



Case No. SCSL-2003-01-T

THE PROSECUTOR OF
THE SPECIAL COURT
V.
CHARLES GHANKAY TAYLOR

THURSDAY, 24 JANUARY 2008
9.30 A.M.
TRIAL

TRIAL CHAMBER II

Before the Judges:

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

For Chambers:

Mr William Romans
Ms Carolyn Buff

For the Registry:

Ms Rachel Irura
Mr Vincent Tishakwa

For the Prosecution:

Ms Brenda J Hollis
Ms Leigh Lawrie
Mr Alain Werner
Mr Nicholas Koumjian

For the accused Charles Ghankay
Taylor:

Mr Courtenay Griffiths QC
Mr Terry Munyard
Mr Morris Anyah

1 Thursday, 24 January 2008

2 [Open session]

3 [The accused present]

4 [Upon commencing at 9.30 a.m.]

09:28:49 5 PRESIDING JUDGE: Good morning, Mr Koumjian.

6 MR KOUMJIAN: Morning, your Honour. The appearances for
7 the Prosecution today are Brenda J Hollis, Leigh Lawrie, Alain
8 Werner and myself, Nicholas Koumjian. I would ask, before we
9 continue with the cross-examination, if I could briefly address a
10 matter when convenient to the Court.

09:29:10

11 PRESIDING JUDGE: A matter related to the
12 cross-examination, or some other matter?

13 MR KOUMJIAN: Related to all the examinations and the need
14 for private sessions for very particular information.

09:29:25 15 PRESIDING JUDGE: I see. Just let me take appearances from
16 the Defence side and we will deal with that then.

17 MR ANYAH: Morning, Madam President. For the Defence
18 I appear, Morris Anyah, along with my colleague Mr Terry Munyard.

19 PRESIDING JUDGE: Thank you, Mr Anyah.

09:29:39 20 We will deal with your matter first, Mr Koumjian.

21 MR KOUMJIAN: Your Honour, the Prosecution has a request
22 that in the future both parties, before asking particular
23 information about the family members of witnesses which are
24 testifying openly in public session, that we go to private
09:29:58 25 session for that information when it is relevant. The reason
26 being that we believe that this could intimidate future witnesses
27 if the names of their family members, who themselves are not
28 involved in the proceedings, are made public.

29 We do this because we have received information that

1 witnesses are concerned about the safety of their family members
2 and their confidentiality and particularly in a case where, for
3 example, just yesterday afternoon, at the end of the direct
4 examination, the Court received testimony concerning the murder
09:30:34 5 of Sam Bockarie's children because, according to the testimony,
6 of the involvement of the Special Court. We want just to be safe
7 for all witnesses. If the information is relevant it certainly
8 should come out, but we would just request all parties go to
9 private session to bring that out.

09:30:52 10 PRESIDING JUDGE: Your reply, Mr Anyah?

11 MR ANYAH: Yes, Madam President. We appreciate the
12 Prosecution's concerns. Lead counsel for the Prosecution
13 approached us at the close of the session yesterday and advised
14 us that such a request might be forthcoming in the future.

09:31:10 15 Our position is this: The Prosecution has the option to
16 apply to the Chamber for protective measures of witnesses. When
17 we appeared yesterday before the Chamber, the particular witness
18 before the Court today - it was expected to some degree that he
19 would be afforded such measures. Counsel for the Prosecution
09:31:30 20 advised the Chamber that he was not a protected witness, meaning,
21 as everybody is aware, he would be testifying in open session.
22 That being the case, to the extent we do ask questions that are
23 relevant and the Chamber finds them relevant, we should not be
24 constricted in the manner in which we carry out what should
09:31:53 25 otherwise be a thorough and sifting cross-examination.

26 We do appreciate their concerns and we will do our best to
27 accommodate them, but not to the extent that it prejudices our
28 client's rights to confront the witnesses against him.

29 PRESIDING JUDGE: I don't think counsel for the Prosecution

1 is curtailing your right to confront the witness. What
2 I understand him to be requesting is that certain questions be in
3 private session.

09:32:31

4 MR ANYAH: Those being the circumstances, we would
5 accommodate that request.

6 PRESIDING JUDGE: Thank you.

7 MR ANYAH: Thank you.

09:34:50

8 PRESIDING JUDGE: We have considered the application and
9 the reply. The Court will consider each application for a
10 private session as it arises.

11 WITNESS: ABU KEITA [On former oath]

12 CROSS-EXAMINATION BY MR ANYAH [Continued]

13 PRESIDING JUDGE: Before you start, Mr Anyah, I wish to
14 remind the witness of his oath.

09:35:03

15 Mr Witness, you recall that you have sworn to tell the
16 truth and that oath is still binding upon you. You are obliged
17 to answer the questions truthfully.

18 THE WITNESS: Yes.

19 PRESIDING JUDGE: Thank you, please proceed.

09:35:19

20 MR ANYAH: Thank you, Madam President.

21 Q. Good morning, Mr Keita. Could you confirm that you are
22 able to understand me through the translator, please?

23 A. Yes.

09:35:41

24 Q. Thank you, sir. When we left off yesterday I was reading a
25 text from the set of documents that we handed to the Court and
26 I would like to continue from where I left off. The document in
27 question is in tab 2 of the set of documents. It is on page 7.
28 This comes to the Court by way of a recorded interview that the
29 Prosecution undertook with Mr Keita on 30 June 2003. I will

1 start reading from where it says "All right" next to Corinne.

2 Mr Keita, when you met with Ms Dufka on 30 June 2003 you
3 were asked a question and then you gave this response, "Q. All
4 right and then what happened after the elections?" Mr Keita's

09:37:18 5 response, "After the elections everybody began to go back by
6 their own way because Kromah left from Liberia and flee into
7 Guinea and then for some of us" - I am sorry - "and then for us
8 some of us do not have the means to go to Guinea. As for me,
9 I don't have the means. I don't have the means to go to Guinea
09:37:46 10 because my mother there, my uncle there."

11 Now, Mr Keita, do you recall speaking those words to
12 Ms Dufka on 30 June 2003?

13 A. No.

14 Q. You deny that you did not wish to go to Guinea with Al
09:38:13 15 Hadji Kromah after he lost the 1997 elections?

16 A. No.

17 Q. Are you admitting it then, that you wished to go to Guinea?

18 A. No.

19 Q. Do you understand my question, Mr Keita?

09:38:32 20 A. Yes.

21 Q. After the elections you lost the job you had, or the
22 appointment you had received from Ruth Sando Perry as assistant
23 superintendent for operations in Lofa County, correct?

24 A. Yes.

09:38:59 25 Q. As a consequence of that you had to move from Lofa County
26 back to Monrovia, did you not?

27 A. That is true.

28 Q. And when you moved back to Monrovia you had to reside with
29 your uncle, Mohammed Keita, true?

1 A. Yes.

2 Q. And Mr Taylor was inaugurated as President of Liberia on 2
3 August 1997, was he not?

4 A. Yes.

09:39:33 5 Q. And as a consequence of that he sought to bring in former
6 adversaries, such as people from ULIMO, into his government,
7 true?

8 A. Yes.

09:39:59 9 Q. There was, if you will, an atmosphere of reconciliation and
10 everybody trying to get along, was there not?

11 A. When we were trying to get together, sir?

12 Q. Well, Mr Taylor was trying to form an inclusive government
13 that included people who also fought with ULIMO. Would that be a
14 fair statement?

09:40:19 15 A. Yes.

16 Q. And, indeed, one of those people who became a member of his
17 government and who previously fought for ULIMO-K was Varmuyan
18 Sheriff, was he not?

19 A. Yes.

09:40:36 20 Q. And at the same time there was a restructuring of the armed
21 forces of Liberia, correct?

22 A. Yes.

23 Q. And you were at that time called to report, you said, to
24 Camp Suffering. That was your testimony yesterday, correct?

09:40:56 25 A. Yes.

26 Q. Now, this camp is a military barracks, is it not?

27 A. Yes.

28 Q. And it is a military barracks that is in the direction of
29 Roberts International Airport in Monrovia, correct?

1 A. Yes.

2 Q. Is the name - are you sure the name of that camp is not
3 Camp Schieffelin, if you know?

09:41:36

4 PRESIDING JUDGE: Can we have the spelling of Schieffelin,
5 please?

6 MR ANYAH: Yes, your Honour. For the record, it is spelt
7 S-C-H-I-E-F-F-E-L-I-N:

8 Q. Mr Keita, was that the camp to which you were called at the
9 end of August 1997?

09:42:01

10 A. Yes.

11 Q. Thank you. So in the span of a year, from 1996 you had
12 gone from being a major general and Deputy Chief of Staff in
13 ULIMO-K, to an assistant superintendent for Lofa County and now
14 you were back in the Liberian armed forces, correct?

09:42:34

15 A. Yes.

16 Q. That would be in 1997, true?

17 A. Yes.

18 Q. And your rank when you returned to the Liberian armed
19 forces was that of a major, correct?

09:42:49

20 A. Yes.

21 Q. It would be fair to say, Mr Keita, would it not, that you
22 were not pleased with the direction in which your life was going
23 at that time?

24 A. No.

09:43:06

25 Q. Indeed --

26 JUDGE LUSSICK: Perhaps you could clarify that. Does that
27 mean no he was not satisfied, or no you are not correct?

28 MR ANYAH: I will try, your Honour:

29 Q. Mr Keita, are you telling the Court that despite being in

1 the army at the rank of a major, when a year ago, or the previous
2 year, you were a major general in ULIMO, you were satisfied with
3 your station in life?

4 A. Yes, as major in the armed forces I was satisfied.

09:43:53 5 Q. Within a few months of you rejoining the armed forces of
6 Liberia you started having meetings with Roosevelt Johnson of
7 ULIMO-J, did you not?

8 A. No, it was not a meeting. To say I was having a meeting
9 with ULIMO-J, but it was for reconciliation between I and the
10 Krahn.

11 Q. My question is not about the purpose of the meeting at this
12 point. I ask you again: Yes or no, within a few months of
13 rejoining the armed forces of Liberia you were having meetings
14 with Roosevelt Johnson of ULIMO-K?

09:44:47 15 A. I want you to specify the question so that I will be able
16 to answer the question. If you say some meeting - then Roosevelt
17 Johnson was a minister in the government of Charles Taylor.

18 Q. Mr Keita, it is a straightforward question. Yes or no,
19 within a few months of joining or rejoining the armed forces of
20 Liberia did you attend meetings with Roosevelt Johnson?

21 A. Yes.

22 Q. Specifically, on 1 January 1998 were you at a meeting with
23 Roosevelt Johnson?

24 A. Yes.

09:45:31 25 Q. And that meeting was held at Roosevelt Johnson's house, or
26 home, on Camp Johnson Road, was it not?

27 A. Yes.

28 Q. And besides you there were other Mandingo tribesmen and
29 Krahn tribesmen in attendance at that meeting, were there not?

1 A. Yes.

2 Q. Now, that was the first of a series of meetings that you
3 were to hold during the course of 1998 with Roosevelt Johnson,
4 was it not?

09:46:11 5 A. Please repeat the question, sir.

6 Q. The meeting on 1 January 1998 was the first of a series of
7 meetings that you were to attend with Roosevelt Johnson in 1998,
8 was it not?

9 A. Wait, I want to know are you talking about the meeting in
09:46:40 10 January, or a series of meetings with Roosevelt Johnson? I want
11 you to specify.

12 Q. You met more than once with Roosevelt Johnson in 1998, did
13 you not?

14 A. That is true.

09:46:58 15 Q. And some of the other people who attended these meetings,
16 and I will give you some names, one was a fellow by the name of
17 Dolleh, D-O-L-L-E-H, correct?

18 A. No.

19 Q. Do you deny that Dolleh attended a meeting with you and
09:47:19 20 Roosevelt Johnson in 1998?

21 A. No.

22 Q. Does your response "no" mean that yes, indeed, he attended
23 a meeting with you and Roosevelt Johnson?

24 A. Who attended the meeting?

09:47:38 25 Q. Somebody by the name of Dolleh?

26 A. I don't know that person.

27 Q. Do you know a man named Dolleh who was a part of the
28 transitional government of Gyude Bryant between 2004 and 2006 in
29 the Ministry of Finance?

1 A. I know that name.

2 Q. And what is the first name of this person?

3 A. That is Dolleh, but to say he was at the meeting at
4 Roosevelt Johnson's house, I did not see him there. I would not
09:48:20 5 say I saw him there.

6 Q. Was somebody --

7 JUDGE SEBUTINDE: Mr Anyah, could you spell Gyude Bryant
8 for us, please?

9 MR ANYAH: Yes, Madam President. I believe it is G-Y-U-D-E
09:48:40 10 and Bryant, regular spelling, B-R-Y-A-N-T:

11 Q. Was somebody by the name of Arma Yulu present at your
12 meetings with Roosevelt Johnson?

13 A. No.

14 Q. You deny that? That is your evidence?

09:49:05 15 A. Why would I lie? What I saw is what I am here to say: The
16 truth.

17 Q. Mr Keita, the answer I am seeking is a yes or no. Do you
18 deny that Arma Yulu was present at any meeting that you attended
19 with Roosevelt Johnson, yes or no?

09:49:26 20 A. No.

21 MR ANYAH: For the record, Arma Julu is spelt A-R-M-A, that
22 is the first name, Arma, and Yulu is Y-U-L-U.

23 JUDGE LUSSICK: Mr Anyah, I am still in the dark as to the
24 meeting of that last answer. Is he saying, "No, I don't deny
09:49:55 25 that that person was present at any meeting", or is he saying,
26 "No, that person was not present at the meeting"?

27 MR ANYAH: I will attempt to clarify, your Honour:

28 Q. Mr Keita, was Arma Yulu present at any meetings you
29 attended with Roosevelt Johnson in 1998?

1 A. No.

2 Q. Do you know somebody by the name of Madison Wion?

3 A. I heard that name.

09:50:37

4 Q. Madison Wion was present, was he not, at your meetings with
5 Roosevelt Johnson in 1998, true or false?

6 A. False.

7 MR ANYAH: For the record, Madison is spelt like James
8 Madison and that is M-A-D-I-S-O-N, and Wion is spelt W-I-O-N:

9 Q. Do you know somebody by the name of Barbor Aruna, Mr Keita?

09:51:09

10 A. Yes.

11 Q. Barbor Aruna was present, was he not, at your meetings with
12 Roosevelt Johnson?

13 A. Yes.

09:51:24

14 MR ANYAH: And for the record, Barbor Aruna is spelt -
15 Barbor is B-A-R-B-O-R and Aruna is spelt A-R-U-N-A:

16 Q. Mr Keita, I put it to you that these meetings you had, or
17 the one you agree you had, with Roosevelt Johnson was a meeting
18 where you were planning to overthrow the government of
19 Charles Taylor, true or false?

09:51:54

20 A. False.

21 Q. I put it to you that in July of 1998 you and the names
22 I mentioned, the people I mentioned just now, had a coup planning
23 meeting at Camp Johnson Road with Roosevelt Johnson, true or
24 false?

09:52:17

25 A. False.

26 Q. In one of your meetings with Roosevelt Johnson you divided
27 amongst yourselves various positions that you each were to occupy
28 should your coup be successful, true or false?

29 A. False.

1 Q. It was agreed, was it not, that you, Abu Keita, in the
2 event of a successful coup attempt, would become commanding
3 general of the armed forces of Liberia, true?

4 A. False.

09:52:57 5 Q. It was agreed, was it not, that this fellow Dolleh would
6 become Deputy Chief of Staff of the armed forces of Liberia
7 should your coup attempt be successful, true or false?

8 A. False.

09:53:18 9 Q. Will you agree with me, Mr Keita, that in the period
10 leading up to September 1998 you were frequently seen with
11 Roosevelt Johnson?

12 MR KOUJIAN: Objection, that calls for speculation. He
13 would not know who saw him. He can say whether he was with
14 Roosevelt Johnson.

