



Case No. SCSL 2011-01-T
THE INDEPENDENT PROSECUTOR
-V-
ERIC KOI SENESSIE

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| Before the Judge: | Justice Teresa Doherty |
| For Chambers: | Elizabeth Bundnitz |
| For the Registry: | Elaine-Bola Clarkson Thomas Alpha |
| For WVS: | Tamba D. Sammie |
| For the Prosecution: | William Gardner |
| For the accused Eric Koi Senessie: | Ansu B. Lansana |
| For the Principal Defender: | Claire Carlton-Hanciles |

1 [Wednesday, 13 June 2012]

2 [Open session]

3 [Accused present]

4 [Upon resuming at 9.30 a.m.]

09:29:51 5 JUSTICE DOHERTY: Good morning. I'll take appearances,
6 please. Mr Gardner, I think you're appearing for independent
7 counsel. Mr Gardner, are you with me? Can you hear me?

8 MR GARDNER: No, I can't. I think what happens,
9 Your Honour, is the microphones all go to something called FLO
09:30:33 10 and they have to be switched.

11 JUSTICE DOHERTY: So I've discovered. I don't know who the
12 mystery switcher is, but I noticed that yesterday. So I just
13 switched mine back. I'm just taking appearances.

14 MR GARDNER: I have a faulty headset, excuse me,
09:30:53 15 Your Honour.

16 JUSTICE DOHERTY: I have a spare one up here. Whilst
17 you're getting yourself sorted out there, Mr Gardner, I'll take
18 appearances from Mr Lansana.

19 MR LANSANA: As it pleases, Your Honour.

09:31:16 20 JUSTICE DOHERTY: Good morning.

21 MR LANSANA: Good morning. Ansu Lansana, counsel for
22 Mr Senessie.

23 JUSTICE DOHERTY: And I note the accused appears from bail.

24 MR LANSANA: Yes, Your Honour.

09:31:31 25 JUSTICE DOHERTY: William Gardner, Your Honour, Independent
26 Counsel for the Prosecutor.

27 JUSTICE DOHERTY: Thank you, Mr Gardner. When we adjourned
28 yesterday, we had an indication from Defence counsel that the
29 accused would elect to give evidence. If that is still the case,

1 then as I indicated yesterday under the Rules he is obliged to
2 give evidence first. And if he is still of that opinion, then he
3 should be called first. Mr Lansana, can you inform the Court of
4 the situation, please.

09:32:08 5 MR LANSANA: Yes, Your Honour, the situation is the same.
6 The accused has opted to testify, and I would call him first.

7 JUSTICE DOHERTY: Thank you. Please proceed. Mr Lansana,
8 you should go over to the witness box, please.

9 MR LANSANA: Mr Lansana?

09:32:30 10 JUSTICE DOHERTY: Mr Senessie. You may have noticed I've
11 already explained - it's a family failing.

12 MR LANSANA: I know. I understand that.

13 JUSTICE DOHERTY: Mr Lansana, what language will the
14 witness give his evidence in?

09:33:29 15 MR LANSANA: Your Honour, I'm sorry but I should have
16 informed the Court earlier. The witness will testify in Krio.

17 JUSTICE DOHERTY: Thank you. Are the Krio interpreters in
18 position?

19 THE INTERPRETER: Yes, Your Honour.

09:33:44 20 JUSTICE DOHERTY: Please proceed to swear the witness or
21 affirm, whichever he elects.

22 [ERIC KOI SENESSIE, ON OATH]

23 [EXAMINATION-IN-CHIEF BY MR LANSANA]

24 MR LANSANA:

09:34:36 25 Q. Would you state your name for the Court, please?

26 A. My name is Eric Koi Senessie.

27 JUSTICE DOHERTY: Mr Senessie, you may sit or stand,
28 whichever you prefer.

29 A. I'm going to speak in Krio.

1 MR LANSANA:

2 Q. Good morning, Mr Senessie?

3 A. Good morning, sir.

4 JUSTICE DOHERTY: Mr Lansana, maybe it would be pertinent
09:35:25 5 before you proceed to remind Mr Senessie that his evidence is in
6 public, that some of the witnesses are protected witnesses, and
7 he knows which ones are protected witnesses and he should avoid
8 saying their names out loud. And if he's got any doubt, then he
9 should stop and ask either you or me for guidance.

09:35:51 10 MR LANSANA: As a matter of fact, Your Honour, I have
11 covered that. That is why he has those yellow post its.

12 JUSTICE DOHERTY: I see. In that case you have adequately
13 covered it. I don't need to say --

14 MR LANSANA: With the pseudonyms of the witnesses are
09:36:06 15 protected.

16 JUSTICE DOHERTY: Very good. Thank you.

17 MR LANSANA: As Your Honour pleases.

18 Q. Mr Senessie, you say your name is Eric Koi Senessie,
19 correct?

09:36:20 20 A. Yes, sir.

21 Q. Where do you live?

22 A. I'm living in Kailahun. That's where I was born.

23 Q. Can you tell this Court what your occupation is?

24 A. After the war, I used to report for SLBC and I was also
09:36:43 25 engaged in carving and farming.

26 Q. Are you a family man?

27 JUSTICE DOHERTY: For purposes of record, SLBC means?

28 MR LANSANA: Your Honour, the Sierra Leone Broadcasting
29 Corporation.

1 Q. Yes, I just asked you whether you are a family man?

2 A. Yes, sir, I am a family man.

3 Q. How many wives and how many children?

4 A. I have two wives.

09:37:33 5 Q. And how many children?

6 A. I have eight children.

7 Q. Mr Senessie, you are aware that there was a war - a rebel
8 war in this country, not so, between 1991 and 2002 or
9 thereabouts?

09:38:08 10 A. Yes, sir.

11 Q. And there was a warring faction called the Revolutionary
12 United Front; are you aware of that?

13 A. Yes, sir.

14 Q. Did you have anything to do with the Revolutionary United
09:38:41 15 Front?

16 A. Yes, sir.

17 Q. During what time and in what capacity?

18 A. When the war entered on 23 March 1991, I was in Mobai when
19 the RUF abducted me and rescued me on 29 March, I was involved in
09:39:15 20 the war. The first person whom they came with was the
21 cartographer who used to read the map died at the boundary.

22 Thereafter they looked amongst us for those who were literate and
23 selected me as a cartographer and I was heading the cartographic
24 office in the military intelligence branch in the RUF. And after
09:39:38 25 that they opened a training base in Bo Number One. I became the
26 ideology lecturer, a tutor at the base.

27 Q. Thank you. And you're aware that sometime during the war
28 there were attempts at negotiating peace, correct?

29 A. Yes, sir.

1 Q. Did you play any role in the peace negotiations?

2 A. Yes, sir.

3 Q. Can you please tell this Court what that role was?

4 A. After the Lome Peace Accord and in agreement with the Lome
09:40:27 5 Peace Accord when we were told to transform into a political
6 party and during the time of the disarmament, during the
7 transition to peace I acted as a member of the peace mediating
8 team. Apart from that, when the RUF transformed itself into a
9 political party I was the first district party chairman for
09:40:58 10 Kailahun District and I ensured that I consolidated and
11 coordinated and consolidate the peace process, and in 2002 I
12 ensured that we took part in the political sector and took part
13 in the peaceful elections of this country. I also ensured that
14 we disarmed without any problem in this country and even today
09:41:24 15 our area is very peaceful as I speak to you?

16 Q. Thank you. You mentioned a few statements ago something
17 about transition of the RUF into the RUF, the Revolutionary
18 United Front party. Can you please tell this Court what your
19 distinctive roles were. You've indeed said that you were
09:41:56 20 chairman, district chairman. What was your specific role as
21 district chairman of the RUF?

22 A. When I became the district chairman for the RUF in the
23 political sector I was responsible for the political wing in the
24 district. I ensured that every RUF - those who had said they
09:42:31 25 wanted to become a member of the RUF, I brought them together and
26 we ensured that we took part in the political sector, and we
27 conducted the elections peacefully. I brought the people on
28 board for them to register for that party. Some people - those
29 who were willing to become members, registered and up until now,

1 they are members of the RUF. So that was my role that I played
2 in the political sector.

3 Q. Thank you very much. You're aware that after the war the
4 Special Court for Sierra Leone was established, specifically to
09:43:19 5 try those who bore the greatest responsibility for infringement
6 of human rights and crimes against humanity, not so?

7 A. Yes, sir. I knew about that.

8 Q. At the time the Special Court was established, where were
9 you?

09:43:57 10 A. I was in Kailahun. During this time, as my lawyer is
11 asking, I with in Kailahun when the Special Court was established
12 in this country. During that time I was in Kailahun and I used
13 to see investigators going there, including some lawyers. At one
14 time there was one lawyer that I could remember who went as a
09:44:14 15 Prosecutor. His name was Chris Bomford. He was the first
16 lawyer. He met me at my house and asked me to testify. I said I
17 would consider it, but now that you've come, we are afraid. We
18 are thinking that they would arrest everybody, so on that day I
19 was unable to speak to Chris Bomford. Chris Bomford asked me if
09:44:40 20 I could help him.

21 JUSTICE DOHERTY: Mr Witness I think you're going a bit
22 fast. The interpreter has to keep up with you and someone has to
23 write what you are saying so a little more slowly, please.

24 MR LANSANA: As Your Honour pleases.

09:44:53 25 JUSTICE DOHERTY: Please continue. You mentioned Chris
26 Bomford met you at your house. People were afraid. They thought
27 me might be charged, please continue from there.

28 THE WITNESS: At that time. At that time that Chris
29 Bomford went, all of us were afraid. Chris Bomford asked me

1 would you be able to help me to get some few people that I can
2 talk to? I selected Sam Kolléh who was the CSO, chief security
3 officer, CSO, chief security officer. I told him about him and
4 we--

09:45:40 5 JUSTICE DOHERTY: Pause, Mr Witness.

6 MR GARDNER: Could we get some further identification on
7 Chris bomb Ford, Prosecution, Defence.

8 JUSTICE DOHERTY: I heard him say he was a lawyer and
9 before that Prosecutors and investigators came but we can specify
09:45:57 10 his exact status.

11 MR LANSANA: As it please Your Honour.

12 Q. You mentioned Chris Bomford. Can you please say for
13 certain whether he was a member of the Prosecution team or a
14 member of the Defence team, please?

09:46:14 15 A. At the time that Chris Bomford went, well, I think he was -
16 I could still remember that he was - I don't know whether he was
17 for the Prosecution, because at that time we were in a hurry. At
18 that time I just introduced him to Sam Kolléh and we went to him.
19 It was at that time that Sam became angry and even insulted me
09:46:39 20 alleging that I have revealed his identity to the man. That was
21 a long time ago, because when they used to go at that time, we
22 didn't take a lot of things into consideration. I think the
23 records would tell whether Chris Bomford was a Prosecution
24 witness or Defence.

09:47:03 25 Q. Yes, you were saying something about the --

26 A. Yes. Apart from that, all the lawyers used to go I can
27 recall one Logan Hambri ck and Prince Taylor also they used to go.
28 They were in the Defence. They told me that - they asked me to
29 testify, but I thought that apart from that, Serri ta, who was a

1 Defence lawyer Issa Sesay, they too went and they asked me to
2 testify. John Cammegh they too went. As they went in and out I
3 thought that my position - I was in a dilemma because each time
4 they went they would be in Freetown here where they would give
09:48:10 5 them my name, that when they go that they should meet the
6 district chairman of the RUF Eric Koi Senessie who'll be able to
7 help you. So each time they went they would go to me. So I
8 thought that I was to be neutral because both the Defence and the
9 Prosecution used to meet me. So I used to help the Prosecution
09:48:28 10 to give them good - the names of people. Most of them who had
11 been there to testify. I used to give them their names and they
12 will meet them. Defence will come to me and I will give them
13 names and they will meet the people. So I was very instrumental
14 then. So on those grounds I regarded myself as one who be
09:48:51 15 neutral. So I was just between them. I did not take part - I
16 did not testify. But at one time I want to remind this Court
17 that Serri ta called me to come --

18 MR LANSANA:

19 Q. Serri ta - who was Serri ta?

09:49:14 20 A. Serri ta was a Defence lawyer for Issa Sesay.

21 Q. And Issa Sesay was who?

22 A. Issa Sesay was the former leader of the RUF. By then he
23 had been indicted and he was in Court here.

24 Q. Please continue with the lady you were talking about?

09:49:44 25 A. Yes, Serri ta called me up and asked me to testify for Issa
26 Sesay but when I came a lot of people whose names I had given to
27 them had come. So Serri ta said okay, Eric Senessie, you can
28 return.

29 JUSTICE DOHERTY: Mr Senessie, please pause.

1 MR GARDNER: I object to this, Your Honour. What he did
2 and didn't do for Prosecution and Defence in the Charles Taylor
3 case may be at issue, but some other case that's not related to
4 those earlier cases, I don't see what the relevance of it is.

09:50:21 5 JUSTICE DOHERTY: Yes, Mr Lansana, there's a relevance
6 issue here.

7 MR LANSANA: Yes, Your Honour, the relevance issue is this:

8 In the statement of TF1-585, there is indication that the
9 witness was at Zulu in 2007. She met the witness at the Zulu
09:50:47 10 where they were prepping Defence - Prosecution witnesses in 2007.
11 And it's in issue because this witness was a potential witness
12 for the Defence and in 2007, Zulu was not used for prepping
13 Defence witnesses. That is an issue. I think it needs to be
14 clarified. I would need it for my final address.

09:51:13 15 JUSTICE DOHERTY: If that is the issue and it's to do with
16 - I don't recall TF1-585 mentioning Zulu under oath in Court. It
17 may be in the statement, which --

18 MR LANSANA: Yes, Your Honour.

19 JUSTICE DOHERTY: But I think it would be pertinent to go
09:51:32 20 straight to that point.

21 MR LANSANA: As Your Honour pleases.

22 Q. Mr Senessie, you said you were approached to testify on
23 behalf of Issa Sesay, correct?

24 A. Issa Sesay and Gbao.

09:51:53 25 Q. And Gbao. And those were --

26 A. Yes, Gbao's lawyer was John Cammegh. He approached me to
27 testify for Gbao. Those of us who came were many, so I did not
28 testify in Court, so I returned and left those whom we had come
29 together. So I was not in Zulu to testify or to become a Defence

1 witness for Charles Taylor at all.

2 MR LANSANA: Your Honour, I think that is covered.

3 JUSTICE DOHERTY: I'm not sure where Charles Taylor came
4 into John Cammegh and Gbao, because he said Issa Sesay was
09:52:40 5 charged as the leader of the RUF and Mr Taylor was indicted
6 alone, so where is the connection for him saying he didn't
7 testify for Taylor?

8 MR LANSANA: Maybe you need to clarify that.

9 Q. Mr Senessie?

09:53:02 10 A. Yes, I said this because I saw it. I read it in TF1-585's
11 statement that she met me in Zulu where I was being prepped to
12 become a Defence witness for Charles Taylor, and it did not
13 happen that way. I went there on behalf of Gbao and Issa Sesay.

14 Q. Thank you. Will you please continue?

09:53:31 15 A. So as I was there, I returned to Kailahun. So we were in
16 Kailahun up to date. We've been in Kailahun up to date.

17 Q. Thank you.

18 JUSTICE DOHERTY: I haven't ascertained for the record when
19 he was in Zulu being prepped for Gbao and Sesay. What date is
09:53:57 20 this?

21 MR LANSANA:

22 Q. Now, Mr Senessie, when the Defence called you to testify
23 for Issa Sesay, when was that? Can you tell the Court what year
24 that was?

09:54:17 25 A. It's been a long time now. We did not keep such records,
26 but I can recall it was around 2000 either 5 or 6. From 5, 6 to
27 7. I cannot remember without certainty because I was not
28 recording it. We just used to come and return. Maybe the record
29 will tell.

1 Q. Thank you.

2 JUSTICE DOHERTY: Where exactly is Zulu?

3 THE WITNESS: Zulu, from this Court you go up a little.

4 Zulu is close to this place. It's not far off. During Issa

09:55:02 5 Sesay's time when I came I was staying at Zulu. There is another

6 guesthouse behind the street. When I came, that was where I was.

7 It's a storied building. That is where I was for Gbao. I was

8 not at Zulu. I was not at Zulu at Gbao's time.

9 MR LANSANA:

09:55:24 10 Q. Thank you?

11 A. Yes, sir.

12 Q. Now, you've said that you were to'ing and fro'ing between

13 Kailahun and Freetown and eventually you returned to Kailahun to

14 settle down?

09:55:42 15 A. Yes, sir.

16 Q. During that time specifically in relation to the RUF what

17 can you say your interaction was with the following people:

18 TF1-274, for a start?

19 A. In the first place, TF1-274, TF1-585, TF1-516 and Mohammed

09:56:29 20 Kabbah Bereteh all of them by then when I returned at the time

21 that they disarmament had not taken place when all of us were in

22 Kailahun they were at a radio station and TF1-274 was their boss

23 and all of them were together. I did not have much interaction

24 with these people because they did something to me that could

09:56:55 25 have caused my death. So even during the time of the peace

26 processor even the RUF, the RUF period I did not have much talk

27 with them. These people were at a radio station after the attack

28 on Zambians and Kenyans in Makeni. We were in Kailahun. Those

29 who bear the greatest responsibility of the war who are now in

1 Panga Prison, we were in Kailahun and we received information
2 from the Military Police office and it was sent to TF1-274 saying
3 that we too should attack the Indians in Kailahun. But being
4 that I was the RUF district chairman now, the soldiers and the
09:57:54 5 civilians were loyal to me. So I took my time and called a very
6 big meeting and said no, this information that we've received
7 from Makeni, I won't allow anybody to work on it. Now the war
8 has jumped over us to Makeni, I won't allow anybody to take up a
9 gun in this country any more. We need peace. TF1-274, TF1-585,
09:58:30 10 TF1-516, Mohamed Bereteh Kabbah they were annoyed, because they
11 were the Black Guards. They were supporting Foday Sankoh. They
12 were with Foday Sankoh. They sent immediate information about me
13 to the headquarters in Makeni saying Eric Koi Senessie and two
14 strong personnel in the RUF that is Woneh and Mahile that we have
09:59:01 15 incited people for them not to fight any more. So from there
16 they sent an immediate message to TF1-274 ordering her - ordering
17 him to arrest me. These people reported to Sam Kollah. They
18 were very instrumental. They brought soldiers together who
19 arrested me together with my two brothers and they took us to
09:59:29 20 Makeni and from there they sent us to the front line not knowing
21 that they had an intention to execute us at the front lines. So
22 when we were there, that night that they asked us to go on
23 attack, God just told me that we were going and I hid in the
24 bush. When my brothers got to Masiaka, they opened firing. At
09:59:53 25 that time there was fighting between the Sierra Leone government
26 forces and the ECOMOG. Our brothers went and attacked. During
27 that attack, they willfully fired my two brothers because that
28 was the intention that we were to be killed at the front lines.
29 But I hid.

1 THE INTERPRETER: Your Honours, can he repeat this last bit
2 and slow down.

3 JUSTICE DOHERTY: Mr Senessie, you've definitely speeded up
4 again. I'm having trouble keeping up with you and so is the
10:00:20 5 interpreter. So.

6 THE WITNESS: I apologise.

7 JUSTICE DOHERTY: The other thing, Mr Senessie, it seems to
8 me from what you're telling me that we have gone back into the
9 wartime. The question, as I understood it, was directed at - and
10:00:42 10 I'll quote the question, "You came - used to go and come and then
11 you returned it Kailahun and you settled and what was your - is
12 your relationship with 274." You said he nearly caused your
13 death and now you're talking about the Indian peacekeepers who
14 have long since departed, although I'm not putting that in as
10:01:05 15 evidence, and the attack at Masiaka and that is into the wartime.
16 My understanding is the question was your current - more recent
17 relationship. I do not entirely see what the relevance of this
18 wartime relationship is.

19 MR LANSANA: Your Honour, if I may.

10:01:27 20 MR GARDNER: Your Honour, actually my notes reflect that he
21 was asked about his interaction with 274 and he gratuitously
22 added three more to it.

23 JUSTICE DOHERTY: Yes, he did.

24 MR LANSANA:

10:01:43 25 Q. Mr Senessie, I specifically did not want to group all of
26 them together. I wanted you to tell this Court your working
27 relationship with 274 vis-a-vis the RUF?

28 A. 274 in the RUF most likely was not with us in Kailahun.
29 After we had disarmed TF1-274 went back to his hometown in Bo.

1 He was not with us in Kailahun. Recently I think one year ago he
2 came to Kailahun. I just saw him working with [redacted].

3 Q. Thank you. And TF1-585?

4 A. TF1-585, this woman is my first cousin's daughter. We - in
10:02:45 5 Kailahun almost in the same compound. Almost 50 metres from my
6 compound to their house. She's was given birth to by my first
7 cousin. I even played a part in her education. I was helping
8 her mother to pay her school fees so we were living together.
9 The relationship was somehow cordial after the war when we were
10:03:10 10 in Kailahun. She left Kailahun.

11 Q. Was TF1 - has TF1-585 ever been a member of the RUF?

12 A. They are members of the RUF. They are members of the
13 RUF.

14 Q. And up until when was she an active member?

10:03:49 15 A. You mean both of them?

16 Q. Take them one after the other. Let's concentrate on
17 TF1-585 vis-a-vis RUF?

18 A. TF1-585, RUF, it was - it is at this time that she came
19 that she started mingling with us.

10:04:18 20 THE INTERPRETER: Your Honour, can this witness be advised
21 to take his answer slowly.

22 JUSTICE DOHERTY: Mr Senessie you've speeded up again and
23 as I've explained the interpreter has to interpret everything.
24 So sense by sentence. You've said at this time." Continue from
10:04:39 25 there. Sentence, pause.

26 THE WITNESS: At this time TF1-585 we were not even
27 disarmed when Mosquito broke away from the RUF and went to
28 Liberia. As he was going to Liberia, TF1-585 joined Mosquito's
29 group and they left for Liberia. She had been there for a

1 considerable time. She left Liberia in 2000 - I think - around 6
2 and 7 when she returned here. She was not with us in the RUF.
3 It was when we revived the RUF that I have seen her mingling with
4 the RUF party for now, the RUF.

10:05:48

5 MR LANSANA:

6 Q. There is an allegation before this Court by TF1-585 that on
7 Thursday, 27 January 2011, in the evening hours, you visited her
8 house, is that correct?

10:06:21

9 A. It's not correct at all. This woman is my daughter. I
10 usually pay her visits. I'll go to her house, she will come to
11 me, I'll go to her father and mother and they will come to me. I
12 don't recall going to her on that date.

10:06:45

13 Q. But you've just told this Court that your two families are
14 close. They have close familiarity with each other and you are
15 on visiting terms?

16 A. Um-hmm.

17 Q. Can you give specific instances of such visitations?

10:07:14

18 A. Yes. Sometimes and occasionally when they have weddings
19 like when her sister was getting wedded, I went there. My child
20 died in 2010, 14 February.

21 Q. Just hold it. Let's have specific dates. First and
22 foremost, go back to your mentioning of TF1-585's sister's
23 wedding. What month was it? What year was it? And what
24 happened?

10:07:39

25 A. I can't recall the specific date when the wedding took
26 place, but it was in March when this TF1-585's youngest sister
27 was getting wedded. My family and their family all met in one
28 place for the wedding, and I played a vital role during that
29 time. I headed the family delegation as the uncle for the

1 wedding. The bride price was paid to us.

