



Case No. SCSL-2003-01-T

THE PROSECUTOR OF
THE SPECIAL COURT
V.
CHARLES GHANKAY TAYLOR

WEDNESDAY, 10 SEPTEMBER 2008
9:30 A.M.
TRIAL

TRIAL CHAMBER II

Before the Judges:

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

For Chambers:

Mr Simon Meisenberg
Ms Sidney Thompson

For the Registry:

Ms Rachel Irura

For the Prosecution:

Ms Brenda J Hollis
Mr Mohamed A Bangura
Mr Christopher Santora
Ms Ruth Hackler

For the accused Charles Ghankay
Taylor:

Mr Courtenay Griffiths QC
Mr Terry Munyard
Mr Morris Anyah

1 Wednesday, 10 September 2008

2 [Open session]

3 [The accused present]

4 [Upon commencing at 9.30 a.m.]

09:18:34 5 PRESIDING JUDGE: Good morning. Before I take appearances
6 and remind the witness of her oath, you will notice that there is
7 only two of the Trial Chamber and the alternate judge sitting
8 today. Regretfully our learned colleague, Justice Sebutinde, is
9 unwell. In accordance with the provisions of Rule 16(A), Justice
09:29:24 10 Lussick and I have signed an order permitting the Chamber to
11 continue sitting in the absence of a judge.

12 Now, Mr Bangura, appearances please.

13 MR BANGURA: Good morning, Madam President. Good morning,
14 your Honours and counsel opposite. Your Honours, for the
09:29:46 15 Prosecution this morning, Ms Brenda J Hollis, myself Mohamed A
16 Bangura, Mr Christopher Santora and Ms Ruth Mary Hackler. Thank
17 you, your Honours.

18 PRESIDING JUDGE: Thank you, Mr Bangura. Yes, Mr Anyah?

19 MR ANYAH: Yes, good morning, Madam President. Good
09:30:04 20 morning, your Honours. Good morning, counsel opposite. For the
21 Defence appearing are Courtenay Griffiths QC, Mr Terry Munyard,
22 myself Morris Anyah and we are joined by an intern in our office,
23 Ms Haffie Haffner and Haffie is spelt H-A-F-F-I-E, Haffner,
24 H-A-F-F-N-E-R. Madam President, if it please your Honours, in
09:30:31 25 respect of the absence of Justice Sebutinde the Defence would
26 like to be heard on that issue in the person of Mr Terry Munyard.

27 PRESIDING JUDGE: The witness is in court. There is no
28 problem with the witness's presence?

29 MR ANYAH: No, there isn't, Madam President. Thank you.

1 PRESIDING JUDGE: Very well.

2 MR MUNYARD: Madam President, your Honours, the Court
3 Officer was good enough to indicate to us in advance that Justice
4 Sebutinde unfortunately is absent and that the Court was

09:31:06 5 proposing to proceed under the rubric of Rule 16.

6 However, we have looked at Rule 16 and we think that there
7 may be a problem in trying to rely on Rule 16(A) for this reason,
8 and I will read out just the relevant part, or what appears to us
9 to be the relevant part of the rule, "If a judge is unable to
09:31:29 10 continue sitting in a trial which has partly been heard for a
11 short duration", and it seems to us that a trial that has been
12 running for the better part of nine months doesn't sit easily
13 within the ambit of that phrase, "a trial which has partly been
14 heard for a short duration". It is for that reason.

09:31:54 15 If one takes as the benchmark some of the trials that have
16 been before the Special Court, then obviously some of them have
17 gone on for an extremely long time, but by any standards it seems
18 to us on this side of the Court at any rate that it's difficult
19 to describe the proceedings in the present trial as having been
09:32:19 20 partly heard for a short duration and it's for that reason that
21 we raise the question of whether or not the rule rightly applies,
22 or rather has rightly been invoked in this particular case.

23 JUDGE LUSSICK: Yes, I think, Mr Munyard, the problem you
24 foresee really doesn't exist. It is a matter of rather imprecise
09:32:42 25 drafting. If you look at Rule 16(A), "If a judge is unable to
26 continue sitting in a proceeding it should be for a short
27 duration". That is how it should read. To support that
28 interpretation the subsection goes on to mention that the
29 remaining judges can continue to hear the trial for four or five

1 days, which itself is a short duration, and that is how we have
2 always interpreted Rule 16 and we have had occasion to apply it
3 on many previous occasions in the other trial.

09:33:32 4 MR MUNYARD: I completely see your Honour's point. The
5 Trial Chamber has the advantage over us in that you have been
6 party to the discussion of the drafting of the rules and the way
7 in which they are meant to operate and in the circumstances I
8 agree that the drafting is poor, because the phraseology is
9 attached to the wrong subclause and I now follow what Rule 16(A)
09:33:58 10 is meant to cover. In the circumstances our query whether or not
11 it applies seems to be otiose.

12 JUDGE LUSSICK: Thank you, Mr Munyard. Just by way of self
13 defence I might point out that none of the judges sitting on the
14 Bench today had anything to do with the drafting of that
09:34:19 15 subsection, or it would have been done differently.

16 MR MUNYARD: Well, your Honour, for one awful moment I
17 thought you were about to say that one or other of you had
18 drafted it and that is why you knew what it meant, but I am very
19 glad that that's not the case. In the circumstances we have
09:34:33 20 raised the issue, it has been resolved and we can proceed.

21 PRESIDING JUDGE: Thank you, Mr Munyard. I haven't
22 welcomed Ms Haffner to the Court and I do so now and I will
23 remind the witness of her oath unless there are any other
24 matters. No.

09:34:51 25 Madam Witness, I again remind you that you took the oath to
26 tell the truth, that oath continues to be binding on you and you
27 must answer questions truthfully. Do you understand?

28 THE WITNESS: Yes.

29 WITNESS: TF1-585 [On former oath]

1 PRESIDING JUDGE: Thank you. Mr Anyah, please proceed.

2 MR ANYAH: Thank you, Madam President. Your Honours,
3 before I proceed I would seek the Court's indulgence in respect
4 of two photographs I showed the witness yesterday. They were
09:35:18 5 retained by the Court Management Officer, but I did not yesterday
6 ask that they be marked for identification and I would like to do
7 so at this point if your Honours please.

8 PRESIDING JUDGE: Just for purposes of record in the light
9 of the fact that they have certain markings on them I just note
09:35:53 10 that we are in open session, isn't that correct?

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

12 PRESIDING JUDGE: In which case if they are shown to the
13 witness they should not reveal the written portions to the
14 public.

09:36:07 15 MR ANYAH: That is correct, Madam President. I do not
16 intend to show them to the witness at this point. I merely wish
17 to have them marked for identification.

18 PRESIDING JUDGE: Very well.

19 MR ANYAH: Thank you.

09:36:17 20 PRESIDING JUDGE: That is a one page document, a black and
21 white photograph showing a house and a car, it is MFI-4. A one
22 page photograph, a photocopy of a photograph showing a house with
23 several people outside it with written additions is MFI-5.

24 MR ANYAH: Thank you, Madam President.

09:36:49 25 CROSS-EXAMINATION BY MR ANYAH: [Continued]

26 Q. Good morning, Madam Witness.

27 A. Good morning.

28 MR ANYAH: May I proceed, Madam President?

29 PRESIDING JUDGE: Certainly, Mr Anyah, please proceed. The

1 exchange was between myself and Madam Court Officer.

2 MR ANYAH:

09:37:21

3 Q. Madam Witness, when we left off yesterday we were talking
4 about RUF codes in the possession of persons in Liberia. Do you
5 recall that, Madam Witness?

6 A. Yes.

09:37:44

7 Q. During your testimony on Monday, the 8th, you spoke about
8 ECOMOG jets that took off from Roberts International Airfield and
9 attacked RUF positions in Sierra Leone. Do you recall that,
10 Madam Witness?

11 A. Yes.

12 Q. There was a code you said was used in radio communications
13 to alert RUF stations in Sierra Leone that these jets were
14 coming. Can you tell us what that code is again?

09:38:04

15 A. I recall that I said it was 448.

16 Q. And this is code 448 you said was relayed or transmitted by
17 a radio operator at Roberts international by the name Sky 1, yes?

18 THE INTERPRETER: Your Honours, your Honours --

19 PRESIDING JUDGE: Madam Witness, please pause. Yes,

09:38:41

20 Mr Interpreter?

21 THE INTERPRETER: Your Honours, the gender of Sky 1 has not
22 been made clear to the interpreter.

23 PRESIDING JUDGE: Very well. Madam Witness, I want you to
24 continue with your answer, but say whether Sky 1 was a man or a
25 woman.