09:53:37 15 PRESIDING JUDGE: That is true.

16 MR ANYAH: Well --

17 PRESIDING JUDGE: Rerword it.

18 MR ANYAH: I will rephrase the question:

09:53:49 19 Q. You told us yesterday that you were arrested in September
20 1998, correct?

21 A. Yes.

22 Q. And your arrest came on the heels, or shortly after there
23 was some disturbance on Camp Johnson Road, correct?

24 A. Yes.

09:54:06 25 Q. Now, one of the reasons why you were arrested was the fact
26 that the authorities felt you were always around Roosevelt
27 Johnson, was it not?

28 A. I told you that I went to Roosevelt Johnson.

29 Q. My question is: One of the reasons that you believe you

1 were arrested was the fact that the authorities felt you were
2 always with Roosevelt Johnson.

3 PRESIDING JUDGE: Mr Anyah, in fairness to the witness he
4 would not know what the authorities felt. He would only know
09:54:49 5 what he was told, or what was conveyed to him.

6 MR ANYAH: May I have a moment, Madam President?

7 Q. Mr Keita, you were often with Roosevelt Johnson in the
8 period leading up to September 1998, were you not?

9 A. With him in which ways?

09:55:21 10 Q. You were meeting with him, plotting to overthrow the
11 government of Charles Taylor, were you not?

12 A. False.

13 Q. You were arrested and one of the reasons you were arrested
14 was - or you were told one of the reasons you were arrested was
09:55:43 15 because you were suspected of being a collaborator of Roosevelt
16 Johnson in a coup attempt in September 1998, correct?

17 A. I never knew about a coup attempt.

18 Q. That was not my question. My question is: They told you
19 that one of the reasons you were arrested was because they felt
09:56:10 20 you were part of the coup attempt with Roosevelt Johnson in
21 September 1998.

22 A. No, if you tell me that part of the coup, then you mean
23 that I know that Roosevelt Johnson was planning a coup, but
24 I never heard of a coup so if you tell me that I was arrested
09:56:32 25 because they saw me at Roosevelt Johnson's house, but to say they
26 planned a coup, I don't know about a coup, so I can't answer yes.

27 MR ANYAH: Well, your Honours, I would refer the Chamber to
28 tab 2 again and the relevant page is page 10. For the record,
29 the ERN number is 00035055. This is the same interview with

1 Ms Corinne Dufka on 30 June 2003:

2 Q. Mr Keita, you were asked a series of questions and you gave
3 these responses. (I will begin, your Honours, from where it
4 says, "So what happened after that fracas?" It starts about a
09:57:56 5 third of the page down):

6 "Q. So what happened after that fracas?"

7 Answer by Mr Keita, "After that fracas, from that I was
8 arrested because they say I was from ULIMO-K men. They used to
9 see me around Johnson, but I said Johnson was serving as
09:58:22 10 honourable minister at the time so I have right to visit him at
11 the time. I have right to pass in front of his place because he
12 live right on the main road in the hostel building and so from
13 that I was arrested.

14 "Q. Who arrested you?

09:58:44 15 "A. The men of the special mansion guard who were the SSU.

16 "Q. SSU?

17 "A. Yes.

18 "Q. They arrested you?

19 "A. Yes.

09:59:01 20 "Q. On suspicion of collaborating with that?

21 "A. With that operation.

22 "Q. That operation?

23 "A. Yes."

24 Mr Keita, you told Corinne Dufka on 30 June 2003 that the
09:59:21 25 reason for you being arrested was that you were suspected of
26 collaborating with Roosevelt Johnson during the fracas of
27 September 1998, correct?

28 PRESIDING JUDGE: Mr Koumjian?

29 MR KOUMJIAN: Your Honour, I think in fairness to the

1 witness, to understand what he is referring to as fracas it is
2 necessary to read what is the fourth entry on this page where
3 Mr Keita explained the fracas on Camp Johnson Road.

09:59:59 4 PRESIDING JUDGE: I must say I find the questions as asked
5 in this record very ambiguous and I think, in fairness, the
6 previous context has to be put to the witness. I don't for a
7 minute suggest that you asked the questions in this record of
8 interview, Mr Anyah. It was the interviewer.

9 MR ANYAH: Thank you, Madam President:

10:00:25 10 Q. Mr Keita, can I ask you this: What happened in relation to
11 this fellow Joe Wally you told us about on 11 September, or
12 thereabouts, of 1998?

13 A. I know it was not 11 September. 18 September.

14 Q. What happened on 18 September?

10:00:58 15 A. I told you that on 18 September I had a problem because
16 they said Joe Wally was with Roosevelt Johnson so they said he
17 should be arrested.

18 Q. But when you spoke with Ms Dufka in 2003 you said it
19 happened, or these events happened, on 11 September 1998.

10:01:35 20 A. My testimony is 18 September, not 11 September. I want to
21 know if you are quoting from Corinne Dufka, or you are asking me
22 a question that you want me to answer to this Court.

23 Q. I can do both, Mr Keita. If it please the Court I will go
24 back to page 9 of the same document, the previous page.

10:02:05 25 A. I would prefer that you ask your question instead of you
26 read from Corinne Dufka. You can ask me a question. I will be
27 waiting to answer.

28 PRESIDING JUDGE: Mr Witness, the counsel is entitled to
29 put previous records of this nature to you.

1 A. Okay, sir, thank you.

2 MR ANYAH: Your Honours, on the previous page, page 9, ERN
3 number being 00035054, starting all the way from the bottom,
4 counting about five lines up, Ms Dufka asks the witness a number
10:02:53 5 of questions:

6 "Q. For how long did you serve under General Tanu - excuse
7 me, under Colonel Tanu in that position?

8 "A. I was serving under Colonel Tanu under that position
9 until September 11, 1998.

10:03:19 10 "Q. Until September 11, 1998?

11 "A. Yes."

12 To page 10:

13 "Q. And were you always serving under Colonel Tanu?

14 "A. Yes.

10:03:38 15 "Q. September 11, 1998. Okay, then what happened?"

16 Q. Do you remember, Mr Keita, being asked those questions by
17 Ms Dufka and giving those responses?

18 A. I remember that questions were asked by Ms Dufka, but the
19 date was not correct, which is the 11th, it was the 18th.

10:04:00 20 Q. Okay, we will accept that it was 18 September and we will
21 move on. I go back to the issue of why you were arrested. Can
22 you tell this Court why you believe you were arrested in
23 September 1998?

24 A. I told you that: Because they said I was found with
10:04:25 25 Roosevelt Johnson and I used to visit Roosevelt Johnson. That
26 was why they arrested me.

27 Q. Thank you. It would be fair to say, would it not, that
28 another reason why you were arrested was because when fighting
29 broke out in September 1998 on Camp Johnson Road you, as an AFL

1 soldier, refused to fight against the ULIMO-J forces of Roosevelt
2 Johnson?

3 A. The fighting was not called for AFL. They never called
4 AFL. They called the SSU because the AFL, we had the commanding
10:05:12 5 general, we had the defence minister that could call everyone to
6 report at the BTC to say that we had a mission in which we can
7 take part, but no AFL took part in that operation.

8 Q. But you were one of the people they called in respect of
9 this mission on Camp Johnson Road, were you not?

10:05:33 10 A. Who called me, sir?

11 Q. Well, you just told us that they called all of the people
12 and that there was an operation you had to undertake. Did you
13 not just say that?

14 A. I don't remember that.

10:05:55 15 MR ANYAH: Well, your Honours, I would refer the Court to
16 tab 9, if your Honours please, and that would be page 2, the
17 second page, with the ERN number 00038642. This is, for the
18 record, recorded notes of an interview with Mr Keita by an
19 investigator from the Office of the Prosecution, Mr Brian
10:06:51 20 Hutchinson, in the presence of counsel in court today: Mr Alain
21 Werner and Mr Nick Koumjian. This took place on, or between, 16
22 and 17 July 2007. Your Honours, I will start from the paragraph
23 that says "In September of 1998":

24 Q. This is what you said, Mr Keita, back in July of last year:

10:07:19 25 "In September of 1998 the witness was arrested and accused
26 of not fighting in a battle between CT forces and Roosevelt
27 Johnson forces in Monrovia. The real reason he was arrested was
28 the fact that he had been seen visiting Roosevelt Johnson at his
29 residence. The reason the witness went there was that they were

1 trying to find ways to reconcile the Krahn's and the Mandingos."

2 Do you recall, Mr Keita, telling, or making those remarks
3 to the Office of the Prosecutor in July of last year?

4 A. Yes.

10:08:04 5 Q. And it would be true then that one of the reasons you were
6 arrested was because, as a military man, you did not fight in a
7 battle against Roosevelt Johnson's troops, correct?

8 A. That is what they said, but your Honours --

9 THE INTERPRETER: Your Honours, can the witness please
10:08:31 10 repeat his answer slowly.

11 PRESIDING JUDGE: Mr Witness, the interpreter is having a
12 problem because you are going a little fast. Please slow down
13 for the interpreter and repeat your answer again.

14 THE WITNESS: Yes. The question again, sir?

10:08:52 15 MR ANYAH:

16 Q. One of the reasons why you were arrested in September 1998
17 was due to the fact that you refused to fight, as a military man,
18 against the forces of Roosevelt Johnson, correct?

19 A. Yes.

10:09:11 20 Q. Thank you, sir. Now, when you were arrested one of the
21 people who visited you at Saw Beach prison was Varmuyan Sheriff,
22 correct?

23 A. Yes.

24 Q. And at that time Sheriff told you that you should cooperate
10:09:34 25 with the Taylor government, did he not?

26 A. Please repeat, sir, Mr Interpreter, sir.

27 Q. I am unclear whether they mean the interpreter should
28 repeat the question, or whether I should repeat?

29 A. You should repeat, sir.

1 Q. Thank you, Mr Keita. When Varmuyan Sherif visited you at
2 Saw Beach prison, one of the requests he made of you was that you
3 should cooperate with Charles Taylor's government, correct?

4 A. Yes.

10:10:11 5 Q. And this was one former ULIMO-K soldier telling another
6 former ULIMO-K soldier to cooperate with Taylor's government.
7 That was the case, was it not?

8 A. Yes.

9 Q. And this was one Mandingo ethnic man telling his fellow
10:10:36 10 Mandingo ethnic man to cooperate with Charles Taylor's
11 government, was it not?

12 A. Yes.

13 Q. And the reason he told you to cooperate with Taylor's
14 government was that you bore animosity, or did not like the fact
10:10:54 15 that Charles Taylor was President, correct?

16 A. No.

17 Q. You told us yesterday that Varmuyan Sherif was the one that
18 released you from Saw Beach prison. Do you recall that?

19 A. Yes.

10:11:12 20 Q. But in the past you have, have you not, said that the
21 person who took you out of the prison was a person by the name of
22 Papay Kuyateh, have you not?

23 A. No.

24 MR ANYAH: For the record, Papay Kuyateh, Papay is spelt
10:11:37 25 P-A-P-A-Y and Kuyateh is K-U-Y-A-T-E-H.

26 Your Honours, I would refer the Chamber again to the set of
27 documents, tab 2, and the relevant pages would be pages 12 and
28 13, the relevant ERN numbers being 00035057 and the next one
29 ending in 58:

1 Q. At the bottom of page 12 Ms Dufka asks you the question -
2 (your Honours, I will read from where it starts with the word
3 "Okay" on page 12 at the bottom, three lines up):

10:13:24

4 "Q. Okay. All right, so then after that two weeks you were
5 brought out?"

6 Mr Keita, "I was brought out.

7 "Q. And who brought you out?"

8 The next page, page 13, Mr Keita:

9 "Papay Kuyateh at the time and he took me to Varmuyan
10 Sherif's place."

10:13:44

11 Mr Keita, that what you said to Ms Dufka back in 2003,
12 correct?

13 A. No.

14 Q. Yesterday you told us that it was Sherif who took you to
15 Musa Cisse's place, correct?

10:14:05

16 A. Yes.

17 Q. It would be true, would it not, that in 2003 you told
18 Ms Dufka that it was Papay Kuyateh that took you to Musa Cisse's
19 place, correct?

10:14:25

20 A. No.

21 Q. Well, in 2003 you said Kuyateh took you to Sherif's place,
22 as I have just read, did you not?

23 A. Please repeat, sir.

24 Q. I am trying to figure out how you got to Musa Cisse's place
25 and yesterday you were clear: You told us Varmuyan Sherif took
26 you to Musa Cisse's place, correct?

10:14:53

27 A. Yes.

28 Q. You did not mention that Papay Kuyateh also took you to
29 Musa Cisse's place, did you?

1 A. No.

2 Q. But in fact Papay Kuyateh was one of the people who took
3 you to Musa Cisse's place, was he not?

4 A. No.

10:15:26 5 MR ANYAH: Your Honours, I will - on the same document we
6 are looking at, the next page, page 13, from where I stopped
7 where it says "which was", I will read those lines if it please
8 the Court:

9 "Q. Which was?

10:15:49 10 "A. Which was Kongor Town.

11 "Q. Kongor Town?

12 "A. From there they took me to Papay Musa Cisse."

13 Q. When you say "they" there you are referring to both Sherif
14 and Kuyateh, are you not?

10:16:07 15 A. No, Sherif.

16 Q. Thank you. When you went to Musa Cisse's place on this day
17 you said Benjamin Yeaten came over there, did you not?

18 A. Yes.

19 Q. Was that the first time you had met Benjamin Yeaten on a
10:16:33 20 one on one basis?

21 A. Yes.

22 Q. At that meeting you indicated that Yeaten told you that you
23 would be going on an assignment to Sierra Leone, correct?

24 A. Yes.

10:16:55 25 Q. And during prior interviews with the Office of the
26 Prosecutor you have told them that Yeaten advised you you would
27 be transferred from the Ministry of Defence to the SSS during
28 that meeting, correct?

29 A. No.

1 Q. Did Benjamin Yeaten tell you during that meeting that you
2 would be transferred from the Ministry of Defence to the SSS?

3 A. No.

4 Q. You deny he told you that?

10:17:35 5 A. He never told me that I was going to be transferred to SS.

6 MR ANYAH: Your Honours, I would refer the Chamber to tab
7 1. For the record, tab 1 is the very first interview that the
8 witness did with the Office of the Prosecutor on 2 February 2003.
9 I will be focussing on page 2 and, counting from the bottom up,
10:18:24 10 it would be the fourth paragraph where it says, "A few weeks
11 after the September 1998 attempted coup".

12 Q. Now, Mr Sherif [sic], this is what you told the Office of
13 the Prosecutor on 2 February 2003:

14 "A few weeks after the September 1998 attempted coup by
10:18:54 15 members of the former ULIMO-J faction, Abu was summoned by
16 Benjamin Yeaten, the head of the elite Special Security Service,
17 SSS division. During this meeting Yeaten told Abu he was to be
18 transferred from the Ministry of Defence to the SSS under
19 Yeaten's direct command."

10:19:26 20 That is what you told the Office of the Prosecutor in 2003,
21 was it not, Mr Keita?

22 A. No.

23 MR ANYAH: Reading, continuing from where I stopped, your
24 Honours, it says:

10:19:42 25 "Yeaten told Abu that Taylor had given an order for Abu to
26 be sent to Sierra Leone to work together with General Mosquito as
27 a special representative from Liberia to Sierra Leone. According
28 to Abu, 'Yeaten wanted me to work directly with the brothers of
29 the RUF.'";

1 Q. You made these remarks back on 2 February 2003 to the
2 Office of the Prosecutor, true or false?

3 A. That is true.

4 Q. So you were, as you understood it from Yeaten, going to be
10:20:28 5 sent as a special representative to Sierra Leone from Liberia,
6 correct?

7 A. Yes.

8 Q. And on that same day, later in the day, you said another
9 meeting was held at Yeaten's house, true?

10:20:45 10 A. Yes.