2 Q. Thank you. After the alleged incident that she refers to
3 in January 2011? Was this wedding after January 2011?

4 A. I didn't get you clearly.

10:08:38 5 Q. You're talking about TF1-585's sister's wedding. I'm
6 asking you whether the wedding took place after January 2011?

7 A. The wedding was in 2011.

8 Q. And was it after January?

9 A. When the wedding took place, yes, it was in March. After
10:09:09 10 January.

11 Q. Thank you very much. Now, let's go to your loss of a son.
12 Can you give the specific date of the loss and what happened?

13 A. My child died on 14 February 2010 and when my child died,
14 TF1-585 left Freetown. She was in Freetown when she cried on the
10:09:40 15 phone. She spoke to her mother and asked her to bring the phone
16 to me. She brought the phone to me, saying my daughter wants to
17 talk to me. I heard her crying on the phone and she sympathised
18 with me. After that expression of sympathy, later in May TF1-585
19 came. When she came, she relocated again in Kailahun. She had

10:10:13 20 gone for a long time. We didn't even know her whereabouts. So
21 she returned in May. When she came, she came again to my house.

22 When she came to my house, she met us the family members. Those
23 whom she met with me I could remember. One of them was my wife,
24 Wata Senessie, my twelve-year-old son - my thirteen-year-old son
10:10:54 25 who is Fick Senessie. She also met one Mohamed Kamara. She met
26 Jessica Senessie, she met Josephine Sheku at the house. There
27 were so many people around. At that time we had postponed the
28 40th day ceremony. It was at that time that this woman met us.
29 Where? She met us on veranda, the family members. TF1-585 sat

1 down and I asked her, oh, my child it's been a long time since
2 you went to Liberia. You came back. We've been in Kailahun here
3 for almost six to seven months and you left for Freetown. You're
4 only coming back now. Where have you been all this time? This
10:11:50 5 woman told me that, Uncle this is a big thing. This thing that
6 had happened in this world in this our country. They had asked
7 me to go and testify. And I asked her what is this big thing?
8 And this woman said they had said - they had asked her to become
9 a witness for Charles Taylor in The Hague. That was where she
10:12:23 10 had gone.

11 Q. Excuse me. When you say she said she had been asked to be
12 a witness for Charles Taylor, do you mean she told you that she
13 had been asked to give evidence in favour of Charles Taylor as a
14 Charles Taylor witness? Clarify that, please?

10:12:42 15 A. No, she told me that she was a Prosecution witness. She
16 said it. Because we were family. She did not hide anything from
17 me. She told me in the presence of these people. So I too said
18 - it was at that time that I recalled that she had gone out. So
19 thereafter we sat for some time and we discussed her family
10:13:16 20 affairs and how we've met with the people in the town. We, the
21 family members, some people who had died, we told her about it
22 and she cried, and she left and returned. When TF1-585 went,
23 later I met TF1-585 at the under-five's clinic, the hospital. At
24 that time I had a friend there called Morlai Kamara. I used to
10:13:52 25 go to him to charge my phone. When I went there, I met TF1-585
26 in the data section of the hospital. Then I asked her, Is this
27 where you are? And she said, "Yes uncle." She said at this time
28 that I was in Freetown I studied computers. And I said oh,
29 you've done well. Then I told Morlai - I introduced her to

1 Morlai as my child but at that time this woman - I would have
2 taken Morlai Kamara as a witness, but he does not understand
3 Mende and we spoke in Mende and he said, uncle, these people had
4 even said that they would help us. It was on that day again that
10:14:43 5 I heard her say something about Gibri I Massaquoi's relocation to
6 an overseas country. I can't recall the country now. She said
7 they have not done anything for us.

8 Q. Excuse me. When TF1-585 said "they" have not done anything
9 for us, what did you understand that "they" to mean?

10:15:13 10 A. When she said "they" she was referring to the Prosecution.
11 She said the Prosecution - she was hoping that the Prosecution
12 would relocate them because they had gone. That is TF1-585 she
13 said they had gone to testify and I said, well, you have to
14 endure. When your time comes, you will go. On that day I left
10:15:42 15 and returned to my house.

16 Q. Thank you. Do you recall 8 February 2011?

17 A. Exactly.

18 Q. On that day did you happen to see TF1-585?

19 A. On that day I was not there. I had gone to my garden. I
10:16:09 20 am a man who is engaged in agriculture. I had planted cocoa.
21 TF1-585 on that day, the 8th, she went to my house but I was not
22 there. I did not meet her on that day. Later when I slept and
23 in the morning hours, around I think 9 to 10, I saw TF1-585. She
24 came in the morning. She came up to me and I asked her why. She
10:16:43 25 greeted us. At the time that she went, she met Mohamed Kamara in
26 the veranda. She also met Jessica Senessie in the veranda. Of
27 course, Fick was outside, my son. He was outside and they were
28 playing football. So TF1-585 asked me - when I started asking
29 her, the boy too came and stood by. There was Mohamed Kamara,

1 Jessica and TF1-585 asked me, Uncle, I have really come to you.
2 And I said why. And she said I came to you so that you can give
3 me Prince Taylor's number. And I said Prince Taylor? Do you
4 mean Prince Taylor who was with Logan Hambrick? First I said
10:17:43 5 that woman had come to me for quite a long time now. I don't
6 really know where she is now, nor do I know where Prince Taylor
7 is. I said from - since 2006 I have not seen them. I could not
8 even remember the faces of both Logan Hambrick and Prince Taylor.
9 I said but when they came they gave me their cards, and I
10:18:17 10 referred her - I asked her if she had asked TF1-274. I said he
11 had asked me for this card and I had given it to him. He has the
12 number. And he said uncle, please, this card - she said at first
13 I used to have Prince Taylor's number in my phone, but I have
14 lost that phone. She said please, give it to me. Give that
10:18:44 15 phone - give me that phone number. And I entered the house and
16 searched for the complimentary card and brought it outside after
17 she has pleaded with me. Then I gave her the card. When I gave
18 her the card, she said uncle, you know that I have misplaced my
19 phone for a long time now. I don't have any good phone. I
10:19:23 20 didn't even bring a phone here. She said please give me your
21 phone so that I can talk to Prince Taylor. She's my daughter. I
22 did not refuse. Because I did not know anything about this Court
23 issue. So I gave her the phone. She went outside but as she
24 took some steps to go outside I entered the room because I
10:19:56 25 unpacked my books where I kept the complimentary cards. So I
26 went in the room and I was discussing with my wife. She went out
27 and spoke and returned to the veranda. She gave me the phone.
28 She gave me my phone and the complimentary card that Logan
29 Hambrick had given to me but it had Prince Taylor's number at the

1 back. After they had asked me to think over whether I will be
2 able to speak to them. And if so, I should meet them in
3 Freetown, but I did not come at all. So she came with that - she
4 came with that card again and gave it to me, and I went with the
10:20:41 5 card inside my house.

6 Q. After TF1-585 had placed that call and returned the phone
7 and the complimentary card to you, did you have any further
8 discussion with her?

9 A. Yes. TF1-585 mentioned that she and TF1-274 have met
10:21:14 10 somewhere. She did not tell me where they met. She said he had
11 informed her that he had prepared a document that he gave to me
12 for me to send it to Prince Taylor. She said she too would like
13 to sign that document. She said she too has interest. Then I
14 referred her to TF1-274 for her to go and meet him, because I did
10:21:47 15 not know what the document was that he had prepared. I said but
16 the one that he has given to me, I have already sent that one.
17 So go and meet him. So from there, TF1-585 left my veranda and
18 went back to her house.

19 Q. Thank you very much, Mr Senessie. Now, you've mentioned
10:22:12 20 TF1-274 in relation to a certain document. Can we now go over to
21 TF1-274. I want you to tell this Court --

22 A. Um-hmm.

23 Q. -- whether during that same month of February 2011 you had
24 - you met with TF1-274 at all?

10:22:59 25 A. Exactly. I want to inform the Court that this contempt
26 allegation that I have here started from 1 February and it has
27 been pioneered by TF1-274. On 1 February, TF1-585 met me at 1
28 Murray --

29 Q. Did you say TF1-585?

1 A. TF1-274. Met me at J.P. Combey's house in Kailahun near
2 the police station. This house is a big house. It has so many
3 rooms, exactly seven bedrooms. There is a woman in this house -
4 it's not a bar, but she sells drinks there. So many young men
10:24:23 5 meet there every night. That was where TF1-274 met us at night
6 and we were sitting down. During the discussion that he met us,
7 I can remember Joseph Murray Combey was there, one SLA who was in
8 the military fatigue was there, another guy - another man too was
9 there who was saying that he was an ex-combatant. He too was
10:25:02 10 sitting there. Mama Torma who owns the bar too was there. There
11 was another man who was a security man who was called Jacob, aka
12 Obama, too was there. There were other people around whose names
13 I cannot name now. We were discussing the war in which we were
14 involved. The SLA officer was explaining and those of us who
10:25:52 15 were members of the RUF were also explaining about the war.

16 MR GARDNER: Your Honour.

17 JUSTICE DOHERTY: Yes Mr Gardner.

18 MR GARDNER: If he's going to talk about what other people
19 in that room other than himself and 274 said, that would be
10:26:04 20 hearsay. And he was about to do that.

21 JUSTICE DOHERTY: Hearsay is admissible under our Rules.
22 It's a matter of weight rather than admissibility. So he's not
23 exactly precluded, but we will hear submissions on weight in due
24 course.

10:26:22 25 MR LANSANA: If it pleases Your Honour.

26 JUSTICE DOHERTY: It's a bit generalised. He was talking
27 about the war, is what I heard said. Please continue.

28 MR LANSANA: Yes, Your Honour.

29 Q. Continue.

1 A. Yes, Your Honour, I want you to remind me where I stopped.

2 JUSTICE DOHERTY: You were saying that the others, one
3 whose name you don't recall, they were talking about the war.

4 You referred to Mama Torma being there, another man who is an

10:27:01 5 ex-combatant, a military officer in military fatigues, JM Murray
6 was there and 274 met us.

7 A. Exactly and I'll stop there little. In that house I also
8 have a bedroom there. I am a tenant attached to that house. We
9 were discussing and during that discussion, we were talking about

10:27:26 10 the political affairs in the country and how the war was going.

11 So I saw TF1-274 and he jumped into the discussion. TF1-274 said
12 that he too was an RUF member and he was a radio operator during
13 the time of the war. He worked with Foday Sankoh and he has also
14 testified in The Hague. So all of us sat down listening to him.

10:28:19 15 At this time TF1-274 had his fruit wine which he was sipping
16 little by little. Then he said - he also said that in fact he
17 was a witness who prosecuted Charles Taylor. In fact he did this
18 Prosecution openly in The Hague. But the Prosecution had
19 promised them to relocate them and reward them with some money.

10:29:08 20 They said it's like the Prosecution are biased. He used certain
21 adjectives. He said these people had lied to them. He said he
22 too - he too mentioned Gibril Massaquoi, that they had relocated
23 Gibril Massaquoi, but they have not been relocated. He said

24 these people were biased. He said in fact if I have the chance
10:29:39 25 to go and testify in The Hague, I would even hide. He said in
26 fact if it's possible for me to go and recant my testimony with
27 the Defence, I'll do it. When he said this, Joseph Combey, who
28 was a JP, justice of the peace, who is in Court, intervened and
29 said - he mentioned certain legalities in his outburst intention.

1 He said what you are saying is not good. But this man was
2 drinking and he was just going ahead. He said a lot. He said he
3 was ready to do that. He doesn't mind, to even go and recant his
4 testimony. So I was sitting down there. Other people were
10:30:43 5 speaking and we were sipping our drinks. Later, this is the 1st
6 of February.

7 MR LANSANA:

8 Q. I wanted to ask that. This is the same day. Right. Go
9 ahead.

10:31:04 10 A. Later, TF1-274 called me after we had drunk and they were
11 playing some music. TF1-274 called me, saying Mr Senessie, I
12 would like to talk to you. I didn't go too far. I just took one
13 step and on the second step, we stood there. There is Joseph
14 Combey, who was a JP. He was sitting down there. I didn't go
10:31:41 15 too far. Where I was, Joseph Combey could hear us. Then TF1-274
16 asked me, he said Mr Senessie, I know all these people who used
17 to come here looking for us witnesses used to meet with you. He
18 said I hope you do have their complimentary cards, and I asked
19 him why, and he said he with like - he said if you could remember
10:32:14 20 Prince Taylor and Logan Hambrick came to you and I know that you
21 have their complimentary cards. I want you to give me those
22 cards. For long now I said - I can remember because I have
23 series of complimentary cards. I said I'll check. If I find it,
24 maybe tomorrow I'll bring it. That was where the discussion
10:32:42 25 ended on that night of the 1st. I went back and sat down.

26 TF1-275.

27 Q. 274?

28 A. 274, I'm sorry. TF1-274, on that night, on that night
29 bought me a pint of marula fruit wine. He said please when you

1 go please bring this thing for me. This is your token, and I
2 took it.

3 Q. Did you happen to meet with him the following day?

4 A. Exactly.

10:33:30 5 Q. In what circumstance?

6 A. That night, that's the man who was fond of going to that
7 place. TF1-274 came on the 2nd again. At first when he came he
8 did not meet me there. On that day I had gone to the village.
9 He did not meet me there at all. He sat down for a while and
10 returned. Later I came back and I was there. TF1- --

10:34:02

11 Q. Excuse me. When you say you went to the village, can you
12 specify what village you went to?

13 A. Nyanyahum, because we don't have NGN in the alphabet.

14 Q. That's the nasal - voice nasal. Your Honour, it's very
15 nasal. It's not in the English language.

10:34:45

16 JUSTICE DOHERTY: Yes, we have it in Irish too.

17 MR LANSANA: Oh, that's good.

18 WITNESS: It means a sandy place in Mende.

19 MR LANSANA: Okay.

10:35:07

20 Q. Mr Witness, you can continue. You were saying you were not
21 there, you had gone to Nyanyahum?

22 A. When I came back, TF1-274 came and bought his fruit wine
23 and I was sipping it. Then they asked me, Mr Senessie, yesterday
24 I told you to bring that card for me. Did you see it? And I
25 said I'm sorry, when I came back I was tired. I did not look for
26 it. And he said oh, please, I want this card. I want to talk to
27 Prince Taylor. There was J.P. Combey sitting. TF1-274 also said
28 that that man goes in where. He was sitting there. So he bought
29 me another pint of marula fruit wine. He said please don't

10:35:32

1 forget, and I took a pint. So we did not discuss much. Then he
2 went and I too went. And I said tomorrow on the 3rd, if I find
3 it, I will bring it for you.

10:36:35 4 Q. Thank you. Did you see TF1-274 at any other time after
5 that?

6 A. Exactly. On the 3rd of February, TF1-275 came back. He
7 came first and did not meet me. I came later. I think he came
8 twice, and he did not find me, from what he told me. He came -
9 at the time that he came, he met me sitting down. I had just
10:37:11 10 come from the back house into the veranda. Then TF1-274 asked
11 me, he said Mr Senessie, did you see - did you find the card? I
12 said yes, I found it. I handed over the card to him. When I
13 gave him this card, that is the TF1-274, he said he hadn't a
14 phone with him for now. He said please.

10:37:53 15 MR GARDNER: Excuse me Your Honour, if he said whose card
16 it was? I missed it.

17 JUSTICE DOHERTY: It wasn't stated.

18 MR GARDNER: Could we have some clarification.

19 JUSTICE DOHERTY: Yes, please.

10:38:03 20 MR LANSANA:

21 Q. You see this 3rd day of February when you met TF1-274 he
22 asked whether you had seen the card. What card is it? Please
23 specify the card you're talking about?

24 A. This card was a complimentary card that had the Special
10:38:28 25 Court for Sierra Leone's logo up but I have mistakenly left it at
26 my house. It was Logan Hambrick, a lawyer attached to
27 Charles Taylor's Defence. It had her name and her mobile
28 numbers. She wrote her name on it and a phone number that she
29 was using in this country. She wrote Prince Taylor's name -

1 Prince Taylor wrote his own name on the back and his phone
2 number. That's the complimentary card. That's the card that
3 TF1-274 wanted me to give to him, and that is what I gave to him.

4 Q. And that is what you gave him on 3 February, correct?

10:39:18 5 A. 3 February, yes.

6 Q. Now, when you gave TF1-274 this card, did anything happen
7 afterwards?

8 A. Exactly.

9 Q. Please tell the Court?

10:39:34 10 A. TF1-274 went down the stairs about two to three yards away.

11 We were sitting down in the veranda. There was a car in front of
12 the house. It was facing us. It was at night. He used a light
13 on the phone to find the telephone number, and he called. There
14 were two names there. I did not know whom he called but he said

10:40:25 15 he wanted to talk to Prince Taylor. That is what he told me even

16 before giving him the card. He called. After he had called,

17 from his end we heard TF1-274 calling his own name as it is

18 written in documents in this Court. He also called out his

19 pseudonym numbers followed. So from there, TF1-274 jumped and

10:41:12 20 moved away from us - far away from us. He stood there, they

21 spoke, but what they said, we did not hear. He came back and

22 handed over the phone to me, and the card. After he had handed

23 over the phone and the card to me, he said Prince Taylor had told

24 him to put his opinion in a document form. But before that,

10:41:59 25 during our discussion when we were sitting down in the veranda, I

26 had mentioned that I was going to a party meeting to our leader

27 Eldred Collins in Freetown here. That night we dispersed. After

28 three days, I could remember with all certainty, since that night

29 that man never came until after three days. When he came back, I

1 saw him with an envelope, and he asked me. He said Mr Senessie,
2 you did say you were going to Freetown. Could you please take
3 this document for me and hand it over to Prince Taylor? He wrote
4 Prince Taylor's name at the back and his phone number.

10:42:59 5 Q. At that time where was Prince Taylor? Because you had
6 informed TF1-274 that you were coming to Freetown. When he asked
7 you to hand over the documents to Prince Taylor, where at that
8 time was Prince Taylor?

9 A. Prince Taylor was in Bo. We had to even argue telling him
10:43:24 10 that I'm going to Freetown. Say I'm taking to Bo. He said
11 please when you go you wait in Bo you call the man and give it to
12 him. It's very, very complicated. By then I didn't any more to
13 fear so I did not even come. I saw someone who was my brother
14 Sam Fajabi. He was coming to Bo. I gave him that document. I
10:43:55 15 said please, when you go, call this man and hand it over - hand
16 over this document to him in Bo. The man left. So thereafter on
17 a few days - I think three to four or five days, TF1-274 met us
18 again sitting on the veranda, sitting with JP Combey - he's an
19 adult he doesn't look like that. We used to sit together and
10:44:33 20 drink our tea. So when this man came to me TF1-274 he said

21 Mr Senessie, where are these documents I gave to you? I said you
22 have informed me to send those documents. Upon your instructions
23 to me, I said I've sent it. TF1-274 left us and said this openly
24 all this what you are doing is something. He said that document
10:45:13 25 if I don't have it, if there is any problem that came out of
26 that, I will even deny, say I did not send you - I did not sign
27 it. I became fear. He left us there abruptly and left. I told
28 - then I told JP Combey, I said have you seen what some of our
29 brothers are doing? He said just leave him alone. All what you

1 have done there I'm sitting down there and everything. That was
2 what happened initially between myself and TF1-274.

3 Q. Thank you very much, Mr Senessie. Now, let me come to
4 Mohamed Bereteh Kabbah. He has testified in this Court that you
10:46:17 5 had met him and informed him that he should go back to The Hague
6 to recant his testimony that he gave at The Hague. Do you know
7 Mohamed Kabbah?

8 A. I know him very well.

9 Q. According to him, you met him on 26 January 2011. Did you
10:46:47 10 meet Mohamed Bereteh Kabbah on 26 January 2011?

11 A. I did not meet him. I and him did not talk. This man
12 Mohamed Bereteh Kabbah, we stayed very close. Almost ten to
13 twenty metres apart. I am down. There is a street between us,
14 the name that I just quoted, Nyanyahum, and he was staying up.
10:47:33 15 But there is a footpath, a short one that I use every day to go
16 to town to the village. I can see him almost every day, and he
17 sees me almost every day and sometimes he comes to me. And what
18 he told you that I told him all, I told him that he should go and
19 recant his testimony. I told my first investigator.

10:48:01 20 THE INTERPRETER: Your Honour, can he repeat the name of
21 the investigator again.

22 JUSTICE DOHERTY: Mr Senessie, Mr Witness, the interpreter
23 asks that you repeat the name of the investigator again, please.

24 THE WITNESS: You mean the first investigator?

10:48:21 25 JUSTICE DOHERTY: I heard you refer to the present
26 investigator. The interpreter --

27 THE WITNESS: I mentioned - I quoted it. I said during the
28 first investigation at the initial stage of this case, the first
29 investigator who came, Mr William Gardner, I told him all what

1 these people had said. I told him that they should go and recant
2 their testimony. I said that is something that is baseless,
3 incredible, and it's all fabricated stories around me. I said
4 I've never experienced it in my life. I said I am 52 years now
10:49:14 5 and I've never seen someone take an oath in Court and testify,
6 then someone goes and tells him to go and say what he had said so
7 that he can refute what he had said. I said I had never
8 experienced that. I am an elderly man. I'm not a small man. I
9 said I can't do that. If this--

10:49:44 10 MR GARDNER: I'm sorry to interrupt but I'm totally
11 confused. What he is saying Kabbah said to him and he said to
12 Kabbah, and could we possibly have a clarification of that before
13 we --

14 MR LANSANA: Your Honour.

10:50:01 15 JUSTICE DOHERTY: Frankly Mr Lansana I'm waiting for an
16 answer to the question that you asked. The question you asked
17 was: Did you know Mr Mohamed Bereteh Kabbah? He said he knew
18 him very well. Did you meet him on 26 January 2011? First of
19 all he said he didn't meet him. He didn't talk, and then he said
10:50:22 20 they stay very close. 20 metres, 10 to 20 metres. I see him
21 every day. What he says, and then we have what the witness said
22 to the first investigation who turns out to be Mr William
23 Gardner, but I still haven't worked out if he said anything to
24 Mohamed Kabbah or if Mohamed Kabbah said anything to him. He
10:50:54 25 actually said he didn't meet him and he didn't talk.

26 MR LANSANA: Yes, Your Honour, I recall I asked him a
27 question whether he told Mohamed Bereteh Kabbah to recant his
28 testimony. I think that is where he's coming from. That's why
29 he's saying in fact I told the investigator, then he went on and

1 on. I think he was addressing that bit of my question.

2 JUSTICE DOHERTY: Yes, Mr Gardner.

3 MR GARDNER: If that's the case I will object to it as a
4 very leading question. It's better just to say what did
10:51:36 5 Mr Kabbah say to you and vice versa.

6 JUSTICE DOHERTY: You see, just a moment, please. First of
7 all, if you said to Mr - to the witness what did you tell the
8 investigator or something - that I didn't hear. I have to accept
9 that I didn't hear it and I haven't got a note of it. What I
10:51:58 10 want to concentrate - what we're getting now is a self-serving
11 statement that was made to someone else. Whether that's on the
12 record or not is not relevant. It's a self-serving statement he
13 made to someone else. The pertinent part of the question is: Am
14 I to take it he didn't meet Kabbah? He said he didn't meet him.
10:52:28 15 He said he did not talk to him. So your question is did he tell
16 Kabbah to recant his question? Put that question to him and let
17 us have an answer to that question.

