



Case No. SCSL-2003-01-T

THE PROSECUTOR OF  
THE SPECIAL COURT  
V.  
CHARLES GHANKAY TAYLOR

TUESDAY, 23 FEBRUARY 2010  
9.30 A.M.  
TRIAL

TRIAL CHAMBER II

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Before the Judges:

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

For Chambers:

Mr Simon Meisenberg

For the Registry:

Ms Rachel Irura  
Ms Zainab Fofanah

For the Prosecution:

Mr Nicholas Koumjian  
Mr Mohamed A Bangura  
Ms Kathryn Howarth  
Ms Maya Dimitrova

For the accused Charles Ghankay  
Taylor:

Mr Morris Anyah  
Mr Terry Munyard

1 Tuesday, 23 February 2010

2 [Open session]

3 [The accused present]

4 [Upon commencing at 9.30 a.m.]

09:28:43 5 PRESIDING JUDGE: Good morning. We will take appearances,  
6 first, please.

7 MR KOUMJIAN: Good morning, your Honours. For the  
8 Prosecution this morning, Mohamed A Bangura, Kathryn Howarth,  
9 Maja Dimitrova and myself, Nicolas Koumjian.

09:32:09 10 MR ANYAH: Good morning, Madam President. Good morning,  
11 your Honours. Good morning, counsel opposite. Appearing for the  
12 Defence this morning are Mr Terry Munyard and myself,  
13 Morris Anyah.

14 PRESIDING JUDGE: Mr Smythe, you're going to continue with  
09:32:25 15 your evidence this morning before you do I wish to remind you of  
16 your oath to tell the truth.

17 THE WITNESS: Thank you.

18 PRESIDING JUDGE: Mr Anyah, please.

19 WITNESS: YANKS SMYTHE [On former oath]

09:32:38 20 EXAMINATION-IN-CHIEF BY MR ANYAH: [Continued]

21 Q. Good morning, Mr Smythe.

22 A. Good morning, counsel.

23 Q. When we left off yesterday we were discussing in Suwandi  
24 Camara. Do you recall that?

09:32:52 25 A. Yes, I do.

26 Q. Do you recall telling us that in 1995 Suwandi Camara  
27 resided in Gbatala with somebody called Mohamed Bah?

28 A. Yes, I said so.

29 Q. Do you recall also telling us that in the year 2000 or

1 thereabouts you saw Suwandi --

2 MR KOUMJIAN: Your Honour, the Prosecution believes it's  
3 leading and suggestive to remind the witness of his prior  
4 testimony.

09:33:21 5 MR ANYAH: Madam President, it is leading, that is not an  
6 issue, but this is to lay the groundwork for questions starting  
7 this morning. I suggest to the Court that preliminary questions  
8 can be leading to some extent. I am just reminding him of what  
9 he said at close of day yesterday.

09:33:38 10 PRESIDING JUDGE: Yes, I think that is quite in order to  
11 remind the witness of what is already in evidence the previous  
12 day. Please go ahead.

13 MR ANYAH: Thank you, Madam President:

14 Q. Mr Smythe, do you recall telling us that in 1995 Suwandi  
09:33:53 15 Camara resided in Gbatala with Mohamed Bah?

16 A. Yes.

17 Q. And you also told us that you saw Camara in Monrovia  
18 sometime in the year 2000?

19 A. Yes.

09:34:07 20 Q. When you and Mr Taylor moved to Monrovia in 1995, apart  
21 from the time you saw Camara in 2000, did you ever see him in  
22 Monrovia from 1995 until the end of Mr Taylor's presidency?

23 A. No, I cannot remember seeing him there during that time.

24 Q. Are you aware that Suwandi Camara was a witness in this  
09:34:42 25 case?

26 A. Excuse me?

27 Q. Are you aware that Suwandi Camara has testified as a  
28 witness in this case?

29 A. Yes, I saw - I read it on the newspapers in Monrovia, yes.

1 Q. Mr Camara testified on 7 through 13 February 2008 and I  
2 would like to read to you some of what he told the Court and I  
3 would like to get your opinion about what he said. For the  
4 benefit of others present, I will be reading various portions of  
09:35:12 5 Mr Camara's evidence starting with the transcript of 7 February  
6 2008, specifically starting at page 3429.

7 Mr Smythe, listen carefully to what Suwandi Camara told  
8 these judges under oath on 7 February 2008, page 3429. There was  
9 a question posed to Mr Camara at line 13 on that page. The  
09:36:12 10 question was:

11 "Q. Now, Mr Witness, you told us about the Mataba and you  
12 told us that you met Kukoi Samba Sanyang in Mataba. Did  
13 you see anyone else in Mataba?

14 A. Yes, I saw some people in Mataba.

09:36:36 15 Q. Who did you see?

16 A. The man who is sitting - who is facing the trial,  
17 Charles Taylor. That was the first time I saw him."

18 JUDGE LUSSICK: Excuse me, Mr Anyah, I have got page 3429  
19 in front of me and those words don't appear on it. Have you  
09:37:01 20 given us the right reference?

21 MR ANYAH: Yes.

22 MR KOUMJIAN: It's the previous page, I see.

23 PRESIDING JUDGE: It's 3428 is it?

24 MR ANYAH: On my document it is paginated 3429 and  
09:37:21 25 Mr Munyard says it's the same for his.

26 JUDGE LUSSICK: Well, I don't know what's happening here.  
27 I am not in charge of the transcript, but you started from  
28 line 13, did you not?

29 MR ANYAH: Yes.

1 JUDGE LUSSICK: Line 13 on my page, I have now got 3428 and  
2 line 23 begins --

3 MS IRURA: Your Honour, it appears on page 3428 of the  
4 transcript.

09:37:54 5 JUDGE LUSSICK: I have now been referred to page 3428 on  
6 mine. Line 13 commences, "... year. Maybe at the beginning of  
7 the year." That's not where you started.

8 MR ANYAH: No. I am wondering if there is a distinction  
9 between public and confidential versions, but let me see if I can  
09:38:14 10 find --

11 JUDGE LUSSICK: You started at line 14 on page 3428  
12 according to the page I have in front of me now.

13 MR ANYAH: Thank you, your Honour. I am trying to pull up  
14 another version of the transcript.

09:38:31 15 JUDGE LUSSICK: It's alarming how many versions of the  
16 transcript there are.

17 PRESIDING JUDGE: For the record, the official court record  
18 is the confidential one. We are referring to an open session, so  
19 there should be no problems in referring to it. The confidential  
09:38:49 20 version is always the official court version. Certainly the one  
21 that the Court Manager brings up on the screen is the one we  
22 should be following.

23 MR ANYAH: Well, I will try and read from the screen. I  
24 have pulled up the confidential version and I will do my best to  
09:39:11 25 read from the screen. I am now at page 3428, 7 February 2008  
26 starting at line 14:

27 Q. "Q. Now, Mr Witness, you told us about the Mataba and you  
28 told us that you met Kukoi Samba Sanyang in Mataba. Did  
29 you see anyone else in Mataba?

1 A. Yes. I saw some people in Mataba.

2 Q. Who did you see in Mataba?

3 A. The man who is sitting - who is facing the trial,  
4 Charles Taylor. That was the first time I saw him. Kukoi  
09:39:50 5 was the person who introduced him to me. I also met Foday.  
6 That was my first time to see him before he left Libya.  
7 Foday Sankoh. But these are people who I did not greet one  
8 another, but because of the relationship they have with my  
9 leader, my leader told me these are --"

09:40:11 10 An then the exchange ends. On to the next page, which is  
11 3429 starting at line 3, Mr Camara continues with his response:

12 "I said I used to go to Kukoi in Mataba. I used to go to  
13 Kukoi in Mataba. That was the first time, that was the first  
14 time for me to see the guy, the man who is facing trial here,  
09:40:45 15 Charles Taylor. That was the first time for me to see him. That  
16 was also my first time to see Foday Sankoh with my naked eyes.

17 There is a question from Mr Werner:

18 "Q. And do you remember when did you see for the first  
19 time Charles Taylor in Mataba?

09:41:04 20 A. It was in the beginning of 1990. That was my second  
21 time in 1990 when I saw this man."

22 Pause there. Mr Smythe, in the year 1990, was  
23 Charles Taylor at the Mataba, to the best of your knowledge?

24 A. [Microphone not activated].

09:41:28 25 MR ANYAH: Madam President, the microphone of the witness  
26 is not on. I will repeat.

27 PRESIDING JUDGE: Yes, please repeat the question,  
28 Mr Anyah.

29 MR ANYAH:

1 Q. Mr Smythe, to the best of your knowledge, was  
2 Charles Taylor at the Mataba at the beginning of 1990?

3 A. No, he was not there, to the best of my knowledge.

09:41:57

4 Q. Where was Charles Taylor, to the best of your knowledge, at  
5 the beginning of 1990?

6 A. Charles Taylor should be between the borders of  
7 Cote d'Ivoire and Liberia at the time.

8 Q. I will continue from the transcript same page, 3429, line  
9 14:

09:42:15

10 "Q. Do you remember when did you see Foday Sankoh in  
11 Mataba?

12 A. That was also in the beginning of 1990."

13 Mr Witness, was Foday Sankoh ever at the Mataba, to the  
14 best of your knowledge?

09:42:34

15 A. No, Foday Sankoh was never at the Mataba, to the best of my  
16 knowledge.

09:42:49

17 MR KOUMJIAN: Excuse me, your Honours, the question calls  
18 for speculation unless the witness has a basis to know whether or  
19 not Foday Sankoh was ever at the Mataba. He's testified to being  
20 present at the Mataba on a few occasions for a short period  
21 himself, but how he can make this statement. It's just  
22 speculative.

23 PRESIDING JUDGE: Mr Koumjian, that remains for you to  
24 cross-examine this witness on things like that.

09:43:04

25 MR ANYAH: May I proceed, Madam President?

26 PRESIDING JUDGE: Please proceed. The objection was  
27 overruled.

28 MR ANYAH: I will read from line 22. The question is asked  
29 of Mr Camara:

1 "Q. So, Mr Witness, again, when was the first time - not  
2 the second time, the first time - that you saw  
3 Charles Taylor in Mataba, if you can remember?

4 A. I said to see him the first time was my second time  
09:43:29 5 when I visited Kukoi in 1990. The beginning of 1990."

6 Over to page 3430, line 3:

7 "Q. Mr Witness, you said that you saw Charles Taylor for  
8 the first time the second time you visited Kukoi Samba  
9 Sanyang. Is that correct?

09:43:56 10 A. Yes, that is what I said."

11 Mr Smythe, in the beginning of 1990, was Dr Manneh also  
12 known as Kukoi Samba Sanyang at the Mataba, to the best of your  
13 knowledge?

14 A. No, he was not there. He was in Burkina Faso in the  
09:44:14 15 beginning of 1990.

16 Q. The exchange continues, line 7:

17 "Q. Could you explain what you mean when you said that?

18 A. I said he came and he greeted my leader, Kukoi Samba  
19 Sanyang. After he left, when he was going my leader Kukoi  
09:44:36 20 Samba Sanyang told me, 'This man is Charles Taylor'.

21 Q. Now, did your leader, Kukoi Samba Sanyang, tell you  
22 anything about Charles Taylor in Mataba?

23 A. What he told me about him, that group in Liberia, which  
24 are in Libya with the training, he is their leader."

09:45:07 25 We go to the last line of that page, line 29. There is a  
26 question:

27 "Q. Now, did your leader, Kukoi Samba Sanyang, tell you  
28 anything about Foday Sankoh?

29 A. What did he tell me? What he told me was this



1 Charles Taylor, the Liberian group in Libya he was their  
2 leader. That is what he said."

3 Now, Mr Smythe --

4 MR KOUMJIAN: Excuse me, your Honours, I believe, in  
5 fairness, it follows that there was a problem with the  
6 interpretation and the question was put again. So counsel's  
7 giving the answer - apparently there was a misinterpretation of  
8 the question to the witness.

9 MR ANYAH: Well, I will read the rest. The answer he gave  
09:46:06 10 is not consistent later on. I will read the rest if it pleases  
11 counsel opposite.

12 PRESIDING JUDGE: Not that if it pleases counsel. I think  
13 you should read the correct evidence. If a mistake was made,  
14 please read the interpretation as corrected.

09:46:20 15 MR ANYAH: Well, be to be accurate, I did not misrepresent  
16 the record, if that's the objection. But I will read the entire  
17 record so there is no dispute about that.

18 PRESIDING JUDGE: Please do.

19 MR ANYAH:

09:46:30 20 Q. Page 3431. I have read the first part. The Presiding  
21 Judge then said that the question - there was a problem with the  
22 interpretation, and then Mr Werner at line 14 repeats the  
23 question. The question was:

24 "Q. Mr Witness, the question was did your leader, Kukoi  
09:46:58 25 Samba Sanyang, tell you anything about Foday Sankoh in  
26 Libya?

27 A. What he told me about Foday is he is the leader of the  
28 Sierra Leone group in Libya who was doing the leadership,  
29 but he was not the leader. The first leader was --"

1 And then there is some more discussion about the  
2 interpretation and there is a repetition again of the answer,  
3 line 23:

09:47:30 4 "A. I said Foday Sankoh, at that time he was acting as a  
5 leader of the Sierra Leonean group in Libya because Sierra  
6 Leoneans they also have a group in Libya. But what my  
7 leader told me, who is Kukoi Samba Sanyang, that is Foday  
8 Sankoh is a person who is - who was acting as a leader, but  
9 he was not the leader. The right leader was Ali Kabbah."

09:47:54 10 Now, going back to my question, Mr Smythe. Would someone  
11 like Suwandi Camara, given your experiences in Libya at Tajura  
12 and the Mataba, be present in the company of Dr Manneh and other  
13 leaders like Foday Sankoh when they were discussing issues?

14 A. No, he cannot. He can never be in the presence.

09:48:19 15 Q. Why do you say that?

16 A. Because he was - in the first place, he was not in Libya at  
17 the time, so I don't know what he mean by he was in the Mataba.  
18 And Mataba is not a place where everybody goes in and out, you  
19 know. You have to gain certain status before you can go to the  
09:48:39 20 Mataba.

21 MR ANYAH: Madam President, I am trying to synchronise the  
22 various transcripts I have. I need to read one more portion, but  
23 I am trying to get the pages right. If I may have a moment,  
24 please.

09:49:01 25 PRESIDING JUDGE: Certainly.

26 MR ANYAH:

27 Q. Page 3432, line 4, there is a question:

28 "Q. Please go on.

29 A. This Ali Kabbah, he was the leader of the Sierra

1 Leonean group in Libya, but he took some money from the  
2 Libyan government which money was given to him for the  
3 purpose of the group; the Sierra Leonean group in Libya.  
4 He came to Burkina Faso, but when he came to Burkina that  
09:50:12 5 was the last time they hear from him. What they heard was  
6 he ran away. That time was the time I met Foday. But at  
7 that time he was not considered as the leader, but he was  
8 the coordinator of the Sierra Leoneans in Libya.

9 Q. Now, you said that you saw Charles Taylor in Mataba.  
09:50:38 10 Now, did you see him again in Libya?

11 A. Yes, after I saw him two times in Libya before they  
12 left to come to Burkina.

13 Q. Who left to come to Burkina?

14 A. Charles Taylor and his people left Libya to come to  
09:50:57 15 Burkina. Likewise, our people leave Libya to come to  
16 Burkina.

17 Q. Did you say anything about Foday Sankoh in your answer?

18 A. I said Charles Taylor and his people left Libya to  
19 Burkina. He left with Liberians to Burkina. Foday Sankoh  
09:51:20 20 also left with the Sierra Leoneans' group to Burkina. We  
21 also, Dr Manneh, his group - Dr Manneh and his group also  
22 left Libya to Burkina, but the first group I was not  
23 among."

24 Let's pause. Couple of questions, Mr Smythe. When Ali  
09:51:46 25 Kabbah left Libya, as you told us yesterday, under circumstances  
26 you are not sure about but involving something about money, do  
27 you know whether he went to Burkina Faso?

28 A. No, I don't know where he went.

29 Q. Did you ever hear anyone say that Ali Kabbah had left Libya

1 and gone to Burkina Faso?

2 A. No.

3 Q. Mr Camara says Foday Sankoh was the coordinator of the  
4 Sierra Leoneans in Libya. Do you recall Foday Sankoh serving as  
09:52:22 5 the coordinator of the Sierra Leoneans in Libya when you were in  
6 Libya?

7 A. I can't recall that.

8 Q. Do you know whether Foday Sankoh ever served as the  
9 coordinator of the Sierra Leoneans when you were in Libya?

09:52:33 10 A. I don't know of that.

11 Q. Mr Camara suggests to the Court that three groups left  
12 Libya and all three went to Burkina Faso; the Liberians, the  
13 Gambians, and the Sierra Leoneans. To the best of your  
14 knowledge, did the Sierra Leonean group leave Libya and go to

09:52:55 15 Burkina Faso?

16 A. No.

17 Q. Do you know where they went?

18 A. I don't know where they went.

19 MR ANYAH: I would like the transcript of 8 February to be  
09:53:09 20 pulled up, if it pleases your Honours.

21 JUDGE DOHERTY: Mr Anyah, I find that answer "No" at page  
22 15, line 1 of my transcript, ambiguous. You have asked, "To your  
23 knowledge, did the Sierra Leonean group leave Libya to go to  
24 Burkina Faso?" and the witness replied "No." Does that mean, no,  
09:53:39 25 they didn't go to Burkina Faso; or, no, it's not in my knowledge?

26 MR ANYAH:

27 Q. Mr Smythe, you have heard Justice Doherty's question. When  
28 I asked you that question and you said "No", are you telling the  
29 Court you did not know about it, or it did not happen?

1 A. It did not happen. They didn't go to Burkina Faso.

2 Q. How do you know it did not happen?

3 A. Because I never saw them there and nobody ever told me they  
4 were there.

09:54:07 5 MR ANYAH: I wonder if that satisfies your Honour.

6 JUDGE DOHERTY: Yes, that's very clear now.

7 MR ANYAH: Thank you, your Honour:

8 Q. Now, the relevant page on the transcript on 8 February 2008  
9 is page 3443. I will start at line 19:

09:54:36 10 "Q. Mr Witness, were you in Libya since 1991 or were you  
11 in Libya until 1991?

12 A. I said - I said I was there up to 1991.

13 Q. And can you remember the part of the year in 1991?

14 A. The beginning part of year. I think the beginning of  
09:55:05 15 the year. The fourth month of the year 1991, I think."

16 Mr Smythe, were there any Gambians training in Libya after  
17 you left in November 1989?

18 A. No, I was the last Gambian to leave Libya in November 1989,  
19 and there was no other Libyan, you know, being trained there at  
09:55:31 20 the time.

21 Q. To your knowledge, were any Gambians being trained in Libya  
22 in the years 1990 and 1991?

23 A. No, there was no Gambian being trained in Libya in the year  
24 1991 or 1990.

09:55:46 25 PRESIDING JUDGE: But, Mr Anyah, if this witness was not in  
26 Libya during the period in question, 1991-90, how can he attest  
27 to whether or not people were there training?

28 MR ANYAH: Yes, I can ask him to further indicate:

29 Q. How do you know, Mr Smythe, if you were not in Libya after

1 November 1989 that no Gambians were in Libya training in either  
2 1990 or 1991?

3 A. Because everybody - every Gambian that trained in Libya  
4 left, you know, before that period. I was the last trained  
09:56:20 5 Gambian to leave from there, and I left in 1989. And since then,  
6 you know, except under, you know, other related matters. But as  
7 far as our movement is concerned, no Gambian was trained in Libya  
8 at that time. There was no training going on at that time.

9 Q. And when you say "as far as our movement is concerned", are  
09:56:37 10 you referring to the movement with Dr Sanyang?

11 A. Yes.

12 Q. Line 25, a question is asked of Mr Camara:

13 "Q. And, if anything, what happened to you after?

14 A. That year when I came to Burkina, at that time the  
09:56:59 15 people we had in Libya was about 16 people. Those people,  
16 they also did some training in Libya. I and those people  
17 left - me and Dr Manneh and those people at that time, he  
18 left Burkina to come to Libya. All the time that was his  
19 way, me and him and the 16 people left there. We came to  
09:57:29 20 Burkina Faso."

21 Are you aware, Mr Smythe of Dr Manneh bringing 16 people  
22 from Libya around the time Mr Camara speaks of, 1991?

23 A. No, I am not aware of that.

24 Q. We go to line 6 on page 3444:

09:57:56 25 "Q. So, Mr Witness - just listen to my question,  
26 Mr Witness. When you left Libya to go to Burkina Faso who,  
27 if anybody, came with you to Burkina Faso?

28 A. Tell him that myself and Dr Manneh, Kukoi Samba  
29 Sanyang, and 16 other people, we all left together from

1 Libya and we came to Burkina Faso."

2 We go to line 21:

3 "Q. Now, you told us that a group of Gambians left Libya  
4 to Burkina Faso before your departure from Libya. Did you  
09:58:39 5 see any of these people in Burkina Faso?

6 A. Yes, I met some people in Burkina Faso. We saw one  
7 another in Burkina Faso.

8 Q. If anything, what were they doing there?

9 A. I said Burkina was our base before. That was our host.  
09:58:59 10 That was the place where we came - when we came they gave  
11 us a compound in the place where we hosted. That was our  
12 host."

13 Were the Gambians who trained in Libya given a premises in  
14 Burkina Faso when they returned from Libya, Mr Smythe?

09:59:23 15 A. Yes, they were given a premises there, yes.

16 Q. We are now at page 3445, the question is posed at line 11:

17 "Q. Mr Witness, when you say you met some people in  
18 Burkina Faso, who are you talking about?

19 A. I mean our Gambian people, the one you are asking me.  
09:59:48 20 I can even name some of these people. I can remember some  
21 of their names."

22 And then a question is asked:

23 "Q. Then just try to, as much as you can, answer precisely  
24 the question. Then I asked you these Gambians, what were  
10:00:05 25 they doing in Burkina Faso when you went there?

26 A. I said that was our host. When we left Libya, Burkina  
27 was our host. They gave us a compound where we stayed and  
28 at that time when the war was in Liberia our people used to  
29 leave Liberia and come to Burkina and they also go back to

1 Liberia. The place was our host to make it such.

2 Q. When you say that they gave us a compound who are you  
3 talking about?

4 A. The government of Burkina gave us a compound.

10:00:40 5 Q. And when and said that they used to leave Liberia and  
6 come to Burkina and they also go back to Liberia who are  
7 you talking about?"

8 We are now at page 3446, Mr Camara responds at line 2:

9 "A. I mean the Gambians and Liberians. I saw some people  
10:01:06 10 going and coming. Even the man sitting down,  
11 Charles Taylor, he used to go and come.

12 Q. Go and come where, Mr Witness?

13 A. Coming from Liberia, coming to Burkina."

14 Mr Smythe, around the year 1991, did Charles Taylor travel  
10:01:27 15 back and forth from Liberia to Burkina Faso?

16 A. Yes, sometime in 1991, yes, he did travel to Burkina Faso.

17 Q. In that period of time, were the Gambians who were seconded  
18 or assigned with the NPFL frequent travellers between Liberia and  
19 Burkina Faso?

10:01:51 20 A. No, they were not.

21 Q. The group that you went with, the group of Gambians, do you  
22 know of any who travelled back and forth between Liberia and  
23 Burkina Faso?

24 A. I would normally travel with him, myself and Jukudeh would  
10:02:08 25 travel with him when he is going out of Liberia to Burkina or to  
26 other places. But besides that, every Gambian who went to  
27 Liberia never came back to Burkina Faso.

28 Q. When you say "with him", to whom are you referring?

29 A. I am referring to Mr Taylor.



1 Q. Page 3446, line 7:

2 "Q. Now so you said that the Gambians used to go from  
3 Liberia to Burkina, from Burkina to Liberia. Did why did  
4 the Gambians do that?

10:02:49 5 A. I said what I knew, that is what my leaders - what I  
6 heard from my leader, what he told me, sometimes maybe you  
7 can see it in my statements. I said my leader told me that  
8 he and Charles Taylor and Foday Sankoh, they made a meeting  
9 in Burkina that they will help him in his war. If he  
10:03:16 10 succeeds he will also help them in their war, because at  
11 that time we are very powerless."

12 Now, Mr Smythe, are you aware of Charles Taylor being in  
13 the company of Foday Sankoh and Dr Manneh and having a meeting in  
14 Burkina Faso at any point in time?

10:03:44 15 A. No, I am not aware of any such meeting.

16 Q. At the time when you served as Mr Taylor's bodyguard and  
17 during the times when you went with him on trips to Burkina Faso,  
18 did you ever see him meet together at one time with Foday Sankoh  
19 and Dr Manneh?

10:04:03 20 A. No, I never saw him meet together with the two people.

21 Q. There is a question at line 16 on that same page, page  
22 3446:

23 "Q. Mr Witness, when you said, 'My leader told me that he  
24 and Charles Taylor and Foday Sankoh, they made meeting in  
10:04:29 25 Burkina that they will help him', who are they?

26 A. That is we the Gambians will collaborate with him and  
27 Sierra Leoneans will collaborate with Charles Taylor to  
28 help him, his Liberian war."

29 Mr Witness, did the Sierra Leoneans collaborate with

1 Mr Taylor for the entire period of the Liberian civil war?

2 Mr Smythe?

3 A. Are you asking me?

4 Q. Yes, I think I may have referred to you as Mr Witness.

10:05:11 5 A. Sorry, I thought you were still reading.

6 PRESIDING JUDGE: Sorry, before the witness answers, I am  
7 not sure what you are asking the witness. Are you asking whether  
8 Sierra Leoneans collaborated at all or you asking him whether  
9 they did so for the entire period or for only some of the period?

10:05:30 10 It's a loaded question. I think you should break it down.

11 MR ANYAH:

12 Q. Mr Smythe, you told us yesterday that between August 1991  
13 and May, June 1992 there was some collaboration between the RUF  
14 and NPFL. Do you recall telling us that?

10:05:50 15 A. Yes, that's correct.

16 Q. Separate and apart from that period of time when there was  
17 this collaboration, to your knowledge, was there any further  
18 collaboration between the RUF and NPFL during the entire Liberian  
19 civil war, that is, through the period leading up to Mr Taylor's  
20 election in 1997?

10:06:07 20

21 A. To best of my knowledge, from 1992 there was no  
22 collaboration between the NPFL and the RUF.

23 Q. Following Mr Taylor's election in 1997 through his  
24 departure in 2003, to the best of your knowledge, was there ever  
25 any collaboration between Mr Taylor's government of Liberia and  
26 the Revolutionary United Front of Sierra Leone?

10:06:24 25

27 A. The only time that happened was in 1998 when Mr Taylor was  
28 asked by the international community to mediate the conflict in  
29 Sierra Leone as President of Liberia.

1 Q. And what was the extent of that collaboration you are  
2 referring to?

3 A. He was asked by the ECOWAS leaders to mediate, you know, to  
4 bring an end to the Sierra Leone conflict.

10:06:54 5 Q. So in your view he was serving as a mediator?

6 A. Yes.

7 Q. We will come back to that period of time and this role you  
8 have described Mr Taylor was asked to perform.

9 PRESIDING JUDGE: What was the year the witness named?

10:07:08 10 MR ANYAH:

11 Q. Mr Witness, what year was this mediation supposed to take  
12 place?

13 A. I said beginning from 1998, running towards 1999.

14 Q. Thank you, Mr Smythe. Page 3446, line 28, Mr Camara is  
10:07:40 15 allowed to finish his answer, he said:

16 "He said we should help Charles Taylor in his war. If he  
17 succeed and sit as - if he succeed in his war he will also help  
18 us in return so that we can also go back to our country, because  
19 we are people who were very powerless at that time. In terms of  
10:08:02 20 human resources, in terms of money, we were not very powerful."

21 Mr Smythe, did you understand your role as being - I will  
22 rephrase that and I will repeat the question. Did you understand  
23 Dr Manneh to have sent you and others to assist Mr Taylor in  
24 exchange for assistance from Mr Taylor for your revolution in The  
10:08:31 25 Gambia?

26 A. No.

27 Q. Next page, which is the page 3447, there is a question at  
28 line 6 by Mr Werner:

29 "Q. Mr Witness, just to be clear, you say, 'If he succeeds

1 in this war'. Who is the he?