11 Q. And present at that meeting, the second meeting, was Sam
12 Bockarie. He was one of those in attendance, correct?

13 A. Yes.

14 Q. And at that meeting Yeaten, or Varmuyan Sherif, somebody
10:21:05 15 there, said that Bockarie should take care of you because what
16 you were going to be doing in Sierra Leone was going to be in the
17 interests of the West African sub-region, correct?

18 A. Yes.

19 Q. And then Yeaten said that you were going to be given a
10:21:28 20 standby force called the Scorpion unit, correct?

21 A. Yes.

22 Q. And the reason for having this force, you were told, was
23 that they wanted a force outside of Liberia that could come in
24 from behind an enemy should Liberia be attacked, correct?

10:21:51 25 A. Yes.

26 Q. So this was a very important function that you were being
27 asked to undertake, would you agree?

28 A. Yes.

29 Q. Incidentally, when you saw Bockarie at Yeaten's house that

1 was the first time you had met Sam Bockarie face to face,
2 correct?

3 A. Yes.

10:22:26

4 Q. From Yeaten's house you told us you went to the Boulevard
5 Hotel, is that fair to say?

6 A. Yes.

7 Q. And at the Boulevard Hotel, amongst other people, you said
8 you met Ibrahim Bah, true?

9 A. Yes.

10:22:38

10 Q. Also present with Bah again - strike that. Also present
11 with Bah was Sam Bockarie, correct?

12 A. Yes.

13 Q. And was that the first time you had met Ibrahim Bah?

14 A. Yes.

10:22:56

15 Q. And at that meeting you heard Bah and Bockarie discussing
16 plans for how to buy diamonds from the RUF, correct?

17 A. Yes.

18 Q. And from there, later in that same day, you went to the
19 Kadija Hotel you said, true?

10:23:23

20 A. Yes.

21 Q. And the Kadija Hotel was where Sam Bockarie often stayed
22 when he was in Monrovia, correct?

23 A. Yes.

10:23:40

24 Q. And you told us that while you were with Sam Bockarie, at
25 the Kadija Hotel, he showed you some diamonds, true?

26 A. Not at the Kadija Hotel, at the Boulevard where General
27 Ibrahim Bah was staying.

28 Q. I stand corrected, that is correct, but he did show you
29 diamonds at the Boulevard Hotel when you met him and Ibrahim Bah,

1 correct?

2 A. I saw a diamond, yes.

3 Q. And on that same day you said you went to White Flower
4 later in the evening, true?

10:24:17 5 A. Yes.

6 Q. And was that the first time you had ever gone to White
7 Flower?

8 A. Yes.

9 Q. And you told us that present in White Flower, among the
10:24:34 10 people present, were Benjamin Yeaten, Eddie Kanneh, Musa Cisse,
11 SB Rogers and yourself, Abu Keita, correct?

12 A. Yes.

13 Q. And on that occasion you said Mr Taylor arrived and a
14 meeting was held, correct?

10:24:59 15 A. Yes.

16 Q. Was that your first time of meeting Mr Taylor face to face?

17 A. Yes.

18 Q. And one of the reasons for that meeting was the fact that
19 Bockarie wanted to pay his respects to Mr Taylor, correct?

10:25:20 20 A. Yes.

21 Q. And you told us that Mr Taylor said he would assist the RUF
22 during this meeting, true?

23 A. Yes.

24 Q. And you said Mr Taylor told Bockarie to maintain the RUF in
10:25:39 25 the absence of Foday Sankoh, correct?

26 A. Yes.

27 Q. So in the course of a day, one day in 1998, you had met
28 Benjamin Yeaten for the first time, Bockarie for the first time,
29 Ibrahim Bah for the first time and the President of Liberia, all

1 in one day, correct?

2 A. Yes, sir.

3 Q. Mr Keita, you want this Court to believe that Ibrahim Bah,
4 having met you for the first time, was talking about diamond
10:26:18 5 sales with the RUF. Is that what you are saying?

6 A. No.

7 Q. Do you want this Court to believe that Charles Taylor,
8 having met you for the first time, was talking about assistance
9 to the RUF in your presence?

10:26:37 10 A. No.

11 Q. When you say "no", are you saying you do not wish for the
12 Court to believe such information?

13 A. What I want to say - do not say I do not want the Court to
14 believe the information. If you say myself and Charles Taylor
10:26:58 15 had met before, no. That was my first time of meeting

16 Charles Taylor when with Benjamin Yeaten and Sam Bockarie. If
17 you say we had another meeting with Charles Taylor, no.

18 Q. Your testimony, sir, is this: The day when you met Ibrahim
19 Bah for the first time he talked about diamond transactions with
10:27:20 20 the RUF, isn't that true?

21 A. Yes.

22 Q. Your testimony also is that the day when you met Sam
23 Bockarie for the first time in your life he showed you a diamond,
24 true?

10:27:34 25 A. Yes, I saw a diamond.

26 Q. Your testimony is that when you went to White Flower for
27 the first time and when you saw Charles Taylor for the first
28 time, Charles Taylor was talking about supporting the RUF, true?

29 A. Yes.

1 Q. Now, you have agreed with me that they were sending you, or
2 you say they were sending you on a very important mission,
3 correct?

4 A. Yes.

10:28:08 5 Q. At that time, Mr Keita, I would be correct in saying that
6 you were not able to read or write. Would I be correct in saying
7 that?

8 A. Yes.

9 Q. Mr Keita, if I told you that this complex, White Flower,
10:28:42 10 was not dedicated or opened until January 1999, would I be
11 mistaken?

12 A. Yes.

13 Q. As you sit there now you are absolutely sure that in
14 September 1998 White Flower had been completely constructed?

10:29:06 15 A. Yes.

16 Q. Are you aware that the construction of White Flower started
17 in 1997?

18 A. Well, I don't know about when they started the building,
19 but I know that when I entered the building.

10:29:34 20 Q. Are you aware that in September of 1998 Mr Taylor was
21 living near what was then the German Embassy on Tubman Boulevard?

22 A. No.

23 Q. Are you aware that there was a public ceremony held on 28
24 January 1999 commemorating the opening of White Flower?

10:30:09 25 A. No.

26 Q. When you met with the Office of the Prosecutor for the
27 first time on 2 February 2003 (and your Honours that would be in
28 tab 1 in the bundle, I will not refer to it necessarily), but,
29 Mr Keita, the question is: On that first meeting, at no time did

1 you mention to them that you met with Charles Taylor on the day
2 you met Benjamin Yeaten, correct?

3 A. Yes.

10:30:50

4 Q. "Yes" means you did not tell them you met the president of
5 your country on that day, true?

6 A. The same day that I was with Benjamin Yeaten was the same
7 day that I saw the president and Sam Bockarie, when we went to
8 pay respect to Charles Taylor's residence at Kongor Town.

10:31:18

9 Q. My question is: You never told the Office of the
10 Prosecutor, it is not to be found in the recorded interview, that
11 you met the president of your country on that day in September
12 1998?

13 A. No.

10:31:39

14 Q. You met with the Prosecution again on 30 June 2003 and that
15 is - the record of that is in tab 2. Mr Keita, I put it to you
16 that in the record of your conversation with them in 2003, you
17 did not mention a meeting with the president of your country back
18 in September 1998, true or false?

10:32:05

19 A. Look, please repeat and go slowly so that I get the
20 question clearly.

10:32:30

21 MR ANYAH: Your Honours, I would be pleased to proceed in a
22 slower pace for the witness's benefit, but I would hope that the
23 instruction might come from the bench and not from the witness.
24 He could easily ask me to repeat the question. I take exception
25 to the admonishment by the witness.

26 PRESIDING JUDGE: Mr Witness, if you have a problem can you
27 direct it to us and we will direct it to the appropriate person,
28 be it counsel or the interpreters. I will ask counsel to repeat
29 the question and I will ask him to repeat it slowly.

1 MR ANYAH: Thank you, Madam President.

2 THE WITNESS: Thank you, sir.

3 MR ANYAH:

10:32:57

4 Q. Mr Keita, I am trying to ascertain what you told, or did
5 not tell, the Office of the Prosecutor during the various
6 meetings you had with them. I am putting it to you that when you
7 met them for the first time in February 2003, 2 February, you,
8 Abu Keita, did not tell them that in September 1998, on the day
9 you met Benjamin Yeaten, you also met the president of your
10 country.

10:33:22

11 A. Yes, I told them.

12 Q. And if they did not write it down in the record, that error
13 would be theirs, correct?

14 A. Yes.

10:33:39

15 Q. You met with the Office of the Prosecutor on 30 June 2003
16 and I am putting it to you that during your meeting with them, on
17 30 June 2003, you never mentioned, not once, that on the day you
18 met Bah, Yeaten and Bockarie you also met the president of your
19 country, true or false?

10:34:05

20 A. That is true.

21 Q. When you say it is true --

22 A. I told them.

23 Q. You met with the Office of the Prosecutor again on 13
24 February 2005 and I am saying to you that on that occasion you
25 did not tell them you met with the president of your country in
26 September 1998, true or false?

10:34:33

27 A. No.

28 Q. What does "no" mean, Mr Keita? Did you tell them, or did
29 you not tell them?

1 A. I told them.

2 Q. Thank you. When exactly did you leave Monrovia for Buedu
3 in Sierra Leone?

4 A. After the 18 September.

10:35:16 5 Q. How soon after 18 September? Was it the same week, or was
6 it the same month?

7 A. It was a couple of weeks.

8 Q. Would this be in October of 1998?

9 A. It was before October.

10:35:39 10 Q. So it was in September 1998 then?

11 A. Yes.

12 Q. And how long were you in Sierra Leone for before -

13 I believe you told us you left and ultimately went to Ghana?

14 A. Throughout the arrest of the peacekeepers to disarmament of
10:36:11 15 the RUF, sir.

16 Q. So that would be from September 1998 until what year and
17 what month, Mr Keita?

18 A. That I left the RUF? That was the end of 2002.

19 Q. Do you know which month, Mr Keita, in 2002?

10:36:40 20 A. I can't recall.

21 Q. Now, once you left and you went to Sierra Leone, did you
22 come back to Monrovia often on return visits?

23 A. No.

24 Q. You are absolutely sure you did not come back to Monrovia
10:37:00 25 on return visits?

26 A. No.

27 Q. You never came back to meet with Yeaten in Monrovia? Is
28 that your testimony?

29 A. Not in Monrovia. At the border in Liberia.

1 Q. So you met with Yeaten in Foya, or thereabouts? Would that
2 be fair to say?

3 A. Yes.

10:37:28

4 Q. But your testimony is you did not come back to Monrovia to
5 meet with Yeaten?

6 A. No.

7 Q. Are you sure of that?

8 A. Yes.

10:37:42

9 Q. You did not - would your testimony be that you did not come
10 back to Monrovia to meet with Taylor again?

11 A. No.

12 Q. Are you absolutely --

10:37:56

13 PRESIDING JUDGE: Again, we are into this no - the problem,
14 I suggest, Mr Anyah, is when you use a negative and it is
15 translated into a pigeon language and the answer comes out "no",
16 you know that could be an affirmative so could you please clarify
17 the question.

18 MR ANYAH: Yes, Madam President:

10:38:13

19 Q. Mr Keita, I am asking you now about the time after you had
20 gone to Sierra Leone and I want to know, yes or no, did you come
21 back at any time between 1998 to 2002 to meet with Benjamin
22 Yeaten in Monrovia?

23 A. No.

10:38:34

24 Q. Did you come back at any time between 1998 and 2002 to meet
25 with Charles Taylor in Monrovia?

26 A. No.

27 MR ANYAH: Your Honours, I would refer the Chamber to -
28 starting with tab 1 and it is paginated, but faintly, at the
29 bottom of the page. It goes to page - I will be referring to

1 page 5. This is the witness's statement from 2 February 2003.

2 On page 5, slightly below the middle of the page with the
3 paragraph saying "Abu said", I will be reading from that
4 paragraph:

10:39:34 5 Q. Mr Keita, this is what you told the Office of the
6 Prosecutor on 2 February 2003:

7 "Abu said he didn't have much to do with the transfer of
8 diamonds although he had been present on three occasions in 1999
9 with Mosquito when he had brought diamonds to Charles Taylor in
10 Liberia."

10:39:58

11 That is what you told the Office of the Prosecutor in 2003,
12 correct?

13 A. No.

14 Q. You said in 2003 that in 1999, on three occasions you
15 accompanied Bockarie to Monrovia to meet with Taylor, did you
16 not?

10:40:13

17 A. No.

18 MR ANYAH: Your Honours, I would refer the Chamber to tab 9
19 and the relevant page here would be page 4. The ERN number in
20 question is 00038644 and I will be reading from the bottom of the
21 page, the first full paragraph that starts with "In 2000". It
22 says - and for the record, by the way, this is an interview to
23 which I have referred before, between 16 and 17 July 2007, in
24 which counsels in court today were present with the witness. It
25 says:

10:41:32

26 "In 2000 the witness was at White Flower, along with Joe
27 Tuah and Benjamin Yeaten, retrieving supplies such as ammunition
28 and rubber sandals for the men fighting in Guinea. This was the
29 time that RUF and Liberian forces were attacking Guinea.

1 Charles Taylor was there at the same time and spoke to the
2 witness, advising that they should maintain the Guinea border."

3 Q. Mr Keita, this is what you told the Office of the
4 Prosecutor in July 2007, yes or no?

10:42:14 5 A. The date is not correct, but that is my statement, yes.

6 MR ANYAH: Thank you. Your Honours, I would refer the
7 Chamber to tab 2, if it please the Court, and the relevant
8 page would be page 88. The ERN number is 00035132 and I would
9 read from the middle of the page where Ms Dufka, Corinne, poses
10 the question, "Were you ever aware that Bockarie talking directly
11 to Charles Taylor?"

12 Q. Mr Keita, these are notes from the interview Corinne Dufka
13 had with you on 30 June 2003 and at that time you were asked some
14 questions and you gave these responses:

10:43:37 15 "Q. Were you ever aware that Bockarie talking directly to
16 Charles Taylor over satellite phone?

17 "A. Actually on that I can't lie since I went there, but
18 Issa's own, Issa and Charles Taylor sit in front of me physically
19 and discuss and even money was given because the campaign and
20 thing, so that happened in front of me.

21 "Q. What happened in front of you, sorry?

22 "A. I say Charles Taylor and Issa they already sit and
23 discuss in his house in Kongo Town.

24 "Q. Oh, that happened in front of you?

10:44:31 25 "A. Yes.

26 "Q. When did that happen?

27 "A. That happened 2000, 2000 after the fighting of the
28 UNAMSIL and thing, after he calls for this campaign."

29 Mr Keita, that is what you told the Office of the

1 Prosecutor, Ms Corinne Dufka, on 30 June 2003, correct?

2 A. No.

3 Q. "No" means you did not tell her that, is that your
4 testimony?

10:45:02 5 A. Yes.

6 Q. So when I just asked you whether you had returned from
7 Sierra Leone back to Monrovia to meet with either Yeaten or
8 Taylor, you were lying, were you not?

9 A. No.

10:45:24 10 Q. Well, let us talk about the meetings you spoke of
11 yesterday. I want to talk about who was present at the various
12 meetings, or the two meetings, at Musa Cisse's place and as well
13 as at Benjamin Yeaten's place. Now, this is before you left for
14 Sierra Leone. Yesterday, during examination, you told us that at
10:45:53 15 Musa Cisse's place Musa Cisse was present, Varmuyan Sherif was
16 present, Papay Kuyateh was present, somebody you called Pa Morrie
17 was present and so was Benjamin Yeaten. Would that be fair to
18 say?

19 A. At Musa Cisse's house, yes.

10:46:23 20 Q. And if you added yourself to that that would make six,
21 correct?

22 A. Yes.

23 Q. You said a week later at Benjamin Yeaten's compound, when
24 you met with him, present there were Benjamin Yeaten, Eddie
10:46:48 25 Kanneh, SBY Rogers, Sam Bockarie, somebody named Rashid, somebody
26 named Montgomery and somebody named Varmuyan Sherif.