18 MR LANSANA: Certainly, your Honour.

19 Q. Now, Mr Senessie, I asked you whether you had at any time
10:52:55 20 told Mohamed Bereteh Kabbah to recant the testimony he gave at
21 The Hague in the Charles Taylor trial?

22 A. No, I never, ever told him that. I can't do that.

23 MR GARDNER: Your Honour, I'm totally confused. I don't
24 understand there to be any testimony in this case that he told
10:53:29 25 Kabbah to go recant. I mean, that's just not the testimony.

26 MR LANSANA: Your Honour, I'll refer to the statement of
27 Mohamed Bereteh Kabbah. The statement is also evidence before
28 this Court. It's been tendered. It was tendered, your Honour,
29 as P1, exhibit Prosecution exhibit 1, statements of Mohamed

1 Kabbah.

2 MR GARDNER: I apologise, Your Honour, I'm the one that's
3 caused my own confusion. Of course it was Kabbah's testimony
4 that he wanted to put him in touch with Prince Taylor to recant.
10:55:10 5 I apologise.

6 MR LANSANA: Thank you, Mr Prosecutor.

7 JUSTICE DOHERTY: Very well, Mr Lansana, you just continue
8 on with your questioning. But I do say that the relevant - what
9 I consider the relevant evidence is what transpired between him
10:55:31 10 and Kabbah at this point, rather than what transpired between him
11 and a second person - another person.

12 MR LANSANA: We abandon that, Your Honour. We will.

13 JUSTICE DOHERTY: Very well.

14 MR LANSANA:

10:55:47 15 Q. Now, Mr Senessie, we're still on Mohamed Kabbah. Let me
16 ask you this: Is Mohamed Kabbah - or was he at any point in time
17 a member of the RUF?

18 A. Exactly. From the outset when we transformed into a
19 political party, Mohamed Kabbah had been a member.

10:56:21 20 Q. And what was his role in the RUF?

21 A. Well, in the RUF initially all of us I deployed them to be
22 working in the administrative section of the RUF. They were in
23 the office. They were doing the registration. They were
24 registrars at first. And at this time Eldred Collins, the leader
10:57:04 25 of the RUF, appointed him as the district Secretary-General. He
26 is the current district Secretary-General of the RUF for
27 Kailahun District.

28 Q. And what is the working relationship you've had with him as
29 chairman of the said party?

1 A. Well, for now it's not cordial. Our relationship is not
2 cordial. Because I was the district chairman of the RUF in
3 Kailahun District. Constitutionally we should have held our
4 convention. If he as secretary could depose me, I think it
10:57:59 5 should have been the convention that should have deposed me. But
6 Mohamed Kabbah Bereteh who had been appointed has ensured that I
7 am deposed from being party chairman and has appointed his own
8 brother and friend.

9 THE INTERPRETER: Your Honour, can the witness go back.

10 I'm not sure whether he called a name of the party chairman. I
11 thought I heard friend. I don't know if it's a name that he
12 called.

13 JUSTICE DOHERTY: Mr Witness, when you were giving your
14 answer just now, the interpreter is unsure if you named someone
10:58:43 15 or said a friend. Could you please clarify that, the person who
16 is chairman.

17 THE WITNESS: The current chairman is Mohamed Kabbah
18 Bereteh. He is the district Secretary-General and he was
19 mandated by the leader to appoint the district chairman for the
10:59:16 20 RUF in Kailahun District. I said we did not have a convention,
21 and he deposed me from that position and appointed his own friend
22 who they call Shaku, S-h-a-k-u, Tiga James. Shaku Tiga James.
23 He is the current district chairman for RUF in Kailahun. I
24 could have challenged him but because of this case and upon the
11:00:05 25 advice that my Lord had given me on my bail condition, I played a
26 low profile. I did not cause any problem. I did not argue with
27 him. Sometimes I meet him in the office, I'll greet him and
28 he'll greet me. But our relationship is not cordial for now.

29 MR LANSANA:

1 Q. You thank you very much. Now let's come to Aruna Gbonda.
2 Do you know Aruna Gbonda?

3 A. Yes, my lawyer. I have not finished giving Mohamed
4 Kabbah's evidence I want to remind you.

11:00:55 5 Q. Yes, you can go ahead and say what it is?

6 A. Mohamed Bereteh Kabbah --

7 JUSTICE DOHERTY: Please continue. Yes, Mr Witness, I'm
8 listening to you.

9 THE WITNESS: Yes. Mohamed Bereteh Kabbah, since they came
11:01:32 10 from The Hague, all of them have been grumbling about the
11 Prosecution; about reward and relocation. During the meetings at
12 all times they would talk about this. This man Bereteh Kabbah,
13 on 6 February after church I came with my son Fick and Bereteh
14 Kabbah was standing on the road close to his house. He told me -
11:02:25 15 he said Mr Senessie, do you have Prince Taylor's phone number? I
16 stood for a while and I was in doubt. I said how come? He said
17 TF1-274 had informed him that he had prepared a document and sent
18 it to Prince Taylor for him to go and meet them in Kailahun. He
19 said he too is interested. I then referred him, saying go to
11:03:20 20 TF1-274. I said I had given him the complimentary card, and he
21 has it. That was all I and this man talked about. After church,
22 I was hungry so I went home straightaway.

23 Q. Thank you very much.

24 A. No. But I still have a little bit.

11:04:03 25 Q. Go ahead.

26 A. I made a mistake. Before I could go, he told me that he
27 too is preparing that document to send it - to give it to me.
28 You said but the one that [redacted] gave to me, I have already
29 sent it. And he said--

1 JUSTICE DOHERTY: That name is to be redacted. Continue.

2 THE WITNESS: Sorry, my Lord.

3 JUSTICE DOHERTY: Don't worry, it happens to the best of
4 us.

11:04:41 5 THE WITNESS: I told him that I have prepared - the
6 document that TF1-274 told me to prepare and had given to me, I
7 had already sent it. Later I came home and after two days I met
8 his own document but I did not send it.

9 JUSTICE DOHERTY: Please clarify what you meant by "I met
11:05:22 10 his own document."

11 THE WITNESS: Mohamed Bereteh Kabbah prepared a document
12 and brought it. I did not send it.

13 JUSTICE DOHERTY: Please continue, Mr Lansana.

14 MR LANSANA: Yes, Your Honour.

11:05:40 15 Q. Are you done with Mohamed Bereteh Kabbah?

16 A. Exactly. I did not send his own document because by then I
17 had heard rumours that they have mounted a contempt allegation
18 against us. So I did not deem it necessary to send it. So I
19 just kept calm and sat down.

11:06:10 20 Q. Thank you very much. Now, I was asking you whether you
21 know an individual called Aruna Gbonda?

22 A. Exactly. I know him very well.

23 Q. How do you know him?

24 A. Aruna Gbonda was one of the elder persons who played a key
11:06:44 25 role during the revolution.

26 Q. And afterwards?

27 A. Aruna Gbonda was a deputy paramount chief for Luawa
28 Chieftom and deputy chief for all the paramount chiefs in the
29 Kailahun District within the liberated RUF zones, and he was one

1 of the council members who was working with Foday Sankoh. They
2 gave directives during the war.

3 Q. Mr Senessie, you just switched over to English. I don't
4 know if you prefer the English language, but I would rather, for
11:07:40 5 consistency, you revert to Krio. Aruna Gbonda has testified in
6 this Court and informed this Court that you told him that some
7 people from the Taylor Defence team would be coming to talk to
8 him; that the purpose of these members of the Defence team,
9 according to you, going to see him, was that the Taylor Defence
11:08:07 10 team has learned that the Prosecution promised some of their
11 witnesses huge money reward - financial reward plus relocation
12 after their testimony, but the Prosecution didn't fulfill that.
13 Did you have this kind of discussion with Aruna Gbonda?

14 A. No. Aruna Gbonda, at the time that he left The Hague, he
11:08:42 15 too is a man - you know the parts that I was playing in the RUF,
16 after the war nobody hid their secrets from me. All of them when
17 they came from The Hague used to tell me. Aruna Gbonda too came
18 and told me that he had been in The Hague, but what he was
19 feeling about how he will be treated by the Prosecution, he said
11:09:12 20 he testified in the Charles Taylor's - in Charles Taylor's trial
21 as Prosecutor, but he said the way they have treated them, he
22 felt - he said he felt that when they went, they would give them
23 some good amount of money. He said he was even hearing that they
24 would relocate them. He said but for him, if they had relocated
11:09:39 25 him, he is not illiterate. He wouldn't even have gone, he said,
26 but they did not give him enough money. This grumbling was all
27 over the place. So at one time this man Aruna Gbonda went to my
28 house on 11 February and did not find me home. He met my
29 youngest son.

1 Q. Can you please tell the Court of name of that son?

2 A. My son is about 12 to 13 years old, but very brilliant. He
3 told him that he had come to his father. His name is Fick
4 Senessie, F-I-C-K, Fick. He replied, telling him that his father
11:11:01 5 was not here and that he had gone to the village. Aruna Gbonda
6 returned home to his house. I did not return that night. I
7 spent the night in the village. On the 12th, Aruna Gbonda came
8 to the house again in the morning. He did not find me at all.
9 He met this boy who was studying in the veranda. Then he asked
11:11:45 10 him, he said, Where is your father?

11 JUSTICE DOHERTY: Mr Senessie, just pause for a moment,
12 please. Please continue, Mr Senessie.

13 THE WITNESS: Aruna Gbonda went to the house again on the
14 12th and he found my son Fick Senessie and asked him, Where is
11:12:31 15 your father? And the boy told him, My father is not here. He
16 said, Do you know your father's phone number? And the boy said
17 yes. He said, Would you be able to call him for me? and the boy
18 said yes. The boy called an Africel number 077742891.
19 077742891. He said, No, I am - I subscribe to Africel. He said,
11:13:21 20 No, Airtel. First he called the Africel. He said, I subscribe
21 to Airtel. Call the Airtel. And the boy quoted it. He said
22 076522322. He dialled the number. He was standing outside by
23 now.

24 JUSTICE DOHERTY: Please proceed, Mr Senessie.

11:14:07 25 THE WITNESS: The boy was standing close by, and he dialled
26 this number and he called me. He said, Mr Senessie, have you
27 sent that document to Prince Taylor's --

28 THE INTERPRETER: He has called the name again.

29 THE WITNESS: That TF1-274 gave to you? And said, Me? I

1 too want to sign that document. This was the voice from his own
2 end, and the boy was standing close by. I told him on the phone
3 to go - sorry.

4 JUSTICE DOHERTY: [Microphone not activated].

11:15:08 5 THE WITNESS: I said go to TF1-274. He did not say
6 anything more to me. And he left, and the boy went back and sat
7 down. That was what transpired between myself and Aruna Gbonda.
8 Apart from that, Aruna Gbonda is a man - although he denied being
9 an RUF member, I brought all of them for us to build the party.

11:15:55 10 Even though we do not have money, but we encouraged them. We
11 used to help them. I never told him to go and recant his
12 testimony, nothing of that sort, because I don't know that. I
13 don't know the Charles Taylor Defence. I have never worked with
14 them. The only person that I know - in fact, it's not that I
11:16:22 15 know him. I can only remember him. That's - remember her.

16 That's Logan Hambri ck and Prince Tayl or, they were the only
17 persons I know. Prince Tayl or too. After Mr Gardner had
18 interviewed me, I even obtained permissi on from Mr Gardner that
19 when I go it Bo, I will disembark so that I would know this
11:16:48 20 Prince Tayl or. I told him. And when I went, I ensured that I
21 recognised Prince Tayl or. That was how I knew him. But I've
22 never worked with the Defence. I don't know them. In fact, I
23 was somebody who was afraid. And the line of work that I have
24 does not allow me to go out. I am a priest, almost a pastor, for
11:17:18 25 the New Apostolic Church in Kailahun.

26 MR LANSANA:

27 Q. Thank you very much. Now let's go over to TF1-516. Do you
28 know TF1-516, or do I write the name down for you?

29 A. Yes, I --

1 JUSTICE DOHERTY: Before we go there, Mr Lansana, I want to
2 clarify.

3 Mr Senessie, you said you knew Logan and Prince Taylor, and
4 then at another point you asked Mr Gardner or agreed with
11:18:04 5 Mr Gardner you do disembark to know Prince Taylor. Does that
6 mean you didn't know him, but you wanted to get to know him? Or
7 did you mean you disembarked to see him in order to refresh your
8 memory of a person you had met earlier?

9 THE WITNESS: Yes, since the time they went to us, most
11:18:32 10 likely in 2006, I had forgotten him. I wouldn't have recognised
11 him. It was only his card that I saw, which the Prosecution
12 witnesses have taken, and they said I was a Defence worker.
13 Because all of them were requesting this number. That was why I
14 said I will disembark in Bo to really know Prince Taylor. I did
11:19:00 15 not know him. And even Logan Hambrick, even if she stands here
16 now, I wouldn't recognise her.

17 JUSTICE DOHERTY: Thank you. Mr Lansana, please continue.

18 MR LANSANA: Yes, Your Honour.

19 Q. Mr Senessie, thank you very much. I was asking you if you
11:19:26 20 are familiar with the person that bears the pseudonym TF1-516?

21 A. Exactly. I know him very well.

22 Q. Can you tell this Court in what circumstance you happen to
23 know TF1-516?

24 A. Well, TF1-516 - before the war I got married - I got a
11:20:01 25 lover from them and we had a child. They used to call me in-law.
26 I used to go to their village before the war, and during the war
27 in Luawa the radio operators who were with us in Kailahun at the
28 war office where Sankoh was. And after the war I see him
29 teaching at the Methodist Secondary School.

1 Q. Now, TF1-516 testified before this Court and informed this
2 Court that on Tuesday, 1 February 2011, in the morning hours you
3 went to the Methodist Secondary School campus in Kailahun Town
4 and asked to see him. Did you go to the Methodist Secondary
11:21:09 5 School in Kailahun on Tuesday, 1 February 2011?

6 A. I went to the Methodist Secondary School. He did not
7 recall the date, but I went to that school.

8 THE INTERPRETER: Your Honour, can he kindly slowly repeat
9 the dates that he went to the school.

11:21:31 10 JUSTICE DOHERTY: Mr Witness, the interpreter asks that you
11 repeat the dates slowly.

12 THE WITNESS: I went to the Methodist Secondary School on 4
13 February 2011.

14 MR LANSANA:

11:22:01 15 Q. And can I ask you this question. You say, he's mistaken as
16 to the date you went there. He says on the 1st and you're saying
17 on the 4th. But is it true that you went to that school as you
18 say on the 4th of February specifically to meet him?

19 A. No, I had in intention to meet that man. We did not see
11:22:31 20 each other in Kailahun until he came from The Hague and they were
21 bragging around in the ghettos. I don't even know that man's
22 dwelling house. I went on that morning of the 4th at the
23 Methodist Secondary School to pay my child's school fees. I paid
24 the school fees.

11:23:02 25 Q. Can you tell this Court the name of that child you're
26 talking about in respect of whom you paid the fees?

27 A. Morrie Jusu. He is not my real son. I'm his guardian.
28 He's my brother's son. I went there to pay his school fees on
29 the 4th at Methodist Secondary School, and there is a receipt to

1 that effect that the school gave to me.

2 Q. Thank you very much.

3 MR LANSANA: At this stage, your Honour, may I show the
4 witness a document for him to ascertain whether it is the
11:23:47 5 document that he's talking about.

6 JUSTICE DOHERTY: Yes, please show it to counsel for the
7 Prosecution and then to the witness.

8 THE WITNESS: Yes, this is the receipt, my Lord.

9 JUSTICE DOHERTY: [Microphone not activated].

11:24:43 10 MR LANSANA: Yes, Your Honour, I was just going to say
11 that. I apply to this Court that that document, a receipt issued
12 by the Methodist Secondary School in Kailahun on 4 February 2011,
13 be admitted as Defence exhibit 2.

14 JUSTICE DOHERTY: Mr Gardner?

11:25:05 15 MR GARDNER: No objection.

16 JUSTICE DOHERTY: Thank you. I admit this document. It is
17 a one-page document headed "Methodist Junior Secondary School".
18 It bears a number "1233", and a date "4:2:11", and I don't think
19 it is necessary to read the rest of it. I also note that there
11:25:33 20 is - it is signed by a signature which I cannot decipher with the
21 title "bursar" and again 4:2:11. That will become exhibit D2.

22 [Admitted and marked exhibit D2]

23 MR LANSANA: As it pleases your Honour.

24 MR GARDNER: Your Honour, I don't see any record of D1. Is
11:26:01 25 there D1 in evidence?

26 JUSTICE DOHERTY: I'm fairly sure that is a photograph of
27 the two young ladies with the - I don't know if you've got a copy
28 of it, Mr Gardner. I will pass it down to you.

29 MR GARDNER: [Microphone not activated].

1 JUSTICE DOHERTY: You remember. Very well.

2 MR LANSANA: Thank you, your Honour.

3 Q. Mr Senessie, although you say you didn't go to the
4 Methodist Secondary School on 4 February 2011 to meet TF1-516,
11:26:43 5 but did you happen to run into him at all?

6 A. Exactly.

7 Q. Tell the Court in what circumstances?

8 A. That morning that I went to the Methodist Secondary School,
9 I met a teacher Genna Kpundeh for him to direct me to the
11:27:25 10 principal - the principal's office. Genna Kpundeh directed me to
11 it, and he too went down the road. After I had paid the school
12 fees and have been given a receipt, when I came, as I was going
13 to the town I was passing by, but there is a hut where food is
14 sold. I came across some teachers at the gate. That was almost
11:28:16 15 during lunchtime. This hut - Genna Kpundeh too was sitting in
16 that hut. All of them were eating. TF1-516, he too was there.
17 As I was passing, he came out and stood in front of me. He too
18 came up with the discussion which he and TF1-274 had had about
19 this document that he prepared to be sent to Prince Taylor. I
11:29:10 20 think TF1-274 was very instrumental here toward all of them. I
21 forgot to quote. TF1-274 that night on the 1st, he said it is
22 five of them who went to Kailahun who went to testify, but he did
23 not name anybody. At that juncture, TF1-516, he too requested
24 for Prince Taylor's number, and I referred him to TF1-274. I
11:30:03 25 said it's like.

26 JUSTICE DOHERTY: We'll have to finish this one sentence,
27 because the tape has just about run out. I think it's actually
28 run out. I had my eye on the time, but not as well as I should
29 have done. I've recorded and we will - I'll ask the transcribers

1 to confirm over the break that at this juncture 516 requested for
2 Prince Taylor's number, and the witness referred him to TF1-274.
3 We'll pick up the answer at that point. If it's not all on
4 record, I will ask the witness to repeat it so that it will be on
11:30:55 5 record.

6 MR LANSANA: Very well, your Honour.

7 JUSTICE DOHERTY: We will now adjourn Court. I see we're a
8 bit over the usual 30-minute stopping point, so I will resume
9 Court at 5 minutes past 12 and allow people their usual break.

11:31:11 10 Please adjourn Court until 12.05.

11 [The Court adjourned at 11.32 a.m.]

12 [The court resumed at 12.05 p.m.]

13 ERIC KOI SENESE:

14 CONTINUING EXAMINATION-IN-CHIEF BY MR LANSANA

12:04:40 15 JUSTICE DOHERTY: Mr Lansana, please continue with your
16 evidence.

17 MR LANSANA: Yes, Your Honour. I would just crave your
18 indulgence as to his last bit, because there was some things we
19 wanted to clarify with Court Management.

12:04:57 20 JUSTICE DOHERTY: My Associate has checked, and the entire
21 answer is on record. So at the last point the witness was
22 testifying that he - the teacher were eating at a hut where they
23 sell food. He - 516, this is - was also eating. He too came up
24 with a document that 274 prepared, and five of them had said
12:05:21 25 about this document, and at that juncture 516 requested for
26 Prince Taylor's number and "I referred him to 274". I hope
27 counsel agrees with that. The transcript, of course, will be
28 more accurate. So that is where the evidence left off.

29 MR LANSANA: Thank you very much, your Honour.

1 Q. Mr Senessie, welcome back. Can you continue from where you
2 left off before the break?

3 A. I want you to remind me.

4 JUSTICE DOHERTY: Mr Senessie, you had been telling the
12:06:03 5 Court that you met 516 with other teachers. He had come across
6 and spoke to you. He said as the other five had said. You said
7 as follows, "He too came up with a document that 274 prepared",
8 and then you said the five of them had said this, and then you
9 said, "At that juncture 516 requested for Prince Taylor's number
12:06:31 10 and I referred him to 274." I trust both counsel agree with
11 that.

12 MR LANSANA: I do, on my part.

13 A. Yes, my Lord, I heard you talking about "take". I did not
14 talk about "take". I said when I went to that gate, I saw
12:07:01 15 TF1-516. He and Genna Kpundeh were sitting under the hut, and
16 Genna Kpundeh came out and TF1-516 left Genna Kpundeh in the hut
17 where they were eating. He stopped me and he asked me he said,
18 Mr Senessie, he said, I want to ask you about something. He said
19 TF1-274 had told him about the documents that he had prepared and
12:07:34 20 he has given me, Eric, for me to send it to Prince Taylor, if
21 that was so, because he too would want Prince Taylor's number.
22 Then I referred him - I said Please, I'm going to town now. Go
23 back to TF1-274. That was what we spoke about. From there - may
24 I continue?

12:08:01 25 JUSTICE DOHERTY: Please do.

26 THE WITNESS: I had two phones then. That morning I had
27 collected my wife's phone which was at a certain booth for it to
28 be charged. It was in my hands when I went to the school. I was
29 having this phone. I used to call TF1-516 my brother-in-law. He

1 said, In-law can't you give me one of these phones? I said, No,
2 this one belongs to my wife. I said, It's my wife's phone. I
3 said - he said, Won't you buy one phone for me? And I said, I
4 don't have any money. If I had money, I would buy one for you.
12:08:54 5 So I bade them farewell and I left them for town. Since then I
6 never met TF1-516 at his house. I don't even know his dwelling
7 house. I don't even know there. I did not go to his house. It
8 was in that time that I heard about this contempt allegation that
9 had been mounted in The Hague, so we were not talking any more.
12:09:35 10 So that is how I and TF1-516 ended. I never met him again.

11 MR LANSANA:

12 Q. Thank you very much, Mr Senessie. Now I would ask you
13 specific questions regarding two specific allegations that he
14 leveled against you when he was testifying. I will start with
12:09:55 15 this: That on 1 February 2011, you accosted him and informed him
16 that you were working with the Charles Taylor Defence team; is
17 that correct?

18 A. It's not correct. I have never been a Charles Taylor
19 Defence team member. I don't know them. Never. I did not tell
12:10:26 20 him that.

21 Q. Thank you. He further informed this Court that you told
22 him that you were working with lawyers based in Freetown from the
23 Taylor Defence team and they wanted him, TF1-516, to recant his
24 testimony and that's why they had sent you; is that correct?

12:10:51 25 A. This is a lie they are saying about me. All of them, they
26 are all adults. I am an elderly man. I can say apart from Aruna
27 Gbonda, I'm older than them. I think five of them went to
28 school. If I was working with any lawyer, five of them would
29 have named him. Like Bereteh Kabbah, with whom I am in the same

1 compound, would have named somebody. This wouldn't have been any
2 secret. I would have told them that this lawyer sent me to come.
3 But all of them before this Court have testified that I did not
4 name anybody. And that's exactly true, because I did not name
12:11:38 5 anybody to them apart from Logan Hambrick. Logan Hambrick's
6 complimentary card that bears Prince Taylor's name and which they
7 saw with me, and on which they saw the logo of the Special Court,
8 they all did that with the intention - thinking that this man was
9 working for the Special Court. Is that an identity card that
12:12:05 10 Special Court gave to me or Charles Taylor's Defence team has
11 given to me? I don't know any lawyer apart from Logan Hambrick
12 who met me in Kailahun and gave me that complimentary card.

