remembers Sellay.

28 Q. And you also told the judges that this radio operator,
29 Sellay, committed suicide. Do you remember telling them that?

1 A. Yes. I remember telling the judges that Sunlight heard
2 that this radio operator, Sellay, committed suicide. He was not
3 there. Sunlight was not there. But that was what he said. I
4 mean, this was what they told Sunlight.

12:25:41 5 Q. None of this information was provided to the Defence before
6 12 May, was it?

7 A. This information was provided to the Defence counsel when I
8 got here, but it was not provided to Defence counsel prior to my
9 arrival here.

12:26:06 10 Q. And in fact, what you told the Defence counsel prior to
11 that was that Sunlight did not know Sellay Duwor but that
12 Sunlight knew a Duwor who was a member of the reactivated Jungle
13 Fire unit. Do you remember telling the Defence counsel that
14 before you had arrived here in your meetings with him?

12:26:37 15 A. Before answering your question, please, I want you to
16 repeat that question because the names that you gave is like
17 having breaks. Are you talking about a Sellay or Sellay Duwor?
18 You say Sellay, you stop, you say Duwor, you stop.

19 Q. Let's look at what you told the Defence counsel up to 12
12:27:02 20 May of this year. And let's look at tab 5 of the summaries and
21 let's look at CMS page 28698, and let's look at the first full
22 paragraph, third line down:

23 "W does not know a Sellay Duwor but does remember a Duwor
24 who was part of BY's, Benjamin Yeaten's, reactivated Jungle Fire
12:27:55 25 unit."

26 So that was the information that you gave to the Defence.

27 A. Yes.

28 Q. Up to 12 May of this year, correct?

29 A. Yes.

1 Q. And you will note that in that information you say you
2 don't know a person whose first name was Sellay and last name was
3 Duwor, but you do go on to note that you remember a Duwor who was
4 part of the Jungle Fire unit. You don't tell the Defence,
12:28:30 5 however, "You know, I also remember a Sellay who was an RUF radio
6 operator." You don't tell them that, do you?

7 A. I think you are uncertain because you were not there, but I
8 told the Defence counsel, even in Monrovia, that I did not know
9 Sellay Duwor, okay. But, when I came here, I told the Defence
12:28:58 10 counsel that I knew one Sellay that Sunlight dealt with but not
11 Sellay Duwor, and the Duwor that I knew was with - there were two
12 Duwors with Benjamin Yeaten. There was Duwor number one "Clean
13 Dower", a radio operator, and Duwor number two was "Dirty Dower"
14 who was a fighting man or a bodyguard to Benjamin Yeaten. I made
12:29:23 15 these distinctions and I made them very clear.

16 Q. Let's go back to my question. Up through 12 May of this
17 year you did not tell the Defence that you knew a Sellay who was
18 an RUF radio operator, did you?

19 A. All of the times I dealt with the Defence counsel in
12:29:45 20 Monrovia, I did not tell them that I knew a Sellay from the RUF.
21 And I gave you the reasons for which I did that and I have been
22 giving those reasons to you. So I dissociated myself with these
23 people when I was dealing with the Defence counsel in Monrovia
24 because, like I said, I never knew who they were. I was not sure
12:30:12 25 whether they were from the Special Court. I told you that.

26 But, when I got here, in order for me to testify with the
27 truth before this Honourable Court, I was bold to tell the
28 Defence counsel about other things. That notwithstanding, I told
29 the Defence counsel that the Sellay that I knew from the RUF was

1 not Sellay Duwor. I said I only knew his name, his first name
2 Sellay, not the last name.

3 MR ANYAH: Madam President, I apologise for interrupting.

4 PRESIDING JUDGE: Sorry, Mr Anyah, I hadn't seen you.

12:30:51 5 MR ANYAH: We have confirmed on the Defence side of the bar
6 that the transcript that was published was the confidential
7 version. I am looking at both versions and I read out the
8 confidential version, and so I have an application for redaction.

9 PRESIDING JUDGE: Have you confirmed that the transcript
12:31:07 10 you read from had the words "open session" at the top.

11 MR ANYAH: That is correct. It wasn't a private session
12 testimony, but when that evidence was elicited in open session,
13 your Honours gave an order of redaction and certain words were
14 put in brackets. Those words in brackets do not appear on the
12:31:27 15 public version of the transcript. They only appear on the
16 confidential version and what was published in court and to the
17 public is the confidential version of the transcript. That's
18 what I am saying. So, I have identified the portion of the
19 LiveNote transcript that I move or apply for redaction. And I
12:31:52 20 use a 14-point font. This is at my page 85, line 17. It starts
21 with the answer, "During his first visit", but the particular
22 phrase in question comes in the second line of that response
23 which it goes "namely that" and then somebody remembers. Those
24 two words are not in the public version. They are only in the
12:32:23 25 confidential version of the transcript of 24 August 2010.

26 PRESIDING JUDGE: Yes, but you are asking us to redact the
27 answer of the witness? Or are you asking us to redact something
28 that you read from the transcript?

29 MR ANYAH: What I am saying is twofold: One, published in

1 court today was a confidential transcript for all the world to
2 see. So I want some measure taken by your Honours in relation to
3 that, both the live feed of this broadcast and perhaps an
4 admonishment to those present. That's the first application.

12:33:09 5 Then the second --

6 PRESIDING JUDGE: Right, sticking with the first
7 application, what part of today's transcript do you want me to
8 redact? Stick with that first application, please.

9 MR ANYAH: Yes, Madam President. It is what I have
10 referred to on the LiveNote transcript at page 85, using a
11 14-point font, my line 18.

12 PRESIDING JUDGE: I am saying that that is the witness's
13 answer. It is not an earlier transcript.

14 MR ANYAH: No, it is me reading. If you look, Madam
12:33:43 15 President, to line 10 of that page, it's me quoting what was
16 published in court, the transcript of the 24th.

17 PRESIDING JUDGE: I do beg your pardon. It did seem like a
18 witness's answer. Okay, that's the first. Madam Court Manager,
19 you can see the two words referred to there. The words between
12:34:05 20 "namely that" and "Sellay". There are two words there that need
21 to be redacted. And what's the second application?

22 MR ANYAH: Then the second application has to do with the
23 admonishment your Honours usually give when others present have
24 viewed the transcript, because forgetting what I said on the
12:34:26 25 record, Madam Court Manager published that page on the live feed,
26 the page was brought up and others could read it.

27 PRESIDING JUDGE: Mr Anyah, I would normally admonish the
28 public but in this case, first of all, a lot of time has lapsed.
29 I am even doubtful if we are going to catch the redaction on the

1 broadcast. And, secondly, I doubt that anybody sitting here
2 would make sense of exactly what it is we have redacted in order
3 to republish it. So, I think I will just stick with the order to
4 redact and that probably will be even in the written transcript
12:35:08 5 and hardly in the broadcast. It has been brought out so late.

6 MR ANYAH: Madam President, I am simply in the Court's
7 hands. All I can do is point it out. And I know that from my
8 judgment of the time it has only been 10 minutes ago and usually
9 we have 30 minutes to accomplish this, but I am in the Court's
12:35:29 10 hands. Thank you.

11 PRESIDING JUDGE: We will just go with the written
12 redaction where this is concerned. And just to remind counsel to
13 be vigilant in future and not to jeopardise the protection of the
14 witness.

12:35:52 15 MS HOLLIS:
16 Q. And, Mr Witness, in fact it wasn't until after 12 May that
17 you came up with this information about there being two Duwors.
18 Isn't that correct?

19 A. No, I told the Defence counsel in Monrovia about the two
12:36:16 20 Duwors within the Jungle Fire. I told the Defence counsel.

21 Q. So this is something else that they forgot to include in
22 the summaries. Is that what you're saying?

23 A. I don't know whether they forgot, but what I know is that
24 it is part of my testimony, part of my full testimony.

12:36:37 25 Q. Now, Mr Witness, you told the judges that Jungle and Sellay
26 talked on the radio in Krio, correct?

27 A. Yes.

28 Q. And that Sellay spoke very good Krio, correct?

29 A. And that Jungle and Sellay spoke Krio, they spoke very good

1 Krio.

2 Q. That Sunlight did not speak or understand Krio, correct?

3 A. Yes. Sunlight did not understand Krio.

4 Q. So if there is no understanding of Krio, how can there be a
12:37:18 5 conclusion by anyone that Sellay spoke very good Krio?

6 A. I said it. I don't know one of the witnesses here that was
7 read to me that Sunlight - I mean Sellay was a Liberian and from
8 the Krio spoken by Sellay to Jungle at the time, there was
9 nothing to detect that this man - you know, when you are learning
12:37:55 10 something, you are not mastering it, it would reveal your accent.
11 But the accent was totally a Sierra Leonean accent. This is what
12 I was saying.

13 Q. Or is it the case that Sunlight was actually able to
14 understand the conversation between Jungle and Sellay because
12:38:13 15 they were both Liberians and they were speaking in Liberian
16 English?

17 A. It is not so. Sunlight never understood anything from the
18 conversation between Sellay and Jungle.

19 Q. When Sunlight met with Sellay and Sam Bockarie and others
12:38:33 20 at this YWCA area in Monrovia, what language was spoken at that
21 meeting?

22 A. Sellay and Sunlight?

23 Q. When Sellay - excuse me. When Sunlight met with Sellay,
24 Sam Bockarie and others at this YWCA area in Monrovia, what
12:39:01 25 language did they speak?

26 A. They greeted Sunlight in the normal English. They spoke
27 English.

28 Q. Regular English?

29 A. Regular English.

1 Q. So Sunlight understood and spoke regular English?

2 A. Sunlight understood regular English and practises how to
3 speak it.

4 Q. Now, Mr Witness, you have also told these judges about
12:39:37 5 Sunlight overhearing a disagreement between Foday Sankoh and
6 Sam Bockarie. You said Sunlight was monitoring the RUF net and
7 heard a serious confrontation between Foday Sankoh and
8 Sam Bockarie. Do you remember telling the judges about that?

9 A. Correct.

12:39:59 10 Q. And Sunlight was able to understand in great detail what
11 they were talking about, correct?

12 A. Sunlight was able to understand it? They spoke - yes,
13 Sunlight understood it. He understood it.

14 Q. And you also told the judges that monitoring the RUF net,
12:40:25 15 Sunlight also heard Foday Sankoh give an order to Issa Sesay to
16 take charge. Do you remember telling the judges that?

17 A. Yes.

18 Q. What language were Foday Sankoh and Sam Bockarie speaking
19 when Sunlight happened to overhear them while Sunlight was
12:40:51 20 monitoring the RUF net? What language were they speaking?

21 A. They spoke plain English that Sunlight was able to monitor
22 - I mean understand. They spoke plain English.

23 Q. So Foday Sankoh, he was a Sierra Leonean, correct?

24 A. Yes, they said he was a Sierra Leonean, but I did not know
12:41:19 25 his nationality. They said he was Sierra Leonean. I heard that,
26 that he was a Sierra Leonean.

27 Q. And Sam Bockarie was a Sierra Leonean, correct?

28 A. I believe so.

29 Q. And these two men were speaking over the RUF net, correct?

1 A. Yes.

2 Q. But your story is for that conversation, they decided to
3 speak regular English. Is that your story?

4 A. I am not saying they decided, but my story is that Sunlight
12:41:56 5 heard them speaking English and they spoke in regular English.

6 Q. So your story is they weren't speaking to each other in
7 Krio?

8 A. They were not speaking to each other in Krio, because if it
9 were in Krio, Sunlight wouldn't have understood it.

12:42:17 10 Q. And Foday Sankoh and Issa Sesay, what language were they
11 speaking?

12 A. I do not remember Sunlight monitoring Issa Sesay, but he
13 monitored the voices of Sankoh and Sam Bockarie.

14 Q. Well, Mr Witness, you told the judges that Sunlight also
12:42:39 15 overheard, while monitoring the RUF net, that Sunlight also
16 overheard Foday Sankoh with Issa Sesay, and Foday Sankoh was
17 giving Issa Sesay an order to take charge. Now, you remember
18 telling the judges that, don't you?

19 A. What I told the judges was that Foday Sankoh ordered Issa
12:43:02 20 Sesay to take charge. I did not say they were talking. That was
21 the order that he gave. He called his name and he gave the
22 order. And Sunlight never heard the response from Issa Sesay,
23 but the conversation between Sam Bockarie and Foday Sankoh was
24 what was heard and plainly heard by Sunlight.

12:43:31 25 Q. What language did Foday Sankoh speak when he gave this
26 order to Issa Sesay?

27 A. I said English.

28 Q. So, once again, Foday Sankoh, speaking with another Sierra
29 Leonean, is speaking in English, not Krio. Is that your

1 testimony?

12:44:10 2 A. My testimony is this was what Sunlight monitored. He
3 monitored the - that was the language he monitored at that time.
4 I don't know the reason why they decided to do this, but this was
5 what transpired.

6 Q. Now, in relation to this communication between Jungle and
7 Sellay. This communication between Jungle and Sellay, we have
8 talk about this, it took place after this 18 September fighting,
9 yes?

12:44:29 10 A. Yes.

11 Q. At the time there was heightened security in Liberia,
12 correct?

13 A. At the time there was security in Liberia, yes.

12:44:47 14 Q. At the time there was heightened security after the 18
15 September fighting, correct? There was increased security,
16 correct?

17 A. After the September fighting, security was under alert.

12:45:15 18 Q. So with security on the alert, there having been this
19 serious 18 September fighting, Sunlight let a stranger speak on
20 the radio in a language Sunlight did not understand. Is that
21 your testimony?

22 A. That is not the problem with Sunlight. That was the
23 problem with Sunlight executing an instruction or an order from
24 his boss.

12:45:31 25 Q. And Sunlight allowed Jungle to communicate in a language
26 Sunlight did not understand with a radio station in Sierra Leone,
27 correct?

28 A. Sunlight allowed Jungle to speak on the radio with a radio
29 station in Sierra Leone upon the directive of his boss, through

1 the special assistance to his boss.

2 Q. So for all that Sunlight knew, Jungle and this radio
3 operator in Sierra Leone could have been plotting the
4 assassination of Charles Taylor, correct?

12:46:17 5 A. I don't know that. I don't know what you mean by that, but
6 as far as Sunlight is concerned, he was there to execute orders
7 from Benjamin Yeaten, who was his direct boss, and whatsoever
8 instructions that came from him. And Sunlight knew that Benjamin
9 Yeaten would not assassinate his boss.

12:46:36 10 Q. Well, he was committing treason against his boss, wasn't
11 he?