27 A. Yes.

28 Q. You did not tell us yesterday that Joe Tuah was present at
29 Benjamin Yeaten's house when you met.

1 A. Yes.

2 Q. "Yes" means he was not present?

3 A. He was present.

4 Q. But you did not tell us that yesterday, did you?

10:47:35 5 A. I told you yesterday.

6 Q. You did not tell us yesterday that somebody by the name of
7 Foday was present at Benjamin Yeaten's house when you met, did
8 you?

9 A. That is the bodyguard of Sam Bockarie.

10:47:58 10 Q. My question is: You did not tell us a person named Foday
11 was present there yesterday, did you?

12 A. I don't remember that.

13 Q. You also did not tell us that a person by the name of Jah
14 Aro [phon] was present when you met Yeaten at his house, did you?

10:48:20 15 A. No, no.

16 Q. You also did not tell us that Papay Kuyateh was present at
17 Yeaten's house when you met him, did you?

18 A. No.

19 Q. Have you in the past said that Papay Kuyateh was present at
10:48:46 20 Yeaten's house when you met him?

21 A. At Musa Cisse's house.

22 Q. I am speaking of Benjamin Yeaten's house. Have you ever
23 said that --

24 A. No.

10:48:59 25 Q. May I finish my question, Mr Keita? Your answer is no, you
26 have never told anybody that Papay Kuyateh was present at
27 Yeaten's house?

28 A. No, sir.

29 Q. Was Sheku Suwape Koroma present at Yeaten's house when you

1 met?

2 A. Yes.

3 Q. But yesterday you did not tell us that he was present,
4 correct?

10:49:32 5 A. No.

6 Q. I would like to go back to your interview with Ms Dufka on
7 30 June and the relevant tab would be tab 2 again, and the
8 pages in question would be pages 16, pages 19 and 20. The ERN
9 number is 00035064 and I will begin to read from about a third of
10 the page down where it starts, Corinne, "Okay good". These were
11 the questions asked, Mr Keita, and these were your responses:

12 "Q. Okay, good, so who was then at that meeting? Exactly
13 who were all the people that were present that you remember?

14 "A. Actually I can only remember Varmuyan Sherif, Papay
10:51:31 15 Kuyateh and Papay Musa Cisse and him Mosquito.

16 "Q. He was there?

17 "A. Yes.

18 "Q. Can you describe Mosquito?

19 "A. Yes."

10:51:44 20 MR ANYAH: If your Honours go down a few lines where it
21 starts again, Corinne with a question, "So who else was there
22 besides these people?" Mr Keita responds, "Was this Guinean
23 rebel leader who was Sheku Suwape Koroma.

24 "Q. Sheku Suwape?

10:52:08 25 "A. Koroma.

26 "Q. Koroma, he was there as well?

27 "A. Yes.

28 "Q. And what about Yeaten, was he there?"

29 Over to the next page, "Yes, so that it was Yeaten's house,

1 the meeting cannot be held that he cannot not there.

2 "Q. Okay, anybody else?

3 "A. No."

4 Q. So on that occasion with Ms Dufka you told her that there
10:52:36 5 were seven people, including yourself, in attendance at this
6 meeting: There was Yeaten, Mosquito, or Sam Bockarie, Varmuyan
7 Sherif, Musa Cisse, Papay Kuyateh and Sheku Suwape Koroma. That
8 is what you told Ms Dufka, correct?

9 A. Not that correct.

10:53:03 10 Q. Well, yesterday in court you added a few names to those
11 present. Yesterday you told us Eddie Kanneh was there, did you
12 not?

13 A. Yes.

14 Q. You told us SBY Rogers was there, did you not?

10:53:20 15 A. Yes.

16 Q. You told us Montgomery was there, did you not?

17 A. Yes.

18 Q. And you told us somebody named Rashid was there, did you
19 not?

10:53:34 20 A. Yes.

21 Q. Those are four names you told this Court yesterday were at
22 a meeting, that when you spoke with the Prosecutor in 2003 you
23 did not mention, correct?

24 A. No, maybe they made the error, sir.

10:53:54 25 Q. But you would agree with me, Mr Keita, would you not, that
26 your memory was better in 2003, relative to 1998, than it is
27 today in 2008?

28 A. My memory is still better.

29 Q. Your memory is better today than it was in 2003, is that

1 your evidence?

2 A. Yes.

3 Q. Thank you. Now, yesterday you told us that when you were
4 leaving Sierra Leone - sorry, leaving Liberia to go to Sierra

10:54:39 5 Leone, Buedu, you left with ZZ Mazhar, correct?

6 A. Yes.

7 Q. And there was a Daniel Tamba, or Jungle, true?

8 A. Yes.

9 Q. There was somebody named Sampson, correct?

10:55:03 10 A. Yes.

11 Q. And there was one other person I believe you said was Mike
12 Lama, true?

13 A. Yes.

14 Q. Mazhar, or Zig Zag, was the deputy to Benjamin Yeaten,

10:55:24 15 correct?

16 A. Bodyguard.

17 Q. And Sampson was the driver to Benjamin Yeaten, true?

18 A. Yes.

19 Q. Jungle was Mike Lama's bodyguard, is that correct?

10:55:43 20 A. No.

21 Q. Jungle was Mazhar's bodyguard, is that correct?

22 A. No.

23 Q. Who was Jungle, what was his role in all of this?

24 A. His role was - they were all assigned to Benjamin Yeaten.

10:56:05 25 That is what I know.

26 MR KOUMJIAN: I don't know if it will be helpful to the
27 Court, but on page 47, line 14, counsel asked about Mike Lama and
28 that is L-A-M-A. The transcript says "Lamin". That is a
29 different person, so I think it will be confusing if the

1 transcript is not corrected.

2 MR ANYAH: Thank you, counsel. I did say Lama, L-A-M-A,
3 thank you.

4 PRESIDING JUDGE: We will have it corrected.

10:56:41

5 MR ANYAH:

6 Q. You told us, Mr Keita, that on your way to Buedu, in
7 Voijnama, you encountered Sam Bockarie, correct?

8 A. Yes.

10:57:06

9 Q. Have you told the Office of the Prosecutor previously that
10 you left from Monrovia together with Sam Bockarie to Buedu?

11 A. No.

12 Q. Are you sure of that, Mr Keita?

13 A. Yes.

10:57:37

14 MR ANYAH: Your Honours, I would refer the Chamber to tab
15 1, page 3, and this document again is a 2 February 2003 interview
16 with Mr Keita by the Office of the Prosecutor. From the top of
17 the page, the first full paragraph with the bullet next to it, it
18 says:

10:58:12

19 "Within the next few days Abu left for Buedu, Sierra Leone,
20 with Mosquito and about one week later the 350 men arrived."

21 Q. It is true, is it not, Mr Keita, that you told the Office
22 of the Prosecutor, in February 2003, that you left Monrovia in
23 the company of Sam Bockarie, true or false?

24 A. False.

10:58:38

25 PRESIDING JUDGE: Mr Anyah, I note the time. Is this a
26 convenient time to interrupt?

27 MR ANYAH: Yes, that would be fine. Thank you.

28 PRESIDING JUDGE: Mr Witness, we will take the mid-morning
29 break now. The Court will adjourn and resume at 11.30.

1 [Break taken at 11.00 a.m.]

2 [Upon resuming at 11.30 a.m.]

3 PRESIDING JUDGE: Mr Munyard, you are on your feet.

4 MR MUNYARD: I am, Madam President. May I raise a matter
11:31:25 5 of timing. I know that, in the light of fact that we lost time
6 due to the International Criminal Court's arrangements last week,
7 we sat extra hours on Friday last week and the proposal was to
8 sit more hours tomorrow afternoon.

9 Mr Griffiths and I, for personal reasons that I think are
11:31:49 10 known to the Court, have to get to Ireland for very early on
11 Saturday morning. We have both looked into the logistics and it
12 will be difficult, in fact it might even be impossible, to get to
13 Ireland at the required time if we sit all of tomorrow afternoon
14 because of the arrangements that we have made and because of
11:32:13 15 investigations we have conducted into flight times and so on and
16 flights being full.

17 We wondered if it was possible to postpone the regaining of
18 time tomorrow afternoon by putting off tomorrow afternoon's
19 session and instead perhaps having a further session on Friday
11:32:39 20 afternoon of the following week? I am raising it now simply
21 because time is tight and I thought it appropriate for
22 everybody's sake that we raise it at this stage so that we all
23 know our position vis-a-vis tomorrow afternoon.

24 PRESIDING JUDGE: Thank you for that, Mr Munyard.

11:32:57 25 Mr Koumjian, will you be replying on behalf of the Defence - the
26 Prosecution, excuse me?

27 MR MUNYARD: I am sorry that I didn't raise it earlier with
28 my learned friend, but I think that the Prosecution understand
29 what the position is.

1 PRESIDING JUDGE: Ms Hollis?

2 MS HOLLIS: Madam President, we have absolutely no
3 objection to that request if indeed we do make up the hours.

4 PRESIDING JUDGE: Thank you. I will need to consult. Yes,
11:33:32 5 in the light of the situation, counsel, we will rise tomorrow at
6 1.30 and we will resume on Monday morning at the normal time of
7 9.30 and we will make up those two hours the following Friday; in
8 other words, tomorrow week we will sit.

9 MR MUNYARD: Can I express my gratitude to the Court and to
11:33:52 10 all the parties for their assistance. This is a matter of some
11 importance to both of us.

12 PRESIDING JUDGE: Yes, we know. Thank you, Mr Munyard.

13 Mr Anyah, please proceed on.

14 MR ANYAH: Thank you, Madam President:

11:34:11 15 Q. Mr Keita, before we broke I had read you a paragraph from a
16 statement you made to the Office of the Prosecutor in which I put
17 it to you that you said that Sam Bockarie went with you to Buedu.
18 Now in that paragraph you also mentioned, or it was also said,
19 that 350 men arrived within a week or so after you arrived in
11:34:48 20 Buedu. Now, I ask you this. Is that a correct statement of the
21 facts that within a week or so when you arrived in Buedu the 350
22 men you were promised in Monrovia arrived in Buedu?

23 THE INTERPRETER: Your Honours, his microphone is not
24 switched on.

11:35:14 25 PRESIDING JUDGE: Mr Witness, please put on your microphone
26 and repeat your answer?

27 THE WITNESS: No.

28 MR ANYAH:

29 Q. So when it is written in this document that you said on 2

1 February 2003 that 350 men came within a week of your arrival in
2 Buedu, that is an error, true?

3 A. Yes.

4 Q. Indeed yesterday you told us that the men came in two
11:35:48 5 batches, if you will, correct?

6 A. Yes.

7 Q. And you said the first group of men of about 150 came in
8 December 1998, correct?

9 A. Yes.

11:36:03 10 Q. Who brought these men to you?

11 A. Sam Bockarie, the 150 men, along with Mazhar and Sampson.

12 Q. To your knowledge, you said they came from Liberia? I
13 don't mean where they were from. I mean where they physically
14 were brought from.

11:36:34 15 A. From Liberia.

16 Q. Now when you said Bockarie and Mazhar brought these men,
17 did they bring these men in trucks?

18 A. Yes.

19 Q. And they brought them all at one time, 150 men, in trucks?

11:36:59 20 A. It was not one truck. Two trucks and one pickup.

21 Q. Was Sampson part of this convoy that brought the men?

22 A. Yes.

23 Q. Was Jungle part of the convoy that brought the men?

24 A. Yes.

11:37:26 25 Q. Was Mike Lama part of the convoy that brought the men?

26 A. Yes.

27 Q. It is the case, is it not, that when these men arrived they
28 were not under your command, correct?

29 A. Yes.

1 Q. But before you left Monrovia you had been promised by
2 Benjamin Yeaten that you would control these 300 men, true?

3 A. Yes.

11:38:05

4 Q. Indeed before you left Monrovia you told us Yeaten gave you
5 an AK-47, correct?

6 A. Yes.

7 Q. He also gave you a pistol, correct?

8 A. Yes.

9 Q. He gave you some ammunition, true?

11:38:18

10 A. Yes.

11 Q. And you told us he gave you three bodyguards of your own,
12 correct?

13 A. Yes.

11:38:30

14 Q. Have you told the Prosecutor at any time before that he
15 gave you 11 bodyguards and not three?

16 A. No.

17 Q. Are you sure of that?

18 A. Yes.

11:38:46

19 PRESIDING JUDGE: Mr Anyah, could I just clarify a point.
20 You put to the witness 300 men and the witness had earlier said
21 150. Are you challenging the witness on the number, or are we
22 talking about two different groups?

23 MR ANYAH: I can clarify, your Honour:

11:39:04

24 Q. Mr Keita, your testimony yesterday was that you were
25 promised 300 men by Benjamin Yeaten before you left Monrovia to
26 be brought to you in Buedu, correct?

27 A. Yes.

28 Q. And you confirmed for us that the way in which they were
29 brought was that 150 were brought first in December 1998, true?

1 A. Please, yes.

2 Q. And the second batch of 150 came in the New Years in
3 January 1999, correct?

4 A. Yes.

11:39:49 5 Q. Now, I want to go back to how many bodyguards Benjamin
6 Yeaten gave you before you left Monrovia. You told us there were
7 three in number yesterday, true?

8 A. Yes.

9 Q. But previously - and I am putting this to you - you have
11:40:08 10 told the Office of the Prosecutor that he gave you 11 bodyguards,
11 have you not?

12 A. No.

13 Q. Did you take 11 bodyguards with you to Buedu from Liberia?

14 A. No.

11:40:29 15 MR ANYAH: Your Honours, if it please the Court I would
16 refer the witness to tab number 2 and the relevant page is page
17 45 and 46, pages rather 45 and 46. The ERN number in question is
18 00035090:

19 Q. Mr Keita, this is what you said to Ms Dufka on 30 June
11:41:24 20 2003. (Your Honours, I would begin to read from the bottom of
21 the page counting up five lines to where it says, "Corinne: But
22 did you go with your own security?") Question: "But did you go
23 with your own security?" Mr Keita answers: "Yes, I went with my
24 own security. I carry eleven men". Question: "Your own
11:42:06 25 people?" Answer: "Yes". Question: "And what did Mosquito do
26 with these people?" (Over to the next page, your Honours).

27 Answer: "The same people he changed them, he sent some of them
28 to Manawa crossing point. Sent some of them in Kailahun".

29 Question: "Were you happy with that?" Answer: "I wasn't happy,

1 but that was the instruction. That was the instruction and he
2 was the commander on the ground".

3 Now, Mr Keita, that is what you told Ms Dufka in 2003,
4 correct?

11:42:48 5 A. No.

6 Q. Well, is part of that correct in the sense that Sam
7 Bockarie was the commander on the ground? Yes, or no?

8 A. Yes.

9 Q. And whether we agree it is three or 11, the men you took
10 from Monrovia, Sam Bockarie took them away from you, correct?

11 A. Yes.

12 Q. You were given a radio for communication purposes by
13 Benjamin Yeaten before you went to Buedu, correct?

14 A. Yes.

11:43:30 15 Q. And that radio was as well taken from you by Sam Bockarie,
16 was it not?

17 A. Yes.

18 Q. Indeed Bockarie told you when you arrived in Buedu that you
19 could not serve two masters, if you will, correct?

11:43:50 20 A. Yes.

21 Q. He said there was to be only one commander on the ground
22 and that would be himself, true?

23 A. Yes.

24 Q. You told us yesterday that Bockarie was often in
25 communication with Yeaten, correct?

11:44:10 26 A. Yes.

27 Q. And sometimes they would communicate over what you called a
28 Yaesu radio, true?

29 A. Yes.

1 Q. And on some occasions they would communicate with a
2 satellite radio, correct?

3 A. Yes.

4 Q. And the same held true on occasion for Issa Sesay, correct?

11:44:41 5 A. Yes.