2 A. I mean Charles Taylor.

3 Q. 'And he will also help us in return', who are us?

10:09:09

4 A. I said we the Gambians and Sierra Leoneans for our war,  
5 to make it clear."

6 Mr Smythe, do you have any basis to believe that Dr Manneh  
7 sent you and other Gambians to assist Charles Taylor with  
8 security in return for a promise for Taylor to assist the Sierra  
9 Leoneans in their war?

10:09:34

10 A. No. Our only purpose of going to Liberia was to assist  
11 Mr Charles Taylor, to provide security for him due to the  
12 volatile situation at the time.

13 Q. Line 15 on the same page a question is asked of Mr Camara:

14 "Q. Mr Witness, when did this meeting take place?

10:10:01

15 A. Interpreter, I said this meeting was held before I came  
16 to Burkina. He said they did the meeting in Burkina. That  
17 was their agreement.

18 Q. And were you told when this meeting took place?

19 A. The meeting was held in Burkina in Ouagadougou."

10:10:23

20 He goes on to say that, "I cannot remember the day and the  
21 month because that time I was not there." Mr Smythe, in  
22 Ouagadougou, Burkina Faso, do you know whether Charles Taylor  
23 ever met with Dr Manneh and Foday Sankoh?

24 A. No, I don't know of that.

10:10:57

25 Q. If we could go back to the transcript of 7 February 2008.  
26 I am going to refer to page 3424, starting at line 1. Mr Smythe,  
27 this is still the evidence of Suwandi Camara. The question was  
28 asked of Mr Camara:

29 "Q. And in Libya, Mr Witness, where did you train?

1 A. I did my training in Tripoli in a camp. I did some  
2 training in Benghazi. The other training I went to Sabah."  
3 Mr Werner, the Prosecutor, spells Benghazi and then asks  
4 the next question at line 6:

10:12:19 5 "Q. Any other locations, Mr Witness, in Libya where you  
6 were taught your training?

7 A. Because I did some training for four places, but right  
8 now I cannot remember the name of those places."

9 MR KOU MJIAN: Excuse me. I would just request that counsel  
10:12:42 10 read the next question and answer, or the next two because I  
11 think that provides context to the witness's answer.

12 PRESIDING JUDGE: He hasn't even asked the question.

13 MR ANYAH: I haven't even asked the question.

14 PRESIDING JUDGE: How do you know what question he is going  
10:12:55 15 to ask arising out of what he has read?

16 MR KOU MJIAN: Because I'm saying that the context of what  
17 was read is explained in the rest of the passage.

18 PRESIDING JUDGE: Mr Koumjian, I don't know whether you are  
19 taking over the examine-in-chief, but I think you should give  
10:13:11 20 some latitude to counsel opposite to lead the witness as he has  
21 prepared. If there is ambiguity, we shall deal with that.  
22 Please continue.

23 MR ANYAH: Thank you, Madam President:

24 Q. Mr Smythe, to the best of your knowledge, did the Gambians  
10:13:28 25 ever receive military training in Benghazi, Libya?

26 A. No.

27 Q. To the best of your knowledge, did the Gambians ever  
28 receive military training in Sabah, Libya?

29 A. No.

1 Q. At which places in Libya did the Gambians receive military  
2 training, to the best of your knowledge?

3 A. The Gambians received training - military training in Libya  
4 in two places; that is, Camp 2nd March in Tripoli, and Camp  
10:13:54 5 Tajura in Tripoli also.

6 Q. Let's continue with Mr Camara's evidence. The same page,  
7 line 22, there is a question asked of him:

8 "Q. Mr Witness, you said that there were people who had  
9 been trained before. Who are you referring to?

10:14:14 10 A. I am referring to the members of my group, called SOFA,  
11 who were under Dr Manneh.

12 Q. When did these people undertake training in Libya?

13 A. I heard these people's training, they have done it  
14 before I came to the place, so I cannot say the actual time  
10:14:39 15 factor, that is, the time they did the training, but I have  
16 found that they have done the training already.

17 Q. Did you meet any of them in Libya?

18 A. At that time these members of this group, they are all  
19 in Libya. They did not go out from Libya.

10:15:10 20 Q. So did you meet any of them in Libya?

21 A. Yes, I have seen some people who are in Libya.

22 Q. Do you remember their names, Mr Witness?

23 A. I can name some people to make it short.

24 Q. Please do so, Mr Witness.

10:15:32 25 A. Jokuday Nyassi but alias Jackson, Mustapha Jallow,  
26 Domingo Ramos was also a member. Musang Yai [phon] was  
27 also a member. Yankuba Samateh, alias Yanks Smith, Lamin  
28 Campaore and other people."

29 Pause. Mr Smythe, your Gambian name is Yankuba Samateh,

1 yes?

2 A. That is correct.

3 Q. You heard what I just read. Mr Camara told these judges  
4 that he met you, amongst others, in Libya. Now, do you recall  
10:16:13 5 ever meeting Mr Camara in Libya as he has described?

6 A. I have never seen Mr Camara in Libya.

7 Q. And this is the same Suwandi Camara you knew from when he  
8 was a little boy?

9 A. Yes, I knew him from a little boy in primary school.

10:16:34 10 Q. If we could go to the next page, 3426. At the top of the  
11 page, Mr Werner, the Prosecutor, gives various spellings, and if  
12 we go to line 10, he asks:

13 "Q. Could you help us with the Gambian names of Yanks  
14 Smith?

10:17:10 15 A. Gambian name is Yankuba Samateh."

16 They go on to spell it. And then line 17:

17 "Q. Mr Witness, did you meet these people, these people  
18 you have just named, in Libya, did you meet them in?

19 A. I met all these people in Libya."

10:17:29 20 Mr Smythe, to the best of your knowledge, did Mustapha  
21 Jallow meet Suwandi Camara in Libya?

22 A. To the best of my knowledge, no.

23 Q. Did you ever see Suwandi Camara in the company of Domingo  
24 Ramos when you were in Libya?

10:17:47 25 A. No.

26 Q. Did you ever see him in the company of Lamin Campaore when  
27 you were in Libya?

28 A. No.

29 Q. Can we go to page 3427, please, line 6:

1 "Q. So, Mr Witness, when you met Mustapha Jallow, Musang  
2 Yai, General Jackson, Domingo Ramos, Yanks Smith and Lamin  
3 Campaore, what did you talk about?

10:18:47

4 A. At the they would me that they have done some - they  
5 have done their training already.

6 Q. And what were they doing in Libya then?

7 A. At that time, I can say they were just waiting to have  
8 command to go. They were just waiting."

10:19:09

9 Mr Smythe, after you had completed your training at Camp  
10 Tajura, did you remain in the company of the others who had  
11 trained with you at Tajura?

12 A. No, I didn't remain in their company.

13 Q. Was there ever a time when you were in their company and  
14 you met Suwandi Camara after you all had completed your training?

10:19:26

15 A. I said previously that I have never seen Suwandi Camara in  
16 Libya, so there is no way I could be in his company - he could be  
17 in my company with others.

18 Q. Was there a time - and you told us this yesterday, I seem  
19 to recall - where the Gambians were in Libya waiting for  
20 instructions to depart?

10:19:48

21 A. Yes, at one point after the training they were at the  
22 Mataba guesthouse.

23 Q. Were you with them at that guesthouse?

24 A. I was not with them at the guesthouse.

10:19:59

25 Q. Do you know whether during the period of time you were not  
26 with them Suwandi Camara came to that guesthouse?

27 A. Suwandi was not in Libya during the time he is talking  
28 about. He was not there. Even at that time there were no  
29 Gambians in Libya during that time, 1990 and 1991. Every Gambian



1 that were trained in Libya left. I was the last to leave, and I  
2 left in November 1990 - 1989, excuse me. I left November 1989.  
3 So everybody else left before me, so I don't know how he met them  
4 in 1991 - 1990 and 1991 in Libya.

10:20:33 5 Q. Thank you, Mr Smythe.

6 Madam Court Manager, if we could bounce back to the  
7 transcript of 8 February 2008. The relevant page is 3454. Still  
8 the evidence of Suwandi Camara. I will begin to read from line  
9 27 once the transcript is pulled up. The question is asked of  
10:21:10 10 Mr Camara at line 27:

11 "Q. When you say that 'Dr Manneh boarded us in the vehicle  
12 and took us up to the Burkina airport', who are you talking  
13 about?

14 A. That is myself and the five people I left with from the  
10:21:34 15 Gambia, the ex-soldiers.

16 Q. And then, what if anything, happened after that,  
17 Mr Witness?

18 A. At the time we arrive at the airport with our leader  
19 Dr Manneh then Charles Taylor and his delegation did not  
10:21:56 20 arrive at the airport. We were taken to the reception. We  
21 were waiting for him at the reception until he and his  
22 delegates came.

23 Q. Who did you see coming, Mr Witness?

24 A. I said we were sitting at the reception until we saw  
10:22:16 25 Charles Taylor and his delegation arrive and our leader was  
26 among those people, who is Dr Manneh.

27 Q. And what, if anything, happened after that, Mr Witness?

28 A. When Charles Taylor and our leader arrive at the  
29 airport they met us at the reception. Then we got up from

1 the reception, we went to stand aside at - in the  
2 reception. Then I saw our leader talking with  
3 Charles Taylor. He pointed to us and said to him these  
4 were my people that you were to go with."

10:22:59 5 If we could scroll down to line 26 on the same page:

6 "Q. And what, if anything, happened after that,  
7 Mr Witness?

8 A. While we were at the reception we saw Air Burkina  
9 arrive at the terminal. We saw Charles Taylor and the  
10:23:18 10 soldiers who came together there were taking things out and  
11 taking them to the plane.

12 Q. When you say that the soldiers who came together, who  
13 were these soldiers?

14 A. These were his - members of his delegation. I don't  
10:23:43 15 know how to say it. His protocol were among those people.  
16 The senior soldiers were among those delegates. Junior  
17 soldiers were also among his delegation with whom he came  
18 from Liberia, he, Charles Taylor.

19 Q. And when you said that they 'Were taking things out and  
10:24:08 20 taking them to the plane', what are you talking about?

21 A. I said at first where we were standing we did not know  
22 what things were, but when we were coming out going to the  
23 plane, when his people were taking things on board in the  
24 plane we joined them to take those things to the plane.

10:24:31 25 This was then I came to know these were guns, arms and  
26 ammunitions, because I and the five other people helped  
27 them to take those arms and ammunitions to the plane and  
28 among us some Burkina soldiers were at the airport at the  
29 time."

1 Let's pause. Mr Smythe, you were Mr Taylor's bodyguard,  
2 you tell us, at the beginning part of the 1990s, yes?

3 A. Yes.

10:25:05

4 Q. You have heard what I have read as said by Mr Camara before  
5 these Justices?

6 A. Yes.

7 Q. Did you ever accompany Mr Taylor on a trip to the airport  
8 in Burkina Faso in the early 1990s?

10:25:20

9 A. I travelled with Mr Taylor to Burkina many times in 1990,  
10 but I don't know the times Mr Camara was talking about.

11 Q. Was there a trip or occasion such as this where Mr Taylor  
12 and others arrived; Dr Manneh, Suwandi Camara and others were at  
13 the airport; and arms and ammunitions were loaded on to a plane?

10:25:41

14 A. Never saw Suwandi Camara in Burkina Faso, so there could be  
15 no way for him - for me to see him at the airport, you know,  
16 trying to load ammunition in the plane.

17 Q. Was there ever an occasion, to your knowledge, when  
18 Dr Manneh, in the presence of Charles Taylor, provided arms and  
19 ammunitions that were loaded on to a plane?

10:25:59

20 A. No.

21 MR KOUMJIAN: Objection. The passage doesn't state that  
22 Dr Manneh provided the arms and ammunition.

23 MR ANYAH: That's a fair observation. I can rephrase it:

10:26:14

24 Q. To your knowledge, were arms and ammunition ever  
25 transferred on to a plane while Charles Taylor and Dr Manneh were  
26 together at the airport in Burkina Faso?

27 A. No, I can't recall that. I cannot recall that.

28 Q. Now, question at line 19 on the same page 3456 to

29 Mr Camara:

1 "Q. Mr Witness, when you say, 'When his people were taking  
2 things on board in the plane', his people, whose people?

3 A. These were Charles Taylor's people who he came with.

4 Q. What, if anything, happened after that, Mr Witness?

10:26:58 5 A. When we take these things to the plane, Charles Taylor  
6 himself came with his delegation and boarded the plane.

7 After we also joined them in the plane."

8 It goes on to say that the plane took them to an airfield  
9 called Man in the Ivory Coast, Cote d'Ivoire, and we go to

10:27:20 10 page 3457, line 2, there's a question posed to Mr Camara:

11 "Q. And what happened, Mr Witness, when this plane landed  
12 in Man in Cote d'Ivoire?

13 A. When the plane landed at Cote d'Ivoire in Man, I and  
14 the five ex-soldiers, we joined Charles Taylor's soldiers  
10:27:43 15 to take out the arms and ammunitions from the plane and put  
16 them in a truck.

17 Q. What, if anything, happened after that, Mr Witness?

18 A. When we put the arms and ammunitions in the truck,  
19 after we finished doing that then the plane and some of the  
10:28:04 20 Burkina soldiers who escorted the plane returned back with  
21 the plane and we joined Charles Taylor's convoy and went  
22 with him to Liberia. We went by Danane, it's a village  
23 called Danane in Cote d'Ivoire. When we left Danane we  
24 came to Loguato border which was the border between Liberia  
10:28:27 25 and Cote d'Ivoire."

26 Mr Smythe, there is reference in Mr Suwandi Camara's  
27 evidence to Burkina soldiers, that these Burkina soldiers  
28 escorted the plane back to Burkina Faso. Now, were you ever  
29 present at the Burkina airport with Charles Taylor at a time when

1 Burkina Faso soldiers assisted or facilitated the transport of  
2 arms on to a plane, arms and ammunition?

3 A. No, I was never present in such a situation.

4 Q. On the same page, if we start at line 18:

10:29:25 5 "Q. And, Mr Witness, what if anything, happened after  
6 that?

7 A. After that we continue with Charles Taylor's convoy to  
8 his town where - the town he was in control which was his  
9 headquarters, which --

10:29:41 10 Q. Do you know the name of these headquarters?

11 A. His headquarters was at Gbarnga. That was central part  
12 of Liberia.

13 Q. So what happened, if anything, Mr Witness, when you  
14 went to Gbarnga?

10:29:57 15 A. On our arrival at Gbarnga, this was around in the  
16 evening, around after the midday prayer. General Jackson,  
17 a Gambian, if I could remember, I told you his name  
18 Jokuday, he boarded us in a vehicle and took us to General  
19 Yank's compound."

10:30:26 20 Let's pause there. Mr Camara told these Justices that he  
21 arrived in Man and from Man they travelled in Charles Taylor's  
22 convoy and arrived in Gbarnga. Mr Smythe, did any of this  
23 happen, to the best of your knowledge?

24 A. To the best of my knowledge, no.

10:30:50 25 Q. If Charles Taylor had gone to Man at the time you served as  
26 his bodyguard, would you have accompanied him?

27 A. Yes.

28 Q. If Charles Taylor was riding in a convoy from Cote d'Ivoire  
29 to Gbarnga, would you and other Gambians have been in his

1 company?

2 A. Up to a certain time I always ride with Mr Taylor in a  
3 vehicle. I ride the front seat and he ride the back.

4 Q. Up to what certain time?

10:31:16 5 A. Up to almost 1992.

6 Q. We continue on the same page, 3458, line 5:

7 "Q. Mr Witness, if you can remember when did that happen?

8 A. That was - this happened around at the end of 1991.

9 Q. And then what happened when you boarded this vehicle  
10:31:46 10 and were taken to General Yank's compound? What  
11 happened after that, if anything?

12 A. Let me tell you that was where we were lured, that was  
13 where we were. I think we spent three - the fourth day we  
14 were called and told that we were supposed to have a  
10:32:07 15 meeting in General Domingo's compound. Let me tell you  
16 that this General Domingo is also a Gambian. We had a  
17 meeting at General Domingo's. We were shown to the members  
18 of the group, our SOFA group. And also we were told that  
19 we, the Gambians, whoever is working for Charles Taylor, we  
10:32:27 20 will all have to work under triple S, SSS."

21 Let's pause there. Mr Smythe, you told us yesterday you  
22 had a residence in Gbarnga in the early part of the 1990s, yes?

23 A. Yes, I had a residence from 1990, 1991 to 1995 in Gbarnga.

24 Q. During the period you had this residence in Gbarnga, did  
10:32:56 25 Suwandi Camara ever visit your residence?

26 A. In the first place, I don't have a compound; I have a  
27 house, a two bedroom house. But Suwandi never visited my house  
28 while I was in Gbarnga.

29 Q. Were you ever present at the meeting held at General

1 Domingo's compound during which Suwandi was present?

2 A. No, I was never present in a meeting with Suwandi Camara.

3 Q. Was there ever a meeting held amongst the Gambians during  
4 which it was said that if you work for Charles Taylor you will  
10:33:29 5 have to work under the SSS?

6 A. I don't recall such a meeting.

7 Q. If we continue on the same page there is a question posed  
8 at line 19 by Mr Werner:

9 "Q. So you said that you were told that all the Gambians  
10:33:47 10 should work under the SSS. Who told you that?

11 A. At that time our group, SOFA, we have our own chief of  
12 staff. When it comes to about our group - I'm not saying  
13 about Liberians, but our - particularly our group, we have  
14 our own chief of staff whose name is Abdulai Bah."

10:34:13 15 Now, Mr Smythe, you told us about Abdoulie Bah. Did the  
16 Gambians have ranks or a hierarchical structure when they were in  
17 Gbarnga?

18 A. I told you at a certain point in Gbarnga, you know, ranks  
19 were given.

10:34:32 20 Q. When was that?

21 A. That was I think from 1992 upwards, yes, the Gambians were  
22 given ranks.

23 Q. And who gave the Gambians those ranks?

24 A. Mr Taylor did.

10:34:49 25 MR KOUMJIAN: Your Honour, the question that counsel asked  
26 actually was a double question; were there ranks or a  
27 hierarchical structure. The second part or second question has  
28 not been answered.

29 MR ANYAH: Well, there was no objection to the compound

1 question when I posed it. If your Honours wish to me to ask  
2 about the second question, I can, otherwise counsel is entitled  
3 to pursue it under cross.

4 PRESIDING JUDGE: I am inclined to let Mr Anyah proceed  
10:35:15 5 with the manner in which he is questioning and trust that if you  
6 require an answer you will ask for it.

7 MR ANYAH: Thank you, Madam President:

8 Q. Separate and apart from the ranks you tell us  
9 Charles Taylor assigned the Gambians, did Dr Manneh assign any  
10:35:33 10 ranks of his own to the Gambians in Gbarnga?

11 A. No, not that I am aware of.

12 Q. Was there any other hierarchical structure amongst the  
13 Gambians or within that group in Gbarnga separate and apart from  
14 the rank structure given by Charles Taylor?

10:35:51 15 A. Only the ranks given by Charles Taylor stands. I know in  
16 every military situation you must have, how do you call it,  
17 somebody to lead. Abdoulie Bah he is referring to at one point  
18 was the head - the military head of the Gambian group and we  
19 referred to him at the time as the chief of staff, yes.

10:36:08 20 Q. And at what point was that?

21 A. That was the time the ranks were given. That was between  
22 1992, '93, '94.

23 Q. But was there ever an occasion where Abdoulie Bah assigned  
24 ranks or insisted that ranks should be given amongst the  
10:36:31 25 Gambians?

26 A. That was not his prerogative. Ranks were given by  
27 Mr Taylor. That's the only one I was aware of.

28 Q. If we could continue to the next page, which is page 3459,  
29 line 1:



1 "Q. Mr Witness, you told us that in a meeting you were  
2 told that all the Gambians were under the SSS and my  
3 question was who told you that?

10:37:09

4 A. I said our chief of staff Abdulai Bah told us at that  
5 meeting.

6 Q. And, if you can remember, who was present in this  
7 meeting?

10:37:28

8 A. At this meeting we were many who were present, but I  
9 can remember the name of some elders. Musang Yai was  
10 among, he was a general. Jackson was present who was a  
11 general and a bodyguard to Charles Taylor. General Domingo  
12 was also present. Ibrahim Bah was present. Lamin Campaore  
13 was present, to name a few for you."

14 Let's pause. Mr Camara refers to Musa N'jie. We have a  
15 different spelling on the record, but I don't think there will be  
16 dispute as to who it is. And he says this person was a general.  
17 Was Musa N'jie a general?

18 A. Yes, Musa N'jie was a general.

19 Q. Jackson you referred to yesterday as a general, yes?

10:38:11

20 A. Yes, he was a general.

21 Q. Was Domingo Ramos ever a general?

22 A. Yes, Domingo was a general.

23 Q. And this person, Ibrahim Bah, that Mr Camara refers to, was  
24 he the same person that was trained with you in Libya?

10:38:28

25 A. Yes, Ibrahim Bah.

26 Q. Also known as Balde?

27 A. Yes.

28 Q. Same page, line 15:

29 "Q. Now, Mr Witness, you told us that during this meeting

1 you were told that all the Gambians should be under the SSS  
2 and then you said as well that the Gambians had their own  
3 chief of staff. What do you mean about that when you said  
4 that?

10:39:05 5 A. When it comes to about Liberians under Charles Taylor's  
6 government, we were all going to work under SSS. But about  
7 our society which is SOFA, I am telling you about our chief  
8 of staff who is Abdulai Bah, because we have our  
9 own - because we have our own group which was different  
10:39:29 10 from Liberian group. We were there to help them in their  
11 war."

12 Did the group SOFA still remain as an entity amongst the  
13 Gambians when you were working for Charles Taylor?

14 A. When we were in Liberia we are Gambians, but we are working  
10:39:57 15 directly under Mr Taylor. SOFA was a group, yes, but we were  
16 working directly under Mr Taylor and we were taking direct  
17 instructions from him.

18 Q. Were you also at the same time --

19 MR KOUMJIAN: Excuse me. I don't believe the question has  
10:40:10 20 been answered.

21 PRESIDING JUDGE: Yes, I agree, the question has not been  
22 answered. Mr Witness, you were asked whether when you were in  
23 Liberia the group SOFA still remained as an entity amongst  
24 yourselves.

10:40:24 25 THE WITNESS: Yes, SOFA remained as an entity, yes.

26 MR ANYAH:

27 Q. Did SOFA give you instructions - that is its members  
28 instructions that were separate and distinction from those  
29 received from the NPFL that you were working with?

1 A. No, we were in a military situation. Every instruction was  
2 given by Mr Taylor and these are the instructions that we go by.

3 Q. Can we please go to the same day's transcript at page 3469,  
4 line 18:

10:41:13 5 "Q. Mr Witness, you said that Ibrahim Bah and Lamin  
6 Campaore were assigned by Charles Taylor to Sierra Leone  
7 with Foday Sankoh. When did that happened?

8 A. I said, I said these people, Lamin Campaore, Ibrahim  
9 Bah, these were working in Sierra Leone for Foday Sankoh.  
10:41:39 10 These were the people who first went to Sierra Leone to  
11 start the war, but these people used to go to Sierra Leone  
12 and come back to Liberia because they have their wives and  
13 children in Liberia. They go to Sierra Leone and spend  
14 some time there and then come back to Liberia. This was in  
10:42:01 15 the year of 1991 when I went there. I found them doing  
16 that work."

17 Let's pause. 1991. Suwandi's speaking about 1991. Are  
18 you aware of Ibrahim Bah and Lamin Campaore being assigned by  
19 Charles Taylor to join Foday Sankoh in Sierra Leone in 1991?

10:42:26 20 A. No, I am not aware of that.

21 Q. Were you in the company of Lamin Campaore during the early  
22 part of your stay in Liberia?

23 A. Yes.

24 Q. Do you know whether he received an assignment that took him  
10:42:42 25 into Sierra Leone while he was with the NPFL?

26 A. Lamin never received any assignment out of the NPFL  
27 assignment in Gbarnga.

28 Q. If that had happened, would you have known?

29 A. Yes, I would have known because I was the deputy leader.

1 So anything that has to do with assignment, I'm always aware of  
2 it.

3 Q. You were the deputy leader of the Gambians?

4 A. Yes.

10:43:02 5 Q. What of Ibrahim Bah?

6 A. Ibrahim Bah was not always stationed in Gbarnga. He was in  
7 Buchanan.

8 Q. What was he doing in Buchanan?

9 A. He was in Buchanan before we moved. He was asked by the  
10:43:16 10 then Defence Minister, Tom Woweiyu, to be assigned to a company  
11 called B&B to provide security for them - I mean, to deter the  
12 soldiers from harassing the members of the company or their  
13 properties, so --

14 Q. What was the name of that company?

10:43:32 15 A. B&B. I don't know what it stands for, but B&B. It's an  
16 abbreviation, B&B.

17 Q. The acronym B like boy and B like boy?

18 A. Exactly, yes.

19 Q. What kind of company was it?

10:43:47 20 A. B&B was a logging company.

21 Q. Logging what?

22 A. Logging company.

23 Q. What did it log? Was it timber?

24 A. Timber, yes.

10:43:54 25 Q. And what year was Bah assigned to this company?

26 A. Bah was assigned to that company from 1991 - early 1991  
27 almost up to the end of 1992.

28 Q. And for what purpose was he assigned?

29 A. He was assigned there to provide security for the company.

1 Q. And in which county was that company?

2 A. That company was situated in Grand Bassa County.

3 Q. Besides this assignment of Ibrahim Bah to this private  
4 logging company, were any other Gambians ever assigned to do work  
10:44:35 5 or to work with private companies?

6 A. Yes.

7 Q. Who else was assigned that you know of?

8 A. Mustapha Jallow was assigned at ALTCO in Lofa County as a  
9 security also.

10:44:48 10 Q. What acronym did you refer to?

11 A. ALTCO, A-L-T-O.

12 Q. Is there a C in ALTCO?

13 A. Yes, ALTCO, yes.

14 Q. A-L-T-C-O?

10:45:06 15 A. Yes.

16 Q. And what does ALTCO stand for, if you know?

17 A. No, I don't really know. It's a logging company. It was  
18 also a logging company, a timber company.

19 Q. And when was Mustapha Jallow assigned to ALTCO?

10:45:13 20 A. Mustapha Jallow was assigned to ALTCO at the end of -  
21 towards, I think, 1991 going to 1992. He was there almost up to  
22 1993.

23 Q. And you said he was there to provide security?

24 A. Yes.

10:45:27 25 Q. Lofa County?

26 A. Yes, in Lofa County, precisely.

27 Q. Have you ever heard of an entity called the Lofa Defence  
28 Force?

29 A. Yes, I heard of the Lofa Defence Force. That was after the

1 ULIMO invasion.

2 Q. When - I am speaking of what year did you first hear of the  
3 Lofa Defence Force?

10:45:54

4 A. The first time I heard of the Lofa Defence Force was in  
5 1994.

6 Q. Do you know Mustapha Jallow to have ever worked with or for  
7 the Lofa Defence Force?

10:46:11

8 A. Well, I don't know. If it happened, it's not official  
9 because he was in Lofa. And at one point he was caught up, you  
10 know, in Lofa. So whatever he might have done there was in  
11 self-defence.

12 Q. Let's understand your answer. You said "if it happened".  
13 Do you know whether it happened or not?

14 A. I don't know whether it happened.

10:46:22

15 Q. Did you hear about Mustapha Jallow ever working with the  
16 Lofa Defence Force?

17 A. No, I didn't hear him working with Lofa Defence Force. But  
18 I know he was fighting in Lofa.

19 Q. And on whose behalf was he fighting?

10:46:36

20 A. He was fighting on behalf of the NPFL.

21 Q. Did you hear of any NPFL soldiers fighting with the Lofa  
22 Defence Force?

23 A. No.

10:46:52

24 Q. Besides Mustapha Jallow and Ibrahim Bah, was any other  
25 Gambian assigned to a private company?

26 A. No, not that I know of.

27 Q. Have you heard of a company called CARI, C-A-R-I?

28 A. CARI is not a company. CARI is a government institution.

29 It's the Central Agricultural Research Institute that's located

1 in Suakoko, Bong County.

2 Q. To your knowledge were any Gambians assigned to this  
3 institute?

10:47:17

4 A. There was nobody assigned at that institute. There were  
5 houses that were housing the staff of that place.

6 PRESIDING JUDGE: May I interrupt. The answer that the  
7 witness gave explaining what CARI is, half of it is not recorded.  
8 Now, the witness mentioned a location where this institute is.