12 A. I don't know.

13 Q. Sunlight was also committing treason against Charles Taylor
14 and the Government of Liberia, wasn't he?

12:46:52 15 A. Sunlight was meant, in the security force he was meant to
16 take orders and execute orders from his boss. He had no option
17 but to execute orders.

18 Q. And for all that Sunlight knew, Jungle and this radio
19 operator could have been planning the overthrow of the
12:47:13 20 Charles Taylor government, isn't that right? Or even the
21 invasion of Liberia, Sunlight wouldn't have known that. That's
22 your story, correct?

23 A. It was not Sunlight's problem. It was the chief of
24 security's problem who allowed Sunlight to do that. Sunlight
12:47:31 25 was just there to execute an order. He was caught in between
26 whatsoever it was, he was caught in between. He was just an
27 instrument being used by his boss.

28 Q. The real truth is that Sunlight spoke and understood Krio
29 and so knew what was going on in that conversation, isn't that

1 correct?

2 A. The whole story is that Sunlight never understood Krio.
3 Sunlight never even knew that Jungle could speak Krio, but he
4 couldn't stop Jungle because he had been ordered to allow Jungle
12:48:07 5 to carry on with his conversation. He never knew what language
6 Jungle was going to speak in. Sunlight did not restrict Jungle
7 to speak in this tongue or speaking Bassa. Once the order had
8 been given that he should allow the communication to go through,
9 whether they speak German, that was part of the communication.

12:48:28 10 Sunlight had nothing to do with the language that was spoken on
11 the radio at the time.

12 Q. And the truth is that Foday Sankoh and Sam Bockarie, and
13 then when Foday Sankoh contacted Issa Sesay, they weren't
14 speaking English English, they were speaking Krio and Sunlight
12:48:49 15 understood the conversation so well because Sunlight also
16 understood and spoke Krio. That's the truth, isn't it?

17 A. Sunlight does not understand Krio, nor speak Krio, but the
18 portion of the communication, I don't know whether that was how
19 they spoke throughout, but part of the communication that
12:49:14 20 Sunlight heard between these two men was in regular English. You
21 know, the Krio, even the Nigerians, they speak their Krio and
22 speak regular English. It doesn't mean that they are limited or
23 that their tongue is tied to Krio.

24 Q. Now, Mr Witness, it is correct, is it not, that when we
12:49:40 25 talk about codes, a code can be used to disguise the message,
26 correct, so you can have a content coded message, correct?

27 A. Correct.

28 Q. And you can also use coding so that you can disguise what
29 frequency you will be operating on, correct? So you would have a

1 code name for a particular frequency?

2 A. Correct.

3 Q. And operators would know codes for frequencies, correct?

4 A. Yes.

12:50:23 5 Q. And operators who knew codes for frequencies could then go
6 to these frequencies and could monitor the frequencies, correct?

7 A. I don't know what you mean, but what I know is that the
8 operators who operate, more especially during the time of the war
9 in Liberia, the security operator - operators, they had a --

12:50:57 10 THE INTERPRETER: Your Honours, can he kindly repeat his
11 answer and more slowly.

12 PRESIDING JUDGE: Mr Witness, can you repeat your answer.
13 The interpreter didn't get you.

14 THE WITNESS: Mr Interpreter, sorry. I said that the only
12:51:12 15 security - on the security net, more especially, during our time
16 in Liberia during the war, the radio operators within the
17 Government of Liberia, including Sunlight, would scan - would
18 twist other frequencies in order to monitor the frequencies. It
19 doesn't mean that they know the code for that frequency.

12:51:45 20 MS HOLLIS:

21 Q. And codes were assigned to frequencies so that operators
22 could tell each other to go to a certain frequency by using the
23 code word instead of using the frequency, correct?

24 A. Codes were assigned to frequencies used by operators under
12:52:12 25 the same umbrella, or within the same organisation to be used by
26 them. That is, the Government of Liberia, for example, had their
27 operators and the operators assigned codes to those frequencies.
28 And other organisations, even in NGOs, other NGOs, or whosoever
29 had their own radio group, they had their own codes for their own

1 frequency.

2 Q. And, Mr Witness, operators would sometimes go on the
3 general frequency and then one operator would tell the other to
4 switch to a certain frequency by using a code word for that
12:52:52 5 frequency, correct?

6 A. This is what I said; that operators under the same
7 umbrella.

8 Q. Now, do you remember telling the judges, in relation to
9 Sunlight's first contact with Selay, that Sunlight was given the
12:53:14 10 RUF frequency, a coded frequency. Do you remember telling the
11 judges that?

12 A. I remember telling the judges that on the first day of
13 Jungle's communication with the RUF from Base 1, Jungle brought -
14 Jungle brought an RUF frequency on a piece of paper to Sunlight.
12:53:37 15 I remember telling the judges that.

16 Q. And that there was a coded frequency that Sunlight used and
17 that was 35B, correct?

18 A. The word 35B is not a frequency, and Sunlight did not use
19 the call sign 35B. I told you that. The first call sign
12:54:04 20 Sunlight used to contact Buedu was Selay, who - which was the
21 operator's name.

22 Q. And you told the Court that Sunlight used this call sign to
23 contact Selay to contact 35B and Selay responded immediately,
24 correct?

12:54:24 25 A. If that was what is written there, then that's a mistake.
26 It could be it's a mistake by those who copied it but I did not
27 tell the Court that Sunlight used the call sign 35B at any point
28 to contact the RUF.

29 Q. So that would be a mistake by the translator or a mistake

1 by the court reporter, is that what you're saying?

2 A. Yes, if it is mentioned - if it is written there, that
3 would be a mistake by them.

4 Q. If we could please look at the 24th of August, beginning
12:55:05 5 with page 47042. Let's look at the question and answers,
6 beginning with line 2, you had mentioned to the Court that Jungle
7 had come with a piece of paper and the question is:

8 "Q. What happened in relation to the frequency and piece
9 of paper that Jungle brought with him?

12:55:52 10 A. The piece of paper that Jungle had, Sunlight had to
11 call that frequency. He had the frequency, he had
12 programmed it on his radio.

13 Q. And what was the result of that dialling of that
14 frequency?

12:56:07 15 A. When Sunlight made the call, Sellay answered and then
16 he lent Daniel, or Jungle, to Sellay and they began
17 communicating" - and then you explain it was in Krio - "so
18 Sunlight did not understand."

19 Now let's go to page 47043. And at the top of the page is
12:56:35 20 where you indicate that you do not understand or speak Krio.

21 Then the question, beginning at line 5:

22 "Q. In calling Sellay, that is Sunlight calling Sellay, was
23 there a call sign or a code name for Sellay's radio?

24 A. Yes. As I said, Sunlight had been told by previous
12:56:53 25 operators, that was between '91 and '92, the NPFL radio
26 operator had been in contact with the RUF. In that process
27 they used to call the RUF 35B, that was the call sign for
28 the RUF - for the RUF at that time; 35B. And Sunlight used
29 this call sign to contact Sellay to contact 35B and Sellay

1 responded immediately. It was Sellay who was on the alert
2 for a call by somebody using that call sign, 35B."

3 Now, just so we are clear, 35B, was it the call sign for
4 that particular frequency on that radio, or what was 35B exactly?

12:57:47 5 A. I told you 35B, according to previous radio operators, they
6 told Sunlight that between '91 and '92 there was an RUF radio
7 with the call sign 35B. I think this is when I mentioned the
8 word 35 - the call sign 35B. It was not a frequency but a call
9 sign.

12:58:10 10 Q. And so Sunlight used this call sign 35B and Sellay
11 responded immediately, correct?

12 A. Sunlight used the word given by Jungle, that the operator
13 is Sellay. Sunlight initially used Sellay. It was only on two
14 occasions that he used Sellay. Until the code was brought down
12:58:32 15 by Memunatu, Sunlight used Sellay.

16 Q. And this 35B as a call sign, that was a code for that
17 particular call sign, correct?

18 A. That was - it wasn't the code for that particular call
19 sign.

12:58:52 20 Q. Well, wouldn't you, if you had done it and it wasn't in
21 code, wouldn't you have simply said, "I want to speak to Sellay
22 in Buedu"?

23 A. No.

24 Q. But instead you used a term which meant this was the
12:59:10 25 station in Buedu, correct, and that was 35B?

26 A. I didn't say the station in Buedu was 35B.

27 Q. Well, you said it was the call sign, so the call sign goes
28 with the station, correct?

29 A. I said that this was a call sign of one of the RUF radios

1 in Sierra Leone and the call sign was 35B. That was according to
2 previous RUF operators that operated before Sunlight being part
3 of the radio communication. This was the story that Sunlight got
4 in Gbarnga, but I did not tell the Court that the call sign for
12:59:56 5 the radio in Buedu was 35B.

6 Q. And 35B is what Sunlight used to contact Sellay in 1998,
7 correct?

8 A. Sellay was what Sunlight used to contact the station in
9 Buedu in 1998, and later on he used the call sign Planet 1 and
13:00:20 10 Bravo Zulu 4.

11 Q. And these were also code names to refer to this particular
12 radio station, correct?

13 A. Bravo Zulu 4 and Planet 1 were the code names referring to
14 the particular radio station in Buedu, not 3-5B or 3-5 Bravo.

13:00:43 15 Q. Now, Mr Witness, you told these judges that Memunatu Deen
16 provided Sunlight with an RUF code, correct?

17 A. Yes.

18 Q. And do you recall when it was that this code was provided
19 to Sunlight?

13:01:04 20 A. It was one month - I think it was about one month Memunatu
21 had been using Base 1. After one month. Possibly one month.

22 Q. Now, Mr Witness, this testimony about these communications
23 with Buedu, the use of 35B, the use of Bravo Zulu 4, Planet 1,
24 none of this information was provided to the Defence until after
13:01:36 25 12 May of this year, correct?

26 A. The information about Base 1 using Base 1 - about Base 1
27 contacting the station in Buedu with the call sign Planet 1 and
28 the call sign Bravo Zulu 4 was not disclosed to the Defence in
29 Monrovia by me.

1 Q. Nor was the use of 35B disclosed before 12 May, was it?

2 A. Base 1 - Base 1 operator never used the call sign 35B.

3 Q. And the fact that Memunatu Deen gave Sunlight an RUF code
4 was never disclosed to the Defence until after 12 May. Isn't
13:02:31 5 that correct?

6 A. Before 12 May, Sunlight - because of what I told you, that
7 he never knew whom he was dealing with, did not - he dissociated
8 himself.

9 THE INTERPRETER: Your Honours, can the witness repeat his
13:02:51 10 testimony slowly and more clearly.

11 PRESIDING JUDGE: Please pause, Mr Witness. You have to
12 repeat this answer for the interpreter to interpret to us. The
13 question was: "And the fact that Memunatu Deen gave Sunlight an
14 RUF code was never disclosed to the Defence until 12 May. Isn't
13:03:12 15 that correct?"

16 THE WITNESS: Okay, for short, yes.

17 MS HOLLIS:

18 Q. And in fact it was not disclosed until after 12 May.
19 That's correct, isn't it?

13:03:26 20 A. Yes.

21 Q. Now, in the information you gave the Defence up until 12
22 May you indicated that you would deny, or you denied, ever
23 received or knowing RUF radio code, correct?

24 A. Yes.

13:03:48 25 Q. And that was a lie, wasn't it?

26 A. That was an excuse because I did not know whom I was
27 dealing with.

28 Q. Mr Witness, that was a lie, wasn't it?

29 A. It was my --

1 PRESIDING JUDGE: Please pause. Yes, Mr Anyah.

2 MR ANYAH: Yes, Madam President. May I make an application
3 for a redaction, please. This is 105 of the LiveNote transcript,
4 lines 12 to 14. It is an answer given by the witness that was

13:04:23

5 not completed.

6 PRESIDING JUDGE: Mr Witness, are you feeling all right?

7 Are you feeling all right?

8 THE WITNESS: Headache. I am feeling some symptoms of

9 headache, but we can continue.

13:04:47

10 PRESIDING JUDGE: Yes. Yes, Mr Anyah, you were saying

11 line?

12 MR ANYAH: Yes, Madam President. Page 105, lines 12 to 14,

13 an answer that begins "before 12 May." It wasn't a completed

14 response, but looking at it, in the exercise of caution, I think

13:05:10

15 someone may deduce, in connection with what was testified to

16 earlier today in open session, what the witness is referring to

17 there. It is of course in the discretion of the Court.

18 PRESIDING JUDGE: Because the answer is disjointed, I think

19 it is safe to leave the text as it is.

13:05:43

20 Ms Hollis, please repeat the question that you were about

21 to ask before I interrupted.

22 MS HOLLIS: Let me find it, Madam President.

23 PRESIDING JUDGE: And, Mr Witness, we only have less than

24 half an hour before the luncheon break when you can take an

13:06:05

25 aspirin.

26 JUDGE DOHERTY: Ms Hollis, before you go back to your

27 questions I would like to ask the witness: Mr Witness, in answer

28 to a question just now you said the following - it was put to you

29 that something you said was a lie and you said the following:

1 That was an excuse because of uncertainty about the persons being
2 dealt with. And you have given that answer several times, you
3 didn't know these people, et cetera. Why did you talk to them at
4 all if you were so distrustful of them?

13:06:41 5 THE WITNESS: I talked to them because they came and
6 presented, through Mr Gray, that they were from the Special
7 Court. I had to have a conference with them to find out what
8 they wanted to ask me. It was not civilised for you to just go
9 away from people like that.

13:07:06 10 MS HOLLIS:
11 Q. Mr Witness, they told you they were from the Defence for
12 Charles Taylor. Isn't that right?

13 A. Yes, they said that.

14 MS HOLLIS: And, Madam President, I will move on to the
13:07:19 15 next topic.

16 Q. Mr Witness, you also told these judges about Sunlight
17 meeting an RUF operator by the name of Mortiga, correct?

18 A. Yes.

19 Q. And at one point you told the judges that before Sunlight
13:07:43 20 had met Mortiga in person, Mortiga had intercepted Sunlight's
21 communications with Buedu once or twice. Do you remember telling
22 the judges that?

23 A. I said that, and it was corrected. I said I made a
24 mistake. I mistook Mortiga for another person and I made that
13:08:11 25 correction. I think the correction should be written. I think I
26 made that correction.

27 Q. And, indeed, Mr Witness, you did make that correction after
28 saying that Mortiga had intercepted Sunlight's communications
29 with Buedu once or twice while Sunlight was trying to get in

1 touch with Sellay, and you later corrected that.

2 Now, Mr Witness, you told these judges that Sunlight met
3 with Mortiga on more than one occasion during one of Sam
4 Bockarie's trips to Monrovia. Do you remember telling the judges
13:08:55 5 that?

