

THE SPECIAL COURT FOR SIERRA LEONE

CASE NO. SCSL-2004-15-T	THE PROSECUTOR
TRIAL CHAMBER	OF THE SPECIAL COURT
	v.
	ISSA HASSAN SESAY
	MORRIS KALLON
	AUGUSTINE GBAO

6 OCTOBER 2004
9.52 A.M.
TRIAL

Before the Judges:

Benjamin Mutanga Itoe, Presiding
Bankole Thompson
Pierre Boutet

For Chambers:

Ms Candice Welsch
Mr Matteo Crippa

For the Registry:

Ms Maureen Edmonds
Mr Geoff Walker

For the Prosecution:

Mr Peter Harrison
Mr Christopher Santora
Mr Bobby Gboyor (Case Manager)

For the Principal Defender:

Mrs Haddijatou Kah-Jallow

For the Accused Issa Hassan Sesay:

Mr Wayne Jordash

For the Accused Morris Kallon:

Mr Shekou Touray
Mr Melron Nicol-Wilson

For the Accused Augustine Gbao:

Mr John Cammegh

1 [Open session]

2 [At this point in the proceedings, a portion of the

3 transcript, pages 1 to 41, was extracted and sealed under

4 separate cover, as the session was heard in camera]

11:24:02 5 JUDGE THOMPSON: Learned counsel, we'll proceed with your

6 cross-examination.

7 MR JORDASH:

8 Q. Now, on the 18th of --

9 PRESIDING JUDGE: I was saying, you know, that our guards who

11:24:16 10 were out there who are in the gallery, please keep an eye

11 on and see if there are any members of the public who

12 want to come to the gallery. You should please bring

13 them in, because we are now in an open session. You

14 could ask them to come in, because the closed session

11:24:37 15 proceedings are over. Yes. My learned brother is

16 saying, "I don't like an empty gallery." I say yes to

17 him, because you look very isolated if you don't have the

18 warmth of the gallery.

19 MR JORDASH: We have William, who has just come in.

11:25:02 20 JUDGE THOMPSON: We will go on then.

21 MR JORDASH:

22 Q. I want to deal, first of all, with a subject which we

23 have covered a little bit in closed session, general, but

24 it's about your motivation for giving evidence. When you

11:25:20 25 were in Ghana, having escaped from Liberia, you wrote a

26 series of letters to UN agencies in order to try to have

27 you rescued; is that correct?

28 A. Did you say my "motivation"?

29 Q. I did say --

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1 PRESIDING JUDGE: He didn't say so. Learned counsel did not
2 say so.
3 THE WITNESS: Okay.
4 JUDGE BOUTET: I have in my notes, "I want to look into your
11:25:53 5 motivation about giving evidence." So that was the very
6 first statement and from there you said, "You wrote
7 letters as such." So it is my understanding of your
8 questioning has to do with his motivation about giving
9 evidence.
11:26:06 10 THE WITNESS: That's what I heard myself.
11 MR JORDASH: That's right.
12 Q. And you wrote a series of letters; is that right?
13 A. I wrote one letter -- not a series -- only one letter
14 I wrote to the UNHCR office in July 19 with the
11:26:28 15 supporting documents to justify my asylum request.
16 Q. That's right. And in your letter dated the 18th of July
17 2002 you explained that you were married with eight
18 children and four adopted children; is that correct?
19 A. Yes, in that I did explain that I was married and I have
11:26:51 20 adopted children.
21 Q. And you explained that you were desperate, because agents
22 of the Liberian --
23 PRESIDING JUDGE: How many adopted children?
24 MR JORDASH: Four.
11:27:05 25 PRESIDING JUDGE: General, do you confirm that; you have your
26 children and how many?
27 THE WITNESS: I have nine and six adopted children.
28 MR JORDASH: I beg your pardon, Your Honour.
29 PRESIDING JUDGE: No, it's okay.

1 JUDGE THOMPSON: I think we are crossing lines now. You are
2 referring to the letter; in other words, what was stated
3 in the letter --
4 MR JORDASH: Yes, Your Honour.

11:27:30 5 JUDGE THOMPSON: -- as distinct from what he might
6 [overlapping microphones]
7 THE WITNESS: I think at the time I --
8 JUDGE THOMPSON: General, let's keep to the letter first and
9 then, if you have any additions you wish to make or
11:27:41 10 subtractions, that would be appropriate, otherwise our
11 notes again get a little untidy.

12 MR HARRISON: I apologise for interrupting. Would this be a
13 convenient time for the binder to be put in front of the
14 witness? If not --

11:27:54 15 MR JORDASH: Yes, please. Just for the record, a binder full
16 of statements is being given to General Tarnue.

17 Q. Now, just have a quick flick through there General Tarnue
18 so that you can familiarise yourself with the location of
19 the various documents. I think that, in the long run, it
11:28:24 20 will save us all time. There was --

21 PRESIDING JUDGE: Why don't you help him look at the
22 statement, please.

23 THE WITNESS: The letter is -- I don't know the filing system
24 for you --

11:28:54 25 MR SANTORA: Perhaps maybe for the duration of this and for a
26 lot of these issues, if we had somebody from the Court --
27 from Court Management to assist him throughout these
28 things in looking for whatever reference that our
29 colleagues want to point to. It might save a lot of time

1 in the long run if somebody was just on standby --

2 PRESIDING JUDGE: Court Management is not familiar with all

3 those documents there. What about the gentleman who is

4 assisting there?

11:29:23 5 MR SANTORA: If that's okay with our colleagues.

6 MR JORDASH: It may be that time can be saved in the long run

7 if certainly, at a convenient point, General Tarnue is

8 allowed to mark up the documents for himself so that he's

9 able to turn to them himself. I think perhaps that

11:29:44 10 lends some assistance to Court Management.

11 JUDGE BOUTET: I would think there would be better ways of

12 doing this, because obviously, with this pile of

13 documents, if you show this to the witness at this

14 moment, we're all going to see that all the time. So,

11:29:52 15 yes, certainly, you should have a copy and that you

16 satisfy both that this is the same document you're all

17 talking about and have the document available to the

18 witness so he can check and read through it to find --

19 because, obviously, I see the thickness of this binder,

11:30:09 20 so if we are to do that every time you refer to a page,

21 we'll never see the end of the day. I would ask a copy

22 be made available to the witness so he can follow through

23 and, if possible, those filed with the Court has numbers

24 at the top of each page which is easier for reference

11:30:29 25 purposes. For example, the document you're asking for in

26 my binder, and that is the binder that is with the Court

27 Management, is 8365 at the top of the page. I know

28 Mr Jordash you don't have that on yours, because yours

29 predated the filing with the Court.

1 MR JORDASH: Perhaps then if at some stage today the witness
2 has got a copy which comes from the Court Records, I can
3 then look at the Court record and at least make an index.
4 JUDGE BOUTET: Indeed. That might be the best way to refer --
11:30:59 5 to make sure that we're all talking of the same document.
6 MR JORDASH: Yes.
7 JUDGE BOUTET: Thank you.
8 THE WITNESS: I still can't locate it, because this letter
9 here is September 12 -- it was the letter written when
11:31:15 10 September 11 happened. The letter from the UNHCR office
11 I can't quite remember it was July 19th.
12 MR JORDASH:
13 Q. July 18th 2002.
14 A. 18th, okay, it was in July, I remember, but I can't see
11:31:32 15 it here. Okay. Yeah, July 18th, 2000 [sic]. I got a
16 copy.
17 Q. This is a letter you sent to the UNHCR, Accra, Ghana to
18 help you with assistance --
19 A. Exactly.
11:31:58 20 Q. To help you get out of Ghana alive?
21 A. Right.
22 Q. It's right to say that you were absolutely desperate at
23 that stage for help?
24 A. Yes, counsellor.
11:32:06 25 Q. It's right to say, is it not, that the contents of the
26 letter detail the threat to your life and your absolute
27 desperation to get out of Ghana?
28 A. Yes, counsellor.
29 Q. It's fair to say you would have done anything at that

1 stage to get yourself and your wife and children to
2 safety?
3 A. Yes, Your Honour. I would have done anything to help my
4 wife and children.
11:32:37 5 Q. And so when Dr White turned up to assist --
6 JUDGE THOMPSON: Slowly, counsel.
7 MR JORDASH: I beg your pardon.
8 JUDGE THOMPSON: Yes, continue.
9 MR JORDASH:
11:33:05 10 Q. When Dr White turned up from the Special Court to assist,
11 you must have been extremely relieved; is that correct?
12 [11.30 HS061004C]
13 A. Can you reframe that question or go back again and let me
14 listen.
11:29:38 15 Q. When Dr White turned up to assist in your escape from
16 Ghana --
17 JUDGE THOMPSON: You did say from the Special Court.
18 MR JORDASH: Did I? I beg Your Pardon.
19 JUDGE THOMPSON: Do you want to retain it.
11:29:54 20 MR JORDASH: Can I start again?
21 JUDGE THOMPSON: Yes, certainly.
22 MR JORDASH: Thank you.
23 Q. When Dr White from the Special Court turned up XXXX
24 XXXX to assist you, you must have been extremely
11:30:04 25 relieved?
26 A. I was relieved, definitely.
27 Q. And after you'd been relocated --
28 PRESIDING JUDGE: Please, wait. You said -- I want to get it
29 right that he was relieved when Dr White XXXX came

1 to what?

2 MR JORDASH: To assist.

3 PRESIDING JUDGE: To assist him.

4 THE WITNESS: I said, yes, counselor, I was relieved, but not
11:31:02 5 criminally in nature.

6 MR JORDASH:

7 Q. And Dr White was interested in you -- let me just start
8 that again. You were relocated shortly thereafter, that
9 relocation being funded by Dr White?

11:31:26 10 JUDGE THOMPSON: Let us take it -- break that question up,
11 it's double-barrel.

12 MR JORDASH: Certainly.

13 Q. You were relocated shortly after meeting Dr White; is
14 that correct?

11:31:38 15 A. Say that again?

16 Q. You were relocated shortly after meeting Dr White; is
17 that correct?

18 A. I repeatedly said, yes, sir.

19 Q. And once you've been relocated, you were assisted by
11:32:00 20 Dr White in getting your family from Liberia to safety?

21 A. Not from Liberia, but from Ghana. From day one when I
22 met Dr White XXXX, he assisted from Ghana
23 throughout to the Xxxx.