9 THE WITNESS: CARI is located in Suakoko, Bong County.

10 PRESIDING JUDGE: Suakoko?

11 THE WITNESS: Yes, just few minutes' drive from Gbarnga.

12 MR ANYAH:

13 Q. And what does CARI stand for, if you could tell us again,  
14 please?

10:47:57

15 A. CARI stands for Central Agricultural Research Institute.

16 Q. Was Abdoulie Bah ever assigned to that institute?

17 A. Abdoulie was not assigned at that institute. He lived in  
18 the compound of CARI.

10:48:20

19 Q. Thank you, Mr Smythe. Going back to the transcript and  
20 Ibrahim Bah, Mr Camara told the Court that the wives and children  
21 of both Lamin Campaore and Ibrahim Bah resided in Liberia. To  
22 your knowledge is that true, Mr Smythe?

23 A. Are you saying in Liberia, or are you saying - trying to  
24 say in Gbarnga?

10:48:42

25 Q. Well, his answer - this is Mr Camara's response - was, he  
26 said, "Because they have their wives and children in Liberia."

27 A. To the best of my knowledge, Ibrahim don't - never had - he  
28 didn't have a wife and he never had a child in Liberia. Lamin  
29 Campaore did, yes.

1 Q. Thank you, Mr Smythe. If we go to the next page, page  
2 3470 - actually, I should start on the last line of 3469. The  
3 question is posed:

4 "Q. Can you assist us when in 1991, are you able to say?

10:49:27 5 A. I said I went there around the end 1991. It was at  
6 that meeting. It was Gambian meeting that I told you we  
7 have done. These two people, Ibrahim Bah and Lamin  
8 Campaore, came from Sierra Leone to attend this meeting."

9 Mr Smythe, was there ever an occasion when you were in  
10:49:51 10 Gbarnga at the end of 1991 where the Gambians held a meeting that  
11 was attended by Ibrahim Bah and Lamin Campaore having come from  
12 Sierra Leone?

13 A. I never attended any meeting of Gambians where it was  
14 discussed or send anybody on any assignment in Sierra Leone.

10:50:11 15 Q. That was not my question.

16 A. Oh, sorry.

17 Q. We appreciate the answer.

18 A. Okay.

19 Q. Did the Gambians hold a meeting where Ibrahim Bah and Lamin  
10:50:19 20 Campaore had to come from Sierra Leone to attend it while you  
21 were in Gbarnga?

22 A. I am not aware of that.

23 Q. I will continue with the transcript. Line 5, page 3470:

24 "Q. At the time of the meeting with the Gambians at which  
10:50:40 25 Ibrahim Bah was present, if you know, what was Ibrahim  
26 Bah's position at that time?

27 A. At that time I know that Ibrahim Bah was a lieutenant  
28 colonel.

29 Q. In which group?



1 A. NPFL, the group of Charles Taylor, lieutenant colonel.

2 Q. Do you know what NPFL stands for?

3 A. That is the National Patriotic Front of Liberia.

10:51:17

4 Q. During the same meeting, this meeting with the Gambians  
5 in Liberia, did you have a military rank?

6 A. Yes, during the first meeting we, the five people,  
7 there was no one who has a rank. We were not given ranks.

8 Q. What about after the meeting?

10:51:39

9 A. After the meeting I was given a captain rank. I was a  
10 captain."

11 Mr Smythe, we have been through this, who assigned the  
12 Gambians ranks, and you said it was Charles Taylor, yes?

13 A. Yes.

14 Q. "Q. What about after the meeting?

10:52:00

15 A. After the meeting I was given a captain rank. I was a  
16 captain.

17 Q. How long after the meeting were you given that rank?

18 A. This was not more than two weeks and when our - when  
19 Jackson took our names and gave them to General Yeaten,

10:52:15

20 this was the time they came back to us and told us our  
21 ranks, who we were. Myself, I was a captain at that time."

22 Mr Smythe, did you ever know Suwandi Camara to be a captain  
23 in the NPFL?

24 A. No, I never knew Suwandi's rank.

10:52:33

25 Q. Did you ever know him to be a member of the NPFL?

26 A. I remember him in Gbarnga - I mean, in - I told you in  
27 1995, when he was there, you know, he was not there officially as  
28 a member of the NPFL.

29 PRESIDING JUDGE: In where?

1 THE WITNESS: In Gbarnga.

2 PRESIDING JUDGE: You said, "I mean in Toyu."

3 THE WITNESS: No.

4 PRESIDING JUDGE: What is that?

10:52:58 5 THE WITNESS: No, I was trying to say "I told you". This  
6 is what I was trying to say.

7 MR ANYAH:

8 Q. There is a part of your answer I need you to clarify.

9 A. I said --

10:53:17 10 Q. You said that - I believe you said he was not there  
11 officially as a member of the NPFL. What did you mean by that?

12 A. First time I encountered Suwandi in Gbarnga was in 1995, I  
13 said, yesterday, okay? I don't know where he came from. But

14 knowing him as a Gambians, he came, you know, he was there, as I  
10:53:39 15 said yesterday. First when he came to Gbarnga he was at

16 Domingo's house, and later on he was at Gbatala, you know, and he  
17 was with Mohamed and the other boys that were there. So I don't

18 know of his rank. I don't know any rank he holds there. Does  
19 that answer your question?

10:54:00 20 Q. Yes. Thank you. May we please go to the transcript of 11  
21 February. I will start at page 3571. Now, there is a question  
22 posed at line 7 by Mr Werner:

23 "Q. Now, Mr Witness, which year was it when you went to  
24 Senegal?"

10:55:17 25 A. Tell him this was in 1996.

26 Q. Mr Witness, do you know - did you come back to Liberia  
27 at any point in time?

28 A. Tell him that the negotiation we were supposed to have  
29 failed. We were arrested and detained and said that we

1 were dissidents. So when we were released in 2000, 1  
2 December I was released, I tried and came back to Liberia  
3 in 2002. Around end of 2002 I came back to Liberia.

10:56:06

4 Q. Now, when you came back to Liberia, do you remember the  
5 month in 2002 when you came back to Liberia?

6 A. Tell him that if I could recall, it was in October.  
7 October. If I could recall, it was September, October  
8 2002.

10:56:26

9 Q. And who, if anybody, did you see when you came back to  
10 Liberia in October 2002?

11 A. When I returned to Liberia I found some of our people  
12 who had a problem with Charles Taylor, our Gambians. So  
13 upon our arrival at Monrovia at that time one of our  
14 Gambians was at Gbatala base as commander. The time I  
15 returned there I found that ATU was turned - Gbatala was  
16 turned to ATU base.

10:56:54

17 Q. Now, this morning you told us about Mustapha Jallow.  
18 Where was Mustapha Jallow at that time when you returned to  
19 Liberia in October 2002?

10:57:17

20 A. Tell him that at that time Mustapha Jallow was in  
21 Monrovia. Musang Yai was will also there. Mohamed, Jack  
22 the Rebel and many other people, our Gambians.

23 Q. What were they doing there at that time?

10:57:46

24 A. At that time I can say they had no fixed place. They  
25 had their ranks, but they were not given any responsibility  
26 at that time. There was only one man I found who has an  
27 important responsibility and that is General Yanks, because  
28 he was appointed Libyan ambassador?"

29 Let's pause there. Mr Camara was referring to October -

1 September, October 2002 - and the suggestion here is that the  
2 Gambians were not given any responsibility by Charles Taylor. Do  
3 you agree with that, Mr Smythe?

4 A. No, I disagree with that.

10:58:23 5 Q. Can you elaborate on your answer?

6 A. Every Gambian that was there was given a responsibility.  
7 In fact, everybody fall under the SSS, the Special Security  
8 Services. If you have the SSS roster, that will show you that  
9 every Gambian that was present there at the time had a

10:58:40 10 responsibility. They were all members of the Special Security  
11 Service.

12 Q. When were the Gambians made members of the SSS?

13 A. When Mr Taylor became President in Monrovia, every security  
14 officer with him was incorporated into the SSS and that was the  
10:58:58 15 time when every Gambian was placed under the SSS.

16 Q. Mr Taylor's aide-de-camp when he was in Gbarnga was who?

17 A. His aide-de-camp - he had several aide-de-camps. The  
18 senior aide-de-camp was General Jackson.

19 Q. A Gambian?

10:59:16 20 A. Yes, a Gambian.

21 Q. When he moved to Monrovia in 1995 for the Council of State,  
22 who was his senior aide-de-camp?

23 A. General Jackson.

24 Q. At some point in 1996, did General Jackson die?

10:59:29 25 A. Yes. General Jackson died in an attack at the Executive  
26 Mansion in an attempt to assassinate Mr Taylor on October 31.

27 Q. Of what year?

28 A. 1996.

29 Q. And he died while serving in what capacity for Mr Taylor?

1 A. He died serving as senior aide-de-camp to Mr Taylor.

2 Q. After General Jackson's death, who became Mr Taylor's  
3 senior aide-de-camp?

11:00:00

4 A. General Musa N'jie became senior aide-de-camp at a certain  
5 point until he was replaced by General Dgi ba. He became deputy  
6 to General Dgi ba.

7 Q. And Musa N'jie is from which country?

8 A. Musa N'jie is a Gambian.

9 Q. And General Dgi ba is from which country?

11:00:17

10 A. General Dgi ba is a Liberian.

11 Q. So Mr Taylor's senior aide-de-camps from Gbarnga through  
12 Monrovia were mostly Gambians?

13 A. Yes.

11:00:39

14 Q. In October 2002, were you the only Gambian who received an  
15 appointment of significance in Mr Taylor's administration?

16 A. No. Musa N'jie still remains as aide-de-camp to Mr Taylor.  
17 And before my appointment as ambassador of Libya, I served as  
18 assistant director for operations for the Special Security  
19 Service.

11:00:54

20 Q. We will come to that in a minute, Mr Smythe. Now, if we  
21 continue on that same page at line 12 there is a question posed:

22 "Q. Now, Mr Witness, when you came back in 2002 where was  
23 Ibrahim Bah?

11:01:33

24 A. At that time I found that Ibrahim Bah has absconded out  
25 of Liberia. He was in Burkina.

26 Q. And did you speak with Mustapha Jallow about Ibrahim  
27 Bah when you came back?

28 A. Tell him that Mustapha on the other side is my  
29 relative, because he was my nephew, so when I left he was

1 taking care of my family. When I came we saw each other  
2 and had a discussion.

3 Q. What did he tell you?

4 A. What he told me was that Ibrahim Bah, after when I  
11:02:03 5 left, he was a liaison officer between NPFL and RUF. At  
6 that time he used to go to Sierra Leone and come back. He  
7 was engaged in diamond business between Charles Taylor and  
8 RUF. So he was engaged in this business. Until one of his  
9 trip, before we came back, he came to Monrovia with some  
11:02:29 10 diamonds on that trip, took it to the mansion to  
11 Charles Taylor, but I think, what he told me,  
12 Charles Taylor was supposed to do for Ibrahim Bah, he did  
13 not do it. So he - then he planned to eliminate - to kill  
14 him."

11:02:54 15 Let's pause there for a second, Mr Smythe. Late 2002,  
16 Suwandi says Ibrahim Bah had been a liaison officer between the  
17 NPFL and RUF. Were you aware of that, Mr Smythe?

18 A. I was not aware of that.

19 Q. Did you ever hear of such a role played by Ibrahim Bah?

11:03:23 20 A. No, I never heard of it.

21 Q. Mr Camara suggests - he says - his words were that Ibrahim  
22 Bah was engaged in diamond business between Charles Taylor and  
23 the RUF. Mr Smythe, during the time you were with  
24 Charles Taylor, did you know Ibrahim Bah to be engaged in a  
11:03:46 25 diamond business with Charles Taylor?

26 A. No, I never knew about that.

27 Q. Did you hear of any such activities between Bah and  
28 Charles Taylor?

29 A. No.

1 Q. In October 2002, was Ibrahim Bah, to your knowledge, in  
2 Liberia?

3 A. I was not in Libya - I mean, excuse me. I was not in  
4 Liberia at the time, so I don't know whether he was there.

11:04:13 5 Q. You were at that time already in Libya as ambassador?

6 A. Yes. Or up to the time I used to go and come forward,  
7 nobody has ever told me he was there.

8 Q. Did you ever hear of a plan by Charles Taylor to eliminate  
9 Ibrahim Bah?

11:04:32 10 A. I never heard of that, no.

11 Q. Well, let's continue, same page 3573, line 2:

12 "Q. Now you said that he was engaged in this business and  
13 one of his trips, we came back and he came back to Monrovia  
14 with some diamonds. Sorry, before we came back he came  
15 back to Monrovia with some diamonds. So when you say until  
16 one of his trips we came back, who are you talking about?

11:04:58 17 A. No, I said when he on one of his trips, when he  
18 returned to Monrovia, his last trip before we came back to  
19 Monrovia. That was before we came to Monrovia. They said  
20 he had brought some diamonds for Charles. Mustapha was the  
21 one who told me this, that when he brought - when Ibrahim  
22 Bah brought these diamonds for Charles, Charles was  
23 supposed to give him something that he was supposed to take  
24 back to RUF soldiers.

11:05:19 25 Q. You said that he brought some diamonds for Charles.  
26 Who is he? Who are you talking about?

27 A. I'm referring to Ibrahim Bah. Ibrahim Bah.

28 Q. You are talking about a last trip where he brought some  
29 diamonds for Charles Taylor. Were you told where he was

1 coming from when he came to Monrovia?

2 A. Yes. Tell him that at that time he was coming from  
3 Sierra Leone RUF to Liberia, because before we returned to  
4 Monrovia, Ibrahim Bah and Charles were engaged in this  
11:06:11 5 business."

6 Mr Smythe, Mr Camara seems to suggest that for some period  
7 of time before October 2002, Ibrahim Bah and Charles Taylor were  
8 engaged in a business where Ibrahim Bah was essentially a courier  
9 of diamonds from the RUF to Charles Taylor in Liberia. Are you  
11:06:38 10 aware of any such relationship between Ibrahim Bah and  
11 Charles Taylor?

12 A. No, I am not aware of that. If you can allow me to please  
13 tell you some history about Ibrahim, please.

14 Q. Yes, please do.

11:06:50 15 A. Ibrahim, at one point, sometime in 1992, he was in Loguato  
16 border and he did something. This was brought to my - I can't  
17 remember exactly what he did. This was brought to my knowledge,  
18 you know, and I proceeded to Loguato to have him arrested and  
19 jailed because of what he did. But apparently somebody alerted  
11:07:08 20 him that, you know, Yanks was coming to have you arrested.

21 PRESIDING JUDGE: Slowly, please.

22 THE WITNESS: Sorry. Because somebody - I think somebody  
23 alerted him that I was on my way to Loguato to have him arrested.  
24 So he absconded from there and he went across to the Ivory Coast  
11:07:25 25 and finally to Burkina Faso. This is where he remained until I  
26 went - I was sick at one point in 1998. I went to Burkina for  
27 treatment. I met him there. From that time, 1992, he has not  
28 come to Liberia. And up to the time I left Liberia in 2000, July  
29 2000, to go to Libya as ambassador, Ibrahim has not returned to



1 Liberia.

2 Q. Who asked you to go and effectuate his arrest?

3 A. I myself because I consider - if Dr Manneh is not around, I  
4 consider myself as the one overseeing them. So if somebody does  
11:08:07 5 something that is wrong, that is contrary to what they should do,  
6 I have the right to arrest the person, inform Mr Taylor that this  
7 person did so and I have him incarcerated.

8 Q. And are you saying from 1992 onwards Ibrahim Bah never  
9 returned to Liberia while you were there?

11:08:25 10 A. No, he never returned to Liberia. I only saw him in 1998  
11 when I when to Burkina for treatment. In fact, he was very nice  
12 to me because his wife was cooking for me every day, sending me  
13 food. Up to the time I left Liberia to go to Libya, he never  
14 returned to Liberia. I never saw him there.

11:08:45 15 Q. Did you hear whether or not he worked for the NPFL after he  
16 left Liberia?

17 A. No, he cannot work for the NPFL out of Liberia.

18 Q. Do you know where he went to after he left Liberia in 1992  
19 as you say?

11:09:02 20 A. He went to Burkina Faso.

21 Q. Do you know whether he ever went to Sierra Leone?

22 A. Well, I heard people say he went to Sierra Leone. I can't  
23 confirm that. It's just hearsay. He went there from Burkina,  
24 not from Liberia. I heard that.

11:09:22 25 MR ANYAH: If I could have the assistance of Madam Court  
26 Manager. Could Prosecution exhibit 153C be placed on the  
27 overhead projector and shown to the witness:

28 Q. Are you able to see the photograph?

29 A. Yes.

1 Q. Who is that a picture of, Mr Smythe, if you know?

2 A. Ibrahim Bah.

3 Q. Is this the same person that you went to arrest in 1992?

4 A. Yes.

11:10:29 5 Q. Is this the same person that you trained with in Libya?

6 A. Yes.

7 Q. Is this the same person you believe Suwandi Camara was  
8 referring to in the parts of the testimony I have read?

9 A. I should think so.

11:10:44 10 Q. Have you seen Ibrahim Bah since you last saw him in Burkina  
11 Faso?

12 A. The last time I saw him was in Burkina Faso, yes. That was  
13 the last time, yes.

14 Q. Mr Smythe, yesterday we spoke about ULIMO and war between  
11:11:14 15 the NPFL and ULIMO. You said at page 35678 of yesterday's  
16 transcript, the transcript of 22 February, that the NPFL held on  
17 to Lofa until a certain point in 1994. Do you recall telling us  
18 that?

19 A. Yes.

11:11:40 20 Q. And the page, for counsel's benefit, is 35678. When you  
21 said the NPFL "held on", can you elaborate on that? What do you  
22 mean?

23 A. When I say NPFL held on, is that NPFL was still holding  
24 some territory in Lofa.

11:12:04 25 Q. When you said the NPFL held on, did you mean that they had  
26 full control of Lofa County?

27 A. No, they didn't have --

28 MR KOUJIAN: Objection. It's leading and suggestive.

29 MR ANYAH:

1 Q. When you said the NPFL held on, can you tell us who at that  
2 time had control of Lofa County?

3 A. The NPFL was --

4 MR KOUMJIAN: It's the same question. The witness was  
11:12:23 5 asked about his answer and he explained it and now counsel's  
6 making suggestions.

7 MR ANYAH: It's not the same question, with respect.

8 PRESIDING JUDGE: Can we have some kind of order and allow  
9 the witness to answer a question put to him? What was the last  
11:12:39 10 question that you put to the witness?

11 MR ANYAH: I will repeat it, Madam President:

12 Q. The question was: When you said the NPFL held on, can you  
13 tell us who at that time had control of Lofa County?

14 A. At that time ULIMO had control of Lofa, most part of Lofa.

11:12:58 15 Q. And when you say "at that time", are you referring to the  
16 year 1994?

17 A. Yes.

18 Q. Did ULIMO ever have full control of Lofa County?

19 A. Yes, ULIMO had full control over Lofa.

11:13:12 20 Q. And in what year was that?

21 A. That was in the same year, 1994.

22 Q. Between the years 1991 and 1994, who controlled the  
23 majority part of Lofa County?

24 A. ULIMO had control, some part of it, and the NPFL controlled  
11:13:33 25 some part of it too.

26 Q. What parts of Lofa County did ULIMO have control of?

27 A. ULIMO was in control of Voinjama. I can't remember all the  
28 areas, but they have a larger portion that they controlled at the  
29 time. But Voinjama was under their control because it was their

1 headquarters one time.

2 Q. If you were given a map, would you be able to draw the  
3 portion of Lofa County controlled by ULIMO between 1991 and 1994?

11:14:10

4 A. I can try. I don't know whether I will be exact, but I can  
5 try.

6 MR ANYAH: Madam President, I do have here a map of  
7 Liberia. It was not necessarily disclosed as part of our  
8 exhibits for this week, but I don't think there would be  
9 prejudice to the Prosecution. We are all familiar with maps of  
10 Liberia. So with leave of Court, I would ask to give the witness  
11 a plain map of Liberia to indicate. Could he also be given some  
12 coloured pens, please.

11:14:27

13 PRESIDING JUDGE: Mr Anyah, the LiveNote record does not  
14 show what you were asking the witness to do. I know you did ask  
15 him to do something that has not been shown on the record. Could  
16 you please repeat what you asked the witness to do?

11:15:14

17 MR ANYAH: Yes. My last question I believe was: If you  
18 were given a map, would you be able to indicate what parts of  
19 Lofa County ULIMO controlled between 1991 and 1994. So with the  
20 map now in place for the witness:

11:15:38

21 Q. Mr Smythe, can you use one of the highlighted pens - first  
22 of all, do you see Lofa County in that map?

23 A. Yes.

24 Q. This map contains - before you draw, let me ask you a  
25 question. This map contains a county called Gbarpolu County,  
26 yes?

11:15:58

27 A. Yes.

28 Q. In 1991 through 1994, was Gbarpolu County in existence?

29 A. No, it was not.

1 Q. When did Gbarpolu County come into existence, if you know?

2 A. That was during the time of - during the presidency of  
3 Mr Taylor. I can't remember exactly which year, but it was  
4 during the presidency of Mr Taylor.

11:16:23 5 Q. So the period of time we were talking about, did  
6 Lofa County encompass what is now referred to as Gbarpolu County  
7 on this map?

8 A. Yes.

9 Q. Can you first, using your green highlighter, highlight the  
11:16:39 10 part of the map that was considered Lofa County between 1991 and  
11 1994, if you recall?

12 A. I am not familiar with that terrain, so I don't whether - I  
13 don't want to do something that could be considered wrong. I'm  
14 not familiar with that terrain, you know.

11:16:54 15 Q. Are you able, nonetheless, to tell us which parts of  
16 Lofa County were controlled by ULIMO between 1991 and 1994?

17 A. Yes, I can try.

18 Q. Can you please draw with the green highlighter the portions  
19 you wish to indicate.

11:17:50 20 A. Yes, I did that.

21 Q. Okay. Is it fair to say - well, you have told us that  
22 ULIMO had control of Voi njama.

23 A. Yes.

24 Q. And that's to the northwest, yes?

11:18:04 25 A. Yes.

26 Q. Now, ULIMO's control, on the basis of what you have drawn,  
27 extended to the east past Belle Yella?

28 A. Yes.

29 Q. To the south to Tubmanburg, yes?

1 A. Yes.

2 Q. And to the west consistent with the Sierra Leone/Liberian  
3 border?

4 A. Yes.

11:18:28 5 Q. Can you take a pen and write in that encircled area "1991  
6 to 1994" - actually, can you - can I suggest this, Mr Smythe:  
7 Can you use your pen and draw an arrow from the top near  
8 Mendekoma to a white portion of the page, just draw an arrow from  
9 the top of the green line near Mendekoma, and can you write  
11:19:06 10 "1991-1994 area controlled by ULIMO"? Can you put in parenthesis  
11 "green colour"? Can you take another coloured highlighted pen  
12 and highlight when you say ULIMO had full control of Lofa County  
13 from sometime in 1994 what you are referring to?

14 A. That means they controlled the entire Lofa County, Lofa  
11:19:58 15 including Gbarpolu.

16 Q. Is it exactly the same areas that are covered or  
17 encompassed within the green coloured highlighter?

18 A. Yes.

19 Q. What about the area between Tubmanburg and where we see the  
11:20:17 20 Sierra Leonean border the town of Kongo?

21 A. Yes, ULIMO at the time controlled Lofa, Grand Cape Mount  
22 and Bomi.

23 Q. From what year did they control that?

24 A. They started attacking in 1991. They attacked first - they  
11:20:39 25 controlled Bomi and Cape Mount between I think it's in 1991.

26 Q. Okay. Do us this favour then: Can you circle Cape Mount  
27 and Bomi County with the orange marker and can you take the blue  
28 pen and draw the year in which you say ULIMO first controlled  
29 that area? Tell us the years as far as you know when ULIMO

1 controlled those two counties, from when to when.

2 A. From 1991 to 1994 they were in control of those areas.

3 Q. After 1994, who controlled Grand Cape Mount County?

4 A. ULIMO remained in control of Grand Cape Mount until the  
11:21:36 5 Council of State was set up.

6 Q. And when was that? 1995?

7 A. 1995, yes.

8 Q. During DDRR, disarmament, demobilisation, reintegration and  
9 rehabilitation, was ULIMO still in control of parts of Grand Cape  
11:22:07 10 Mount County?

11 A. Which year was that?

12 Q. That's the period 1996 to 1997.

13 A. 1996 to 1997?

14 Q. Yes.

11:22:21 15 A. I can't remember, actually. But I think they were still  
16 there because after the disarmament - I have to refresh my  
17 memories about that part. But I think they were still there.

18 Q. Are you speculating or are you sure?

19 A. I'm - that's why I said I have to refresh my memory, you  
11:22:50 20 know. I can't really remember. But I think they were still

21 there up to 1996, because at one point ULIMO was split into two,  
22 you know, ULIMO - between ULIMO-K and ULIMO-J, and ULIMO-J at one  
23 time was controlling Tubmanburg, you know, Tubmanburg and those  
24 areas, yes.

11:23:13 25 Q. Well, for purposes --

26 PRESIDING JUDGE: Mr Anyah, I am asking for clarification,  
27 what does the orange circled part represent?

28 MR ANYAH: Yes, I will him to further indicate:

29 Q. Could you use your pen, Mr Smythe - well, before I direct

1 you what to do. You have told us that ULIMO controlled Grand  
2 Cape Mount and Bomi. Now, when you wrote 1991-1994, is that what  
3 you are referring to?

4 A. Yes.

11:23:40 5 Q. Can you draw or can you write after 1994 "area controlled  
6 by ULIMO" --

7 PRESIDING JUDGE: Mr Anyah, I would like to know, I asked  
8 the witness, what does the orange - the part that is circled  
9 by orange, what does it represent? Would the witness please  
10 answer?

11:24:05

11 THE WITNESS: That represents Grand Cape Mount and Bomi  
12 Counties.

13 PRESIDING JUDGE: Yes. But what does it represent?

14 THE WITNESS: It represents the ULIMO controlled areas.

11:24:13

15 MR ANYAH:

16 Q. During which years?

17 A. 1991 going to 1994.

18 PRESIDING JUDGE: And the green part?

19 THE WITNESS: AND the green part was Lofa between the years  
20 1994 onwards - 1991 onwards.

11:24:22

21 PRESIDING JUDGE: Okay. Thank you. That's clear.

22 MR ANYAH:

23 Q. Mr Smythe, can you continue writing "area controlled by  
24 ULIMO" and in parenthesis "orange colour"? Can you put in  
25 parenthesis "orange colour"? Thank you, Mr Smythe.

11:24:47

26 A. I just want to make some clarification here.

27 Q. Yes, please.

28 A. This time, 1991 and 1994, I'm referring up to the time  
29 Gbarnga fell, but ULIMO remained in control of Lofa up to the



1 time of the elections. That's what I am referring to as, you  
2 know, 1991 to 1994 in September, October when Gbarnga fell. But,  
3 you know, beyond that time ULIMO still remained in control of  
4 Lofa, up to the time of the 1997 elections.

11:25:26 5 Q. Well, let's consider a few things, Mr Smythe. Are you  
6 saying that the green coloured portion remained in ULIMO's  
7 control through the elections of 1997?

8 A. The entire Lofa, yes.

9 Q. Do you mean full control by ULIMO?

11:25:45 10 A. Yes, ULIMO controlled the area --

11 MR KOUMJIAN: Objection. Counsel is leading and suggesting  
12 the answer.

13 PRESIDING JUDGE: Yes, Mr Anyah, please do ask in a way  
14 that doesn't suggest answers.

11:25:58 15 MR ANYAH:

16 Q. Mr Smythe, can you write the years during which ULIMO  
17 controlled Lofa County on that map for us?

18 A. Up to 2007 - I mean up to 1997 when we had the election.

19 Q. From when to when? What year to 1997?

11:26:22 20 A. They first started attacking in Lofa in 1991. I mean in  
21 Grand Cape Mount and Bomi, they controlled the area, they came to  
22 Lofa and they were in control of Lofa by 1994 when Gbarnga fell.  
23 From that time through to the time of the election, 1997, I mean  
24 ULIMO was still in control of 98 per cent of Lofa.

11:26:49 25 Q. How many percentage of Lofa were they in control of in  
26 1991?