09:38:55

26 THE WITNESS: Sky 1 was a man.

27 PRESIDING JUDGE: Please continue with your answer, Madam
28 Witness.

29 THE WITNESS: Like I said, at Roberts International Airport

1 Sky 1 was a male. He was the one that used to give us the
2 information from there.

3 MR ANYAH:

09:39:28

4 Q. And the information Sky 1 gave you from Roberts
5 International Airport was about the 448, correct?

6 A. Yes.

7 Q. At the time that Sky 1 gave you this information, was it
8 when you were in Buedu between the early part of 1998 through
9 December 1999?

09:39:55

10 A. Well, from early 1998 up to 1999, but it was not in
11 December. It was mid-1999 that the jet stopped attacking the RUF
12 positions.

09:40:20

13 Q. So it would be fair to say that for about two-thirds of the
14 period while you were in Buedu, early January 1998 through
15 mid-1999, Sky 1 was the one providing you with this information
16 about the 448 jets, right?

09:40:51

17 A. It was not just Sky 1 that used to send the information to
18 us. We used to get it from various locations in Liberia, but
19 Sky 1 was the number one person, or he was the person that
20 relayed the information to us from IRA.

21 Q. Madam Witness, at this time ECOMOG was both in Sierra Leone
22 as it was in Liberia, correct?

23 A. Well, yes.

09:41:25

24 Q. This Court, Madam Witness, has found as a fact that on 29
25 August 1997 ECOWAS, Economic Community of West African States,
26 extended the mandate of ECOMOG troops in Liberia to include
27 Sierra Leone. Are you aware of that, Madam Witness?

28 A. Well, I don't know about that.

29 MR ANYAH: Your Honours, for the record it is judicially

1 noted fact Z:

2 Q. Where were there ECOMOG jets taking off from Lungi in
3 Sierra Leone and attacking RUF positions in other parts of Sierra
4 Leone during this period of time, Madam Witness?

09:42:11 5 A. Well, I do not know about that.

6 Q. In your opinion, Madam Witness, is it the case that the
7 code word or the code numbers 448 were only relative to jets
8 taking off from Liberia and attacking Sierra Leone?

9 A. Well, the code name, that code number 448 was referring to
09:42:48 10 an ECOMOG jet. Whether it took off from Sierra Leone or from
11 Liberia, that was the code name for the ECOMOG jet bombers.

12 Q. That is fair enough. My question is, to rephrase it, were
13 you aware of ECOMOG jets, also known as 448, taking off from
14 Lungi International Airport in Sierra Leone and attacking RUF

09:43:17 15 positions within Sierra Leone?

16 A. Well, that I do not know about.

17 Q. You are only aware of those jets taking off from Roberts
18 International Airfield in Liberia. Is that your evidence, Madam
19 Witness?

09:43:38 20 A. I knew about jets and I got information from IRA whenever
21 an ECOMOG jet took off from there to come and attack RUF
22 positions, but I did not know about any other jet that took off
23 from anywhere else in the world to attack RUF positions. The 448
24 generally meant ECOMOG jet. Whether it took off from where or
09:44:06 25 where not that was really not the concern. The code name was 448
26 for jet bombers.

27 Q. And, just like you said in Court this morning, you told the
28 Prosecution out of court that separate and apart from Sky 1 in
29 RIA, RUF were warned of approaching 448 jets by radio stations in

1 Vahun, Foya and elsewhere in Liberia, correct?

2 A. Well, I informed the Prosecution that we used to get
3 information from Vahun, Foya airfield, about 448.

4 Q. The radio station in Vahun is Victor 1, yes?

09:45:09 5 A. Yes.

6 Q. You also told the Prosecution you got information about 448
7 from Foxtrot Yankee in Foya, yes?

8 A. Yes.

9 Q. And in respect of these radio stations you referred to them
09:45:23 10 as NPFL radio stations, right?

11 A. Well, I did not tell the Prosecution any specific name
12 regarding that. All I know is that those radio stations were
13 deployed there under Charles Taylor's government.

14 Q. Madam Witness - and for counsel's benefit this is in tab 2
09:45:58 15 of the Defence bundle. This is the set of documents handed out
16 by us yesterday. Your Honours, the relevant page is page 7 going
17 into page 8, starting at the bottom of the page.

18 Madam Witness, just to be quick about this, in November
19 last year between the 19th and the 27th speaking of these events
09:46:41 20 you told the Prosecution you recall that there were
21 communications between the RUF and a Liberian radio station in
22 Foya called Foxtrot Yankee and another in Vahun - I'm now on the
23 next page, page 8 - called Victor 1 and they had you saying these
24 were NPFL stations located on the border. Did you use the words
09:47:04 25 or the acronym NPFL in association with these radio stations,
26 Madam Witness?

27 A. Yes.

28 Q. Are you aware of the fact that there was no such entity as
29 the NPFL starting towards the end of - in fact, in the middle of

1 1996, Madam Witness?

2 A. I did not understand that question.

3 Q. I will repeat it. During the time you were in Buedu,
4 indeed as far back as when you were in Kenema, there was no

09:47:45 5 entity or organisation in Liberia at that time called NPFL. Are
6 you aware of that, Madam Witness?

7 A. Well, what I know is that under Charles Taylor's government
8 they had the NPFL.

9 Q. There was something called the National Patriotic Party,
09:48:12 10 but it was not the National Patriotic Front of Liberia. Are you
11 aware of that, Madam Witness?

12 A. Well, I do not know that difference. I don't know.

13 MR ANYAH: Madam Court Officer, with your assistance could
14 we produce Defence exhibit D-25. Thank you, Madam Court Officer:

09:50:33 15 Q. Madam Witness, this is a document already exhibited before
16 this Court, Defence exhibit D-25. You see at the top it says "22
17 November" and that should be 1996 through January - sorry,
18 through 12 February 1997. At the very top it says "Liberia
19 demobilisation sites" and that is the map of Liberia. Have you
09:51:03 20 ever seen the map of Liberia before, Madam Witness?

21 A. Well, no.

22 Q. But you have been into Liberia a number of times, right?

23 A. Not so many times. I only went there at the time I went
24 there with Sam Bockarie and the area where I went to I stopped at
09:51:31 25 the border. That was - the first time I went there I stopped at
26 the border, so I have not been there for many times. I went
27 there twice.

28 Q. Since you left Liberia in the early 2000s, I think you said
29 it was 2003, have you ever gone back to Liberia, Madam Witness?

1 A. I left Liberia in 2002. Since then I have not been there.

2 Q. Are you sure you left Liberia in 2002?

3 A. Yes.

09:52:25

4 Q. Madam Witness, if I told you that Sam Bockarie is said to
5 have died on 6 May 2003, would I be mistaken?

6 A. You have done a very big mistake there, yes.

09:54:07

7 MR ANYAH: Madam Court Officer, could you please produce
8 Defence exhibit D-46. Can I first enquire if that is a
9 confidential exhibit? I am not aware of that. I hear from the
10 Court Officer that it is not and it may be published then:

11 Q. Madam Witness, this is an autopsy report in respect of
12 Sam Bockarie and may I ask that we go to page 2, which ends with
13 the ERN number 1315. Madam Witness, this concerns Sam Bockarie.
14 An autopsy was performed on his body and if you look on this page
15 you have information about him, his name, his age, and if you
16 look at the place where it says "Date of death" do you see "6th
17 May (Tuesday) 2003"?

09:54:43

18 A. Yes.

09:55:10

19 Q. Does that refresh your recollection as to when you left
20 Liberia?

21 A. Well, this is a document. I did not write it and I do not
22 even know who wrote it. Maybe somebody told the Court about it,
23 but what I know and what I saw is what I have told the Court. I
24 have nothing to do with this document.

09:55:32

25 Q. My question is did you leave Liberia in 2002 or in 2003,
26 which one?

27 A. I am still telling the Court that I left Liberia in 2002.

28 MR ANYAH: Madam Court Officer, could we please go back to
29 the map, Defence exhibit 25:

1 Q. Madam Witness, this map which comes to us from the World
2 Food Programme, a UN entity, United Nations entity, it is written
3 at the bottom of the map, shows various parts of Liberia,
4 including Vahun, Voijnama, Gbarnga, Camp Naama, Camp Schefflein,
09:56:48 5 Tubmanburg, and it shows numbers in respect of each of those
6 areas. And if you look in the centre of the map at the bottom
7 near Harper, Liberia, it is written there "Total number of
8 soldiers disarmed and demobilised 21,315."

9 Are you aware of the fact that between November and
09:57:10 10 February - November 1996 and February 1997 there was what was
11 called DDDR, Disarmament, Demobilisation, Reintegration and
12 Rehabilitation taking place in Liberia?

13 A. Well, I don't know about anything like that. I don't know
14 anything about what you have said.

09:57:38 15 Q. But your evidence is some time in 1997 through 1999 ECOMOG
16 jets were taking off from RIA and NPFL radio stations in Vahun
17 and Foya were alerting RUF positions in Sierra Leone, yes?