6 Q. He as well had a satellite radio for communicating with
7 Monrovia? That is what you said, true?

8 A. Yes.

9 Q. And you told us that on some of those occasions you were
11:45:02 10 told by Bockarie and Sesay that they had been in contact with
11 either Yeaten - well, I will break the question down. You knew,
12 because of what Issa Sesay and Bockarie told you, that they had
13 been in contact with Benjamin Yeaten over these radios. Would
14 that be fair to say?

11:45:31 15 A. Yes.

16 Q. You yourself personally did not speak to Bockarie - I am
17 sorry, to Yeaten, one on one, via any of these radios, correct?

18 A. No, we communicated.

19 Q. You communicated, but you did not speak to him yourself
11:45:53 20 over the radio, correct?

21 A. No.

22 Q. And now the time frame I am referring to is the entire
23 period of time you were in Buedu, which you told us was September
24 1998 through - well, in Sierra Leone September 1998 through the
11:46:10 25 end of 2002. What I want to know is at any time during that
26 period did you speak, for example, with Charles Taylor over a
27 radio?

28 A. No.

29 Q. So the basis for your belief that Yeaten was speaking to

1 Bockarie and Sesay over these radios was what you heard, correct?

2 A. Yes.

3 Q. And on some occasions you said you were present and you
4 would hear one side of the conversation. Would that be fair to
11:46:46 5 say?

6 A. Yes.

7 Q. And on some other occasions you knew that they had been
8 speaking with somebody from Monrovia because of what either
9 Bockarie or Sesay told you, correct?

11:47:04 10 A. Yes.

11 Q. Sometimes Bockarie would say they had spoken to the Chief,
12 correct?

13 A. Yes.

14 Q. And the chief had a particular meaning at that time, did it
11:47:19 15 not?

16 A. Yes.

17 Q. Sometimes Bockarie would say they had spoken with the
18 Director, true?

19 A. Yes.

11:47:31 20 Q. And the Director had a particular meaning at that time,
21 correct?

22 A. Direct name, yes.

23 Q. I meant Director. Did the use of the word "Director" mean
24 Benjamin Yeaten when you were in Buedu?

11:47:50 25 A. Yes.

26 Q. And sometimes they would say they had spoken with somebody
27 named Pa or Papay, correct?

28 A. Yes.

29 Q. And those words also had a meaning regarding whom - to whom

1 they referred, correct?

2 A. Yes.

3 Q. Can you tell the Court when you heard the phrase "the
4 Chief" whom you knew that to mean?

11:48:26 5 A. Chief Benjamin Yeaten.

6 Q. Can you tell the Court when you heard the phrase "Pa" or
7 "Papay" who you knew that to mean?

8 A. Charles Taylor.

9 Q. Can you tell the Court when you heard the phrase "Director"
11:48:51 10 who you knew that to mean?

11 A. Benjamin Yeaten.

12 MR ANYAH: Your Honours, may I have a moment? Your
13 Honours, I would refer the Chamber if you please to tab number 9
14 and the relevant page would be page 14 of the document. The ERN
11:50:17 15 number is 00038654 and I will be reading from the bottom of the
16 page counting up the second to last paragraph:

17 Q. Mr Keita, these are the interview notes that were kept by
18 the Office of the Prosecutor from a meeting with you on 16 and 17
19 July 2007. (Your Honours, I will start from where it says, "In
11:51:07 20 Vonjama Zig Zag Mazhar --") This is what you said, Mr Keita:

21 "In Vonjama Zig Zag Mazhar - and not Sam Bockarie himself
22 as indicated in the December 2006 statement - told the witness
23 personally that he was taking Sam Bockarie to see the Chief,
24 which the witness knew was Charles Taylor". You just told us a
11:51:42 25 few minutes ago that "the Chief" meant Sam Bockarie, did you not?

26 JUDGE SEBUTINDE: Benjamin Yeaten.

27 MR ANYAH: I apologise. Thank you, justice Sebutinde:

28 Q. You just told us, sir, did you not, that when you heard
29 "the Chief" it meant Benjamin Yeaten, did you not?

1 A. Yes. Yes, sir.

2 Q. But you told the Office of the Prosecutor that "the Chief"
3 meant Charles Taylor, correct?

4 A. No.

11:52:21 5 Q. You deny saying that?

6 A. No.

7 Q. "No" means that you did not say that to the Office of the
8 Prosecutor, is that your testimony?

9 A. Yes.

11:52:39 10 Q. Thank you. You told us yesterday something to the effect
11 that Charles Taylor was in charge or the overall person to whom
12 the RUF reported, is that fair to say?

13 A. Yes.

14 Q. In fact you have in the past said that he was the boss of
11:53:15 15 the RUF, correct?

16 A. Yes.

17 Q. And you were being sent to Buedu at the direction of
18 Charles Taylor ultimately, true?

19 A. Yes.

11:53:30 20 Q. And when you got to Buedu, Yeaten had taken all the
21 supplies you were given, correct?

22 A. No.

23 Q. Well, we went through this. He took your gun? He took
24 your bodyguards?

11:53:49 25 PRESIDING JUDGE: Do you mean - you said "Yeaten had
26 taken", but you meant --

27 MR ANYAH: I said "Yeaten", yes. I meant Sam Bockarie. I
28 am sorry, I will rephrase that:

29 Q. Mr Witness, you told us when you got to Buedu that Sam

1 Bockarie said there would be only one commander, correct?

2 A. Yes.

3 Q. And in effect that was contrary to what you were told in
4 Monrovia, was it not?

11:54:20 5 A. Yes.

6 Q. And also the fact that they took the men you were supposed
7 to have under your command was contrary to what you were told in
8 Monrovia?

9 A. Yes.

11:54:34 10 Q. So it would be fair to say that Sam Bockarie disregarded
11 the commands or directives of Benjamin Yeaten, correct?

12 A. Yes.

13 Q. And those directives in turn came from Charles Taylor,
14 correct?

11:54:59 15 A. Yes.

16 Q. Now, can you tell us about your activities in Buedu? What
17 did you do on a daily basis?

18 A. Yes.

19 Q. Please go ahead.

11:55:15 20 A. On a daily basis I worked with Sam Bockarie and Issa Sesay.
21 There was an airstrip in Buedu that was being established for a
22 plane to be landing there, but when Sam Bockarie came with the
23 ammunition and the manpower the jets bombarded the Caterpillar
24 that was being used at the airstrip. So the manpower used to
11:55:45 25 work and then Issa will send to conduct operation, and I was
26 co-ordinating between Segbwema, Bunumbu - Bunumbu, Jumo Kafebu,
27 Gbava and Bendu Junction just in case any wounded soldier so that
28 I can take them back to Buedu. That was what I was doing on a
29 daily basis up and down in Buedu.

1 Q. And it would be fair to say that in the RUF you still
2 maintained or you were given a rank of general, is that true?

3 A. Yes.

4 Q. You told us yesterday that some of your activities included
11:56:48 5 working or helping out at some diamond mining sites, correct?

6 A. Yes.

7 Q. And you also told us that on occasion you participated in
8 the sale or distribution of cocoa for the RUF, did you not?

9 A. I did not take part, but I saw the truck going to Kolahun
11:57:18 10 to sell the cocoa and coffee through Liberia.

11 Q. So you were a general in the RUF and it would be fair to
12 say you had no troops under your direct command, would it not?

13 A. Yes.

14 Q. And you were sent there by Charles Taylor through Benjamin
11:57:41 15 Yeaten to handle a position that was of importance to the
16 subregion, correct?

17 A. Yes.

18 Q. Can you tell us the different places where you fought while
19 you were in Sierra Leone?

11:58:05 20 A. Yes.

21 Q. Please go ahead.

22 A. I told you the first operation was Mosquito Spray into
23 Liberia. The LURD rebels crossed from Guinea and attacked
24 Voinjama, Kolahun, in Lofa County and then we were called from
11:58:32 25 Buedu. Sam Bockarie, Issa Sesay, Morris Kallon, including
26 myself, we moved to Foya. There we met the other commander, the
27 AFL commander who was in Foya called Colonel Stanley. He was the
28 commander in charge of Foya. And we met Christopher Varmoh, who
29 was the commander in charge in Varmoh called Skinny. Benjamin

1 Yeaten, he and Sam Bockarie were co-ordinating while we were on
2 the front lines. When we took over Kolahun, we took over
3 Voinjama, Sam Bockarie, Benjamin Yeaten and the Defence Minister,
4 Daniel Chea, a helicopter arrived in which Daniel Chea was and
11:59:53 5 then Sam Bockarie and Benjamin Yeaten and the Defence Minister
6 they used the helicopter to go to Monrovia. That was the first
7 operation.

8 The second --

9 Q. Can I ask you a question. What year did that operation
12:00:20 10 take place?

11 A. That was 1999.

12 Q. What month?

13 A. It was in August.

14 Q. And there was a second operation, you said?

12:00:34 15 A. Yes.

16 Q. When did that take place?

17 A. That happened in 2000.

18 Q. And in which country was that operation?

19 A. In Guinea.

12:00:56 20 Q. Well I would like to know, if you please, whether you
21 fought in Sierra Leone between 1998 and when you left in 2002?

22 A. Yes.

23 Q. And where did that fighting take place?

24 A. As I told you from Bunumbu, Segbwema, Jumo Kafebu, Gbava
12:01:31 25 into Kolahun and Kenema District.

26 Q. Mr Keita, I want to ask you now a series of questions about
27 the dates and months you spent in different places in Sierra
28 Leone. (I would like to direct the Chamber's attention to tab
29 number 1, and the relevant page would be page number 3 faintly

1 written at the bottom of the page. This represents the recorded
2 information about an interview from 2 February 2003 with
3 Mr Keita). Mr Keita, this is what you told the Prosecution about
4 your time in Sierra Leone and the different places you were.

12:02:47 5 (Your Honours, I will be reading from about a third down from the
6 top of the page where it says, "Abu stayed in Sierra Leone with
7 the RUF from 1998 until 2001". It says:

8 "Abu stayed in Sierra Leone with the RUF from 1998 until
9 2001. In brief, his movements were as follows:

12:03:18 10 September - December 1998 -- in Buedu with Mosquito
11 December 1998 - January 1999 -- participated in attacks
12 against Kenema, Kono, Magburaka, Makeni, Freetown (Reached up to
13 Waterloo)

14 January 1999 - April 2001 -- based in Makeni

12:03:58 15 May, June, July 2000 -- took part in RUF attacks on [Port]
16 Loko, Rogberi, Waterloo

17 September 2000 - March 2001 -- participated in RUF/Liberia
18 attacks on Guinea

19 April 2001 - after SL disarmament moved with 350 men to
12:04:36 20 Vahun, Liberia

21 June 2001 -- Called by Yeaten to and later attended meeting
22 in Abidjan to plan attacks on Guinea".

23 I will stop there for the moment. Mr Keita, yesterday you
24 testified about events in Kono in December 1998. Do you recall
12:05:11 25 that?

26 A. Yes.

27 Q. Yesterday you testified about the invasion of Freetown and
28 the attack on Freetown on 6 January 1999, do you recall that?

29 A. Yes.

1 Q. And today we see that you told the Office of the Prosecutor
2 that in January 1999 through April 2001 you were based in Makeni,
3 true?

4 A. No, that is not correct, sir.

12:05:50 5 Q. I put it to you, Mr Keita, that when the attacks in
6 Freetown took place you were based in Makeni and not in Buedu
7 with Sam Bockarie?

8 A. No.

9 Q. Where is Teko Barracks located at?

12:06:15 10 A. Teko Barracks. If I talk about this attack, the attack
11 that we attacked the Kenema peacekeepers --

12 THE INTERPRETER: Your Honours, the witness is speaking
13 very fast.

14 PRESIDING JUDGE: Mr Witness, pause. You have speeded up.

12:06:28 15 The interpreter needs to have you slower. Please repeat your
16 answer.

17 THE WITNESS: Okay, sir, I understand that. The time I am
18 talking about that we advanced to Waterloo was the time we
19 arrested the peacekeepers: the Kenyans and the Zambians.

12:06:44 20 MR ANYAH:

21 Q. My question was where is Teko Barracks?

22 A. Teko Barracks is in Makeni.

23 Q. And I am putting it to you that for most of the events you
24 spoke about yesterday you were not present in Buedu when they
12:07:09 25 happened. True, or false?

26 A. That is false.

27 Q. You were not present in Buedu when you said Sam Bockarie
28 came back with a new pickup truck from Charles Taylor on about
29 January 1999. True, or false?

1 A. That is true.

2 Q. When you say that that is true, are you telling the Court
3 that you were present at that time?

4 A. Yes, in Buedu.

12:07:51 5 Q. But you have just seen or heard what you told the Office of
6 the Prosecutor about your places of assignments and the dates of
7 assignments back in February 2003 and it says that in January you
8 were based in Makeni. January 1999, that is. Are you telling
9 the Court that you were also in Buedu at the same time?

12:08:24 10 A. Yes, I moved up and down. I had a vehicle. I had a bike
11 that I used to move with.

12 Q. And you were busy fighting and moving back and forth
13 between Buedu --

14 A. Yes.

12:08:37 15 Q. Between Buedu all the way down towards Makeni, is that your
16 testimony?

17 A. Yes.

18 Q. This event you told us about yesterday where Bockarie came
19 back with a vehicle you said he was given by Charles Taylor, you
12:09:08 20 told us, did you not, that on his way to Monrovia you took Sam
21 Bockarie from Buedu to Foya, correct?

22 A. Yes, I escorted him.

23 Q. And in Foya you said, or I believe you said, that Zig Zag
24 Mazhar - I am sorry, Joe Tuah arrived with a helicopter, correct?

12:09:41 25 A. Yes.

26 Q. And you saw Sam Bockarie board that helicopter, correct?

27 A. Yes.

28 Q. How did you know the helicopter was going to Monrovia?

29 A. Because I saw them going and they said they were going to

1 Monrovia, sir.

2 Q. And you said within a few days Sam Bockarie returned,
3 correct?

4 A. Yes.

12:10:08 5 Q. But this time you said he returned with a vehicle that was
6 given to him by Charles Taylor, true?

7 A. Not this time. The second --

8 Q. Your testimony yesterday was that on the trip when Sam
9 Bockarie came back with the vehicle he also came back with jeans
10 and T-shirts. That was your testimony, was it not?
12:10:32

11 A. Yes, that is true.

12 Q. And I am putting it to you that Sam Bockarie never came
13 back with any vehicle from Charles Taylor?

14 A. He came with a vehicle. An ash coloured vehicle. A Toyota
12:10:57 15 Land Cruiser.

16 Q. I am putting it to you that Sam Bockarie, if he flew at all
17 by helicopter, came back by the same helicopter. Yes, or no? Do
18 you agree?

19 A. No.

12:11:14 20 MR ANYAH: Your Honours, I would direct the Chamber to tab
21 number 10 and the relevant page in question is page 4. The ERN
22 number is 00044959 and the relevant paragraphs are paragraphs 4
23 and 5. Paragraph 4:

24 "The witness was asked about the trips of Sam Bockarie to
12:12:18 25 Monrovia during the Freetown invasion that the witness mentioned
26 in a previous statement. The witness could remember that within
27 a week after the beginning of the Freetown invasion, he escorted
28 Bockarie and Eddie Kanneh to Foya. A bodyguard of Bockarie
29 called Foday was also part of that escort. In Foya, a chopper

1 was waiting and they met Joe Tuah who worked for Taylor. The
2 witness had met Tuah in Monrovia. Before the witness worked for
3 the RUF --" I am sorry, "The witness had met Tuah in Monrovia
4 before the witness worked for the RUF in Sierra Leone. Bockarie,
12:13:10 5 Kanneh, Foday and Tuah left with the chopper".