13 Q. Have you had any overseas call from anyone informing you
14 that he or she was part of the Taylor Defence team? Answer that
12:12:41 15 first. Have you had any call ever - have you ever had any call -
16 an overseas call from anyone purporting to be part of the Taylor
17 Defence team?

18 A. To be honest, as a priest heading a whole church, if I had
19 had that sort of a call, I would have known that person's name.
12:13:09 20 And the way they designed this allegation, I would have told them
21 the name of that person. But nobody ever - I did not get any
22 call from anybody who is working with the Charles Taylor Defence
23 team.

24 MR LANSANA: Your Honour, I intend to have the witness
12:13:37 25 affirm that he indeed made a statement and that he would identify
26 the statement, because I want to put the statement in.

27 JUSTICE DOHERTY: Is that the statement that was part of
28 the independent counsel's investigation, rather than a statement
29 to you?

1 MR LANSANA: Basically, your Honour, it's the same
2 statement, but I have put it on the regular format - the official
3 format of witness statements.

4 JUSTICE DOHERTY: I'm still not clear which one. Is it the
12:14:11 5 - when independent counsel was appointed by the Trial Chamber to
6 look into the allegations, independent counsel interviewed quite
7 a few people and there are various record of that - those
8 interviews. Is that what you are talking about?

9 MR LANSANA: No, Your Honour. This is a statement that was
12:14:30 10 made to me by the witness here.

11 JUSTICE DOHERTY: Oh, I see. Part of your brief.

12 MR LANSANA: It was but the list of witness statements I
13 filed, but it was the same statement that I have put in the
14 regular format.

12:14:52 15 JUSTICE DOHERTY: What you are seeking to do is to tender a
16 statement that was made to you as part of your instructions.

17 MR LANSANA: Yes, Your Honour.

18 JUSTICE DOHERTY: It's a little unusual, but I will see
19 what counsel for the Prosecution has to say about the
12:15:15 20 application. What is the purpose of putting it to the witness?
21 Are you seeking to refresh his memory? Are you raising a
22 credibility issue? It's an unusual procedure.

23 MR LANSANA: Your Honour, it is not any of the above. It
24 is not by way of refreshing. He's finished. I just want to
12:15:37 25 tender that statement. But you'll recall that at the time that
26 counsel asked that I give him a list of witnesses - Defence
27 witnesses and their statements, they were not in the regular
28 form - that morning I accepted - because I do it if my computer.
29 I just printed them out and filed them. But this time around,

1 they are in the regular form like the ones that the Prosecution
2 witnesses tendered in this Court because they have the Special
3 Court logo on it and they have - they have provision for the
4 signature of the witnesses. That's the only difference.

12:16:25 5 JUSTICE DOHERTY: I'm unclear what you are seeking to put
6 in. Let me first ask for a response from counsel for the
7 Prosecution.

8 MR GARDNER: I would like to see what he proposes. But I
9 would have an objection to a self-serving statement of the
12:16:42 10 witness defendant after he's testified going into evidence
11 clearly.

12 JUSTICE DOHERTY: It is somewhat unusual. It's not a
13 situation that I can recall coming before me, before but I will
14 certainly permit counsel to look at it and then, having read it,
12:17:01 15 to respond formally.

16 MR LANSANA: Yes, Your Honour. But before he does, I just
17 want to assure him that they are to the letter, word-for-word,
18 punctuation for punctuation, what he already has.

19 JUSTICE DOHERTY: I would have no reason to doubt your
12:17:17 20 reliability on that, Mr Lansana.

21 MR LANSANA: I'm encouraged.

22 MR GARDNER: Your Honour, I don't doubt that it is what
23 Mr Lansana says it is. It appears to be the same as the list of
24 witnesses that he furnished ahead of time, just as I did, but I
12:18:48 25 would object to it coming into evidence as a self-serving
26 statement of the defendant that's not a proper substitute for his
27 live testimony.

28 JUSTICE DOHERTY: Mr Lansana, you can reply on a point of
29 law only.

1 MR LANSANA: Your Honour, either way, I basically wouldn't
2 mind because that which is in from the witness himself I would
3 prefer to as that coming from the horse's mouth. The rendition
4 on the statement may not even approximate to precisely what he
12:19:50 5 has told this Court orally. Either way, I'm in your hands
6 entirely.

7 JUSTICE DOHERTY: I'll consider this. The Defence applies
8 to admit a prior statement given to counsel by the accused. I am
9 aware that it is not uncommon to seek to admit prior statements
12:24:09 10 when a witness has been challenged on a prior inconsistency.

11 This, however, is a different situation. There has not
12 been a challenge, though one may well arise in the course of
13 cross-examination.

14 Mr Gardner has said that the document is self-serving.
12:24:36 15 Clearly, sworn tested testimony is what is heard and considered
16 by any Court, including this one. However, I have not been given
17 any Rule or precedent which precludes me admitting this document
18 into evidence. So I will admit it, but with the usual
19 observation that it, like any other statement, will be assessed
12:25:04 20 for weight at the end of the case.

21 MR LANSANA: As it pleases your Honour.

22 JUSTICE DOHERTY: So that will become Defence Exhibit 3.

23

24

12:25:14 25

26 [Admitted and marked Exhibit D3]

27 JUSTICE DOHERTY: I'm going to take a minute to read it
28 quickly. I don't put a great deal of weight on pre-trial
29 statements that are tendered before the witness has given

1 evidence, because I like to hear what the witness has to say. So
2 I'll read this more thoroughly now.

3 MR LANSANA: Certainly, Your Honour.

4 JUSTICE DOHERTY: I've looked at the document very quickly.

12:27:03 5 However, I'm going to ask counsel if there's cross-examination
6 and at the end of the case if I'm referred to the document, I
7 will read it more thoroughly.

8 Mr Gardner - I understand that's the end of your
9 evidence-in-chief; am I correct?

12:27:28 10 MR LANSANA: Certainly, Your Honour.

11 JUSTICE DOHERTY: Cross-examination, if any, Mr Gardner.

12 CROSS-EXAMINATION BY MR GARDNER.

13 Q. Mr Senessie, did I understand you correctly in your direct
14 testimony when you said you did not know and do not know whether
12:27:52 15 Chris Bomford is a Prosecution Lawyer or a Defence Lawyer?

16 A. Well, at the time that Chris Bomford went I think he was
17 the first person whom I saw and who was a white man that went to
18 me. I did not --

19 Q. Excuse me, sir, the question calls for a yes or no answer.

12:28:23 20 Was it your testimony that you did not and do not know the
21 identity of Mr Bomford, Prosecution or Defence?

22 A. At that time no, I did not understand him. I did not - we
23 did not have any idea about those things. He was the first white
24 man that went.

12:28:46 25 Q. As you sit here today, do you know whether he was a lawyer
26 for the Prosecution or the Defence?

27 A. He just went and said he is a lawyer.

28 Q. The question calls for a yes or no answer?

29 A. Okay, repeat the question.

1 Q. As you sit here today, do you know whether Mr Bomford was a
2 Prosecution or Defence lawyer?

3 A. I did not know.

4 Q. Now. Today. Today. Do you know today whether he was a
12:29:36 5 Prosecution lawyer or a Defence lawyer?

6 A. Today I don't know, except somebody informs me that he's a
7 Defence or Prosecution.

8 Q. So what's the answer to my question? Do you know whether
9 he was a Prosecution lawyer or Defence lawyer?

12:30:01 10 A. I said I don't know. He was the first white man who went
11 to us. At the time we did not know anything about the Special
12 Court, we were even afraid.

13 JUSTICE DOHERTY: Mr Senessie, we're talking about now.
14 This minute. Do you know now, this minute, whether Chris Bomford
12:30:18 15 was a Prosecution person or a Defence person.

16 THE WITNESS: I don't know.

17 MR GARDNER:

18 Q. Mr Senessie, is it your testimony that all five of these
19 witnesses came to you to contact Prince Taylor or Logan Hambrick
12:30:43 20 because they wanted to recant? Is that your testimony?

21 A. Well, I think that was what they meant, because all of them
22 said they were Prosecution witnesses and how would they ask the
23 Defence - the Defence somebody's - how could they ask for the
24 Defence somebody's complimentary card? Prince Taylor was in the
12:31:22 25 Defence. That was what I concluded later on.

26 Q. And all you did was put them in touch with Prince Taylor;
27 isn't that correct?

28 A. Exactly. They are my party members. They came to me and
29 they wanted his contact. I did not know why they wanted to

1 contact him.

2 Q. Mr Senessie, you gave your answer. I asked you a question
3 that called for yes or no. Just tell me yes or no?

4 A. Yes.

12:31:56 5 Q. And you thought that because - you thought that they
6 returned from the war and they were always complaining about how
7 they were treated by the Prosecution; isn't that correct?

8 JUSTICE DOHERTY: I think you meant they returned from the
9 Court case.

12:32:14 10 MR GARDNER: Yes, I'm sorry, Your Honour.

11 Q. Isn't it your testimony that when these five returned from
12 the Charles Taylor trial, they were constantly complaining about
13 how they were treated by the Prosecution?

14 A. Yes, they were saying it all the time.

12:32:35 15 Q. And they also complained about what the Prosecution failed
16 to do for them, didn't they?

17 A. Exactly. They were saying it a lot of times. There are a
18 lot of people who could testify to that, independent witnesses.

19 Q. And we're not talking one witness. We're talking five
12:33:01 20 witnesses, aren't we, Mr Senessie?

21 A. Five of them, exactly.

22 Q. Did you understand that if they went to the Court to recant
23 their testimony and said that their testimony at the trial was
24 not true, that they would be admitting to the crime of perjury;
12:33:29 25 do you understand that, sir?

26 A. Repeat that question. Let me understand it clearly.

27 Q. If these five witnesses were to go The Hague and tell the
28 Court that the testimony they gave in 2008 and 2009 was false,
29 they would be admitting that they committed perjury; true, sir?

1 A. If they would admit to committing perjury, if that's true?
2 It's up to the Court to charge them as they deem it fate but at
3 the time that TF1-274 said this, I think someone who was in
4 Court, that is Joseph Combey who is in Court, told him that - he
12:34:29 5 told him the illegality. He told him it was not good. He told
6 him. I think it's up to the Court but I don't know.

7 Q. I got your answer, Mr Senessie. You're going on beyond the
8 question that I ask you. Mr Combey, you just used the word
9 "illegal" and Mr Combey told them that it would be illegal -
12:34:52 10 illegal - to go and change their testimony; didn't he say that?

11 A. Mr Combey? Yes, I heard him. He told them.

12 Q. Okay. Now, here you have, in January and February of 2011,
13 not one, but five witnesses in your community who come and tell
14 you that they want to go to the Court and commit an illegality:
12:35:24 15 Perjury. Did you report that --

16 MR LANSANA: I object to that question, Your Honour.

17 JUSTICE DOHERTY: I haven't heard the question yet.

18 MR LANSANA: Very well.

19 MR GARDNER:

12:35:34 20 Q. Did you report their intentions to anyone at the Court?

21 JUSTICE DOHERTY: What's the objection?

22 MR LANSANA: My objection, Your Honour, is that counsel is
23 asking the witness if he knew that these five witnesses informed
24 - after these five witnesses had informed him that they were
12:36:03 25 ready to go and recant they didn't tell him they were going to
26 recant their testimony. The premise of the question isn't
27 correct. I would like counsel to rephrase. He did not tell this
28 Court - what he told this Court is that he had that impression he
29 gathered. Not that these witnesses told him who are going to

1 recant their testimony. No.

2 JUSTICE DOHERTY: Your reply, Mr Gardner.

3 MR GARDNER: (1), there has been ample testimony in the
4 record that the witnesses clearly indicated to the defendant a
12:36:46 5 desire to recant their testimony; (2), the witness testified on
6 direct examination that one of the five was told by a man named
7 JP Combey, who was a magistrate, a man somewhat learned in the
8 law, that they would be committing an illegality. Mr Combey's
9 words. So it seems to me a fair question, Your Honour.

10 MR LANSANA: Your Honour, I hate to interrupt. He's
11 talking about five witnesses but he's talking about specifically
12 only one. He said he was going to recant his testimony and he
13 was warned by JP Combey. Where did the other five come in? Did
14 he specifically tell them that?

15 JUSTICE DOHERTY: There must have been some cause for
16 Combey to warn one of these witnesses in the accused's presence
17 that what they were doing was wrong, an illegality, and at least
18 in one case the accused was aware of a potential recant, and on
19 that basis I am going to allow the question, which is basically:
12:39:17 20 Did you report their crime or their potential crime to the
21 Special Court? I will allow the question.

22 THE WITNESS: Well, exactly. A man like me does not know
23 anything about this Court. I do not know the rules and
24 regulations. At the time that the Special Court Outreach used to
12:40:16 25 go to us they only displayed pictures and they told us how -
26 Mr Fatoma told how the Court was run. If they told us they were
27 the illegalities in this case or in this court - that when
28 somebody is trying to do this you should talk about it, you
29 should summon him. I did not know anything. They themselves

1 have said it - that I did not know anything about this Court. I
2 don't know the Rules. They who went there and returned I think
3 they know.

4 JUSTICE DOHERTY: Mr Senessie, did you report it or did you
12:40:49 5 not?

6 THE WITNESS: To whom? To where ?

7 MR GARDNER:

8 Q. To the Court?

9 A. I did not report that, because the man who is there, I did
12:41:07 10 not know that it was something not to report.

11 THE INTERPRETER: Learned counsel's microphone is not
12 switched on.

13 MR GARDNER:

14 Q. I only asked you whether you reported it: Yes or no. Did
12:41:21 15 you or did you not?

16 A. I did not report it because the person --

17 Q. I didn't ask you why?

18 A. No, I did not report it. I did not make any report because
19 I don't know.

12:41:41 20 Q. Isn't it true that back during the time of the Taylor trial
21 you worked with both the Prosecutor's office and the
22 Charles Taylor Defence team occasionally in Kailahun in helping
23 them find witnesses; isn't that true?

24 A. Yes, they used to come to me and I was helping both - both
12:42:04 25 sides. It's not that I was working in the office. They just
26 used to meet me casually. I did not work with them for salary.

27 Q. You didn't answer the question.

28 MR LANSANA: Your Honour, I'm a bit dissatisfied with the
29 way counsel is carrying on because I was in the same predicament

1 when I was cross-examining and the witnesses were rambling on and
2 on and I think the Court decided that that was normal.

3 JUSTICE DOHERTY: Cross-examination.

4 MR LANSANA: Yes even when I was cross-examining, Your
12:42:35 5 Honour. The witness TF1-274 was going on and on and on. I
6 waited.

7 JUSTICE DOHERTY: You waited. Mr Gardner is not waiting.

8 MR LANSANA: But I complained, Your Honour.

9 JUSTICE DOHERTY: I upheld you once.

10 12:42:50 MR LANSANA: As Your Honour please.

11 MR GARDNER: I must say Your Honour, I'm not pleased with
12 the witness making rambling speeches in response to yes or no
13 questions, but I'll control the witness.

14 Q. Now, Mr Senessie, having worked with OTP the Prosecutor's
12:43:16 15 office you could have easily picked up the phone and called them
16 and said there are a couple of people in my community that are
17 about to commit an illegality. You should know that,
18 Mr Prosecutor. You could do that, couldn't you?

19 A. I did not work with them. They just used to meet me and
12:43:35 20 tell me to find someone for them. Sometimes I will give them
21 names. If they had told me that when this such a thing is
22 happening you should report to us or deal with those people or
23 you should be making reports, maybe I would have had an idea.
24 But I did not know anything. They did not give any directive,
12:43:52 25 nothing of the sort. I don't know any rules and regulations
26 about this Court. I don't know. Had I known --

27 Q. So you made no report to the Court; isn't that correct?

28 A. I have said so. I said I didn't know. Had I known and
29 they directed me I would have made a report. But no Court person

1 told me that. No lawyer told me that. I have told you that I
2 didn't make any report because I didn't know.

3 Q. Mr Senessie we're going to be here until next year if you
4 don't listen carefully to my question. If it calls for yes or
12:44:30 5 no, say yes or no. Now, you've been sitting here for two days
6 listening to the Prosecution testimony, haven't you?

7 A. Yes.

8 Q. Sitting right over there in that chair, right?

9 A. I was sitting down there and I heard them and they too for
12:44:56 10 some questions my lawyers asked them, they too were going on and
11 on.

12 Q. I got nothing about static. I don't know what the problem
13 is?

14 JUSTICE DOHERTY: First of all I'll ask our Court attendant
12:45:08 15 to see if your microphone is working all right. Because I heard
16 - can you hear me ?

17 MR GARDNER: Oh, yes.

18 JUSTICE DOHERTY: I heard the answer which I will read out
19 whilst he is helping you. The witness said - Mr Lansana you can
12:45:26 20 correct me if I am wrong, "Yes, I heard them. They were going on
21 and on" when my lawyer asked them questions.

22 MR LANSANA: Exactly but probably counsel didn't get the
23 utterance before that.

24 MR GARDNER: Now I'm getting dot, dot, dot, dot, dot.

12:46:10 25 JUSTICE DOHERTY: Mr Gardner, if you continue to have a
26 problem, please tell us because it's important that you hear all
27 that is said.

28 MR GARDNER: All I'm getting is like Morse Code, dot, dot,
29 dot, dot, through this thing.

1 JUSTICE DOHERTY: Do you want to try another set of
2 earphones?

3 MR LANSANA: Your Honour, there is something wrong. I
4 can't get even the Court official's voice as he is on.

12:47:22 5 COURT OFFICER: You can hear me?

6 MR LANSANA: Now I can.

7 THE INTERPRETER: No, that's because we are dialoguing and
8 my microphone was on in the booth.

9 COURT OFFICER: When his is on --

12:47:35 10 MR LANSANA: I get you loud and clear, sir.

11 MR GARDNER:

12 Q. Isn't it true, Mr Senessie, that the reason you did not
13 call the Court OTP and tell them that these witnesses were going
14 to commit an illegality, isn't it because they never came to you
12:48:22 15 and said they wanted to recant; isn't that true, sir?

16 A. Nobody told me he was going to recant his testimony.
17 Nobody. I don't know. If somebody had told me maybe I would
18 have had that idea. But nobody told me that. What I know is
19 that they requested for Prince Taylor's complimentary card and
12:48:45 20 within that they could do anything.

21 Q. Mr Senessie you're doing it again. I'm asking you a
22 question that calls for a yes or no. We're going to be here
23 until Christmas if you do that. Now, are you aware that in his
24 pre-trial brief your lawyer said that you helped both the
12:49:07 25 Prosecution and the Defence find witnesses for the Charles Taylor
26 trial after the war; are you aware of that?

27 A. Yes.

28 Q. Will you agree with me that it makes no sense for any of
29 these five witnesses to ask you for contact information for the

1 Defence because they would be worried that you would report it to
2 the Prosecution, because you worked for the Prosecution?

3 MR LANSANA: Your Honour, that's speculative.

4 JUSTICE DOHERTY: It's not speculative. He's asking a
12:49:49 5 question that should have operated in the accused's - in the
6 witness's mind. If anything, it's asking his opinion. But it's
7 not speculative.

8 MR GARDNER:

9 Q. Do you understand my question?

12:50:11 10 A. I would like you to repeat it.

11 Q. Will you agree with me that it makes no sense for these
12 five witnesses to ask you for contact information because they
13 would be worried that you would report it to the OTP, with whom
14 you had worked?

12:50:42 15 A. Well, no, I don't know. No, because I did not know their
16 intentions. I did not know their intentions. They only
17 requested for complimentary card.

18 Q. But sir, they didn't know your intentions, did they?

19 MR LANSANA: Your Honour, I object to that.

12:51:06 20 THE WITNESS: Which of my intention?

21 MR LANSANA: Please. I object to that. There's no way
22 that the witness here will find out what was in the mind or
23 intention of those people.

24 JUSTICE DOHERTY: That's true, Mr Gardner. I'm not
12:51:21 25 allowing that question.

26 MR GARDNER:

27 Q. I believe you testified in response to Mr Lansana's
28 questions that 274, 585, 516 and Kabbah became annoyed at you
29 because you wanted everyone to put down their guns and 274

1 ordered you to be arrested. Do you remember that testimony?

12:52:41 2 A. Well, it was not 274 who gave an order. He received the
3 message from Makeni. It was he who told the CS0 that he's
4 received a message for them to arrest Eric, and CS0 gave the
5 mandate to the military police and I was arrested. He was a
6 radio operator. He got the information. And the way the two of
7 us were, we were friends. He was my close friend. He should
8 have informed me, but he did not. And he went directly to the
9 CS0 and he told him, and I was arrested together with my
12:53:02 10 brothers.

11 Q. That's not what I'm asking you. I'm asking you whether
12 those witnesses became annoyed with you. That's the word that I
13 understood you to use. Did they become annoyed --

14 A. Yes, exactly. They were annoyed.

12:53:20 15 Q. Did you also say that they tried to kill you?

16 A. Yes.

17 Q. Okay. If they were annoyed with you at this period and
18 they tried to kill you, why would these people come to you for
19 contact information for the Charles Taylor Defence team?

12:53:40 20 A. Fine. After we had had peace, then this thing happened. I
21 as a political figurehead, when they said peace, I had forgotten.
22 I had waived off everything in my heart. I had become friends
23 with them. I did not show to them that they had done something
24 bad to me. They said bygones must be bygones. That is why I
12:54:10 25 went close to them. That motivated them to come do me.

26 Q. Isn't the real answer, Mr Senessie, that they didn't come
27 to you with any intention of going to recant?

28 MR LANSANA: Your Honour, again: Intention.

29 MR GARDNER: Nothing wrong with asking--

1 JUSTICE DOHERTY: No, it's a fair question, Mr Lansana.
2 It's a fundamental issue in the case. He's permitted to put
3 this.

4 THE WITNESS: No, nobody can predict one's mind. I don't
12:54:49 5 know whether that was the intention. And nobody opened his mouth
6 to tell me: Eric, I'm going to recant my testimony, no. I did
7 not know their intention.

8 MR GARDNER:

9 Q. You didn't know that they were intending to recant their
12:55:09 10 testimony; is that what you're saying?

11 A. I said I don't know their intention of recantation of their
12 previous testimony before the Court. I don't know. All that I
13 know is that they requested a complimentary card from me. And
14 being that I am their political head, I do encourage that because
12:55:34 15 I did not have money to give to them. I gave them the card.
16 This is somebody's card. Give me the card in order to talk to
17 somebody.

18 Q. [Microphone not activated] whether you gave them a card.
19 The question is whether you knew that any one or more of them
12:55:50 20 intended to recant their testimony from the Charles Taylor trial?

21 A. Requesting that card from me that had Prince Taylor's phone
22 number and they were saying the Prosecution had deceived them in
23 public, maybe they will think about that.

24 Q. They were unhappy with the Prosecution, weren't they?

12:56:19 25 A. They were not happy. Exactly, they were not happy.

26 Q. Yeah. That's your testimony, that they were unhappy,
27 correct?

28 A. That is what I said. They were not happy. Because if they
29 were happy, they wouldn't be going around saying it. And

1 according to the principles that I've heard here that they
2 were --

3 Q. I asked you for a yes or no answer; that's all,
4 Mr Senessie.

12:56:44 5 A. Okay, let's go.