18 A. Yes.

19 Q. Madam Witness, have you heard the name --

09:58:13 20 MR BANGURA: Your Honours, I think the answer has gone
21 through now, but I believe my learned friend has gone back on the
22 time period that he initially put to the witness about 448 from
23 Liberia. The evidence before was '98 from the witness, but that
24 question was from '97. The witness's testimony has been that
09:58:36 25 when she was in Buedu and that was from '98.

26 MR ANYAH: If I may be heard?

27 PRESIDING JUDGE: Yes, Mr Anyah, I am just looking at the
28 record as I do recall the witness saying some time the jets
29 stopped. Mr Bangura, you have finished your objection?

1 MR BANGURA: Yes, your Honour.

2 PRESIDING JUDGE: Yes, Mr Anyah?

3 MR ANYAH: I see the point counsel is trying to make but
4 there are a number of issues here. One, it's cross-examination
09:59:05 5 and I can have some fluidity in going back and forth. Two, the
6 witness did say earlier in the sequence of questioning that even
7 before she went to Buedu they used to receive 448 alerts and some
8 of my prior questioning included her time in Kenema and I can use
9 this map for a variety of purposes; the present purpose being to
09:59:30 10 show the witness that ECOMOG was present in Liberia at a
11 particular point in time, disarmament was taking place in Liberia
12 and to use that context to pose specific questions about ECOMOG
13 jets.

14 PRESIDING JUDGE: I have no problem at all about your right
09:59:48 15 to cross-examine and put questions. I am just bearing in mind
16 that you said "your evidence has been" and I want to ensure that
17 there is an accuracy in those dates. That is the only point I
18 wish to check, Mr Anyah, and I am looking at a question - perhaps
19 it would be best, Mr Bangura, since you have raised the
10:00:12 20 objection, that you refer us to the prior evidence of the
21 witness.

22 MR ANYAH: Madam President, I appreciate the objection and
23 your Honour has said that I prefaced my question with the words
24 that the witness's evidence has been such and such.

10:00:31 25 PRESIDING JUDGE: Yes.

26 MR ANYAH: That being the case, I am more than willing to
27 reformulate and proceed.

28 PRESIDING JUDGE: Very well. That would save time and you
29 put your point to the witness, Mr Anyah.

1 MR ANYAH: Thank you, Madam President:

2 Q. Madam Witness, the map I have just shown you indicates that
3 after February 1997 there was disarmament in Liberia. Do you
4 agree?

10:01:04 5 A. Well, I don't know about that. I have no knowledge about
6 the Liberian disarmament.

7 Q. It is your evidence, is it not, that at the time when you
8 were in Buedu there were still radio stations affiliated with the
9 NPFL in Foya and Vahun alerting RUF positions in Liberia about
10 incoming 448 jets, yes?

11 A. There was a radio station at Foya and there was a radio
12 station at Vahun that always informed RUF positions about the 448
13 at the time I was in Buedu.

14 Q. And these radio stations would have been in Liberia after
10:02:02 15 the period of time that I proposed to you disarmament took place,
16 yes?

17 A. Well, I have said it that I do not know about disarmament.
18 In early '98 when I was in Buedu I did not know whether they had
19 disarmed before I went to Buedu. I don't know about that.

10:02:31 20 Q. This radio operator at RIA, Sky 1, did you tell the
21 Prosecution that he was a brother of Superman?

22 A. Yes.

23 Q. Superman was Liberian, yes?

24 A. Yes.

10:02:52 25 Q. I mean Liberian by nationality, yes?

26 A. Yes.

27 Q. And you do not recall what the call sign or radio name for
28 Sky 1's radio was, yes?

29 A. I don't recall, not at all.

1 Q. Have you ever heard the name Vandy Gbamayaji?

2 A. Yes.

3 MR ANYAH: Your Honours, part of this name have been given
4 before in prior evidence but I could spell it V-A-N-D-Y and

10:03:39 5 G-B-A-M-A-Y-A-J-I:

6 Q. Madam Witness, in what context have you heard that name?

7 A. Well, that particular name, I heard that particular name
8 and I know the person. He was a radio operator who operated the
9 SLA radio station at that time in 1997 when Sam Bockarie and I

10:04:23 10 and others were in Kenema and he was even working at the brigade
11 headquarters in Kenema. So at the time we pulled out of Kenema,
12 that is Sam Bockarie pulled out of Kenema, all of us went

13 together with Vandy Gbamayaji. So he was a radio operator and
14 Sam Bockarie assigned a radio set to him. That was a Thompson

10:04:56 15 radio set. He was in Buedu monitoring the ECOMOG communication
16 in Buedu.

17 Q. Gbamayaji you said was a radio operator for Sam Bockarie in
18 Buedu monitoring ECOMOG communications, yes?

19 A. Yes.

10:05:27 20 Q. He first became a radio operator associated with
21 Sam Bockarie when you were in Kenema, yes?

22 A. No, he was at the brigade - the Kenema brigade. That was
23 where he was working.

24 Q. He was an SLA, as in a member of the Sierra Leone Army,
10:05:49 25 yes?

26 A. Yes.

27 Q. And when we say SLA in this context, you mean the SLA that
28 became the Armed Forces Revolutionary Council, AFRC, yes?

29 A. Later, yes.

1 Q. When you refer to him as SLA he was no longer an SLA that
2 was loyal to the Government of Sierra Leone, right?

3 A. That I do not know, but he was an SLA. He was a soldier.

4 Q. You said his role was to monitor ECOMOG communication in
10:06:30 5 Buedu. Was that the only thing he did when it came to
6 monitoring, Madam Witness?

7 A. Well, that was the assignment I knew for him.

8 Q. What was the call sign of the radio he operated?

9 A. The radio did not have a call sign. They just installed
10:06:59 10 the radio. He did not call from that radio. He was just there
11 to monitor the ECOMOG net.

12 Q. You mean there was a radio in Buedu that did not have a
13 call sign?

14 A. Yes.

10:07:21 15 Q. Is it your evidence that radios that are used only for
16 monitoring do not always have call signs?

17 A. Some had call signs. Those that they could use to
18 communicate had call signs. Those that were used for monitoring
19 did not have call signs.

10:07:51 20 Q. What was Gbamayaji's code name as an operator or his, shall
21 we say, nickname?

22 A. Well, I did not know any nickname by which he was called.
23 That was the only name I knew for him.

24 Q. Gbamayaji also monitored communication about ECOMOG jets,
10:08:23 25 or 448 jets. Do you agree, Madam Witness?

26 A. Not a day did I know about that, that he monitored the
27 operations of the ECOMOG jets. I do not know about that and I do
28 not recall that.

29 Q. Do you know what a Morse - M-O-R-S-E - code is? Morse

1 code, have you heard that?

2 A. Well, I have heard that before, but I was not taught the
3 Morse code.

10:09:06

4 Q. In what context have you previously heard Morse code being
5 referred to?

6 A. Well, I only heard that there was a code known as the Morse
7 code for radio operators. They said it was - it made a sound
8 like "pin pin", something like that, but I don't know much about
9 that anyway. I do not know anything about Morse code, because I
10 was not taught Morse code. I was not taught. I don't know.

10:09:39

11 Q. Morse code was a code used by AFRC former SLA radio
12 operators. Do you agree, Madam Witness?

13 A. Well, that I don't know.

10:10:05

14 Q. There were AFRC radio stations in Buedu that transmitted
15 information to the RUF about approaching 448 jets. Do you agree,
16 Madam Witness?

17 A. I don't understand that question.

10:10:31

18 Q. I will repeat it. In both Kailahun and Kono Districts post
19 intervention, that is post February 1998, there was some
20 collaboration between AFRC and the RUF in alerting each other
21 about approaching ECOMOG Alpha Jets. Do you agree, Madam
22 Witness?

23 A. Well, I do not know about that.

24 Q. Do you know who Perry Kamara is, Madam Witness?

10:10:58

25 A. I know about King Perry, but I do not know who is Perry
26 Kamara.

27 Q. Have you ever heard King Perry being referred to as Perry
28 Kamara?

29 A. Well, I do not know his Perry Kamara name. I do not know

1 about that. I heard about King Perry, but I do not know the name
2 Perry Kamara.

3 Q. King Perry was one of the senior RUF radio operators when
4 you were with the RUF, right?

10:11:45 5 A. King Perry was a senior RUF radio operator.

6 Q. During the time you were with the RUF, correct?

7 A. Yes.

8 Q. King Perry was in the company of Gullit and others when
9 they entered Freetown on 6 January 1999, correct?

10:12:10 10 A. Well, at this time he was with Gullit. At the time they
11 entered Freetown he was with Gullit.

12 Q. Madam Witness, I am going to read you what King Perry
13 testified to before this Chamber earlier this year. For
14 counsels' benefit this was in open session on 6 February 2008.

10:12:59 15 The relevant pages are 3222, 3223, 3224 and I will jump from page
16 to page, but try and give an indication of where I am so
17 everybody can follow. Line 15, page 3222:

18 "Q. During the course of your journey to Rosos were there
19 any communications which updated you on the threats that
10:13:40 20 you were faced with?