27 A. In 1991?

28 Q. What percentage of Lofa County was ULIMO in control of in  
29 1991?

1 A. Basically it was - they were around the border areas. They  
2 had not come so far into [indiscernible] coming to Bong County.  
3 They were around the border areas.

4 Q. So what does the green area you have highlighted represent?

11:27:14 5 A. First the green areas I have highlighted, you know, I mean,  
6 represent the border areas that ULIMO was, you know, controlling  
7 at the time.

8 Q. At which time?

9 A. Between 1991 and before going on to '97.

11:27:31 10 MR ANYAH: Madam President, with leave of your Honours, may  
11 I ask that that document be marked for identification?

12 And, Mr Smythe, can you sign the document - write your  
13 name, sign it and put today's date --

14 PRESIDING JUDGE: At the bottom, please. At the bottom of  
11:27:47 15 that paper.

16 MR ANYAH: Today is 23 February 2010.

17 PRESIDING JUDGE: The document, which is a map of Liberia  
18 with markings made by the witness, is marked MFI-409.

19 MR ANYAH: Thank you, Madam President:

11:28:26 20 Q. Now, Mr Smythe, yesterday you told us that - and I believe  
21 you reiterated it today or reminded us about it today - the NPFL  
22 and the RUF had this relationship through May-June 1992, yes?

23 A. Did I say May-June?

24 Q. Well, I am referring to the transcript of yesterday's  
11:28:55 25 testimony where you said - you said cooperation with the RUF  
26 continued through May-June 1992. This is at page - the relevant  
27 pages are 35677 through 78 and 35679.

28 PRESIDING JUDGE: In view of the time, I am advised the  
29 tape has ran out. Perhaps we could pick this up after the

1 adjournment.

2 We will take a break of half an hour and adjourn until  
3 12 o'clock.

4 [Break taken at 11.30 a.m.]

11:59:04 5 [Upon resuming at 12.00 p.m.]

6 MR ANYAH: May I proceed, Madam President?

7 PRESIDING JUDGE: Please proceed, Mr Anyah.

8 MR ANYAH: Thank you:

9 Q. Mr Smythe, before the break I was trying to refer you to  
12:01:33 10 evidence you gave to the Court yesterday. And to avoid any  
11 confusion, I should perhaps just read from the transcript of  
12 yesterday. This is the transcript of 22 February. The relevant  
13 page is 35677 and it goes on to 35678. Yesterday we spoke about  
14 the NPFL's cooperative relationship with the RUF in the early  
12:01:58 15 1990s, and here is what you said in response to a question posed  
16 at line 22 of that page. The question was:

17 "Q. You said at some point in time the relationship  
18 between the RUF and the NPFL was severed. What were you  
19 referring to?

12:02:18 20 A. Yes, that was when we ceased contact with the RUF. You  
21 know, all these - how they call it? All our soldiers that  
22 were inside fighting ULIMO were withdrawn.

23 Q. Inside where?

24 A. Inside how do you call it? I mean Sierra Leone  
12:02:37 25 territory that were helping, you know, to fight the ULIMO  
26 and everybody came back. That was the time I was referring  
27 to.

28 Q. In which month and year did that take place, if you  
29 know?

1 A. That should be June - May, June 1992, yes.

2 Q. 1992?

3 A. Yes."

4 My question is this, Mr Smythe: After this relationship  
12:03:05 5 was severed and after your troops came back, was there ever,  
6 after that, any contact between the RUF and the NPFL to the best  
7 of your knowledge?

8 A. No. To the best of my knowledge, no.

9 Q. After this period you spoke about yesterday, May, June  
12:03:33 10 1992, did you ever see Foday Sankoh in Gbarnga again?

11 A. No, I never saw him in Gbarnga.

12 Q. After this period in time were there visits by any RUF  
13 personnel to Gbarnga?

14 A. No, not that I'm aware of.

12:03:52 15 Q. After the period of time May, June 1992 was there, to your  
16 knowledge, any written correspondence exchanged by the NPFL and  
17 the RUF?

18 A. No, I'm not aware of that.

19 Q. Do you know whether after May, June 1992 there was any  
12:04:06 20 radio communication between the RUF and the NPFL?

21 A. I'm not aware of that.

22 Q. Since the time when you saw Foday Sankoh in Gbarnga when  
23 you said he used to frequent or come from time to time in 1991  
24 until this May, June 1992, when next did you see Foday Sankoh?

12:04:29 25 A. The next time I saw Foday Sankoh was in Monrovia. In fact,  
26 first in Lome because I accompanied Mr Taylor, you know, to the  
27 Lome peace talks. I saw him there first, and after that, you  
28 know, I saw him in Monrovia again.

29 Q. In what year did you accompany Mr Taylor to Lome for peace

1 talks?

2 A. I think it should be in 1999, yes.

3 Q. So is it the case that from the time you were in Gbarnga,  
4 the next time you saw Foday Sankoh was in 1999?

12:05:06 5 A. Yes.

6 Q. You also said he came to Monrovia. In which year did he  
7 come to Monrovia?

8 A. That same year, 1999, on his way to Freetown.

9 Q. And do you know for what purpose he came to Monrovia in  
12:05:22 10 that same year?

11 A. Yeah, because Mr Taylor was the facilitator of the process,  
12 peace process, you know, on their way - on his way going to  
13 Freetown he passed through Monrovia, and he was given some advice  
14 by Mr Taylor to go back - to go to Freetown, I mean.

12:05:38 15 Q. Was that before or after the time you saw him in Lome in  
16 1999?

17 A. That was after I saw him in Lome. That was after the Lome  
18 conference.

19 Q. Do you remember the month during which the Lome conference  
12:05:53 20 was held?

21 A. No, no, no, I can't recall the month.

22 Q. Was it in the beginning, in the middle or the end of 1999?

23 A. It should be from the beginning towards the end, I think,  
24 yeah.

12:06:04 25 Q. Do you know the month during which - well, I should repeat  
26 the last exchange, but I understood your answer. You said it was  
27 from the beginning through the end of 1999. My question was was  
28 the Lome conference held towards the beginning part of the year,  
29 the middle part or the end of the year?

1 A. This is what I said. I can't remember, but I'm saying it  
2 should be the middle part of 1999.

3 Q. Are you sure, or are you speculating?

12:06:43

4 A. I can't be specific because, you know, it's been a long  
5 time now so - but I'm definitely sure that it was 1999. I can't  
6 be exact on the month.

7 Q. The visit you referred to by Foday Sankoh to Liberia,  
8 specifically you said Monrovia, in 1999 after the Lome  
9 conference, was it towards the middle or end of 1999?

12:07:02

10 A. That should be going towards the end of 1999, yes.

11 Q. What was your role within Mr Taylor's administration, if  
12 any, during that time?

13 A. I was assistant director for operations for the Special  
14 Security Service.

12:07:29

15 MR ANYAH: Now, a witness testified before this Court, and  
16 we are going to go over that witness's evidence. It was in  
17 closed session. For the benefit of all present, the relevant  
18 pages of the transcript I will be referring to - and I will make  
19 representations to the Chamber regarding the feasibility of  
20 proceeding in public session, despite this information having  
21 been elicited in closed session - but the pages in question are  
22 pages 2211 through page 2221. I will not --

12:07:51

23 PRESIDING JUDGE: Do we have a date of the transcript?

24 MR ANYAH: Yes. It's 25 January 2008. Now, Madam

12:08:30

25 President, I believe I can discuss this witness's testimony  
26 without disclosing the witness's identity in public session, and  
27 we have broached the subject previously with Mr Smythe yesterday,  
28 the subject area. I appreciate that this was done in closed  
29 session, but to the extent I'm careful and cautious, I see no

1 reason why we can't have this information out in public session.

2 PRESIDING JUDGE: Mr Koumjian, did you have --

3 MR KOUMJIAN: Your Honour, I would have to review it, and I  
4 actually suggest we come back. Because it is in closed session,  
12:09:11 5 so the Court would have to remove its order for closed session  
6 testimony. The witness - even if we did this in private session,  
7 the witness, of course, is a member of the public.

8 PRESIDING JUDGE: Yes, but the thing is a closed session is  
9 intended to protect the person giving the evidence at the time,  
12:09:31 10 and even afterwards to protect the identity of that person. Now,  
11 there have been instances when we have dealt with closed session  
12 evidence in open session with the caveat that care has been taken  
13 not to disclose the identity of the witness. The preference, of  
14 course, is for a public session always. Mr Koumjian, you said  
12:09:59 15 we'd have to come back. What do you mean?

16 MR KOUMJIAN: Counsel gave a range of 10 pages, and I would  
17 have to read the 10 pages or 11 pages in the range he gave.

18 MR ANYAH: Madam President, we cannot slow down the process  
19 for this to take place. I am a counsel admitted to the bar. In  
12:10:16 20 good faith I'm representing to the Court that I'm not going to  
21 disclose the identity of this witness. We have proceeded as such  
22 in the past. For us to delineate what pages we're going to cover  
23 in cross-examination to the Prosecution beforehand, secure their  
24 approval that they're comfortable with the idea that we can do so  
12:10:33 25 without disclosing the witness's identity, it seems to us to be  
26 unnecessary.

27 PRESIDING JUDGE: Okay, allow me to consult, please.

28 [Trial Chamber conferred]

29 MR KOUMJIAN: Your Honour, if I could perhaps bring one

1 thing to the Court's attention that may have slipped all of our  
2 minds. It's my recollection that this witness was given closed  
3 session by another Trial Chamber, and my understanding of the  
4 rules is that could only be lifted by the other Trial Chamber or  
12:11:46 5 after the Court has consulted with the other Trial Chamber.

6 PRESIDING JUDGE: We've taken all that into consideration.  
7 The current witness is testifying in open session and he is going  
8 to respond to issues raised by another witness. Now, Mr Anyah,  
9 you may or may not even need to read out the transcript, but the  
12:12:13 10 assertions by another witness have to be put to this witness, who  
11 is testifying in open session. Now, I'm going to rely on  
12 Mr Anyah's wisdom in ensuring that the protected witness  
13 continues enjoying protection and that their identity is not  
14 disclosed.

15 MR KOUMJIAN: Your Honour, I --

16 PRESIDING JUDGE: Now, the minute you flout that, Mr Anyah,  
17 I'm going to have to take it back. But for now I'm going to  
18 allow you to proceed in the manner that you propose.

19 MR KOUMJIAN: Your Honour, may I put on the record that the  
12:12:48 20 Prosecution, having quickly read the transcript - portions of it  
21 - believes that for those who know matters that are contained in  
22 this transcript, and those are the people we're most concerned  
23 about, the identity of this witness will be revealed by reading  
24 this in public.

12:13:01 25 PRESIDING JUDGE: Mr Koumjian, the more you continue to  
26 draw attention to these matters, the greater the likelihood that  
27 the identity of the protected witness will be revealed. Now I  
28 have ruled that Mr Anyah may continue in the manner that he has  
29 proposed to the judges, and we'll take it from there. Please



1 continue.

2 MR ANYAH: Thank you, Madam President:

3 Q. Mr Smythe, yesterday at page 35674 of yesterday's  
4 transcript you referred to Mr Taylor taking a trip to Voinjama in  
12:13:39 5 October 1991. Do you recall that?

6 A. Yes, I do recall that.

7 Q. Were you in his company when he made that trip?

8 A. Yes, I was in his company.

9 Q. Where did you travel from to Voinjama?

12:13:50 10 A. I travelled from Gbarnga to Voinjama.

11 Q. How many people travelled with you and Mr Taylor, if anyone  
12 else?

13 A. A lot of people. Almost all the securities, you know,  
14 within his immediate surrounding travelled with him.

12:14:03 15 Q. Can you give us an approximate number of people who  
16 travelled on that trip with Mr Taylor to Voinjama?

17 A. I may not be correct in giving how many people travelled.  
18 A lot of people travelled with him.

19 Q. Was it less than 50?

12:14:18 20 A. It should be more. It should be between that range.

21 Q. About 50?

22 A. Yes.

23 Q. What was the purpose of that trip?

24 A. The purpose of that trip was to visit Voinjama and to see  
12:14:30 25 the soldiers and civilian relationship and how - I mean, the  
26 civil administration is going on there and to advise caution the  
27 civilian - I mean the soldiers, how to proceed with the  
28 civilians.

29 Q. Was there a problem between the soldiers and civilians in

1 Voinjama before the trip?

2 A. It doesn't have to necessarily be. You know, that has been  
3 a normal routine. When an area is under our control, you know,  
4 normally he will give go in the area and visit the area. It  
12:15:01 5 doesn't have to be a dispute before he visit the area.

6 JUDGE DOHERTY: Mr Anyah, I don't think that answers your  
7 question. Certainly not to my satisfaction.

8 MR ANYAH:

9 Q. Mr Smythe, you heard Justice Doherty's observation. My  
12:15:16 10 question was: Was there a problem between the soldiers and the  
11 individuals in Voinjama before that trip?

12 A. No.

13 Q. When you got to Voinjama with Mr Taylor, did you meet  
14 anyone?

12:15:33 15 A. Yes, we met the commander on the ground and some of his  
16 immediate front line commanders.

17 Q. Who was the commander on the ground?

18 A. Anthony Mekunagbe was the commander on the ground.

19 Q. That name is on the record, Madam President. And who were  
12:15:50 20 the other front line commanders there in October 1991?

21 A. I remember Sam Tuah. I remember Timothy Mulbah, and quite  
22 a few others. I could remember those people as the commanders,  
23 as some of the commanders.

24 Q. Was Foday Sankoh in Voinjama in October 1991 when you went  
12:16:14 25 there with Charles Taylor?

26 A. No, he wasn't there.

27 Q. Was Dr Manneh in Voinjama in October 1991 when you went  
28 there with Charles Taylor?

29 A. He wasn't there.

1 Q. Now, a witness appeared before this Court, and in sum and  
2 substance we will go through piece by piece what the witness said  
3 this to Court, but I'll ask you one question first before that.  
4 Before October 1991, in the year 1991, to your knowledge, did  
12:16:46 5 Charles Taylor ever visit Voinjama?

6 A. The only time I know Charles Taylor visited Voinjama was in  
7 October 1991 and I went with him on that trip.

8 Q. When you say "the only time", do you mean the only time in  
9 1991 that he visited Voinjama?

12:17:00 10 A. This is the only time that I'm aware of.

11 Q. Before that trip to Voinjama --

12 PRESIDING JUDGE: Sorry, is that "ever"? It's the only  
13 time Charles Taylor ever visited Voinjama?

14 THE WITNESS: No. I said in 1991 he visited there during  
12:17:17 15 the election campaign. What I'm talking about is 1991.

16 MR ANYAH:

17 Q. Before the trip to Voinjama with Charles Taylor in October  
18 1991, do you know whether Charles Taylor had ever been to Sierra  
19 Leone?

12:17:34 20 A. No.

21 Q. Now, a witness appeared before this Court and we'll go over  
22 what the witness said.

23 MR KOUMJIAN: The answer is ambiguous because of the form  
24 of the question, whether he doesn't know, or, no, Charles Taylor  
12:17:47 25 never visited Sierra Leone.

26 MR ANYAH: Is that a comment? Is that an objection?

27 PRESIDING JUDGE: No, I think the comment is a valid one.  
28 The question to the witness was: Before the trip to Voinjama  
29 with Charles Taylor in October 1991, do you know whether

1 Charles Taylor had ever been to Sierra Leone? The answer is no.  
2 No, he doesn't know; or, no, Charles Taylor never visited? That  
3 is the comment and I think it's a valid comment.

4 MR ANYAH: Thank you, Madam President:

12:18:22 5 Q. Mr Witness, do you know - when you say "no", are you saying  
6 that you do not know whether Charles Taylor had ever visited  
7 Sierra Leone before October 1991?

8 A. Charles Taylor has not visited Sierra Leone before October  
9 1991.

12:18:37 10 Q. And how do you know that?

11 A. Because I was all the time with him, so anywhere he goes I  
12 would know he has gone to this place.

13 Q. Well, a witness testified before this Court. The witness  
14 said in March 1991, Foday Sankoh was with Charles Taylor in

12:19:02 15 Voinjama. Mr Witness, are you aware of Charles Taylor being in  
16 Voinjama in March 1991? This is incidentally at page 2213 of the  
17 transcript pertaining to the other witness who testified.

18 A. No, I'm not aware of that.

19 Q. That witness told us that the purpose of that trip to  
12:19:30 20 Voinjama by Charles Taylor and Foday Sankoh was to discuss  
21 operational plans leading up to an invasion on Sierra Leone on 23  
22 March 1991. Mr Witness, are you aware of Charles Taylor being  
23 involved in generating an operational plan for the invasion of  
24 Sierra Leone in March 1991?

12:19:57 25 A. No, I'm not aware of that.

26 Q. That witness told us that there was a meeting held in  
27 Voinjama. This is at pages 2213 to 2214 of the transcript of 25  
28 January 2008. The witness said there was a meeting held in  
29 Voinjama. The meeting was held at the home of Anthony Mekunagbe.

1 Present at that meeting were Foday Sankoh, Charles Taylor and  
2 senior NPFL officers. Are you aware, Mr Smythe, of any such  
3 meeting taking place in March 1991 at the home of Anthony  
4 Mekunagbe?

12:20:49 5 A. No, I'm not aware of any such meetings happening in 1991.

6 Q. This Court was told that during that meeting there was a  
7 map of Sierra Leone spread out on the table. Mr Taylor was  
8 hovering over that map and indicating to Foday Sankoh and others  
9 there present how Sierra Leone should be attacked. Mr Smythe,  
10 you were Mr Taylor's bodyguard around this time. Are you aware  
11 of Mr Taylor hovering over a map in some house in Voinjama  
12 discussing the invasion of Sierra Leone in March 1991?

12:21:16

13 A. No, I'm not aware of that.

14 Q. At page 2218 of the other witness's evidence it is said  
15 there that Mr Taylor suggested - in fact, made a decision  
16 regarding the invasion of Sierra Leone through a place called  
17 Zimmi in Pujehun District. Are you aware of that, Mr Smythe?

12:21:46

18 A. No, I'm not aware of that.

19 Q. When I say are you aware of that, I'm not asking you if  
20 you're aware of what the other witness said. I'm asking you if  
21 you're aware of Mr Taylor ever making a decision in the presence  
22 of Foday Sankoh regarding an attack on Sierra Leone through Zimmi  
23 in Pujehun District.

12:22:10

24 A. I'm not aware of Mr Taylor making any suggestion to  
25 Mr Sankoh, you know, on where to attack Sierra Leone. I'm not  
26 aware of it.

12:22:33

27 Q. Well, we are told by that witness that present at this  
28 meeting were Sam Larto, Michael Paygar - you mentioned Michael  
29 Paygar yesterday to us, yes?

1 A. Yes, I did.

2 Q. Others present were Sam Tuah, Charles Timber, Anthony  
3 Mekunagbe and Dr Manneh, among others. For the record, this is  
4 at pages 2218 through 2219 of the other witness's evidence.

12:23:15 5 Mr Smythe, to your knowledge, was Dr Manneh ever in the vicinity  
6 of Voinjama in March 1991?

7 A. To the best of my knowledge, Dr Manneh has never been to  
8 Lofa throughout his stay in Liberia.

9 Q. Is Voinjama in Lofa?

12:23:33 10 A. Yes, Voinjama is in Lofa.

11 Q. My specific question was: To the best of your knowledge,  
12 in March 1991, was Dr Manneh in Lofa? What is your response?

13 A. Dr Manneh was not in Lofa during that period.

14 Q. Was he in Voinjama?

12:23:49 15 A. He was not in Voinjama during that period.

16 Q. Thank you, Mr Smythe. Now, you told us about Michael  
17 Paygar yesterday. When was the Executive Mansion Guard Battalion  
18 formed?

19 A. The Executive Mansion Guard Battalion was formed as far  
12:24:15 20 back as 1990.

21 Q. When was Mr Paygar its commander?

22 A. From the time of its formation.

23 Q. You mentioned the name Cassius Jacobs yesterday.

24 A. Yes, I did.

12:24:31 25 Q. Was he at some point commander of that unit?

26 A. Yes. When the Executive Mansion battalion became the  
27 Executive Mansion Guard Brigade, Cassius Jacobs became the  
28 commander of the brigade.

29 Q. And you told us when that took place. Can you remind me,

1 please.

2 A. Yeah, I said that should be around 1992.

3 Q. When you went to Voinjama in October 1991 with  
4 Charles Taylor, did Dr Manneh go with you?

12:24:59 5 A. No, Dr Manneh didn't go with us.

6 Q. Did Michael Paygar go with you?

7 A. Michael Paygar, yes. As the commander of the Executive  
8 Mansion Guard, yes, he went with us.

9 Q. During that trip in October 1991, was there ever a  
10 discussion by Mr Taylor and others there present about an  
11 invasion into Sierra Leone?

12 A. No, there was no such discussion.

13 Q. The other witness who testified on 25 January 2008 made  
14 some additional observations about that meeting at pages 2219  
12:25:44 15 through 2220. The witness said discussed at that meeting was the  
16 notion or idea that an attack on Sierra Leone would be part of a  
17 broader plan, a broader plan whereby the NPFL would provide men  
18 to attack Sierra Leone and in return men would be provided to  
19 facilitate the Gambians to attack Gambia. Mr Smythe, to your  
12:26:17 20 knowledge, in 1991 was there ever an agreement between Dr Manneh  
21 and Charles Taylor that in exchange for provision of men by  
22 Charles Taylor to attack Sierra Leone the Gambians would benefit  
23 by Charles Taylor providing men for them to attack The Gambia?

24 A. No, I'm not aware of that.

12:26:39 25 Q. That witness said to this Court that about 90 men or  
26 thereabouts from Charles Taylor's Executive Mansion in Gbarnga  
27 were provided to the RUF for the invasion of Sierra Leone. This  
28 is March 1991. Mr Smythe, are you aware of any such event taking  
29 place?

1 A. No, I'm not aware of any such event.

12:27:32 2 MR ANYAH: Madam President, with leave of the Chamber there  
3 are two exhibits I wish to show to the witness to have his  
4 comments about. I have an identical copy of them on which we  
5 have blotted out any TF1 numbers for potential - previous  
6 witnesses, and I will make reference to the exhibit number and  
7 provide, with leave of the Chamber, the version I have so that  
8 counsel opposite can see that the information is otherwise  
9 identical except for the black mark over the TF1 number of the  
10 witness, and I wonder if that would be a permissible way to  
11 proceed to show this witness the exhibit in question.

12 PRESIDING JUDGE: Could you perhaps let the judges see this  
13 paper you're proposing to show the witness first.

14 MR ANYAH: Yes, Madam President. The exhibits are  
12:28:13 15 Prosecution exhibits P-54 and P-55.

16 PRESIDING JUDGE: Mr Anyah, in principle we would have no  
17 objection for you showing the witness these exhibits as redacted;  
18 however, I don't recall that this witness has given evidence  
19 relating to the hierarchy as such, and for you to show him these  
12:30:12 20 exhibits before he's indicated if he's conversant with any  
21 hierarchy would be tantamount to leading him. So you've got to  
22 lay some foundation before you show these exhibits to him.

23 MR ANYAH: Yes, I appreciate that, Madam President:

24 Q. Mr Smythe, let's focus on the years 1990 through 1991.  
12:30:44 25 You've mentioned the Executive Mansion Guard. You've previously  
26 told us about a signal unit within the NPFL. Can you indicate  
27 for us, starting from the top, who was the head of the NPFL  
28 between 1990 and 1991?

29 A. Mr Charles Taylor was the leader of the NPFL.



1 Q. Immediately below Mr Taylor who would you consider as the  
2 next senior NPFL official?

3 A. I would consider the late Vice-President Enoch Dogolea.

4 Q. Now, besides Mr Dogolea, who else would follow?

12:31:26 5 A. Besides Mr Dogolea, Isaac Musa would follow as the battle  
6 group commander.

7 Q. And after Isaac Musa who comes next?

8 A. After Isaac Musa you have the various battalions. You have  
9 the Executive Mansion Guard and its various auxiliaries.

12:31:50 10 Q. Were, to your knowledge, any members of the RUF part of the  
11 NPFL hierarchy in these years?

12 A. No, not to my knowledge.

13 Q. Were there deputies to the battalion commanders in the  
14 hierarchy of the NPFL during those years?

12:32:11 15 A. Yes, there were deputies, yes.

16 Q. Were there military advisers to the NPFL, its hierarchy,  
17 during the years 1990 to 1991?

18 A. I don't know of any military adviser.

19 Q. Mr Smythe, after the RUF invasion of Sierra Leone in March  
12:32:39 20 1991, are you conversant or knowledgeable about the hierarchy of  
21 the RUF?

22 A. No, I don't know anything about the RUF. I don't know  
23 their structure.

24 Q. Do you know whether during that period of time immediately  
12:32:56 25 after the RUF invasion and the months following Charles Taylor  
26 formed any part of the hierarchy of the RUF?

27 A. No, I'm not aware of that.

28 Q. Do you know whether during that point in time shortly after  
29 the invasion Isaac Musa formed any part of the hierarchy of the

1 RUF?

2 A. No, I'm not aware of that.

3 Q. How about Sam Larto?

4 A. No.

12:33:23 5 Q. To your knowledge - may I finish. To your knowledge, did  
6 Sam Larto form or constitute any part of the hierarchy of the RUF  
7 in the period immediately they invaded Sierra Leone?

8 A. No, Sam Larto was based in Kakata. That was his target.  
9 He was not even around Gbarnga at the time.

12:33:43 10 MR ANYAH: Madam President, with leave of the Chamber, I  
11 believe for both exhibits or both documents in question subject  
12 to any rulings otherwise --

13 PRESIDING JUDGE: Yes, you may put the documents one at a  
14 time to the witness.

12:33:56 15 MR ANYAH: Thank you, Madam President. May the Prosecution  
16 be shown the documents, if it please your Honours, and could I  
17 start with the one on top, please. Could you please place the  
18 first document --

19 MR KOUMJIAN: [Microphone not activated].

12:34:33 20 PRESIDING JUDGE: For the record, which exhibit is this?

21 MR ANYAH: The first one is an identical copy of  
22 Prosecution exhibit P-54, save for the previously indicated  
23 amendment. Perhaps it would be helpful if the witness were moved  
24 over to the seat in front of the overhead projector. Could  
12:35:25 25 Mr Smythe be given a pen for writing purposes:

26 Q. Now, Mr Smythe, you have before you a document which  
27 purports to be the NPFL command structure between 1990 and 1991.  
28 Now, do you see the first box at the top with Charles Taylor  
29 indicated as the leader of the NPFL during that period of time?

1 A. Yes, I do.

2 Q. Are you in agreement with that?

3 A. Yes.

4 Q. Could you comment on the boxes that immediately follow

12:36:11 5 Charles Taylor's name, starting from the left to right with the  
6 Executive Mansion Guard and ending up with the military advisers?

7 A. Yes. I'm in agreement with the Executive Mansion Guard.

8 Q. Do you see the name "Benjamin Yeaten" in the box "Executive  
9 Mansion Guard"?

12:36:37 10 A. Yes.

11 Q. Was to your knowledge in that period of time, 1990 to 1991  
12 - it says there members included aide-de-camps and Benjamin  
13 Yeaten. Was he to your knowledge at that time a member of the  
14 Executive Mansion Guard?

12:36:55 15 A. Benjamin was the chief bodyguard to Mr Taylor.

16 Q. That was not my question. You've told us of the creation  
17 of the SSS in Gbarnga and you've told us about the Executive  
18 Mansion Guard. Was Benjamin Yeaten a member of the Executive  
19 Mansion Guard?

12:37:15 20 A. No, he was not a member of the Executive Mansion Guard.

21 Q. Can you use your pen and cross out Benjamin Yeaten's name  
22 there? Well, the pen is not working. Can I suggest you use the  
23 orange highlighter and anything you don't agree with, we will  
24 just highlight it in orange.

12:38:05 25 Now, the second box to the right of the Executive Mansion  
26 Guard, what is the title of the officer listed in that box?

27 A. Under "Charles Taylor"?

28 Q. Yes.

29 A. Battle group commander.

1 Q. Do you see the word "group" in what you've just read?

2 A. No, what I see here is "battlefield commander".

3 Q. Who was the battlefield commander of the NPFL?

4 A. NPFL didn't have a battlefield commander.

12:38:45 5 Q. Did the NPFL have a battle group commander?