6 Q. Do you know what it means to recant one's testimony?
7 You've been testifying that these witnesses came to you and said
8 they wanted contact information so they could recant because they
9 were unhappy with the Prosecution. What did you --

12:57:21 10 MR LANSANA: Your Honour, I object. They didn't tell him
11 that. They did not tell him that. He had not said that. He has
12 not said that.

13 JUSTICE DOHERTY: He's said many, many times they were
14 unhappy with the Prosecution, and what counsel asked is, "Do you
12:57:38 15 know what it means to recant?" We'll put the question mark at
16 the word "recant".

17 MR LANSANA: Yes, that's okay.

18 THE WITNESS: I understand it grammatically. I know what
19 recantation is. I know the meaning. But I have never
12:57:54 20 experienced recantation in my life. That somebody would appear
21 before the Court, he takes an oath and it goes back.

22 THE INTERPRETER: Your Honour, can this witness switch to
23 Krio? He's speaking English, and he's speaking very fast.

24 JUSTICE DOHERTY: Mr Senessie, you're doing two things you
12:58:12 25 don't realise maybe: (1), you've really speeded up. I can't
26 keep up with you; and you've switched into English and you're
27 supposed to be speaking in Krio. So you must --

28 THE WITNESS: Yes, my Lord. I'm sorry, my Lord.

29 JUSTICE DOHERTY: Very well. I understand you said, "But I

1 have never experienced it" and then --

2 THE WITNESS: I've never known that. It's never happened
3 in our community that somebody would swear before a Court, and
4 they would return and somebody would tell him that what you said,
12:58:49 5 go back and say it didn't happen. I don't know, I've never heard
6 that. I've never seen it. It's never happened. This is my 52nd
7 year. It's never happened even within our local communities
8 where we are. I don't know.

9 MR GARDNER:

12:59:04 10 Q. You know what perjury is, don't you, Mr Senessie? Do you
11 know what perjury is?

12 A. I don't know except you tell me.

13 Q. It's telling a lie when you're under oath. Do you
14 understand that?

12:59:24 15 A. Yes. I've known it now.

16 Q. You understand in the Court when you first took the witness
17 seat that you took an oath to tell the truth?

18 THE INTERPRETER: Can I learned counsel kindly repeat his
19 question more slowly?

12:59:37 20 JUSTICE DOHERTY: Mr Gardner, the interpreter is trying to
21 keep up with you. Could you repeat your question, please.

22 MR GARDNER: I'm guilty too, your Honour.

23 JUSTICE DOHERTY: We all do it. You started off by saying
24 you understand that he took an oath.

13:00:02 25 MR GARDNER:

26 Q. Did you - back in January and February of last year, did
27 you consider any of these five witnesses to be your friends? Was
28 any one --

29 A. Did you say 1st February, 2nd and 3rd?

1 JUSTICE DOHERTY: No, Mr Witness. Counsel said in January
2 or February of last year.

3 Mr Gardner, do I think you're getting a problem with
4 your --

13:00:40 5 MR GARDNER: Yeah, it's driving me crazy.

6 JUSTICE DOHERTY: Maybe it's something to do with the
7 machine. I wonder whether it would help to move you.

8 COURT OFFICER: Your Honour, may I explain?

9 MR GARDNER: I think it's this box.

13:00:53 10 COURT OFFICER: What I think is happening is when the
11 witness speaks, the interpreters allow him to start and then it
12 switches off. So at that point in time they will only - all what
13 you will hear is the voice of the interpreter, not that of the -
14 and then when he starts speaking, then they will switch back. So
13:01:12 15 it's a technical thing.

16 JUSTICE DOHERTY: Are you not hearing, Mr Gardner, or are
17 you getting those Morse Code?

18 MR GARDNER: No, I am now. But in order to do it, I have
19 to flick at the - see, now it goes out again.

13:01:27 20 JUSTICE DOHERTY: No. There's two switches on your
21 machine, I think. I know I have two, but it may be that I have a
22 control switch. But unless - if that red light is on, it means
23 your machine is on, and there's a problem with two machines on.
24 So you have to switch yours off when you stop speaking. It's a
13:01:52 25 matter of practise. It takes us all a while to do it.

26 MR GARDNER: The last two and a half days I haven't had a
27 problem. I don't know. But I take your Honour's point.

28 JUSTICE DOHERTY: Be at liberty to try another of the many
29 machines around the Court. We can easily substitute one.

1 MR GARDNER: Let me continue with this for a minute and see
2 what happens.

3 JUSTICE DOHERTY: During lunchtime we can take a little
4 extra time to sort it out.

13:02:30 5 MR GARDNER: I don't think there's anything to lose by
6 putting a new module or whatever you call it.

7 COURT OFFICER: We will work on that, your Honour.

8 MR GARDNER:

9 Q. Mr Senessie, last year at the time of the events that we've
13:02:47 10 been discussing here in Court, January/February 2011, were any of
11 these five witnesses who testified for the Prosecution friends of
12 yours?

13 A. We are all in the same town, though we don't meet. Once in
14 a while we would meet, yes.

13:03:20 15 Q. My question was whether you considered any one of the five
16 to be a friend?

17 A. Yes.

18 Q. Which ones did you consider a friend?

19 A. Well, it's only 585, who is my first cousin's daughter.

13:03:55 20 Q. And 585, according to your testimony this morning, asked
21 you many times: Please can I have the contact information?
22 Didn't she do that?

23 A. Repeat the question.

24 Q. Didn't you testify this morning that many, many times 585
13:04:23 25 asked you - asked you, please, for the contact information for
26 Prince Taylor or Logan Hambri ck?

27 A. Yes, it's the complimentary card for Logan Hambri ck that he
28 was requesting for where Prince Taylor's number is.

29 Q. Thank you. Now, what did you think 585 was going to do

1 with that card that you gave her - or the information on the
2 card? What did you think she was going to do with it?

13:05:18 3 A. Well, I can't tell his intent - her intention. She just
4 told me she wanted to call Prince Taylor. She didn't tell me
5 anything. I don't know.

6 Q. Well, your entire testimony, Mr Senessie, has been that
7 those witnesses were unhappy with the Prosecution and wanted your
8 contact information so they could call and arrange to recant
9 their testimony; isn't that true?

13:05:45 10 A. Not that they called to recant their testimony. I said
11 they were saying that they were not happy with the way they were
12 treated. They did not tell me that because of the way they were
13 treated, they wanted to go and recant their testimony. They were
14 just grumbling that what they thought the Prosecution was going
13:06:06 15 to give them, they did not give them. Ask - requesting for
16 Prince Taylor's complimentary card from me, I did not know their
17 intentions. I don't know. And nobody said, "Eric, give me
18 Prince Taylor's complimentary card. I want to go and recant my
19 testimony." No, I don't know. Nobody disclosed his intention to
13:06:28 20 me. It's only the card that they requested from me, and they
21 asked me to give it to them and that is what I did, you see?

22 Q. No, I don't see. But you've talked about these documents
23 that were signed, and documents that were put in an envelope, and
24 documents that were supposed to go to Freetown. What did you
13:06:52 25 understand was in those documents, Mr Senessie?

26 A. I don't know. They sent it to Prince Taylor. I think
27 Prince Taylor sent it to you. I don't know whether Prince Taylor
28 sent it. I don't know.

29 Q. Let me fresh your memory, Mr Senessie. Do you recall when

1 the Court audio people played the tape-recording of the
2 conversation between you and 585?

3 A. I heard that conversation, but I don't know. I don't even
4 know who spoke there. Because on two occasions my niece, 585,
13:07:59 5 told me that she hadn't a phone. She came to me and asked me --

6 Q. Wait a minute. That's not the question.

7 A. Okay.

8 Q. Do you recall hearing that tape played in this Court?

9 A. Yes.

13:08:16 10 Q. The part of the tape that 585 recorded has your voice in
11 English; do you remember that?

12 A. That is what she said, but that's not my voice. I never
13 spoke on the phone to her. I never saw her with a phone. She
14 asked me for a phone. Where does she get a phone from to record
13:08:45 15 my voice?

16 Q. Mr Senessie, she didn't testify that she talked to you on
17 the phone. She testified that she had a phone that she hid so
18 you couldn't see it, and it had a voice recording function. She
19 testified that she recorded your voice. Did you understand that?

13:09:13 20 A. That's what she said. But if she was recording my voice,
21 she would have said, You that I'm talking to, what is your name?
22 Then I would have called my name to the recording on that phone.
23 But my voice is not there; my name is not there; I don't know
24 anything. In that recording, that's not my voice.

13:09:27 25 Q. You deny that that's your voice?

26 A. It's not my voice. I did not see her with a phone. She's
27 my daughter. How could she hide to record my voice?

28 Q. She recorded your conversation, Mr Senessie, and she says
29 that your voice in English read to her the document that you

1 wanted her to sign to go to the Charles Taylor Defence team, and
2 it says, "I am certainly ready to defend Charles Taylor in the
3 Special Court in The Hague." Did you hear that?

13:10:22 4 A. She was ready to go and - when she's ready to go and defend
5 Charles Taylor, would she have to write a document? Even the
6 document that they read that I heard, when I saw the manuscript,
7 what they wrote there is totally below the --

8 Q. [Microphone not activated]

13:10:39 9 A. I heard it. I saw it. But it's below my level of
10 education. I don't write like that. What is written there is
11 total - I don't write like that. If I write, there will be no
12 contrast. No, no, no, I did not write that.

13 Q. It's not writing. It's spoken. Do you deny that that's
14 your voice on the tape?

13:10:58 15 A. It's not my voice. It's not my voice at all. It's not my
16 voice.

17 Q. Let's talk a little bit about these five Prosecution
18 witnesses.

19 A. Okay.

13:11:21 20 Q. It's your testimony, is it not, that all five of them,
21 within a period of a week or two, all came to you for contact
22 information about the Defence?

23 A. Not about the Defence, but Prince Taylor.

13:11:53 24 Q. And is it also your testimony that all five of them in
25 recent years had been making many complaints about how they were
26 treated by the Prosecutor?

27 A. Yes, they were saying it in public openly. So many people
28 heard.

29 Q. And for the most part, these witnesses testified, did they

1 not, in 2008; isn't that right?

2 A. Well, I can't tell the dates because I did not go The
3 Hague. I did not even testify in this Court. I can't tell the
4 time. They know, they who went and testified.

13:12:38 5 Q. It's a matter of record - it's a matter of record when they
6 testified, Mr Senessie. It was 2008 and 2009. As far as whether
7 you testified at The Hague, believe me, that is a subject that we
8 will get to today. Now --

9 A. Well, if that's the time they testified, no problem. I'll
13:13:03 10 agree with it if you're taking it from the record.

11 Q. Okay. Now, 2008 witnesses testify. 2009 the
12 Charles Taylor case continues at The Hague. Charles Taylor
13 himself testifies for months. Case goes into 2010 and then in
14 the fall of 2010, as her Honour well knows, the Charles Taylor
13:13:37 15 case ends. Then we come to the following year, 2011. Can you
16 explain why all of a sudden, after all that time, in a very short
17 space in 2011, these five witnesses wake up one day and decide:
18 Oh, I want to go see Eric Senessie and get Prince Taylor's
19 contact information. Can you explain that, sir?

13:14:06 20 MR LANSANA: Your Honour, I would object to that. The
21 witness is not in a position to explain that. Most of the facts
22 put before the witness --

23 JUSTICE DOHERTY: Mr Lansana, if he cannot explain it, he
24 is able to say that for himself. It's a question that can be
13:14:24 25 asked: Why did they go to you? That's what he's been asked to
26 explain.

27 MR LANSANA: He wouldn't have been in a position to say
28 that.

29 JUSTICE DOHERTY: Don't put answers in his mouth,

1 Mr Lansana, please. Please. I'll allow the question.

2 MR GARDNER: I think I'm at that point where I want to
3 object to the effort to protect the witness on cross-examination.
4 It's a matter --

13:14:52 5 THE WITNESS: You can repeat that question. I'll answer it
6 for you.

7 MR GARDNER: Okay.

8 Q. Here you have the testimony in 2008. Then we have 2009,
9 after they have testified. Then you have 2010. After they have
10 testified, Charles Taylor case ends, I guess, the fall of 2010.
11 Now we're into 2011. And all of a sudden, in a short space of
12 time, all five of these witnesses decide to come to see Eric
13 Senessie for Prince Taylor's contact information. Can you
14 explain why that all happened in that short period of time? Do
13:15:50 15 you know?

16 A. What I think - because they know that the Court is nearing
17 its end. And this question that you're asking me, you asked me
18 and I told you, that they just wanted somebody to become a sort
19 of a scapegoat because they are aware that they were Prosecution
13:16:21 20 witnesses. So they were finding ways and means to be exposed so
21 that they will use that to suppress the Prosecution so that they
22 can achieve their selfish aims of reward and maybe relocate them.
23 I think that was what they were trying to do. But I know that
24 the time had passed, and when they are talking about
13:16:59 25 Charles Taylor in my case, I told you - if you could remember - I
26 said I never knew contract. I only saw him in a picture. I told
27 you in the office that if I was getting ready to go and testify
28 in The Hague, I would have preferred to have prosecuted
29 Charles Taylor. I told you that, if you could remember my voice.

1 I told you that. That was the last thing that I told you before
2 I left the office. I said I was not prepared to go and help
3 anybody recant his testimony. I don't know recantation. Since I
4 was born this is my 52nd year I don't know. I don't know if that
13:17:38 5 would motivate me for me to tell somebody - oh, for you to come
6 to me to go and recant. Maybe I'll help you, but I don't know
7 that. If I knew about recantation, I'll tell you: Don't do
8 that. But I don't know. They wanted to use someone as a
9 scapegoat to suppress the Prosecution to get benefits from them.

13:18:00 10 JUSTICE DOHERTY: You have told us about this scapegoat and
11 the benefit. You don't need to repeat it.

12 THE WITNESS: Okay, my Lord. I'm sorry.

13 MR GARDNER:

14 Q. What I'm getting at, Mr Senessie, is why all of a sudden,
13:18:19 15 after all this time, that all five of them decide to come to you
16 for Prince Taylor's information. Is it because of a full moon;
17 did they have some conspiracy meeting; do you know?

18 A. I don't know. I do not have any meetings with them where
19 they will tell me their views. I don't know. I can never
13:18:52 20 tell --

21 Q. [Microphone not activated] you said you don't know. I
22 understand.

23 A. I don't know.

24 Q. Let's go back to your testimony about how those five
13:19:00 25 witnesses were making complaints about the Prosecution. That's
26 been your testimony, right?

27 A. Um-hmm.

28 Q. Are you aware there's no record of any complaints from any
29 of these five witnesses to either the Prosecutor or WVS in 2008,

1 2009, 2010 and 2011; are you aware of that?

2 A. There's no record?

3 Q. That's what I'm saying to you. Does that surprise you?

4 A. I don't know. I'm not conversant with the administrative
13:19:51 5 set-up of this Court. I'm not working with there. I don't know.
6 I can't tell.

7 Q. And the reason that there's no record of any such
8 complaints is because they weren't making any complaints; isn't
9 that a fact?

13:20:09 10 A. Who? The five prosecutors, you mean?

11 Q. No, I mean the five witnesses.

12 A. Witnesses. Well, you said so.

13 Q. I'm suggesting to you that the five witnesses had nothing
14 to complain about how they were treated by the Prosecution.

13:20:31 15 That's what I'm suggesting to you. Did you understand that?

16 A. I understand. But that's not my - I don't know about that.
17 I don't know if - even if someone did something bad to them, they
18 will report. I don't know. Nobody told me the Rules about this
19 Court. I don't know.

13:20:52 20 Q. You knew, did you not, that if these five witnesses had
21 complaints about how they were treated by the Prosecution, they
22 could simply call the Court and talk to OTP or the investigator.
23 You knew they could do that, didn't you?

24 A. I don't know that. I don't know.

13:21:17 25 Q. [Microphone not activated] the question.

26 A. I don't know.

27 Q. Isn't it true that you sat in this courtroom and listened
28 to the testimony of all five witnesses? You were over there
29 paying attention, right?

1 A. Yes.

2 Q. And didn't every single one of those witnesses testify that
3 he or she reported your contact to the investigators?

4 A. They all reported me. Not all of them reported me.

13:21:53 5 According to the record that I saw from the motion record, Kabbah
6 - it was Kabbah Bereteh who reported me and --

7 THE INTERPRETER: Your Honour, he has called the name
8 again.

9 JUSTICE DOHERTY: Two things: You've called a name, so
13:22:09 10 we'll be careful with that name. The second thing is counsel is
11 not --

12 THE WITNESS: I'm sorry.

13 JUSTICE DOHERTY: As I said before, it happens to the best
14 of us. And counsel is not asking you about the report. Counsel
13:22:25 15 is asking about what was said in Court and what was said in Court
16 over the last two days. That's what counsel is asking about.

17 THE WITNESS: Okay, repeat that question, sir.

18 THE COURT OFFICER: Your Honour, the transcriber didn't get
19 that name of that --

13:22:51 20 JUSTICE DOHERTY: Neither did I, so no harm done.

21 MR GARDNER:

22 Q. Mr Senessie, these witnesses testified in this Court, did
23 they not, that all of them contacted the investigators about
24 their conversation with you; isn't that right?

13:23:14 25 A. Yes, I heard that, that they reported to the - I heard
26 that.

27 Q. So the point is if they knew how to contact the Prosecutors
28 to complain about what you said to them, they certainly would
29 have known how to complain to the prosecutors about how they were

1 treated at The Hague; isn't that right?

2 A. I did not get that question clearly.

3 Q. If these five witnesses were so anxious to contact Prince
4 Taylor, and you're giving them Prince Taylor's number, does it
13:24:23 5 surprise you that not a single one of those five ever met with
6 Prince Taylor and arranged to recant their testimony?

7 A. Yes, that was what all of them said, that none of them met
8 Prince Taylor. They did not even see him, and that is what
9 happened. Because they were saying that I said Prince Taylor was
13:24:50 10 going to Kailahun. Defence was going to Kailahun. Nobody met
11 them who will testify that I called them.

12 Q. You heard the testimony in this courtroom about the
13 witnesses contacting the investigators, didn't you?

14 A. Yes.

13:25:10 15 Q. And so you're aware that all of these witnesses had already
16 contacted the investigators and turned you in; you understand
17 that?

18 A. I know. That was their plan. That was what they did.
19 They know why they did it. That was what they did. That's the
13:25:38 20 case that is here.

21 Q. Which one of these five do you blame the most for turning
22 you in?

23 A. The master planner who brought all of this up. Like I told
24 you in the office at the time that you were investigating me, I
13:26:01 25 said this contempt allegation started from the 1st, 2nd and 3rd.
26 The person whom I'm blaming is 274. He caused all of this
27 problem.

28 Q. 274 caused all of this problem?

29 A. 274.

1 Q. Okay. Now let's go through what the record in this case
2 shows about the chronology of contacts. Start with 274. He
3 testified that you came to him on February 2, okay, and you
4 didn't have a complete conversation. You next contacted him the
13:26:54 5 next day on February 3. Do you remember his testimony?

6 A. I remember all of it.

7 Q. And do you remember that the very next day he called
8 investigator Joseph Saffa. Remember that?

9 A. I remember according to their testimony.

13:27:15 10 Q. [Microphone not activated] you remember?

11 A. Yes.

12 Q. So it didn't take but one day - one day - for 274 to turn
13 you in after you came to him and talked to him about meeting with
14 Prince Taylor and recanting his testimony. Now let's go to
13:27:37 15 Mohamed Kabbah. He testified that his initial contact with you
16 was January 26. He was the first person you contacted. He
17 testified that the next day, one day later, he contacted Magnus
18 Lamin, the investigator. Do you recall that testimony?

19 A. Yes.

13:28:02 20 Q. It only took him one day to call and report your improper
21 conduct. Aruna Gbonda, he testified he came to your house on
22 January 29; remember that?

23 A. I know.

24 Q. And he too called the investigators right away. And 516,
13:28:37 25 he was a little slow. You first - no, I take that back. Strike
26 that. He met with Mr Kabbah on January 28. And then on January
27 30 he met with the investigators. That was his testimony. And
28 then you came and contacted him on February 1. So by the time
29 you came and made your approach to him about going to see Prince

1 Taylor to change his testimony, he had already gone to the
2 prosecutors. Do you understand that testimony?

3 A. I heard everything. That was what they said.

4 Q. And 585, she talked about your surprise visit on January
13:29:28 5 27, and the record is clear that she went to the investigators on
6 January 28?

7 A. Which record?

8 Q. The record here, the transcript of the Court.

9 A. That was what she said.

13:29:48 10 Q. Yeah. Okay?

11 A. But do you know that when somebody has plotted --

12 Q. There's no question pending, sir. Just wait for the next
13 question.

14 JUSTICE DOHERTY: Mr Gardner, I appreciate you're getting
13:30:11 15 into your flow there, but it is actually after the usual lunch
16 break and if staff and so on are to get anything, we'll have to
17 break now.

18 MR GARDNER: I'm comfortable with whatever your Honour
19 wants.

13:30:29 20 JUSTICE DOHERTY: I will adjourn the Court for an hour, and
21 I will remind the witness.

22 Mr Senessie, you're under oath, and during the lunchtime
23 break you are not to discuss your evidence with any other person.
24 You should remain with the security. We will adjourn the Court
13:30:43 25 to 2.35.

26 [Luncheon adjournment taken at 1.35 p.m.]

27 [upon resuming at 2.30 p.m.]

28 JUSTICE DOHERTY: Mr Senessie, I reminded you before we
29 left Court this morning that you are under oath, and as I am sure

1 you realise you still are and you should answer questions
2 truthfully.

3 Mr Gardner, please proceed.

4 MR GARDNER: Thank you, Your Honour.

14:35:44 5 Q. I think before the lunch break, Mr Senessie, I was
6 reviewing you with the chronology of when the five Prosecution
7 witnesses were initially contacted by you and then when they
8 contacted the investigator. I want to use as an example an
9 excerpt from your testimony this morning regarding 585. You
14:36:15 10 said, referring to 585, that she met with you on February 8 and
11 asked for Prince Taylor's number. You remember that testimony?

12 A. February 8th. You mean 585?

13 Q. No, I meant - I meant February 8, 2011, you testified that
14 on that day 585 asked you for Prince Taylor's phone number.

14:36:57 15 A. 585 met me on the 9th. She went to my place on the 8th.

16 THE INTERPRETER: Your Honour, the witness is speaking
17 English now.

18 JUSTICE DOHERTY: Mr Senessie, you've slipped into English.
19 You should let us know which language you're using so that the -

14:37:19 20 THE WITNESS: Yes, my lord. The Krio is not talking now.

21 JUSTICE DOHERTY: Oh, I see. Let me clear that up. Is the
22 Krio interpreter in place?

23 THE INTERPRETER: Yes she is.

24 JUSTICE DOHERTY: Oh. Then it must be something to do with
14:37:36 25 the machine. I'll ask the court attendant to please check the
26 witness's machine.

27 THE WITNESS: I can get you clearly now.

28 MR GARDNER:

29 Q. Let me repeat the question. You testified on direct that

1 on February 8, 585 asked you for Prince Taylor's phone number.

2 Do you remember that?

3 A. I remember that but it was not on the 8th of February. It
4 was on the 9th.

14:38:31 5 Q. Okay. We'll call it the 9th. Now, it is in evidence in
6 this case that 12 days before February 9 - 12 days before
7 February 9 - on January 28, 585 called the investigators to say
8 that you proposed that she meet with Prince Taylor so she can
9 recant her testimony The Hague. You know that's what she

14:39:09 10 testified to, don't you, Mr Senessie?