24 Q. And the quid pro quo was that you would be a prosecution
11:32:24 25 witness?

26 JUDGE BOUTET: I know we are back in an open session here and
27 I just want to inform the witness that we are in open
28 session and, therefore, you shall be very careful not to
29 speak about the location --

1 THE WITNESS: I'm aware, sir.

2 JUDGE BOUTET: -- of your family now and then.

3 THE WITNESS: Yes, sir.

4 JUDGE BOUTET: So -- I know it is difficult at times to answer

11:32:50 5 some of the questions fully and not to disclose, but I'm

6 asking you to be cautious on this, because you have been

7 given the protection of the Court not to disclose your

8 location and your country of relocation so --

9 THE WITNESS: Thank you, sir.

11:33:04 10 JUDGE BOUTET: I'm just asking you to be careful, Mr Jordash.

11 PRESIDING JUDGE: I was going to draw Mr Jordash's attention,

12 you know, to questions that would lead to revealing all

13 the evidence that we had taken in closed session,

14 particularly as far as this witness is concerned. So we

11:33:24 15 have to be very careful about the rules of the game; I

16 mean, the sooner we are out of the closed session, we

17 look forward to coming into a subject, you know, that

18 does not touch on the closed session, you know, and to

19 move along, because it might jeopardise the interest of

11:33:42 20 this witness in terms of his protection.

21 MR JORDASH: Well, Your Honour, I'm not interested, as Your

22 Honour know, in where this witness is living at this

23 stage. What I am interested in is what is his

24 motivation, what is being provided to him in order to --

11:34:02 25 what has been provided to him --

26 PRESIDING JUDGE: It was just an advice, you know. You can

27 proceed, you know, fortified by this advice and comment

28 from the Bench.

29 MR JORDASH: Your Honour, yes.

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1 JUDGE BOUTET: But, Mr Jordash, I do understand this is what
2 you are trying to lead into, but you are really in a grey
3 zone, because when you are dealing with this, it's very
4 difficult at times for the witness to answer your
11:34:18 5 question without making reference to his activities at
6 that time and subsequent to that. So anyhow we'll see
7 how -- as I say, we are out of the closed session, if you
8 are to manoeuvre in that direction any further, we might
9 have to go back in closed session. So --

11:34:42 10 MR JORDASH: Well, I'm not -- I am interested in what this
11 witness is being given --

12 JUDGE BOUTET: We'll see.

13 MR JORDASH: As part of the quid pro quo --

14 PRESIDING JUDGE: No, you were at that question, you were at
11:35:00 15 that question, you know. That is what prompted the
16 intervention by my learned brother, Judge Boutet, you
17 know. You asked the question, which sort of brought in
18 the quid pro quo thing. Can you ask the question -- you
19 know, you were sort of wanting to say that it is because
11:35:18 20 of the the assistance that he decided, you know, to
21 cooperate. That was -- it was a question like that, you
22 know.

23 MR JORDASH: Yes.

24 JUDGE THOMPSON: I would like to intervene, too, and say that
11:35:36 25 it would seem to me that much as counsel has great --
26 equal latitude -- further latitude in pursuing the
27 motivation thing, yet there have been answers already to
28 that question, because I remember that the quid pro quo
29 thing came up during closed session and there was a clear

1 and definitive answer, if not one or two answers around
2 that. And it would seem to me therefore that I don't
3 understand the purpose of revisiting that when we already
4 have some definitive -- it was pursued specifically in
11:36:12 5 that context.

6 MR JORDASH: It was. There are other elements to this and I
7 will move on.

8 JUDGE THOMPSON: Yes, I think you should go to the elements,
9 not this one, because there is an answer on the record.

11:36:34 10 MR JORDASH:.

11 Q. General Tanu, you are a Christian; is that correct?

12 A. Yes, traditional fraternity, I am a Christian.

13 Q. In 2003, you gave a talk in a church about your
14 experience as a military man in Liberia; is that correct?
11:37:06 15 I'm not interested in where the church is.

16 A. Say that again.

17 Q. In 2003, you gave a talk in a church about your
18 experience as a Liberian military man; is that correct?

19 A. Well, I am a Christian and I'm not restricted to go into
11:37:24 20 church. I'm not restricted to tell --

21 JUDGE THOMPSON: General, that was not the question. The
22 question was did you in 2003 gave -- talk in a church
23 about your experience --

24 PRESIDING JUDGE: You don't need to mention the location of
11:37:34 25 this church.

26 THE WITNESS: Okay, sir. I went to church and I was able to
27 talk to pastors and the congregation the reason why --

28 JUDGE THOMPSON: About your military experiences in Liberia.

29 THE WITNESS: Yes. That happened, yes, sure.

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1 MR JORDASH:
2 Q. And you will count yourself as somebody who obeys the
3 basic tenets of the Christian faith?
4 A. Can you please speak a little bit louder, Mr Counsel?
11:38:08 5 Q. You would count yourself as somebody who obeyed the
6 principal tenets of the Christian faith, is that correct?
7 A. Yes, I'm a Christian. I went to church, yes.
8 Q. Such things like thou shall not kill and so on and so
9 forth?
11:38:30 10 A. I'm [inaudible] of the natural law from God -- from the
11 Bible. Yes, thou shall not kill.
12 Q. Do unto others as they would do unto you. That is an
13 important part of your Christian faith.
14 A. Oh, definitely.
11:38:42 15 Q. Definitely. Now, it's right that you have occupied some
16 key military posts of Charles Taylor's government --
17 that's correct, isn't it?
18 A. Say that again.
19 Q. You have occupied key military posts in Charles Taylor's
11:39:06 20 government?
21 A. Yes, as commanding general and chief of -- deputy chief
22 of staff.
23 Q. The top military posts in Charles Taylor's government?
24 A. Yes, the commanding general. There was a time I was in
11:39:30 25 command of the army after the peace accord.
26 Q. The ATU, for example, you were head of that in
27 August 2001; is that correct?
28 A. Yes.
29 MR SANTORA: Your Honour, there is a misstatement of the

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1 evidence. The witness never testified that he was the
2 head of the ATU at any time.
3 MR JORDASH:
4 Q. What were you in relation to the ATU in 2001?
11:40:02 5 A. Your Honour, can I just throw little light on that?
6 JUDGE THOMPSON: Go ahead.
7 THE WITNESS: He needs a little clarifications. After the
8 presidential elections, 1997.
9 PRESIDING JUDGE: But, General, you will be brief, please.
11:40:14 10 THE WITNESS: I will be -- just two minutes of summary.
11 PRESIDING JUDGE: Please.
12 THE WITNESS: Just two minutes, Your Honour. After the 1997
13 presidential election --
14 PRESIDING JUDGE: Two minutes is like the presidential debate
11:40:24 15 in America. Two minutes, 90 seconds and so on. Two
16 minutes are too long, even -- please, you know --
17 THE WITNESS: I will be very, very brief. I took the position
18 of assistant chief of staff. 1999 I was nominated to be
19 the commanding general. 2005 I commissioned -- 2002,
11:40:42 20 January I was commissioned commanding general, and I had
21 series of problems. 2000, I was incarcerated on a house
22 arrest without any justifiable reason, because of my
23 commitment to restructuring the national army to meet
24 international standards. 2001, I was again incarcerated
11:41:02 25 that I was in [inaudible] with the US military attachee
26 to assassinate President Taylor. I was then investigated
27 and acquitted for the second time. Then, of course, 2002
28 again, after the 2001 investigation, I was then
29 transferred from the position of a commanding general

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1 because the defence minister, Daniel Chea say he could
2 now work with me directly. So I was transferred from --
3 JUDGE THOMPSON: General.
4 PRESIDING JUDGE: General, we have all that evidence.
11:41:30 5 THE WITNESS: I was transferred to the ATU and definitely as
6 plain unit training officer, which of course --
7 PRESIDING JUDGE: General, you have stated all this in your
8 evidence.
9 THE WITNESS: Yes, sir.
11:41:44 10 JUDGE THOMPSON: And so your exact designation in ATU was
11 what?
12 THE WITNESS: Plain unit training officer, S3. That
13 deteriorated the whole situation. So that's what brought
14 the problem.
11:41:58 15 MR JORDASH:
16 Q. So you accept, don't you, that from 1990 until you left
17 in 2001, you played a key role in elements of Charles
18 Taylor's military machine?
19 A. From 2001.
11:42:18 20 Q. From 1990 until you left Ghana, do you accept that?
21 A. When you talk about key role, on a professional level,
22 yes.
23 Q. On a professional level?
24 A. On a professional level.
11:42:30 25 Q. Now, you wrote a document, and see if you can find it in
26 the file, or perhaps you don't need to. Let me just read
27 out your words to you.
28 A. What area?
29 Q. Let me just read out the words and see if you accept this

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1 is what you wrote.

2 A. But can you just show me so that I can know what area.

3 Q. Sure. It's a letter or a document which -- the front of

4 it says witness statement (5) -- seven pages -- witness

5 statement (5) in bracket.

6 A. What part of the document does that come from? Okay,

7 where you have "Havana." Is that --

8 Q. No, mine starts off by saying, "Sir, the gleeful

9 trumpling on the country's constitution by President

11:43:46 10 Charles Taylor". Looking at the first page starting with

11 "Sir, the gleeful trumpling..."

12 JUDGE THOMPSON: Learned counsel, what's the description of

13 that document?

14 MR JORDASH: The only description I could see Your Honour is

11:44:04 15 "witness statement (5), 7 pages" and the top there is

16 title as saying "human rights abuses".

17 JUDGE THOMPSON: Who made it?

18 MR JORDASH: My understanding is that General Tanu wrote this.

19 JUDGE THOMPSON: What's the date?

11:44:20 20 MR JORDASH: It's dated the 1st of August 2003.

21 JUDGE THOMPSON: So it's a statement allegedly made by him to

22 whom?

23 MR JORDASH: It's not indicated upon this document who it was

24 to.

11:44:28 25 JUDGE THOMPSON: All right.

26 MR SANTORA: Just to clarify, too, the date reference that you

27 used is at the end of the document, and I believe he

28 wrote this in the American style 1/8/2003. So I think

29 the actual date of the document is January 8th 2003.

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1 JUDGE THOMPSON: So 1/8/2003.

2 MR SANTORA: Just to make sure that what I'm saying --

3 JUDGE THOMPSON: Yes, right. I'm also advised that in our

4 records the number is 829 -- 8289 following -- 8289 and

11:45:16 5 following. Is that the same; page 8289?

6 JUDGE BOUTET: It has at the top "human rights" abuse"

7 Mr Jordash?

8 MR JORDASH: I beg your pardon, Your Honour.

9 JUDGE BOUTET: It has at the top of the page "Human rights

11:45:30 10 abuse".

11 MR JORDASH: It does, yes.

12 JUDGE THOMPSON: So our page reference is 8289 and following

13 if we are talking about the same document.

14 MR JORDASH: Thank you.

11:46:38 15 Q. Does that document starts of with "Sir, the gleeful

16 trumpling..."