6 A. I told the judges that Sunlight met with Mortiga once
7 during one of Sam Bockarie's three visits to Monrovia in late
8 1998, and that was Sam Bockarie's second visit.

9 Q. Mr Witness, {redacted} the judges about
13:09:21 10 meeting Mortiga twice during that visit by Sam Bockarie. Isn't
11 that correct?

12 A. During this particular visit - I don't know when you say
13 twice. When Sunlight met Mortiga at YWCA where he was, I told
14 the judges that Jungle brought Mortiga to Base 1. So I do not
13:09:49 15 classify it as two different visits. That was the same visit.
16 So, to be clear, within that same visit, Sunlight met Mortiga
17 twice.

18 PRESIDING JUDGE: Now here in the question, Ms Hollis's
19 question, I will have to do some redaction. I think I will have
13:10:19 20 to redact, if you look at page 109 where Ms Hollis asks the
21 question "Mr Witness ", now the words after "Mr Witness" up to
22 "the judges", those words, four words, the words between
23 "Mr Witness" and "the judges" should be redacted, please.

24 MS HOLLIS:

13:11:00 25 Q. And these two meetings that Sunlight had with Mortiga,
26 where did the first meeting occur?

27 A. The first meeting took place at the YWCA community during
28 Sam Bockarie's second visit to Monrovia in late 1998, but this
29 time it was not in the previous house where Sunlight saw

1 Bockarie, that is, where Sampson and Jungle - I mean, not Jungle
2 - Sampson, Pa Joe, Zigzag and others, but this time it was in
3 another house but within the same YWCA community. And then
4 within that same visit, the second one was the time that Jungle
13:11:53 5 took Mortiga down to Base 1.

6 Q. And this second visit occurred the day after the first
7 visit, correct? And I am talking about visits with Mortiga, not
8 Sam Bockarie's visits to Liberia. The second meeting that
9 Sunlight had with Mortiga occurred the day after the first
13:12:19 10 meeting, correct?

11 A. I believe it happened the following day, after Sunlight had
12 met Mortiga for the first time at YWCA.

13 Q. And during this second occasion, you told the Court that
14 Mortiga drew a communication on the paper that was coded, and
13:12:45 15 that the communication was translated back to Sellay in Buedu,
16 correct?

17 A. Yes, he brought a communication and he transmitted the
18 communication back to Buedu.

19 Q. And that on this occasion of the second meeting Mortiga
13:13:08 20 actually was taken to Sunlight's house for lunch, correct?

21 A. Yes, by Sunlight.

22 Q. Now, this testimony is totally contrary to what you told
23 the Defence up to 12 May of this year. Isn't that correct?

24 A. What's the difference? Please make it clear so that I can
13:13:39 25 answer you.

26 Q. Certainly. It wasn't until after 12 May of this year that
27 you told the Defence that you knew this fellow, Mortiga, an RUF
28 operator, that you actually had met him in person. It wasn't
29 until after 12 May that you told the Defence this. Isn't that

1 correct?

2 A. It was after all of the contacts I had with the Defence
3 counsel in Monrovia that I disclosed this fact, right in this
4 country.

13:14:20 5 Q. And, in fact, up until 12 May, your testimony had been no
6 knowledge of a person called Mortiga, correct?

7 A. Yes, this is what I told them at that time in Monrovia.

8 Q. And you talked about Memunatu Deen using Base 1 to
9 communicate with Buedu, yes?

13:14:52 10 A. Yes, I mentioned that here.

11 Q. And we have just reviewed your testimony where you told
12 these judges that Sunlight allowed Mortiga to use Base 1 to
13 communicate with the RUF, yes?

14 A. I told the judges that Sunlight allowed Mortiga to use
13:15:18 15 Base 1 because Mortiga was brought by Jungle.

16 Q. Now, Mortiga was Sierra Leonean, correct?

17 A. I believe so, yes.

18 Q. And Memunatu Deen was Sierra Leonean, correct?

19 A. Yes.

13:15:38 20 Q. And this information you have given the judges about
21 allowing both of these individuals to use Base 1 to communicate
22 with Sierra Leone is completely contradictory to what you told
23 the Defence counsel up to 12 May of this year, isn't it?

24 A. I don't know how you want me to put this issue. I told you
13:16:07 25 that all of the times that I met with the Defence counsel in
26 Monrovia, I did not disclose to them any relationship between
27 Base 1 and the RUF because of security reasons. And when I was
28 convinced that they were from here, when I got here - because I
29 did not want to come and stand before this Court and tell lies -

1 I decided to explain the fact, and this was the fact, and this is
2 the fact.

13:16:51 3 Q. And, indeed, Mr Witness, the information you provided to
4 the Defence up to 12 May of this year went much beyond failing to
5 disclose a relationship between Base 1 and the RUF, isn't that
6 right? You told them, you gave specific denials that were lies,
7 isn't that right?

8 A. I told them that I gave those excuses because I did not
9 know who they were.

13:17:16 10 Q. And one of the lies you told them is that you would insist
11 that no foreigners were allowed to operate Benjamin Yeaten's
12 radio, isn't that right?

13 A. I told them at that time, yes, at that time I told them.

14 Q. Now, Mr Witness, on 2 September you told the judges that
13:17:48 15 you did not know a person called Nya or Alfred Brown. Do you
16 remember telling the judges that?

17 A. That's correct.

18 Q. Mr Witness, is that statement as true as the statement you
19 made to the Defence that you did not know Mortiga?

13:18:08 20 A. The statement that I do not know Nya is the truth, and
21 because I am here to say the truth, it is part of the truth that
22 I'm saying. I do not know Nya and Brown. I don't know them.

23 Q. So now here in court today, Mr Witness, as you have
24 testified from the beginning, you have now admitted, contrary to
13:18:36 25 what you told the Defence up to 12 May of this year, you have
26 admitted to communications with several RUF operators in Sierra
27 Leone, correct?

28 A. I have not admitted to communicating with several RUF
29 operators.

1 Q. Well, you have admitted to communicating with Sellay, an
2 RUF operator in Sierra Leone, correct?

3 A. Yes.

4 Q. You have admitted to communicating with Daf, an RUF
13:19:11 5 operator in Sierra Leone, correct?

6 A. Yes.

7 Q. You have admitted to having radio contact with RUF
8 operators called Pascal and Elevation, correct?

9 A. Pascal and Elevation, I told you that I never had any
13:19:32 10 detail communication, they only assisted me and that was it.
11 Unlike Sellay, Mortiga and Daf, I never had any detail
12 communication with them. There was no discussion between them
13 and myself.

14 Q. You had contact with them when they would intercept your
13:19:51 15 communications, is that correct?

16 A. Yes.

17 Q. And then they would assist you in contacting operators at
18 Buedu, correct?

19 A. That's correct.

13:20:09 20 Q. And you have also admitted now that RUF operators, and you
21 have talked of two, came to Base 1 and were allowed to use Base 1
22 to communicate with the RUF in Sierra Leone, correct?

23 A. I admitted that RUF operators, like Mortiga, who used
24 Base 1 once, and Memunatu Deen, who used Base 1, apart from those
13:20:42 25 two, there were no other RUF operators that used Base 1.

26 Q. And you named three operators that you said Sunlight would
27 have been comfortable speaking with at Buedu but not with any
28 others. Who were those three operators you named?

29 A. Those operators were Sellay, Daf and Mortiga.

1 Q. So you have also told the Court that you were in contact -
2 communicated with Mortiga in Sierra Leone, correct?

3 A. But given the time frame now, I said before Mortiga's trip
4 to Monrovia, I never contacted - I never had contact with him.

13:21:32 5 But, after his trip, I had contact with him. So don't make the
6 question so blanket for me.

7 Q. Well, Mr Witness, you are giving the answers, and I ask you
8 what three operators and you gave those names. Now it is
9 correct, is it not, that you began to have very frequent

13:21:51 10 communication with Mortiga, beginning in about the middle of
11 1999.

12 A. I had communication with Mortiga after he had - I can say
13 at the beginning, let's say after the death of Sella, I cannot
14 remember the time frame. After the death of Sella when I had -

13:22:19 15 when I heard about the death of Sella.

16 Q. And you were aware that it was Mortiga that you were
17 carrying out this regular communication with, correct?

18 A. It was not regular communication.

19 THE INTERPRETER: Your Honour, can he repeat the last part
13:22:41 20 of his answer.

21 PRESIDING JUDGE: Sorry, Mr Witness, pause. You need to
22 repeat your answer, please. Start again.

23 THE WITNESS: I said it was - this was not a regular
24 communication. It was a periodic communication.

13:23:01 25 MS HOLLIS:

26 Q. Mr Witness, is that statement as true as the statement you
27 gave to the Defence when you denied knowing Mortiga?

28 A. At what time?

29 Q. Up until 12 May of this year.

1 A. Up until - I don't know when the 12th was - I don't know
2 the time frame. All of the meetings that I had with the Defence
3 in Monrovia, I did not say this. This was totally avoided
4 because I never knew who they were. I did not know them to be
13:23:39 5 members of Mr Taylor's Defence counsel at the time, I only knew
6 and heard about Mr Courtenay Griffiths, and I had seen his
7 photograph. And I told you if the meeting at the time was with
8 Mr Griffiths I wouldn't have given excuses because I would have
9 known him.

13:23:59 10 Q. Mr Witness, it wasn't totally avoided. You specifically
11 said you didn't know Mortiga, isn't that right?

12 A. I told them that I did not know Mortiga at the time.

13 Q. And what you have just told the Court about not having
14 regular communication with Mortiga after Sellay's suicide, is
13:24:20 15 that statement to the Court as true as the statement you made to
16 the Defence that you did not know Mortiga?

17 A. The statement I made to the Defence in Monrovia that I did
18 not know Mortiga was incorrect, but the statement that I am
19 giving here and the statement that I gave to the Defence here
13:24:41 20 before appearing before this Court is true, that I knew Mortiga.

21 Q. On 1 September you told the judges that there was no radio
22 communication - operator with Benjamin Yeaten called Mortiga. Do
23 you remember telling the judges that?

24 A. Good.

13:25:00 25 Q. Is that statement as true as the statement you made to the
26 Defence about not knowing Mortiga?

27 A. The statement - I told the judges that Ben never had a
28 radio operator called Mortiga is true, as compared to the
29 statement that I gave to the judges in Monrovia - the statement I

1 gave to the judges in Monrovia was inaccurate because of my own
2 security. I told you.

13:25:39 3 PRESIDING JUDGE: Mr Witness, you did not give any
4 statement to the judges in Monrovia. This is what you said. I
5 am sure that's not what you meant to say. So who did you give
6 the statement to, certainly not the judges.

7 THE WITNESS: I am saying that the statement I gave here to
8 the Defence counsel and the statement that I altered here - the
9 testimony that I altered in this Court, that Ben never had a
10 radio operator call Mortiga, is true. But when I told the
11 Defence counsel in Monrovia that I never knew Mortiga, that was
12 because of my security. It was not accurate. It was not the
13 fact. But the fact is what I gave to the Defence here and what I
14 am telling this Court here now.

13:26:34 15 MS HOLLIS:

16 Q. Mr Witness, you also told the judges that in 1999, before
17 Sam Bockarie came to Monrovia for good, that in 1999, prior to
18 that, Seibatu Jusu was brought to Benjamin Yeaten's house. Do
19 you remember telling the judges that?

13:26:58 20 A. Yes.

21 Q. And you told the judges also that after Sam Bockarie came
22 to Monrovia in December of 1999, you saw Seibatu once again at
23 Benjamin Yeaten's house, correct?

24 A. I said I saw Seibatu once again at Sam Bockarie's house and
13:27:21 25 I saw Seibatu at the Executive Mansion.

26 Q. So you didn't see Seibatu again at Benjamin Yeaten's house
27 after Sam Bockarie came to Monrovia in December of 1999?

28 A. After Sam Bockarie had come to stay in Monrovia - in
29 Liberia finally, I saw Seibatu but I do not recall all the

1 places, but once in a while I used to see her.

2 Q. Now, your testimony to the judges about seeing Seibatu Jusu
3 at Benjamin Yeaten's house in 1999, that's a new story since 12
4 May this 2010, correct?

13:28:13 5 A. That's a factual story since the time that I met the
6 Defence counsel in Monrovia.

7 Q. Because, indeed, Mr Witness, up until 12 May of 2010 your
8 story was that you never saw Seibatu Jusu at Benjamin Yeaten's
9 house, correct?

13:28:35 10 A. I told them there in Monrovia, it's correct.

11 Q. And that was a lie, wasn't it?

12 A. That was an excuse for my own security.

13 Q. And indeed, Mr Witness, it is true that you saw Seibatu
14 Jusu at Benjamin Yeaten's house. That part of your testimony is
13:28:55 15 true, isn't it?

16 A. It is true that I saw Seibatu Jusu at Benjamin Yeaten's
17 house in 1999. She was brought there by Jungle. I saw her
18 there. It's true.

19 Q. And it's also true that she was brought there to work as a
13:29:20 20 radio operator, and indeed she did work as a radio operator and
21 used Base 1. That's true, isn't it?

22 A. That's not true.

23 MS HOLLIS: Madam President, I am moving to a new topic.
24 This might be a good point to break.

13:29:36 25 JUDGE DOHERTY: There was evidence given on that very point
26 yesterday, or the day before, Ms Hollis, and there is a matter in
27 it I would like to clarify, but I note the time. Have we got
28 time? Yes.

29 On the 6th of this month, Mr Witness, in the morning, this

1 issue of Seibatu Jusu being brought to Mr Yeaten's house was
2 brought up and your words were that Benjamin Yeaten rejected
3 Seibatu Jusu as a radio operator. What do you mean when you say
4 she was rejected by Benjamin Yeaten?

13:30:23 5 THE WITNESS: I mean that Jungle brought Seibatu Jusu and
6 said that she had come to work to help Memunatu to operate the
7 radio on behalf of the RUF, let's say for Sam Bockarie in
8 particular. But Yeaten told him, no, he is - he does not agree.
9 That is why I said she was rejected. She was not allowed by
13:30:56 10 Yeaten to use the radio as Memuna was allowed by Yeaten to use
11 the radio.

12 JUDGE DOHERTY: But why could Mr Yeaten reject her if she
13 was an RUF person and Mr Yeaten was not an RUF person? What
14 control had he over RUF personnel and who they appointed to help?

13:31:21 15 THE WITNESS: I don't know why he rejected her. I don't
16 know. But this is what happened. The fact of the matter is that
17 they were using his radio and he had control over his radio. The
18 radio was not an RUF radio. He assisted them because of his
19 friendship with Sam Bockarie.