11 A. I did not tell her -

12 Q. No, no - I am asking you whether you heard that testimony
13 in this courtroom. Yes or no?

14 A. Please repeat.

14:39:35 15 Q. Do you recall 585 testifying that you approached her and
16 made a surprise visit with her on the 27th and that on the 28th
17 she called the investigators to report your improper contact
18 about recanting her testimony. Do you recall what she said in
19 Court?

14:40:04 20 A. I remember that.

21 Q. And now did you also have the chance to see the Prosecution
22 exhibit in court of 585's statement to the Prosecutors, to the
23 investigators? Do you recall that statement? Did you read it?

24 A. I read it when he gave his testimony about me.

14:40:38 25 Q. You mean when she gave her testimony about you?

26 A. Well, the testimony - the statement that they passed onto
27 my lawyer that he passed onto me, I read it. That's what I mean.

28 Q. Okay. Now did you notice, Mr Senessie, that that statement
29 was dated February 28, 29 - no, I'm sorry, January 28th, January

1 29th, and February 1; meaning that 585 met with the investigators
2 on all three of those days. Did you understand that?

3 A. I understand that.

4 Q. Now the significance of that, Mr Senessie, is that
14:41:38 5 according to the evidence 585 was already on record as reporting
6 you for your improper contact about recanting testimony long
7 before you claim that on February 9 she wanted Prince Taylor's
8 phone number. You understand that?

9 A. I understand that, but someone who has plotted against you
14:42:14 10 can do anything. At the time that she met me, that's the time I
11 have told you. That is what she said, that that is the time she
12 met me. And there is no other person between myself and her who
13 would clarify that it was at this time that TF1-585 met me. She
14 told you her own date and I told you my own date that I said she
14:42:44 15 met me, because I knew that it was a plot against me.

16 Q. A big conspiracy? A big conspiracy against you?

17 A. I am quite sure.

18 Q. But understand, conspiracy or not, that all five of these
19 witnesses were on record with the investigators as complaining
14:43:15 20 about your illegal improper conduct, while at the same time you
21 say you are giving them Prince Taylor's contact number. Don't
22 you understand, they can't possibly be having any interest in
23 getting Prince Taylor's number because they've already told the
24 investigators that you've approached them about recanting your
14:43:46 25 testimony? Do you understand that?

26 A. I understand that, but I did not do that. I did not meet
27 anybody. They was the ones who used to meet me. Did I not meet
28 anybody for them to go and recant their testimony. I did not
29 meet any one of them. And nobody told me he was going to recant

1 his testimony.

2 Q. Nobody told you he was going to recant his testimony? Is
3 that your testimony? Are you saying that?

4 A. That someone told me he was going to recant his testimony
14:44:31 5 in The Hague, is that what you mean?

6 Q. You just -

7 MR LANSANA: Your Honour, I'm sorry to interrupt. I would
8 only want counsel to caution himself, because there are certain
9 facts that he is putting to the witness that are not correct. He
14:44:54 10 may be misleading the witness. For instance, he's saying that
11 all five Prosecution witnesses were on record as having contacted
12 the Prosecution before -

13 JUSTICE DOHERTY: No, he didn't say that. He said they
14 were "complaining," he didn't say "Prosecution." He said
14:45:16 15 "investigators."

16 MR LANSANA: That's what I'm saying. That they had made
17 statements, they had contacted the Prosecution, and they had
18 talked to investigators before the date he's alleging, which is
19 February. But when you come to the statement of TF1-274, it's
14:45:32 20 17th February. The date is 17th February. I just want him to -

21 JUSTICE DOHERTY: [Microphone not activated].

22 MR LANSANA: Thank you, Your Honour.

23 JUSTICE DOHERTY: The dates for 2F - let me look at the
24 exhibit.

14:45:53 25 MR GARDNER: Well, Your Honour, as to 274, the date that I
26 referred to new my cross-examination as relevant was February 4
27 when 274 contacted investigator Joseph Saffa. That's my point.
28 274 is on record as having contacted the investigators before the
29 conversations that Mr Senessie says took place.

1 JUSTICE DOHERTY: I have not got - I don't want to take up
2 a lot of time going through my notes to see when Senessie says
3 274 contacted him. But the fact is that the point you are
4 putting is that prior to the time the witness says these people
14:46:44 5 came and contacted him, the complaints were, if not all five,
6 four of them certainly were on record, if that is the question
7 you are putting?

8 MR GARDNER: Precisely, Your Honour.

9 JUSTICE DOHERTY: Well, I'll allow that question.

14:46:59 10 MR GARDNER:

11 Q. Do you understand that, Mr Senessie?

12 A. I am hearing you.

13 JUSTICE DOHERTY: And counsel then followed up with another
14 question which I would like to see the answer to, and that was
14:47:17 15 picking up something Mr Senessie said in his answer. No one told
16 you that anyone was going to recant. I may not have worded it
17 properly, but that question has not been answered.

18 MR GARDNER: Well, that's the next point I was going to
19 tackle, Your Honour.

14:47:33 20 Q. Did you just say a moment ago, the Judge heard it, and I
21 heard it, that no one said to you that they was going to go to
22 The Hague to recant their testimony? Did you say that? Yes or
23 no, Mr Senessie?

24 A. Well, I said remember --

14:48:01 25 Q. Yes or no, Mr Senessie.

26 A. You've asked me a question. I'm working it out. Because
27 something that had happened, I need to work it out. It's
28 something that had happened.

29 Q. Mr Senessie --

1 A. You should listen.

2 Q. Mr Senessie, if you need to work it out and think about it,
3 do it in silence, because that question calls for a "yes" or "no"
4 answer, and if you like I will repeat?

14:48:34 5 A. Go over it.

6 Q. Isn't it true that you testified just a few moments ago, as
7 the Court heard, and as I heard, that no one told you that they
8 was going to go to The Hague to recant their testimony. Yes or
9 no?

14:49:00 10 A. Well, I say "just yes" or no. I want to say something.

11 Q. You answer the question yes or no, and then the Court will
12 give you an opportunity to explain your answer. You must answer
13 it -

14 A. No.

14:49:16 15 Q. That's the correct answer, because that's - oh, you're
16 saying no, you did not say that. Okay. Well, Mr Senessie, the
17 record will reflect that you did say that, and it was not a true
18 statement, because on your direct examination, you said
19 specifically, with respect to 274, that he said that he would go
14:49:36 20 and recant and that he said that on February 1st. That was your
21 direct testimony.

22 A. Well, that is what I said, that I would just say "yes" or
23 "no." That I would think about it. Because this is the outburst
24 that TF1-274 made when JP Combey, who is Joseph Combey intervened
14:50:07 25 in that guard room. And I heard that. But he did not tell me.
26 He just told me -

27 Q. I am not talking about Mr Combey's intervening. I just
28 want to know if that was your testimony, and you said that it
29 was, is that correct?

1 A. Well, I said that, but during the discussion it was TF1-274
2 who said it. That is why when you asked me, even if I had said
3 yes, I worked it out again and I reflected my mind to TF1-274's
4 statement that he made, loudly, openly in public.

14:50:47 5 Q. [Overlapping speakers]

6 A. He did not tell me. He just said it openly.

7 Q. You finished your answer. TF1-274 said that. You finished
8 your answer?

9 A. He said it.

14:51:00 10 Q. Now, you claim that 274 is the ring leader, is that right?

11 A. Yes.

12 Q. He's the leader of the five witnesses?

13 A. Well, that is what I believe because he pioneered this.

14 Ever since we've been there, nobody ever came around to ask me

14:51:25 15 about Prince Taylor's complimentary card or Logan's complimentary
16 card. That is what brought all of this.

17 Q. Okay. Now let's go back to 585. You've testified that for
18 a long time you had a very close family relationship with 585, is
19 that correct?

14:51:54 20 A. Yes.

21 Q. But since the events we've been discussing early last year
22 in February, you no longer have a good relationship with 585, do
23 you?

24 A. Well, to me, I have it because I meet her. Sometimes we
14:52:16 25 meet in the street. Sometimes she should meet me in her father's
26 compound. She would greet me and I would greet her. If she has
27 it in her mind I don't have it because we are family.

28 Q. You don't sense that she doesn't feel close to you anymore?
29 You don't sense that? Yes or no? Either you do or you don't.

1 A. Well, I believe so.

2 Q. You believe what?

3 A. I believe that she has isolated herself from me, and I have
4 isolated myself from her.

14:52:57 5 Q. And isn't that because she's upset that someone as close to
6 her as you were would put her in the horrible position of going
7 to the Court and changing her testimony for money and that you
8 offended her by saying that to her. Do you understand that?

9 A. I don't understand that. She has isolated herself because
14:53:30 10 she knows that I am her uncle. What she has done to me is
11 illegal. She's not supposed to do that to me, to report me of
12 something that is not my deed. That is why she has isolated
13 herself from me. And I, too, upon instruction, when the Judge
14 instructed me not to contact them. That is why I have not been
14:53:50 15 talking to any one of them. That is why I have isolated myself.

16 Q. I understand that. Now when you and I met last year, did
17 you tell me that you didn't have any reason to approach these
18 witnesses on behalf of Prince Taylor about recanting their
19 testimony? Did you tell me that?

14:54:22 20 A. Yes, I told you.

21 Q. Okay. Let me suggest to you at least a possible motive -
22 and it's not the Prosecution's burden to prove motive, only
23 crime, it's called the Willie Sutton issue. Now, that motive was
24 money, wasn't it Mr Senessie?

14:54:50 25 A. What motive?

26 Q. Your motive in going to all five of these witnesses and
27 trying to put them in touch with Prince Taylor and telling them
28 that if they recanted their testimony at The Hague, they would
29 get a financial reward. You did that because you thought you

1 would get some money from Prince Taylor; isn't that correct?

2 A. No, I did not - I did not even attempt to do that. I do
3 not know Prince Taylor. He never called me to go and recruit
4 Prosecution witnesses for them to go and recant their testimony.
14:55:37 5 And he was not the one who was supposed to do that from what I
6 believe. I think it should have been a lawyer from the Defence
7 who should have done that, and I would have charged - I would
8 have asked him for money, but that was not it. Prince Taylor has
9 nothing. Prince Taylor has nothing, and no lawyer spoke to me.

14:56:01 10 Q. Let me understand this: You would have taken money from
11 the Charles Taylor lawyer for having these witnesses come and
12 change their testimony. Is that what you're saying?

13 A. I won't take money. The lawyer wouldn't have given me the
14 money because he wouldn't have had when I would have asked him.

14:56:31 15 But he wouldn't have had. I wouldn't have intended to take any
16 money from any lawyer because I don't know them. Nobody called
17 me. How would I attempt for any lawyer to give me money? I just
18 said that because you don't work for nothing. You cannot use me
19 for nothing, when nobody came my way.

14:56:54 20 Q. Well, we'll see. Are you aware that Prince Taylor, shortly
21 before he stopped working for the Defence in late 2010, are you
22 aware that he helped the Defence, the Charles Taylor Defence,
23 file a motion to reopen the case - actually, to recall four
24 Prosecution witnesses who had testified at The Hague? Are you
14:57:32 25 aware that Prince Taylor did that? Did he tell you that?

26 A. I've not heard you clearly. I want you to repeat it.

27 Q. Are you aware that in December of 2010 Prince Taylor
28 assisted the Charles Taylor Defence in filing a motion with the
29 Court to bring back for more testimony four Prosecution witnesses

1 who had testified for the Prosecution in the Charles Taylor case
2 and had been relocated?

3 A. I don't know. I don't know anything about that. I was not
4 working with that man. I was not talking with him. I did not
14:58:27 5 even know him. I told you that day that I don't know him and I
6 wanted to know him. I never knew him.

7 Q. Let's talk about Aruna Gbonda. He's a really fine
8 gentleman, isn't he? Wouldn't you say?

9 A. Well, you've seen him. You say he is fine. I wouldn't
14:59:00 10 refute that.

11 Q. Well, I also said that he was a gentleman. Would you agree
12 with that?

13 A. Well, for the respect of our party, and he's a key player,
14 yeah, he's a gentleman.

14:59:26 15 Q. I believe you testified this morning on direct examination
16 that Mr Gbonda told you that he was promised money and relocation
17 but he didn't get enough money, that he complained about the
18 Prosecution. Did you give that testimony this morning? Yes or
19 no.

14:59:47 20 A. I said that. That's what they was grumbling about. That
21 is what they was grumbling about what they met. I myself spoke
22 with him when he came from The Hague at the Court barri.
23 That is when he grumbled about that. And I said wait, your time
24 will come.

15:00:04 25 Q. So the answer is yes. The answer is yes.

26 A. Yes.

27 Q. And how many times did he complain to you about that?

28 A. Well, I can say maybe twice.

29 Q. Are you aware that around the time of this testimony he had

1 health problems and that he had three hernia operations and that
2 the Court paid for one of those? Were you aware of that?

3 A. I don't know.

4 Q. You don't know about that?

15:00:47 5 A. I don't know about that.

6 Q. Well, to borrow a phrase that's been used, I put it to you
7 that he had no reason to complain to the Court and did not
8 complain to the Court.

9 Now -

15:01:06 10 A. He complained. Had he not complained, I wouldn't say so.
11 I am an intelligent person. What he said I can remember. What
12 he told me when he came from The Hague --

13 Q. [Overlapping speakers] Answer the question. Wait for the
14 next one. Wait for the next one.

15:01:23 15 A. Okay. I'm sorry.

16 Q. It will come.

17 A. Okay I'm sorry.

18 Q. You say that he testified this morning Mr Gbonda came to
19 your house and saw your son on February 11 and then again on
15:01:57 20 February 12. Do you recall that testimony?

21 A. Exactly.

22 Q. Now Mr Gbonda's statement to the investigator that you saw
23 in this courtroom that he put his thumbprint on, because he
24 couldn't write, that statement was dated January 31st. So 11 or
15:02:30 25 12 days before you say he came to your son looking for a phone
26 number for Prince Taylor, he had already gone to the
27 investigators and told them what you said in your approach about
28 his recanting testimony. Are you aware of that?

29 A. Well, I according to his statement that I read, that is

1 what he said.

2 MR GARDNER: Could I have an exhibit please, P4.

3 Can you show P4 to the witness.

4 Q. Do you recognise that exhibit Mr Senessie?

15:04:04 5 A. Yes.

6 Q. Okay.

7 A. I have seen it. This is the manuscript that they read when
8 TF1-585 said she recorded my voice.

9 Q. Right. Now I'm going to direct your attention to the
15:04:24 10 paragraph where it starts:

11 "To the Charles Taylor Defence counsel ..."

12 Now, it is 585's testimony that you drafted this document,
13 and it says:

14 "I want to take this opportunity to call upon the defenders
15:04:46 15 of the above counsel that I am certainly ready to defend
16 Charles Taylor in the Special Court in The Hague."

17 Now, Mr Senessie, who drafted this that you read. Was that
18 you or was that Prince Taylor?

19 A. It was not me. I did not meet with Prince Taylor. What is
15:05:12 20 drafted here is not good English. It is below my level of
21 education. I did not draft it. If I drafted it, it would not be
22 like this. I do not know anything about this.

23 Q. You understand that this statement, "that I am certainly
24 ready to defend Charles Taylor in the Special Court ...," what
15:05:46 25 that statement means that she is ready to go recant her
26 testimony. Do you understand that?

27 A. I understand it. That's what she wrote it on this paper.
28 That's what she said, but I don't know anything about this. I
29 don't know. I don't know it. Because if there was a duplicate

1 that had my signature, my original - my autograph, maybe I will
2 remember that that's my signature. But this is just a draft.
3 Anybody can do this.

15:06:28 4 Q. Hold it, Mr Senessie. First of all, that's not a
5 statement. That is a transcript of the tape. It doesn't have a
6 signature. The testimony is that she tape recorded your voice on
7 that conversation. And then the investigator put her memory card
8 in the computer and the two of them together prepared that
9 transcript. That's the evidence against you, Mr Senessie. Do
15:06:55 10 you understand that?

11 A. I understand. But there is nothing that can prove if this
12 TF1-585 really wanted to prove this, which would have been backed
13 by an affidavit. I think she should have signed this document
14 and asked for a copy from me, which would have been a duplicate
15:07:18 15 of my holograph - my handwriting, I mean. And should present
16 that to the Court which would prove that, yes, this is Eric Koi
17 Senessie's real handwriting. But she still has to prove that.
18 My name is not there --

19 Q. Hold on just a minute. Are you saying that this is, in
15:07:40 20 fact, your voice on the tape but that it's not official because
21 she didn't sign it and come and show it to you. Is that what
22 you're saying?

23 A. I mean the document. This document before they read it.
24 Before this person reads it, he may have drafted it first.
15:08:09 25 Because TF1-585 said it was a draft and ordinary people that I
26 took to her. That is how she should have signed it and kept a
27 copy. It is not because I am denying what this document is
28 saying, that it's my voice or not my advices - but definitely
29 it's not my voice on it. But I did not draft that thing. This

1 person drafted it and read it before they put it on the memory
2 card because she had a phone that she was recording with. I want
3 to assure this Court that if I had written this, the English that
4 is here, it is illiterate. This is not my handwriting. This is
15:08:56 5 not my language to construct on a piece of paper. I did not
6 write it.

7 Q. I understand that. The tape, that's a transcript from the
8 tape. The testimony is that it's your voice reading that
9 statement and that exhibit, and I put it to you again: Isn't it
15:09:11 10 a fact that that is your voice on your tape that you heard in
11 this courtroom?

12 A. No. That's not my voice. That's not my voice.

13 Q. Okay.

14 A. There is nothing that can prove that's my voice.

15:09:27 15 Q. Hold still. Hold still. You've answered the question.
16 Now, do you think that 585 went around the Kailahun District
17 until she found someone who sounds like you, who has a voice
18 similar to you, and then went and made up that tape - just made
19 it up? You think she did that?

15:09:56 20 A. It can happen. When someone wants to cause problem for
21 you, they won't sleep. He will set traps for you to damage you.
22 Or when he wants to get his own benefits, he could do anything,
23 exactly like you've explained. That is what happened here.

24 Q. Okay. Now, Mr Senessie, let's get back to the Charles
15:10:21 25 Taylor case. Did you testify as a Defence witness or a
26 Prosecution witness at the Hague?

27 A. Myself?

28 Q. Yes, you.

29 A. No, I never went there.

1 Q. You never went to The Hague to testify?

2 A. No, I never went there. I don't know even know the route.

3 Q. Well, you were a combatant during the war, weren't you; yes
4 or no?

15:11:00 5 A. Combatant? I want you to simplify that word, "combatant"
6 so I can understand that well. Who is a combatant?

7 Q. What do you understand a combatant to mean based your
8 understanding of the word "combatant"? And you were here in the
9 war. Were you or were you not a combatant during the war; yes or
10 no?

15:11:23 11 A. Well, when we disarmed, they were calling all of us
12 ex-combatants. And combatant at the time, when we used to hear
13 it, it was referring to those who carried guns to fight. They
14 were the combatants as we referred to them. That is why I asked
15:11:43 15 you to simplify it for me. Because when we disarmed, they were
16 calling all of us as ex-combatants. Fighters too were called
17 combatants, and maybe it was wrong.

18 Q. Okay. Were you called an ex-combatant?

19 A. During the war?

15:12:00 20 Q. And after the war.

21 A. After the war that's the name we heard, that is,
22 ex-combatants, because we were in the war. After we had
23 disarmed, after we had gone through mobilisation, integration,
24 that is what they was calling us: Ex-combatant.

15:12:20 25 Q. Okay. Now, Mr Senessie, during the testimony in this case,
26 on several occasions both witnesses and your lawyer made
27 statements that during the war you were helping both the
28 Prosecution and the Defence locate witnesses in the Kailahun
29 area. Is that a correct statement?

1 A. This happened. But it was not that when they went I would
2 jump in a vehicle with them going up and down. They would come
3 to my house and they would ask me about people who matter, people
4 whom they want, and I would give them their names. It was only
15:13:09 5 at one time when Chris Bomford took me in his vehicle and we went
6 to some Sam Kollah, the CSO, the chief security officer. Since
7 then, when he molested and he suspected me I never moved out of
8 my compound with the investigators. When they came, whoever they
9 wanted, I would tell them the name. And wherever he is, I would
15:13:39 10 show them there. Even Logan Hambri ck, I never went with them.
11 They would always leave me in my compound and they would go.
12 That was how I worked with them.

13 Q. Thank you, Mr Senessie. Now, are you familiar with a group
14 called the People's Movement for Democratic Change, PMDC?

15:14:05 15 A. If I'm familiar with them, yes.

16 Q. That's my question.

17 A. Yes.

18 Q. Were you at one time the Kailahun District youth leader for
19 PMDC?

15:14:24 20 A. I was in Kailahun.

21 Q. No, listen to my question. Were you at one time the
22 Kailahun District youth leader for PMDC; yes or no?

23 A. I was not a youth leader. I was a member of PMDC. This
24 happened because in 2004 --

15:14:51 25 Q. No, I don't need [Overlapping speakers]

26 A. No problem. No problem.

27 Q. Now, did I understand you correctly to say this morning
28 that you didn't testify in the Charles Taylor case because you
29 were neutral? Did you use the word "neutral"?

1 A. Yes, I used the word "neutral."

2 Q. And do you recall your counsel, Mr Lansana, cross-examining
3 some of the five Prosecution witnesses about why they testified
4 in the Charles Taylor case; do you recall that?

15:15:35 5 A. Why they testified in the Charles Taylor case; is that the
6 question?

7 Q. Yes. Did you hear Mr Lansana ask the Prosecution
8 witnesses, or at least some of them, that question?

9 A. Yes.

15:15:58 10 Q. Okay. Now, isn't it true, Mr Senessie, that the real
11 reason - the honest reason that you did not testify in the
12 Charles Taylor case was because the PMDC did not want you to
13 testify; isn't that a fact?

14 A. PMDC didn't want me to testify? By that they was looking
15:16:27 15 out for witnesses - at the time they was looking out for
16 witnesses, there was no PMDC.

17 Q. No, no, it's a simple question --

18 JUSTICE DOHERTY: Mr Senessie, please look at me; not at
19 counsel.

15:16:39 20 THE WITNESS: I'm sorry, Ma'am.

21 MR GARDNER:

22 Q. I am going to ask you again. It's a simple question that
23 calls for a yes or no answer. Isn't it in fact true that the
24 reason you did not testify in the Charles Taylor case is because
15:16:54 25 the PMDC didn't want you to; yes or no?

26 A. No.

27 Q. Okay. Did you hear the testimony of the five Prosecution
28 witnesses and how many days they testified at The Hague? Did you
29 hear that?

1 A. I did not - I heard that they testified when they came and
2 spoke here, but I was not conversant with the radio. I was not
3 listening. I did not know.

4 Q. You didn't pay attention to that testimony in the courtroom
15:17:35 5 about how many days they each testified?

6 A. That is what I said. I said I heard them when they said it
7 here when they testified in The Hague. That is what I mean.
8 Yes, I heard.

9 Q. It took a lot of courage for those five people to testify
15:17:53 10 at The Hague, did it not?

11 A. Yes, according to them. Yes.

12 Q. And not everybody in the Kailahun community was happy with
13 them about their testifying for the Prosecution, were they?

14 A. At the time they went? Well, I can't tell that everybody
15:18:15 15 did because I was not in people's minds. I don't know. I can't
16 tell.