6 Paragraph 5:

7 "About two days later Bockarie, Kanneh, Foday and Tuah came
8 back to Foya with the same chopper and the witness went to meet
9 them in Foya. Before they came back Liberian operators called
12:13:33 10 Buedu to tell them that the chopper was coming. Bockarie, Kanneh
11 and Foday came back to Buedu with the witness and Tuah went
12 straight back to Monrovia in [the] chopper. Bockarie brought
13 back jeans and t-shirts":

14 Q. This is what you told the Office of the Prosecutor back in
12:13:56 15 the period 22 and 27 of November regarding Bockarie's trip to
16 Monrovia in January of 1999, correct?

17 A. Yes.

18 Q. There is no mention in that of any vehicles or pickups
19 being brought back to Buedu from Charles Taylor by Sam Bockarie,
12:14:22 20 is there?

21 A. That is why I told you that he made the trip twice.

22 Q. Well, yesterday you told us that you observed the burning
23 and looting of houses in the vicinity of Kono. Did you say that?

24 A. Not in Kono. I told you it was in Bunumbu, Segbwema, Jumo
12:14:55 25 Kafebu and Gbava where I said I took part in these operations.

26 Q. And when exactly did these operations take place?

27 A. The same 1999 when we were fighting.

28 Q. But at that time for an extended period of time between
29 January 1999 and April 2001 during a period of war you were based

1 in Makeni, were you not?

2 A. We moved from Buedu to Makeni.

3 Q. And that move took place before the Freetown invasion, did
4 it not?

12:15:45 5 A. No.

6 Q. Mr Keita, do you know why you were sent to Buedu by
7 Benjamin Yeaten? Why you? Why did they choose you?

8 A. I don't know.

9 Q. At the time they chose you you were a former ULIMO fighter,
12:16:13 10 correct?

11 A. Yes.

12 Q. And you had just been released from Saw Beach Prison --

13 A. Yes.

14 Q. -- under suspicions of having taken part in a coup attempt,
12:16:31 15 correct?

16 MR KOU MJIAN: Objection. There has been no evidence of a
17 coup attempt. The witness has not indicated that.

18 MR ANYAH: Well --

19 PRESIDING JUDGE: I am sorry, Mr Anyah. Your response?

12:16:41 20 MR ANYAH: Well I think the Chamber was about to speak, but
21 my response would be that I believe in reading back prior
22 evidence he said he was suspected of being a collaborator of
23 Roosevelt Johnson.

24 PRESIDING JUDGE: The issue of a coup attempt was put to
12:16:59 25 the witness several times and I see nothing wrong in putting it
26 to the witness in this form.

27 MR ANYAH: Thank you, Madam President:

28 Q. And I am saying to you, Mr Keita, that at the time you were
29 sent on this mission you were recently, or you were suspected of

1 having recently, plotted a coup against Charles Taylor, were you
2 not?

3 A. I told you that I didn't know about a coup. I was only
4 arrested because they say Joe Wally should be arrested at
12:17:36 5 Roosevelt's Johnson's house. So if you keep telling me about
6 coup, who am I to plan a coup? I did not know about a coup.

7 Q. But you were an AFL soldier who was accused of not fighting
8 against Roosevelt Johnson at the time, correct?

9 A. Yes.

12:17:54 10 Q. And yet you were the one chosen to go to Buedu, is that
11 your testimony?

12 A. Yes.

13 Q. I want to talk a little bit about this fellow Sheku Suwape
14 Koroma. He is a Guinean fellow, is he not?

12:18:13 15 A. Yes.

16 Q. Mr Keita, I put it to you that while he may have fought for
17 the RUF he did not go there at the request of Benjamin Yeaten.
18 True, or false?

19 A. I wonder --

12:18:33 20 MR KOU MJIAN: Objection, it is ambiguous. "He did not go
21 there". It is not clear who "he" is?

22 MR ANYAH: I said "you", as in the witness.

23 JUDGE LUSSICK: I know that the notes we are looking at say
24 something different as well, but I heard the word "you", not
12:18:50 25 "he".

26 MR ANYAH: Thank you, Justice Lussick:

27 Q. Mr Keita, I am saying to you that, while you may have
28 fought with the RUF, the reason for you going to Sierra Leone was
29 not at the request of Benjamin Yeaten. True, or false?

1 A. That is true. It was on the instructions of Benjamin
2 Yeaten that took me to the RUF.

3 Q. I am saying that you did not go because Yeaten asked you to
4 go. True, or false?

12:19:22 5 A. No, he asked me to go there.

6 Q. I put it to you that after you were released from prison
7 you went into hiding within Monrovia. True, or false?

8 A. No.

9 Q. I put it to you that this fellow Sheku Suwape Koroma
12:19:45 10 approached you and another person and made a proposition to the
11 two of you to go to Buedu. True, or false?

12 A. False.

13 Q. I put it to you that Sheku Koroma told you that there was
14 work for you in Buedu by way of recruiting soldiers for the RUF
12:20:12 15 from Liberia. True, or false?

16 A. False.

17 Q. I put it to you that Sheku Koroma bought a Land Cruiser
18 jeep and registered it in the nature of a produce vehicle for the
19 transportation of cocoa. True, or false?

12:20:36 20 A. False.

21 Q. I put it to you that Sheku Koroma gave you 500 US dollars
22 and gave the man you were with 400 US dollars so that the two of
23 you could go and work for him in Buedu. True, or false?

24 A. False.

12:20:58 25 Q. I put it to you that it was Sheku Koroma who took you and
26 the man you were with to Buedu to meet Sam Bockarie. True, or
27 false?

28 A. False.

29 Q. I put it to you that Sheku Koroma, you and the man that you

1 were with had an arrangement with Liberian border officials
2 whereby you paid them a thousand dollars so that you could move
3 men from Liberia into Buedu. True, or false?

4 A. False.

12:21:38 5 Q. I put it to you that your arrangement with Sam Bockarie was
6 that you would bring men on a weekly basis from Liberia to Buedu.
7 True, or false?

8 A. False.

9 Q. I put it to you that on a weekly basis in small pickup
12:22:00 10 trucks you and your partner took men, ten at a time, from
11 Voinjama to Buedu. True, or false?

12 A. False.

13 Q. I put it to you that at some point your partner in this
14 business endeavour was arrested by Sam Gboley. True, or false?

12:22:27 15 A. False.

16 MR ANYAH: For the record, Gboley is G-B-O-L-E-Y:

17 Q. I put it to you that, after your partner was arrested by
18 Sam Gboley, you were afraid to return back to Liberia. True, or
19 false?

12:22:51 20 A. False.

21 Q. I put it to you that it was at that time that you stayed
22 behind in Buedu and joined the RUF. True, or false?

23 A. False.

24 Q. I put it to you that you were no more than a mere Logistics
12:23:11 25 Officer for the RUF while you were in Buedu. True, or false?

26 A. False.

27 Q. If somebody came here and told this Court that you went to
28 Buedu at the behest of Sheku Suwape Koroma that person in your
29 view would be lying, is that your testimony?

1 A. Yes, but can I ask you, sir?

2 PRESIDING JUDGE: Just a moment, Mr Anyah. What did you
3 wish to ask, Mr Witness?

12:23:53

4 THE WITNESS: I want to ask him whether Sheku had any
5 authority as a Guinean to ask somebody from Liberia?

6 PRESIDING JUDGE: That is not an appropriate question to
7 counsel.

8 THE WITNESS: Okay, thank you, sir.

12:24:09

9 MR ANYAH: Now, I want to briefly touch on something my
10 colleague called to my attention in tab number 1 very quickly.
11 Your Honours, this is on page 2 of tab number 1 and this would be
12 on the second page. This is again the interview by Ms Corinne
13 Dufka with the witness of 2 February, 2003. From the top of the
14 page --

12:24:56

15 PRESIDING JUDGE: I think I heard you say tab 1, Mr Anyah.
16 Is it tab 2 you are referring to?

17 MR ANYAH: Oh, yes, please, it is tab 1, your Honours. Tab
18 1, page 2. From the top of the page it would be the fourth
19 bullet point:

12:25:31

20 Q. Mr Keita, did you tell Ms Dufka that when President Samuel
21 Doe was assassinated in December 1990 by a faction loyal to NPFL
22 leader Charles Taylor, that you, Abu, joined the incipient ULIMO
23 faction then in the process of forming in Sierra Leone? Did you
24 tell her that?

12:25:54

25 A. No.

26 Q. Specifically what I wish to know is did you tell her that
27 Samuel Doe was assassinated by a faction loyal to NPFL leader
28 Charles Taylor?

29 A. Not that they were loyal, not that they were loyal to

1 Charles Taylor, but the INPFL, Prince Johnson. The INPFL.

2 Q. So, it was Prince Yormie Johnson that assassinated, or
3 killed Samuel Doe, correct?

4 A. Yes.

12:26:31 5 Q. Now, we have heard the name Varmuyan Sherif a number of
6 times and I want to ask you a few questions. Can you tell us
7 when the last time was that you saw Mr Sherif?

8 A. I can't remember. It was from Benjamin Yeaten's house.

9 Q. Have you seen Mr Sherif in The Hague since you have been
12:26:55 10 here?

11 A. No.

12 Q. Wherever you live right now, Mr Sherif, - sorry, wherever
13 you live right now, Mr Keita, do you live in close proximity to
14 Varmuyan Sherif?

12:27:21 15 A. I don't know just from what you are saying.

16 Q. Going back to ULIMO for a moment, during the time when you
17 were in ULIMO it would be fair to say that ULIMO controlled the
18 entire border area between Sierra Leone and Liberia, correct?

19 A. Yes.

12:27:52 20 Q. Indeed, ULIMO started controlling that border area in about
21 1993, correct?

22 A. Yes.

23 Q. And ULIMO's control of the border area continued through
24 1997 when Charles Taylor was elected President, correct?

12:28:15 25 A. Yes.

26 Q. Nothing could move through that border without going
27 through ULIMO, would that be fair to say?

28 A. The RUF --

29 THE INTERPRETER: Your Honours, can the witness kindly

1 repeat his answer.

2 PRESIDING JUDGE: Mr Witness, the interpreter asks that you
3 repeat your last answer. Please do so slowly.

12:28:47

4 THE WITNESS: The RUF never had any contacts to cross into
5 Liberia.

6 MR ANYAH:

7 Q. Indeed that is precisely the issue. It would be fair to
8 say that between 1993 and 1996 it was highly unlikely that the
9 RUF could have any contact with Liberia, correct?

12:29:09

10 A. Yes.

11 Q. And would it be fair to say that before you left for Sierra
12 Leone from Monrovia, you had no personal knowledge regarding
13 whether or not Charles Taylor was talking to the RUF, or in
14 contact with them, true or false?

12:29:33

15 A. No, please, I want you to repeat the time? Is it the time
16 ULIMO was in control, or the time after the elections?

17 Q. I will repeat the question. Before you left Monrovia to go
18 to Buedu, let us say August of 1997, you had no knowledge
19 regarding whether or not Charles Taylor was in contact with the
20 RUF, did you?

12:29:59

21 A. Yes.

22 Q. "Yes" means you knew he was in contact with the RUF?

23 A. No, I never knew.

12:30:19

24 Q. You also never knew whether Charles Taylor sent any weapons
25 to the RUF, true or false?

26 A. True.

27 Q. I think that was clear enough. Thank you.

28 Mr Keita, I want to ask you now about a November interview
29 you had with the Office of the Prosecutor, I believe in Freetown,

1 22 November through 27 November. Do you recall meeting with the
2 Office of the Prosecutor in Freetown?

3 A. Your Honours, can he repeat? He is not audible enough.

12:31:05

4 PRESIDING JUDGE: Mr Interpreter, it must be yourself or
5 your colleague because the witness didn't hear. So, if you could
6 repeat it again, the question, for the witness.

7 MR ANYAH:

8 Q. The question was: Did you meet with the Office of the
9 Prosecutor in Freetown in November 2007?

12:31:27

10 A. Yes.

11 Q. And after your meeting with the Office of the Prosecutor
12 you were driven away by a van from the Court's witnesses and
13 victims services section, were you not?

14 A. What do you mean driven? From where to where?

12:31:51

15 Q. Well, you I were in a Special Court vehicle on Jomo
16 Kenyatta Road after that interview and they were taking you
17 somewhere, true?

18 A. I don't remember that.

19 Q. Were you ever in a vehicle with a lady by the name of Nancy
20 Bounducca?

12:32:11

21 A. Yes.

22 Q. And that was in November 2007, correct?

23 A. Yes.

24 Q. And there was another lady in that vehicle by the name of
25 Mary, true?

12:32:27

26 A. I can't recall that name.

27 Q. Was there somebody in the vehicle by the name of Akim
28 Bombola?

29 A. Yes.

1 Q. And on that particular occasion, while the vehicle came to
2 a stop, you met two men: One whose name is Idrissa, nickname
3 Churchill, last name Kargbo, true or false?

4 A. I don't remember.

12:33:04 5 Q. Well, you do know a person by the name of Idrissa Kargbo,
6 do you not?

7 A. I don't remember that name, sir.

8 MR ANYAH: For the record, the spellings, your Honours:
9 Nancy Bounducca, it is spelt Nancy, regular spelling, Bounducca
12:33:24 10 B-O-U-N-D-U-C-C-A. Akim Bombola is spelt Akim, A-K-I-M; Bombola,
11 B-O-M-B-O-L-A. Idrissa Kargbo, Idrissa is spelt I-D-R-I-S-S-A;
12 Kargbo, K-A-R-G-B-O and Mary, regular spelling:

13 Q. Mr Keita, I put it to you that when you met Idrissa Kargbo
14 you told him that you had mentioned his name to the Office of the
12:34:16 15 Prosecutor during your interviews with them and you wanted him to
16 go along with what you had told them, true or false?

17 A. False.

18 Q. I put it to you that you told Mr Kargbo that if he went
19 along with what you told them he would be able to get asylum when
12:34:38 20 he came to the Netherlands, true or false?

21 A. False.

22 Q. I put it to you that you told Idrissa Kargbo that his
23 family would also be relocated to the Netherlands if he
24 co-operated with the Special Court's Office of the Prosecutor,
12:34:56 25 true or false?

26 A. False.

27 Q. If Nancy Bounducca, Mary, or Akim were to come to this
28 Court and say they overheard you saying these things they would
29 be lying, true?

1 A. Please, sir. Your Honours, I want you to repeat the
2 question, sir.

3 Q. If any of those names I have mentioned, Akim, Nancy, or
4 Mary, were to come to this Court and tell the Court that they
12:35:31 5 overheard you saying what I have said to Idrissa Kargbo, they
6 would be lying. Is that your testimony?

7 A. Yes.

8 MR ANYAH: Your Honours, I would refer the Chamber to the
9 last tab in the set of documents, tab number 12, and these are
12:36:03 10 records of disbursements made by the Office of the Prosecutor to
11 the witness:

12 Q. Mr Keita, I want to ask you about amounts you have received
13 from the Office of the Prosecutor in this case. The records,
14 starting on page 1, line 1, indicate that on 20 June 2003 you
12:36:41 15 received the sum of \$445. That is correct, true?

16 A. Yes.

17 Q. On the second row it says that three days later, on 23 June
18 2003, Corinne Dufka made a payment to you in the amount of \$885,
19 correct?

12:37:14 20 A. Yes.

21 Q. And we are speaking not of Liberian dollars, we are
22 speaking of United States dollars, correct?

23 A. Yes.

24 Q. On the same day, 23 June 2003, a J Barry made a payment to
12:37:37 25 you, or spent \$793 to your benefit, true?

26 A. Yes.

27 Q. The fourth entry indicates that on 23 June 2003, \$57 were
28 paid to cover your hotel costs, correct?

29 A. Yes.

1 Q. Also on the 23 June 2003 the records indicate that \$322
2 were paid to cover expenses for you, correct?

3 A. Yes.

12:38:33

4 Q. Then we get to 16 July of 2007, the eighth entry, and it is
5 there indicated that the sum of 6,000, I believe that would be
6 leones, was expended on your behalf. Is that correct?