17 A. Say that again.

18 PRESIDING JUDGE: I see a document dated 01/08/03.

19 MR JORDASH: Yes, Your Honour.

11:47:16 20 Q. Is that the letter you -- is that the document --

21 A. Are you saying -- is that page 16?

22 Q. That's right. Is that the document you wrote?

23 A. Yes. XXXX. This

24 is a page from the document -- the 17-page document that

11:47:38 25 I prepared while I was already in the --

26 Q. General -- General Tanu, I'm interested in the contents

27 of the document, not --

28 PRESIDING JUDGE: No, but he is explaining that that is a page

29 from the 17-page document which he submitted XXXX

1 XXXX. Are we clear on that?

2 MR JORDASH: I'm clear.

3 PRESIDING JUDGE: Right.

4 MR JORDASH:

11:48:08 5 Q. And do you stand by this description that you gave on the

6 first page?

7 A. What description? Could you just read that for me?

8 Q. I certainly will. You're referring to Charles Taylor's

9 trampling of the constitution, the arrogant display of

11:48:26 10 impunity and insult to human rights by his untrained ATU.

11 Do you stand by that as --

12 A. The SSU, continue.

13 Q. SSU --

14 A. The militia, the SOD --

11:48:38 15 Q. The SOD --

16 A. From the police and the armed forces of Liberia, AFL --

17 Q. Since his election --

18 A. Since his election as President of Liberia.

19 Q. Do you stand by that as a fair description of Charles

11:48:50 20 Taylor's military machine?

21 A. Oh, definitely. As a professional soldier I stand by

22 every letter that I wrote in this particular document.

23 Q. Do you stand by the next paragraph, "The first few cases

24 I have written down on the sheet of paper showed, in a

11:49:00 25 summary way, the devastation that the Taylor government

26 is waging on the people of Liberia daily." Do you stand

27 by that?

28 A. I agree with that, and that is the reason why I had to

29 leave the country, because I was victim of it.

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1 Q. But you were there, weren't you, General Tarnue, from
2 1990 and didn't leave till 2002?

3 A. And I guess that's the reason why my presence is here to
4 be able to contribute towards the process. I was a
11:49:26 5 victim of this and that's why I'm here.

6 Q. But you weren't a victim until 2002, were you?

7 A. That's why I left in 2002.

8 Q. When you became victim, you left in 2002?

9 A. Because it became unprofessional.

11:49:42 10 Q. Mr Taylor's military machine had not become
11 unprofessional until then?

12 A. You have a leader that is a dictator apparently and in
13 the first place, judge, let me just -- Your Honour, let
14 me just throw little light. When I became training
11:50:00 15 commander I started to take some few notes, and because
16 of being a professional soldier and that's why when I
17 became G3 I was also part of the various peace accord.
18 The Akosombo Accord, the Yamoussoukro, the Lome Peace
19 Accord, finally the Abuja Peace Accord. We signed the
11:50:10 20 [inaudible] forces agreement along with the communique
21 that finally said election must be held. After election,
22 you have to restructure the national army in keeping with
23 the constitution amended, and since I was then appointed
24 Assistant Chief of Staff, G3 in charge of
11:50:38 25 planning/training, I prepared an organisational chart to
26 President Charles Taylor through [inaudible] to the chief
27 of staff and that he sat under it, and instead he has his
28 own separated military establishment -- the
29 anti-terrorist unit - that's the ATU - you have the SOD,

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1 Special Operation Divisions of the National Police that
2 carried long range, you have the TSOS, the Tactical
3 Security --

4 Q. General, I'm sorry to stop you. General, do you mind if
11:51:14 5 I stop you for a moment? I'm simply asking --

6 A. Well, let me just land, please. Counsellor, let me just
7 land. You have the militia, the untrained militia that
8 fought for him from the National Patriotic Front. They
9 were all inducted into the army, so it became
11:51:28 10 unprofessional.

11 Q. When did it become unprofessional, according to you?

12 A. Well, the AFL, as I talk to you now, is like a chameleon.
13 They don't even have a fighting uniform to wear.

14 Q. When did it become unprofessional during your time?

11:51:44 15 A. It was above my jurisdiction as a Commanding General.

16 Q. When did it become unprofessional, according to you?

17 A. When did it become unprofessional?

18 Q. Yes.

19 A. I mean it started occurring -- of course when I started
20 to notice that it was becoming unprofessional and there
21 was no corrective -- there was no --

22 Q. When?

23 A. I can't be very specific, that's why I left.

24 Q. Give us a year.

11:52:00 25 A. Say that again.

26 Q. What year, in your view?

27 A. From the very day he was elected president.

28 Q. So not until 1997 did it become unprofessional in your
29 view?

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1 A. When you have a revolution, you rebel against certain
2 things that you don't like, and in the process, when you
3 come into the system, it becomes binding that those
4 things that you don't like you must take an immediate
11:52:16 5 correction.

6 Q. Is it your view that Mr Taylor's military machine only
7 became unprofessional in 1997 --

8 A. 1997?

9 Q. -- when he become president?

11:52:36 10 A. I just told you -- you were sitting down there
11 counsellor, when I said that when I surrendered every
12 other person that surrendered were under due threat, and
13 Taylor is a dictator. The minute you begin to explode,
14 you are going to be in serious trouble and you may be
11:52:52 15 executed. So for the safety of my life -- it would be
16 you, Defence Counsel, you had to protect yourself.

17 Q. You had to protect yourself?

18 A. Yes.

19 Q. Do you --

11:53:06 20 A. But during the course of the stay with the National
21 Patriotic Front, I demonstrated professionalism.

22 Q. In 1991, according to you, you trained the RUF, which was
23 the beginning of the 10-year conflict in Sierra Leone; is
24 that correct?

11:53:34 25 A. Specifically, not. Let me go back again, Your Honour --
26 counsellor. When you talk about 1991 specifically, when
27 I surrendered in June of 1990, Your Honour, I was serving
28 as training commander together with the 15 special forces
29 that were serving at the training base. They are

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1 mercenaries from Gambia, Burkina Faso, Ghana respectively
2 and so the [inaudible] set of trainees were NPFL and
3 other fighters, civilians that were brought to be trained
4 as fighters to go out there, and definitely it's on our
11:54:14 5 obligation, because this is the only way I would
6 contribute meaningfully towards the revolution so that my
7 life would be spared. It would be you, you had to do the
8 same thing, too. So in the process -- I told you
9 specifically in November that was the third group of
11:54:32 10 trainees that were being trained at the Koinala academy
11 where I was together with the 15 special forces that were
12 already head of training command.

13 Q. What I'm asking, General, is --

14 A. I'm coming. You're asking me specifically about the
11:54:46 15 Sierra Leoneans that were trained --

16 Q. But I'm asking you if you accept --

17 A. But listen. You want me to elaborate so that you can
18 understand exactly because I -- you can't just let me put
19 myself in dilemma. I want to make clarifications.

11:54:50 20 Q. Make clarifications then.

21 A. All right. So in 1990, the third group of trainees were
22 mixed, and as I said, if you listen, their presence -- an
23 unexplained presence to the other Liberians that were
24 National Patriotic Front fighters, it became problem, and
11:55:18 25 their unexplained presence -- it was becoming a
26 potentially explosive situation for me as training
27 commander together with the rest of the trainers. So it
28 was in this respect that I had to refer this to Charles
29 Taylor. I said, well, I'm not too comfortable because

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1 the first two -- three groups were fine, but the last
2 group is causing trouble, so I want to know what is going
3 on.
4 Q. General, we've heard this evidence.
11:55:44 5 A. Say that again.
6 Q. We've heard this evidence. I just simply want to ask you
7 a more specific question, if I may.
8 A. Yes, but if you want to be very specific, I have to also
9 be specific with elaboration and clarification so that I
11:55:52 10 can't implicate myself. That's what you're trying to get
11 at.
12 Q. Well, if we're both specific we can perhaps move on.
13 A. Say that again.
14 Q. If we're both specific, then perhaps we won't be here for
11:55:56 15 too long.
16 A. Well, I try to be very specific and if you try to be very
17 specific and direct with your question and be very
18 concise and clear about what you're saying, definitely I
19 have to make sure to clarify that for the judges to be
11:56:16 20 able to understand, and the public as well because you
21 know I'm testifying publicly.
22 Q. I know.
23 A. And I want to be very specific about that, sir.
24 Q. Right. Well, according to you, you played a crucial role
11:56:34 25 in training the first entrants into Sierra Leone, which
26 was the beginning of a 10-year conflict, do you accept;
27 is that what you --
28 A. When you say crucial, I mean, I'm still trying to tell
29 you that initially I didn't even know they were RUF

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1 fighters.

2 Q. Let me stick with that a minute. You didn't know,
3 according to your evidence, until the 24th of February;
4 is that correct?

11:57:00 5 A. No, if you follow your record very clearly, Mr Defence
6 counsel, you will understand that from my deliberations,
7 I said and I repeat for more clarification that, on the
8 30th -- the ending part of November to be specific, 1991
9 when he started training the third phase of the trainees
11:57:20 10 of the National Patriotic Front -- I was the training
11 commandant for NPFL. And when the situation started to
12 harass -- to come up --

13 Q. When did you learn -- when did you discover --

14 A. Can you let me land, please.

11:57:40 15 Q. When did you discover --

16 A. Mr Counsellor, can you let me land? When the situation
17 arise -- it came up about the training -- about the
18 trainees' misbehaviour on the training base. As training
19 commandant and instructor, I decided to bring it to the
11:57:50 20 attention of the rebel leader, and that's when he decided
21 to come and visit the training base unknowingly and
22 surprisingly. It was when he was able to introduce
23 Corporal Sankoh.

24 Q. General, General --

11:57:56 25 A. He was able to introduce Corporal Sankoh as his personal
26 friend.

27 Q. Would you allow me to ask you questions, General, please?

28 A. Can I land, please?

29 Q. Well, I think --

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1 A. Can I land, please? I want to land. Your Honour --
2 counsellor, can I land?
3 MR CAMMEGH: Your Honour, there is not much point in Mr or
4 General Tanu landing, if he is going to carry on, such a
11:58:22 5 wild --
6 PRESIDING JUDGE: It is not yet your turn, Mr Cammegh. I'm
7 sorry, it's not yet your turn. It is not yet your turn;
8 you are not on feet for cross-examination, please.
9 MR CAMMEGH: I would like to take some of these down, Your
10 Honour.
11 PRESIDING JUDGE: No, no, no, please. It is not yet your
12 turn --
13 THE WITNESS: Your Honour, I just want to land, that's all.
14 PRESIDING JUDGE: -- it's Mr Jordash's turn.
15 THE WITNESS: Just 30 seconds, I will land.
16 MR JORDASH:
17 Q. Please, land.
18 A. Okay, please. Thank you, counsellor.
19 JUDGE BOUTET:
11:58:44 20 Q. Mr Witness?
21 A. Yes, sir.
22 Q. You have to answer the questions. You are in
23 cross-examination. You are to answer the questions as
24 they are asked to you.
11:58:56 25 A. All right, Your Honour. I'm sorry.
26 Q. If you are not asked to give a full explanation, you are
27 not asked --
28 A. Okay, I'm sorry, I'm sorry. Go ahead.
29 MR JORDASH: Your Honour, thank you.