13:31:46 20 JUDGE DOHERTY: Thank you.

21 PRESIDING JUDGE: Thank you, Mr Witness. We will take our
22 luncheon break now and reconvene at 2.30.

23 THE WITNESS: Thank you, your Honour.

24 [Lunch break taken at 1.31 p.m.]

14:27:11 25 [Upon resuming at 2.33 p.m.]

26 PRESIDING JUDGE: Ms Hollis, perhaps you could take your
27 seat. Our computers are not up to speed again and I don't know
28 why. I have a feeling they are going to crash before five
29 minutes into the proceedings.

1 Madam Court Manager, perhaps you might assist us.

2 MS IRURA: Your Honour, I am contacting the technicians.

3 PRESIDING JUDGE: Yes, Mr Anyah.

4 MR ANYAH: Yes, Madam President, I merely rise to indicate
14:34:30 5 that Mr Taylor's LiveNote is also not working but mine is. Thank
6 you.

7 PRESIDING JUDGE: Ms Hollis, I suppose you may commence.

8 Excuse me, sir, is Mr Taylor's - yes, now it is working.

9 Okay, Ms Hollis, please.

10 MS HOLLIS: Thank you, Madam President.

11 Q. Mr Witness, your new version of events includes quite a
12 number of admissions, and we have talked about several of those.
13 You also now admit that in 1998, ammunition was provided to the
14 RUF by Benjamin Yeaten, correct?

14:37:39 15 A. I said I saw that in late 1998.

16 Q. And this was provided from Benjamin Yeaten's house,
17 correct?

18 A. I saw it at Benjamin Yeaten's house, but it was not
19 provided - this is the ammunition that I said he sent people to
14:38:02 20 get from the southeastern part of Liberia and that of Lofa.

21 Q. And this ammunition you admit would be taken late at night
22 from Benjamin Yeaten's house, correct?

23 A. Yes.

24 Q. And that among those who were involved in taking this
14:38:26 25 ammunition from Liberia to Sierra Leone were Sampson and Zigzag
26 Marzah, correct?

27 A. Well, it was Sampson and Jungle, and Zigzag Marzah escorted
28 them as driver.

29 Q. And you have also told these judges that, in your view, you

1 believe that Sky 1 had RUF codes and frequencies, correct?

2 A. Yes, I told the judges that to my belief Sky 1 might have
3 had the RUF code or frequencies due to his connection to
4 Superman, as his brother, like he claimed.

14:39:18 5 Q. Now, you have told the judges about secret meetings, secret
6 communications, secret deals between Benjamin Yeaten and
7 Sam Bockarie, Musa Cisse and Sam Bockarie. Do you include Joe
8 Tuah in those secret meetings and deals?

9 A. I said secret deal. I did not make mention of meeting.
14:39:49 10 But you have already said meeting. I said secret deal, that
11 includes the selling of ammunition to Sam Bockarie by Benjamin
12 Yeaten, and also Musa Cisse.

13 Q. My question to you is: Do you include Joe Tuah in these
14 secret deals?

14:40:10 15 A. No.

16 Q. And you have told the judges that these interactions, these
17 secret communications, these secret deals, between Benjamin
18 Yeaten and Sam Bockarie, you now include Musa Cisse and
19 Sam Bockarie, all of these were secret from the Government of
14:40:31 20 Liberia and Charles Taylor. That's your current version of
21 events, correct?

22 A. It is not a new version of the event or anything. This is
23 the truth. And it is nothing beside the truth.

24 Q. And in this version of events, what you have attempted to
14:40:54 25 do is move blame away from Charles Taylor to Benjamin Yeaten,
26 Musa Cisse, Jungle and Sam Bockarie. Sam Bockarie, who was
27 killed and cannot contradict you. Musa Cisse, who is dead and
28 cannot contradict you. Jungle, who was killed and cannot
29 contradict you. And Benjamin Yeaten who is not in custody and is

1 fiercely loyal to Charles Taylor. That's what you have attempted
2 to do with your new version of events, isn't that right,
3 Mr Witness?

14:41:46

4 A. This is not what I intended to do. This is the truth, that
5 I have come to explain to this Court.

6 Q. And it is your story that the relationship between Benjamin
7 Yeaten and Sam Bockarie was secret. Is that correct?

8 A. It is not my story; it is the reality.

14:42:10

9 Q. And that communications from the Executive Mansion and from
10 Base 1 to Sierra Leone, to the rebels there, these communications
11 were secret from Charles Taylor and the Government of Liberia.
12 That's your story as well, correct?

14:42:36

13 A. And that the communication that Sampson spoke about at the
14 time before Base 1 was being installed, like he said, was secret,
15 and the communication between Base 1 and the RUF upon Benjamin
16 Yeaten's directive was also secret and not to the knowledge of
17 the government and the President of the Republic of Liberia.

14:42:57

18 Q. And that these communications were not monitored or
19 intercepted by loyal radio operators of the Government of
20 Liberia. That's your story as well, correct?

21 A. I don't know what you're talking about, loyal radio
22 operators, but, as far as I am concerned and to my knowledge,
23 this communication was not monitored by anyone.

14:43:20

24 Q. Even though the Government of Liberia, in particular the
25 NSA, had the capacity to intercept and monitor these
26 communications, correct?

27 A. I don't know, but if it had happened, they would have asked
28 Base 1 or they would have asked Benjamin Yeaten about it.

29 Q. And that these communications were not monitored or

1 intercepted by loyal radio operators of the Government of
2 Liberia, even though RUF operators seemed to intercept these
3 communications quite regularly. Is that your story, Mr Witness?

4 A. Please ask your question again.

14:44:06 5 Q. Certainly. And that these communications were not
6 monitored or intercepted by loyal radio operators of the
7 Government of Liberia, even though RUF operators seemed to
8 intercept these communications quite regularly. Is that your
9 story, Mr Witness?

14:44:27 10 A. I don't know what you mean by the RUF operators seeming to
11 intercept it. And these are operations and every communication
12 from Base 1 to Buedu was done on the RUF net, that all the other
13 RUF could intercept the contact, except if Base 1 and Buedu
14 switched to another frequency which will not be to the knowledge
14:44:55 15 of other RUF operators because these communications were just
16 between Buedu and Base 1.

17 Q. And in fact your story is that these RUF operators would
18 intercept your communications and would actually assist you to
19 get in contact with Buedu, correct?

14:45:19 20 A. I said these RUF operators who would intercept or help
21 Base 1, whilst Base 1 is on their main line contacting Buedu. If
22 Buedu was not on they would help. It was not something done
23 outside of their net. This was their general frequency which was
24 monitored by every RUF operator.

14:45:50 25 Q. And easily monitored and intercepted by radio operators in
26 Liberia, correct?

27 A. I don't know.

28 Q. Your story also is that Benjamin Yeaten was able to collect
29 ammunition from various parts of Liberia and move it to Monrovia

1 to his house, correct?

2 A. The story is that the ammunition that he got at this time,
3 I saw it at the house, which was from the southeastern part of
4 Liberia and that of Lofa.

14:46:30 5 Q. And your story is that Benjamin Yeaten was able to do this
6 without Charles Taylor or anyone loyal to Charles Taylor knowing
7 about this, correct?

8 A. I said this went on without the knowledge of Mr Taylor.

9 Q. And your story also is that Benjamin Yeaten was then able
14:46:56 10 to send these materials across Liberia to Sierra Leone without
11 Charles Taylor or anyone loyal to Charles Taylor knowing about
12 this movement of materials, correct?

13 A. I said that these particular - this particular material
14 that I saw, and other trips that Sampson and Jungle made to other
14:47:26 15 RUF-controlled areas or Sierra Leone, were done at night, at
16 night.

17 Q. And your story also is that Benjamin Yeaten was able to
18 send these materials across the border under the noses of the
19 joint command who were equipped to guard the border, correct?

14:47:50 20 A. I don't know. I don't know how they got there, but the
21 story is that they left Monrovia late at night and they went and
22 Sampson protected these materials as being part of Benjamin
23 Yeaten's bodyguard, and a senior bodyguard. He used his position
24 to cover up.

14:48:15 25 Q. And your story is that all of this was done after the 18
26 September 1998 fighting that led to heightened vigilance on the
27 border and in Liberia, correct?

28 A. I am talking about somebody who was part of the security
29 forces of Liberia and assigned to the chief of security to the

1 President.

2 Q. And that Benjamin Yeaten was able to send this ammunition
3 out of the country at a time when, according to Charles Taylor,
4 the Government of Liberia desperately needed war materiel.

14:49:01 5 That's your story, yes?

6 A. The story is that Benjamin Yeaten sold these ammunition to
7 Sam Bockarie on his own accord. This is the story.

8 Q. Mr Witness, did you consider yourself to be a close friend
9 of Sam Bockarie?

14:49:27 10 A. I am not a close friend of Sam Bockarie. I am neither a
11 friend to Sam Bockarie.

12 Q. You referred to Sam Bockarie several times as Sam. That's
13 because you were a close friend, isn't that right?

14 A. I don't know what you mean by close. I referred to him as
14:49:53 15 Sam Bockarie because that was his name.

16 Q. Now after Foday Sankoh was detained in Nigeria, Sam
17 Bockarie became the leader of the RUF in Sierra Leone, correct?

18 A. I don't know when he became leader of the RUF. I got to
19 know about the RUF through Base 1.

14:50:23 20 Q. And you got to know that he was the senior commander in the
21 RUF on the ground in Sierra Leone, correct?

22 A. Yes. I got to know that through Jungle.

23 Q. And in 1998 and 1999 Sam Bockarie was actually invited to
24 Liberia by Charles Taylor, correct?

14:50:53 25 A. I don't know how - what the procedure was by which he came
26 to Liberia in late 1998. I don't know whether he was invited by
27 the President, but, what I heard, on some of those occasions I
28 was told that he came to meet the government and the President of
29 Liberia based on the RUF ongoing peace process.

1 Q. And these trips of Sam Bockarie and his delegation to
2 Liberia were not a secret from Charles Taylor, were they?

3 A. I don't know.

4 Q. In fact, Mr Witness, you are aware that, indeed,
14:51:42 5 Charles Taylor invited him to Liberia. You're aware of that,
6 aren't you?

7 A. I don't know the protocol that brought Sam Bockarie to
8 Liberia three times in late 1998, and once after the peace
9 accord, the Lome Peace Accord. I don't know, but I met him, I
14:52:08 10 saw him. I don't know how he came to Liberia, but I saw him.

11 Q. And when this VIP, the senior commander of the RUF, when
12 this VIP visited Liberia, the SSS would be in charge of
13 protection, wouldn't it?

14 A. During the time I saw Sam Bockarie I did not see SSS
14:52:34 15 personnel beside Sampson.

16 Q. And the SSS would have known of Sam Bockarie's entries into
17 and exits from Liberia for these visits, correct?

18 A. On this particular visit I don't know.

19 Q. Well, I am talking about the three visits you talked about
14:52:56 20 in late 1998?

21 A. I am talking about the three visits. During the three
22 visits of 1998, beside Sampson Wehyee, who was the bodyguard to
23 Benjamin Yeaten and also an SSS personnel, I did not see any
24 other SSS personnel being assigned to him during these three
14:53:20 25 trips.

26 Q. But you know--

27 A. If they were around, then I did not see them.

28 Q. But you know that the SSS would have known about his
29 entries into and exits from Liberia on each of these trips,

1 correct?

2 A. I was not at the SS office for me to know what the
3 arrangement was with regards to his trips by the SSS.

4 Q. And reports about the entries, exits and the protection
14:53:54 5 given to Sam Bockarie and his delegation, such reports were given
6 to the President each time Sam Bockarie came into the country,
7 correct?

8 A. I don't know.

9 Q. If Charles Taylor told this Court that the Ministry of
14:54:16 10 State would get these security reports and Charles Taylor would
11 read them, you wouldn't have any reason to question that, would
12 you, Mr Witness?

13 A. That would be his statement because I was not with him and
14 I did not know what happened. You are talking about something
14:54:35 15 that is very far, far away from me.

16 Q. And, Mr Witness, if Charles Taylor had told this Court that
17 he received security reports every time Sam Bockarie or the RUF
18 arrived and that, indeed, they couldn't move freely within
19 Monrovia, would you have any reason to doubt that?

14:54:58 20 A. If he said that then that would be his statement, but I am
21 not in the position to judge him or to criticise him or to
22 correct him.

23 Q. Now, Sunlight, as Benjamin Yeaten's operator, would have
24 been aware of these security reports as well. Isn't that
14:55:25 25 correct?

26 A. Which security report?

27 Q. The security reports we have just been talking about,
28 Mr Witness. The security reports that were prepared and provided
29 to Charles Taylor when Sam Bockarie, or the RUF, came to Liberia?

1 A. I don't know whether security reports were prepared and
2 presented to President Taylor. I don't know whether Sunlight
3 would be aware, because Sunlight was not close to the President.
4 At this time Sunlight was not working at the headquarters of the
14:56:00 5 SSS, so he would have no knowledge of what happened.

6 Q. Sunlight was working for the director of the SSS, so of
7 course Sunlight would have knowledge of these matters, correct?

8 A. Sunlight was working for the director of SSS in his
9 capacity as radio operator, but he was not working as an
14:56:23 10 administrator to the director of SSS that he could have ideas or
11 access or information about what goes on in the office.

12 Q. And Benjamin Yeaten would have been involved in all of the
13 arrangements for security for the visits of Sam Bockarie and his
14 delegation to Monrovia, correct?

14:56:45 15 A. That I don't know. I told you I did not know how he
16 entered and I did not know how he left.

17 Q. And the President of Liberia would know that his director
18 of the SSS was very involved in these visits, correct?

19 A. I don't know.

14:57:07 20 Q. So there would be no need for secrecy if Benjamin Yeaten
21 and Sam Bockarie met, correct?

22 A. I don't know what you're talking about because what I'm
23 saying is that the close relationship between Sam Bockarie and
24 Benjamin Yeaten was not to the knowledge of the President, and
14:57:36 25 every deed or transactions between Benjamin Yeaten and
26 Sam Bockarie were not to the knowledge of the President.

27 Q. And, indeed, Mr Witness, it was likely that Benjamin Yeaten
28 would have been present during meetings Charles Taylor had with
29 Sam Bockarie, correct?

1 A. I don't know when he had meetings with Sam Bockarie, and
2 when he had meetings with Sam Bockarie that you are talking
3 about.

14:58:13 4 Q. Let's say that likely is too strong. It is possible, isn't
5 it, that Benjamin Yeaten would have been present in meetings
6 Charles Taylor had with Sam Bockarie, correct?