6 A. Yes, NPFL had a battle group commander.

7 Q. And who was that?

8 A. Isaac Musa.

9 Q. Can you highlight the word "field" for us in that box and  
12:38:58 10 the acronym "BFC"; can you highlight those two things.

11 There's a box to the right of that with the title "military  
12 advisers". What name do you see in that box?

13 A. I saw included Foday Sankoh, Dr Manneh.

14 Q. To your knowledge did the NPFL have military advisers  
12:39:21 15 between 1990 and 1991?

16 A. Yes, we had military advisers.

17 Q. And who are these?

18 A. It was Elmer Glee Johnson I know of.

19 Q. Can you spell that name for us?

12:39:35 20 A. Elmer I think is E-L-M-E-R, G-L-E-E and J-O-H-N-S-O-N.

21 Q. Was Foday Sankoh ever a military adviser of the NPFL during  
22 the period 1990 and 1991?

23 A. No, he was not.

24 PRESIDING JUDGE: Sorry, the first name Elmer Glee, were  
12:40:01 25 those two people?

26 THE WITNESS: Elmer Glee Johnson, it's just one name.

27 MR ANYAH: I think it's three words: Elmer, E-L-M-E-R;  
28 Glee, G-L-E-E; and the last name is Johnson:

29 Q. Am I correct, Mr Smythe?

1 A. Yes, you are correct.

2 PRESIDING JUDGE: Because you asked the question did he  
3 have military advisers, to which the witness says, yes, we had  
4 military advisers and then he says it was Elmer Glee Johnson.

12:40:30 5 That is one person.

6 MR ANYAH: I appreciate that.

7 PRESIDING JUDGE: One adviser. I thought he was  
8 continuing.

9 THE WITNESS: Maybe that was a mistake. But the only  
12:40:38 10 military adviser I knew was Elmer Glee Johnson. I'm sorry about  
11 that.

12 MR ANYAH: May we continue, Madam President?

13 PRESIDING JUDGE: Yes, please. Continue.

14 MR ANYAH:

12:40:49 15 Q. Mr Smythe, can you highlight in orange the name "Foday  
16 Sankoh" for us.

17 Now, Mr Smythe, to your knowledge has Dr Manneh, Kukoi  
18 Samba Sanyang, ever undergone military training himself?

19 A. Yes, I think at some point, yeah, he did.

12:41:20 20 Q. Was Kukoi Samba Sanyang between 1990 and 1991 a military  
21 adviser to the NPFL?

22 A. No, he was not.

23 Q. Can you highlight that name "Dr Manneh" in orange.

24 We move down one level starting from the left again. What  
12:41:47 25 do you see in the first box on the left immediately below  
26 "Executive Mansion Guard"?

27 A. "Strike Force unit".

28 Q. Do you see an asterisk at the end of unit?

29 A. Yes, I do.

1 Q. And immediately below that box do you see some words?

2 A. Yes.

3 Q. That says "Led the March 23, 1991 attack on Sierra Leone".

4 Do you see those words?

12:42:14 5 A. Yeah, I saw it.

6 Q. Do you agree with the information contained in the box

7 "Strike Force Unit"?

8 A. Yes, NPFL had a Strike Force unit. Yes, I agree.

9 Q. And who was the commander of that unit?

12:42:28 10 A. The commander of the Strike Force Unit was Jack Power Zako.

11 Q. Can you say those words again slowly and spell them for us?

12 A. Jack, J-A-C-K; Power, P-O-W-E-R; Zako, I think, is Z-A-K-O.

13 Q. When you see "Commander Sam Tuah" are you saying the

14 commander was not Sam Tuah between 1990 and 1991?

12:43:00 15 A. Sam Tuah was not a commander.

16 Q. Can you highlight the name "Sam Tuah" in that box.

17 Between 1990 and 1991 who was the deputy commander of the

18 NPFL's Strike Force unit?

19 A. The deputy commander was - I have to think about that.

12:43:25 20 I'll have to think about it.

21 Q. The indication there that the asterisk refers to, do you

22 agree with that indication?

23 A. That?

24 Q. That the NPFL Strike Force unit led the March 23, 1991,

12:43:39 25 attack on Sierra Leone?

26 A. I disagree with that.

27 Q. Can you highlight both the asterisk and the information

28 below the box, please.

29 What do you see in the box next to the box that says Strike

1 Force unit?

2 A. I see Deputy Commander Charles Timber.

3 PRESIDING JUDGE: You did ask the witness to highlight the  
4 asterisk, which he hasn't done.

12:44:11 5 MR ANYAH:

6 Q. Yes, Mr Smythe, can you highlight the asterisk within the  
7 box Strike Force unit. The little star on Strike Force Unit.

8 No, no. Just the star at the end of it.

9 A. Is this what you're talking about?

12:44:24 10 Q. Yes, please. Thank you. In the box that's right next - on  
11 the right side of the box that says Strike Force unit, what do  
12 you see that, Mr Smythe?

13 A. Next to Strike Force unit?

14 Q. Yes, on its right side.

12:44:43 15 A. I see Ghankay Tigers, SBUs.

16 Q. Are you aware of any unit called the Ghankay Tigers?

17 A. No, I'm not aware of any unit called the Ghankay Tigers.

18 Q. Was any such unit a part of the NPFL structure between 1990  
19 and 1991?

12:45:03 20 A. No, there was no such unit as part of our NPFL structure.

21 Q. Do you know what the acronym SBUs mean?

22 A. The SBU would mean Small Boy Unit.

23 Q. And under what circumstances did you come to know what that  
24 acronym means?

12:45:17 25 A. Small Boy Unit, we are ourselves - we the commanders  
26 created that name because most of the commanders have these  
27 orphans with them, some of their families, some people, you know,  
28 they go to the front and find this child who has no father, no  
29 mother, you bring him with you and he stays with you so you can

1 call him a Small Boy Unit. You know, I myself, I had about five  
2 of them who lived with me up to the time we moved to Monrovia.

3 Q. Are you saying these were orphans?

12:45:52

4 A. Most of them, their parents were killed. Some of them, you  
5 know, they can't find their parents. In fact, a good example was  
6 one of them, I took him with me to Libya and currently he's in  
7 Spain.

8 Q. What is his name?

9 A. His name is Papa Musa Kone.

12:46:03

10 Q. Papa Musa Kone?

11 A. Yes.

12 Q. Papa, is it P-A-P-A?

13 A. P-A-P-A, yes.

14 Q. Last - I mean, middle name?

12:46:11

15 A. Musa, M-U-S-A.

16 Q. Kone with a K or C?

17 A. K-O-N-E. It's a French spelling.

18 Q. Is there an umlaut at the top of the E?

19 A. Yes, there should be.

12:46:26

20 Q. And he is now where?

21 A. He is in Spain because I took him with me to Libya. I got  
22 him when he was like 10 years old. He stayed with me. When I  
23 was going to Libya, I took him with me. And when I was coming  
24 back, he wanted to go to Europe. I sent him to Europe. He is  
25 currently in Barcelona in Europe, in Spain.

12:46:42

26 Q. Was that during the time when you served as charge  
27 d'affaires for Liberia to Libya?

28 A. Yes.

29 Q. Can you highlight both "Ghankay Tigers" and "SBUs" for us



1 in orange.

2 One last question. These SBUs you referred to, Mr Smythe,  
3 did the NPFL ever use them to engage in combat?

4 A. No, never used small boys in combat.

12:47:16 5 Q. Do you see the box to the right of the Ghankay Tigers, the  
6 box that's immediately to the right of it? Do you see that,  
7 Mr Smythe?

8 A. Yes, I do.

9 Q. Do you agree with the information that's contained in that  
12:47:33 10 box?

11 A. As battle group commander?

12 Q. Yes.

13 A. No, I disagree.

14 Q. What do you disagree with?

12:47:38 15 A. Sam Larto was not the battle group commander of the NPFL.

16 Q. We're referring to the period 1990 through 1991.

17 A. Yes.

18 Q. Who was the battle group commander of the NPFL?

19 A. Isaac Musa was.

12:47:54 20 Q. Can you highlight "Sam Larto" in orange. Just the name Sam  
21 Larto.

22 JUDGE LUSSICK: Mr Anyah, I just want to be clear on what  
23 the witness is saying.

24 MR ANYAH: Yes, your Honour.

12:48:11 25 JUDGE LUSSICK: If we go back to the previous box, Ghankay  
26 Tigers, SBUs, should SBUs have been marked in orange? I  
27 understood the witness to say there were SBUs but they weren't  
28 called the Ghankay Tigers.

29 MR ANYAH: I appreciate the point and, your Honour, you are

1 correct. I believe the error is mine:

2 Q. Mr Witness, we can correct this, simply, and I would  
3 suggest we do it in two instances. If you could take another  
4 coloured highlighter --

12:48:46 5 PRESIDING JUDGE: But, Mr Anyah, didn't the witness say  
6 that there was no such unit in existence and therefore he would  
7 take it out of the hierarchy completely?

8 MR ANYAH: I recall him saying there were no - well, let me  
9 ask the witness, perhaps, before we go on.

12:49:00 10 PRESIDING JUDGE: See, because the meaning of SBU is one  
11 thing, but that SBUs were part of the hierarchy, I think the  
12 witness has clearly said no, and that would take the whole unit  
13 out of the picture.

14 MR ANYAH: Yes, Madam President, I appreciate that.

12:49:17 15 PRESIDING JUDGE: So with that kind of clarification, I  
16 don't know what you're going to ask him to do.

17 MR ANYAH: No, I will ask him to clarify:

18 Q. Mr Smythe, was there a unit called SBUs as part of the  
19 hierarchy or structure of the NPFL between 1990 and 1991?

12:49:32 20 A. No, there was no SBU in the structures of the NPFL.

21 MR ANYAH: I wonder if that satisfies your Honour Justice  
22 Lussick?

23 JUDGE LUSSICK: Yes.

24 MR ANYAH: Thank you, your Honour:

12:49:46 25 Q. Let's continue, Mr Smythe. We go down from the left to the  
26 right to the next row of boxes that starts with "1st Battalion  
27 commander". Let's look at the information in that box. You told  
28 us the NPFL had battalions, up to six I believe you said, in 1991  
29 or thereabouts, yes?

1 A. Yes.

2 Q. In 1990 through 1991, who - well, was there something  
3 called a combat battalion, to the best of your knowledge, within  
4 the hierarchy of the NPFL?

12:50:23 5 A. No, I don't know of a combat battalion.

6 Q. Was the 1st Battalion commander referred to as the combat  
7 battalion within the hierarchy of - well, let me rephrase that.  
8 Was the 1st Battalion referred to within the hierarchy of the  
9 NPFL between 1990 and 1991 as the "combat battalion"?

12:50:51 10 A. 1st Battalion is referred to as 1st Battalion; that's all.

11 Q. Do you see the phrase "capture of Monrovia" below combat  
12 battalion?

13 A. Yes, I do.

14 Q. Was, to your knowledge, the 1st Battalion responsible  
12:51:06 15 between 1990 and 1991 within the NPFL for the capture of the City  
16 of Monrovia?

17 A. Yes. The 1st Battalion, yes.

18 Q. We move to the box to the right. And I should ask you one  
19 more question about these boxes. Is it the case that between  
12:51:28 20 1990 and 1991 the battle group commander who you say was Isaac  
21 Musa was the immediate superior of all the battalion commanders?

22 A. Yes, exactly.

23 Q. So now we are at the box that says "2nd Battalion  
24 commander".

12:51:46 25 PRESIDING JUDGE: Before you go to that box, what is the  
26 effect of leaving combat battalion as combat battalion? Did the  
27 witness not say that the 1st Battalion was not known as combat  
28 battalion?

29 MR ANYAH: Yes, but I thought it would be misleading to

1 have him highlight it because it appears the generator of these  
2 boxes has put combat battalion in relation to the other  
3 battalions. So it did not appear to me to be a specific term of  
4 art vis-a-vis just the 1st Battalion, but I appreciate the point  
12:52:26 5 Madam President is making.

6 PRESIDING JUDGE: You're the one that asked him if it was  
7 known as combat battalion, so I was just reacting to the answers  
8 and the practice you've adopted for yourself, but please proceed.

9 MR ANYAH: Thank you, Madam President:

12:52:40 10 Q. We're now at the box that says "2nd Battalion commander".  
11 Who was the 2nd Battalion commander for the NPFL between 1990 and  
12 1991?

13 A. Anthony Mekunagbe was the 2nd Battalion commander.

14 Q. Do you see where it says "Combat battalion - attack on  
12:52:59 15 Sierra Leone"? Do you see that?

16 A. Yes, I see it.

17 Q. Was, to your knowledge, the 2nd Battalion at any time  
18 assigned a task of attacking Sierra Leone?

19 A. No, I'm not aware of that.

12:53:15 20 Q. During the period 1990 to 1991 did that ever happen?

21 A. No, it never happened.

22 Q. Can you highlight the sentence "attack on Sierra Leone" for  
23 us in orange, please.

24 We're now to the box to the right of the 2nd Battalion  
12:53:41 25 commander box. Do you see where it says "6th Battalion  
26 commander"?

27 A. Yes, I see it.

28 Q. Between 1990 and 1991, who was the commander of the 6th  
29 Battalion for the NPFL?

1 A. Oliver Varney was the 6th Battalion commander.

2 Q. And where was the 6th Battalion based?

3 A. The 6th Battalion was based in Bomi Hills.

12:54:05

4 Q. Do you see below where it says "Combat battalion - attack  
5 on Sierra Leone"?

6 A. Yes, I see it.

7 Q. Do you agree or disagree with that notation there?

8 A. I disagree with that notation.

9 Q. Can you highlight it for us, please. Thank you, Mr Smythe.

12:54:18

10 Immediately below that row of boxes we come to the second  
11 to last row of boxes - well, the third to last. Starting from  
12 the left to the right, do you see a box where it says "Deputy  
13 Commander Francis Mewon"?

14 A. Yes, I see it.

12:54:37

15 Q. And in relation to the 1st Battalion of the NPFL, who was  
16 the deputy commander of that battalion between 1990 and 1991?

17 A. At one point Francis Mewon was commander and later - he was  
18 later replaced by Edward Mlehn.

19 Q. I'm referring to the deputy commander.

12:54:55

20 A. I don't know when he came to be a deputy, but he was one  
21 time the commander. But I don't know whether he came to be the  
22 deputy, but he was replaced later on, you know, with Edward  
23 Mlehn.

24 Q. Can you spell Mlehn for us?

12:55:10

25 A. I think it's M-L-E-H-N. Something like that.

26 PRESIDING JUDGE: That was Edward?

27 THE WITNESS: Yes, Edward, yes.

28 MR ANYAH: It is in the records, Mlehn, M-L-E-H-N:

29 Q. Mr Smythe, you are saying you never knew - are you saying

1 you never knew Francis Mewon to be a deputy commander?

2 A. I'm saying I don't know whether he was deputy after he was  
3 relieved of his duties, but he was commander before. It's  
4 possible that he was deputy when he was relieved as deputy  
12:55:42 5 commander.

6 Q. When was he relieved - I'm sorry, I'm sorry, I'm sorry.  
7 You just said it's possible he was deputy when he was relieved as  
8 deputy commander. Did you mean it's possible he became the  
9 deputy after he was relieved of his duties as commander?

12:55:58 10 A. Yes, this is what I said.

11 Q. When was he relieved of his duties as commander?

12 A. He was relieved of his duty sometime in 1990. 1990, yes.

13 Q. But you are not sure whether he was deputy or not?

14 A. I'm not sure whether he was deputy.

12:56:14 15 Q. This document indicates he was the deputy between 1990 and  
16 1991. Are you in agreement with that?

17 A. Well, I don't agree with that.

18 Q. Can you highlight the name Francis Mewon for us in orange,  
19 please.

12:56:39 20 Was there a deputy commander for the 2nd Battalion between  
21 1990 and 1991?

22 A. Yes, there was a deputy commander.

23 Q. Do you know who that person was?

24 A. Yes, Timothy Mulbah.

12:56:51 25 Q. We move to the box immediately to the right. It says  
26 deputy commander underneath the 6th Battalion commander. When  
27 you were with the NPFL between 1990 and 1991, did you know any  
28 person called One Man One?

29 A. Yes, I know one of our commanders, yes.

1 Q. What was that person's name?

2 A. I don't know his real name. I only know him as One Man  
3 One.

4 Q. And was that person a deputy commander of any battalion?

12:57:25 5 A. No. He was a front line commander, not a deputy commander.

6 Q. A front line commander of which battalion?

7 A. Of 6th Battalion.

8 Q. Can you highlight where it says "aka One Man One" in orange  
9 for us, please.

12:57:47 10 We go to the box immediately below, second to last box.

11 Can you read what is contained inside that box? I'm referring to  
12 the narrow, small box that runs the length of the - the breadth  
13 of the page.

14 A. It says: "Each battalion was further divided into units  
12:58:11 15 (i.e. Military Police, combat units, SBUs). Unit commanders  
16 reported to their deputy commander".

17 Q. Let's take it bit by bit. Do you agree with the portion  
18 that says "each battalion was further divided into units"?

19 A. Yes. Battalions have different units, yes.

12:58:27 20 Q. Was any of the units within any of the battalions called  
21 the Military Police unit?

22 A. Yes, we have the Military Police.

23 Q. Did you have any units called SBUs unit?

24 A. No, we don't have any unit called the SBU.

12:58:43 25 Q. Can you highlight where it says "SBUs" within the  
26 parenthesis.

27 How about where it says "combat units"? Within each  
28 battalion were there combat units?

29 A. There is no combat units.

1 Q. You said yes or no?

2 A. No.

3 Q. Can you highlight where it says "combat units" for us in  
4 orange, please.

12:59:13 5 Was it the case between 1990 and 1991 that unit commanders  
6 reported to their deputies - I'm sorry, I withdraw that. Was it  
7 the case that unit commanders within each battalion reported to  
8 their deputy commander?

9 A. All commanders will report to the battalion commander, not  
12:59:34 10 to the deputy.

11 Q. So what comments, if any, can you make about this phrase  
12 "unit commanders reported to their deputy commander"? Do you  
13 agree with it?

14 A. Well, I don't know what the person means here, but what I  
12:59:55 15 know commanders - unit commanders at the front line report to  
16 their commander. That's what I know of.

17 Q. Can you highlight that phrase for us in orange, please.

18 PRESIDING JUDGE: I'm sorry, I don't understand. Their  
19 commander being who?

13:00:07 20 THE WITNESS: Battalion commander.

21 MR ANYAH:

22 Q. Can you highlight that phrase for us in orange, please.

23 And we come to the last row of boxes at the bottom. The  
24 second box to the left has underneath "members", and you see it  
13:00:30 25 is connected to the "2nd Battalion commander"; do you see that,  
26 Mr Smythe? There is an arrow from the box at the top "2nd  
27 Battalion commander" down to "deputy commander" down to  
28 "members".

29 A. "Members", yes.



1 Q. Let's take some of the names that are in that box. First  
2 take a while to read some of the names quietly to yourself. When  
3 you are done, please let us know?

4 A. Yes, I'm familiar with only three names here.

13:01:12 5 Q. Well, let's start where it says included - it says "Members  
6 included Sam Tuah (ground commander in Sierra Leone from Strike  
7 Force unit)". Now, Mr Smythe, you've talked about the Strike  
8 Force unit before and you mentioned the name Jack Power Zako.  
9 Was Sam Tuah ground commander in Sierra Leone from the Strike  
10 Force unit of the NPFL between 1990 and 1991?

11 A. No, he was not.

12 Q. Can you highlight that entire phrase and Sam Tuah - start  
13 with "Sam Tuah" and highlight what is in the parenthesis, "ground  
14 commander in Sierra Leone from Strike Force unit".

13:02:19 15 To your knowledge, between 1990 and 1991 was there someone  
16 within the NPFL you knew called Mohamed Tarawalli?

17 A. I've never heard of that name before.

18 Q. Was any such person part of the structure of the NPFL  
19 between 1990 and 1991?

13:02:34 20 A. Excuse me again?

21 Q. Was any such person, Mohamed Tarawalli, part of the  
22 hierarchical structure of the NPFL between 1990 and 1991?

23 A. No, there was no such person.

24 Q. How about Issa Sesay?

13:02:50 25 A. No, he was not.

26 Q. How about Morris Kallon?

27 A. No, he was not.

28 Q. How about Peter Vandi?

29 A. No, he was not.

1 Q. How about Eldred Collins?

2 A. No, he was not.

3 Q. Can you mark all of those names, starting with "Mohamed  
4 Tarawalli" and ending in "Eldred Collins" in orange for us,  
13:03:19 5 please.

6 How about Joe Tuah?

7 A. Yes, Joe Tuah, yes, he was a member of the NPFL.

8 Q. Was he a member of the 2nd Battalion?

9 A. No, Joe Tuah was the commander of the Artillery Battalion  
13:03:36 10 of the NPFL.

11 Q. So do you agree with his name being listed as a member  
12 beneath the 2nd Battalion?

13 A. No, I don't agree.

14 Q. Can you highlight Joe Tuah's name in orange for us, please.

13:03:53 15 Let's take the next few names and go through the same  
16 exercise. Did you know to be members within the 2nd Battalion of  
17 the NPFL persons named Isaac Mongor, Augustine Gbao, Dopoe  
18 Menkarzon and Joseph Brown?

19 A. No.

13:04:17 20 Q. Can you highlight --

21 PRESIDING JUDGE: Excuse me, that is a compounded question.

22 MR ANYAH: I understand. I appreciate it. I will break it  
23 down in pieces:

24 Q. Mr Smythe, let's go through this one by one. Isaac Mongor,  
13:04:31 25 to your knowledge between 1990 and 1991 was he a member of the  
26 NPFL?

27 A. No, I'm not aware of him being a member of the NPFL.

28 Q. Augustine Gbao, between 1990 and 1991 to your knowledge was  
29 he a member of the NPFL?

1 A. I'm not aware of him being a member of the NPFL.

2 Q. Can you highlight both "Augustine Gbao" and "Isaac Mongor"  
3 in orange for us, please.

13:05:07

4 Dopoe Menkarzon, to your knowledge was he a member of the  
5 NPFL between 1990 and 1991?

6 A. Yes, Dopoe was a member of the NPFL.

7 Q. During that period of time what rank did he have?

8 A. Dopoe was a general.

13:05:23

9 Q. During that period of time to which battalion, if you know,  
10 did he belong?

11 A. Dopoe at the time - no, I can't be - I've got to refresh my  
12 memories, you know, of his assignment at the time.

13 Q. How about Joseph Brown?

14 A. No, Joseph Brown was not a member of the NPFL.

13:05:45

15 Q. Can you highlight "Joseph Brown" in orange for us, please.

16 We come to the last box to the right. Do you see that it  
17 is connected by lines, vertical lines, to the "6th Battalion"?

18 Is that a yes?

19 A. Yes.

13:06:08

20 Q. Can you read the names in that box, please?

21 A. "Members include" --

22 Q. That's to yourself.

23 A. Okay, sorry.

24 Q. Thank you.

13:06:24

25 A. Yes.

26 Q. Let's start with Charles Timber. We came upon this name in  
27 the box "Strike Force unit". Now, was Charles Timber a member of  
28 the NPFL at this time?

29 A. No, he was not a member of the NPFL at that time.

1 Q. The time period being 1990 through 1991?

2 A. Yes, the time period.

3 Q. Was there a time when Charles Timber became a member of the  
4 NPFL?

13:06:52 5 A. There was no time Charles Timber became a member of the  
6 NPFL.

7 Q. What of the name Rashid Mansaray? To your knowledge during  
8 the relevant period of time, 1990 through '91, was that person a  
9 member of the NPFL?

13:07:07 10 A. No, he was not a member of the NPFL.

11 Q. What about the name Mike Lamin?

12 A. He was not a member of the NPFL.

13 Q. Were either Rashid Mansaray or Mike Lamin, even though not  
14 members of the NPFL, somehow connected to your organisational  
15 structure?

13:07:23 16 A. No, they were not connected to our organisational  
17 structure.

18 Q. What of the name "Nathaniel" there? I don't see a last  
19 name next to it, but it's just "Nathaniel". Did you know  
20 somebody of that name within the NPFL between 1990 and 1991?

13:07:35 21 A. No, I don't know anybody of that time.

22 Q. How about the name Sam Bockarie?

23 A. No, I don't know anyone of that name in the NPFL.

24 Q. Have you ever heard of the name Sam Bockarie?

13:07:50 25 A. Yes, I heard of the name Sam Bockarie, yes.

26 Q. Did you hear of that name in the context of membership  
27 within the NPFL between 1990 and 1991?

28 A. No.

29 Q. How about the name Philip Palmer? Was that person, or any

1 person by such name, a member of the NPFL to your knowledge  
2 between 1990 and 1991?

3 A. No, he was not a member of the NPFL.

4 Q. And lastly, you see in quotation marks Lion. Did you know  
13:08:22 5 anybody with a nickname called Lion within the membership of the  
6 NPFL between 1990 and 1991?

7 A. No, there is somebody called Lion, but not between - within  
8 that period.

9 Q. Do you know the real name of the person called Lion?

13:08:38 10 A. Yes, one of the special attendants to Mr Taylor, William  
11 Dennis, he was referred to as Lion.

12 Q. William Dennis?

13 A. Dennis, yes.

14 Q. And when was he special assistant to Mr Taylor?

13:08:49 15 A. Special attendant.

16 Q. Thank you. When was he special attendant to Mr Taylor?

17 A. During the time of Mr Taylor's presidency. That is from  
18 1997 to 2006.

19 Q. Thank you, Mr Smythe. Now can you highlight all the  
13:09:07 20 information in that box starting from "Charles Timber" to where  
21 it ends "Lion". Can you highlight it in orange, please.

22 Can you take the black pen, now, Mr Smythe - I should thank  
23 you, in the first instance, for doing that. Can you write at the  
24 bottom of the page today's date and sign it, and then we will  
13:09:42 25 describe what the information in orange means. Just sign it and  
26 write your name, please.

27 Now, Mr Smythe, to the right-hand side of your signature  
28 can you write, "Information that I disagree with is highlighted  
29 in orange on this document." So "Information that I disagree

1 with is highlighted in orange in the above chart." Thank you,  
2 Mr Smythe.

3 The next document would be P-55. Mr Smythe, we are going  
4 to go through the same exercise we just went through in respect  
13:11:40 5 of the previous document. I ask for your indulgence with this  
6 process, but it is necessary. Now, this purports to be the  
7 command structure of the RUF after the invasion of Sierra Leone  
8 between the period March to June 1991. Can you look at the first  
9 box at the top, Mr Smythe.

13:12:09 10 MR KOUMJIAN: Excuse me, your Honours. I understood the  
11 witness to state he had no knowledge of the RUF command  
12 structure. Given that testimony, it seems that counsel is asking  
13 for him to speculate, to give us opinions about this.

14 MR ANYAH: Madam President, with respect, I did ask  
13:12:31 15 specific questions after that question to the effect was  
16 Charles Taylor, to his knowledge, head of the RUF command  
17 structure, and as to each of them Isaac Musa, Charles Taylor, Sam  
18 Larto, the witness responded.

19 PRESIDING JUDGE: We are looking at the - okay. The  
13:12:51 20 document is entitled "RUF command structure", but I think in  
21 honesty, Mr Anyah, you have not laid sufficient foundation. If  
22 you're going to ask this witness about RUF command structure, you  
23 need to lay a bit more foundation before you put these kinds of  
24 questions to him. He hasn't said that he's familiar with the  
13:13:14 25 RUF.

26 MR ANYAH: But he is familiar with the people in question.  
27 I appreciate the distinction, but he did testify, and I can pull  
28 it up, that with respect to these names he knew them not to be  
29 part of this structure. Now, it seems to us to be exactly the

1 same thing, just in the reverse order; namely, the witness can  
2 indicate information in a document he feels is incorrect because  
3 he has a personal basis for maintaining the position that he has  
4 and --

13:13:44 5 PRESIDING JUDGE: Very well. Let us hear the questions  
6 that you're putting to the witness.

7 MR ANYAH:

8 Q. Mr Smythe, we see the title of this document. Between  
9 March and June 1991, do you know whether or not Charles Taylor  
10 was at the top of the command structure of the RUF?  
13:14:06

11 MR KOUMJIAN: Excuse me, objection. Counsel has just  
12 indicated that he asked this question and it was answered  
13 already. So we're just repeating what's already in testimony.