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1 Q. From what you said, I think two days ago now, you found
2 out on the 24th of February 1991 that the Sierra Leonean
3 recruits at Camp Kanola were not to go to the front line
4 but were to go to Camp Naama; is that correct?

11:59:22 5 A. No.

6 Q. I think that you will find that is what you said.

7 A. No.

8 Q. What did you say then?

9 A. That's why I wanted to land.

11:59:30 10 Q. What did you say, General? Simple question.

11 A. It wasn't February 24th.

12 Q. When was it that you first learnt that the Sierra
13 Leoneans at Camp Kanola --

14 A. That's what I said, because of the growing breeding of --

11:59:48 15 PRESIDING JUDGE: General, please listen to counsel's
16 question --

17 THE WITNESS: Okay, sir.

18 PRESIDING JUDGE: Let him finish asking his question, please.

19 MR JORDASH:

11:59:52 20 Q. My recollection -- and the record can be checked -- is
21 that you thought the Sierra Leoneans within Camp Kanola,
22 the 96 Sierra Leoneans were to go to the NPFL front, but
23 on the 24th of February, at the time when they graduated,
24 you were told instead they were going to go to Camp
12:00:18 25 Naama; is that correct?

26 A. With a clause.

27 Q. Sorry, I missed that, General.

28 A. With a clause.

29 Q. With a?

1 A. With just a detailed clarification, because the first
2 group graduated, they went to the front; the second group
3 graduated, they went to the front line. There was no
4 question about that. The third group, the discrepancies
12:00:38 5 came when the NPFL fighters were not satisfied about the
6 presence of non-Liberian -- foreign national presence.
7 So this is where apparently I had to take you here when I
8 said we had to use people to find out which county and
9 other place is their front. So we were able to sort them
12:00:56 10 out and realised that there were 96 Sierra Leoneans at
11 present, so to be specific, yes.
12 Q. 24th of February that group of 96 Sierra Leoneans
13 graduated from Camp Kanola?
14 A. Not only the 96, but the rest of the NPFL. No, not 96
12:01:12 15 alone. They were 96, but they were not only the 96
16 trainees. It was 96 Sierra Leoneans graduated with the
17 other Liberians that were on the base. So it means that
18 they were not specifically 96.
19 Q. On the 24th of February --
12:01:30 20 A. They all graduated on the 24th of February, 1991.
21 Q. Wait General.
22 A. Yes, sir.
23 Q. And at that stage you were told they were going to go to
24 Camp Naama instead of the front line; is that correct?
12:01:50 25 A. Again, let me take you back, counsellor --
26 Q. No, no, I don't want to go back.
27 A. I didn't tell them they were going to Camp Naama. When
28 they completed the graduation, it was reported to the
29 rebel leader, Charles Taylor. He had to relocate them --

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1 tell them their new destiny, not me.

2 Q. When did you discover that the 96 Sierra Leoneans were to
3 be part of the first group going into Sierra Leone -- the
4 RUF; when?

12:02:22 5 A. That was when Charles Taylor first visited the training
6 base along with Corporal Sankoh.

7 Q. That is not what you said two days ago.

8 A. No, if you go back to your record, it's going to tell
9 you.

12:02:36 10 JUDGE THOMPSON: Wait, wait, wait. General, let counsel put
11 what he is alleging.

12 THE WITNESS: I'm sorry, I'm sorry.

13 JUDGE THOMPSON: If you don't listen, you get into this kind
14 of confrontation, which is really not geeting us
12:02:42 15 anywhere.

16 THE WITNESS: I'm sorry. Go ahead, I'm sorry.

17 JUDGE THOMPSON: So learned counsel, put what you heard him
18 say.

19 THE WITNESS: I'm sorry. Counsellor, go ahead.

12:02:58 20 JUDGE THOMPSON: Right

21 MR JORDASH:

22 Q. Two days ago, you told this Court that you were not aware
23 of the intended role of the 96 Sierra Leoneans until
24 after the 24th of February. Now, what do you say today?

12:03:26 25 JUDGE THOMPSON: Counsel, would you invite a response from
26 him as to that -- whether he said that two days ago and
27 then we will avoid this entanglement.

28 MR JORDASH: Your Honour, yes.

29 Q. Is that what you said two days ago?

1 A. No, counsellor. No, sir.
2 Q. What did you say then?
3 A. Basically if you can recall, because of the [inaudible]
4 situation --
12:03:58 5 PRESIDING JUDGE: General?
6 THE WITNESS: Yes, sir.
7 PRESIDING JUDGE: Very briefly, please. Give a brief answer.
8 THE WITNESS: I say, no.
9 PRESIDING JUDGE: I know you have a lot of historical details,
12:04:10 10 but please, you know, give a precise answer to this
11 particular question. You may explain, but --
12 THE WITNESS: All right. Counsellor, I say no.
13 MR JORDASH:
14 Q. What do you say now then -- when did you first learn that
12:04:24 15 the 96 Sierra Leoneans were to be --
16 A. Well, counsellor, what I said is on record and my
17 statement will justify that.
18 Q. What would you tell us again?
19 A. It's on record.
12:04:38 20 Q. Why don't you tell us again --
21 JUDGE BOUTET: General, you have to answer the question. The
22 question is --
23 A. Okay. I said the first time Charles Taylor Visited the
24 Kanola training base along with Sankoh when the problem
12:04:46 25 arises about their presence -- the unexplained presence
26 of the foreign nationals, who happend to be
27 Sierra Leoneans, Ghanians, it was bringing problems into
28 the training base, so he has to be informed. So when he
29 got there, apparently he came along with Corporal Sankoh,

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1 I didn't even know him at that time; it was the very
2 first time that I ever saw him. And when he came in, we
3 were doing our exercises, the PT, and definitely, we went
4 back on the base and called formations, and he told us to
12:05:28 5 go in their as training staff together with the 15
6 mercenaries that were there on the base training. We all
7 sat down in the palaver house and he said, "Look, the
8 situation here is -- I came to visit because of what I
9 heard." He said, "Look, this is my friend; we all were
12:05:40 10 trained from Libya and now his men are on the frontline
11 helping me fighting. The two squads of the Sierra
12 Leoneans on the frontline helping me fighting, and we
13 have -- I have encourage him to a military alliance. So
14 the presence of these different nationalities -- they are
12:06:14 15 there to be able to assist, and when they are trained, he
16 is intending to have a revolution and so -- look, I want
17 you to warn those trainees that want to be
18 cantankerous -- that want to be stubborn about the
19 presence of the foreign nationals -- they are only there
12:06:36 20 to be trained and these people have nothing to do
21 whatever we are doing, and so if anybody complains and
22 want to continue with this kind of situation, they will
23 not live to tell the story."
24 Q. When did you learn that the 96 Sierra Leoneans --
12:06:52 25 A. Say that again.
26 Q. When did you learn that the 96 Sierra Leoneans --
27 A. The first visitation, that was in January almost -- it
28 was around 91 already going towards February.
29 Q. Let's try and stick to the subject, General, for a

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1 moment.

2 A. We are sticking to the subject.

3 Q. The first time Foday Sankoh came to that training base,
4 the Kanola training base, was that when you first learnt
12:07:12 5 that the 96 Sierra Leoneans were part of his --

6 A. No, no, no, listen. There were foreign nationals --

7 Q. Let's not go into that General. Just answer the --

8 A. I am telling you, it was not only Sierra Leoneans
9 present. Defence counsel, they had Sierra Leoneans, they
12:07:30 10 had Ghanians and they had different nationalities.

11 Q. We know that. When did you know that the Sierra
12 Leoneans -- the 96 were to be part of the RUF?

13 A. When we pronounced their graduation on the 24th and they
14 were sent for. During the the 27th meeting, it was
12:07:50 15 declared --

16 Q. No, no, no, stick to the 24th.

17 A. That's what I'm saying.

18 Q. The question I asked you ten minutes ago was did you give
19 the evidence two days ago that the first time you learnt
12:07:58 20 that the 96 Sierra Leoneans were not to go to the NPFL
21 frontline, but to go Camp Naama, was the 24th of February
22 and you've just --

23 A. That was when they graduated. The rest of the men had to
24 go on the frontline and they said these 96 must remain;
12:08:18 25 they are not going on the frontline.

26 Q. So that was the 24th of February when you first learnt
27 that the 96 Sierra Leoneans were going to the NPFL
28 frontline?

29 A. After it was pronounced to Charles Taylor for their

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1 graduation --

2 Q. On the 24th?

3 A. Yes, they did not send them to the frontline.

4 Q. No, no, stick with the [inaudible] 24th of February was

12:08:38 5 when you learnt they were not going to the frontline?

6 A. Yes on the 24th, immediately when they graduated.

7 Q. The fact that they were going to Camp Naama?

8 A. That they were not going on the frontline, but it was not

9 specific where they were going until when I finally got

12:08:48 10 to Banga.

11 Q. Okay. Now upon arrival at Banga, when did you find out

12 they were actually going to be part of the RUF?

13 A. Well, that was on the 27th.

14 Q. Right.

12:09:02 15 A. All I knew instruction was given by Charles Taylor from

16 him to the G4 to make trucks available to go to Kanola

17 academy to have those men transported to Camp Naama.

18 Q. So you learnt on the 27th of February 1991 that the 96

19 Sierra Leoneans were to be part of the RUF?

12:09:30 20 A. Yes, after the meeting that was deliberated on the 27th.

21 Q. On the 27th?

22 A. Yes.

23 Q. Thank you. Now, if we can go back to where we were

24 20 minutes ago, you were therefore responsible, at least

12:09:40 25 in part, were you not, in training, if your evidence is

26 true, the first wave into Sierra Leone which started off

27 a conflict which lasted for ten years. Do you accept

28 that?

29 A. No. Well, I would tell you no.

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1 Q. All right. You then in 2001 -- I'm just dealing with
2 some of the jobs you've had -- were part of the ATU; do
3 you accept?
4 A. No.