7 A. Yes.

12:39:08

8 Q. And then the last page shows that the total amount you have
9 received from the Office of the Prosecutor is \$2,502, plus 6,000
10 leones, is that correct?

11 A. Yes.

12 Q. Now, most of these payments came on 23 June 2003, correct?

13 A. Yes.

12:39:32

14 Q. And that was a few days before your interview with Ms Dufka
15 on 30 June 2003, correct?

16 A. Yes.

17 Q. Besides money that you have received from the Office of the
18 Prosecutor, you have received money from another section of the
19 Court, have you not?

12:39:53

20 A. Which section, sir?

21 Q. Have you received any money during the course of your
22 involvement with the Special Court from the witnesses and victims
23 section of the Special Court?

24 A. Yes.

12:40:10

25 Q. Can you tell us the total amount that you have received
26 from that section since you have been involved with the Special
27 Court?

28 A. No.

29 Q. Has the money been paid to you in United States currency?

1 A. Yes.

2 Q. Is the amount you have received less than, or greater than,
3 \$1,000?

4 A. Not even close to it.

12:40:44 5 Q. Then you have an approximate amount that you can give us.
6 Can you tell us what the approximate amount is?

7 A. I cannot estimate, sir.

8 MR ANYAH: Madam President, may I have a moment, please?

9 Madam President, I tender the witness. I have nothing further.

12:41:22 10 PRESIDING JUDGE: Thank you. Re-examination, Mr Koumjian?

11 RE-EXAMINATION BY MR KOUMJIAN

12 MR KOUMJIAN: Your Honour, very briefly, but the document
13 that counsel was last cross-examining on in tab 12 I would like
14 to have that marked for identification and I would like to ask
12:41:40 15 the witness some questions about that. I have an extra copy I
16 could give to the Usher to put on the screen. Actually, my copy
17 I have just scratched the word "payments" on it. That is the
18 only way it differs, but let me use the copy that is in the
19 Defence binder. I think it is unmarked.

12:42:39 20 PRESIDING JUDGE: Very well. That will be a document,
21 three pages, headed "Special Court for Sierra Leone: All
22 disbursements for witness" and then a number, and that will be
23 MFI-20.

24 MR KOUMJIAN: Is it on the screen now?

12:43:07 25 Q. Sir, I am asking you some questions about the payments that
26 the Defence counsel just asked you about. You were asked about a
27 payment on 20 June 2003 of \$445. Do you know the nature of that
28 payment? What it paid for?

29 A. That was for my affairs.

1 Q. The document that counsel quoted from indicates transport.
2 Well, my first question for you is: Were you handed the money,
3 445 US dollars in cash, or was something paid to you? Did you
4 receive a ticket, or something like that?

12:43:58 5 A. I received a ticket. It was not that it was given to me in
6 cash in bulk, no.

7 Q. The second entry, Monday, 23 June 2003, indicates air
8 ticket from Abidjan to Conakry. Is that correct that you
9 travelled by air on that date, or approximately near that date?

12:44:27 10 A. Yes, because the plane that we took to go to Liberia, they
11 say I cannot go to Liberia so --

12 JUDGE SEBUTINDE: We don't know what you are referring to.
13 Which second entry refers to Conakry? Just guide us, please.

14 MR KOUMJIAN: The one labelled 2, category: Air ticket
12:44:49 15 from Abidjan from Conakry.

16 JUDGE LUSSICK: We have a redacted version, I think.

17 JUDGE SEBUTINDE: It is blacked out. We don't have that.

18 MR KOUMJIAN: I see. I have a non-blacked out version.

19 Then perhaps I will offer my version into evidence.

12:45:14 20 JUDGE SEBUTINDE: Is there a good reason why it was blacked
21 out?

22 MR KOUMJIAN: Your Honour, I believe it was blacked out
23 because in general we tried to avoid disclosing the locations of
24 witnesses. For this particular witness I believe that that is
12:45:27 25 not an issue now, these particular trips.

26 JUDGE SEBUTINDE: The version that is sitting in front of
27 the witness, is it also blacked out, or is it the original
28 version?

29 MR KOUMJIAN: That is blacked out, I see.

1 JUDGE SEBUTINDE: In which case you are then leading the
2 witness as to what you think is on that document.

3 MR KOUMJIAN: Well, I am telling the witness because he
4 cannot read the document in any event, but I am asking him - yes,
12:45:59 5 I am telling the witness what it says and asking him if it
6 confirms with his recollection of the payments.

7 MR ANYAH: Madam President, I think in all fairness it
8 would be appropriate for them to have disclosed an unredacted
9 version of this document to us considering that it is almost
12:46:21 10 routine practice that we only get redacted versions and
11 especially since counsel is now attempting to refer to materials
12 we have not seen prior to this point.

13 PRESIDING JUDGE: Mr Koumjian, there appears to be - I am
14 not quite sure if this is an objection under rule 66, or if it is
12:46:48 15 an observation, but what have you got to say to that?

16 MR ANYAH: Madam President, our lead counsel has just
17 reminded me that it is, indeed, an objection under rule 66.

18 MR KOUMJIAN: Well, your Honour, I am not sure which part
19 of rule 66 that counsel is referring to. This is not a statement
12:47:10 20 of a witness, nor is it obviously a document that the Prosecution
21 intended previously to disclose into evidence. It came during
22 the cross-examination and I do not believe that the locations of
23 the travel would fall under rule 68. The amounts that were paid
24 were disclosed pursuant to rule 68 in our disclosure obligations,
12:47:46 25 but the locations, I do not believe, in any way are rule 68.

26 MR ANYAH: I would, if it please the Court, take a contrary
27 position. It is rule 68, root and branch, in the sense that
28 although we have the amounts the context is also important. If
29 the context is not disclosed you could have records, for example,

1 where the witness is being refunded an expenditure for a
2 particular purpose. We need to know the context and that is why
3 it is rule 68 because for all we know it could be payments, and I
4 am not alleging this in this way, but payments that in some way
12:48:27 5 swayed the witness's testimony one way or the other.

6 PRESIDING JUDGE: Mr Anyah, what relief are you requesting
7 from the Court?

8 MR ANYAH: At the minimum I am requesting two alternative
9 reliefs. In the first instance the Prosecution should be limited,
12:48:45 10 for today's proceedings, to operating or using the version that
11 we have had all these months. Secondly, and alternatively, it
12 may very well be appropriate that the Court consider directing
13 them that unless it is a case where there is a firm belief that
14 protective measures in this nature are required, that we be
12:49:12 15 allowed to have unredacted versions of these payments. They are
16 records kept by the Special Court for Sierra Leone, albeit from
17 the Office of the Prosecutor.

18 JUDGE LUSSICK: I really can't see any reason why this
19 witness cannot be re-examined on the redacted version on which he
12:49:31 20 was cross-examined.

21 MR KOUMJIAN: Your Honour, I accept that. I will use the
22 redacted version for my cross-examination. I just want to make
23 sure I have the redacted version so I am not saying anything -
24 Q. Sir, in the document that counsel asked you questions
12:50:04 25 about, it indicated that the payments were made, the first one,
26 on 20 June 2003, category transport. The second entry, \$885 on
27 23 June, travel. The third entry, \$793, it indicated was to
28 cover costs associated to travel. The fourth entry it indicated
29 to cover costs associated to hotel fee. The fifth entry, to

1 cover costs associated to transportation. Is it correct that
2 these costs were incurred by you, or on your behalf, for travel
3 and transportation?

12:50:50

4 MR ANYAH: Objection, your Honour, to the leading nature of
5 the question.

6 THE WITNESS: Yes.

7 PRESIDING JUDGE: Mr Anyah, you were trying to get to your
8 feet whilst the interpreter was speaking. Did you wish to raise
9 some matter?

12:51:21

10 MR ANYAH: No, Madam President.

11 MR KOUMJIAN: Your Honour, I don't wish to go any further
12 on this either. I just have one other question in another area
13 for the witness:

12:51:38

14 Q. Sir, you were asked a question on cross-examination about
15 any radio communications with Benjamin Yeaten. Did you yourself,
16 let us be clear again, ever speak on the radio to Benjamin
17 Yeaten?

12:51:59

18 A. I told you that, yes, I spoke to Benjamin Yeaten where he
19 said he gave a letter of appointment to Sam Bockarie to be given
20 to me.

21 MR KOUMJIAN: Thank you, sir. I have no further questions
22 on redirect. I would ask that the redacted version of the costs
23 paid by the Prosecution be marked for identification.

12:52:23

24 PRESIDING JUDGE: I thought it was marked for
25 identification as document number 20.

26 MR KOUMJIAN: I am sorry, thank you.

27 JUDGE SEBUTINDE: Mr Witness, I have one question for you
28 and that relates to a document that the Defence lawyer has been
29 frequently referring to, under tab 2 I believe. This is the

1 interview that you had with Ms Corinne Dufka on 30 June 2003.
2 Now, the beginning of this document shows that present in the
3 room were Corinne Dufka, the investigator, and you, yourself.
4 Now, the question I want to ask is are you fluent in English?

12:53:30 5 A. I can understand English a little bit.

6 JUDGE SEBUTINDE: Are you fluent in it?

7 THE WITNESS: No.

8 JUDGE SEBUTINDE: In what language was this interview
9 conducted?

12:53:49 10 THE WITNESS: It was in Liberian English.

11 JUDGE SEBUTINDE: Was Ms Dufka speaking to you in Liberian
12 English?

13 THE WITNESS: She was speaking English and I was speaking
14 the Liberian language.

12:54:05 15 JUDGE SEBUTINDE: Was what she said interpreted to you in
16 Liberian English?

17 THE WITNESS: No, there wasn't an interpreter.

18 JUDGE SEBUTINDE: And was what you said interpreted to her
19 in English?

12:54:27 20 THE WITNESS: No.

21 JUDGE SEBUTINDE: Thank you, Mr Witness.

22 PRESIDING JUDGE: Just pause, Mr Anyah. I have no
23 questions. Is there a question arising, Mr Anyah?

24 MR ANYAH: Yes, Madam President. I would seek the Chamber
12:54:48 25 - I would beg the Chamber's indulgence for purposes of clarifying
26 the record. In the first instance I would invite my colleagues
27 on the other side, in respect of the issues raised by Justice
28 Sebutinde, to stipulate, or agree with us, that Corinne Dufka, as
29 a former employee of theirs, spoke and understood Liberian

1 English as is reflected in tab 7 of the bundle of documents that
2 they have disclosed to us. I am referring to tab 7 and the first
3 paragraph regarding this same interview that Justice Sebutinde is
4 concerned about. That paragraph says that:

12:55:47 5 "TF1-276 gave three statements, one on 30 June 2003, one on
6 1 July 2003, one on 2 July 2003, which were taped and
7 subsequently transcribed. During these three interviews with OTP
8 investigator Corinne Dufka, TFI-276 spoke in Liberian English and
9 no translator was used as Corinne Dufka spoke and understood
12:56:25 10 Liberian English."

11 The next paragraph confirms that the recordings of those
12 interviews were subsequently verified as to their accuracy by an
13 OTP translator, Bob Conteh, and a victim, witnesses and victims
14 section employer, Mariama Bockarie. So, I am inviting our
12:56:49 15 colleagues to stipulate to those facts if they would not mind.

16 MR KOU MJIAN: Your Honour, I certainly stipulate that the
17 document as read by counsel is correct. This is an official
18 record of the Office of the Prosecutor.

19 MR ANYAH: Thank you, counsel.

12:57:09 20 PRESIDING JUDGE: Mr Witness - sorry, Mr Koumjian.

21 MR KOU MJIAN: Before the witness is excused the Prosecution
22 moves to admit into evidence TFI - I believe it is 16 through 20,
23 the exhibits that were relevant to this witness.

24 JUDGE SEBUTINDE: You mean MFI.

12:57:35 25 MR KOU MJIAN: MFI, thank you.

26 PRESIDING JUDGE: Yes, please proceed, Mr Koumjian. We
27 will go through them one by one.

28 MR KOU MJIAN: I don't have them in front of me. I believe
29 the first one is the letter of appointment to the Lofa County

1 position that the witness testified was given to him when he was
2 appointed to that assistant superintendent position.

3 PRESIDING JUDGE: Mr Anyah, that is a document headed
4 "Council of State". What is your reply?

12:58:17 5 MR ANYAH: My reply is that there was not a sufficient
6 foundation for this document. The witness was not asked any
7 questions about the signature, whether it was from Ruth Sando
8 Perry, or belonged to her. The copy we had was not legible and
9 we don't know where this document came from. I mean, our
12:58:43 10 objection is foundation.

11 PRESIDING JUDGE: Mr Koumjian?

12 MR KOUMJIAN: Well, your Honour, we know exactly where it
13 came from. The witness indicated it was given to him for his
14 appointment. He himself was the person that brought the document
12:58:56 15 to the Court. He himself was the person who was an official
16 record given to him, according to his testimony.

17 PRESIDING JUDGE: We consider that the document is
18 admissible in its present form and it will become Prosecution
19 evidence - excuse me, Prosecution exhibit P-44.

12:59:42 20 MS IRURA: That is correct, your Honour.

21 PRESIDING JUDGE: Thank you.

22 [Exhibit P-44 admitted]

23 MR KOUMJIAN: The next document, MFI-17 A and B, is a
24 photograph that the witness has indicated depicts himself and
12:59:58 25 Mr Zig Zag Mazhar and Jungle, otherwise known as Daniel Tamba.

26 PRESIDING JUDGE: Yes, Mr Anyah?

27 MR ANYAH: We have no objection, your Honour.

28 PRESIDING JUDGE: Thank you. This will therefore become
29 Prosecution Exhibit 45 A and 45 B. That is the coloured

1 photograph is 45 A and the black and white is 45 B.

2 [Exhibit P45 A and P45 B admitted]

13:00:49 3 MR KOUMJIAN: The next document is also a photograph. I am
4 trying to recall which of these it is, but I believe this is the
5 photograph from - the witness testified from the hotel in Burkina
6 Faso that was given to him by Sam Bockarie and he identified
7 various individuals in that photograph.

8 MR ANYAH: We have no objection and not to traverse the
9 province of the triers of fact, I just wish it noted that when we
13:01:18 10 raise no objection we are not necessarily conceding that the
11 people whom the witness has identified is whom they are.

12 PRESIDING JUDGE: Very well, so noted. That, therefore,
13 will become Prosecution Exhibit 46 A, the coloured version, and
14 Prosecution Exhibit 46 B is the black and white version.

13:01:56 15 [Exhibit P46 A and P-46 B admitted]

16 MR KOUMJIAN: The next exhibit, which was marked for
17 identification 19 A and B, is a colour and then black and white
18 copy of a photograph that the witness identified as Sheku Suwape
19 Koroma. He indicated this photograph was given to him, I
13:02:17 20 believe, by Mr Bockarie.

21 MR ANYAH: No objection, Madam President. Same reservation
22 of right.

23 PRESIDING JUDGE: The coloured photograph will become
24 Prosecution Exhibit 47 A and the black and white, 47 B.

13:02:46 25 [Exhibit P-47 A and P-47 B admitted]

26 MR KOUMJIAN: May I confer with my colleagues? Actually my
27 concern is I am trying to determine when it was marked for
28 identification, but we went over with the witness and perhaps it
29 is my error for not having it marked. We went over with the

1 witness the "Operation Take No Side" document.

2 PRESIDING JUDGE: Is that the document dated 20 January
3 2001, operation order?

4 MR KOUMJIAN: Yes.

13:03:15 5 PRESIDING JUDGE: That was already identified as a
6 Prosecution Exhibit 28.

7 MR KOUMJIAN: Thank you. In that case, the next document
8 is the expense form - the redacted expense form.

9 MR ANYAH: No objections, your Honours.

13:03:29 10 PRESIDING JUDGE: That was brought up by the Defence.