14 MR ANYAH: But the purpose of this is different. It's not  
15 the oral testimony. It is for the witness to indicate by marking  
16 on a document that's going to be a potential exhibit what he  
17 disagrees with.  
13:14:23

18 PRESIDING JUDGE: The objection is overruled, except for  
19 this one thing: Does the witness agree that there was - the  
20 period in question is March to June 1991?  
13:14:41

21 MR ANYAH: Yes.

22 PRESIDING JUDGE: We're agreed upon that. Okay. Please  
23 proceed.

24 MR ANYAH:

13:14:53 25 Q. Mr Smythe, my question is this: During the time you were  
26 with Charles Taylor from 1990 onwards, at any time did you know  
27 him to be at the top of the RUF command structure?

28 A. No, I didn't know him to be on the top of the RUF command  
29 structure.

1 Q. Can you highlight in orange the information at the box at  
2 the top?

3 A. Only the name or the NPFL leader?

4 Q. All of it.

13:15:26 5 Now, the box immediately below that, to your knowledge,  
6 between March and June 1991, was Isaac Musa any part of the  
7 command structure of the RUF?

8 A. No, Isaac Musa was not part of the command structure of the  
9 RUF.

13:15:44 10 Q. Was Isaac Musa the NPFL battlefield commander between March  
11 and June 1991?

12 A. Isaac Musa was not the battlefield commander, instead the  
13 battle group commander.

14 Q. Can you highlight the word "group" and can you highlight  
13:16:03 15 "Isaac Musa" in orange for us.

16 A. The "field", because there is no "group" here.

17 Q. I'm sorry, "field", please. Now, where it has Sam Larto,  
18 was Sam Larto, to your knowledge, between March and June 1991,  
19 the NPFL battle group commander?

13:16:28 20 A. No, he was not the battle group commander.

21 Q. To your knowledge, between March and June 1991, was Sam  
22 Larto any part of the RUF command structure?

23 A. No, Sam Larto was not part of the RUF command structure.

24 Q. Can you highlight everything in that box for us, please.

13:16:56 25 JUDGE LUSSICK: I'm just having a little trouble here  
26 understanding what the witness is saying. That second box,  
27 you've got "NPFL battle commander" as still alive. In other  
28 words, is the witness saying that the NPFL battle commander  
29 actually was part of the RUF command structure for that period?



1 MR ANYAH: I appreciate that and it should be highlighted,  
2 but I will just ask him the question:

3 Q. Mr Witness, to your knowledge, whoever occupied the  
4 position of NPFL battle group commander, was that person between  
13:17:31 5 March and June 1991 a part of the RUF command structure?

6 A. No, that person is not part of the RUF command structure.

7 Q. Can you highlight "NPFL battle commander" for us in orange,  
8 please. Thank you, Justice Lussick.

9 Now, we start with the box on the left below "NPFL battle  
13:17:54 10 group commander" where it says "NPFL 6th Battalion commander".  
11 Mr Smythe, who was the NPFL 6th Battalion commander between March  
12 and June 1991?

13 A. NPFL 6th Battalion commander, during that period, was  
14 Oliver Varney.

13:18:13 15 Q. And where was he based then?

16 A. He was based in Bomi Hills.

17 Q. Was there a position called NPFL 6th Battalion commander  
18 during that period of time?

19 A. The 6th Battalion is NPFL, so somebody would not be wrong  
13:18:27 20 if you say NPFL 6th Battalion commander.

21 Q. Was Oliver Varney, between March and June 1991, to your  
22 knowledge, ever a part of the RUF command structure?

23 A. No, Oliver Varney was not a member of the RUF command  
24 structure.

13:18:40 25 Q. Can you highlight everything in that box in orange for us.  
26 There is a box to the right at the other end of the page  
27 called "Strike Force commander" with an asterisk. Do you see  
28 that?

29 A. Yes, I see.

1 Q. Did the NPFL have a Strike Force commander between March  
2 and June 1991?

3 A. I said it previously, yes, NPFL had a Strike Force  
4 commander.

13:19:08 5 Q. Was that person Sam Tuah?

6 A. No, he was not Sam Tuah.

7 Q. To your knowledge, was the person who occupied the post of  
8 Strike Force commander a part of the RUF command structure  
9 between March and June 1991?

13:19:21 10 A. No, that person is not a part of the command structure of  
11 the RUF.

12 Q. To your knowledge, was Sam Tuah during that period of time  
13 part of the RUF command structure?

14 A. No, Sam Tuah was not a member of the command structure of  
13:19:34 15 the RUF.

16 Q. Can you highlight everything in that box in orange for us,  
17 please, Mr Smythe.

18 Do you see where the asterisk leads to at the bottom of the  
19 page, it says "NPFL 2nd Battalion and Strike Force troops used"?

13:19:53 20 Do you see that at the very end of the page at the bottom?

21 A. "NPFL 2nd Battalion and Strike Force troops used", yes, I  
22 saw it.

23 Q. To your knowledge, between March and June 1991, were troops  
24 from the NPFL 2nd Battalion and Strike Force unit used in  
13:20:15 25 conjunction with anything connected with the RUF?

26 A. Yes, during the period that we have the collaboration, yes.

27 Q. And what was the nature of their usage in connection with  
28 the RUF?

29 A. It was to collaborate with the RUF in fighting against

1 ULI MO.

2 Q. Okay, we'll leave that as it is. We go to --

3 PRESIDING JUDGE: If I could see the head of this document,  
4 the top of the document. Isn't that asterisk related to the  
13:20:49 5 heading?

6 MR ANYAH: As far as I can tell, it's related to the box  
7 "Strike Force commander" because that's the only one I see with  
8 an asterisk.

9 PRESIDING JUDGE: Okay. I suppose I'll leave the evidence  
13:21:04 10 as it is. When it says "used" I'm not quite sure. Used in what?  
11 But that is besides the point. Please proceed.

12 MR ANYAH: Thank you, Madam President:

13 Q. Mr Smythe, I just want to reflect on the answer you said  
14 just now - you gave just now. You told us before that the period  
13:21:32 15 of time during which the RUF and the NPFL collaborated was in  
16 August 1991 through May or June 1992. Do you recall telling us  
17 that?

18 A. Yes, I do.

19 Q. So when you now said in relation to this information at the  
13:21:51 20 bottom of the page in the asterisk that troops from the 2nd  
21 Battalion and Strike Force units of the NPFL worked in connection  
22 with the RUF --

23 A. It was not stated. RUF was not stated here. It says "NPFL  
24 2nd Battalion and Strike Force troops used". I didn't see any  
13:22:18 25 RUF there.

26 Q. Well, let me repeat the question. To your knowledge,  
27 between March and June 1991, were troops from the NPFL's 2nd  
28 Battalion and Strike Force unit part of the command structure of  
29 the RUF?

1 A. No, they were not part of the command structure of the RUF.

2 Q. During that period of time, March to June 1991, were they  
3 used to facilitate any actions by the RUF in Sierra Leone?

13:22:52

4 A. NPFL soldiers were used, but I'm not sure whether they are  
5 from the 2nd Battalion or from the Strike Force.

6 Q. Were they used during the period March to June 1991 when  
7 you have told us the NPFL and RUF started working together in  
8 August 1991?

9 A. No, they were not used before 1991 to 1992.

13:23:11

10 Q. Can you highlight that information in orange for us at the  
11 bottom of the page, please.

12 Now we go to the box that says "deputy commander" with the  
13 indication "One Man One". It's right below the NPFL 6th  
14 Battalion commander box. Do you see that, Mr Smythe?

13:23:38

15 A. Yes, I see it.

16 Q. We've spoken about this person with the nickname One Man  
17 One in relation to the previous document. Do you remember that?

18 A. Yes, I do.

13:23:54

19 Q. Now, was the deputy commander of the 6th Battalion of the  
20 NPFL between March and June 1991 somebody named One Man One?

21 A. No, he was not the deputy commander of the 6th Battalion.

22 Q. Was the deputy commander of the 6th Battalion of the NPFL  
23 between that period of time, to your knowledge, within the  
24 command structure of the RUF?

13:24:18

25 A. No.

26 Q. Was the deputy commander or One Man One based in Zimmi  
27 between March and June 1991?

28 A. No, he was not based in Zimmi.

29 Q. Was that the deputy commander or One Man One or both of

1 them?

2 A. Both of them were not in Zimmi.

3 Q. Well, it says "1st Battalion ground commander". Did the  
4 NPFL have such a commander within the 6th Battalion?

13:24:51 5 A. Repeat that? 1st Battalion what?

6 Q. If you look at the bottom of that box, it reads "1st  
7 Battalion ground commander"?

8 A. Where is that? Yes, yes, yes.

9 Q. Did the NPFL have a 1st Battalion ground commander within  
10 the command structure of the RUF between March and June 1991?

11 A. No, there was no such thing.

12 Q. Can you highlight everything in that box in orange for us,  
13 Mr Smythe.

14 There is a box in the middle that says "the leader"; do you  
13:25:31 15 see that? It's shaded in colour.

16 A. Yes.

17 Q. And do you see in parenthesis it says "number 1 in the  
18 RUF"?

19 A. Yes.

13:25:41 20 Q. To the best of your knowledge, between March and June 1991  
21 did you know whether Foday Sankoh was head or leader of the RUF?

22 A. Based on what I heard on the radio and I understand, yes,  
23 he was the leader of the RUF.

24 Q. Now we move to the box to the right of that. It says  
13:26:00 25 "deputy commander" with no name. Well, there is no name given  
26 there. Do you know whether the deputy commander of the NPFL's  
27 Strike Force unit was part of the RUF command structure between  
28 March and June 1991?

29 A. Did you say any deputy NPFL Strike Force Commander?

1 Q. The deputy commander of the NPFL's Strike Force unit. Was  
2 that person, whoever he or she was, part of the RUF command  
3 structure between March and June 1991?

4 A. No, he was not part of the RUF's command structure.

13:26:35 5 Q. Can you highlight "deputy commander" in orange for us,  
6 please.

7 And we go to the box to the left that's in between "deputy  
8 commander" and "deputy leader". Mr Smythe, do you see the small  
9 box to the left-hand side of the page next to "deputy commander".

13:27:11 10 It's also adjacent to the box that says "deputy leader"?

11 A. Yes, I see.

12 Q. What do you see in that box?

13 A. I see "Charles Timber in and out".

14 Q. We've spoken about Charles Timber today previously, yes?

13:27:28 15 A. Yes.

16 Q. What this box indicates, do you agree with it?

17 A. I don't know Charles Timber, so I can't comment on it.

18 Q. Did you know a Charles Timber as a member of the NPFL  
19 between March and June 1991?

13:27:41 20 A. No, I don't know any Charles Timber as a member of the NPFL  
21 during that time.

22 Q. Can you highlight everything in that box in orange for us.

23 PRESIDING JUDGE: Is that accurate really if the witness  
24 doesn't know such a person? You haven't asked him if he was part  
13:27:58 25 of the hierarchy of the RUF. I don't know what his answer would  
26 be.

27 MR ANYAH: Well, I will ask, but it seems that Charles  
28 Timber is appended to either the deputy commander or beneath the  
29 hierarchy of the NPFL, 6th Battalion commander.

1           PRESIDING JUDGE: Yes, but he's not contravening that  
2 necessarily. He simply says he doesn't know.

3           MR ANYAH: I'll ask the witness. I believe the witness has  
4 said there was no member of the NPFL called Charles Timber. I  
13:28:29 5 will ask him about the RUF and what his knowledge base is:

6           Q. Mr Smythe, do you know whether somebody named Charles  
7 Timber was a part of the RUF command structure between March and  
8 June 1991?

9           A. I don't know.

13:28:44 10           MR ANYAH: I think, Madam President, your observation is  
11 accurate and I will make the necessary amendments when he puts a  
12 legend beneath the chart indicating what the orange markings  
13 mean. Thank you, Madam President:

14           Q. Now, Mr Smythe, we are left with three boxes. There is one  
13:29:05 15 that says "deputy leader", it's shaded. There is one that says  
16 "RUF 1st Battalion commander" and to the far right-hand bottom of  
17 the page there is one that says "RUF 2nd Battalion commander".  
18 Do you have any basis, Mr Smythe, for disagreeing with the  
19 information that's provided in those boxes?

13:29:29 20           A. I don't know about the command structure of the RUF so I  
21 don't think I can say anything about this right now. I can't say  
22 anything about it.

23           Q. Did you know any of those persons to be members of the RUF  
24 between March and June 1991?

13:29:43 25           A. I don't know them at all so I can't say whether they were  
26 members or not.

27           Q. Mr Smythe, could you sign your signature at the bottom of  
28 this document, date it and write your name, please. Could you  
29 write in parenthesis, "Information that I disagree with is

1 highlighted in orange", and then put a comma after you write that  
2 and when you put the comma put, "Except as relates to Charles  
3 Timber". Thank you, Mr Smythe.

4 Madam President, with leave of the Chamber could I ask  
13:31:11 5 respectfully that both documents be marked for identification?

6 PRESIDING JUDGE: The first document I will describe as a  
7 copy of exhibit P-54 highlighted by witness DCT-179. That's  
8 marked MFI-410.

9 The second document I will describe as a copy of exhibit  
13:31:34 10 P-55 as highlighted by witness DCT-179 and that's MFI-411.

11 MR ANYAH: Thank you, Madam President.

12 PRESIDING JUDGE: I think in view of the time this would be  
13 an appropriate time to take a luncheon break. We will reconvene  
14 at 2.30.

13:31:51 15 [Lunch break taken at 1.31 p.m.]

16 [Upon resuming at 2.30 p.m.]

17 PRESIDING JUDGE: Good afternoon. Mr Anyah, please  
18 continue.

19 MR ANYAH:

14:32:04 20 Q. Good afternoon, Mr Smythe.

21 A. Good afternoon, counsel.

22 Q. At some point in time while you were in Gbarnga with  
23 Mr Taylor in the early 1990s, did you hear about ECOMOG?

24 A. Yes, I did.

14:32:21 25 Q. Do you know what ECOMOG stands for?

26 A. I think so, yes.

27 Q. What is ECOMOG, Mr Smythe, if you know?

28 A. ECOMOG is economic community monitoring group of West  
29 African monitoring group.



1 Q. Have you heard of ECOWAS before?

2 A. Yes, ECOWAS.

3 Q. And is ECOWAS connected in any way to ECOMOG?

14:32:55

4 A. Yes, ECOWAS was sent - I mean ECOMOG was sent to Liberia by  
5 ECOWAS.

6 Q. And what is ECOWAS, if you know?

7 A. Economic Community of West African States.

8 Q. When was ECOMOG sent to Liberia by ECOWAS?

9 A. It should be some part of I think late 1990, yes.

14:33:17

10 Q. These ECOMOG representatives, were they military people?

11 A. Yes, they were military people, yes.

12 Q. Do you know how many such people were sent with ECOMOG to  
13 Liberia?

14:33:38

14 A. I don't know their strength but they came from different  
15 countries.

16 Q. Different countries in which part of the world?

17 A. In West Africa. From Nigeria, Ghana, Guinea, Sierra Leone,  
18 Gambia.

14:33:54

19 Q. What was the purpose of the deployment of ECOMOG in Liberia  
20 in the early 1990s, if you know - in late 1990, if you know?

21 A. Yes, the purpose that I heard was to come and establish a  
22 ceasefire and monitor it.

23 Q. Were ECOMOG forces fighting against anyone in Liberia when  
24 they arrived in late 1990?

14:34:19

25 A. Yes, at one point ECOMOG and the NPFL fought.

26 Q. Did they fight against anyone besides the NPFL?

27 A. No, not to my knowledge.

28 Q. Were you stationed in Gbarnga in late 1990?

29 A. I was not - I was not stationed in Gbarnga in late 1990. I

1 was stationed in Gbarnga permanently in 1991, July.

2 Q. In relation to ECOMOG, did you serve any function for the  
3 NPFL?

4 A. Yes, I served as NPFL Liaison officer to ECOMOG.

14:34:54 5 Q. When did you commence serving that function for the NPFL?

6 A. I commenced towards the end of 1991 going into 1992.

7 Q. Were you already at Gbarnga then at the end of 1991?

8 A. Yes, at the end of 1991, yes, I was in Gbarnga.

9 Q. Who made you the NPFL Liaison person with ECOMOG? Who gave  
14:35:17 10 you that appointment?

11 A. Mr Charles Taylor did.

12 Q. What did the job as Liaison person entail?

13 A. The job at the time entails monitoring the movements of  
14 ECOMOG within our territories, coordinating their movements,  
14:35:37 15 assisting them in their inspections, escorting them. Yes.

16 Q. Did you have any NPFL troops assigned to you to discharge  
17 your function as Liaison officer?

18 A. No, I didn't have any NPFL troops.

19 Q. Did you have occasion to meet with any ECOMOG commander  
14:35:55 20 during your tenure as Liaison officer?

21 A. Yes, I did.

22 Q. Who was the overall commander of ECOMOG in late 1990?

23 A. Late 1990?

24 Q. Yes, when it was first deployed into Liberia?

14:36:13 25 A. It was General Quainoo first.

26 Q. Do you know his first name?

27 A. I think Arnold Quainoo. I think Arnold Quainoo.

28 Q. I'm sorry, the first name you said was what?

29 A. Arnold.

1 Q. Arnold?

2 A. A-R-N-O-L-D I think.

3 Q. And can you spell Quainoo for us?

4 A. Q-U-I-N-O or something like that.

14:36:39 5 MR ANYAH: Madam President, I don't know if it is on the  
6 record but the spelling sounds right to me:

7 Q. In any event, Mr Smythe, when you became liaison officer in  
8 late 1991, who was the commander of ECOMOG then in Liberia?

9 A. General Kupolati was the commander.

10 Q. Kupolati?

11 A. Rufus Kupolati, yes.

12 MR ANYAH: I believe that is on the record, Madam  
13 President. I believe it has come out before.

14 PRESIDING JUDGE: Sometimes it's easier and safer to  
14:37:21 15 respell a name. If this happened - if it was spelled two years  
16 ago I can't remember.

17 MR ANYAH:

18 Q. Mr Smythe, do you know how to spell Kupolati?

19 A. I don't know whether I'll be correct. K-O-P-U-L-A-T-E or I  
14:37:39 20 don't know.

21 MR ANYAH: Madam President, with leave of the Court, the  
22 correct spelling would be K-U-P-O-L-A-T-I. That's the last name.  
23 First name Rufus, R-U-F-U-S. I see from a document that I have  
24 that the previous spelling of Quainoo given was not accurate but  
14:38:02 25 I'm in the Court's hands as to that. The proper spelling of  
26 Quainoo would be Q-U-A-I-N-O-O:

27 Q. Did you meet with Rufus Kupolati?

28 A. Yes, I did, just before he left Liberia.

29 Q. And what were the circumstances of that meeting?

1 A. It was to introduce - there was a letter that was written  
2 to him by General Isaac Musa introducing me as NPFL liaison  
3 officer, so I went to deliver that letter and we had an  
4 introductory meeting.

14:38:39 5 Q. Where did the meeting take place?

6 A. The meeting took place at the ECOMOG headquarters in  
7 Monrovia.

8 Q. What type of relationship were you trying to facilitate  
9 between the NPFL and ECOMOG during the period of time when you  
10 served as liaison officer?

14:38:52

11 A. I was trying to build confidence between the NPFL and the  
12 ECOMOG to assure them that NPFL was not against ECOMOG but  
13 because NPFL and ECOMOG fought because of the - when they came  
14 first, the way they came in, this was what led to the fighting  
15 because then their mandate was not actually clear to us, clear to  
16 the NPFL. So this was what led to the misunderstanding and you  
17 know they fought a war. But later on I was assigned as liaison  
18 officer to build their confidence that NPFL is not an enemy to  
19 ECOMOG and we are ready to welcome them into our territories.

14:39:12

20 Q. When was the end point of your service as liaison officer?

21 A. It was some part - sometime in 1992 before the commencement  
22 of Operation Octopus.

23 Q. During the period you served as liaison officer did the  
24 NPFL in fact welcome ECOMOG into its territory?

14:39:55

25 A. Yes, on several occasions I escorted ECOMOG on several  
26 occasions into the NPFL territory.

27 Q. And for what purpose did ECOMOG come on to the NPFL  
28 territory?

29 A. Because later on it was agreed that NPFL - I mean, ECOMOG

1 should deploy throughout the territories of Liberia and NPFL  
2 agreed for ECOMOG to deploy in their territories. So I, as  
3 liaison officer, you know, escorted them to make, how do you call  
4 it, confidence-building visits, inspections of sites that they  
14:40:22 5 will be and that took us around up to the southeast -  
6 southeastern Liberia.

7 Q. Grand Gedeh County?

8 A. Yeah, Grand Gedeh, Sinoe, Maryland, Grand Kru.

9 Q. Mr Smythe, do you have any pictures from the time when you  
14:40:46 10 served as liaison officer to ECOMOG?

11 A. Yes, I did, and I submitted as exhibit to the Defence.

12 Q. Can you give us a description of what those pictures  
13 generally depict?

14 A. Most of those pictures are pictures that I took when I was  
14:41:00 15 in the company of my colleague who was the ECOMOG liaison officer  
16 also by the name of Lieutenant Colonel Steven Abrokwah, some of  
17 the pictures. And some were with ECOMOG soldiers while on our  
18 way to - on inspection. Some were at the Port of Buchanan.  
19 There are many other pictures I took with them.

14:41:23 20 Q. Can you spell that last name for us? Steven Abrokwah.

21 A. A-B-R-O-K-W-A-H or something.

22 Q. Thank you, Mr Smythe. Now, how were you clothed in these  
23 pictures that you have regarding your time as liaison officer?  
24 Were you in uniform?

14:41:45 25 A. Some of the time I'll be in uniform. Most of the time I'll  
26 be in civilian clothes.

27 MR ANYAH: I wonder if the witness could be shown documents  
28 that we have marked as DP-210. These are photographs, rather.  
29 Madam President, these are documents we've provided copies I

1 believe to your Honours and to counsel opposite. They are for  
2 week 8 and we have a binder with tabs from 1 through 21 -  
3 actually, from 1 through 37, rather. And I would like the  
4 photographs in tabs 10, 11 - that is, DP-210, DP-211, DP-213,  
14:42:50 5 DP-214, DP-215, DP-220, DP-221, I would like those photographs to  
6 be shown to the witness, please:

7 Q. Yes. May we start with DP-210, please. Mr Smythe, can you  
8 see that photograph?

9 A. Yes, I can see it.

14:44:21 10 Q. What is that a photograph of?

11 A. This photograph was taken on our way from Buchanan with my  
12 colleague Colonel Abrokwah when we went for an inspection and the  
13 lady in the middle was my late wife.

14 Q. Now, do you see a year that appears on that photograph?

14:44:39 15 A. Yes, 1992.

16 Q. Can you perhaps move to this seat in front of the projector  
17 so that you can indicate with a pen who is who for us, please.  
18 Now, can you indicate -- Madam Court Usher, can you zoom out a  
19 little bit so the entire picture is visible, at least on our  
14:45:40 20 screens within the courtroom. Thank you.

21 Now, Mr Smythe, can you identify the persons on this  
22 photograph, please.

23 A. Yes, I can.

24 Q. Please do so.

14:45:59 25 A. By writing their names?

26 Q. Well, just draw an arrow from the person and write the  
27 person's name. Now, for purposes of the record, perhaps we  
28 should describe what you have written. The person in uniform,  
29 what is that person's name, the person that appears in military

1 camouflage uniform?

2 A. That's Lieutenant Colonel Steven Abrokwah, ECOMOG liaison  
3 officer.

14:47:33

4 Q. And the lady that is between you and that officer, who is  
5 that person?

6 A. Emma Tuma Wallace, wife of Colonel Yanks. That's my late  
7 wife.

8 Q. That's Ms Emma Tuma Wallace?

9 A. Yes.

14:47:47

10 Q. And you are the next person pictured in that photograph?

11 A. Yeah, Colonel Yanks Smythe, NPFL liaison officer to ECOMOG.

12 Q. And you said this was in or on the way to Buchanan?

13 A. We were on our way from Buchanan going back to Monrovia.

14 Q. And what was the purpose of the visit to Buchanan?

14:48:08

15 A. The visit was on a confidence-building visit to Buchanan.

16 Q. Made by whom?

17 A. Made by NPFL and ECOMOG.

18 Q. And the date?

14:48:30

19 A. For purpose of introducing Steven Colonel Abrokwah to our  
20 commanders there in Buchanan.

21 Q. Did that, in fact, happen?

22 A. Yes, it happened.

23 Q. And which commanders in Buchanan was he introduced to?

14:48:43

24 A. He was introduced to General Lima, General Daniel Chea, who  
25 were the major commanders at the time.

26 Q. And the date on that photograph, as you understand it, is  
27 it --

28 A. Yes, January 15, 1992.

29 Q. Thank you, Mr Smythe. May he be shown what has been marked

1 DP-211, please. Mr Smythe, what is that a photograph of?

2 A. This photograph was during a stopover in a village - in a  
3 town in Nimba County while I was escorting the ECOMOG troops on  
4 an inspection to the southeast.

14:49:39 5 Q. And what does the photograph depict?

6 A. Pardon me?

7 Q. What is shown in the photograph?

8 A. The photograph --

9 Q. If you could describe it for us.

14:49:50 10 A. Yeah, the photograph shows my picture, it shows some  
11 bystanders, it shows the driver of the truck and another ECOMOG  
12 soldier standing nearby.

13 Q. Now, the driver of the truck, was that an ECOMOG soldier or  
14 an NPFL soldier?

14:50:05 15 A. An ECOMOG soldier.

16 Q. And the person who is to the right of the driver of the  
17 truck that we can only see partially, who was that person?

18 A. Also an ECOMOG soldier.

19 Q. Can you identify yourself with the pen and also identify  
14:50:23 20 these ECOMOG soldiers with a pen please. Incidentally, on what  
21 date was this photograph taken?

22 A. This date was on the 17th.

23 Q. Of which month of which year?

24 A. Of January.

14:51:34 25 Q. Of which year?

26 A. In '92.

27 Q. Thank you, Mr Smythe. May the witness be shown what has  
28 been marked as DP-213, please. Mr Smythe, what is that a  
29 photograph of?



1 A. This photograph shows me with one of the NPFL commanders,  
2 General Saturday Twah [phon] and his soldiers.

3 Q. What was the name of that person?

4 A. General Saturday Twah. He was one of our NPFL generals.

14:52:41 5 Q. And what assignment did you have at the time this  
6 photograph was taken?

7 A. I was - it was taken the same day as the other picture  
8 while on my way to the southeast with the ECOMOG troops.

9 Q. Now, we see people with different colours of uniforms  
14:52:57 10 there. Can you describe what each uniform - or to which group  
11 each uniform belonged?

12 A. Yes. Saturday Twah was with his soldiers. And when I was  
13 going to the southeast, I had some of my boys with me also. But  
14 these are soldiers assigned with Saturday Twah.

14:53:16 15 Q. Can you use your pen and point who Saturday Twah is? And  
16 the person that is shaking Saturday Twah's hand, who is that  
17 person, if you know?

18 A. His last name is Matadi, but I can't remember his first  
19 name.

14:53:47 20 Q. Was that person an NPFL soldier?

21 A. Yes, he is an NPFL soldier.

22 Q. Now, can you identify yourself in that picture by writing  
23 your name, please. And you told us already this was on the 17th.  
24 You said it was the same day as the previous picture. Thank you,  
14:54:19 25 Mr Smythe. May the witness be shown what has been marked as --

26 PRESIDING JUDGE: Mr Anyah, what was the name of this other  
27 person? It appears as "indiscernible" on the record. We need to  
28 clarify.

29 MR ANYAH: Yes. This is DP-213, again, which is tab 13.

1 And if we could - Madam Court Usher, if we could move the frame  
2 up. Now, I believe Madam President was asking what the name of  
3 --

4 PRESIDING JUDGE: The witness did state a name of the  
14:55:04 5 person with his back towards us in the photograph.

6 MR ANYAH:

7 Q. Mr Smythe, can you respond to that, please?

8 A. Yes. I said his last name is Matadi, but I can't recall  
9 his first name.

14:55:16 10 PRESIDING JUDGE: So that's the spelling we request.

11 MR ANYAH:

12 Q. Can you spell Matadi for us, Mr Smythe, please?

13 THE WITNESS: M-A-T-A-D-I.

14 MR ANYAH: Thank you. I wonder if that satisfies Madam  
14:55:34 15 President?

16 PRESIDING JUDGE: Yes, thank you.

17 MR ANYAH: May the witness be shown the photograph in tab  
18 14, DP-214, please:

19 Q. Mr Smythe, what is that a photograph of?

14:55:55 20 A. This photograph was taken at my liaison office at the  
21 ECOMOG headquarters in Monrovia.