12:10:16 5 PRESIDING JUDGE: I haven't got the question about the ATU.
6 Can you -- can counsel --
7 MR JORDASH: Certainly.
8 PRESIDING JUDGE: I'm not very clear about the question.
9 MR JORDASH: The ATU is the anti-terrorist Unit.

12:10:30 10 PRESIDING JUDGE: I know the anti-terrorist unit, yes. What
11 was the question, please?
12 MR KORDASH: The question is in 2001 were you not working with
13 the ATU -- Mr Taylor's ATU?
14 A. I was newly transferred to the ATU to be a part --

12:10:40 15 Q. So the answer is yes, isn't it?
16 A. -- and because of the disagreement that's what brought me
17 over to Ghana.
18 Q. Do you accept that the ATU was an organisation which was
19 traditionally used to terrorise and eliminate political
12:10:54 20 opponents of Charles Taylor?
21 A. Your Honour, Judge, can I elaborate?
22 PRESIDING JUDGE: Yes, but you have --
23 THE WITNESS: Yes, only one minute.
24 PRESIDING JUDGE: Excuse me. Just a minute.

12:11:02 25 THE WITNESS: Yes, sir.
26 PRESIDING JUDGE: Counsel has put a specific question to you.
27 Do you accept that the ATU was an organisation that was
28 used to eliminate Charles Taylors --
29 A. No, sir.

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1 MR JORDASH:
2 Q. You don't accept that?
3 A. No, sir.
4 Q. Well, let's have a look at one of your documents, shall
12:11:20 5 we?
6 MR JORDASH: It's a document which is a witness statement with
7 the title "John Tanue". It's a series of questions and
8 answers, Your Honour, starting off with, "What was
9 Taylor's motivation for facilitating the RUF and starting
12:11:20 10 the war?"
11 A. Yes, thank you. Go ahead.
12 Q. OKay. Now, let's just make sure we are on the same sheet
13 and the same --
14 A. Can I drink a little water?
12:12:24 15 PRESIDING JUDGE: Feel free -- feel free, General. Put
16 yourself at ease. Drink your water and feel free, there
17 is no problem. You don't need to come to us for
18 permission to do that, please.
19 THE WITNESS: Okay, Defence you are welcome.
12:12:46 20 MR JORDASH:
21 Q. Thank you. Now, General, this is the document, is it
22 not, that consist of questions from the Office of the
23 Prosecutor with your answers on the --
24 A. Can you point out the specific page?
12:13:06 25 Q. Let's just clarify what the document is so that everybody
26 knows what we are talking about --
27 A. Oh, yes. This document was sent by me, yes.
28 Q. It was -- the way it worked was you were sent a series of
29 questions electronically by e-mail, and you responded

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1 electronically with answers on the 11th of February 2003.

2 A. That's why I initially -- earlier told you that we were
3 not physically meeting, but we were communicating.

4 Q. Yes.

12:13:26 5 A. Right.

6 Q. Would you turn to page 17 --

7 PRESIDING JUDGE: What is the date of this document, please

8 Mr --

9 MR JORDASH: Certainly it's not dated, Your Honour, but I

12:13:52 10 have been informed that it was sent by General Tarnue to
11 Dr White on the 11th of February, 2003.

12 A. Did you say page 17?

13 Q. I did say page 17. 17, 1-7.

14 A. Okay, I got that.

12:14:04 15 Q. Would you like to read your answer to question 12? Well,
16 let's have question 12 if you'd like to read your answer.
17 Question 12: "First, what was Taylor's role with regard
18 to the Abdiyan Accord; was he providing arms immediately
19 before or after the signing of the Peace Accord?" And

12:14:20 20 you replied --

21 A. Well, this particular question --

22 Q. What do you reply, General?

23 A. The reply was -- well, you can read, because you have it
24 before before you.

12:14:42 25 Q. Okay, let's read it into the record so that the Court is
26 aware of it.

27 A. You can read.

28 Q. Okay, I will read it. Just confirm, if you would, that
29 this -- whenever I do not read your words, please say so.

1 A. Okay. If you want me to read, I will do that. Since I
2 wrote that, I can read: "As far as I can recollect with
3 regards to the Abuja" -- now this was --
4 Q. Please, please, let's just stick to the --
12:15:02 5 A. I'm just saying something. I just want --
6 JUDGE BOUTET: General, please, please. The answer --
7 JUDGE THOMPSON: General, please read.
8 JUDGE BOUTET: -- you've been asked a very specific question;
9 you're asked to read this, not to explain. Read.
12:15:12 10 THE WITNESS: Okay, sir, I will read: "As far as I can
11 recollect with regards to the Abuja Accord, when I say
12 they as NPFL is on -- between the NPFL and the Liberian
13 National Transitional Government; LNTG, as well as
14 between the NPFL and ECOMOG, the Abuja Accord clearly
15 stated that the AFL, police and other security agencies
16 in Liberia must be restructured to ensure ethnic and
17 geographically balanced, with the inclusions of all
18 warring factions that participated in the Liberian civil
19 war. Charles Taylor disregarded the Abuja Accord and
20 instead organised his own private militia group outside
21 of the regular national army. Those groups included the
22 EMSSU, that's the executive mansion security presidential
23 guards unit based in the executive mansion - the
24 Anti-Terrorist Unit, ATU, also based at the executive
25 mansion. Members of these units are traditional used to
26 terrorise and eliminate political opponents of Taylor,
27 who perceived --
28 MR JORDASH: Perceived in [overlapping microphones].
29 THE WITNESS: -- police SOD composed of armed forces formed by

1 NPFL fighter whose members pretended to be armed robbers,
2 by breaking into homes of opposition politicians at
3 night. The SSS and the NBI essentially, all of these
4 private military or militia groups are made up of former
12:16:44 5 NPFL general and fighters that have no formal command
6 structure; they take their orders directly from Charles
7 Taylor.

8 [12.19 p.m. HS061004D]

9 Q. So, you appeared to say at that stage that the ATU based
10 at the executive mansion was traditionally used to
11 terrorise and eliminate political opponents of Taylor,
12 both perceived and real.

13 A. I'm aware, yes.

14 Q. Well -- so it was [overlapping microphones]

15 A. That's why -- that's why they were and that's why they
16 were at up to the time Charles Taylor left.

17 Q. So you were a member of an organisation whose members
18 traditionally used to terrorise and eliminate the
19 political opponents of --

20 A. No, sir, counsellor --

21 PRESIDING JUDGE: Did he say [overlapping microphones]. We
22 have to be fair to the witness. He was transferred to
23 that unit.

24 MR JORDASH:

25 Q. Yes, you were transferred and --

26 PRESIDING JUDGE: He did not say he was a member, he is a
27 trained soldier. He is a genera.

28 MR JORDASH:

29 Q. You were planning and training officer for the ATU, were

1 you not?

2 A. Counsellor, again, can I just take one minute?

3 Q. Were you or were you not?

4 A. Well, let me just tell you. Initially, if you look at
5 my -- I told you, during my military careers I served
6 three different presidents, democratically elected.

7 Q. Were you or were you not [overlapping microphones]

8 A. And this thing, after Charles Taylor came as a --
9 counsellor, when Charles Taylor took power, that made the
10 position that were created outside of the constitutional
11 army, when I became commanding general I had several
12 position. If you look at the African magazines, I began
13 to talk about it in 2000 when I become commanding
14 general, because I know very well that there can be no
15 sustainable development and economic recovery in a
16 country once you don't have a sound trained military and
17 security authority .

18 PRESIDING JUDGE:

19 Q. Okay, General, General, General?

20 A. Yes, sir.

21 Q. All what you are saying is very pertinent, it's good for
22 history.

23 A. Yes, sir.

24 Q. It is pertinent, you know, but you limit yourself, you
25 know, to the [overlapping microphones].

26 A. Okay, I say -- I say I know, sir, I was never part of a
27 terrorise group to humiliate my people. I was never part
28 of the ATU to terrorise my people.

29 PRESIDING JUDGE: As a matter of fact, what we have in

1 evidence is that this witness went there, not of his own
2 volition, but it was like a punishment, you know, he was
3 moved to that place against his will and he has repeated
4 this morning that that is where the trouble started. We
5 have him on record, you know [overlapping microphones].

6 THE WITNESS: I'm a victim of that, sir. If I can take off --
7 if I can take off my shirt, you will see how I was
8 humiliated and dehumanised.

9 JUDGE THOMPSON: Yes, but counsel also wanted to know whether
10 at that point in time his designation was training and
11 planning instructor of the ATU. That's a factual
12 inquiry. Were you or were you not at that point in time?
13 We are not asking for how you got there. The question
14 was specifically at that point in time, which is a
15 factual inquiry, requiring yes or no --

16 THE WITNESS: I say no, sir.

17 JUDGE THOMPSON: -- you were not -- you were not planning --
18 training and planning instructor of ATU.

19 THE WITNESS: I was transferred there as planning and training
20 officer, but it was not effective, I didn't through it.

21 JUDGE THOMPSON: No, no, no, no, no, no, no. What was your
22 correct designation --

23 THE WITNESS: I was assigned there as planning and training
24 officer. Yes, sir.

25 MR JORDASH:

26 Q. Do you accept that during the time when you were training
27 commandant for the NPFL, the NPFL was an organisation
28 committing human rights abuses? Is that the state of
29 your evidence so far?

- 1 A. No, I was aware that these atrocities and human rights
2 abuses were carried out and yes, when I joined. In fact
3 it started before I joined so --
- 4 Q. Now, from what you have told us, you have painted Charles
5 Taylor as a vicious dictator. Is that a fair --
- 6 A. Did you say painted?
- 7 Q. Do you say, on the basis of the evidence you have given,
8 that Charles Taylor was a vicious dictator?
- 9 A. I'm not painting anyone.
- 10 Q. Do you say he is a vicious dictator?
- 11 A. I did not say painted.
- 12 Q. Did you say -- you have spent two days giving evidence.
13 The evidence you have given suggests that, according to
14 you, Charles Taylor was a vicious dictator.
- 15 A. Because when I surrendered in 1990, June --
- 16 Q. Do you accept that?
- 17 A. -- I was with him --
- 18 Q. Do you accept that?
- 19 A. -- up to the time he became President of the Republic of
20 Liberia.
- 21 JUDGE BOUTET: Mr Witness --
- 22 THE WITNESS: Yes, sir.
- 23 JUDGE BOUTET: Would you please answer the question.
- 24 THE WITNESS: Okay, yes. I'm sorry.
- 25 JUDGE BOUTET: The question is a very precise question.
- 26 THE WITNESS: Yes, sir. Yes, defence. Yes, [overlapping
27 microphones] he was a dictator. Yes, I knew.
- 28 MR JORDASH:
- 29 Q. A vicious dictator.