21 A. Yes, communication was going on. Besides the troops,
22 which were the government forces and the Civil Defence
23 Forces, ECOMOG used to attack us from the air - air raid.
24 The jet was coming from Lungi and attack our positions and
10:14:04 25 it was not only us. They were attacking positions like
26 Kailahun, Kono, Koinadugu and also even as we were moving
27 it used to attack our positions, but this attack that this
28 jet was doing in our communication we had two areas how we
29 could communicate. We had radio operators. They were just

1 there to monitor on the radio the activities of ECOMOG."

2 Pause there. Madam Witness, a couple of questions. King
3 Perry told this Court that ECOMOG jets used to take off from
4 Lungi to attack their positions. Do you agree?

10:14:48 5 A. Well, I do not know. I wouldn't - I can't tell, because I
6 did not move with King Perry and others. I was in Buedu. I
7 don't know.

8 Q. King Perry told this Court that they had radio operators
9 who were just there to monitor on the radio the activities of
10 ECOMOG. Do you agree, Madam Witness?

11 A. Well, that I don't know. Maybe it happened where he was.
12 We were not at the same location, so I don't know about that.

13 Q. On the next page, same transcript, 6 February this year,
14 page 3223, starting line 3 a question is posed:

10:15:44 15 "Q. Now, in what form was this information passed on to you
16 about ECOMOG air raids?"

17 And then Perry Kamara or King Perry gives his responses
18 starting at line 7, that is where I will read from:

19 "A. For example, when the jet was coming from Freetown or
10:16:02 20 Lungi we had a particular code name for that. We called it
21 448."

22 Then if you go down to line 13 he said:

23 "The word 448 means jet has moved or it has attacked our
24 location."

10:16:20 25 On the same page, line 26, the question is posed:

26 "Q. Where were these messages coming from?"

27 A. As I was talking about monitoring communication set we
28 had a particular radio set in Buedu monitored by the AFRC,
29 that was the former SLA. That group was monitoring and

1 giving the message to the transmission."

2 Pause there. Madam Witness, Perry Kamara in saying where
3 these messages were coming from said there was a particular radio
4 set in Buedu that was monitored by the AFRC former SLAs. Do you

10:17:05 5 agree with that, Madam Witness?

6 A. Well, I have no idea about that. I was in Buedu, but I was
7 not aware about that particular radio station set. Maybe where
8 he was, maybe he called from there. Maybe somebody told him.

9 That might be his own statement. I am not saying - I am not
10:17:31 10 denying what he said, but I don't know about it because we were
11 not at the same location.

12 Q. You were not at the same location, but King Perry is
13 talking about the location where you were. King Perry is
14 speaking of Buedu and AFRC or former SLAs monitoring ECOMOG jets

10:17:57 15 and transmitting information. You were in Buedu at this time,
16 were you not, Madam Witness?

17 A. I was in Buedu at that time, but what I know about the
18 radio set is what I have told the Court. The radio station was
19 there. There was a particular set that was there to monitor. I
10:18:17 20 did not know about all what King Perry has said and he was not
21 there. Maybe he was told. And what I saw, because I was there,
22 I was present there, is what I have told the Court.

23 Q. Another witness testified before this Court in April of
24 this year, TF1-516, the date in question of the witness's
10:18:46 25 testimony, 8 April 2008, open session, page 6943. Madam Witness,
26 this is what someone else told this Court about ECOMOG jets.

27 Line 18:

28 "Q. Did you hear anything about jets during the Freetown
29 invasion?"

1 A. We had a monitoring team that was another group of
2 radio operators. Those were the SLAs. One Gbamayaji,
3 Atati and the other SLA I cannot just recall his name.
4 They were tasked with the responsibility of receiving
10:19:36 5 messages from ECOMOG and decoding that message, so that was
6 then used to be transmitted to the fighters on the
7 frontline, more especially the flying of the jet so they
8 could just say on the air 448, meaning the ECOMOG jet, or
9 let us say jet bomber was up and everybody could take
10:20:00 10 concealment."

11 Do you agree with this witness that Gbamayaji, somebody
12 named Atati were responsible for receiving and transmitting
13 messages about 448 jets?

14 A. I will not just agree with that. You are still pushing me
10:20:23 15 to somebody else's statement. I do not know about that person's
16 statement and I do not know about that person you are talking
17 about. What I heard, what I saw, is what I am saying. I have
18 nothing to do with that person's statement. I do not know.

19 Q. So I take it, Madam Witness, that you disagree that there
10:20:48 20 was a group of AFRC/SLA soldiers specifically tasked to monitor
21 and transmit messages about ECOMOG 448 Alpha Jets?

22 A. Well, I know about Vandy Gbamayaji. He was an SLA/AFRC
23 soldier and he was in Buedu monitoring, but I do not know about
24 any other group, nor do I know a group or any other people. He
10:21:26 25 was the person that I knew. Whether there were so many people, I
26 knew him and him alone.

27 Q. You have told us before that you knew Gbamayaji, but you
28 have maintained you only knew him as someone who monitored ECOMOG
29 communication. I am asking if you knew him to be somebody that

1 monitored ECOMOG communications about 448?

2 A. Well, I said he was there. Vandy Gbamayaji was there to
3 monitor ECOMOG positions or operations, but I do not know whether
4 he was there to report about the 448. But whatever that had to
10:22:16 5 do with ECOMOG operations, he monitored those and then reported
6 to Sam Bockarie, so I don't know whether there were some other
7 people attached to him with whom he did the same job.

8 Q. Do you agree with the proposition that within Sierra Leone,
9 forgetting Liberia, the AFRC and the RUF had a structure in place
10:22:41 10 to monitor 448 Alpha Jets?

11 A. Well, that I do not know.

12 Q. My question was do you agree with that proposition, not
13 whether you know or not?

14 A. Well, repeat your question because it was not clear to me.

10:23:12 15 Q. I will. The question is do you agree with this statement
16 that within Sierra Leone during the time you were in Buedu the
17 RUF worked with the AFRC to put in place radio operators that
18 would monitor the movements of ECOMOG 448 Alpha Jets?

19 A. Well, I am still stressing that I do not know about any
10:23:41 20 specific radio station. The person I know is Gbamayaji. He was
21 monitoring ECOMOG activities and in the end report to
22 Sam Bockarie.

23 Q. Do you include amongst this phrase "ECOMOG activities" that
24 he was monitoring the movement of ECOMOG Alpha Jets?

10:24:08 25 A. Well, when we say ECOMOG activities, it might include that,
26 or it might not include that. Only what I know is that he was
27 monitoring ECOMOG activities and at the end report to
28 Sam Bockarie.

29 Q. Madam Witness, have you heard the name I mentioned before,

1 the name that was given by TF1-516, the other name of a radio
2 operator called Atati, A-T-A-T-I? Have you heard that name
3 before?

4 A. I do not recall.

10:25:12 5 Q. Are you persistent in maintaining that you are not sure
6 whether or not Gbamayaji monitored 448 because you want this
7 Court to believe that the monitoring of 448 was only done in
8 Liberia?

9 A. Well, I will still say this: Gbamayaji was monitoring
10:25:33 10 ECOMOG activities in Sierra Leone and at the end report to
11 Sam Bockarie. Maybe he monitored about the ECOMOG jets and
12 reported it, or maybe he reported some other things that he
13 monitored. I do not want to point specifically to that. All I
14 know is that he monitored ECOMOG activities and at the end report
10:26:01 15 to Sam Bockarie.

16 Q. And the reason you do not wish to be specific, I am putting
17 it to you, Madam Witness, is because you want this Court to
18 believe that monitoring was only done in Liberia; true or false?

19 A. Well, I will not just agree with you and I will not
10:26:22 20 disagree with you like that, but I know that Gbamayaji monitored
21 ECOMOG activity and in the end would report to Sam Bockarie and
22 that might be the ECOMOG jet or whatsoever movement that ECOMOG
23 undertook that he reported to Sam Bockarie, as well as - and I
24 want to assure the Court that we used to get reports about the
10:26:47 25 448 from Monrovia, or from Liberia to Sierra Leone.

26 Q. I am not arguing with you whether or not you used to get
27 these reports from Liberia. I am suggesting to you you want this
28 Court to believe you only got them from Liberia and not from
29 within Sierra Leone. Do you agree?

1 A. I have answered that question and you are still pushing me
2 there. You are confusing me. I have already answered that
3 question.

4 Q. Do you know Zedman, Sahr James, right?

10:27:35 5 A. I know him.

6 Q. Another senior RUF radio operator, correct?

7 A. Yes.

8 Q. At one point Zedman was based at Lungi monitoring ECOMOG
9 jets. Do you agree, Madam Witness?

10:27:54 10 A. Well, I don't know. I never heard about that. I am only
11 hearing that from you now.