11 MR KOUMJIAN: Yes, I am moving it into evidence.

12 PRESIDING JUDGE: You are putting it in as a Prosecution
13 exhibit?

14 MR KOUMJIAN: Yes.

13:03:39 15 PRESIDING JUDGE: Very well. That will become Prosecution
16 Exhibit 48.

17 [Exhibit P-48 admitted]

18 MR KOUMJIAN: Thank you, your Honours.

19 PRESIDING JUDGE: Now, Mr Witness, that is the end of your
13:03:56 20 evidence. We thank you for coming to the Court and giving your
21 evidence. You are now at liberty to leave. Thank you.

22 THE WITNESS: Thank you, your Honours.

23 PRESIDING JUDGE: I beg your pardon, Ms Hollis. Please
24 proceed.

13:05:56 25 MS HOLLIS: Thank you. Your Honours, the next witness
26 called by the Prosecution is TF1-371. This is a witness whose
27 testimony will be heard in closed session. The language will be
28 English. Your Honour, if it may assist you the witness testified
29 previously in the RUF case, testified in closed session, and that

1 order has not been rescinded, or modified.

2 PRESIDING JUDGE: Have you a copy of that order, Ms Hollis?
3 It would assist us.

4 MS HOLLIS: Yes, your Honour.

13:07:19 5 MR GRIFFITHS: Your Honours, can I take advantage of this
6 hiatus to mention that I am in Court, for the record, and I will
7 be dealing with this witness.

8 PRESIDING JUDGE: Thank you for that, Mr Griffiths. We
9 have recorded that.

13:07:33 10 MS HOLLIS: And perhaps the Court Manager could assist me?

11 PRESIDING JUDGE: Can we have the closed session mechanics
12 put in place, please, Madam Court Manager.

13 [At this point in the proceedings, a portion of
14 the transcript, pages 2167 to 2168, was
15 extracted and sealed under separate cover, as
16 the proceeding was heard in closed
17 session.]

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1 [Open session]

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

3 PRESIDING JUDGE: For the purposes of record, since this is
4 a public - we are now back in public session. There has been an
13:14:12 5 objection raised to a closed session by counsel for the Defence
6 and the Prosecution is now replying.

7 Excuse me, Ms Hollis, if you would please proceed.

8 MS HOLLIS: Thank you, Madam President. Your Honours, when
9 the Defence were provided with the 42 day unredacted disclosure
13:14:35 10 for this witness they were provided with the unredacted
11 disclosure of the witness's prior testimony and that testimony
12 was clearly marked as closed session. Under the rules, once a
13 protective measure is put in place it continues in place until
14 there is an order for a modification, or a rescission, or some
13:14:57 15 different protective measure and that has not been done.

16 MR GRIFFITHS: Your Honour, can I rise just to make a point
17 of law in this regard?

18 PRESIDING JUDGE: Point of law only.

19 MR GRIFFITHS: My learned friend's objection is based upon
13:15:31 20 the fact that a trial Chamber has made such an order in another
21 case and I think it important that we remind ourselves of the
22 provisions of rule 78, which provide as follows:

23 "All proceedings before a" - singular - "trial Chamber
24 other than the deliberations of the Chamber shall be held in
13:15:58 25 public unless otherwise provided. The Trial Chamber" - singular
26 - "may order that the press and the public be excluded from all
27 or part of the proceedings."

28 And then it gives the reasons why such a procedure might be
29 adopted. Then it goes on at (b), "The Trial Chamber", again

1 singular, "shall make public the reasons for its order."

2 It seems to us that implied in that rule is the proposition
3 that it is incumbent on the Prosecution to make such an
4 application before the particular Trial Chamber in which the
13:16:44 5 evidence of that witness is to be heard. Otherwise, effectively
6 our rights under rule 17 to a fair trial would be adversely
7 affected because effectively we would have no opportunity
8 whatsoever to challenge the substance or basis for that ruling.
9 Consequently, it cannot be right, in our submission, for the
13:17:12 10 Prosecution to rely upon a prior decision made by a completely
11 separate Chamber, in which the accused was not represented and
12 had no opportunity to make representations. To rely upon that is
13 effectively to exclude any right we might have to a fair trial in
14 this particular regard. So, it seems to us that the matter has
13:17:38 15 to be addressed afresh before this particular Chamber.

16 PRESIDING JUDGE: Okay, Mr Griffiths.

17 MS HOLLIS: Your Honours -

18 PRESIDING JUDGE: Ms Hollis, you don't have a right of
19 reply to a reply and I do have in mind the provisions of rule 75
13:17:54 20 which we will now consider.

21 The majority decision of the Chamber is that an order was
22 made in Trial Chamber I on 14 June 2006 which ordered, inter
23 alia: (1) that the testimony of protected witnesses, and it
24 includes witness TF1-371, shall be heard entirely in closed
13:20:24 25 session. The provisions of rule 75(f) provide, "Once protective
26 measures have been ordered in respect of a witness or victim in
27 any proceedings before the Court, such measures shall continue to
28 have effect, mutatis mutandis, in any other proceedings before
29 the Special Court, known as the second proceedings, unless and

1 until they are rescinded, varied, or augmented, in accordance
2 with the procedure set out in this rule."

3 And the rule provides, inter alia, at 75(g) that, "A party
4 to the second proceedings", which is this proceeding, "seeking to
13:21:01 5 rescind, vary, augment protective measures ordered in the first
6 proceedings shall apply to the Chambers seised of the second
7 proceedings."

8 We have not had any application to rescind, vary, augment,
9 put before us and therefore the provisions of the order of 14
13:21:22 10 June 2006 stand.

11 In the light of the ruling, the Court will now be closed.
12 Madam Court attendant, if you would assist us, please.

13 JUDGE LUSSICK: I think, for the benefit of the public,
14 most of these shades will be risen once the protected witness is
13:21:57 15 brought into the Court.

16 [At this point in the proceedings, a portion of
17 the transcript, pages 2172 to 2175, was
18 extracted and sealed under separate cover, as
19 the proceeding was heard in closed session.]

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1 [Open session]

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

3 PRESIDING JUDGE: Thank you, Madam Court Attendant. The
4 judges are concerned to note that the closed session involves a
14:33:29 5 total closure of all of the windows. This means that the entire
6 proceedings, not just the witness, are closed to the public. We
7 have not experienced such a situation before. Therefore over the
8 lunch break we have requested our staff to see if there is any
9 possibility of having at least some of the Court open to the
14:33:55 10 public without in any way prejudicing the security of the
11 witness. As those counsel that were in Freetown may recall that
12 was what was done. The witness was fully protected but the
13 public could see counsel and the Bench.

14 I am not sure if counsel have been able to become aware of
14:34:22 15 what's happened or are aware of any practical solution that could
16 be available to us. Ms Hollis, have you had an opportunity to
17 consider this?

18 MS HOLLIS: Yes, your Honour. In fact, a member of my team
19 was allowed to go into the gallery and to look and what was
14:34:44 20 reported to me is that indeed there is not a reflection of the
21 witness, so the witness would not be seen. There were reported -
22 one matter that could result in inadvertent identification of the
23 witness and that is the people, certainly with the computers next
24 to the glass, if there is a live feed people sitting at this
14:35:10 25 angle can see that. Now we would endeavour not to have a live
26 feed but accidents happen. So that is one possibility.

27 The more remote concern has to do with LiveNote. I don't
28 really see that as a concern that the witness's name would
29 inadvertently be there and be able to be seen, but the live feed

1 would be a concern. That was what was reported back to me, your
2 Honour.

3 MR GRIFFITHS: Your Honour, our Mr Munyard was present
4 during the course of that experiment and reported the same
14:35:43 5 potential difficulty that my learned friend had adverted to which
6 is someone apparently standing right in the corner of the public
7 gallery might be in a position to see the screen. But I'm also
8 told that the security rules are such that everyone in the public
9 gallery has to be seated and the possibility that someone will
14:36:03 10 quite deliberately move into a position whereby they could see
11 the screen in our submission is somewhat remote. We do share
12 your Honour's concerns about effectively shutting out all kind of
13 public involvement altogether. It seems totally inappropriate in
14 our submission. Whereas we recognise the concerns about security
14:36:28 15 we should, in our submission, endeavour to involve the public at
16 every stage.

17 PRESIDING JUDGE: I do recall when a similar problem arose
18 in Freetown the counsel at the sides here turned their screens so
19 there weren't - a little so that they weren't viewed. I don't
14:36:50 20 know if that's possible here? No.

21 MS HOLLIS: Your Honour, I don't believe that we can turn
22 these. It's also our understanding that you don't have to be
23 standing there, you can be seated here and the angle would be
24 such that you could see.

14:37:11 25 JUDGE LUSSICK: I just thought there's one other aspect
26 that's worth mentioning. What the Bench was contemplating is
27 that there will be, we would imagine, a large proportion of the
28 evidence that would not be necessary to be heard in closed
29 session and the parts that would be necessary to be heard in

1 closed session could perhaps be asked either at the beginning or
2 the end, but that would necessitate a closure of the whole court
3 for those particular parts.

4 MS HOLLIS: We did consider that, that option, your Honours
14:37:59 5 and ourselves and the witness determined that certainly for - in
6 his view his security would be compromised. It is such that -
7 the information he will be give is such that it will be fairly
8 easy to identify who he is because of the breadth of his
9 information. So it would not, in our view, be possible to simply
14:38:22 10 have him talk about the different positions he held at different
11 times in closed session and then go into what he is able to tell
12 the Court. For one thing, "How do you know this" will include
13 reference to his positions and the people he associated with. So
14 we felt for this witness - although it may be an option with
14:38:43 15 others, it would not be an option for this witness.

16 JUDGE LUSSICK: Just so we're talking on the same issues,
17 what you had in mind, Ms Hollis, was members of the public being
18 able to look in and see us, but not the accused and not being
19 able to hear anything at all.

14:39:02 20 MS HOLLIS: Initially what we had in mind is that it would
21 be completely closed, in light of the issue about reflection and
22 the concerns about seeing the video screens, that is of course up
23 to your Honours to decide, but certainly if you decide that it
24 will be partially open, yes, your Honour, it would be our view
14:39:21 25 that the sides would be open, the witness would not be able to be
26 seen and there would be no audio.

27 MR GRIFFITHS: Your Honour, I rise in the hope that we
28 might be able to assist in some measure. I wondered whether the
29 technical facilities here would allow any form of voice

1 distortion.

2 PRESIDING JUDGE: They should. The question didn't arise.
3 It wasn't put forward, although of course we are aware of that.

14:40:19

4 MR GRIFFITHS: I'm just seeking to think as laterally as
5 possible to see if there's a way in which we can come to some
6 kind of compromise that at least allows a measure of public
7 involvement.

14:40:36

8 JUDGE SEBUTINDE: I personally don't think voice distortion
9 would help us with the problem that Ms Hollis has mentioned,
10 namely that the content of the evidence is likely to reveal the
11 identity of this witness. So whether his voice is distorted or
12 not, the content in itself would likely reveal the identity of
13 this witness. Isn't that true, Ms Hollis?

14:40:56

14 MS HOLLIS: That is our position and our concern, your
15 Honour.

14:42:25

16 JUDGE SEBUTINDE: There is a second point of concern, at
17 least to part of the Bench - all of the Bench, I'm corrected.
18 That is the testimony that we heard prior to the break, the lunch
19 break, whereby the name, age and some other details of the
20 witness were not read into the closed session transcript. Now in
21 my understanding of a closed session transcript this transcript
22 is confidential, it is not out for the public consumption and in
23 the public transcript all that will appear will be a little
24 paragraph that says closed session from this time to this time
25 and the official transcript, which is the unredacted, will then
26 contain the full confidential transcript of the closed session.
27 Now if I am right it concerns me that this closed session
28 transcript actually does not contain the record of this person as
29 far as his name, identity goes. What is the point of having a

1 closed session or even having a confidential transcript if indeed
2 we're not going to read those details in the transcript?

3 MR GRIFFITHS: Your Honour, it was somewhat surprising to
4 me because amongst the materials disclosed to us by the
14:43:30 5 Prosecution were transcripts of this witness's testimony before
6 Trial Chamber II in July, early August of 2006. On the first of
7 those transcripts he is asked in that closed session his name and
8 place of birth, all of which appears on the face of the record.
9 That's in the very first transcript dated, if memory serves, 20
14:43:56 10 July 2006. So it seems to us that, given the security measures
11 that have been put in place, at the very least it should be
12 possible to include those necessary identifying details on the
13 face of the record.

14 JUDGE SEBUTINDE: Ms Hollis, perhaps.

14:44:17 15 MS HOLLIS: Thank you, your Honour. Your Honour, the
16 identifying details have been presented on an exhibit which has
17 been marked, has been shown to the Defence and to the Chamber.
18 So the identifying details are before the Court.

19 The reason that the Prosecution opted for this particular
14:44:35 20 procedure is that closed session transcripts have occasion to be
21 disclosed and all too often names of witnesses are used
22 throughout those closed sessions and as human beings, despite the
23 best efforts of individuals, that information is sometimes
24 inadvertently disclosed when it should not be. That is the
14:45:00 25 reason that we opted for that particular procedure. It was not
26 in light of this present testimony, but rather in view of the
27 potential of this testimony being in some form provided publicly
28 or to other counsel for other matters.

29 PRESIDING JUDGE: We will deal with this issue first and

1 there's a second one.

2 The view of the Bench is that there should be at least some
3 modicum of public viewing of this trial. We will try therefore
4 to have the closed session but with the two side curtains open
14:46:55 5 and the witness fully protected by this canopy and the curtains
6 and the back window. We request that the AV booth do not show at
7 any point the face of the witness as occasionally it has been
8 shown. There is also a majority view that the details that were
9 typed out and were on MFI-16 should be read into the record.

14:47:22 10 I will now then move on to another issue which is different
11 but related and it is to deal with a motion which - a Prosecution
12 motion entitled, "Public with confidential annexes, a Prosecution
13 motion for admission of part of the prior evidence of TF1-362 and
14 TF1-371 pursuant to Rule 92 ter", which motion was filed on 14
14:47:54 15 December. That motion will be declined and reasons will be
16 published.

17 We will then recall the witness and I will ask that the
18 middle part and the curtains be drawn.

19 MS HOLLIS: Your Honours, before the witness is brought
14:48:12 20 back in would it be possible for the WVS people to explain to the
21 witness the changed circumstance so that any concerns he has may
22 have may be allayed before he --

23 PRESIDING JUDGE: Yes, and he be reassured. My learned
24 colleague has reminded me that all curtains will have to be
14:48:37 25 brought in before he is - all curtains will have to be down
26 before he's brought in. How long will WVS require to inform him?

27 MS HOLLIS: Your Honour, I don't know but I shouldn't think
28 it would be more than 10 or 15 minutes, just so that he
29 understands this new procedure and it is able to adjust himself

1 to it.

2 PRESIDING JUDGE: In the circumstances we will retire
3 briefly and we would ask to be informed as soon as the witness is
4 ready to proceed.

14:49:41 5 [Break taken at 2.49 p.m.]

6 [Upon resuming at 3.24 p.m.]

7 PRESIDING JUDGE: We have been informed that there is some
8 problem relating to the witness. Are you aware of what this is,
9 Ms Hollis?

15:24:30 10 MS HOLLIS: No, your Honour, we are not.

11 PRESIDING JUDGE: Perhaps in the circumstances we will
12 close the Court and hear from the witness directly. Madam Court
13 Attendant, can you please ask for a closed session, completely
14 closed this time, and ask the witness to be brought in.

15 [At this point in the proceedings, a portion of
16 the transcript, pages 2183 to 2209, was
17 extracted and sealed under separate cover, as
18 the proceeding was heard in closed session.]

19
20 [Whereupon the hearing adjourned at 4.30 p.m.,
21 to be reconvened on Friday, 25 January 2008 at
22 9.30 p.m.]

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