1 A. Dictator, yes, sir.
2 Q. Was he a vicious dictator?
3 A. Dictators?
4 Q. Vicious dictator.
5 A. What do mean by vision?
6 Q. Vicious. Do you not know the word "vicious".
7 A. Unless you can define that to me, I don't know.
8 Q. [Overlapping microphones] I will define it.
9 A. [Inaudible].
10 Q. Charles Taylor engaged, according to you, in eliminating
11 everybody who stood in his way.
12 A. Exactly.
13 Q. Exactly. Charles Taylor engaged, according to you, in
14 recruiting children and devastating their lives by
15 recruiting them into the army.
16 A. Exactly.
17 Q. Charles Taylor was a violent, amoral, character according
18 to you?
19 A. Whatever you term it to be.
20 Q. Well, do you term him in that way? What I think of him
21 is irrelevant; what you think of him [overlapping
22 microphones].
23 A. But that's your own definition. I just say he's a
24 dictator. [Overlapping microphones]
25 JUDGE THOMPSON: But, witness you can either agree or
26 disagree.
27 THE WITNESS: I said --
28 JUDGE THOMPSON: You are here -- you have testified here.
29 THE WITNESS: I say yes, sir.

- 1 JUDGE THOMPSON: You can either agree or disagree.
- 2 THE WITNESS: He's a dictator. I say yes, sir, he's a
3 dictator.
- 4 MR JORDASH:
- 5 Q. Well is he -- according to you, Charles Taylor has
6 effectively been able to destabilise for almost a decade
7 the whole of West -- a large part of West Africa; is that
8 correct, according to you?
- 9 A. Yes, sir.
- 10 Q. Causing, according to you, probably thousands of deaths
11 of innocent people; is that correct?
- 12 A. Exactly.
- 13 Q. What was your relationship with this --
- 14 A. Can you speak a little louder, I am not hearing you?
- 15 Q. What did you think of Mr Taylor as a person?
- 16 A. As a person?
- 17 Q. Yes. He is a dictator.
- 18 Q. Did you like him?
- 19 A. And he jeopardised the economic production of this
20 country and disrupted the social harmonies of the people.
- 21 Q. Well I think he did a little more, according to you.
22 According to you, he was responsible for the deaths of
23 thousands of innocent people.
- 24 A. Yeah, definitely, because he is the rebel leader and in
25 any military situation a commander is responsible for
26 what the man does or failed to do. And especially under
27 his jurisdiction, you talk about revolution, there was no
28 law and order, you have marshall law prevailing. He
29 could eliminate anybody who stands in his way for what is

1 right even in the face of popular disagreement. So, you,
2 as a trained military man, especially for me, I had to
3 take all precautionary measures to secure my life for my
4 family.

5 Q. Well, is it fair to say then that this was no friend of
6 yours; Mr Taylor?

7 A. Of course, no, he is not my friend.

8 Q. This was not somebody who would be a confidante of yours.

9 A. No, he is not my confidante either.

10 Q. He is not somebody who you would sipping dinner with of
11 an evening, is he?

12 A. Definitely not.

13 Q. Definitely not. In fact a Christian man like you would
14 wish to distance themselves as much as possible from a
15 dictator like him.

16 A. Of course.

17 Q. Of course.

18 A. The situation you find yourself in, counsellor, if you
19 were in the situation with me as I usually [inaudible]
20 reference to, you surrender. You got nobody to protect
21 you. It's only him that had to say yes, because besides
22 God, he feels that he was next to God and the government.
23 So right there as a rebel leader, he can order your
24 execution. What do you expect me to do? I cannot
25 dictate to him. Everything he says is, "Yes sir". But
26 deep down in my heart, I have to be self-descriptive in
27 what I do.

28 Q. So is it fair to say then that at any opportunity
29 whatsoever you would distance yourself from Mr Taylor?

- 1 A. I didn't get you too clear. Could you just --
- 2 Q. Is it fair to say that during your time with Mr Taylor's
3 military machine, you would have done anything you could
4 to distance yourself from this brutal dictator?
- 5 A. If you go through the record, it's not -- no, I would not
6 want to say that -- that I identify myself with such a
7 brutal --
- 8 Q. I am not saying identified, distanced yourself.
- 9 PRESIDING JUDGE: Distanced yourself.
- 10 THE WITNESS: Did you what?
- 11 MR JORDASH: I am asking you whether you would have done
12 anything you could during your time as part of
13 Mr Taylor's military machine to distance yourself from
14 this brutal dictator?
- 15 A. That's -- that's -- that's the appropriate time I was
16 waiting for, because at that time it was rebel activity.
17 From 1991 and from 1990 up to the 1996 -- I mean, '95
18 Abuja accord and 1997 elections and that was --
- 19 Q. Would you have done what you could to distance yourself
20 from this brutal dictator?
- 21 A. Of course, I should have distanced myself at the
22 appropriate time.
- 23 Q. [Overlapping microphones] could?
- 24 A. Say that again.
- 25 Q. During the ten years or so that you were part of this
26 army, did you do what you could to distance yourself from
27 Mr Taylor within the constraints of saving your life?
- 28 A. I had my family in Liberia.
- 29 Q. Exactly.

- 1 A. And I had to do it professionally. That's my own
2 domestic issue.
- 3 Q. Did you do what you could to ensure --
- 4 A. But that's what I did to get out.
- 5 Q. -- during the ten years. Let me start this again, just
6 to see if we can come to some understanding about this.
- 7 A. What understanding are you talking about?
- 8 Q. Well, there are some people that you have described in
9 your evidence, perhaps Chea.
- 10 A. Mr who?
- 11 Q. Daniel Chea.
- 12 A. Oh yeah, Daniel Chea, yeah, the Defence Minister, right.
- 13 Q. Benjamin Yeaten, for example, who seemed to be close
14 confidantes -- who were close confidantes --
- 15 A. He is.
- 16 Q. That's right.
- 17 A. Right.
- 18 Q. But you would not put yourself in that category, would
19 you?
- 20 A. No, and that's why I was hated because of
21 professionalism.
- 22 Q. That's why -- that's why you were hated.
- 23 A. Yes.
- 24 Q. Because you morally objected to Mr Taylor --
- 25 A. Exactly.
- 26 Q. -- and you would do everything you could, within the
27 constraints of doing your job, to stay away from the man.
- 28 A. If you look in the very documents --
- 29 Q. Let's just stick to [overlapping microphones]

1 A. If you look in the very documents, I talk about
2 [overlapping microphones]
3 Q. I am interested in [overlapping microphones].
4 A. -- the Geneva Convention on Warfare. I gave my
5 professional advices. I talk about the uniform code of
6 military justice, fair play and justice amongst soldiers.
7 Q. Did you [inaudible] General Tarnue.
8 Q. Say that again.
9 Q. Did you deal, within the constraints of saving your life
10 and doing your job --
11 A. I had to continue to --
12 Q. -- everything you could --
13 A. I had to continue to remain there to be able to save my
14 life.
15 Q. -- to distance yourself. To distance yourself, Listen
16 to the question.
17 PRESIDING JUDGE: I had to continue to remain there in order
18 to save --
19 THE WITNESS: To save myself.
20 MR JORDASH: Yes, well, we understand that, whether we accept
21 it is another matter. We understand that.
22 Q. Did you do --
23 JUDGE BOUTET: Well please, please, it is difficult enough,
24 don't --
25 MR JORDASH: I beg your pardon, I am sorry, I should not have
26 said that. I apologise.
27 Q. Did you do what you could within the constraints of
28 saving your life --
29 A. Initially --

- 1 Q. Let me finish please, please, please.
- 2 A. Okay. I'm sorry. I'm sorry, counsellor. Sorry, sorry.
- 3 Q. Did you do what you could to distance yourself from this
- 4 man?
- 5 A. Counsellor, if you look at the map of Liberia and maybe
- 6 Africa, Liberia is bordering --
- 7 Q. Okay.
- 8 A. -- Ivory.
- 9 Q. Okay, maybe I'm wrong -- coast?
- 10 A. And listening -- the last county within the Republic of
- 11 Liberia is Nimba bordering Ivory Coast and Liberia.
- 12 Until the 1990 -- 1989 infiltration, when he invaded
- 13 Liberia he came through Boutuo. And when he came through
- 14 Boutuwo the whole Nimba County. That's where the
- 15 majority of the rebels were recruited.
- 16 Q. Well let me -- I think you might [overlapping
- 17 microphones]
- 18 A. And so definitely there was no way I would have gone
- 19 through --
- 20 Q. I think this [overlapping microphones]?
- 21 A. -- any of these borders without being tracked down. I
- 22 was going to be arrested and be killed in the bush. So I
- 23 had to take all precautionary measures, defence. My
- 24 life.
- 25 Q. Okay. Let me rephrase that, because I think it is
- 26 probably my lack of clarity rather than than you. You
- 27 have told us you didn't spend time with him, having
- 28 dinner, socialising; is that correct?
- 29 A. Definitely. I never have dinner with him.

- 1 Q. So within the constraints of doing your job --
- 2 A. Well in line of duty, professionally, too.
- 3 Q. Professionally, too.
- 4 A. Yeah.
- 5 Q. You would make sure that you stayed away from Charles
6 Taylor; is that correct?
- 7 A. How can you stay away from Charles Taylor when you are
8 pat of the organisation and he is the -- he is the head
9 of that organisation? You will be implicating yourself
10 into what we call mutinies.
- 11 Q. Okay.
- 12 A. If you get away, he'll say, "What are you planning? You
13 are already surrendered soldier. You are AFL. We are
14 not too comfortable with you yet." In fact, they used to
15 call us Doe's soldiers. So definitely he was never
16 comfortable with my presence. So some of the notes I was
17 taking, the field notes, were being concealed. Later on
18 I had to memorise it. When I get home I write it down.
- 19 Q. Because he saw --
- 20 A. I was very careful.
- 21 Q. Because he saw you, as you have just said, Doe's men.
22 Not somebody --
- 23 A. Yeah, Doe, you know when I say Doe, I am not saying
24 T-H-O-S-E, no.
- 25 Q. I know who you mean.
- 26 A. No, I'm saying Samuel K Doe. Doe's soldiers.
- 27 Q. I know.
- 28 A. And Doe wasn't having a soldier --
- 29 Q. No.