12 Q. Well, let me rephrase that because I might stand to be
13 corrected. Do you agree with this proposition, Madam Witness,
14 that at some point Zedman had the responsibility of monitoring
10:28:17 15 the flights of ECOMOG Alpha Jets that were taking off from Lungi
16 International Airport in Sierra Leone?

17 A. Well, I do not know about that.

18 Q. Have you heard the name Victor Malu before, Madam Witness?

19 A. Well, I do not recall any more.

10:29:00 20 Q. Was there a radio operator by the name of Sita, S-I-T-A,
21 that you know of?

22 A. Well, I do not recall.

23 Q. You have heard the name Abu Keita before, have you not?

24 A. Yes.

10:29:22 25 Q. Who is Abu Keita, Madam Witness?

26 A. Well, I came to know Abu Keita in Buedu as a ULIMO, but I
27 do not know who he was.

28 Q. Abu Keita was ULIMO. You agree with that, yes?

29 A. That was what I heard.

1 Q. Abu Keita was Mandingo, yes?

2 A. Yes.

3 Q. Abu Keita testified before this Court in January of this
4 year. On 23 January of this year he said something about ECOMOG
10:30:20 5 Alpha Jets. I will read it to you from - your Honours, for
6 everyone's benefit, the transcript of 23 January 2008 at page
7 2024, at line 12 - actually at line 18 the question was posed to
8 Abu Keita:

9 "Q. Was there any strategy involving radios?

10:30:55 10 A. The strategy was the monitor. Zedman monitored the
11 radio stations from the Nigerian ECOMOG who were based in
12 Lungi. Also, Memunatu and Sita, they monitored from
13 Monrovia. If a jet takes off from Monrovia on the RIA
14 because Victor Malu who was the first commander was staying
15 in Monrovia, so they will call 448 so the radio operator
16 would ring a bell and everybody would escape. That was the
17 only strategy that I knew about."

18 Did you hear what I just read as said by Abu Keita, Madam
19 Witness?

10:31:38 20 A. Yes, I have heard it.

21 Q. Abu Keita is saying that jets also flew from Lungi airport
22 and that Zedman monitored the flights of those jets. Do you
23 agree?

24 A. Well --

10:31:57 25 PRESIDING JUDGE: Pause, Madam Witness. Are you asking the
26 witness if he said that, or are you asking if there was
27 monitoring of the flights, Mr Anyah?

28 MR ANYAH: I understand the distinction:

29 Q. Do you agree with what Abu Keita has said that there was

1 monitoring of flights taking off from Lungi International
2 Airport?

3 A. Well, I cannot just agree with that. That was what he said
4 and that is his statement and in fact all what he said there, I
10:32:35 5 do not know anything about it, but that is his own statement.
6 That was what he said in Court here. I am not saying he lied.
7 And what I know and what I heard is what I am telling the Court.
8 I do not know anything about what Abu Keita said or what he knew.

9 Q. Do you agree with Abu Keita when he says that Zedman used
10:33:02 10 to monitor the flights of jets from Lungi airport?

11 A. That was what he said, but I do not know anything about
12 that.

13 Q. Have you ever been to Roberts International Airfield in
14 Monrovia, Madam Witness?

10:33:25 15 A. I have never been there.

16 Q. Have you ever been to any airport, Madam Witness?

17 A. I have been to the Lungi airport and - why are you smiling?
18 And I have been to Brussels airport.

19 Q. You did fly on a plane to get here, right, Madam Witness?

10:34:00 20 A. Yes.

21 Q. At Lungi airport, using it as an example, when a plane
22 takes off if someone were somewhere in a farm near Lungi would
23 they be able to see that plane taking off?

24 A. Farm? Which farm are you referring to?

10:34:24 25 Q. Let's forget farm as an example. If you were in the
26 terminal of Lungi airport, or somewhere in the premises of Lungi
27 airport, and you saw a plane taking off - rather and a plane took
28 off or landed, would you be able to see it?

29 MR BANGURA: Your Honours, I am not sure where we are

1 going, but it seems like we are dwelling in the realm of
2 speculation here now. The witness has not said that she - I
3 don't know whether counsel wants to lay that sort of foundation,
4 but we do not have the witness in any situation where she says
10:35:03 5 she has been standing and seeing a plane take off. We are
6 dwelling on speculation.

7 PRESIDING JUDGE: I think counsel is entitled to put that
8 question. He is asking something that she may or may not have
9 done, but he is asking her to say if she could have seen if she
10:35:23 10 was in that situation. She has already told us she was at Lungi,
11 so I think counsel is entitled to put that question.

12 MR ANYAH: Thank you, Madam President:

13 Q. Madam Witness, when you were at Lungi did you see any
14 planes take off or land at that airport?

10:35:45 15 A. The day when I said I was at Lungi, it was at the time that
16 I was coming here that I entered Lungi. That was my first time
17 of going to Lungi. I have not lived in Lungi before. I was
18 passing through.

19 Q. My question is not whether you have lived there. My
10:36:03 20 question is not whether you were passing through. My question is
21 not whether that was the first time you were there. My question
22 is this time you were there did you see any planes take off or
23 land?

24 A. I can only come out to see or want to see if I had any
10:36:29 25 interest over that particular plane.

26 Q. I am not asking you whether you had an interest in a plane
27 landing or taking off.

28 PRESIDING JUDGE: Madam Witness, the question is not
29 difficult. You have told us you were at Lungi. When you were

1 there, did you see a plane take off from the airport or did you
2 see a plane land at the airport?

3 THE WITNESS: Well, I cannot remember that.

4 MR ANYAH:

10:37:03 5 Q. Have you ever seen a plane take off or land anywhere else
6 before, whether it be Lungi, Brussels or when you arrived here in
7 Holland at another airport?

8 A. Repeat that question.

9 MR ANYAH: Madam President, to be fair to the witness it
10:37:23 10 may be possible that she did not arrive at Schiphol, so I will
11 rephrase the question:

12 Q. Madam Witness, have you ever seen a plane take off or land
13 in either Lungi or Brussels airport?

14 A. Well, because I saw myself in, I entered the plane and we
10:37:44 15 took off and then we landed.

16 Q. When someone is at Lungi airport is there anything
17 obstructing their view of the runway that planes land and take
18 off from?

19 A. Well, I can't tell that. I do not know about that.

10:38:06 20 Q. When you were at Lungi were you able to look out and see
21 the runway on which planes take off or land on?

22 A. Except at the time when we came out to board the plane. My
23 attention was not there. My attention was just on my travel. I
24 was not even thinking about all of that. I was not paying
10:38:35 25 attention to all of that.

26 Q. When Abu Keita says Memunatu Deen and others monitored
27 Alpha Jets at Roberts International Airfield, do you agree that
28 that in fact did take place?

29 A. Well, I don't know that.

1 Q. Fair enough. Madam Witness, switching topics, let's talk
2 about Johnny Paul Koroma for a minute. You testified about
3 Johnny Paul Koroma and events that took place post intervention,
4 that is after ECOMOG removed the junta from power in February of
10:39:35 5 1998. Do you recall talking to us about Johnny Paul Koroma,
6 Madam Witness?

7 A. Yes.

8 Q. After the intervention you told us that Johnny Paul Koroma
9 went to Kono, yes? Did you get the question?

10:40:00 10 A. No, I didn't get the question.

11 Q. After ECOMOG drove out the junta forces from power it is
12 true, is it not, that Johnny Paul Koroma went and was based in
13 Kono?

14 A. Well, I can't recall that. I do not recall saying that.

10:40:24 15 PRESIDING JUDGE: Madam Witness, it is not whether you said
16 it. It is do you know if that happened.

17 THE WITNESS: I said no, no.

18 MR ANYAH: May I have the assistance of Madam Court
19 Officer.

10:40:48 20 PRESIDING JUDGE: Sorry, Mr Anyah, I have just re-read your
21 question and you did put it to her that she had said it before.
22 I revoke what I said and please put the question again.

23 MR ANYAH: May I have the assistance of Madam Court
24 Officer? Madam President, I just received a note from the Court
10:41:23 25 Management Officer reminding me of the two documents I asked to
26 be marked for identification this morning that they do have some
27 identifying information and I did not make the additional
28 application that they should be treated confidentially, so I
29 would respectfully ask that MFI-4 and MFI-5 be treated

1 confidentially, your Honours.

2 PRESIDING JUDGE: Yes, they will be confidential. Thank
3 you, Mr Anyah.

4 MR ANYAH: I would like to refer your Honours and counsel

10:41:53 5 opposite to the Defence bundle of documents, tab 2, page 5:

6 Q. Madam Witness, these are records kept by the Office of the
7 Prosecutor of interviews they had with you between 19 and 27
8 November last year and I was just asking you now about Johnny
9 Paul Koroma and whether or not he was based in Kono post

10:42:40 10 intervention in 1998 and here is what you told the Prosecution at
11 paragraph 15: "Witness said in February 1998 after the AFRC led
12 by JPK were chased out of Freetown, JPK and troops went to Kono".
13 Did you tell the Prosecution that last year when you spoke, Madam
14 Witness?