7 A. I don't know.

8 Q. And there always would have been SSS in those meetings,
9 correct?

14:58:32 10 A. I don't know.

11 Q. And for counsel, the reference to what I am about to put to
12 the witness is 3 August of 2009, page 25817.

13 Mr Witness, if Charles Taylor told this Court that it is
14 possible Benjamin could have been in the room, and he is talking
14:58:57 15 about meetings, in fact, the initial meeting with Bockarie:

16 "It is possible Benjamin could have been in the room or
17 maybe some other senior. It depends on who was on duty at the
18 time, and let me tell you what I am referring to. The President
19 meeting in a room with the delegation like that there would
14:59:19 20 always - the President meeting in a room with a delegation like
21 that, there would always be a Secret Service personnel in there,
22 especially this is a group coming and these are military people.
23 If the Secret Service director was not in, another senior Secret
24 Service personnel would not be a part of the discussion but would
14:59:43 25 be in the room."

26 Now, Mr Witness, you would have no reason to dispute that,
27 would you?

28 A. If the President gave a statement like this, I told you
29 that I was not with the President, I was not close to the

1 President, I did not know when he did what. So, if he said that,
2 then that is his testimony. I would have nothing to say against
3 it. But I am here to tell you what I know.

15:00:23 4 Q. Now, Mr Witness, the first visit in late 1998, the first of
5 these three visits that you talked about, indeed, for this visit,
6 Sam Bockarie stayed in a hotel. Is that correct?

7 A. I don't know where Sam Bockarie was staying but I saw him
8 at the YWCA community in Sampson's room.

15:00:46 9 Q. Now, if Charles Taylor had told this Court that the first
10 time Sam Bockarie came he was in a hotel, you wouldn't have any
11 reason to dispute that, would you?

12 A. I am telling you that that was where I met Sam Bockarie. I
13 am not saying that he was staying there but that was where I saw
14 him.

15:01:03 15 Q. And the first time in these late 1998 visits that
16 Sam Bockarie came to Monrovia, he had SSS security assigned to
17 him, correct?

18 A. I don't know at the time that all of those three visits
19 that I saw him, I did not see him with extra SSS bodyguards,
15:01:29 20 besides Sampson. So had there been some other SSS bodyguards,
21 then I did not see them or, rather, that I did not recognise
22 them.

23 Q. Now, do you think that all of these SSS personnel would
24 have been disloyal to Charles Taylor?

15:01:48 25 A. Every SSS personnel is meant to serve every President.
26 They wouldn't need to be disloyal to a particular President. SSS
27 is meant to serve every President in power within a particular
28 period of time.

29 Q. And these SSS security personnel assigned to Sam Bockarie,

1 do you think they all would have been willing to commit treason?

2 A. I don't know. I told you that I don't know whether SSS
3 personnel were assigned to Sam Bockarie during his three trips.
4 So if they were there, maybe I did not recognise them or that I
15:02:37 5 never saw them.

6 Q. Do you know when the RUF guesthouse was set up in Monrovia?

7 A. You mean where or when?

8 Q. Do you know when the RUF guesthouse was set up in Monrovia?

9 A. I don't know when it was set up in Monrovia, but I got to
15:03:07 10 know about it in 1999.

11 Q. So you don't know if it was set up in 1998?

12 A. I do not know when it was set up.

13 Q. Do you know that SSS personnel were assigned to the
14 guesthouse?

15:03:27 15 A. I don't know that SSS personnel were assigned to the
16 guesthouse.

17 Q. And they were assigned to the guesthouse in part to keep an
18 eye on the activities of the people in the guesthouse. Do you
19 know that?

15:03:43 20 A. I don't know whether SSS personnels were assigned to the
21 guesthouse.

22 Q. Well, if Charles Taylor told this Court that SSS personnel,
23 security personnel, were assigned to the guesthouse, would you
24 have any reason to doubt that?

15:04:03 25 A. I don't have reason to doubt it because that could be his
26 statement. But I will have reason to tell the Court here that I
27 did not see it, and if so, I did not see it, but it could be.

28 Q. And the security personnel assigned to the guesthouse would
29 know who came and went from the guesthouse, correct?

1 A. If securities were assigned to the guesthouse, then they
2 would know who came in and when and if the securities were there.
3 That would be their responsibilities. I mean, one of their
4 responsibilities.

15:04:45 5 Q. So these visits to the guesthouse wouldn't be a secret,
6 would they?

7 A. Which visit?

8 Q. Any one who visited the guesthouse would be seen by the
9 security personnel, correct?

15:05:00 10 A. If the security personnels were assigned there - the
11 guesthouse was provided by the Government of Liberia, as I heard,
12 so there wouldn't be anything secret about it.

13 Q. So there wouldn't be any secret meetings at that
14 guesthouse, would there?

15:05:22 15 A. Once this guesthouse was provided by the Government of
16 Liberia, there would be no secret meetings at the guesthouse by
17 anybody.

18 Q. And, indeed, if Charles Taylor had told the Court there was
19 nothing hidden about any visits to the guesthouse, you would have
15:05:42 20 no reason to dispute that, would you?

21 A. If he told the Court that there was nothing hidden about
22 the guesthouse, then that is his testimony.

23 Q. Benjamin Yeaten was directly involved in supervising the
24 guesthouse, correct?

15:06:01 25 A. I do not know about anything concerning the arrangement of
26 the guesthouse, the provisions for the guesthouse, I do not know
27 anything about it.

28 Q. And Charles Taylor was aware that Benjamin Yeaten directly
29 was involved in supervising the guesthouse, correct?

1 A. I do not know whether he was aware or not.

2 Q. So there would have been no need for any of his radio
3 operators to go to the guesthouse secretly, would there?

4 A. I don't know what you're talking about.

15:06:49 5 Q. There would be no reason for radio operators to go secretly
6 to the guesthouse, would there?

7 A. I don't know what you mean by "secret to the guesthouse".

8 Q. You don't know what the word "secret" means, Mr Witness?

9 A. I don't know the content in which you are using the word
15:07:16 10 "secret." I don't understand it.

11 Q. It is fairly straightforward, Mr Witness: Any of Benjamin
12 Yeaten's radio operators who went to the guesthouse, there would
13 be no need for them to do that in secret, would there?

14 A. I don't know whether if someone as radio operator from
15:07:44 15 Benjamin Yeaten's house went there, if that was made a secret. I
16 don't see anything secret about it.

17 Q. Now this third visit of Sam Bockarie in late 1998.
18 Sam Bockarie went from Monrovia to Burkina Faso on that third
19 visit, didn't he?

15:08:05 20 A. I don't know about that.

21 Q. And the SSS would have been involved in making arrangements
22 for that transit out of Monrovia, wouldn't they?

23 A. I don't know about Sam Bockarie leaving Monrovia to
24 Burkina Faso. I don't know. So I do not have idea about SSS
15:08:34 25 providing security or a transit for that.

26 Q. And, in fact, because the SSS was responsible for entries
27 into and exits from Liberia, the SSS would have had full details
28 about Sam Bockarie leaving from Monrovia to Burkina Faso,
29 correct?

1 A. I do not know about Sam Bockarie leaving Monrovia to
2 Burkina Faso, so I don't know.

3 Q. And Charles Taylor was aware that Sam Bockarie was going to
4 Burkina Faso, isn't that correct?

15:09:12 5 A. I don't know. I don't know about Sam Bockarie's trip to
6 Burkina Faso and I don't know who was aware and who was not
7 aware.

8 Q. In fact, the Government of Liberia gave Sam Bockarie and
9 his delegation their travel documents for this trip. That's
10 correct, isn't it?
15:09:31

11 A. I don't know about that trip and I don't know what happened
12 or what did not happen. I don't know.

13 Q. And if Charles Taylor told these judges that, indeed, the
14 Government of Liberia provided the laissez-passer travel
15 documents to this group, going to Burkina Faso, you would have no
16 reason to dispute that, would you?
15:09:51

17 A. If he told the Court that, then that was what he knew, but
18 I don't know.

19 Q. Charles Taylor even sent Musa Cisse along with Sam Bockarie
20 to Burkina Faso. You know that, don't you?
15:10:10

21 A. I do not know that. I have no knowledge of Sam Bockarie's
22 trip to Burkina Faso, so I cannot stand before you or before this
23 Court and say this was what happened or this was what did not
24 happen. I must be lying.

15:10:35 25 Q. Benjamin Yeaten's radio operators would have been aware of
26 all this, correct?

27 A. Benjamin Yeaten's radio operators, to the best of my
28 knowledge, were not aware of what you are saying here now.

29 Q. Benjamin Yeaten's duties, his duties in connection with

1 being director of the SSS, his duties on behalf of
2 Charles Taylor, would have put him in contact with Sam Bockarie
3 during Sam Bockarie's visits, correct?

15:11:24 4 A. I don't know. I do not know whether Benjamin Yeaten
5 interacted with Sam Bockarie on behalf of Mr Taylor.

6 Q. And there would be no surprise if Benjamin Yeaten and
7 Sam Bockarie developed a close relationship because of these
8 interactions in carrying out the duties as director of SSS, there
9 would be no surprise about that, would there?

15:11:50 10 A. I don't know whether - I don't know what you are saying.
11 Please repeat your question.

12 Q. Certainly. There would be no surprise if Benjamin Yeaten
13 and Sam Bockarie developed a close relationship because of these
14 interactions in carrying out the duties as director of SSS.

15:12:13 15 There would be no surprise about that, would there?

16 A. There would be a surprise but - there would be a surprise
17 because no one expected him to carry on with such a relationship
18 outside the knowledge of the government. That would create a
19 great surprise.

15:12:34 20 Q. And there would have been no surprise to Charles Taylor if
21 Benjamin Yeaten and Sam Bockarie had become friends. That
22 wouldn't be a secret from Charles Taylor, would it?

23 A. I believe Mr Taylor will be surprised if Benjamin Yeaten
24 had developed this kind of a friendship and with a secret deal of
15:13:00 25 the sort. He himself, it will have been a surprise even to him
26 because he was not expecting him to be involved in such an
27 attitude. I believe he would have been surprised.

28 MS HOLLIS: Now, my reference for my next question, for
29 Defence counsel, is 3 August 2009, pages 25817 to 818.

1 Q. Mr Witness, if Charles Taylor told the Court it was likely
2 that Sam Bockarie and Benjamin Yeaten became friends, you would
3 have no reason to dispute that, would you?

4 A. That - I think that expresses, I don't know how to put it.
15:13:55 5 That expresses his surprise. He's guessing. That means that
6 might have happened but he did not know because he was not with
7 Ben when such a thing happened. He did not know. This is how I
8 understand it.

9 Q. And, Mr Witness, if Charles Taylor, on 3 August, page
15:14:24 10 25818, told this Court that:

11 "Benjamin Yeaten at this time is director of the SSS and is
12 the most senior security person that is responsible for Bockarie
13 coming in the country, responsible for his security while he's in
14 the country and making sure that he's out of the country safely.
15:14:47 15 That's the work of the secret service. So it is highly probable
16 that they could have gotten to know each other and developed a
17 friendship."

18 You would have no reason to dispute that, would you,
19 Mr Witness?

15:15:01 20 A. If he said that, then that's it.

21 Q. So there wouldn't have been any surprise to Charles Taylor
22 about a friendship developing between Benjamin Yeaten and
23 Sam Bockarie, would there?

24 A. From the contents that you have just read, it may or might
15:15:27 25 have not been a surprise.

26 Q. And, indeed, Mr Witness, Charles Taylor gave Benjamin
27 Yeaten special assignments in relation to Sam Bockarie coming to
28 Liberia. Isn't that correct?

29 A. I do not know about that.

1 Q. If Charles Taylor told the Court that he gave special
2 assignments to Benjamin Yeaten, referring to Bockarie, and
3 dealing with military situation of that sort, you would have no
4 reason to dispute that, would you, Mr Witness?

15:16:03 5 A. If he told the Court, then that is his testimony and that
6 is what he knew. But I don't know, so I can't comment or deny
7 it.

8 MS HOLLIS: And for counsel's benefit, it's 19 November
9 2009, page 32128.

15:16:27 10 Q. And Charles Taylor told the Court that Benjamin Yeaten made
11 reports to Charles Taylor about these special assignments. You
12 wouldn't have any cause to dispute that, would you?

13 A. If Mr Taylor told the Court, I am not here to argue against
14 his testimony. That is his testimony and that was what he knew
15:16:53 15 and that was what he told the Court. But I am here to tell the
16 Court, and you also, what I know and in my testimony the truth.
17 That is all.

18 Q. So, Mr Witness, in relation to Sam Bockarie, the SSS was
19 involved in protecting Sam Bockarie in entries and exits from the
15:17:17 20 country, SSS, perhaps including Benjamin Yeaten, or at least a
21 senior person, would have been present at meetings between
22 Charles Taylor and Sam Bockarie, security was provided where
23 Sam Bockarie lodged, in part to keep an eye on the activities of
24 these people, and Benjamin Yeaten was given special assignments
15:17:44 25 in relation to Sam Bockarie and reported to Charles Taylor. So,
26 there was no secret about the relationship between Benjamin
27 Yeaten and Sam Bockarie. There was no secret from Charles Taylor
28 in relation to their interactions. Isn't that right, Mr Witness?

29 A. I don't know, but what I know is that Benjamin Yeaten told

1 me that his relationship, particularly so the communication that
2 he had announced between himself and Sam Bockarie, was a secret,
3 not to the knowledge of the President.

15:18:33 4 Q. That's one of the untruths of your current version of
5 events. Isn't that right, Mr Witness?

6 A. That is one of the truthful events, or that is one of the
7 truths about my testimony.

8 Q. And, Mr Witness, Charles Taylor wanted to facilitate Sam
9 Bockarie's ability to come to Monrovia and, indeed, Sam Bockarie
10 had a Liberian passport that was issued by the Government of
11 Liberia in 1998. Isn't that correct?

12 A. I don't know that.

13 Q. Even though he was not a citizen, he was given that
14 passport. Isn't that correct?

15:19:20 15 A. I don't know that. I know that Sam Bockarie and all those
16 who came with him in late 1999 were granted citizenship by the
17 Government of Liberia. So if he had a Liberian passport prior to
18 that, then I do not know.

19 Q. Well, if Charles Taylor told this Court that the Government
15:19:47 20 of Liberia had issued a passport to Sam Bockarie in 1998, when he
21 was not a citizen, you would have no reason to dispute that,
22 would you?

23 A. If he told the Court that, then that was what he knew. But
24 I do not know.

15:20:06 25 Q. And if he told the Court that this passport was issued to
26 enable Sam Bockarie to travel, you would not dispute that either,
27 would you?