- 1 A. -- if he was certain, he would have called me "Top Man
2 Soldier", [inaudible] "Doe soldier" and if Charles Taylor
3 was not there, there will call me "Charles Taylor
4 Soldier." But I am a military personnel in charge of
5 protecting lives and property in the defence of the
6 country.
- 7 Q. So, just let's slow it down, if we can. There was the
8 inner circle with Charles Taylor, those perhaps he
9 trusted. His confidantes.
- 10 A. His confidante, yes.
- 11 Q. His confidante. And then there was the likes of you --
- 12 A. There was what?
- 13 Q. There was people like you --
- 14 A. What do you mean "like me"?
- 15 Q. Well, if you let me finish.
- 16 A. Okay, sir.
- 17 Q. People like you who were "Doe's men", according to
18 Charles Taylor.
- 19 A. Right.
- 20 Q. People who he did not quite trust as much as his close
21 [overlapping microphones].
- 22 A. When you say --
- 23 Q. Let me finish, please.
- 24 A. Okay. Okay, sir. Okay, sir. Because I don't want to
25 forget --
- 26 Q. Let me finish, please.
- 27 A. Okay, sir.
- 28 Q. There were those such as Benjamin Yeaten who were close
29 confidantes who were trusted by Charles Taylor.

1 A. Yes, sir.

2 Q. Yes. Thank you. They are the people who Charles Taylor
3 took into his confidence about his wicked activities.

4 A. Yes, sir.

5 Q. Yes. Whereas you did your job under threat of death,
6 only as much as you had to and nothing more?

7 A. Yes, sir.

8 Q. Yes. And that is why when we have heard your evidence
9 over the last couple of days you have never mentioned
10 going into Charles Taylor's house itself; have you? Or
11 did you go into his house?

12 A. Was I interested? No.

13 Q. Let's just stick with this. Let me not confuse matters.
14 Charles Taylor saw you as somebody perhaps useful, but
15 not a confidante.

16 A. That's what you are saying?

17 Q. Is that what you say?

18 A. Well THAT --

19 MR SANTORA: Your Honour --

20 THE WITNESS: No, I didn't tell you I was Charles Taylor's
21 confidante.

22 MR JORDASH: No, no, I'm sorry --

23 JUDGE THOMPSON: General, General, the reason that counsel --

24 THE WITNESS: I'm sorry.

25 JUDGE THOMPSON: -- is on his feet.

26 THE WITNESS: I'm sorry.

27 MR SANTORA: It's just the phrasing of the question of how
28 Charles Taylor saw him. I don't think that he is in a
29 position to actually make that -- determine that

1 characterisation as he phrased it.

2 JUDGE THOMPSON: I am not sure whether I am inclined to agree
3 with you, because the General volunteers, amplifications,
4 elaborations, comments, analysis. And I think it is the
5 doctrine of fundamental fairness requires that if the
6 Defence should have the opportunity to pursue these, and
7 I am not sure whether we can clearly impose any kind of
8 restraints on the Defence unless they clearly infringe a
9 rule of cross-examination, because what the General has
10 been doing, he has been seeking leave to amplify,
11 elaborate, even if in our view we think he is multiplying
12 the issues and the other side has a right to pursue, if
13 we are going to maintain equality of arms.

14 MR SANTORA: No, and I have noticed the slight elaborations as
15 well, but --

16 JUDGE THOMPSON: Yes. These are not slight elaborations, they
17 are massive.

18 MR SANTORA: But my point is that -- I think the specific
19 question was with regards to how Taylor saw him and the
20 characterisation was, I believe, as confidante or not
21 trusted.

22 JUDGE THOMPSON: But under examination-in-chief, the General
23 volunteered interpretations, examinations of the psyche
24 of Charles Taylor and I think, quite frankly, to be fair
25 to the other side, I think they should enjoy the right to
26 cross-examine as exhaustively as possible on these
27 issues.

28 MR SANTORA: Thank you, Your Honour.

29 MR JORDASH:

1 Q. I think I have understood you, General, when you say you
2 were known as Doe's men, it means that you were not one
3 of Charles Taylor's inner circle.

4 A. Yeah, I was just -- when you talk about Doe's men, what I
5 meant was I can be Doe's soldier and be [inaudible]
6 soldier.

7 PRESIDING JUDGE: You were -- you were --

8 THE WITNESS: A profession.

9 PRESIDING JUDGE: You were not in the inner circle of Charles
10 Taylor.

11 THE WITNESS: No, sir.

12 PRESIDING JUDGE: Yes.

13 THE WITNESS: I was not in the inner cycle of Charles Taylor.

14 MR JORDASH:

15 Q. Now, would it be fair to say that your rise up the ranks
16 had to do with you being a good soldier, rather than any
17 intimate connections you had with Charles Taylor?

18 A. My ranks all along -- I maintained those ranks through on
19 merits.

20 Q. Exactly.

21 A. Through merits, backed by the required academic and
22 military training.

23 Q. Would it be fair to say, for example, when you were
24 training commandant for -- at Camp Konola in 1991, whilst
25 you would see Mr Taylor, as you told us, most weeks, it
26 was simply to give him an update on how training was
27 going in Camp Konola.

28 A. How -- can you --

29 Q. Okay. Let me break that down. You told us two days ago

1 that in 1991 onwards, I think until 1994, you would see
2 Charles Taylor most weeks. He would come to see you in
3 the camp, for example, or you might drop by his place of
4 [overlapping microphones].

5 A. Well he would come to see the training staff and we had a
6 long-range sophisticated radio communications that we
7 talk often and once in a while I go to Gbarnga to make
8 sure to give him an update on the training activities in
9 Camp Konola, at Konola training academy.

10 Q. You would not have been interested in any training
11 activities that were obviously illegal and immoral, would
12 you?

13 A. Well, I can make -- you talk about illegal or moral?

14 Q. Immoral.

15 A. Training activities, because our training commander was
16 training activities.

17 Q. [Overlapping microphones] -- and he would what, come
18 round to the camp once a week or so, or less than that?

19 A. He was what?

20 Q. Would Charles Taylor -- how often would he come to the
21 camp, Camp Konola?

22 A. I told you only one time I saw him when he visited Konola
23 training academy.

24 Q. So is it fair to say that in 1991 until 1994 you are
25 stuck in Camp Konola largely, and he is not really coming
26 back? You are not really seeing him.

27 A. The fact -- the Konola training academy was there up to
28 that time, but when the peace accord started I was in and
29 out, so the camp wasn't too effective from 1992, '93 --

1 of course there was slowing down because the peace accord
2 was gone, there was ceasefire, monitoring group and so we
3 were busy up and down. Out of Gbarnga and Liberia to go
4 out for Lome peace accord, Akosombo and Abuja peace
5 accord respectively.

6 Q. Okay. So dealing with when your first became an NPFL
7 training commandant, you would be at the camp, you have
8 told us that Charles Taylor came round once. Apart from
9 that in 1991, 1992, would you see Charles Taylor at all?

10 A. I clearly stated that I was the principal military staff
11 officer to Charles Taylor, and then training
12 commandant --

13 Q. In 1991?

14 A. From the very moment I surrendered as training
15 commandant, when I was designated to work with the 15
16 special forces, of course, yes. '91, '92 --

17 Q. So [overlapping microphones]

18 A. -- '93.

19 Q. [Overlapping microphones] Charles Taylor in '91.

20 A. I was in the principal military staff officer.

21 Q. [Overlapping microphones].

22 A. Say that again.

23 Q. How often were you seeing Charles Taylor in 1991?

24 A. Oh, I see him almost every other time when I was
25 principal military staff officer from 1993.

26 Q. What does -- no, no, let's stick with 1991.

27 A. 1991, it was not too often, because I was -- I was -- I
28 was still on the training base.

29 Q. Right.

- 1 A. 1990, '91, up to '92, the war was intensified --
- 2 Q. Let's stick with 1991, if we may?
- 3 A. That's what I am saying. It was not [inaudible].
- 4 Q. In 1991 you have told us Charles Taylor came to Camp
5 Konola once.
- 6 A. Yes, I said once.
- 7 Q. So, in 1991 you saw him once; is that correct?
- 8 A. No, don't misconstrue me, counsellor. I said in '91
9 Charles Taylor visited Konola training academy once. But
10 I was once in a while frequently on -- in camp -- I mean,
11 in Gbarnga, and then we had a series of meetings.
12 Operational meetings, that's when we had the 27 meeting,
13 and when we were talking about graduation on the 24. Of
14 course, I met him on several occasions, but not at Konola
15 training base.
- 16 Q. Okay.
- 17 A. That's the clarification right there.
- 18 Q. Now, you were, as we know, the training commandant for
19 the NPFL. Okay, in 1991.
- 20 A. I told you, yes.
- 21 Q. Now Emmett Johnson was - I am not sure exactly when, but
22 I think you can confirm this - Emmett Johnson was a
23 senior commander in the NPFL at some stage, wasn't he?
- 24 A. Say that again.
- 25 Q. Emmett Johnson. He was a senior commander in the NPFL at
26 some stage.
- 27 A. No, he was -- he was -- he was one of the training
28 officers and then commander for the NPFL.
- 29 Q. So was he a senior commander?

- 1 A. Senior, yes.
- 2 Q. Yes.
- 3 A. Special forces.
- 4 Q. Yes. And he was killed, you say, because he tried to
- 5 instill order and discipline --
- 6 A. Exactly.
- 7 Q. -- in the special forces --
- 8 A. Right.
- 9 Q. -- Under his command.
- 10 A. Exactly.
- 11 Q. You obviously were not attacked by Charles Taylor and his
- 12 crew until 2003.
- 13 A. Because you got to be -- you've got to act like a fool to
- 14 gain wisdom.
- 15 Q. So, were you not trying to instill discipline in the
- 16 NPFL?
- 17 A. Of course I was trying to instill discipline, being very
- 18 persuasive and not very harshly, in a respectful manner
- 19 and an influential manner that would not get Charles
- 20 Taylor to think that I am one to undermine his
- 21 revolutions. But I did it in true faith from -- from the
- 22 point of Christianity and based on my background, so I
- 23 was doing it from a clear-cut, professional manner. In a
- 24 professional manner.
- 25 Q. But Charles Taylor never complained about you trying to
- 26 instill discipline?
- 27 A. Well, if I have to go into it -- you see, this is what I
- 28 am saying, it would become explosive, because during the
- 29 NPFL time I was detained -- I was detained behind closed

1 door with iron bars, not even house arrest for almost
2 maybe two or three weeks.

3 Q. Let's stick, if we can --

4 A. That was behind NPFL lines in Gbarnga.

5 Q. In 1991, how long were you from 1991 the training
6 commandant for NPFL?

7 A. I just clearly said that that was from 1990 when I
8 surrender, up to the time Charles Taylor became President
9 of the Republic of Liberia, I still had the title
10 training commandant and that's it.