17 MR GARDNER: [Overlapping speakers]

18 JUSTICE DOHERTY: Mr Gardner, you were both speaking, but I
19 think I heard you say that you have no further questions.

15:18:34 20 MR GARDNER: I did say that, Your Honour.

21 JUSTICE DOHERTY: Thank you.

22 Re-examination, Mr Lansana?

23 MR LANSANA: Your Honour, I have none.

24 JUSTICE DOHERTY: Thank you. I've only one question of
15:18:46 25 clarification arising out of something asked by Independent
26 Counsel for the Prosecution.

27 QUESTIONED BY THE COURT:

28 JUSTICE DOHERTY: Do I recall correctly, Mr Senessie, that
29 at some point you said that you were in The Hague but did not

1 testify? Or is my memory playing tricks on me?

2 A. In The Hague? I've never went to The Hague. I've never
3 been there. I've never been there.

4 JUSTICE DOHERTY: Thank you for that clarification.

15:19:22 5 Any questions arising from that?

6 MR LANSANA: None, Your Honour.

7 JUSTICE DOHERTY: Mr Senessie, that is the end of your
8 testimony, so please resume your seat at the dock.

9 THE WITNESS: Thank you very much, My Lord. Thank you.

15:19:58 10 [The witness withdrew]

11 JUSTICE DOHERTY: Mr Lansana, your next witness.

12 MR LANSANA: Yes, Your Honour. I had given courtroom
13 management and, indeed, my colleague on the other side, a list of
14 my witnesses and sequence.

15:20:34 15 JUSTICE DOHERTY: I did indeed read that sequence.

16 MR LANSANA: Very well, Your Honour.

17 The Defence will now call Mr Combey.

18 JUSTICE DOHERTY: Thank you. Is that the gentleman whose
19 been referred to as "JP"?

15:20:53 20 MR LANSANA: Yes, Your Honour. That's the title but --

21 JUSTICE DOHERTY: That's what I understood.

22 MR LANSANA: He's actually James.

23 Your Honour, just one issue I had decided to raise with the
24 Court because I am - I recall during the pre-trial conference I

15:21:17 25 referred to the fact that I was waiting for a pre-Defence

26 conference to be given the order to file my list of witness

27 statements and the rest of them. But since counsel and I had a

28 mutual consensus to any interest of expedition to shortcut, for

29 want of a better word, the proceedings in this trial, there are

1 certain things that we decided to do by mutual understanding.

2 My understanding was that when I agreed to serve him the
3 list of witnesses, I could also serve him the statements. But
4 those statements I had prior to that, I intended to file in the
15:22:09 5 proper form with the Court logo and everything. After a
6 pre-trial conference - a pre-Defence conference, pursuant to
7 Rule 37 *ter*, I was waiting for that order to file, at which time
8 I would have put them in the proper order.

9 So I am at a quandary right now, because I have the
15:22:35 10 statements that I served and filed with the Court. I have those
11 statements put in proper form with the witness's signature and
12 everything. I attempted to tender one, but counsel on this side
13 objected. I don't know whether he objected because of that
14 particular one which he said was self-serving, or is he going to
15:23:05 15 object to all the others that I have put in proper form with the
16 witness's signatures? I want to know.

17 JUSTICE DOHERTY: Perhaps I should indicate that a
18 pre-Defence conference differs under our rules. There is a
19 mandatory pre-trial conference where the Prosecution has to give
15:23:25 20 certain information, but there is no equivalent compulsory
21 mandatory pre-Defence conference. It's a matter for a decision
22 whether one should be held or not, and possibly I pre-empted you
23 from holding one by inviting you to open the Defence case. I did
24 that partly because you had filed a pre-Defence brief and you had
15:23:59 25 mutually agreed to mutual disclosure.

26 MR LANSANA: [Overlapping speakers]

27 JUSTICE DOHERTY: Likewise, there is no obligation on the
28 Defence to file statements or, for that matter, for the
29 Prosecution to file a statement. There has to be disclosure

1 under Rules 66 and 67. So the filing of a Defence witness
2 statement is not compulsory.

3 MR LANSANA: Yes, Your Honour.

4 JUSTICE DOHERTY: If both counsel agree to them being
15:24:31 5 filed, I will take them. I think you know over the years,
6 Mr Lansana, I like to hear the witness sworn from the witness
7 box.

8 MR LANSANA: Certainly, Your Honour.

9 JUSTICE DOHERTY: So I would not preclude you, but I am
15:24:48 10 going to ask Mr Gardner if he wishes to have them treated as a
11 pre-trial conference document and filed, or are you going to ask
12 him to identify.

13 I had made a ruling in relation to Mr Senessie's because it
14 came in the course of his evidence.

15:25:08 15 Mr Gardner, have you any points you wish to raise on this?

16 MR GARDNER: I understood, when the issue came up with
17 respect to the defendant's statement, that counsel sought to
18 introduce it as an exhibit, and I objected to that on the grounds
19 stated. I didn't use that statement on cross-examination, so I
15:25:33 20 continue to feel there is no basis to introduce it as an exhibit.

21 I understand that the Defence can make a pre-trial
22 disclosure of what a witness will say, and Mr Lansana made that
23 disclosure to me. Then he came back later and said it wasn't in
24 the form with the Court logo, and I said to him I don't care
15:25:59 25 about the Court logo; I am happy to have that statement. That's
26 fine. I thought that that was the end of it. I thought that
27 statement was something that was given to counsel, and if those
28 statements are filed with the Court, just like motions and
29 everything else, I have no problem with that.

1 But to the extent that he's trying to introduce them as
2 evidence, as an exhibit, then I do have an objection.

3 JUSTICE DOHERTY: I am satisfied with the brief you have
4 filed. You know it was returned to you for redactions purposes.

15:26:31 5 MR LANSANA: Yes, Your Honour.

6 JUSTICE DOHERTY: Nothing at all to do with the content;
7 merely to observe the protective measures in relation to some
8 witnesses.

9 MR LANSANA: Yes, Your Honour.

15:26:43 10 JUSTICE DOHERTY: So I am satisfied with the document
11 you've filed. I don't think it's necessary to file the other
12 documents. If you have gone to the work and wish to do it, I
13 will not object to you doing it. But as Mr Gardner said, if
14 you're bringing them in as evidence, as an evidentiary document,
15:27:06 15 then the questions will arise as to their admissibility, and, in
16 due course, as to their credibility and weight.

17 So you cannot put them through a witness just like that.
18 There will have to be submissions if you file them in the Court.

19 To be honest, I think maybe we've gone past that, Mr
15:27:32 20 Lansana. We've got a document that we are satisfied with, and I
21 don't think there will be a need to file them again.

22 MR LANSANA: Your Honour, it was just ex abundante cautela,
23 but --

24 JUSTICE DOHERTY: Now, you know my Latin is not good,
15:27:45 25 Mr Lansana.

26 MR LANSANA: Out of abundance of caution.

27 JUSTICE DOHERTY: Indeed.

28 MR LANSANA: But I am reassured. I will let it go.

29 JUSTICE DOHERTY: Thank you, Mr Lansana.

1 MR LANSANA: Thank you, your Honour.

2 JUSTICE DOHERTY: I am always cautious that the Defence are
3 feeling they are not pressurised in any way to present a case, as
4 the burden never leaves the Prosecution.

15:28:09 5 MR LANSANA: Your Honour, I am not feeling in the least in
6 that way. I am very happy with the proceedings so far.

7 JUSTICE DOHERTY: Thank you.

8 Now we will call your next witness, the gentleman you
9 referred to was Mr Combey.

15:28:20 10 MR LANSANA: Yes, Your Honour. The Defence calls
11 Mr Combey.

12 [The witness enters court]

13 JOSEPH MORIE COMBEY, SWORN

14 EXAMINATION-IN-CHIEF BY MR LANSANA:

15:29:45 15 THE WITNESS: My name is Joseph Morie Combey. JP in
16 brackets.

17 JUSTICE DOHERTY: Thank you.

18 Please proceed, Mr Lansana.

19 MR LANSANA: Thank you, Your Honour.

15:30:16 20 Q. Good afternoon, Mr Combey.

21 A. Good afternoon.

22 JUSTICE DOHERTY: Please proceed, Mr Lansana. My earphones
23 are fine.

24 MR LANSANA: Thank you, Your Honour.

15:30:36 25 Q. Where do you live Mr Combey?

26 A. [Indiscernible].

27 JUSTICE DOHERTY: Now I am having trouble.

28 MR LANSANA: Me too.

29 JUSTICE DOHERTY: Mr Interpreter, could you please repeat

1 the answer, as both counsel for the Defence and myself didn't
2 hear the last answer.

3 THE COURT OFFICER: I don't know where we are getting the
4 feedback from.

15:31:22 5 MR LANSANA: Your Honour, it's not mine.

6 JUSTICE DOHERTY: Mr Interpreter, would you just say
7 something? Because Defence counsel and I are experiencing
8 problems with our headphones.

9 MR GARDNER: I have the same problem, Your Honour.

15:31:43 10 JUSTICE DOHERTY: [Overlapping speakers].

11 Mr Court officer, would you ask the technicians to come in.

12 [Technical difficulties]

13 MR GARDNER: I wonder if the witness having his mic on at
14 the same time as the other could be the problem.

15:33:04 15 JUSTICE DOHERTY: [Microphone not activated].

16 THE REGISTRAR: Your Honour, I kindly request we hold on a
17 while whilst the technicians are working on the problem. Kindly
18 please.

19 JUSTICE DOHERTY: I am not sure how long this is going to
15:39:16 20 take, and the question is whether we adjourn briefly? Obviously
21 we want to make the best use of our time, particularly when we
22 have witnesses and so on who have come from a long distance. I
23 think stay within the Court precincts but I might --

24 I am just saying I don't know how long this is going to
15:39:43 25 take. I want to make the best use of our time and not stop
26 today, but it might help just if I go upstairs and allow counsel
27 to -

28 MR GARDNER: [Microphone not activated]

29 JUSTICE DOHERTY: And then he'll - yes, I've asked if he

1 will check with them. So we'll adjourn - let's make it to check
2 again - and I'll ask Thomas to inform all of you when it's sorted
3 out, so I would ask you not to go too far away.

4 Mr Witness, rather than us all sitting here looking at each
15:40:27 5 other, we'll adjourn very briefly to sort out the problem. You
6 are at liberty to walk about, but because you have taken the oath
7 you should not discuss your evidence with anyone.

8 Did you hear me?

9 THE WITNESS: That I know.

15:40:42 10 JUSTICE DOHERTY: Of course you would in your position.
11 We'll adjourn briefly to allow this to be sorted out.
12 Please adjourn out Court briefly.

13 [Break taken at 3.41 p.m.]

14 [Upon resuming at 3.55 p.m.]

15:56:20 15 JUSTICE DOHERTY: Mr Lansana, please proceed and let us
16 hope things go well.

17 MR LANSANA: I hope so too, Your Honour. Thanks.

18 JUSTICE DOHERTY: Now Mr Combey -- Mr Witness, you were
19 telling us where you lived, and I heard the number "5" but I
15:56:38 20 didn't hear the rest.

21 THE WITNESS: Council Road, District Council Road, Kailahun
22 town.

23 MR LANSANA:

24 Q. Thank you. And can you tell this Court your occupation?

15:56:58 25 A. I have two jobs right now. I was sworn in as justice of
26 the peace for nine good years, and I was in charge of the
27 Kailahun Magistrate Court, and I am also a farmer.

28 Q. You say nine years in charge of the Kailahun Magistrate's
29 Court.

1 A. Yes.

2 Q. Can you give us an indication as to what time-period that
3 was, from what year to what year?

4 A. From the end of the war up to 2008, after the general
15:57:40 5 elections of 2007.

6 Q. Thank you very much. And you - you stopped being in charge
7 of the Kailahun Magistrate's Court in 2008, not so?

8 A. Yes.

9 Q. Did you retire or can you tell the Court what happened?

15:58:05 10 A. No, I did not retire. There was in terms of principles I
11 gave a decision in court where the then justice - the Minister of
12 Justice and Attorney General wanted me to reverse my decision
13 because it was something dealing with the SLPP and the APC. I
14 refused to adhere to him, and I gave the decision. The people
15:58:48 15 said because I am SLPP I have given them --

16 MR GARDNER: Your Honour, excuse me. Is it really relevant
17 why he's no longer the JP?

18 JUSTICE DOHERTY: I didn't think so. But I think possibly
19 it may go to an issue of credibility since a matter was raised by
15:59:06 20 a Prosecution witness, so I allow it.

21 MR LANSANA: As it pleases, Your Honour. That's exactly
22 the reason why.

23 Q. Yes, Mr Witness, continue. And continue in Krio, please.
24 You are listed down as.

15:59:19 25 A. All right.

26 JUSTICE DOHERTY: Yes, Mr Witness. We're listening. And
27 you said it was because it was SLPP. And perhaps for purposes of
28 record, you can also explain what SLPP means or stands for.

29 THE WITNESS: SLPP means Sierra Leone People's Party and

1 All People's Congress Party supporters. They had a riot where
2 the police charged the All People's Congress supporters.

3 After one or two weeks and after going through the
4 evidence, I found out that I and my colleague Mr AK Mansaray who
16:00:29 5 was deputising me, we gave a ruling that the supporters of the
6 APC were completely wrong. They were wrong. They did not have
7 any mandate to attack people, to attack SLPP people in their
8 houses.

9 MR LANSANA:

16:00:40 10 Q. Thank you very much. And as a result of that what
11 happened?

12 A. The people said that I was an SLPP supporter, and it came
13 to the Minister of Justice and Attorney General Serry-Kamal and
14 Serry-Kamal wrote a letter that they should impanel another
16:01:04 15 person who should work with Mr AK Mansaray. That's the scenario.

16 Q. Thank you. By Serry-Kamara you mean Serry-Kamal.

17 A. Yes. Serry-Kamal.

18 Q. Not Kamara?

19 A. Serry-Kamal.

16:01:30 20 Q. Now, Mr Combey, for how long have you stayed in Kailahun?

21 A. I have been in Kailahun since before the war and after the
22 end of the war I returned and that's where I am up until now.

23 Q. Thank you very much. Now do you know any Eric Senessie?

24 A. I know Eric Koi Senessie very, very well - before the war
16:02:02 25 and after the war.

26 Q. Do you see Eric Senessie in the court?

27 A. Yes.

28 Q. Can you please identify him?

29 A. Yes.

1 Q. Please do.

2 A. [Indicates] Look at him sitting yonder between the two
3 policeman on the right-hand side.

4 MR LANSANA: Your Honour, the witness identifies
16:02:34 5 Eric Senessie the defendant.

6 JUSTICE DOHERTY: I will note that he pointed him out.
7 Thank you.

8 MR LANSANA: Thank you very much, Your Honour.

9 Q. Now you were saying that you knew Eric before the war. You
16:02:50 10 knew him before the war. Can --

11 A. Yes.

12 Q. Can you briefly tell the Court in what circumstance you got
13 to know Eric Senessie?

14 A. I knew Eric Koi Senessie before the war. He was working in
16:03:12 15 a native administration court in Kailahun District.

16 Q. And you've known him since, correct?

17 A. Yes.

18 Q. Now before you proceed with your testimony, Mr Witness, I
19 have to inform you that you may be tempted to call certain

16:03:40 20 individuals or a certain individual by name. But I want to
21 inform you beforehand that he has protective measures in place by
22 an order of this Chamber and as a result of which you can only
23 call him by his pseudonym.

24 JUSTICE DOHERTY: Please show that to counsel for the
16:04:02 25 Prosecution first.

26 MR LANSANA: Yes, Your Honour.

27 Q. Mr Combey, have you seen the name I have crossed out in Xs?

28 A. Yes.

29 Q. And do you see letters and figures below it?

1 A. Yes.

2 Q. Can you call out those letters and figures?

3 A. FTI-274. TFI.

4 Q. Yes.

16:04:53 5 A. 274.

6 Q. Thank you. Any time you are referring to that individual,
7 keep that paper before you and then refer to him as TF1-274.

8 Correct?

9 A. All right, sir.

16:05:07 10 Q. Thank you very much. Let's proceed.

11 Do you recall the 1st of February, 2011?

12 A. Before I speak, I am asking the permission of the Court for
13 TF1-274 to be present here, because I want him to hear what I am
14 saying clearly.

16:05:46 15 Q. Mr Combey, that is not for me to order. The President of
16 this Court would have to maybe address you on that. I am not in
17 a position to do that.

18 JUSTICE DOHERTY: Mr Witness, I have no prior notice of
19 this and it is not a normal type of application and therefore I
16:06:14 20 do not consider it appropriate to make that order. If you say
21 something, that particular gentleman will be at liberty to hear
22 what you say because it will be part of the public record. And I
23 have no doubt that it will be brought to his attention.

24 THE WITNESS: All right, so.

16:06:37 25 MR LANSANA:

26 Q. Mr Combey, I don't know. Why do you want that to be made?

27 JUSTICE DOHERTY: A ruling has been made, Mr Lansana. A
28 ruling has been made.

29 MR LANSANA: I respect that. I was just curious.

1 Q. Now Mr Combey, I asked you a question before you made that
2 request to the Court. I asked you whether you recall the 1st of
3 February 2011?

4 A. Yes.

16:07:04 5 Q. Where were you in the evening hours of 1st February 2011?

6 A. I was at my house in my veranda.

7 Q. Whilst you were in your veranda on the evening of 1st
8 February 2011, did anything happen that you wish to inform this
9 Court about?

16:07:31 10 A. Yes, please.

11 Q. Please proceed.

12 A. On the 11th of February, 2011 -

13 Q. [Overlapping speakers] 1st. I refer you to the 1st, the
14 1st of February.

16:07:54 15 A. The 1st of February, 2011, I went out and came back to my
16 house at a quarter to 7.00.

17 JUSTICE DOHERTY: Continue.

18 THE WITNESS: When I got to my house at a quarter to 7.00,
19 I saw Mr Eric Koi Senessie entering his room, then I started
16:08:32 20 provoking him saying, Koi, that means "leopard".

21 MR LANSANA:

22 Q. Excuse me, you said "enter his room." Does he stay in that
23 house?

24 A. Yes.

16:08:46 25 Q. Continue.

26 A. But he responded like someone who is sick. Then I let go
27 of him and did not disturb him. Then I entered my house in my
28 veranda and I sat down there.

29 JUSTICE DOHERTY: Continue.

1 THE WITNESS: After some time I saw an SLA man dressed in
2 military attire, but this was a man I used to see in Kailahun. I
3 can identify him, but I don't know his name. He was the first to
4 arrive.

16:09:34 5 At my house my younger sister sells drinks there: fruit
6 wine, Heinken, beer, stout, Captain Tiger, et cetera, et cetera.

7 MR LANSANA:

8 Q. Can you please help this Court with the name of that sister
9 you referred to?

16:10:01 10 A. Mama Torma Kallon.

11 Q. Thank you. Continue, please.

12 A. So when this young man came, he asked - he said, JP, good
13 evening. And I replied. And he asked for this lady who sells
14 the fruit wine. Then I bent down and called Mama Torma. I said,

16:10:31 15 Someone wants fruit wine. So Mama Torma came, and this man who
16 was dressed in this military attire bought a bottle of fruit
17 wine - marula fruit wine and a bottle of Captain Tiger and one
18 energy drink.

19 I sat down in the corner of my veranda. A few minutes
16:11:16 20 later, two of his friends came who joined him on their veranda.
21 Did I not know their names, but I can identify them.

22 Then 30 minutes after these people had arrived. TF1-274
23 arrived. He greeted me. Then he asked for Moma Torma Kallon,
24 who was selling in my house. For the second time I shouted out
16:12:18 25 Moma Toma's name, telling her that someone wanted to buy
26 something.

27 JUSTICE DOHERTY: Please continue, Mr Witness.

28 THE WITNESS: Moma Torma came, then TF1-274 bought one
29 marula fruit wine.

1 JUSTICE DOHERTY: Yes.

2 THE WITNESS: He too went to the veranda and sat down. He
3 went close to those other people and they all sat down there.

4 JUSTICE DOHERTY: Yes.

16:13:12 5 THE WITNESS: After some time, going to 8.00, I did not
6 know the exact time, one Jacob, alias Obama, came, because we
7 call him Kamajor.

8 MR LANSANA:

9 Q. For clarification purposes, was that just a nickname, or
16:13:40 10 was there something more to that?

11 A. Well, those were his nicknames. Those are his nicknames
12 that we call him, but his name is Jacob. Obama and Kamajor were
13 just nicknames.

14 Q. He wasn't a Kamajor in the rebel war, just for
16:14:04 15 clarification purposes.

16 A. He was one of them.

17 Q. Continue, please?

18 A. He came. Then he said, Hey, JP Combey, I'm hard up today.
19 Won't you buy me a drink today?

16:14:30 20 JUSTICE DOHERTY: Please continue, Mr Witness.

21 THE WITNESS: Then I told him that all of you normally used
22 to go out, but JP Combey is always on his veranda. You don't
23 offer anything to him and when you come here, you want him to
24 offer you something. Then all of us laughed, and he took money
16:14:52 25 out of his pocket and bought - in fact, he bought double punch
26 tonic.

27 JUSTICE DOHERTY: Continue, Mr Witness.

28 THE WITNESS: So as they was coming - I think we were up to
29 15 in the veranda.

1 JUSTICE DOHERTY: Yes.

2 THE WITNESS: The last person who came was Senessie Koi.

3 JUSTICE DOHERTY: Yes.

4 THE WITNESS: When he came - in fact, there was no space
16:15:35 5 there. There was a small empty chair by my side. That is where
6 he sat down.

7 MR LANSANA:

8 Q. Mr Witness, I know you're used to that slow, sluggish way
9 of proceeding in our courts, but there are stenographers here.
16:16:01 10 Her Honour would inform you that you're going too fast.

11 A. All right. I will come back. So the last person who came
12 in this veranda was Eric Koi - Eric Senessie. He was the last
13 person who arrived.

14 JUSTICE DOHERTY: Yes, continue.

16:16:22 15 THE WITNESS: When he came there were no empty chairs.
16 There was a small one by my side. That is where he sat down.

17 JUSTICE DOHERTY: Yes.

18 THE WITNESS: As they was enjoying themselves, an argument
19 happened between the advantages and disadvantages of the war.

16:16:53 20 JUSTICE DOHERTY: Yes, continue.

21 THE WITNESS: So this one was speaking, the RUF was
22 speaking, Kamajor was speaking, the SLA man and his friends were
23 talking, and they continued talking until this TF1-274 --

24 JUSTICE DOHERTY: Yes.

16:17:18 25 THE WITNESS: -- made a careless statement. But this is a
26 man --

27 JUSTICE DOHERTY: Continue.

28 THE WITNESS: A man who for the past year that I have known
29 him. When he drinks, he even talks about his own personal

1 business in public - his personal business in public.

2 JUSTICE DOHERTY: Yes, continue.

3 THE WITNESS: For example, I never knew him, but I knew
4 that he was a wireless operator. He told me one day that he was
16:18:02 5 a wireless operator. Foday Sankoh liked him very well. That was
6 why they took him to the Lomé Peace Accord.

7 JUSTICE DOHERTY: Yes, continue.

8 THE WITNESS: So as he was saying this, he turned around
9 and he saw Jacob and he said, This was my boy in the wireless
16:18:25 10 room. I trained him up. Then Jacob said, That talk is a
11 careless one. Don't say that to me in public. It's a careless
12 statement. Don't ever do it.