28 A. If he told the Court that then, as I said, it was what he
29 knew, but I am not here to compete with his testimony or any

1 other person's testimony. I am here to say my side of the story
2 and the true - the truthfulness of my testimony.

3 MS HOLLIS: And for counsel, that reference was 19 November
4 2009, page 32205.

15:20:59 5 Q. Now, you certainly were testifying truthfully when you
6 talked about secrecy surrounding various aspects of Sam
7 Bockarie's visits to Liberia, but that secrecy had nothing to do
8 with Charles Taylor, did it?

9 A. Come again with your question, please.

15:21:29 10 Q. You talked about secrecy in relation to some aspects of Sam
11 Bockarie's trips to Liberia, but that secrecy had nothing to do
12 with Charles Taylor, did it?

13 A. I did not talk about secrecy or about Sam Bockarie coming
14 to Liberia. I talked about secrecy about Benjamin Yeaten's
15 personal interaction with Sam Bockarie.

15:21:56 16 Q. And those personal interactions were not secret from
17 Charles Taylor, were they?

18 A. His personal interaction was secret from Mr Taylor.

19 Q. Nor were Benjamin Yeaten's interactions with Sam Bockarie
15:22:17 20 secret from any of Charles Taylor's subordinates who were
21 involved with supporting the rebels in Sierra Leone. All of
22 those subordinates were aware of Benjamin Yeaten's contacts and
23 actions with Sam Bockarie, weren't they?

24 A. With the exception of Benjamin Yeaten, who had this
15:22:42 25 personal relationship with Sam Bockarie, I do not know about
26 anybody who was an under man to Mr Taylor that had a contact with
27 the RUF or any kind of relationship with the RUF.

28 Q. But, Mr Witness, there were reasons to keep information
29 about Sam Bockarie's visits from the general public and from

1 people in the Government of Liberia who weren't involved in
2 supporting Sam Bockarie. Isn't that right?

3 A. I don't know. I don't know what you're talking about, but
4 there was no means like that.

15:23:27 5 Q. And there were reasons to keep these visits secret from the
6 international community and Sierra Leone in particular. Isn't
7 that right, Mr Witness?

8 A. I have never spoken about any secret visit. I have spoken
9 about secret interaction between Sam Bockarie and Benjamin
10 Yeaten, but I have never spoken about secret visits.

11 Q. The visit of Sam Bockarie in September of 1998 was a secret
12 trip, correct?

13 A. I don't know whether it was secret.

14 Q. If Charles Taylor told this Court that when Sam Bockarie
15:24:12 15 came in September 1998, the September meeting was very secret,
16 you wouldn't have any reason to dispute that, would you,
17 Mr Witness?

18 A. If he said that then that is his testimony, like I said.
19 But, to my knowledge, I don't know whether those three visits
15:24:36 20 were secret or not. I told you I did not know how he entered and
21 I did not know how he left, but I saw him during those three
22 visits.

23 Q. And, Mr Witness, it was important to keep these visits
24 secret from the general public, the international community and
15:25:04 25 some members of the Government of Liberia because in 1998
26 Sam Bockarie was on a travel ban. Isn't that correct?

27 A. I do not know about Sam Bockarie making a secret visit to
28 Liberia. So as to comment on these visits being secret from the
29 international community, I have told you that I don't know about

1 a secret visit but that I am aware of a secret relationship
2 between Ben and Sam Bockarie.

3 Q. And it would have been a violation of this travel ban for
4 Sam Bockarie to come to Liberia in 1998, correct?

15:25:53 5 A. I do not know whether Sam Bockarie had a travel ban on him.
6 I never knew him before his three visits, and I don't know
7 whether he had a travel ban on him or not.

8 Q. And another reason it would be important to keep these
9 visits secret from some people is that Sam Bockarie was using
10 these trips to get arms and ammunition. Isn't that right?

15:26:15 11 A. I just want to remind you again that I do not know about
12 Sam Bockarie's secret visits to Liberia. I don't know whether
13 those visits he made were secret or not.

14 Q. You have admitted that on one of those trips, it was
15 arranged for him to get ammunition, correct?

15:26:41 16 A. That's wrong.

17 Q. So when was it arranged for him to get ammunition from
18 Benjamin Yeaten?

19 A. I have no knowledge of any arrangements for Sam Bockarie to
20 come and get ammunition from Benjamin Yeaten.

15:27:03 21 Q. When was it arranged for Sam Bockarie to receive ammunition
22 from Benjamin Yeaten?

23 A. I don't have knowledge about any arrangement for
24 Sam Bockarie to come and get ammunition from Benjamin Yeaten.

15:27:24 25 Q. Perhaps it is interpretation, perhaps not. Let me try this
26 again. When was it arranged for Sam Bockarie to receive
27 ammunition from Benjamin Yeaten?

28 A. This is what I am telling you. I do not know about any
29 such arrangements.

1 Q. So Benjamin Yeaten just spontaneously provided ammunition
2 to Sam Bockarie, is that what you're saying?

3 A. I saw this particular event, especially the ammunition I
4 spoke about that was sent to Sam Bockarie in late 1998, I said I
15:28:13 5 saw it but I did not know how the arrangement went on and when
6 this arrangement was done. I do not know about arrangements
7 about ammunition, but I saw ammunition being prepared to be
8 transported by Benjamin Yeaten to Sam Bockarie.

9 Q. And on the occasion of Sam Bockarie's third trip to
15:28:39 10 Monrovia he went to Burkina Faso and he came back with arms and
11 ammunition. You're aware of that, aren't you?

12 A. Once again, I am not aware of Sam Bockarie's trip to
13 Burkina Faso. If it did happen, I do not know.

14 Q. And that arms and ammunition were transported all the way
15:29:03 15 across Liberia to Sierra Leone and you're aware of that, aren't
16 you?

17 A. I am not aware of that.

18 Q. Now, Mr Witness, you have said it was not possible that
19 Benjamin Yeaten was on the radio with Sam Bockarie. Do you
15:29:26 20 remember saying that, Mr Witness? That was on 31 August that you
21 told the Court that.

22 A. Yes, I remember saying that Sam Bockarie and Benjamin
23 Yeaten never spoke to each other on the VHF radio.

24 Q. And you said that it was not possible that Benjamin Yeaten
15:29:48 25 was on the radio with Sam Bockarie for two reasons. And you
26 said, first of all, it would not have been possible because
27 Benjamin Yeaten did not know the communication code. That was
28 number one. And then you said, number two, he was afraid of
29 interception because his relationship with Sam Bockarie was

1 something he kept secret.

2 Do you remember giving those two reasons to the judges as
3 to why Benjamin Yeaten would not have been on the radio with
4 Sam Bockarie?

15:30:29 5 A. Yes. I gave those two reasons.

6 Q. Now, in terms of the first reason, you really know that it
7 didn't matter if Yeaten didn't know the code; you know that that
8 made no difference, don't you?

9 A. It made difference, in the sense that he did not know the
15:30:56 10 code, as the operators or other operators of VHF radio, they need
11 a code.

12 Q. And, Mr Witness, as long as a radio operator, like
13 Sunlight, put Benjamin Yeaten on a pre-designated frequency he
14 would not need to speak in code, would he?

15:31:23 15 A. And Sunlight never designated any frequency for Benjamin
16 Yeaten to speak on the radio. Benjamin Yeaten totally refrained
17 himself from speaking on the radio.

18 Q. Let's go back to my question: If a radio operator, like
19 Sunlight, put Benjamin Yeaten on a pre-designated frequency
15:31:51 20 Benjamin Yeaten would not need to speak in code, would he?

21 A. But it was impossible.

22 Q. You still haven't answered the question, Mr Witness: If a
23 radio operator, like Sunlight, put Benjamin Yeaten on a
24 pre-designated frequency, Benjamin Yeaten would not need to speak
15:32:17 25 in code, would he?

26 A. If Benjamin Yeaten, who does not know the code, had been
27 placed on the radio, whether pre-designated or designated
28 frequency, Benjamin Yeaten would not speak in code because he
29 does not know the code, and this was one of the dangers he was

1 Looking at.

2 Q. Indeed, Mr Witness, commanders in Liberia talked to each
3 other on the radio in just such a way, isn't that right? Their
4 operators would put them on a pre-designated frequency and then
15:32:58 5 they would talk without using a code, correct?

6 A. Some commanders in Liberia, when it comes to the Government
7 of Liberia radio operation, some commanders in Liberia would be
8 put on the radio by their operators and they would talk to
9 whoever they wanted to talk to but it won't be on security
15:33:22 10 matters.

11 Q. And Foday Sankoh and Sam Bockarie, that conversation that
12 Sunlight overheard, Foday Sankoh and Sam Bockarie were able to
13 speak without using a code because they were on a pre-designated
14 frequency. Isn't that right?

15:33:41 15 A. You are talking about people from different organisations.

16 Q. So, Mr Witness, whether Yeaten knew how to speak in code is
17 really not relevant to whether he was able to communicate with
18 Sam Bockarie. Isn't that correct?

19 A. Whether Yeaten knew how to speak in code or not, according
15:34:06 20 to him, it was not important that he spoke on the radio because
21 he did not want to be intercepted by anyone.

22 Q. And, Mr Witness, your second reason isn't really valid
23 either, that Yeaten would not speak to Bockarie on the radio
24 because he did not want anyone to know about his relationship
15:34:30 25 with Bockarie. That's not really a valid reason either, is it?

26 A. That's the correct reason, and that was the reason given by
27 Benjamin Yeaten that that was why he did not want to talk to
28 Bockarie. And apart from Bockarie, Benjamin Yeaten did not
29 usually talk to anybody, even on the Government of Liberia met on

1 the radio, he hated that.

2 Q. And in addition to Benjamin Yeaten speaking with Sam
3 Bockarie directly, it was known by Charles Taylor that there
4 would be radio links between Sam Bockarie's radio and radios they
15:35:17 5 had installed in Monrovia and that Charles Taylor said he was
6 sure that one of his senior people, like maybe Benjamin Yeaten's
7 radio, would be in contact. So Charles Taylor was well aware
8 that it was likely there would be contact between Benjamin Yeaten
9 and Sam Bockarie over the radio, isn't that correct?

15:35:43 10 MR ANYAH: Madam President.

11 PRESIDING JUDGE: Yes, Mr Anyah.

12 MR ANYAH: I object to this question. It is
13 cross-examination and it also has a lot of latitude in how
14 questions are posed to the witness but when a question is so
15:35:58 15 compounded to this degree it is impossible for one to make sense
16 of it, basically.

17 Let's look at the question that has been asked of this
18 witness. "And in addition to Benjamin Yeaten speaking with
19 Sam Bockarie directly", that's proposition one, the witness
15:36:17 20 denies that proposition. The second proposition: "It was known
21 to Charles Taylor that there would be radio links between Sam
22 Bockarie's radio or radios he had installed in Monrovia." That's
23 the second proposition, what was known to Charles Taylor has
24 nothing to do with this witness. We continue from there: "And
15:36:41 25 that Charles Taylor said he was sure that one of his senior
26 people, like maybe Benjamin Yeaten's radio, would be in contact."
27 That's the third proposition. And here comes the conclusion:
28 "So Charles Taylor was well aware that it was likely", not even
29 that it happened, "that it was likely that there would be contact

1 between Benjamin Yeaten and Sam Bockarie over the radio, isn't
2 that correct?" Now, how can this witness comprehend all of this
3 and give an answer that is helpful to the Court.

4 PRESIDING JUDGE: Yes, I absolutely agree.

15:37:17 5 Ms Hollis, this is such a compounded proposition. Please
6 do break it down.

7 MS HOLLIS: You are absolutely right, Madam President, and
8 I will do that.

9 Q. Now, Mr Witness, in terms of this supposed secrecy of
10 communications involving Sam Bockarie, Charles Taylor himself was
11 aware that, of course, there were radio links between Sam
12 Bockarie's radio and the radio they had installed in Monrovia.
13 You're aware of that, aren't you, Mr Witness?

14 A. I do not know whether Mr Taylor was aware that there was
15:37:58 15 communication between - that there was communication from
16 Benjamin Yeaten to the RUF. I do not know.

17 Q. Well, if Charles Taylor told that to this Court you would
18 have no reason to dispute that, would you, Mr Witness?

19 A. If he said that to the Court I - that's his view, or,
15:38:24 20 that's his testimony, but I do not know whether Mr Taylor knew
21 that Benjamin Yeaten had provided communication link between
22 himself, Benjamin Yeaten, and Sam Bockarie.

23 PRESIDING JUDGE: Please pause.

24 Ms Hollis, in your question when you say, "And the radio
15:38:41 25 they had installed in Monrovia", are you talking about the radio
26 the RUF had installed or who had installed in Monrovia?

27 MS HOLLIS: I am giving the language from Charles Taylor's
28 testimony, Madam President. And the reference is 30 September
29 2009, at page 29976. 30 September --

1 PRESIDING JUDGE: I am not sure what the full context is
2 but I, for one, would like to know who is the "they" that is
3 being referred to here.

4 MS HOLLIS: And we would then go, I think, to page 29975
15:39:32 5 for the context. If we could see that at the bottom of the page,
6 please.

7 And the accused is being read sections of testimony from
8 the Prosecution case, talking about hearing Liberian stations,
9 coming on hour, meaning the RUF national frequency, and they
15:40:07 10 called Buedu a station, which was Planet 1:

11 "I used to hear them call him for them to go to another
12 area, the radio operators, or stations, we did not go there", and
13 then it goes on:

14 "Q. How did you know these were Liberian stations?" And
15:40:30 15 then the answer the witness went on to say:

16 "A. Because of voice procedures, a technical term" and then
17 a question is asked of Mr Taylor:

18 "Q. Now, Mr Taylor, were you aware of Liberian stations",
19 plural, "using the national frequency in Sierra Leone?"

15:40:53 20 A. It all depends on the period. If we're talking about
21 late 1998 and 1999, not stations. But, of course, there
22 were radio link between Sam Bockarie's radio and the radio
23 that they had installed in Monrovia and I'm sure maybe one
24 of our senior people, like maybe Benjamin's radio, would be
15:41:16 25 in contact."

26 That's the reference, Madam President.

27 Q. So, Mr Witness, there would be nothing secret about these
28 communications, would there?

29 A. There was some secrecy about the communication between

1 Benjamin Yeaten's radio, that is Base 1, and the RUF radio, that
2 is Buedu.

3 Q. And Benjamin Yeaten, given his special assignments relating
4 to Sam Bockarie, and being the head of the SSS, there would be
15:42:07 5 nothing secret about Benjamin Yeaten speaking with Sam Bockarie
6 on the radio, would there?