22 Q. And that photograph, does it bear a date?

23 A. Yes, this was on 3 March 1992.

24 Q. And for how long did the NPFL have an office of this sort  
14:56:20 25 in Monrovia?

26 A. This was up towards almost towards the - up to the time we  
27 had Operation Octopus.

28 Q. And when did you have Operation Octopus?

29 A. Octopus was sometime in 1992. I can't recall the date

1 exactly but it was sometime in 1992.

2 Q. Was it in the early part, the middle part or the late part  
3 of 1992?

14:56:57

4 A. It should be from the middle going up on towards the end of  
5 1992.

6 Q. Can you draw an arrow from yourself and indicate your name  
7 on that photograph. Thank you, Mr Smythe.

8 And the date on that picture, have we gone through that?

9 Did you say it was 3 March?

14:57:45

10 A. 1992, yes.

11 Q. May the witness be shown the photograph behind tab 15.

12 DP-215, please. Mr Smythe, what is that a photograph of?

13 A. This photograph was taken at the Port of Buchanan in Grand  
14 Bassa County.

14:58:26

15 Q. And are you pictured in that photograph?

16 A. Yes, I'm pictured. Yes, I was there. I'm there, you know,  
17 in jeans.

18 Q. Under what circumstances were you at the Port of Buchanan  
19 when this photograph was taken?

14:58:42

20 A. Was ECOMOG was to take over the Port of Buchanan and I took  
21 them there, you know, on a guided tour, you know, and to inspect  
22 the area also.

23 Q. The others pictured in this photograph are who?

14:59:06

24 A. Most of them are ECOMOG soldiers. In fact, all of them are  
25 ECOMOG soldiers, yes.

26 Q. Do you remember any of their names?

27 A. I don't remember their names exactly, but this man here is  
28 the chief military information officer of ECOMOG. He is a  
29 Nigerian. His name is very hard so I can't remember it actually.

1 Q. Can you use your pen and indicate his position drawing an  
2 arrow from him?

3 A. They used to refer to him as CMI O.

4 Q. And do you recognise any other person besides him?

14:59:41 5 A. Yes, myself.

6 PRESIDING JUDGE: CMI O is an acronym for what?

7 THE WITNESS: Chief military information officer. That's  
8 how they used to refer to him.

9 MR ANYAH:

14:59:59 10 Q. Can you write that on the photograph, please.

11 A. Okay.

12 Q. Next to the acronym. And can you write some kind of  
13 description about the Port of Buchanan, that this is taken during  
14 a visit to the Port of Buchanan. Thank you, Mr Smythe.

15:01:01 15 I asked for a number of pictures but for now these are the  
16 ones I want to deal with among the group I asked for. I wish to  
17 request another photograph that is different, but before we show  
18 the witness I would like to ask him a question. For purposes of  
19 Madam Court Manager, that photograph would be the document behind  
15:01:23 20 tab 16, DP-216, and the second one would be the document behind  
21 tab 9, it's a photograph, DP-209.

22 Now, Mr Smythe, you have told us yesterday during your  
23 evidence that you visited Camp Naama at the time you were at  
24 Gbarnga in the early 1990s, yes?

15:02:11 25 A. Yes, yes.

26 Q. On any of your visits or your one visit to Camp Naama, did  
27 you have a photograph taken?

28 A. Yes, I had a photograph taken at Camp Naama.

29 Q. And what does that photograph depict?

1 A. The photograph shows - I took it as a souvenir.

2 Q. And it is a photograph of what?

3 A. It was a photograph of myself standing in front of one of  
4 the houses - one of the dormitories in the barracks.

15:02:45 5 MR ANYAH: Can we have the photograph behind tab 16,  
6 DP-216, shown to the witness, please. Madam Court Usher, if you  
7 could zoom out further so that the entire photograph is visible.  
8 Yes, thank you:

9 Q. Mr Smythe, what is that or who is that a photograph of?

15:03:28 10 A. This is a photograph of me.

11 Q. And where were you when this photograph was taken?

12 A. I was at Camp Jackson Naama.

13 Q. And is there a date you can refer us to as to when this  
14 photograph was taken?

15:03:43 15 A. Yes, this photograph was taken in April 1992. On the 8th,  
16 to be precise.

17 Q. And does that photograph show you holding anything in your  
18 hand?

19 A. Yes, I have a Winchester in my hand.

15:03:59 20 Q. What is a Winchester?

21 A. A Winchester is a shotgun. A hunting gun I think.

22 Q. Now can you draw an arrow from yourself and indicate "Yanks  
23 Smythe at Camp Naama".

24 Now, Mr Smythe, you have told us, I believe yesterday, that  
15:04:36 25 after you became Mr Taylor's bodyguard and were assigned to him  
26 in Gbarnga you would make trips to Burkina Faso?

27 A. Yes.

28 Q. On any of your trips to Burkina Faso in the early 1990s did  
29 you take any photographs?

1 A. Yes, I could remember taking some photographs.

2 Q. Do you recall any particular one?

3 A. Yes, I can recall, yes. I could recall one of them.

4 Q. Which one is that?

15:05:04 5 A. There was one I took, I was sitting down - I was sitting on  
6 top of a small motorcycle in front of this - it was like a photo  
7 studio I think. I went to develop some pictures and I took that  
8 picture in front of the photo studio.

9 MR ANYAH: May the witness be shown what has been marked as  
15:05:21 10 DP-209, which is behind tab 9, please:

11 Q. Mr Smythe, what is that a photograph of?

12 A. This is a photograph of me.

13 Q. And where were you when this photograph was taken?

14 A. I was in front of a photo studio in Ouagadougou in Burkina  
15:05:59 15 Faso during one of my trips with Mr Taylor.

16 Q. And are you seated on anything?

17 A. Yes, I'm seated on top of a motorcycle.

18 Q. Can you draw an arrow from yourself and indicate "Yanks  
19 Smythe in Ouagadougou, Burkina Faso" and can you tell us what  
15:06:25 20 year that photograph was taken? Can you tell us in what year  
21 this photograph was taken?

22 A. This photograph was taken in early 1991.

23 Q. Thank you, Mr Smythe. Now, with respect to all these  
24 photographs starting with the one we just looked at, which was  
15:07:01 25 DP-209, can you sign all of them and put today's date, please?

26 A. I should only sign or I should write my name?

27 Q. Yes, you can write your name as well, please.

28 Madam President, may I indicate that we have the originals  
29 of each of those photographs in Court should the Bench wish to

1 review them and also if learned counsel opposite wishes to review  
2 them.

3 MR KOUMJIAN: Yes, I do, please.

4 PRESIDING JUDGE: Then would Madam Court Manager ensure  
15:09:25 5 that the originals are passed to Prosecution counsel, please.

6 MR KOUMJIAN: I do not mind if counsel continues while  
7 we're reviewing the photographs. I don't want to hold people up.

8 MR ANYAH: That's fair enough. May I proceed, Madam  
9 President? Thank you. Well, the next obvious point would be  
15:10:56 10 that the documents, with leave of Court, be marked for  
11 identification, but I don't know if there will be any  
12 observations following the review in terms of that.

13 PRESIDING JUDGE: I will proceed to mark the seven  
14 photographs in the order in which they have been presented as  
15:11:13 15 follows: I'll give them one parent number, which will be MFI-412  
16 and then --

17 MR ANYAH: If I may make a suggestion, with leave of the  
18 Chamber, perhaps the ones pertaining to him being an ECOMOG  
19 liaison officer could be marked in one set and the one vis-a-vis  
15:11:35 20 Camp Naama and the one in Burkina Faso be marked separately, but  
21 I'm in your Honour's hands.

22 PRESIDING JUDGE: I must say I have to go back now into the  
23 transcript and figure out which is which.

24 MR ANYAH: I can assist.

15:11:52 25 PRESIDING JUDGE: Please do that.

26 MR ANYAH: The ones relative to his service as ECOMOG  
27 liaison officer were DP-210, which was in tab 10; DP-211 in tab  
28 11; DP-213 in tab 13; DP-214 in tab 14; DP-215 in tab 15.

29 PRESIDING JUDGE: Now, those photographs in that order are

1 marked MFI -412A, B, C, D and E respectively.

2 MR ANYAH: Thank you, Madam President. The photograph  
3 depicting Mr Smythe in Camp Naama is DP-216 behind tab 16.

4 PRESIDING JUDGE: That's the only one in that category?

15:13:03 5 MR ANYAH: Yes, Madam President.

6 PRESIDING JUDGE: That will be marked MFI -413.

7 MR ANYAH: Thank you, Madam President. The photograph  
8 depicting Mr Smythe in Ouagadougou, Burkina Faso, DP-209 behind  
9 tab number 9.

15:13:22 10 PRESIDING JUDGE: That will be marked MFI -414.

11 MR ANYAH: Thank you, Madam President:

12 Q. Mr Smythe, you could resume your seat in the witness chair,  
13 please. Now, Mr Smythe, you mentioned when you were testifying  
14 about your work as liaison officer that ECOMOG at some point

15:14:02 15 attacked the NPFL in relation to Operation Octopus. Yes?

16 A. Yes. Yes.

17 Q. When did that take place?

18 A. I said I couldn't remember the month, but it happened, you  
19 know, in 1992.

15:14:18 20 Q. And where did Operation Octopus take place within Liberia  
21 in 1992?

22 A. In Monrovia. The outskirts.

23 Q. What was the purpose of this operation?

24 A. Well, the purpose of the operation, ECOMOG felt that NPFL  
15:14:39 25 was not complying enough. They were trying to force them into  
26 compliance.

27 Q. Well, who undertook this Operation Octopus? Was it the  
28 NPFL or was it ECOMOG?

29 A. Well, both. Both the NPFL and ECOMOG.



1 Q. Who coined the phrase Operation Octopus? Was it coined by  
2 the NPFL or by ECOMOG?

3 A. Operation Octopus was by the NPFL.

4 Q. And what was the objective of this operation?

15:15:08 5 A. The objective was to overrun Monrovia and take it over.

6 Q. And what was the outcome of this operation?

7 A. ECOMOG fought back and NPFL was pushed, you know, away from  
8 Monrovia for a certain distance.

9 Q. Did any fighting occur in Buchanan during Operation  
10 Octopus?

15:15:31

11 A. Yes. ECOMOG attacked Buchanan and there was fighting in  
12 Buchanan, yes.

13 Q. At the end of the fighting, who took control of Buchanan,  
14 if you know?

15:15:42

15 A. ECOMOG took over control of Buchanan.

16 Q. Was that in the year 1992?

17 A. Yes, it was in 1992.

18 Q. And before ECOMOG took control of Buchanan, was it the NPFL  
19 that was in control of Buchanan?

15:15:56

20 A. Yes, the NPFL was in control of Buchanan, yes.

21 Q. You told us yesterday - and the relevant page of  
22 yesterday's transcript is 35680. You told us yesterday that at  
23 some point in time Dr Manneh was based in Buchanan.

24 A. Yes.

15:16:19

25 Q. Was he in Buchanan when ECOMOG took control of Buchanan in  
26 1992?

27 A. No, he left before the attack on Buchanan.

28 Q. Was he in Buchanan during any part of the year 1992?

29 A. Yes. Some part of 1992, yes, he was there.

1 Q. Can you tell us the circumstances under which Dr Manneh  
2 left Buchanan?

3 A. Dr Manneh left Buchanan because he wanted to go back to  
4 Burkina Faso to come back.

15:16:52 5 Q. When he left Buchanan, did he in fact go back to Burkina  
6 Faso?

7 A. Yes, he went back to Burkina Faso, yes.

8 Q. Did he take any of the Gambian forces he had brought to  
9 help Mr Taylor back with him?

15:17:04 10 A. No, he didn't take anybody back with him.

11 PRESIDING JUDGE: Mr Anyah, what does the answer, "He went  
12 -he wanted to go back to Burkina Faso to come back," what does  
13 that mean?

14 MR ANYAH: I will clarify, Madam President:

15:17:17 15 Q. When you say Dr Manneh wanted to go back to Burkina Faso to  
16 come back, to come back to where?

17 A. He was going to come back to Liberia.

18 Q. And for what purpose did he travel to Burkina Faso?

19 A. I don't know for what purpose, but, you know, he was not -  
15:17:34 20 he was not, you know, in custody in Liberia so he could travel  
21 any time he feel like travelling.

22 Q. And how do you know he was intending to return to Liberia?

23 A. Yeah, because he told me before he left, you know, he and I  
24 met, he told me he was going to Ouagadougou in Burkina Faso and  
15:17:51 25 he was coming back.

26 Q. Did he in fact return to Liberia?

27 A. At certain - some point, yes, he returned.

28 Q. In what year did he return?

29 A. He returned - last time I saw him when he came was in 1996.

1 Q. Are you saying Dr Manneh left Liberia in 1992 and returned  
2 to 19 - returned in 1996?

3 A. Yes.

15:18:23

4 Q. Are you saying that during that period of time he was not  
5 in Liberia?

6 A. No, he was not in Liberia at the time.

7 Q. Would you have known if he had come into Liberia during  
8 that period of time?

9 A. Yes, I would have definitely known.

15:18:33

10 Q. When Dr Manneh left in 1992, do you know the relationship  
11 he had with Mr Taylor at the time of his departure from Liberia?

12 A. From the time I know Mr Taylor and Mr - Dr Manneh, their  
13 relation has ever been - has always been very cordial.

15:18:59

14 Q. Yes, it has been cordial. I'm referring to a specific  
15 period in time. Was that relationship cordial on the eve of  
16 Dr Manneh's departure from Liberia?

17 A. Yes.

18 MR KOUMJIAN: Objection. That's leading - I withdraw it.

19 MR ANYAH:

15:19:11

20 Q. What was your answer, Mr Smythe?

21 A. I didn't hear the question. I was interrupted.

22 Q. Dr Mr Taylor and Dr Manneh have cordial relations - may I  
23 finish my question? Was the relationship between Charles Taylor  
24 and Dr Manneh cordial, to the best of your knowledge, at the time  
15:19:35 25 Dr Manneh left Liberia?

26 A. Yes, to the best of my knowledge, the relationship was  
27 cordial.

28 Q. Did Dr Manneh perform any functions for the NPFL at the  
29 time he was based in Buchanan?

1 A. Yes, he did. He helped in the establishment of the  
2 civilian administration, you know, in terms of advising. You  
3 know, he helped a whole lot, yes.

4 Q. What was the function of the civilian administration?

15:19:57 5 A. The civilian - every county has a civilian administration.  
6 And Buchanan being a port city, when we took over Buchanan, there  
7 were a lot of things that were not in place. So Dr Manneh was  
8 asked by Mr Taylor to stay behind in Buchanan to help put some of  
9 the institutions together, like to make sure the port is  
15:20:14 10 functional --

11 Q. To make sure the what?

12 A. The Port of Buchanan is functional, to make sure that the  
13 soldiers do not go around harassing civilians and to put in some  
14 other administrative structures.

15:20:40 15 Q. You said every county has a civilian administration.

16 A. Yes.

17 Q. When you said that, are you referring to NPFL  
18 establishments?

19 A. Before and after - during and after the NPFL establishment.

15:20:56 20 Q. Was this a Government of Liberia administration or was this  
21 an NPRAG administration?

22 A. NPRAG administration, I would say.

23 Q. Did Dr Manneh interact with civilians and assist civilians  
24 on behalf of the NPFL in Buchanan when he was based there?

15:21:23 25 A. Definitely, yes, he did, on many occasions.

26 Q. What sort of assistance, if any, did he provide to  
27 civilians in Buchanan on behalf of the NPFL when he was based  
28 there?

29 A. Providing food, providing assistance to those that have

1 problems with the soldiers and so forth.

2 Q. I want to read to you what the former President of Liberia,  
3 Moses Blah, told this Court when he was here in 2008, and this is  
4 from the transcript of 15 May 2008, the relevant page being page  
15:22:07 5 9947. I will start at line 12, once it is pulled up. So  
6 President Blah was here, Mr Smythe, and this is what he told us  
7 about Dr Manneh and how he left Liberia:

8 "Q. Witness, let me go back to where we were with the  
9 Gambians. You mentioned this General Jackson who had died  
10 or who had been killed saving Taylor's life. He was called  
11 General Jackson. Why was he called a general?

12 A. When you are an aide-de-camp to the President you will  
13 be called a general, a brigadier general, must be the head.  
14 Either brigadier or a lieutenant general will occupy that  
15:23:19 15 position. So he must be called a general when you are an  
16 aide-de-camp to the President.

17 Q. And where had you first met this General Jackson?

18 A. I met General Jackson first in Burkina with his brother  
19 who is Dr Manneh, who happened to be the head of the group  
15:23:41 20 that went to The Gambia to find them through their  
21 government. That is the younger brother who is Jackson. I  
22 met them together Burkina.

23 Q. Do you know when that was when you met them in Burkina?

24 A. We were in Burkina in 1989, in 1989, the latter part -  
15:24:09 25 or the later part of 1989. After that we separated and we  
26 went our separate ways towards Liberia.

27 Q. Did you ever see Dr Manneh again?

28 A. No, until we entered Liberia and we captured Buchanan.  
29 That was when I saw Dr Manneh. He was in Buchanan like he

1 was in charge of Buchanan. I didn't know how he got that  
2 appointment. He was in Buchanan and he became so powerful  
3 he was ordering soldiers to war and things. Mr Taylor at  
4 the time didn't like what he was doing. As a result of  
15:25:02 5 that, he had to leave. He left. Since then I have not  
6 seen him any more."

7 Let's pause there. President Blah describes a Dr Manneh in  
8 Buchanan who became so powerful he was ordering soldiers to war  
9 and things. Was that your recollection of Dr Manneh's status in  
15:25:28 10 Buchanan when he was based there, Mr Smythe.

11 A. No, that was not my recollection.

12 Q. Do you recall whether or not Dr Manneh ever ordered any  
13 soldiers to war during the NPFL conflict when he was based in  
14 Buchanan?

15:25:43 15 A. No, I can't remember him ordering any NPFL soldiers to war.

16 Q. Beyond Buchanan, anywhere else in Liberia did you hear or  
17 know of Dr Manneh ordering NPFL troops to war?

18 A. No, I never heard of it.

19 Q. Did you know whether at any time President Taylor was not  
15:26:05 20 pleased with Dr Manneh's presence in Liberia?

21 A. No, I didn't know of such a time.

22 Q. Let's continue. There is a question at line 10:

23 "Q. Well, who was he ordering? Which soldiers?

24 A. Ordering our soldiers. He came along with a dozen  
15:26:30 25 of Gambians. They were there together with our own  
26 fighting forces. They were all - they were on mixed  
27 operations. Nobody would know who was a Gambian, no  
28 Liberian would know who was a Gambian or who was a Liberian  
29 except you had that kind of - that level of experience, but

1 he was fighting alongside our forces."

2 Now what President Blah says here, that Liberians and  
3 Gambians engaged in mixed operations, does that match with your  
4 recollection, Mr Smythe?

15:27:07 5 A. No, it doesn't match with my recollection.

6 Q. What do you remember about the interaction of Liberians and  
7 Gambians in that early time in the conflict in the vicinity of  
8 Buchanan and elsewhere?

9 A. The duty of the Gambians at the time was to provide  
15:27:22 10 security for Mr Taylor and they would always be where Mr Taylor  
11 is.

12 PRESIDING JUDGE: Mr Anyah, was that mixed operations or  
13 joint operations? What are mixed operations?

14 MR ANYAH:

15:27:36 15 Q. Mr Smythe, we're referring to joint operations. Did NPFL  
16 soldiers and Gambian forces brought in by Dr Manneh engage in  
17 mixed combat operations or joint combat operations?

18 A. No.

19 Q. Line 17 there's a question:

15:28:05 20 "Q. And he was investigated?

21 A. Not that I know of, but there is like - he was not  
22 satisfied with the treatment too because he was becoming  
23 powerful. He was deputy to Taylor in operations, which  
24 President Taylor didn't like very much. He was the sole  
15:28:23 25 owner of the revolution. He didn't have a deputy at the  
26 time to say, 'You deputise today, you deputise tomorrow.'  
27 That was Manneh's behaviour, so he had to go back to where  
28 he came from."

29 Let's pause there. Mr Smythe, in your recollection was

1 Dr Manneh ever appointed a deputy of Charles Taylor within the  
2 NPFL leadership?

3 A. No, not to my recollection.

15:29:01

4 Q. To your recollection was Dr Manneh so powerful that Charles  
5 Taylor was not pleased with Manneh's behaviour and as a  
6 consequence Dr Manneh had to leave Liberia?

7 A. Not to my recollection, no.

8 Q. Now line 25 the question is posed, this is the same page,  
9 9948:

15:29:17

10 "Q. Do you recall any other Gambians that were in Liberia  
11 at this time with the NPFL?

12 A. There were a lot of them. There were lots of them.

13 There was a fellow who called himself Yank Smith who  
14 himself was a Gambian and he became Liberian ambassador to  
15 Tunisia and Libya in my stead when I became Vice-President.  
16 Yank Smith."

15:29:41

17 That is at page 9949. Then President Blah is asked about  
18 Yank Smith and he said, "Y-A-N-K, Yank Smith, S-M-I-T-H". And he  
19 was asked a question at line 8:

15:30:05

20 "Q. Was that his true name?

21 A. No, that was a pure Liberian name. I don't know how he  
22 got that name but that was the name he used in Liberia. As  
23 I speak he is known as Yank Smith but he is a Gambian."

24 We go to line 12:

15:30:28

25 "Q. What was the source of that name, do you know?

26 A. No, I wouldn't say.

27 Q. How as a non-Liberian was he able to be an ambassador  
28 to a foreign country on behalf of Liberia?

29 A. That was illegal but I wouldn't say. I don't know



1           how. "

2           Let's pause there. Mr Smythe, was your appointment as  
3 ambassador to Libya and Tunisia illegal to the best of your  
4 knowledge?

15:31:13 5   A.    It was not illegal. It was legal.

6   Q.    When did you become a Liberian citizen?

7   A.    I became a Liberian citizen in 1998.

8   Q.    And in which year were you appointed charge d'affaires to  
9 Libya and Tunisia?

15:31:29 10  A.    I was appointed in July 2000 as charge d'affaires to Libya.

11  Q.    We keep hearing the reference to you as Yank Smith. Is  
12 your name Smith or Smythe?

13  A.    My name is Yanks, Y-A-N-K-S, Smythe, S-M-Y-T-H-E.

14  Q.    Thank you, Mr Smythe. When you finished your assignment as  
15:32:13 15  ECOMOG liaison officer was that the time you were sent to Grand  
16 Gedeh County?

17  A.    I was sent to Grand Gedeh County in late 1993.

18  Q.    And between the time you finished as ECOMOG liaison officer  
19 and late 1993 when you went to the southeast, what was your  
15:32:31 20  assignment?

21  A.    My assignment was to provide security for the logging  
22 companies that were there because the information that was  
23 filtering in Gbarnga was soldiers were there harassing them,  
24 couldn't allow them to, you know, carry on their operations. So  
15:32:44 25  Mr Taylor asked me to go there to make sure that, you know, the  
26 harassment doesn't continue and the people will operate freely.

27  Q.    And did you finish that assignment in 1994?

28  A.    I was in that assignment until 1995 when I was called by  
29 Mr Taylor to come and accompany him to Monrovia.

1 Q. When you were in Grand Gedeh did you still go to Gbarnga to  
2 visit?

3 A. Once in a while I would go to Gbarnga, yes, because I  
4 maintained a residence there.

15:33:15 5 Q. When you were in Grand Gedeh did you know what was  
6 transpiring in Gbarnga vis-a-vis the NPFL activities?

7 A. Yes, I would know because I had a radio with me at my  
8 assignment post - at my assignment area that I could communicate  
9 with Gbarnga at any time.

15:33:31 10 Q. Did you know about Mr Taylor's movements when you were in  
11 Grand Gedeh County?

12 A. Sometimes yes if I was on the radio if he has to move  
13 somewhere I'll be told that, you know, he has moved from this  
14 place to that place.

15:33:44 15 Q. Did you hear about an attack against NPFL positions in  
16 Gbarnga in 1994?

17 A. Yes, I heard about it.

18 Q. Was Mr Taylor in Gbarnga when that attack took place?

19 A. No, Mr Taylor was not in Gbarnga. He was out of Liberia at  
15:33:59 20 the time.

21 Q. Where was he when that attack took place?

22 A. I think he was attending a conference in, if I'm not  
23 mistaken, in Ghana, in Akosombo I think.

24 Q. Akosombo, Ghana?

25 A. Yes.

26 Q. I believe that's on the record. You said Mr Taylor asked  
27 you to accompany him to Monrovia, yes?

28 A. Yes, 1995, yes.

29 Q. Do you remember the month that he asked you to do so?

1 A. We went to Monrovia I think it's in September 1995 if I'm  
2 not mistaken, yes.

3 Q. And what was the purpose of him going to Monrovia?

15:34:39

4 A. To take his seat as a member of the six-man council, as one  
5 of the council members.

6 Q. This was the council of what?

7 A. The Council of State.

8 Q. And do you remember the other members of this council?

9 A. Yes.

15:34:50

10 Q. Who were they?

11 A. George Boley was a member.

12 Q. George?

13 A. Boley.

14 Q. Boley?

15:34:56

15 A. Yes.

16 Q. Is that G-B-O --

17 A. No, B-O-L-E-Y.

18 Q. B-O-L-E-Y, okay. And who else?

19 A. Alhaji Kromah.

15:35:07

20 Q. Yes?

21 A. Chief Tamba Tailor.

22 Q. Yes?

23 A. Wilton Sankawulo.

15:35:26

24 Q. I believe that's on the record, Madam President. If you  
25 remember the rest you can tell us?

26 A. Yeah, I will recall and I will tell you later on.

27 Q. Okay. And how many people moved with Mr Taylor to  
28 Monrovia?

29 A. In terms of what?

1 Q. NPFL personnel.

2 A. A lot of them. A lot of them. I can't recall the number,  
3 but a lot of them went.

4 Q. Did other Gambians that you trained with in Libya move to  
15:35:48 5 Monrovia with Mr Taylor?

6 A. Yes, most of them moved and some stayed behind in Gbarnga.

7 Q. Were the Gambians still protecting Mr Taylor and acting as  
8 his security when he moved to Monrovia?

9 A. Yes, I think as his security, yes.

15:36:04 10 Q. When Mr Taylor got to Monrovia where did he first take up  
11 residence?

12 A. He first took residence somewhere at the Mamba Point  
13 enclave.

14 Q. At the where?

15:36:13 15 A. Mamba Point. There's like a diplomatic enclave in Monrovia  
16 called Mamba Point. That's where he was residing first.

17 Q. That is Mamba, M-A-M-B-A?

18 A. M-A-M-B-A, yes.

19 Q. And where were you residing when you got to Monrovia?

15:36:29 20 A. Because the first night I got there, you know, we all slept  
21 there. That night I saw my wife, you know, and she had a  
22 residence somewhere in the Paynesville area so that's where I  
23 used to sleep. I will come to work and in the evening go back  
24 home to sleep.

15:36:47 25 Q. Is that Paynesville?

26 A. Paynesville, P-A-Y-N-E-S-V-I-L-L-E.

27 Q. And where was the place that you worked?

28 A. I worked --

29 Q. Within Monrovia where was it located at?

1 A. I always accompanied - I would go there in the morning to  
2 Mr Taylor's residence and accompany him to the mansion, you know  
3 at his office. After work accompany him back home before I would  
4 go home to my residence.

15:37:15 5 Q. When you say the mansion, what are you referring to?

6 A. Executive Mansion because that was the seat of the Council  
7 of State.

8 Q. And in which part of Monrovia is that?

9 A. It's in Capitol Hill. Call the place Capitol Hill in  
10 Monrovia.

11 Q. Was it when he was at the Executive Mansion that there was  
12 an attack on his - an attempt on his life?

13 A. Yes, there was an attempt on his life at the Executive  
14 Mansion.

15:37:45 15 Q. When did that take place?

16 A. It took place on October 31, 1996.

17 Q. Who was behind that attempt on his life?

18 A. Well, I don't know whether any official version of the  
19 report came but it was quite clear that it was his - it was  
15:38:10 20 George Boley's group and the other - his other collaborators that  
21 planned that attack on his life.