10:43:10 15 A. Yes.

16 Q. It is true then, Madam Witness, that he was in Kono post
17 intervention, yes?

18 A. Well, he passed through Kono, but he did not stay there.

19 Q. In any event, you told us in court of a sequence of events
10:43:30 20 whereby you overheard Sam Bockarie speaking with Eddie Kanneh and
21 this communication pertained to bringing Johnny Paul Koroma to
22 Buedu where you were, yes?

23 A. Yes.

24 Q. Indeed Johnny Paul Koroma was to be brought from Kono to
10:43:55 25 Kailahun and on to Buedu, correct?

26 A. Yes.

27 Q. What was the reason for Johnny Paul Koroma to be brought to
28 Buedu?

29 A. Well, I said it that day in this Court. Sam Bockarie said

1 he had heard an instruction from Benjamin Yeaten saying that
2 Sam Bockarie should use all possible means for Johnny Paul Koroma
3 to come to Buedu, that he had something for them. He said that
4 was an instruction he had gotten from Benjamin Yeaten saying that
10:45:25 5 Charles Taylor said Benjamin Yeaten should tell Sam Bockarie to
6 tell Johnny Paul Koroma to come to Buedu, that he had something
7 for them.

8 Q. And you told us in court that the something in question was
9 diamonds, yes?

10:45:47 10 A. Yes.

11 Q. And you also told us in court that it was not only Charles
12 Taylor that had this conversation - well, rather I will rephrase
13 it. You told us that the original conversation took place
14 between Foday Sankoh and Charles Taylor, yes?

10:46:08 15 A. Yes.

16 Q. So there were about three conversations that took place;
17 The first one between Foday Sankoh and Charles Taylor, yes?

18 A. Yes.

19 Q. The second one between Charles Taylor and Benjamin Yeaten,
10:46:32 20 yes?

21 A. Yes.

22 Q. The third one between Benjamin Yeaten and Sam Bockarie,
23 yes?

24 A. Yes, and the other one was between Sam Bockarie and Eddie
10:46:53 25 Kanneh.

26 Q. That was the one you heard. Four conversations we have
27 going on, yes?

28 A. Well, the other one was where Sam Bockarie - during the
29 conversation between himself and Eddie Kanneh, he said he was

1 instructing Superman just after they had eaten to come with
2 Johnny Paul Koroma.

3 Q. Madam Witness, you were not present when this conversation
4 allegedly took place between Foday Sankoh and Charles Taylor,
10:47:38 5 were you?

6 A. Well, I was not there. I was at a distance. I was not
7 standing there.

8 Q. Are you saying Foday Sankoh was in Buedu at this time?

9 A. I said I was not there at the time that the conversation
10:47:58 10 was going on between Foday Sankoh or Sam Bockarie. I was not
11 there. It was between Sam Bockarie and Benjamin Yeaten, between
12 Sam Bockarie and Eddie Kanneh.

13 Q. Madam Witness, let's take it slowly. I understand why you
14 may be confused in this circumstance. The first conversation,
10:48:29 15 Foday Sankoh speaks with Charles Taylor. This is what you say
16 you heard Sam Bockarie tell Eddie Kanneh. My question is when
17 that conversation took place you were not there, do you agree?

18 PRESIDING JUDGE: Which conversation, Mr Anyah?

19 MR ANYAH: The conversation between Foday Sankoh and
10:48:46 20 Charles Taylor:

21 Q. Do you agree you were not there?

22 A. I was not there.

23 Q. Do you agree that you were not present when Benjamin Yeaten
24 was told about the wishes of Foday Sankoh and Charles Taylor?

10:49:06 25 A. Repeat that question.

26 Q. Somebody had to tell Benjamin Yeaten what Charles Taylor
27 and Foday Sankoh wanted done. You were not present when Benjamin
28 Yeaten knew that this is what Foday Sankoh and Charles Taylor
29 wanted?

1 A. At that time I was in Buedu.

2 Q. Benjamin Yeaten was not in Buedu at that time, correct?

3 A. He was in Monrovia.

4 Q. The transmission of this information about bringing JPK,

10:49:51 5 Johnny Paul Koroma, to Buedu you say was done through radio

6 communication between Benjamin Yeaten and Sam Bockarie, yes?

7 A. No, it was over a satellite.

8 Q. But it was done between Benjamin Yeaten and Sam Bockarie

9 over a satellite telephone, yes?

10:50:18 10 A. Repeat that.

11 Q. We agree with each other that Yeaten communicated the

12 wishes of Sankoh and Taylor to Bockarie by way of satellite

13 phone, yes?

14 A. Yes.

10:50:38 15 Q. Madam Witness, when did you overhear Sam Bockarie speaking

16 to Eddie Kanneh?

17 A. In Buedu.

18 Q. I said when. Which month? Which year?

19 A. It was in 1998.

10:51:02 20 Q. What month in 1998, Madam Witness?

21 A. I can't recall any more.

22 Q. Are you aware of the fact, Madam Witness, that Corporal

23 Foday Sankoh was in detention in Nigeria starting on 2 March

24 1997?

10:51:29 25 A. Well, I can recall that he was in Nigeria in 19 - I knew

26 that he was in Nigeria in detention, but I did not know the time.

27 I don't know how he was there.

28 Q. Are you aware of the fact that this Court has found as a

29 fact, no disputing this, that in July 1998 Foday Sankoh was

1 transferred from the custody of the Nigerian government to the
2 custody of the Sierra Leonean government?

3 A. Well, I do not know, but it could be that it's the truth
4 that the Court has found out, but I don't know about that.

10:52:20 5 Q. Are you aware that from the time he was taken in custody in
6 Nigeria in March 1997 through his hand over to the Sierra Leonean
7 government in July 1998 that Foday Sankoh was not at any point
8 free during that period of time?

9 A. Well, all I know is that he was under detention at that
10:52:47 10 time, but I do not know all that you have told me except that you
11 are telling me now.

12 Q. Are you aware of the fact that he stayed detained after
13 being handed over to Sierra Leone in July 1998? In October 1998
14 he was tried for treason in Freetown, found guilty and sentenced
10:53:06 15 to death. Are you aware of that, Madam Witness?

16 A. Well, I knew later that he was in Freetown, but I did not
17 know all those times what had happened. I did not know. I had
18 no idea about that.

19 Q. Are you aware of the fact, Madam Witness, that Foday Sankoh
10:53:30 20 was not released from custody until some time in April of 1999
21 before he headed off to Lomé, Togo, for the Lomé Peace Agreement?

22 A. I do not understand that area.

23 Q. The question is this: Foday Sankoh, I propose to you, was
24 in custody in both Nigeria and Sierra Leone during the entire
10:53:59 25 period of 1998. How do you suppose he had conversations with

26 Charles Taylor about Johnny Paul Koroma being brought to Buedu?
27 A. Well, that was what I heard from Sam Bockarie. I did not
28 know anything about that.

29 Q. In your statements, Madam Witness, there is something that

1 is noteworthy. When you first spoke with Prosecution about this
2 issue - and I will need the assistance of Madam Court Officer.
3 The first document, this is in reference to the Defence set of
4 documents, tab 2, page 5, I think we were just there, paragraph
10:55:43 5 16.

6 Madam Witness, the Prosecution records what you tell them
7 and the first time you spoke with them about this they had you
8 saying - and this is the third full sentence in paragraph 16:

9 "Bockarie was telling Eddie Kanneh that Foday Sankoh and
10:56:10 10 Charles Taylor had given instructions which Benjamin Yeaten
11 communicated to Sam Bockarie that JPK should be brought to Buedu
12 as he has something for them."

13 When you first spoke with them, the typed-up notes confirm
14 that you used the phrase, "Foday Sankoh and Charles Taylor had
10:56:30 15 given instructions".

16 Now the next time they have you as discussing this same
17 issue, that appears in tab 4 at pages 3 and 4. Tab 4, page 3
18 onto page 4. Paragraph 16, tab 4, page 3. Tab 4 contains notes
19 from your interviews with the Prosecutor on 5 and 6 March 2008
10:57:21 20 and it reads, starting on paragraph 16:

21 "After this discussion Sam Bockarie told Eddie Kanneh who
22 had arrived earlier that Bockarie has spoken with Benjamin
23 Yeaten" - and we are now on page 4 - "and had sent Superman to
24 make sure JPK or Johnny Paul Koroma is safely brought to Buedu."

10:57:45 25 And then a few lines down it says:

26 "Further, Bockarie said that Benjamin Yeaten told
27 Sam Bockarie that Charles Taylor had discussed that Sam Bockarie
28 should make sure that JPK be brought to Buedu."