7 A. I do not know about Benjamin Yeaten - Benjamin Yeaten's
8 special assignment to Sam Bockarie.

9 Q. Now, Mr Witness, let's look a little bit more at these
15:42:36 10 supposed secret communications. Charles Taylor himself used the
11 radio as a means of communication with Sam Bockarie. Isn't that
12 correct?

13 A. I never saw Mr Taylor speaking on any other radio, any VHF
14 radios before. I do not know whether he ever communicated with
15:43:05 15 Sam Bockarie on the radio. I don't know. And if that - that
16 proposition is wrong.

17 Q. And Charles Taylor would send radio messages to
18 Sam Bockarie, correct?

19 A. I don't know.

15:43:24 20 Q. Well, you have just said a proposition was wrong. If you
21 don't know, how do you know the proposition was wrong?

22 A. What I said is that you said, you're talking about
23 communication. I said I do not know about Benjamin Yeaten having
24 a special assignment to Sam Bockarie and I never heard or saw
15:43:52 25 Mr Taylor speaking on the radio. So if anybody proposes that
26 Mr Taylor spoke on the radio to the RUF, even within the
27 Government of Liberia, then that person's proposition is wrong.

28 Q. And if the person said that Charles Taylor used radio
29 operators and radio stations to communicate with Sam Bockarie,

1 would that person be wrong about that as well?

2 A. If someone said that, then I do not know about it. It is
3 not to my knowledge. Then it is up to the person to justify it.
4 But to my knowledge, I do not know about President Taylor having
15:44:42 5 radio contact with Sam Bockarie.

6 Q. And if Charles Taylor were asked, following his invitation
7 to Sam Bockarie, when he saw him after that, how would
8 Charles Taylor communicate with him? And the reference here is
9 15 September 2009, page 28858. "How would you communicate with
15:45:09 10 him?" Mr Taylor's answer was:

11 "Sam Bockarie, when we wanted Sam Bockarie, we would call
12 him. We would have a radio message go through. We had a radio
13 at the guesthouse on the second visit so we would contact him by
14 radio."

15:45:29 15 So you wouldn't dispute it when Charles Taylor told the
16 Court that, would you, Mr Witness?

17 A. If he told the Court that, then that is what he did, but I
18 do not know.

19 Q. And, Mr Witness, if Charles Taylor told the Court that he
15:45:48 20 preferred the phone but, due to weather, radio was sometimes the
21 only means of communication with Sam Bockarie, you wouldn't
22 dispute that either, would you?

23 A. I don't know of Mr Taylor having communication to Sam
24 Bockarie be it directly or indirectly.

15:46:12 25 Q. This is 25 November 2009, page 32465. And there were radio
26 calls from the Executive Mansion with instructions to get Sam
27 Bockarie. You are aware of that, aren't you?

28 A. I am not aware of that. I do not have any idea about what
29 you're saying.

1 Q. And if Charles Taylor told the Court there were radio calls
2 from the Executive Mansion with instructions to get Sam Bockarie
3 but, during the relevant time period, there were many radio
4 operators, one of whom could have been Sunlight, you would have
15:47:03 5 no reason to dispute that, would you?

6 A. To my knowledge I don't know of a radio communication from
7 the Executive Mansion to the RUF.

8 PRESIDING JUDGE: Mr Anyah?

9 MR ANYAH: Yes, Madam President. May I make an inquiry of
15:47:21 10 a page reference?

11 MS HOLLIS: Yes.

12 MR ANYAH: Counsel gave a reference for 25 November 2009,
13 page 22465. That page does not appear in the transcript for that
14 date. That is 25 November 2009, and the page given to us was
15:47:41 15 22465.

16 MS HOLLIS: And I will research that and give that correct
17 cite to you.

18 MR ANYAH: Thank you.

19 MS HOLLIS:

15:47:52 20 Q. Now, Mr Witness, what we have just been talking about,
21 about Charles Taylor saying that there were radio calls from the
22 Executive Mansion with an instruction to get Sam Bockarie and
23 that "the fact of the matter is I don't know how many operators
24 are at the mansion, there could be Sunlight, I don't deny this,
15:48:29 25 there could be many", you wouldn't have reason to dispute that,
26 would you, Mr Witness?

27 PRESIDING JUDGE: Yes, Mr Anyah.

28 MR ANYAH: Madam President, this is the reference I am
29 seeking. Counsel is putting a proposition to the witness,

1 seemingly quoting President Taylor's evidence verbatim. But I
2 cannot find the page on the date given. This question was posed
3 to the witness at my page 54 of the LiveNote transcript, lines 15
4 to 17, and a date of the transcript was given and a page number.

15:49:05 5 The same proposition is now being put to the witness but we don't
6 know what date or page number goes with the proposition.

7 PRESIDING JUDGE: Ms Hollis?

8 MS HOLLIS: If you look at the transcript you will find
9 that the reference to 25 November 2009 is in relation to

15:49:26 10 Charles Taylor preferred the phone but, due to weather, radio was
11 sometimes the only means of communication. The questions that
12 are being asked now, I have yet to give you the reference and I
13 was about to do that.

14 MR ANYAH: I understand the distinction that counsel is
15:49:48 15 making, that this page reference relates to another question and
16 not the current question. Perhaps there is a citation for us
17 now?

18 MS HOLLIS: And let me correct the 25 November citation.
19 The page is 32465.

15:50:05 20 PRESIDING JUDGE: And the current citation?

21 MS HOLLIS: The current citation relating to Charles Taylor
22 admitting radio communications from the Executive Mansion and
23 that there were many operators, one of them could have been
24 Sunlight, is 15 September 2009, pages 288 - excuse me, 16
15:50:33 25 September 2009, pages 29090 and 29091.

26 Q. Now, Mr Witness, if Charles Taylor told the Court about
27 these radio communications from the Executive Mansion, you would
28 not dispute that, would you?

29 A. If he told the Court about this communication from the

1 Executive Mansion, then I - that is - that was his testimony, but
2 I do not know about it. I don't know.

3 Q. So, Mr Witness, there would have been nothing secret about
4 communications from the Executive Mansion to Sam Bockarie, would
15:51:16 5 there?

6 A. I do not know about communication from the Executive
7 Mansion to Sam Bockarie, so I do not know whether there was
8 secrecy or openness about it.

9 Q. And in fact there was a connection set up at the border
15:51:37 10 with the commander at Mendekoma for radio communications across
11 to Buedu. You were aware of that, weren't you?

12 A. I was not aware of that.

13 Q. And if Charles Taylor told this Court that after the first
14 meeting, a connection was set up at the border with the commander
15:51:58 15 at Mendekoma for messages, he would call the commander and then
16 he would get it across to Sam Bockarie using the radio at
17 Mendekoma, you would have no reason to dispute that, would you,
18 Mr Witness?

19 A. I am not aware of any arrangement at Mendekoma. If he said
15:52:21 20 that, then that's his own testimony, and I don't know. If he
21 said it, then that's it. But I don't know. I am not aware of
22 that. I have no knowledge of it.

23 Q. And the reference for that would be 16 November 2009,
24 31738. And, of course, the Government of Liberia provided the
15:53:02 25 guesthouse with a telephone and a long-range radio. You were
26 aware of that, correct?

27 A. I do not know about a telephone but I overheard that the
28 Government of Liberia provided the RUF this guesthouse and they
29 also provided communication, radio communication.

1 Q. Well, Mr Witness, if Charles Taylor had told these judges
2 that there was a landline telephone at the guesthouse and
3 long-range radio, both were provided by the Government of
4 Liberia, you wouldn't dispute that, would you, Mr Witness?

15:53:47 5 A. I was not aware of that arrangement so I don't have
6 comments about that. That was his testimony, as I said. I was
7 not there. If the government had provided telephone, I don't
8 know about it.

9 Q. This was 5 August 2009 at page 26009. So, Mr Witness,
15:54:09 10 there were all kinds of radio communications between
11 Charles Taylor's government and Sam Bockarie. This secrecy that
12 you talk about, there was no need for secrecy, was there?

13 A. I - Ms Hollis, I do not know about the Government of
14 Liberia led by President Taylor having communication, it be
15:54:38 15 secret or open communication, with the RUF. I do not know.

16 Q. Now, Mr Witness, there were secret communications but the
17 truth is that these communications were secret from the general
18 public and those who were not aware of Charles Taylor's
19 involvement with the rebels in Sierra Leone, but they were not
15:55:03 20 secret from Charles Taylor. That's the reality, isn't it?

21 A. I do not know of Mr Taylor having communication with the
22 RUF. I do know of Benjamin Yeaten having secret communication
23 with Sam Bockarie but I do not know - Sam Bockarie and Benjamin
24 Yeaten were not doing it on behalf or in the interest of the
15:55:32 25 government. He was doing it in his own interest and it was not
26 for the sake of the government.

27 Q. And, Mr Witness, there were a lot of interactions between
28 Benjamin Yeaten and Sam Bockarie but, again, these were secret
29 from the general public and those who weren't aware of

1 Charles Taylor's involvement with the rebels in Sierra Leone, but
2 these interactions were upon the instruction of Charles Taylor.
3 That's the truth of it, isn't it?

4 A. The secret interactions between - the secret interactions
15:56:10 5 between Benjamin Yeaten and Sam Bockarie was secret from the
6 general public, it was secret from the Government of Liberia and
7 it was also secret to the President.

8 PRESIDING JUDGE: Ms Hollis, if I may interject and inquire
9 of the witness. Mr Witness, you have said a number of things
15:56:32 10 regarding the communication between Sam Bockarie and Benjamin
11 Yeaten. What did they talk about when they spoke?

12 THE WITNESS: I said that this was a secret communication
13 provided by Benjamin Yeaten. Okay. They used to talk on the
14 telephone. I was not standing close to them. Whenever he made
15:56:59 15 telephone contacts with Sam Bockarie, I was not around. I was
16 not around, so I did not know what they were - what they
17 discussed between them, your Honour. I did not know what they
18 discussed, but I did know that he used to communicate with
19 Sam Bockarie on the telephone.

15:57:18 20 PRESIDING JUDGE: So if you never heard what they were
21 talking about, the two of them, how can you say that what they
22 were doing was only in Benjamin's interest and was not for the
23 sake of the government? How do you know that?

24 THE WITNESS: Because he had earlier said that he had a
15:57:38 25 friend in Sierra Leone, whom I got to know that this friend was
26 Sam Bockarie; and because he said that this communication between
27 Sam Bockarie and himself, that is the radio communication, that
28 he used Sunlight and Dew to make, were secret. So whenever he
29 wanted to get in touch with Sam Bockarie on the telephone, he

1 either told Sunlight or Dew to say, "Call them" or, "Call my
2 brother and tell them him that I wanted to talk to him on the
3 telephone". So, based on what he told them, that is why I said
4 it was a secret.

15:58:20

5 MS HOLLIS:

6 Q. And it was a secret from the general public and those in
7 the government who were not privy to Charles Taylor's involvement
8 with the rebels in Sierra Leone, isn't that right? It wasn't a
9 secret from Charles Taylor?

15:58:41

10 A. I do not know whether Mr Taylor had any involvement with
11 the rebels in Sierra Leone. I do not know.

12 Q. And the interactions of people, such as Benjamin Yeaten,
13 Musa Cisse, Jungle, Sampson, Zigzag Marzah, Junior Seiatoe,
14 Sunlight, Dew, their interactions with Sam Bockarie and the

15:59:10

15 rebels in Sierra Leone, these were secret from the general
16 population of Liberia and from those in the Government of Liberia
17 who were not aware of Charles Taylor's involvement with the
18 rebels, but they were not secret from Charles Taylor. That's the
19 truth of it, isn't it, Mr Witness?

15:59:35

20 A. There was no involvement. Mr Taylor had no involvement
21 with the rebels in Sierra Leone, to my knowledge. And also you
22 mention a few names, like Sampson, Sunlight, Jungle, Zigzag
23 Marzah, who was one of the drivers, those people operated on
24 Yeaten's instructions and only Yeaten knew about it but it was
25 not to the knowledge of Mr Taylor.

16:00:04

26 Q. And, Mr Witness, there are so many things that you don't
27 know about that there is no way you can say that these things
28 happened without the knowledge of Charles Taylor. That's the
29 truth of it, isn't it?

1 A. There is a way that I can say this these things happened
2 without his knowledge, without the knowledge of Mr Taylor, and
3 that is Benjamin Yeaten had earlier told us that - and all those
4 close to him at the time - that this particular connection
16:00:41 5 between him and Sam Bockarie and the means of communication that
6 he had provided in his house, that is the VHF radio, that he had
7 provided in order for him to communicate with Sam Bockarie, he
8 said it was not to the knowledge of the President. And whenever
9 the President discovered that, he would be arrested --

16:01:01 10 Q. Mr Witness --

11 A. -- by the President.

12 Q. And, Mr Witness, that testimony that you have just given is
13 just one additional lie to the many lies that you have told the
14 judges during your testimony. Isn't that correct?

16:01:16 15 A. This is the crowning truth of my testimony that I am giving
16 to the judges.

17 Q. Because you are perfectly content to lie when it suits your
18 purposes to do so and it suits your purposes to come here to
19 these judges under oath and to lie to them about Charles Taylor
16:01:39 20 not being involved. That's the truth of it, isn't it?

21 A. If I had reason to lie to these judges and to this Court I
22 would have stood by my testimony that I gave to the Defence
23 counsel in Monrovia. But I have reason to be truthful to these
24 judges and to this Honourable Court to say the truth of what I
16:02:03 25 know, and this is the truth I am saying.

26 Q. And, Mr Witness, you changed your lie from denial to
27 partial admissions because you realised that there was too much
28 evidence for you to be able to deny everything. So your new
29 story is to admit certain things and then lie about Charles

1 Taylor's involvement. That's the truth of it, isn't it?

2 A. That is not the truth. The truth is - whatever I am saying
3 to this Court is all the truth.

4 MS HOLLIS: Madam President, I have no further questions.

16:02:46 5 Oh, before I sit down, Madam President, may I ask that you mark
6 for identification the six summaries that were provided to you in
7 the package at tabs 1 through 6.

8 PRESIDING JUDGE: Did you not only refer to tab 5, the
9 summary in tab 5? Did you refer to the others?

16:03:16 10 MS HOLLIS: The others are - 3, 4 and 5 are exactly like 5,
11 so for convenience, I referred only to 5. The reason I would ask
12 you to mark the first two is to see the version of the testimony
13 that was supposedly to be given by the witness at that time, and
14 I would ask that you mark version number 6 - I did refer to that
16:03:49 15 once or twice - but also to show your Honours the latest version
16 that was provided.