22 Q. George Boley was head of which group?

23 A. George Boley was head of the Liberian Peace Council, LPC.

24 Q. Was it on this occasion that General Jackson Mendy was  
15:38:28 25 killed?

26 A. Yes, Jackson was killed during that period.

27 Q. Do you have any photographs of you and Jackson Mendy?

28 A. Yes, I think I have one photograph of he and myself. That  
29 picture was taken on 1 April 1996.

1 Q. 1 April, is that what you said?

2 A. Sorry, I'm sorry, please excuse me. On 6 April, sorry.

3 Q. What year?

4 A. 1996.

15:39:01 5 Q. And what were the circumstances under which that photograph  
6 was taken?

7 A. That photograph was taken on the day the Council of State  
8 attempted to arrest General Roosevelt Johnson and that photograph  
9 was taken while we were sitting down - sitting somewhere, you

15:39:17 10 know, taking cover and we took that picture as a souvenir.

11 Q. Did you give us that photograph?

12 A. Yes, I did.

13 Q. I will find it in a moment.

14 I wonder if, Madam Court Manager, the witness could be  
15:39:43 15 shown the document behind tab 17, DP-217. Yes, could he be shown  
16 that photograph, please? You can put it on the overhead.

17 Mr Smythe, can you see that photograph?

18 A. Yes, I can see it clearly.

19 Q. And who is pictured in that photograph?

15:40:32 20 A. That's myself and General Jackson - the late  
21 General Jackson.

22 Q. Can you tell us if you are holding anything in the  
23 photograph?

24 A. Yes, I was holding an AK-47 rifle.

15:40:48 25 Q. On your right hand?

26 A. Yes.

27 Q. And General Jackson?

28 A. Yes, he was also holding an AK-47 rifle.

29 Q. And what were you doing when this photograph was taken?

1 A. We are sitting somewhere close to the residence of General  
2 Roosevelt Johnson, you know, when we went to effect the arrest  
3 order that was given by the Council of State.

4 Q. And of which group were you representatives of when you  
15:41:19 5 were armed in this fashion?

6 A. We were representing the NPFL.

7 Q. Were you successful in arresting Roosevelt Johnson?

8 A. No, we were not successful.

9 Q. Did the NPFL sustain any casualties during this incident?

15:41:36 10 A. Yes [indiscernible] I may not remember all, but I remember  
11 one of - we lost one of our men, the late General Domingo died on  
12 the same day.

13 Q. Was that Domingo Ramos?

14 A. Yes, Domingo Ramos.

15:41:50 15 Q. A Special Forces trained in Libya?

16 A. Yes.

17 Q. A Gambian?

18 A. Yes.

19 Q. Now, Madam Court Usher, if the witness could be given the  
15:42:01 20 photograph to mark his name and the name of General Jackson and  
21 sign and date it and also indicate "6 April 1996, Roosevelt  
22 Johnson incident".

23 I have the original here if counsel opposite wishes to see  
24 it.

15:42:58 25 PRESIDING JUDGE: Do you wish to see the original?

26 MR KOUJIAN: Yes - I did nod to counsel - I would, please.

27 PRESIDING JUDGE: Mr Anyah, I don't know if the witness  
28 stated the location where this photograph was taken in terms of  
29 the name of a place.

1 MR ANYAH: I will ask the witness, Madam President:

2 Q. Mr Smythe, you heard the question by the President. Where  
3 were you physically located when this photograph was taken?

4 A. I was in Sinkor.

15:43:40 5 Q. Was this at somebody's house?

6 A. It was just outside of the house, you know, behind a fence.

7 JUSTICE LUSSICK: Can that photograph be put back on the  
8 overhead, please. I would like to see what's been written on it.

9 MR ANYAH: Please, Madam Usher, please put it back, and if  
15:43:58 10 you could zoom - yes. Could you zoom out a little bit more so  
11 that we see where the arrows are going:

12 Q. Mr Smythe, can you read out what you've written on that  
13 photograph?

14 A. Yes. I wrote the name of General Jackson, General Yanks  
15:44:26 15 Smythe, April 6, 1996 during the attempted arrest of General  
16 Roosevelt Johnson.

17 Q. Now, you were explaining where this photograph was taken.  
18 The brick structure that's behind you and General Jackson, do you  
19 recognise what that structure is?

15:44:44 20 A. That structure was a fence to a house and we were sitting,  
21 you know, behind the fence.

22 Q. And who are the people around the two of you?

23 A. They are NPFL soldiers, but I don't know their names.

24 MR ANYAH: I wonder if there are any more questions, but if  
15:45:04 25 none --

26 MR KOUMJIAN: I would just ask to see the original again.  
27 I apologise, but there is something I would like to check.

28 MR ANYAH:

29 Q. Mr Smythe, you said the people in the photograph around you



1 are NPFL soldiers.

2 A. Yes.

3 Q. Do you recognise any of them?

4 A. No, I don't recognise any them.

15:45:25 5 Q. Do you see any of them holding any weapons?

6 A. In that picture, I can't see anybody with a weapon there.

7 Q. We also have the original available if you would prefer to  
8 see it, Mr Smythe.

9 A. Yeah, but I'm not seeing anybody with weapons besides the  
15:45:44 10 two of us.

11 MR KOUMJIAN: May I just make one observation after viewing  
12 the original? I would ask that it be passed to your Honours.

13 It's a small point, but one point is that the lines that appear  
14 on the copy do not appear on the original. That's from the heads

15:46:00 15 of what the witness has identified as himself and General

16 Jackson, but also I think your Honours the faces are more visible  
17 in the original and I would ask your Honours to view the faces in  
18 the original photograph.

19 MR ANYAH: That is entirely up to your Honours. We have  
15:46:17 20 the original here if your Honours wish to see it.

21 JUSTICE LUSSICK: Mr Anyah, I noticed one thing from that  
22 original photograph. You asked Mr Smythe, "Do you see any of

23 them holding any weapons?" The answer was, "In that picture, I  
24 can't see anybody with a weapon there." That's apart from the

15:48:18 25 two obvious ones. There is a man at the back holding a weapon as  
26 well to the left of the photo.

27 MR ANYAH: Yes.

28 JUSTICE LUSSICK: But I don't think you can pick it up on  
29 this copy, but we can pick it up on the original.

1 MR ANYAH: I will show this to the witness. If your Honour  
2 wishes me to inquire further, I will, and we could place the  
3 original --

4 JUSTICE LUSSICK: I'm just qualifying the answer that was  
15:48:53 5 given in view of the fact that we've now seen the original.

6 MR ANYAH: Madam President, may I ask that this photograph  
7 be marked for identification, please.

8 PRESIDING JUDGE: The photograph DP-217 is marked MFI-415.

9 MR KOUMJIAN: Your Honour, in this case, unless there's a  
15:49:19 10 good reason not to, we believe the original is evidence probative  
11 in this important case and would ask that the original also be  
12 marked for identification.

13 MR ANYAH: If I may respond, Madam President?

14 PRESIDING JUDGE: Yes, Mr Anyah.

15:49:39 15 MR ANYAH: The reasons we have copies and we're using  
16 coloured copies instead of the originals is based on the  
17 expressed wishes of Mr Smythe, who was very reluctant to provide  
18 us with these pictures for fear that the originals will be  
19 admitted into evidence and it will take perhaps months if not  
15:49:56 20 years for him to get them back. And I do think, given the  
21 qualifications made on the record about the original and its  
22 differences with the copy, the record as is presently contains  
23 sufficient information that summarises what this photograph is  
24 about and it provides enough details for your Honours to rely on  
15:50:21 25 it for any purpose you may later on wish to rely on it for. And  
26 I think it would be - it would be cumbersome and in some  
27 instances unfair to the witness, given assurances we've given him  
28 about the prospects of him losing his original or having it taken  
29 from him. But we're entirely in the Court's hands, of course.

1           PRESIDING JUDGE: I know that in the past, especially  
2 during the Prosecution case, what the Court has insisted upon is  
3 that the originals be present in Court when the evidence is being  
4 led so that it gives both the judges and the parties an  
15:51:04 5 opportunity to check that the copy is indeed a true copy of the  
6 original. We have not in the past insisted that the original  
7 photographs be actually exhibited. Now, in this case the  
8 witness's stated desire is for him to keep his originals and I  
9 think in view of the fact that we have had an opportunity, all of  
15:51:33 10 us, to look at the original, I think a copy would suffice to be  
11 exhibited.

12           Mr Anyah, it is my - is it my understanding that the  
13 original will continue to be in Court at least for the duration  
14 of the witness's full testimony, including cross-examination?

15:52:03 15           MR ANYAH: Yes, I can assure to that and I will.

16           PRESIDING JUDGE: Because that is what we would prefer to  
17 see.

18           MR ANYAH: Yes. We will ensure to that, Madam President.  
19 Thank you:

15:52:13 20 Q. Mr Smythe, during your time in Monrovia with President  
21 Taylor - well, with Charles Taylor, a member of the Council of  
22 State, did you and him travel overseas during that time?

23 A. Yes, we travelled overseas.

24 Q. On how many occasions did you travel overseas?

15:52:31 25 A. I travelled with him to South Africa.

26 Q. Besides South Africa, did you travel anywhere else with  
27 then Council of State member President Taylor?

28 A. Yes. I travelled with him to Abuja, Nigeria.

29 Q. Yes. Anywhere else?

1 A. I could remember these two places. I'll try to recollect  
2 later on.

3 Q. While you were in Monrovia with Charles Taylor, did you  
4 travel anywhere with Moses Blah?

15:53:11 5 A. Yes, Moses Blah and myself travelled. Yes, I could  
6 recollect. Okay, yes, I travelled with Mr Taylor to Libya. Yes,  
7 I recollect, yes.

8 Q. And who travelled with you and him to Libya?

9 A. Travelling with us was Moses Blah, Benjamin Yeaten,  
15:53:33 10 General Jackson, and many others.

11 Q. May the witness be shown - well, let me ask you one more  
12 question. With respect to your trips to Libya with Moses Blah  
13 and others and Charles Taylor and with respect to your trip to  
14 South Africa with Charles Taylor, do you have photographs of

15:53:52 15 those trips?

16 A. Yes, I do.

17 MR ANYAH: May the witness be shown the following  
18 photographs, please: The document in tab 18, which is DP-218;  
19 the document in tab 19, which is DP-219; the document in tab 24,  
15:54:23 20 which is DP-224; the document in tab 22, which is DP-222; the  
21 document behind tab 25, which is DP-225; the document behind tab  
22 26, which is DP-226. I think those are the documents for now.

23 Can you put them on the overhead and if the witness could be  
24 permitted to change seats and move to the chair where the  
15:55:39 25 overhead projector is:

26 Q. Mr Smythe, what is that a photograph of?

27 A. This photograph was of me.

28 Q. And where were you when this photograph was taken?

29 A. I was in Tunis, the capital of Tunisia, on my way back from

1 Tripoli, Libya.

2 Q. And when did you undertake that trip to Libya?

3 A. This trip was undertaken in October 1996.

4 Q. And with whom did you go to Libya?

15:56:46 5 A. Moses Blah and myself.

6 Q. Was this the same trip you went to Libya with President  
7 Taylor or with Charles Taylor that you told us about a few  
8 minutes ago?

9 A. This was the second trip.

15:57:00 10 Q. Were both trips in the same year?

11 A. Yes, the same year.

12 Q. What was the purpose of this particular trip you took with  
13 Moses Blah?

14 A. This was a trip to make a follow-up on a promise of food  
15:57:15 15 supplies, that is rice to be specific, that was made to Mr Taylor  
16 by the Libyan leader Muammar Gaddafi.

17 Q. When did President Gaddafi make this promise of rice to  
18 Charles Taylor?

19 A. During Mr Taylor's visit to Libya in September 1996.

15:57:36 20 Q. And did Colonel Gaddafi in fact provide rice to President -  
21 to Charles Taylor?

22 A. Rice was provided at a later date, yes.

23 Q. When was the rice provided?

24 A. The rice was provided during the presidency of Mr Taylor.

15:57:51 25 Q. And what quantity of rice are we talking about?

26 A. It's a lot of rice. I don't know. I can't remember the  
27 quantity but it was a lot of rice. And it was given to the  
28 Liberian government and it was distributed among the citizens.

29 Q. Besides rice, did Colonel Gaddafi provide any other thing

1 to President Taylor as a consequence of that trip in September  
2 1996?

3 A. No, not that I'm aware of.

4 PRESIDING JUDGE: Did the witness not mention October 1996?

15:58:31 5 MR ANYAH: Yes, but that was in relation to this trip with  
6 Moses Blah and my question was in relation to the trip where  
7 there was the promise by President Gaddafi. Madam President, I  
8 wonder if that is okay for your purposes?

9 PRESIDING JUDGE: Yes. That is fine. Thank you.

15:58:53 10 MR ANYAH:

11 Q. Mr Smythe, can you draw an arrow from yourself and write  
12 "photograph of Yanks Smythe in Tunis, Tunisia."

13 PRESIDING JUDGE: For the record, this is the photo DP-218.

14 MR ANYAH: Yes, Madam President, thank you:

15:59:35 15 Q. Can you sign and date that photograph, please.

16 Could the witness be shown the document behind tab 19,  
17 DP-219, please. Mr Smythe, what is this a photograph of?

18 A. This photograph shows Mr Taylor and the Libyan Foreign  
19 Minister inspecting a guard of honour, with General Jackson  
16:00:51 20 walking behind him, in Tripoli, Libya.

21 Q. In what year?

22 A. September 1996.

23 Q. You said General Jackson?

24 A. Yes.

16:01:04 25 Q. Is this the same General Jackson who died later on?

26 A. Yes.

27 Q. He is a Gambian?

28 A. Yes, a Gambian.

29 Q. And the person to the left is the Foreign Minister of

1 Li bya, you said?

2 A. Yes, he was the Foreign Minister - the Late Foreign  
3 Minister of Li bya.

4 Q. Do you remember his name?

16:01:18 5 A. No, his name is very hard. I can't remember his name.

6 Q. Can you use your pen and identify the three persons and  
7 write a description. Can you sign and date it, please.

8 Thank you.

9 May the witness be shown the document behind tab 23,

16:03:10 10 DP-223, please. Mr Smythe, can you tell us what that photograph  
11 is?

12 A. This photograph was taken at Hotel Salmande in the  
13 restaurant during breakfast hours while on our way to Tripoli in  
14 September 1996.

16:04:07 15 Q. Hotel what?

16 A. Hotel Salmande.

17 Q. Can you spell that for us?

18 A. S-A-L-M-A-N-D-E.

19 Q. In which --

16:04:16 20 A. In Ouagadougou, Burkina Faso.

21 Q. Was this the same trip you took with Moses Blah to Li bya?

22 A. This was including the trip with Mr Taylor, the first trip  
23 in September. That was before our trip in October, he and  
24 myself.

16:04:37 25 Q. Who is pictured in this photograph?

26 A. You have myself, you have Benjamin Yeaten, you have Moses  
27 Blah and you have Alfred Mehn, Godfather.

28 Q. Alfred what?

29 A. Mehn, M-E-H-N.

1 Q. You said Godfather?

2 A. Yes, that was his nickname, his alias. He is late now.

3 Q. Can you draw an arrow identifying each person by name using  
4 your pen, please.

16:05:25 5 PRESIDING JUDGE: Mr Anyah, this is a trip on the way to  
6 Libya in September 1996?

7 MR ANYAH: Yes. And it's the trip he said he went with  
8 President - with Charles Taylor to Libya:

9 Q. Can you write a description for us, including date,  
16:06:19 10 Mr Smythe, please. That's the date on which the photograph was  
11 taken. And can you sign and date it, please. Thank you,  
12 Mr Smythe.

13 PRESIDING JUDGE: Could you please display that picture  
14 again, especially with the names that the witness has written.

16:07:33 15 MR ANYAH:

16 Q. Mr Smythe, can you use your pen and point to each person  
17 and pronounce their name, please?

18 A. This is Alfred Mehn, alias Godfather. This is Moses Blah.  
19 This is Yanks Smythe. This is Benjamin Yeaten.

16:07:53 20 MR ANYAH: Madam President, may we show him another  
21 photograph?

22 PRESIDING JUDGE: Yes, please go ahead.

23 MR ANYAH: May the witness be shown the document behind tab  
24 24, which is DP-224, please:

16:08:32 25 Q. Mr Smythe, what is that a photograph of?

26 A. This photograph is myself and Moses Blah in Tunis, Tunisia,  
27 returning from Libya.

28 Q. In what year?

29 A. 1996.



1 Q. What month?

2 A. October 1996.

3 Q. And what is at the background, the building or facility  
4 behind you and Moses Blah?

16:08:59 5 A. Sorry. We went there in October. We came early November  
6 because we went there, you know, at the end of October so we  
7 stayed into November, so this was in November actually.

8 Q. This was on your way back?

9 A. Yes, on our way back, yes.

16:09:10 10 Q. And in which country was this photograph taken?

11 A. This photograph was taken in Tunis, Tunisia.

12 Q. Can you identify both of you with arrow indications and  
13 your respective names, please, and write a description for us as  
14 you did with the other photographs.

16:10:06 15 PRESIDING JUDGE: Mr Anyah, do you have the original of  
16 this photograph?

17 MR ANYAH: I will check. I believe so. There is one  
18 photograph we do not have an original for, but we have one for  
19 all the rest. Yes, here is the original. Madam Court Usher,  
16:11:06 20 please, can you show that to the President? Thank you:

21 Q. Mr Smythe, can you sign and date that photograph, please.

22 PRESIDING JUDGE: Please continue.

23 MR ANYAH: Thank you, Madam President. Could the witness  
24 be shown the document behind tab 26, which is DP - actually, I  
16:12:43 25 believe I mean tab 25, which is DP-225, please:

26 Q. Mr Smythe, what is this a photograph of?

27 A. This photograph was taken in a plane on one of my trips  
28 with Mr Taylor.

29 Q. And when was that trip?

1 A. This trip was sometime - I think it's sometime in 1996,  
2 yes.

3 Q. And to where were you headed?

4 A. We were going to I think Burkina Faso.

16:13:26 5 Q. And was Burkina Faso your final destination?

6 A. Yes. On this trip, yes.

7 Q. What was the purpose of that trip?

8 A. I don't know the purpose of the trip.

9 Q. Who is pictured in this photograph?

16:13:40 10 A. This picture shows Mr Taylor, myself, and the other people,  
11 they are not too clear here. I can't - I saw myself clearly and  
12 Mr Taylor.

13 Q. Would you like to see the original to see if you can  
14 identify the other people?

16:13:57 15 A. Yeah. Yeah.

16 MR ANYAH: Madam Court Usher, do not display the original.  
17 You can just show it to him.

18 THE WITNESS: I can't really remember these other people,  
19 no.

16:14:24 20 MR ANYAH:

21 Q. Can you use an arrow and indicate the names of those that  
22 you remember with your pen? Not on the original; on the copy,  
23 please. Mr Smythe, can you write a description of that  
24 photograph and also sign and date it, please.

16:15:54 25 PRESIDING JUDGE: Madam Court Usher, could you please put  
26 the picture on the overhead properly so we can see the names that  
27 - not the signature, but the names of the persons that the  
28 witness has indicated.

29 Mr Anyah, please continue.

1 MR ANYAH: May the witness be shown the document behind  
2 tab 26, which is DP-226, please:

3 Q. Mr Smythe, what is that a photograph of?

16:16:56

4 A. This is a photograph showing Moses Blah and myself in a  
5 cafe in Tunisia, Tunis.

6 Q. When was this photograph taken?

7 A. This photograph was taken in November 1996.

8 Q. And under what circumstances were you and Mr Blah in  
9 Tunisia?

16:17:10

10 A. We were returning from Tripoli.

11 Q. Do you recognise anyone else in the photograph?

12 A. No, it's in a cafe. I don't recognise that.

16:17:27

13 Q. Can you indicate with your pen and write the name "Moses  
14 Blah" and also indicate yourself and write your name on that  
15 photograph. Can you also provide a description regarding the  
16 photograph at the bottom and sign and date it, please.

17 May the witness be shown --

18 PRESIDING JUDGE: Could we first see what the witness has  
19 written?

16:18:40

20 MR ANYAH: Yes, Madam President, of course.

21 PRESIDING JUDGE: Proceed.

22 MR ANYAH: May the witness be shown the document behind  
23 tab 22, which is marked DP-222, please:

24 Q. Mr Smythe, what is that a photograph of?

16:19:31

25 A. This photograph was taken in Soweto, South Africa.

26 Q. Under what circumstances?

27 A. During Mr Taylor's visit to South Africa.

28 Q. And when did that visit take place?

29 A. This visit took place 19 - I think this is 1995, 1996.

1 1996. 1996.

2 Q. Was this when you and Mr Taylor were based in Monrovia?

3 A. Yes, this was after the assassination attempt on him and he  
4 came to Gbarnga.

16:20:08 5 Q. And was this in the late period of 1996?

6 A. It should be I think in the middle of '96, going towards  
7 the end, yeah.

8 Q. And who else can you identify in this photograph?

9 A. I identify myself and I identify Paul Mulbah who was the  
16:20:34 10 chief of protocol. I can identify the mayor of Soweto. I don't  
11 know his name. I can identify Nyundueh Mamkamonah, who later  
12 became the Speaker of the House of Representative. I can also  
13 identify General Dgi ba behind Mr Taylor.

14 Q. Madam Court Usher, can we zoom out a little bit because the  
16:20:56 15 photograph is not entirely visible. Now, Mr Smythe, let's take  
16 this slowly. You mentioned something named Mulbah.

17 A. Yes, Paul Mulbah.

18 Q. Can you point to him and spell his name for us, please?

19 A. This is Paul Mulbah and his name is P-A-U-L, M-U-L-B-A-H.

16:21:16 20 Q. Who is to the immediate left of Mr Mulbah?

21 A. That is Mr Yanks Smythe, myself.

22 Q. And who is next to you?

23 A. Next to me is Mr Taylor with Dgi ba - General Dgi ba behind  
24 him.

16:21:29 25 Q. And what is General Dgi ba's first name?

26 A. Momo Dgi ba.

27 Q. I believe that spelling is on the record. And we see a man  
28 with his back to the camera with his hands folded in front of  
29 him. Who is that person?

1 A. That man is Nyundueh Mamkamonah, the former Speaker of the  
2 House of Representatives.

3 Q. Can you point to that person with your pen?

4 A. Yes.

16:21:55 5 MR ANYAH: I don't know if the spelling is on the record,  
6 Madam President. I suspect it is. Nyundueh Mamkamonah.

7 PRESIDING JUDGE: I assume if it was it would appear in the  
8 record correct, but it doesn't seem to do so.

9 MR ANYAH: I will attempt to spell it. Nyundueh,  
16:22:18 10 N-Y-U-N-D-U-E-H; Mamkamonah, M-A-M-K-A-M-O-N-A-H:

11 Q. And, Mr Smythe, you said he was Speaker of which country's  
12 House of Representative?

13 A. House of Representative of the Republic of Liberia.

14 Q. Now, there's a gentleman with a jacket and a vest also with  
16:22:44 15 his hand folded in front of him and microphones in front of him.  
16 Who is that gentleman?

17 A. The gentleman is the mayor of Soweto. I can't remember his  
18 name.

19 Q. Can you point with your pen to him?

16:22:56 20 A. Here he is.

21 Q. Now, who else, as far as the remaining people, the three  
22 heads we see there, can you identify?

23 A. These are the only people I can identify because they are  
24 the ones that are really visible.

16:23:16 25 Q. Can you use the pen to draw arrows and write down the names  
26 of each of these persons you've identified, please?

27 A. Can you help me with the spelling of Nyundueh?

28 Q. Yes. N-Y-U-N-D-U-E-H M-A-M-K-A-M-O-N-A-H. Mr Smythe, can  
29 you write "general" in front of Momo Dgi ba, please.

1 PRESIDING JUDGE: Would you please display the names that  
2 the witness has written.

3 MR ANYAH: If the witness could be taken back to his seat  
4 at this time, unless your Honours have a question.

16:26:20 5 PRESIDING JUDGE: Please continue.

6 MR ANYAH: Madam President, if it please your Honours, I  
7 would respectfully request that each of these photographs be  
8 marked for identification and there are seven of them.

9 PRESIDING JUDGE: Do you wish them to be given a common  
16:26:39 10 number?

11 MR ANYAH: I think that would be fine under the  
12 circumstances. Although they involve different trips, most  
13 involve trips to Libya with one being a trip to South Africa and  
14 one being a trip to Burkina Faso. The first one was 218.

16:27:03 15 PRESIDING JUDGE: What you've done in the past is to  
16 separate them according to the groups of the trips that were  
17 done.

18 MR ANYAH: We could do that, Madam President.

19 PRESIDING JUDGE: And I've actually grouped them like that  
16:27:14 20 in my own record for ease of reference. But with the exception  
21 of 225, which was a photo of a trip to Burkina.

22 MR ANYAH: As well as 222.

23 PRESIDING JUDGE: And 222.

24 MR ANYAH: Which was South Africa.

16:27:30 25 PRESIDING JUDGE: The rest were associated with Libya.

26 MR ANYAH: Yes, that's fair to say.

27 PRESIDING JUDGE: And Tunisia.

28 MR ANYAH: Yes, Madam President.

29 PRESIDING JUDGE: So photographs DP-218, DP-219, DP-223,

1 DP-224, DP-226 are marked respectively MFI-416.

2 MR ANYAH: I don't know if you mentioned 224 as well.

3 PRESIDING JUDGE: Yes, I did mention 224.

4 MR ANYAH: Yes.

16:28:05 5 PRESIDING JUDGE: So this group of five photographs is  
6 marked 416A to E respectively. Photograph DP-225 is MFI-417 and  
7 photo DP-222 is MFI-418.

8 MR ANYAH: Thank you, Madam President:

9 Q. Mr Smythe, when President Taylor moved to Mamba Point in  
16:28:35 10 Monrovia was that his final residence in Monrovia?

11 A. No, from there he moved to a residence close to the German  
12 embassy on the Tubman Boulevard.

13 Q. Which part of --

14 MR KOUMJIAN: Just before they disappear, I would just like  
16:28:51 15 to note that I would like to see, if possible, the originals of  
16 these photographs.

17 MR ANYAH: Yes, we have them here.

18 PRESIDING JUDGE: I think that can be done now in the  
19 remaining moments of the record.

16:29:11 20 MR ANYAH: Yes.

21 PRESIDING JUDGE: If you do have a quick question,  
22 Mr Anyah, you can put it to the witness.

23 MR ANYAH:

24 Q. You said he moved to somewhere near the German embassy. In  
16:29:22 25 which part of Monrovia was this second location, Mr Smythe?

26 A. This was in Congo Town.

27 Q. And was he still a member of the Council of State when he  
28 moved there?

29 A. Yes, he was still a member of the Council of State.

1 Q. For how long did he live in Congo Town?

2 A. He lived in Congo Town until he moved to his own residence  
3 in the same Congo Town area.

4 Q. Well, I never asked you what date he moved to Congo Town  
16:29:50 5 near the German embassy. What date or year, if you remember, did  
6 he move near the German embassy?

7 A. Yes, he moved there in 1995.

8 Q. And in what year or month - in what year and month did he  
9 move to the residence you are referring to, his final residence?

16:30:13 10 A. You mean - which final residence are you talking about?

11 Q. You told us he moved to another residence from the Congo  
12 Town residence?

13 A. Yes, he moved to White Flower, the place that was referred  
14 to as White Flower, in 1999 for his birthday in January.

16:30:28 15 Q. January 1999?

16 A. Yes.

17 MR ANYAH: Madam President, I wonder if that's an  
18 appropriate place to stop.

19 PRESIDING JUDGE: Yes, indeed, as soon as those photographs  
16:30:39 20 are returned.

21 Mr Witness, we are going to adjourn until tomorrow and I  
22 will only remind you of our standing order that you are not to  
23 discuss your evidence with anyone.

24 THE WITNESS: Thank you, your Honour.

16:31:23 25 PRESIDING JUDGE: The proceedings are adjourned to tomorrow  
26 at 9.30.

27 [Whereupon the hearing adjourned at 4.30 p.m.  
28 to be reconvened on Wednesday, 24 February 2010  
29 at 9.30 a.m.]



I N D E X

WITNESSES FOR THE DEFENCE:

YANKS SMYTHE	35687
EXAMINATION-IN-CHIEF BY MR ANYAH	35687