29 The second set of notes they have, one name is omitted

1 regarding who gave the instructions. Foday Sankoh's name does
2 not appear in your second set of interview notes, the typed-up
3 version. And if we go to the handwritten notes from the same
4 interview, page 13, the same interview of March 5 and 6 of this
10:58:30 5 year, at page 13 we see what the Prosecution's note taker wrote
6 and we compare it to what was typed up. Page 13 at the bottom of
7 the page, it says that specifically, "Benjamin Yeaten told
8 Sam Bockarie that Foday Sankoh and Charles Taylor had discussed
9 that Sam Bockarie" and then it goes over and I believe a line is
10:59:06 10 cut at the end of the page the way it's copied.

11 Madam Witness, what we have is an interview in March of
12 this year where the typed-up version says instructions came from
13 only Charles Taylor. The handwritten version says instructions
14 came from Foday Sankoh and Charles Taylor. Do you know what
10:59:25 15 happened here, Madam Witness? What did you tell the Prosecution?

16 A. This was a conversation that took place between two people,
17 Foday Sankoh and Charles Taylor.

18 Q. So when their typed-up notes omit Foday Sankoh's name and
19 only says the instructions came from Charles Taylor, that is not
10:59:56 20 what you told them, right?

21 A. It was Charles Taylor who instructed. The two of them
22 cannot pass that same instruction at the same time. Charles
23 Taylor instructed Benjamin Yeaten about the conversation that
24 took place between Charles Taylor and Foday Sankoh. It was
11:00:22 25 Charles Taylor who passed the instruction to Benjamin Yeaten
26 before Benjamin Yeaten could pass it on to Sam Bockarie.

27 Q. Well, I take your point. You said Charles Taylor was the
28 one who did this instruction. We leave it for the sake of
29 argument. The question goes more so to the discussion. What did

1 you tell the Prosecution when you met with them in March about
2 the decision to move Johnny Paul Koroma to Buedu? Was that
3 decision made between Benjamin Yeaten - between Foday Sankoh and
4 Charles Taylor, or was it only Charles Taylor that was involved
11:01:01 5 in that?

6 A. Well, I can't know that now. The way you have put the
7 question, I have not understood it.

8 Q. Fair enough. Fair enough. The first set of discussions
9 that ever took place about JPK being brought to Buedu, on the
11:01:28 10 basis of what you heard from Sam Bockarie, was between Foday
11 Sankoh and Charles Taylor, correct?

12 A. Repeat it once again.

13 Q. On the basis of what you heard Bockarie tell Kanneh in
14 Buedu, the first set of discussions - the first two people to
11:01:52 15 talk about bringing JPK to Buedu were Foday Sankoh and Charles
16 Taylor, right?

17 A. Yes, when they spoke.

18 Q. And when you met with the Prosecution this March that's
19 what you told them, correct?

11:02:11 20 A. You have the document, yes.

21 Q. That was not my question. Is that what you told them in
22 March of this year, Madam Witness?

23 A. I can still recall, yes.

24 Q. Do you know why their document that they typed up of your
11:02:31 25 meetings with them omits Foday Sankoh's name? Do you know why
26 that happened?

27 A. Well, anybody can forget. Maybe they forgot.

28 Q. Do you see that the handwritten version of their notes of
29 your interviews includes Foday Sankoh's name?

1 A. Yes, it was a discussion that took place between two
2 people, between Foday Sankoh and Charles Taylor, but Charles
3 Taylor it was who passed the mandate - I mean the instruction to
4 Benjamin Yeaten before Benjamin Yeaten could pass it on to
11:03:24 5 Sam Bockarie at that time.

6 Q. Now after you heard this conversation between Bockarie and
7 Eddie Kanneh, Bockarie instructed Superman via radio to bring
8 Johnny Paul Koroma to Buedu, correct?

9 A. Yes.

11:03:44 10 Q. And Johnny Paul Koroma in fact did come to Buedu, true?

11 A. Yes.

12 Q. Did he come alone, or did he come with others?

13 A. He came with other people.

14 Q. Were some of the others his family members?

11:04:08 15 A. He came with his family members and soldiers.

16 Q. And some of the people he came were Mike Lamin, Rambo,
17 Junior, Leather Boot, Control and somebody called Lager,
18 correct?

19 A. He came with Lager, Leather Boot, Control, his wife and
11:04:38 20 many other soldiers that I cannot recall now.

21 Q. But you told the Prosecution previously he came with Mike
22 Lamin, Rambo and Junior, correct?

23 A. They could all be there.

24 Q. I am not asking you if they could all be there. I am
11:04:57 25 asking you what you told the Prosecution. Did you tell them out
26 of court that JPK came with Mike Lamin, Rambo and Junior?

27 A. Rambo came, Junior came, yes.

28 Q. And Mike Lamin, did he come with Johnny Paul Koroma?

29 A. Well, he could be there, but I could not recall that name,

1 Mike Lamin, but he could be there.

2 Q. I insist on an answer, Madam Witness. It is not whether he
3 could. What did you tell the Prosecution about Mike Lamin? Did
4 you say he came with Johnny Paul Koroma to Buedu?

11:05:42 5 A. Yes, it's there.

6 Q. Not it's there. Was he there?

7 A. That's what I am saying. Yes, I have answered.

8 Q. Within two weeks of Johnny Paul Koroma, his arrival in
9 Buedu, you told us in court that Issa Sesay raided Sam Bockarie's
10 house, correct?

11:06:04

11 A. He raided Johnny Paul, yes.

12 Q. Johnny Paul Koroma was housed in a bedroom of
13 Sam Bockarie's, correct?

14 A. Yes.

11:06:27

15 Q. Was Issa Sesay living next door to Sam Bockarie at the time
16 of this incident?

17 A. Well, at the house opposite Sam Bockarie's house, that was
18 where Issa Sesay lived.

19 Q. What was the reason for Issa Sesay attacking Johnny Paul
20 Koroma?

11:06:54

21 A. Well, I understood that Rambo told Sam Bockarie that Johnny
22 Paul Koroma had come with a lot of diamonds and he wanted to hide
23 to go to Monrovia. That was the cause of the raid.

24 Q. Rambo, are you referring to Boston Flomo, RUF Rambo?

11:07:30

25 A. No, there was one Rambo whom they said had been an ECOMOG
26 before who was an SLA. He and Johnny Paul came and others came
27 from Freetown. I did not know his full name, but that was the
28 name I knew for him, Rambo.

29 Q. This is AFRC Rambo, not Boston Flomo, RUF Rambo, yes?

1 A. Well, I don't know that. Boston Flomo, I do not understand
2 that. I do not know that person. I do not know that name for a
3 person.

4 Q. In any event, Madam Witness, when Issa raided
11:08:16 5 Sam Bockarie's house shots were fired inside a house, correct?

6 A. Yes.

7 Q. There was panic all over the place, yes?

8 A. There was no panic. People were panic stricken. Everybody
9 was panic stricken, even those who did not know about it.

11:08:46 10 Everybody was panic stricken.

11 Q. Armed men surrounded Sam Bockarie's house, yes?

12 A. Yes.

13 Q. When it all started Sam Bockarie was still present on his
14 premises, yes?

11:09:02 15 A. No.

16 Q. You told us in court that Sam Bockarie left and went
17 somewhere not far from his residence, but I want to be clear
18 about this. When the events started, the raid on his property,
19 was he present?

11:09:29 20 A. Well, he was not present.

21 Q. Do you stand by that answer, Madam Witness?

22 A. Yes, he was not present at the raid. He left.

23 Q. Have you told the Prosecution something different outside
24 of court?

11:09:59 25 A. If I did not tell them? I have not understood.

26 Q. Did you tell the Prosecution outside of court that
27 Sam Bockarie was present, but he did not do much?

28 A. Well, he did not appear. He was in Buedu, but he did not
29 appear there. He was not at the scene.

1 PRESIDING JUDGE: Madam Witness, the question is about what
2 you told the Prosecution. If you did not understand that point I
3 will ask counsel to put the question again.

4 THE WITNESS: Sam Bockarie was in Buedu.

11:10:32 5 PRESIDING JUDGE: What did you tell the Prosecution?

6 THE WITNESS: I said he was in Buedu, but he did not do
7 anything during the raid. He did not do anything.

8 PRESIDING JUDGE: I am not sure if that answers your
9 question, Mr Anyah, but --

11:10:50 10 MR ANYAH: I will pursue it:

11 Q. We know you now tell us in court that Sam Bockarie was
12 present in Buedu. That's not my question.

13 A. Yes.

14 Q. I am talking about your interview with the Prosecution
11:11:02 15 between 19 and 27 November of last year. I am asking you what
16 you told them. When you spoke with them last year did you tell
17 them Sam Bockarie was at that house when the raid started and
18 then he left after it started? Did you tell them that?