17 PRESIDING JUDGE: Yes. So, Ms Hollis, if you did not refer
18 version 1 to the witness to have us hear what he has to say, did
19 not refer him to version 2, for us to hear what he has to say, or
16:04:11 20 3 or 4 and, therefore, they don't feature anywhere in the record.
21 You refer us to certain pages of version 5 and you did refer to
22 page - to version 6. How can we mark those that you have not
23 referred to?

24 MS HOLLIS: Well, Madam President --

16:04:40 25 PRESIDING JUDGE: Based on what?

26 MS HOLLIS: In terms of witness summary 1 and 2, I take
27 your point. In terms of witness summary 3, 4 and 5, they are
28 identical. The story that this witness gave on those times is
29 identical. In order to be more efficient, I made reference to

1 the pages in number 5 only but they are identical. It is
2 important for your Honours, in the Prosecution's submission, to
3 have those other identical versions before you and we would ask
4 that they be marked for identification.

16:05:13 5 PRESIDING JUDGE: Why would it be important for us to mark
6 something that is identical? Why?

7 MS HOLLIS: To show that from 10 July of 2009 through 29
8 January of 2010, through 12 May of 2010, this witness's version
9 of events would be the same on all three of those occasions and
16:05:44 10 would be very different from what was given in court. So it is
11 not just that the version on 12 May is so different. It is that
12 the version that you have heard in court is different from the
13 version given on 10 July 2009, 29 January of 2010, 12 May of
14 2010, and as I recollect, it was noted that all three of these
16:06:15 15 versions are the same. But what is important is that over this
16 period of time that was the story that was expected from this
17 witness. That's the reason --

18 PRESIDING JUDGE: Excuse me, Ms Hollis, this is the very
19 kind of comment that you should have put to the witness, so that
16:06:31 20 we hear what he has to say in response, what you have just said
21 to us now. You have closed your cross-examination. You did not
22 put this through to him but you want us to admit or to mark these
23 three statements that you say are identical, in order to show the
24 witness's consistency up to a certain date. Is that fair?

16:06:56 25 MS HOLLIS: Madam President, my questions to him were that
26 information was new after 12 May, that up to 12 May, or even
27 beyond 12 May, he was telling certain things to the Defence that
28 was different or that he had not told all of these things to the
29 Defence. So I did put in terms of, "Up to 12 May" or, "After 12

1 May you said something different" or, "You had not told the
2 Defence about that up to 12 May" or, "Not until after 12 May."
3 So I would respectfully suggest that I have, indeed, covered the
4 area of these earlier versions, which are identical in my
16:07:51 5 questioning of this witness.

6 PRESIDING JUDGE: Okay. Thank you. Can I hear from
7 Mr Anyah.

8 MR ANYAH: Yes, Madam President. We agree with the Court
9 that this does not serve much purpose to the Court. Several
16:08:05 10 issues.

11 One, counsel, and experienced counsel for that matter,
12 never put the specific propositions about the prior summaries to
13 the witness. Indeed, the manner in which most of the questions
14 asked by counsel opposite were phrased does cover the previous
16:08:21 15 summaries. Most of counsel's questions have been phrased in this
16 manner, "Up until 12 May this has been your story". So the
17 Prosecution has, for its purposes, established what the witness's
18 position was up until 12 May.

19 What is the benefit to the Court, except for CMS numbers
16:08:41 20 and dates of findings, of putting in the third and fourth
21 summaries? They are identical to the fifth. Only the fifth
22 summary has been put to the witness, not summaries 3 and 4, which
23 are identical to the fifth. So except for having accumulated
24 evidence on the record, a summary that in substance is identical
16:09:01 25 to the fifth summary, what purpose does this serve except giving
26 your Honours CMS numbers and dates of filings that you are well
27 aware of, and none of those questions particularised in respect
28 of the summary of 29 January and the summary of 10 July were put
29 to the witness.

1 So we object to this type of procedure. It is cumulative.
2 The Prosecution has established, as far as we submit, what it
3 wishes to establish; that before 12 May there was a certain
4 version of events given by this witness. So what purpose does it
16:09:36 5 serve to put documents, not prepared by the witness,
6 incidentally, prepared by lawyers, summaries, not covered with by
7 the witness, in cross-examination, what benefit does it serve the
8 Court to put these documents into evidence?

9 PRESIDING JUDGE: Thank you. I will just consult, please.

16:09:59 10 MS HOLLIS: Madam President, may I put one very brief
11 comment on the record?

12 Defence counsel indicates that we referred to summaries not
13 prepared by the witness. We were denied the witness statements
14 and counsel said we should rely on the summaries, so we think
16:10:16 15 that that is really an unfounded comment.

16 [Trial Chamber conferred]

17 PRESIDING JUDGE: Now, the majority of the Trial Chamber,
18 myself dissenting, are of the view that the five summaries should
19 be marked for identification. I think, Madam Prosecutor, you
16:16:14 20 asked the Court to mark all six of the summaries, didn't you?

21 MS HOLLIS: And then, Madam President, after your comments
22 about 1 and 2, I agreed with those comments and then asked that
23 you marked summary number 3, that's filing 809, summary 4, filing
24 897, summary number 5, filing 957, and witness summary number 6
16:16:43 25 which was provided to us on 23 August, so that would be four.

26 PRESIDING JUDGE: That would be four summaries. So by a
27 majority the four summaries will be marked. The reasons I have
28 disagreed are personally that the summaries 3 and 4 were not
29 referred to the witness and I see no reason or logic in marking

1 them.

2 Would you have us give them a single generic number, A, B,
3 C, D?

4 MS HOLLIS: I would ask that you do that, Madam President.

16:17:18 5 PRESIDING JUDGE: Very well. The summary behind tab 3,
6 that is starting at the CMS number 25790, that will be marked
7 MFI-11A. The summary behind tab 4 starting with the page 26923,
8 that will be marked MFI-11B. The summary behind tab 5, starting
9 with CMS number 28696, and the summary behind tab 6 which has no
16:18:14 10 CMS number, those will be marked respectively MFI-11A to D.

11 MS HOLLIS: Thank you, Madam President, and the Prosecution
12 has no further questions.

13 PRESIDING JUDGE: Mr Anyah, I know it is 10 minutes to
14 closing time, but we could utilise the 10 minutes in
16:18:35 15 re-examination.

16 MR ANYAH: Thank you, Madam President. I have questions
17 for the witness. If I may have a moment, please.

18 RE-EXAMINATION BY MR ANYAH:

19 Q. Good afternoon, Mr Witness.

16:19:12 20 A. Good afternoon.

21 MR ANYAH: Madam President, may I ask that a transcript be
22 pulled up by Madam Court Manager. It is a transcript from
23 yesterday - actually, from Friday, 3 September 2010. The
24 relevant page is page 47938. Thank you, Madam Court Manager.

16:19:56 25 Q. Mr Witness, on Friday last week I learned counsel opposite
26 was asking you a question about the notoriety of Zigzag Marzah.
27 Do you recall that, Mr Witness?

28 A. Yes.

29 Q. The general essence of the question being posed to you was

1 whether or not Zigzag Marzah was known as a ruthless killer, and
2 you went on to give a response with something to the effect of
3 "according to his own story". That's what you were saying to the
4 Court. And on the relevant page that I have referred to, line

16:20:41 5 13, here is the question that was asked of you:

6 "Q. Zigzag Marzah was also known as a ruthless killer,
7 wasn't he?

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

16:21:05

11 Do you recall that response to that question?

12 A. Yes.

13 Q. Earlier on in your responses you had mentioned that Marzah
14 practised cannibalism and then you went on to talk about a former
15 defence minister of the Republic of Liberia by the name of Gray D
16 Allison. Do you recall telling us about Gray D Allison?

16:21:23

17 A. Yes.

18 Q. And when you were trying to explain what had happened in
19 relation to Gray D Allison, you were interrupted by a question
20 posed by learned counsel, this is at page 47939, line 18, when
21 counsel said:

16:21:43

22 "Q. Before you continue, when was he explaining this about
23 himself?"

24 That is, when was Marzah explaining this about himself.

16:21:59

25 Let's set aside the time period when Marzah was complaining this.
26 What were you about to tell the Court about Gray D Allison?

27 A. What I started explaining at that time was that, according
28 to Marzah, he took part - he participated in the killing - in a
29 killing that took place I think in late 1985, that when the State

1 was prosecuting Gray D Allison for the murder of a police
2 patrolman on a train track in Caldwell community in Monrovia.
3 Based on this story, Marzah said this patrolman that was killed
4 by Gray D Allison, he was one of those used by Gray D Allison to
16:23:00 5 kill this police patrolman and had his blood drained in a white
6 bucket. He was one of those used by Gray D Allison.

7 Q. Who was used by Allison to kill the patrolman?

8 A. According to Zigzag Marzah, he, Zigzag Marzah, was used by
9 Gray D Allison to kill this police patrolman on the train track
16:23:27 10 in Caldwell community.

11 Q. Was that the only killing that Zigzag Marzah explained to
12 you and others when he spoke about his history?

13 A. That was not the only killing, but he said that he was
14 involved in secret killings for some high - higher officials in
16:23:52 15 Doe government administration and through his instrumentality
16 they were able --

17 THE INTERPRETER: Your Honours, can he kindly repeat his
18 answer slowly.

19 PRESIDING JUDGE: Mr Witness, you are running too quickly.
16:24:05 20 Can you repeat your answer, please, a little slower.

21 THE WITNESS: My answer is that was not the only killing
22 that he participated in, according to he, himself, Zigzag Marzah.
23 Zigzag Marzah said that he was involved in secret killings for
24 some other top government official of the late President Doe's
16:24:31 25 government. And then through their instrumentality, he was
26 recommended to President Doe by these people and Doe had him
27 incorporated and they had him incorporated in the SATU, the
28 special artillery unit of --

29 THE INTERPRETER: Your Honours, he has to repeat the last

1 part of his testimony.

2 PRESIDING JUDGE: You have lost the interpreter. You said
3 something actually that doesn't seem to make sense. You said he
4 was involved in secret killings for some of the top government
16:25:06 5 officials of the late President Doe's government and then through
6 their instrumentality. Whose instrumentality?

7 THE WITNESS: Okay.

8 PRESIDING JUDGE: Continue your testimony from there,
9 slowly.

16:25:22 10 THE WITNESS: I said, according to Zigzag Marzah, he was
11 used by some top government officials during Samuel Doe's
12 government to carry out secret killings, ritualistic killings for
13 them. And then I said, as a result of that, they used, through
14 the instrumentality of these government officials for whom Zigzag
16:25:48 15 carried out these killings, he was incorporated by Doe into the
16 Special Anti-Terrorist Unit, I mean, the special terrorist unit,
17 the SATU, for Samuel Doe, without undergoing training. That is
18 he, Zigzag Marzah, did not go through the normal SATU training.
19 He was - but he involved himself in it through the recommendation
16:26:13 20 of these people, through Samuel Doe. This is what he said about
21 himself.

22 MR ANYAH:

23 Q. And what kind of unit was SATU during the presidency of
24 Samuel Doe?

16:26:31 25 A. SATU was a military unit responsible for the protection of
26 the Executive Mansion at the time for Samuel Doe.

27 PRESIDING JUDGE: Mr Anyah, this name Gray D Allison. Is
28 it Grady or Gray D or what is it? Can we have a spelling for it,
29 please.

1 MR ANYAH: Yes, Madam President, there is a spelling on the
2 transcript, unless you wish to have the witness have another
3 attempt at it but on Friday it was spelt as Gray, G-R-A-Y,
4 initial D for David, last name Alison, A-L-L-I-S-O-N.

16:27:10 5 Q. Mr Witness, remind us in which year and in which month did
6 this Zigzag Marzah tell you this information?

7 A. Zigzag Marzah gave this information in, I believe in 1994
8 when he came from Grand Gedeh, within the Jungle Fire. It was
9 then that he gave this information in Gbarnga, it was during the
16:27:42 10 cause of the fall of Gbarnga, I believe so.

11 Q. And besides yourself, was anyone else privy to this
12 information, that is, did anyone else hear Marzah speak of
13 himself in this way?

14 A. This story was not told by Marzah to me alone. Other
16:28:06 15 people were there. But, you know, it had taken a long time. I
16 just thought about it. I just can't remember the names of those
17 who were there. But I copied the story.

18 Q. When you say you copied the story, are you saying you
19 remember it or you memorised it?

16:28:27 20 A. I am saying that I remembered it. I have it copied in my
21 head.

22 Q. Thank you, Mr Witness. Do you know what tribe in Liberia
23 Zigzag Marzah belongs to?

24 A. Yes.

16:28:41 25 Q. What tribe does he belong to?

26 A. Zigzag Marzah is of the Gio tribe of Liberia or also called
27 Dan.

28 Q. Do you know if he is partly of the Krahn tribe?

29 A. Realistically, I do not know Zigzag Marzah's actual

1 background, with the exception of what I have said.

2 Q. The members of SATU during President Doe's regime, do you
3 though what tribe predominated or dominated the membership of
4 SATU?

16:29:29 5 A. Yes, the Krahn.

6 Q. Are there particular tribes in Liberia that are known for
7 the practice of cannibalism?

8 A. What I know is that, like the Marylanders were known, what
9 they call the Boyo - these are secret killings - the Marylanders.

16:30:02 10 Q. Can you spell Boyo for us, please?

11 A. I think it is B-O-Y-O, something like that. Yeah, that's
12 it.

13 THE INTERPRETER: Your Honours, can he repeat the activity
14 he is talking about.

16:30:30 15 THE WITNESS: B-O-Y-O, I stand to be corrected anyway on
16 the spelling.

17 MR ANYAH:

18 Q. What activities were you referring to?

19 A. This Boyo activity, that is what is termed as the head man
16:30:47 20 activity, they would secretly grab an individual and kill them
21 and extract parts from your body for ritual purposes.

22 MR ANYAH: Madam President, I see the time. Thank you,
23 Mr Witness.

24 PRESIDING JUDGE: We will continue tomorrow, Mr Witness,
16:31:04 25 with your testimony in re-examination. In the meantime, you are
26 not to discuss your evidence with anyone.

27 [Whereupon the hearing adjourned at 4.33 p.m.
28 to be reconvened on Wednesday, 8 September 2010
29 at 9.00 a.m.]

I N D E X

WITNESSES FOR THE DEFENCE:

DCT-008	48083
CROSS-EXAMINATION BY MS HOLLIS	48084
RE-EXAMINATION BY MR ANYAH	48223