13 JUSTICE DOHERTY: Yes.

14 THE WITNESS: Then this man said - after they've been
16:18:46 15 drinking, going towards 12.30 to 1.00 - he said - TF1-274 openly,
16 - openly he said, All this that we are doing - in fact, I have
17 tried it twice to go to The Hague, but I've been unable. But we
18 are still trying so that we can have access to go to The Hague.

19 JUSTICE DOHERTY: Continue.

16:19:26 20 THE WITNESS: After he had said this, one of the SLA men
21 told him, How would you try? He said, I am one of those people
22 who gave evidence in The Hague. He said, In fact, we were five
23 in number here, but he did not disclose the names of the other
24 four, but he disclosed his own name: TF1-274.

16:20:02 25 JUSTICE DOHERTY: Continue.

26 THE WITNESS: So after he had said this, he said, In fact,
27 the Special Court is a nonsense Court. It's a nonsense Court.
28 He said, The Prosecution are people who are biased. They tell
29 lies. They took Gibriil Massaquoi and they relocated them and

1 they left them in Sierra Leone, but he's trying - at any time
2 that they take him to The Hague, he will run away. He will hide
3 and run away. They will never see him.

4 JUSTICE DOHERTY: Continue.

16:20:52 5 THE WITNESS: The last statement that he made that caused
6 the SLA man and his two colleagues that he had come with - when
7 he identified himself that he was the only person who had
8 testified in The Hague in the Charles Taylor Defence team,
9 because the Prosecution has done this to us, I am going now to
16:21:17 10 recant my testimony.

11 JUSTICE DOHERTY: Yes, continue.

12 THE WITNESS: Then I told him, I said, You sit down. I
13 said TF1-274, I said, that's a serious offence. You know how
14 they call that? Diverting the course of justice. And they will
16:21:50 15 hold you responsible and you will be gaoled. Don't attempt it.
16 Don't attempt it. But this man was drunk. After that the SLA
17 man told us that, Hey, JP Combey, I am going. I don't want
18 anybody to bring anything to me in the future. Then the SLA man
19 went five yards into the - on the street, and he said, There.
16:22:21 20 There is danger in that place. Now that people have testified
21 and identified themselves, we will start knowing them one after
22 the other. Then he went.

23 MR LANSANA:

24 Q. Did anything happen afterwards?

16:22:35 25 A. Yes.

26 Q. Please tell the Court.

27 THE INTERPRETER: Your Honour, can the witness and the
28 learned counsel wait for the Krio interpretation.

29 THE WITNESS: He said this man, there are three people

1 there among with whom I went --

2 THE INTERPRETER: Your Honour, can the witness kindly
3 repeat his answer.

4 JUSTICE DOHERTY: Mr Witness, the interpreter didn't hear
16:22:57 5 your answer very well, so would you please repeat it.

6 THE WITNESS: All right.

7 JUSTICE DOHERTY: Thank you.

8 And also, Mr Witness, you should wait to for the full
9 question that counsel is asking before you answer.

16:23:13 10 MR LANSANA: Your Honour, the issue is he understands
11 English, so he goes --

12 JUSTICE DOHERTY: I know. It's a very, very common
13 reaction. We understand that, but for purposes of record we try
14 and ensure that you hear the question properly.

16:23:29 15 THE WITNESS: Repeat the question.

16 JUSTICE DOHERTY: You had said, Mr Combey, that the SLA man
17 left. He said, Now the danger will start. They are identifying
18 themselves. There will be a problem.

19 Please continue from there.

16:23:45 20 THE WITNESS: Yes. So TF1-274 --

21 JUSTICE DOHERTY: Yes, please continue.

22 THE WITNESS: -- repeated that five of them were there in
23 Kailahun town.

24 JUSTICE DOHERTY: Yes.

16:24:18 25 THE WITNESS: He did not disclose the names. He identified
26 himself as one of them.

27 JUSTICE DOHERTY: Continue.

28 THE WITNESS: Then he said, TF1-274 --

29 JUSTICE DOHERTY: Continue.

1 THE WITNESS: Three of them were in that group that
2 testified who are very loyal to him.

3 JUSTICE DOHERTY: Yes.

4 THE WITNESS: He said during the war they were his
16:25:10 5 subordinates. They were his subordinates in the [indistinct]
6 message. Even after the war, when they was in Kailahun they was
7 still loyal to him.

8 JUSTICE DOHERTY: Yes, continue.

9 THE WITNESS: So as he was saying this, he turned around
16:25:36 10 and saw Eric Koi Senessie. He said Hey, Bro' Eric, are you
11 there? Then he said, I am sitting here sitting quietly. I don't
12 have anything. And he said, Give him one marula fruit wine. Let
13 them give Mr Koi one marula fruit wine.

14 JUSTICE DOHERTY: Yes.

16:25:59 15 THE WITNESS: Then after some time, two people decided to
16 leave.

17 JUSTICE DOHERTY: Continue.

18 THE WITNESS: Then TF1-274, called Eric Koi Senessie,
19 because he used to call him bro'.

16:26:41 20 JUSTICE DOHERTY: Continue.

21 THE WITNESS: He said, Please, let's talk. I want to talk
22 to you.

23 JUSTICE DOHERTY: Yes.

24 THE WITNESS: They came down the stairs, just like I am
16:26:54 25 sitting here and somebody is standing there, down the veranda
26 like I am sitting here. This is the veranda, and they went down
27 the stairs, just one foot or two feet, the first between myself
28 and them. I could hear what they was saying, even if they cover
29 here.

1 JUSTICE DOHERTY: Continue.

2 THE WITNESS: Then TF1-274 --

3 JUSTICE DOHERTY: Continue.

4 THE WITNESS: -- asked Mr Koi Senessie --

16:27:38 5 JUSTICE DOHERTY: Continue.

6 THE WITNESS: -- he said, Bro', I want to ask you a
7 question. I want you to help me. Please, I am really begging
8 you to help me. He said that three times. He said, Please, I
9 really want you to help me.

16:28:03 10 JUSTICE DOHERTY: Yes.

11 THE WITNESS: Then Mr Senessie asked him how --

12 JUSTICE DOHERTY: Continue.

13 THE WITNESS: He said, I want the contact address for one
14 Prince Taylor and one Logan.

16:28:24 15 JUSTICE DOHERTY: Yes, continue.

16 THE WITNESS: And Senessie Koi told him that it's passed so
17 many years now. I've not been in contact with them. I can
18 remember long years ago they gave me their contact address, but
19 I'll check. If it's there, then I'll bring it for you. Then
16:28:45 20 they came back. Eric Senessie sat back in the same position and
21 TF1-274 sat in his same position.

22 JUSTICE DOHERTY: Yes, continue.

23 THE WITNESS: They continued this argument. Then
24 Mr Eric Koi Senessie made a statement. He said, Bro, JP
16:29:24 25 Combey --

26 JUSTICE DOHERTY: Yes.

27 THE WITNESS: -- I have heard that they've given money to
28 our party leader; that is, Eldred Collins.

29 JUSTICE DOHERTY: Yes.

1 THE WITNESS: He said, Now that things are difficult with
2 me, from now until the 6th I will try to go to Freetown so that I
3 can have mine and return.

4 JUSTICE DOHERTY: Yes, continue.

16:29:59 5 THE WITNESS: Then I said, whenever you want to go to Bo,
6 tell those boys. They will sleep in your room.

7 JUSTICE DOHERTY: Yes.

8 THE WITNESS: Then --

9 THE INTERPRETER: Your Honour, he has called this name
16:30:13 10 again.

11 THE WITNESS: Mr TF1-274 started dancing and making merry,
12 and people decided to leave one after the other, until finally
13 TF1-274 left. I and Mr Koi Senessie were still on the veranda.

14 MR LANSANA:

16:30:48 15 Q. Thank you.

16 A. That is on the first day. After some time, about 2.30,
17 Mr Koi Senessie too decided he was leaving, and he went behind in
18 his room and slept. I don't know whether he went to sleep or
19 went out, but he passed me by and said he was going to sleep,
16:31:08 20 because I did not go with him.

21 On the second day - that was on the 2nd February 2011.

22 JUSTICE DOHERTY: Yes, please continue.

23 THE WITNESS: TF1-274.

24 JUSTICE DOHERTY: Yes.

16:31:38 25 THE WITNESS: -- came to my house at 9.30.

26 MR LANSANA:

27 Q. Was it a.m. or p.m.?

28 A. In the evening hours. It was almost nightfall. In my
29 usual position where I sit, because I have this particular chair

1 where I sit and relax my feet, all of them will say - everybody
2 in Kailahun knows that I normally do not go out. I'm always at
3 my house.

4 JUSTICE DOHERTY: Yes.

16:32:17 5 THE WITNESS: So when he came at 9.30, he asked - he said
6 Oh, JP. And I said, Yes? But he has another name that he calls
7 me with. That is Koto because we went to the same school - Bo
8 school and I was a senior. He would either call me JP or Koto.

9 JUSTICE DOHERTY: Yes. Please continue.

16:32:50 10 THE WITNESS: He said, I am inquiring after Bro' Eric.
11 Hasn't he come yet? And I said, No, Eric has not come yet. And
12 he said, All right, I am going down to the junction, that is, the
13 roundabout. And in 30 to 45 minutes' time he came back for the
14 second time.

16:33:31 15 JUSTICE DOHERTY: Yes.

16 THE WITNESS: He asked for Mr Eric Koi Senessie, then I
17 said, you know when I sit here I am like on stool. When I sit
18 here for me to get up it's not easy. But let me call one of
19 these boys to look in his room if he's there. By the time I said
16:33:55 20 that he was going back. He said he's going back to the Junction,
21 he was going to take his fruit wine.

22 JUSTICE DOHERTY: Yes, continue.

23 THE WITNESS: The third time that he came, 9.30 going to
24 10.00, he asked for Mr Eric Koi Senessie, and I said, go to
16:34:28 25 Mr Koi Senessie's room. You know his room. Go and check. And I
26 said no, I am going to sit here and wait for him.

27 JUSTICE DOHERTY: Yes, continue.

28 THE WITNESS: After TF1-274 had said he was going to sit
29 down and wait for him, he sat down.

1 JUSTICE DOHERTY: Continue.

2 THE WITNESS: Then he called for a double punch tonic.

3 JUSTICE DOHERTY: Continue.

4 THE WITNESS: We were talking, and he was telling me about
16:35:11 5 his marriage in Giehun, but I think - there are words when he
6 wants to talk about his personal favour I will just get up and go
7 as if I am going to take some cigarettes. As he started talking
8 I got up and went inside, and he asked me - he just asked me for
9 a cigarette and I gave it to him. Since then he discontinued.

16:35:41 10 Because he is someone who talks too much when he's drinking. He
11 talks too much.

12 So after he had sat down and I've gone in and come out
13 again with a cigarette and he's asked me for a cigarette and I've
14 given it to him.

16:36:04 15 JUSTICE DOHERTY: Continue.

16 THE WITNESS: The chair in which I was sitting, it's by the
17 window looking into the living-room leading to the back door.

18 JUSTICE DOHERTY: Continue.

19 THE WITNESS: Then I saw Mr Eric Koi Senessie open the back
16:36:26 20 door and he came to the veranda where I and FT1-274 were.

21 MR LANSANA:

22 Q. You mean TF1.

23 A. TF1, yeah.

24 JUSTICE DOHERTY: Yes.

16:36:47 25 THE WITNESS: Mr Koi Senessie came and sat down. Greeted
26 TF1-274 and we all greeted one another and we started playing and
27 laughing. He said, you've worked hard all day. Take one Marula
28 fruit wine. He offered Mr Eric Koi Senessie one fruit wine.
29 That's the second time, from my own knowledge, when he was

1 offering him.

2 JUSTICE DOHERTY: Is this TF1-274 still that we are talking
3 about who offered - yes. Please continue.

4 THE WITNESS: Yes. So we continued talking, then he said,
16:37:41 5 Bra (phonetic) Eric? He said, this number that you said you were
6 going to look for, this contact address for Prince Taylor. Did
7 you search for it?

8 JUSTICE DOHERTY: Yes. Continue.

9 THE WITNESS: Then Mr Koi Senessie replied that he was not
16:38:07 10 a liar. I've been in my garden for the whole day. I did not
11 come until 7.00, 7.30, I not even search for it. I did not even
12 look for it. He said but tomorrow I will be doing some carving
13 for up to 12.00. Then after that I will go to my garden. While
14 carving I will look if there for it. If I see it I will bring
16:38:35 15 it, but if I do not see it, I will come and tell you.

16 JUSTICE DOHERTY: Yes.

17 THE WITNESS: Then TF1-274 went, because actually where he
18 was living is above me at the radio station. That's where he
19 sleeps. From there he would work and come to the junction. But
16:39:00 20 at this time I saw him going up. He did not go down towards the
21 junction. He went up.

22 JUSTICE DOHERTY: Anything further, Mr Witness? That's
23 your testimony?

24 THE WITNESS: On the third day, that is the 3rd of
16:39:26 25 February, 2011.

26 JUSTICE DOHERTY: Yes.

27 THE WITNESS: This witness TF1-274 came on the 1st, the
28 2nd, and the 3rd. He came three times asking for Mr Eric Koi
29 Senessie.

1 JUSTICE DOHERTY: Yes.

2 THE WITNESS: The third time he did not stay. He decided
3 to go down the road.

4 JUSTICE DOHERTY: Yes.

16:40:15 5 THE WITNESS: When he went, it was about one hour, ten
6 minutes, then Mr Koi Senessie arrives.

7 JUSTICE DOHERTY: Continue.

8 THE WITNESS: I did not know if he saw Mr Eric Koi Senessie
9 when he passed coming to the house because the bar was very close
16:40:37 10 to the street. He either saw him or did not see him. But as
11 soon as Mr Koi Senessie came he too, came.

12 JUSTICE DOHERTY: Yes.

13 THE WITNESS: They greeted each other. He even greeted me,
14 he said Koto (phonetic), how's the evening, and I said --

16:40:59 15 THE INTERPRETER: Your Honour.

16 THE WITNESS: I said, TF1-274, how are you doing? After
17 they sat down for ten to 15 minutes, then this witness, TF1-274.

18 JUSTICE DOHERTY: Yes.

19 THE WITNESS: Asked Mr Koi Senessie.

16:41:35 20 JUSTICE DOHERTY: Yes.

21 THE WITNESS: He said this thing that you said you were
22 going to look out for, did you search for it?

23 JUSTICE DOHERTY: Yes.

24 THE WITNESS: Then Mr Eric Koi Senessie answered, Yes.

16:41:56 25 JUSTICE DOHERTY: Continue.

26 THE WITNESS: Then he handed over Mr Prince Taylor and
27 Logan's contact address. He handed over the two contact
28 addresses to him.

29 JUSTICE DOHERTY: Continue.

1 THE WITNESS: He had a torch and he looked at it, then he
2 turned around and said, hey, bro' Eric, won't you borrow me your
3 phone?

4 JUSTICE DOHERTY: Um-hm.

16:42:35 5 THE WITNESS: Then Mr Senessie told him but you used to
6 have a phone. Then he said, I did not bring my phone and I
7 urgently want to talk to these people. Then he said, please, give
8 me your phone. Then Mr Koi Senessie took his phone and handed it
9 over to him.

16:43:02 10 JUSTICE DOHERTY: Yes.

11 THE WITNESS: After he had given him the phone.

12 JUSTICE DOHERTY: Continue.

13 THE WITNESS: He went down. He left Eric Koi Senessie and
14 myself on the veranda.

16:43:21 15 JUSTICE DOHERTY: Yes.

16 THE WITNESS: Then he came down and stood by my left, just
17 3 to 4 yards from where I was sitting down on the left-hand side.

18 JUSTICE DOHERTY: Yes.

19 THE WITNESS: Then he made a call. After some time, I
16:43:44 20 heard and I saw TF1-274, this number, that was the first time I
21 heard this number. Today is the second day that I've seen this
22 number - I've heard this number.

23 JUSTICE DOHERTY: Yes.

24 THE WITNESS: Because when he said, Good evening, it's me,
16:44:18 25 witness - I don't want to call the name. I want to use the exact
26 words that he used. He was struggling, he was struggling to
27 identify himself to the person whom he was talking to, because
28 the person whom he was talking to did not know him. He was
29 struggling to identify himself. That's the time that he said, it

1 is I, it is I, Witness TF1-274 speaking. I testified in
2 Charles Taylor's in The Hague. So he was forcing to identify
3 himself. It came to the time that he went up another 50 to 60
4 yards away. What he said, I did not hear. After some time after
16:45:13 5 he had spoken, he came and said, thank you very much, bro' Eric.
6 Here is your phone. Because he spoke for over one our or more.
7 He brought the phone back and he said, thank you, bro' Eric, and
8 he handed over Eric Senessie's phone to him.

9 JUSTICE DOHERTY: Anything else?

16:45:38 10 THE WITNESS: Yes. Two days after that --

11 JUSTICE DOHERTY: Just a minute Mr. Witness. If we're
12 going on to another topic, I notice the time, and we have a
13 time-limit with our tape, so --

14 THE WITNESS: I am going to another topic.

16:45:57 15 MR LANSANA:

16 Q. Please wait for the instructions.

17 JUSTICE DOHERTY: So it may be that we are over our normal
18 time and I think the tape will be very close to running out. So
19 I think it might be appropriate to adjourn at this point,
16:46:12 20 continue with your evidence tomorrow, because you're now starting
21 a new subject, and we will start at 9.30.

22 Now Mr Combey, I don't really need to tell you, but it's
23 always our procedure, my procedure in this Court, to remind a
24 witness that once they are under oath they shouldn't discuss
16:46:33 25 their evidence with anyone, and not until your evidence is
26 finished. I think you know that but I will give that you warning
27 and we will resume at --

28 THE WITNESS: Yes, sir.

29 JUSTICE DOHERTY: - resume Court tomorrow at 9.30. Please

1 adjourn Court. Just a minute.

2 Please sit down, counsel.

3 I think at this point I am going to remand Mr Senessie
4 because we've finished the Prosecution case and we're into the
16:47:07 5 Defence case. And I think at this point, Mr Senessie, you will
6 remain with security until 9.30 tomorrow.

7 Oh, sorry, Mr Gardner, you were going to make a --

8 MR GARDNER: Yes, after you've had excused the witness can
9 I raise a very quick scheduling issue that counsel and I have
16:47:24 10 discussed --

11 JUSTICE DOHERTY: Certainly.

12 Witness, WVS will assist you to leave the Court, and we are
13 going to just have a brief procedural matter, administrative
14 matter. So if you can assist the witness to leave.

16:48:19 15 [The witness withdrew].

16 JUSTICE DOHERTY: Yes, Mr Gardner. I am hoping that there
17 is enough tape left.

18 THE REGISTRAR: Your Honour, you are advised that we have
19 about two minutes left.

16:48:30 20 JUSTICE DOHERTY: Yes, Mr Gardner. Please proceed.

21 MR GARDNER: It appears, Your Honour, that there is a good
22 chance that we could finish tomorrow. We've talked about that.
23 And I think we are both interested in knowing if you can tell us
24 how the Court plans to proceed with the handling of this case
16:48:48 25 from the close of evidence on through to resolution.

26 JUSTICE DOHERTY: I would like to hear submissions by -
27 Defence, of course, have led evidence and therefore they will
28 want to make submissions and yourself. And I would like to have
29 those submissions as soon as is practical at the end of the

1 evidence is completed, and then I would reserve, but I would also
2 endeavour to make as urgent - not urgent, I mean as quick and
3 practical as fair - I have to consider the evidence, obviously
4 this goes without saying, but it would be my intention to try and
16:49:41 5 render a judgement as quickly as I possibly and fairly can. I
6 would be working on that judgement over the weekend, if I don't
7 have it finished by Friday. This is all on the basis that the
8 evidence will finish tomorrow, of course.

9 MR GARDNER: When you say "submissions," do you mean
16:49:55 10 written or oral?

11 JUSTICE DOHERTY: No, oral submissions in this case. It
12 appears to me there is factual issues from what I hear. To date
13 I haven't heard any great - what I foresee as great legal issues,
14 so I would not expect long submissions. I would expect fairly
16:50:20 15 succinct submissions setting out the evidence and any issues of
16 for example credibility that counsel considered relevant.

17 MR LANSANA: And would those oral submissions be made an
18 hour or two after closing?

19 JUSTICE DOHERTY: As soon as possible. I would like to
16:50:36 20 have them as soon as possible because I am aware that we are all
21 here for a limited time. And again, I would like to be careful
22 not to rush in a way that would prejudice a fair trial, but I
23 would expect them - given that the issues are questions of fact -
24 I would expect to have those fairly promptly.

16:51:00 25 MR LANSANA: Yes. We will discuss this matter tomorrow.
26 But I was just thinking that if we close tomorrow, that is,
27 tomorrow is Thursday, Friday morning we will do submissions and
28 we will leave the rest to you.

29 JUSTICE DOHERTY: That sounds reasonable to me, and I would

1 be agreeable with that.

2 Now, Mr Gardner, would that suit you?

3 MR GARDNER: Well, I didn't know and don't know, you know,
4 what the process would be. I have a flight out Friday night
16:51:30 5 which I booked some time ago at 10.30. And, you know, I'd love
6 to make it if I could.

7 JUSTICE DOHERTY: Well, there are two choices. One is that
8 I recall at the previous arraignment you had counsel stood in for
9 you. I would have no objection for counsel standing in for you
16:51:58 10 to take a decision. The question that would arise, of course, is
11 in the event of conviction - and I am in no way predetermining
12 anything when I say this, I mention that because our Rules
13 provide for submissions - if in the event there is a conviction.

14 In making this remark, I am in no way pre-determining any
16:52:29 15 issues.

16 In the circumstances, perhaps it might be best counsel
17 wants to see me in Chambers briefly tomorrow morning to set out a
18 time. Would that be more convenient?

19 MR GARDNER: That would be fine, Your Honour. We could do
16:52:48 20 that. There was a fellow that stood in last year. I suppose he
21 could take a verdict, and if a verdict is completely not guilty,
22 so be it.

23 JUSTICE DOHERTY: That's the end of the matter.

24 MR GARDNER: And if the verdict is guilty or partial
16:53:02 25 guilty, then Your Honour is going to do whatever you are going to
26 do about sentencing, but I am certain I would have an opportunity
27 to chime in.

28 JUSTICE DOHERTY: The Rules are mandatory on this point.

29 MR GARDNER: And -

1 JUSTICE DOHERTY: They provide - I think - if I remember
2 correctly it's Rule 100 or Rule 101, but they provide that
3 information has to be filed seven days - no more than seven days
4 after the Prosecution shall, and the defendant shall no more than
16:53:42 5 seven days after that, submit any relevant information.

6 Again, perhaps we could discuss - it might be more
7 appropriate. I don't want to let the accused feel that in
8 discussing this, we are pre-determining issues.

9 MR GARDNER: Sure. Okay.

16:54:01 10 JUSTICE DOHERTY: I do not want him to to have that
11 impression. So perhaps we could meet briefly in Chambers at 9.15
12 tomorrow and look at these timing issues.

13 MR LANSANA: Yes, your Honour. I certainly think that
14 would be most appropriate.

15 JUSTICE DOHERTY: What we'll do is adjourn the Court until
16 9.30. We'll meet briefly in Chambers at 9.15.

17 Mr. GARDNER: Thank you, Your Honour.

18 JUSTICE DOHERTY: Please adjourn Court.

19 [Whereupon the Court adjourned at 4.55pm
20 until 9.30am the following day]

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