19 A. Well, I told them that. Yes, I told them that Sam Bockarie
11:11:25 20 was there, he was at the house, but he left. But he was not at
21 the house when the raid started. He was at the house before the
22 raid, but he left.

23 Q. Did you tell them he was at the house when the raid
24 started?

11:11:47 25 A. Well, I said he was at the house before the raid started,
26 but he was not present when the raid commenced.

27 Q. Sam Bockarie at this time was the overall general in charge
28 - well, the overall commander of the RUF forces, yes?

29 A. Yes.

1 Q. I will read to you what you told the Prosecution last
2 November. For everyone's benefit I am reading from page 6 in tab
3 2, paragraph 19. Madam Witness, this is what you told the
4 Prosecution:

11:12:55 5 "Two weeks after JPK arrived in Buedu I was in
6 Sam Bockarie's room. There was an attack at the residence
7 against JPK by armed men under the command of Issa Sesay.
8 Sam Bockarie was there, but did not do much. The armed men
9 surrounded the house. Sam Bockarie then left the house for
11:13:21 10 another place unknown to the witness leaving Issa Sesay and the
11 others to raid the house. The attackers fired shots in the air
12 that caused the witness and others to flee into the bush, leaving
13 JPK and family in the house."

14 You told them when you spoke with them in November Bockarie
11:13:45 15 was there, the raid started, he didn't do much, he then left. Do
16 you agree, Madam Witness?

17 A. I still disagree. I said Bockarie was there, but he was
18 not there when the raid commenced. He had left before the
19 shooting started.

11:14:08 20 Q. Did Sam Bockarie's house sustain any damages with the shots
21 being fired inside by Issa Sesay and his men?

22 A. Yes.

23 Q. Did Sam Bockarie take Issa Sesay to task or punish him in
24 any way for destroying his property?

11:14:33 25 A. No.

26 Q. [Redacted]

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11:25:12 5 PRESIDING JUDGE: I will leave counsel to clarify that.

6 MR ANYAH: Yes, I will pursue this. I just make the
7 observation that there was a manner in which I phrased my
8 question recalling that this initially took place previously in
9 private session, but now that we get into more details I may

11:25:34 10 pursue it in private session at a later time, not at this
11 particular point. If your Honours wish for me to go into private
12 session to complete this line of enquiry, I would be happy to do
13 so, I am just respectful of the prior course of conduct.

14 PRESIDING JUDGE: If you think it is appropriate to make an
11:25:53 15 application for private session you may do so, of course.

16 MR ANYAH: Then I would make the application now since the
17 issue is fresh in everyone's minds, or perhaps after the break.

18 PRESIDING JUDGE: Mr Bangura, you have heard the
19 application?

11:26:06 20 MR BANGURA: Your Honours, the Prosecution does not oppose
21 the application.

22 [Trial Chamber conferred]

23 Your Honours, while I am on my legs, this is related to
24 evidence that has already come out. It's on the point of
11:26:22 25 spelling the name that came out. Perhaps we could get counsel to
26 ask the witness to help with the spelling.

27 [Redacted]

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1 MR ANYAH: That was already on the record and I don't think
2 it need be spelt in open session in any event.

3 PRESIDING JUDGE: As you have correctly observed we are
4 very close to the break. I think there is only a little more
11:26:48 5 than a minute or so left and we will go into private session, but
6 I think it would be appropriate to have that implemented and then
7 recommence cross-examination after the break.

8 Madam Witness, we are going to ask you some questions in
9 private, but we are going to do so after we have our mid-morning
11:27:08 10 break because it is now time for the break. Court will adjourn
11 and will resume at 12 o'clock. Please adjourn court.

12 [Break taken at 11.30 a.m.]

13 [Upon resuming at 12.00 p.m.]

14 PRESIDING JUDGE: Before we go into private session, for
11:59:31 15 purposes of the rules, I inform any members of the public and
16 monitors that are listening that the next part of the evidence
17 will not be heard by the public or monitors as we are in private
18 session. People will be able to see in, but not hear. This is
19 for reasons of security of the witness.

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21 [At this point in the proceedings, a portion of
22 the transcript, pages 15927 to 15960, was
23 extracted and sealed under separate cover, as
24 the proceeding was heard in private session.]

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1 [Open session]

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

3 PRESIDING JUDGE: Thank you. Please proceed.

4 MR ANYAH: Thank you, Madam President:

13:26:52 5 Q. Madam Witness, when last you worked how much were you
6 making in a month?

7 A. Well, I used to get 250,000 Leones per month.

8 Q. And since you became a witness in this case, it is true, is
9 it not, that you have received money from the Special Court, yes?

13:27:32 10 A. Yes.

11 Q. You have received money from what is called the Witness and
12 Victims Section of the Special Court, correct?

13 A. Yes.

14 Q. You have also received money from the Office of the
13:27:54 15 Prosecutor, yes?

16 A. I do not understand.

17 Q. When you meet with the Prosecution for interviews,
18 sometimes you would be given money for one purpose or the other,
19 correct?

13:28:15 20 A. Yes, they used to give me transportation fares.

21 Q. Do you know how much you have received from the Office of
22 the Prosecutor since you became a witness in this case?

23 A. Well, I can recall 60,000 Leones and a cell phone.

24 Q. Madam Witness, when you go to Freetown and you change
13:28:50 25 Leones into United States dollars it usually goes for 3,000
26 Leones equals one US dollar. Are you aware of that?

27 A. Well, I have not changed dollar there yet.

28 Q. Are you aware of how much the 250,000 Leones you made each
29 month equals in US dollars? Does \$83 sound about right to you,

1 Madam Witness?

2 A. Well, I don't know, except if I can - except I sit after
3 here and write down how much it is, because I do not know the
4 rate right now.

13:29:42 5 PRESIDING JUDGE: Mr Anyah, we are just up to our normal
6 lunch break time.

7 MR ANYAH: Yes.

8 PRESIDING JUDGE: So if it is convenient, we will adjourn.

9 MR ANYAH: That is fine, Madam President.

13:29:52 10 PRESIDING JUDGE: Madam Witness, it is now lunchtime and we
11 are going to adjourn court until half past 2. Do you understand?

12 THE WITNESS: Okay.

13 PRESIDING JUDGE: Please adjourn court.

14 [Lunch break taken at 1.30 p.m.]

14:26:21 15 [Upon resuming at 2.30 p.m.]

16 PRESIDING JUDGE: Good afternoon. As you will see, the
17 witness is not in the witness stand. We have been informed over
18 the course of the lunch break that the witness has told the
19 Victims and Witness Support Unit that she needs to have medical
14:29:12 20 attention and an urgent appointment has been arranged for her
21 during the course of the afternoon. However, given the time et
22 cetera, it's clear she's not likely to be back this afternoon.
23 In the light of that, the witness is your witness, Mr Bangura -
24 oh, Ms Hollis, yes?

14:29:32 25 MS HOLLIS: Thank you, Madam President. Madam President,
26 we do have another witness and of course are prepared to proceed.
27 The Victim Witness Unit would need to bring the witness forward.
28 However it would be our preference, in light of the fact that we
29 only have two hours left today, to wait and see if the witness is

1 able to come tomorrow so that we can finish her. If she's unable
2 to come tomorrow, then of course we would be prepared to proceed.
3 That would be our preference, but we're in the Court's hands as
4 to what you decide.

14:30:02 5 PRESIDING JUDGE: Thank you, Ms Hollis. Have you anything
6 - oh, sorry, Mr Griffiths.

7 MR GRIFFITHS: Not at all, Madam President. Madam
8 President, of course we all find this situation extremely
9 inconvenient because I'm sure we're all anxious to get on with
10 the proceedings but, bearing in mind the illness of this
11 particular witness and also sadly the absence of Justice
12 Sebutinde today, we consider it totally inappropriate to start
13 another witness in the absence of Justice Sebutinde. I mean
14 different considerations might apply with the current witness
14:30:35 15 where Justice Sebutinde was at least present for some of that
16 testimony, but I do think it would be inappropriate to start a
17 fresh witness now in her absence and maybe Justice Sebutinde may
18 be in a position to attend tomorrow so that we can proceed in any
19 event.

14:30:53 20 PRESIDING JUDGE: Thank you, Mr Griffiths. Please allow me
21 to consult.

22 [Trial Chamber conferred]

23 We have heard both parties' submissions and, in the light
24 of the practicalities of those submissions, we will unfortunately
14:31:19 25 have to adjourn today. Of course illness, et cetera, are things
26 we cannot know about long beforehand and we will hope that both
27 Justice Sebutinde and the witness fully recover. We will adjourn
28 the court and resume tomorrow at 9.30. Please adjourn court.

29 [Whereupon the hearing adjourned at 2.32 p.m.]

1 to be reconvened on Thursday, 11 September 2008
2 at 9.30 a.m.]
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I N D E X

WITNESSES FOR THE PROSECUTION:

TF1-585	15882
CROSS-EXAMINATION BY MR ANYAH	15883