11 Q. And no criticism by Charles Taylor of your conduct of his
12 troops during that time?

13 A. Say that again.

14 Q. Was there any criticism of your conduct with the troops
15 during 1991 to 1997?

16 A. Was there any criticism?

17 Q. By Charles Taylor.

18 A. There was ups and downs criticism, special forces from
19 Gia ethnic group.

20 Q. What was the criticism --

21 A. They were not too happy because --

22 Q. What was the criticism from Charles Taylor?

23 A. The criticism was that the summary executions of people
24 on various checkpoints, that was not too correct. When I
25 decided to take some corrective measures by telling him,
26 "Look we have to have an operational guidelines in
27 keeping with the rules governing the Geneva Convention of
28 Warfare. I mean, police people surrendering, military
29 people surrendering --

1 Q. So [overlapping microphones]
2 A. -- they include all the civilians. They are executed
3 summarily --
4 JUDGE THOMPSON: Learned counsel, did he understand your
5 question?
6 MR JORDASH: I am not sure.
7 JUDGE THOMPSON: I don't think he did. Put it again.
8 THE WITNESS: Okay, go ahead.
9 JUDGE THOMPSON: General, listen to the question, please
10 THE WITNESS: I'm listening, sir.
11 MR JORDASH:
12 Q. Was there any criticism from Charles Taylor about the way
13 you were training his NPFL fighters between the time of
14 1990 and 1997?
15 A. Oh no, he didn't criticise my training. Of course, he --
16 he didn't criticise that.
17 Q. He didn't criticise that?
18 A. No, he didn't criticise it at all.
19 Q. Do you accept -- well let me ask you this first. You
20 were given the title General by Charles Taylor; were you
21 not?
22 A. Yes, sir.
23 Q. You still call yourself General?
24 A. Well, I am sorry, counsellor, I don't call myself
25 "General". I was commissioned a general and if I should
26 die today I am still a general. And [inaudible] I am
27 still a former general and if I was there, I would still
28 be called general. So I am a general until I can die.
29 Q. But a brutal dictator gave you the title "general".

- 1 A. He didn't give me the title "general", it was merited.
2 Merit.
- 3 Q. Who decided it was merited?
- 4 A. I Just told you, I went through a series of military
5 training, advanced military training that qualifies me to
6 become a chief of staff either. So I don't have to
7 undermine my qualifications and I can tell you from the
8 squad leader level, on the three precedents in the armed
9 forces of Liberia and based on my training experience and
10 backgrounds, of course I have the capability of being a
11 general.
- 12 Q. Let's be honest, General --
- 13 A. It's not just he who wants me to be a general.
- 14 Q. Let's be honest, General Tarnue.
- 15 MR HARRISON: Well, there can't be any suggestion that there
16 has been dishonesty today.
- 17 MR JORDASH:
- 18 Q. Let's be frank, then, General Tarnue. It was Charles
19 Taylor --
- 20 JUDGE THOMPSON: [Microphone not activated] Learned counsel,
21 get up. What was the point of the intervention?
- 22 MR HARRISON: [Microphone not activated] -- the rejoinder was
23 there can be no suggestion of any dishonesty today.
- 24 JUDGE THOMPSON: But did you get the leave of the Bench to put
25 a rejoinder to counsel? What was it all about? I mean,
26 why did you have to suggest that if he says, "Let's be
27 honest," we can --
- 28 MR HARRISON: It's an objection to the form of that question.
- 29 JUDGE THOMPSON: Well why didn't you raise it as an objection?

1 And counsel, let me warn you that whenever you raise an
2 objection, before the Bench addresses it, please remain
3 standing so that we can understand what is going on.

4 MR HARRISON: Thank you.

5 JUDGE THOMPSON: Right. Learned counsel for the first
6 accused, don't you think that line of cross-enquiry is a
7 bit argumentative? Here is a General who says that there
8 are certain criteria, according to their procedures for
9 becoming a general, and, of course, we all know that
10 usually a head of state appoints whoever is in top
11 positions. Sometimes head of states appoint judges, but
12 if criteria are laid down, why do you want to suggest
13 that those criteria may not have been followed in his own
14 case. I think it is probably a difficult line of
15 cross-enquiry. What are you going to achieve when the
16 General says, "Look, I fulfilled the criteria"?

17 MR JORDASH: Well, Your Honour --

18 JUDGE THOMPSON: What is the purpose of it? I am at a loss to
19 understand it.

20 MR JORDASH: Well the purpose of the enquiry is to test the
21 credibility of this witness's evidence and the
22 credibility -- and the truthfulness of his evidence. Now
23 on the one hand, he will paint and does paint Mr Taylor
24 as a dictator in control of the -- with a tight grip on
25 his military machine, and on the other hand, he is
26 suggesting that he rose through the ranks due to some
27 fair and equitable procedure based on merit alone.

28 JUDGE THOMPSON: Well would judges who officiate under
29 military regimes be necessarily unqualified for their

1 positions?

2 MR JORDASH: Well I think judges who operate under military
3 dictatorships often find their independence somewhat
4 compromised.

5 JUDGE THOMPSON: But would they necessarily be unqualified?

6 MR JORDASH: Not necessarily.

7 JUDGE THOMPSON: That's why I think it is argumentative. But
8 if you think it is going to credibility, we will probably
9 give you the latitude to pursue it, but I clearly think
10 it's very argumentative, because the whole issue of
11 judges officiating under military regimes been a question
12 which has been debated, too, but that has not ever been
13 debated in the context of whether they are qualified to
14 be judges, or whether they could not have been, you know,
15 [inaudible].

16 MR JORDASH: I am not suggesting, of course, that this witness
17 General Tarnue is not a good soldier and hasn't been a
18 good soldier. I am not suggesting that. But I am
19 suggesting --

20 PRESIDING JUDGE: In fact -- in fact, as a follow-up, you
21 know, from what my learned brother has been saying, true
22 enough, you know, it is the head of state who will sign
23 the promotions to certain ranks, you know, of the civil
24 service, particularly the army where he is a commander in
25 chief. We have it on record here -- we have it on record
26 here that this witness was not in the inner circle --

27 MR JORDASH: I am happy to move on, Your Honour.

28 PRESIDING JUDGE: -- of Charles Taylor. Would you for once
29 imagine that if he did not merit it, he could have been

1 promoted to the rank of general? If he did not really
2 merit it. Don't you think that there is an element of
3 merit.

4 MR JORDASH: Well, Your Honour --

5 PRESIDING JUDGE: As indeed, there is, you know, in all
6 situations. When these things are prepared, you know,
7 there is an element of merit. Do you --

8 MR JORDASH: I agree, but the nature of --

9 PRESIDING JUDGE: That's why he is insisting, you know, that
10 he merited it. It wasn't a favour, you know, to put it
11 that way.

12 MR JORDASH: Your Honour, I would --

13 JUDGE THOMPSON: That was my concern, because we can't let you
14 reflect on his professionalism without justification.
15 You know, I thought it was once he established that there
16 are certain criteria and he believes that he fulfilled
17 the criteria, the appointment by whoever it was, whether
18 de facto de jure head of state, would be just as
19 ceremonial -- as I use the analogy of judges.

20 MR JORDASH: Well, Your Honour, clearly there are many ways in
21 which a state official might obtain their employment
22 under a dictator. And my questions were simply designed
23 to test --

24 PRESIDING JUDGE: Let's be fair to dictators, you know. Let's
25 be fair to dictators, they also recognise merit. They
26 also recognise merit when it comes to it in certain
27 circumstances.

28 MR JORDASH: Well certainly very --

29 PRESIDING JUDGE: We have to be very, very fair to them.

1 History has shown us that. We don't want to go into
2 those details.

3 JUDGE BOUTET: I don't think we should embark on this.

4 PRESIDING JUDGE: Yes.

5 MR JORDASH: I am happy to move on.

6 PRESIDING JUDGE: Yes. Mr Jordash, it is five minutes to 1.00
7 and following the traditions of the tribunal, the
8 afternoon of Wednesday is consecrated to professional
9 consultations and tidying up a few legal issues amongst
10 us and Court Management. If you are not yet at the end
11 of the last lap, you know, of your cross-examination, or
12 maybe you are at the end of your cross-examination
13 already.

14 MR JORDASH: I wish.

15 PRESIDING JUDGE: How much more time do you think you need for
16 the cross-examination?

17 MR JORDASH: I hesitate to say, but I cannot imagine being
18 finished --

19 PRESIDING JUDGE: You don't want to tie yourself down, like Dr
20 Jabbi --

21 MR JORDASH: I can't imagine being finished before Friday.

22 PRESIDING JUDGE: All right. Okay. Are you at a convenient
23 point --

24 MR JORDASH: I am, Your Honour, yes.

25 PRESIDING JUDGE: -- where we can stop?

26 MR JORDASH: Yes.

27 PRESIDING JUDGE: Then you will pick it up from there.

28 MR JORDASH: Certainly, Your Honour.

29 PRESIDING JUDGE: Where are we? We are at his promotion, you

1 know.

2 JUDGE THOMPSON: [Microphone not activated].

3 MR JORDASH: Yes.

4 PRESIDING JUDGE: Yes.

5 JUDGE THOMPSON: [Microphone not activated]

6 PRESIDING JUDGE: That's right, yes, because he stated, you
7 know, that he was promoted because he merited it.

8 JUDGE THOMPSON: [Microphone not activated]

9 PRESIDING JUDGE: That is what I -- because it was based on
10 his experience and his professionalism. That is what I
11 have on the last point of my note. So I think that if
12 you so do wish, if you have come to a convenient point,
13 Mr Jordash, where we can part for today, we would like to
14 adjourn the sitting of the Tribunal to tomorrow at 9.30,
15 when you will continue with your cross-examination.

16 We will adjourn and resume tomorrow at 9.30 a.m.

17 The Court will rise, please.

18 [Whereupon the hearing adjourned at 12.57 p.m., to be
19 reconvened on Thursday, the 7th day of October 2004 at
20 9.30 a.m.]

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C E R T I F I C A T E

We Ella Maureen P Dunn, Momodou Jallow, and Susan G Humphries
Official Court Reporters for the Special Court for
Sierra Leone, do hereby certify that the
foregoing proceedings in the above-entitled cause were taken
at the time and place as stated; that it was taken in
shorthand (machine writer) and thereafter transcribed by
computer, that the foregoing pages contain a true and
correct transcription of said proceedings to the best of our
ability and understanding.

We further certify that we are not of counsel nor related
to any of the parties to this cause and that we are in
nowise interested in the result of said cause.

Maureen P Dunn

Momodou Jallow

Susan G Humphries

WITNESSES FOR THE PROSECUTION:

WITNESS: JOHN TARNUE [Continued] 7

CROSS-EXAMINED BY MR JORDASH 7