



Case No. SCSL-2003-01-T

THE PROSECUTOR OF
THE SPECIAL COURT
V.
CHARLES GHANKAY TAYLOR

MONDAY, 8 NOVEMBER 2010
2.00 P.M.
TRIAL

TRIAL CHAMBER II

Before the Judges:

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

For Chambers:

Mr Artur Appazov

For the Registry:

Ms Rachel Irura
Mr Alhassan Fornah

For the Prosecution:

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

**For the accused Charles Ghankay
Taylor:**

Mr Terry Munyard
Mr Morris Anyah
Ms Logan Hambriek

1 Monday, 8 November 2010

2 [Open session]

3 [The accused present]

4 [Upon commencing at 2.02 p.m.]

14:02:33 5 PRESIDING JUDGE: Good afternoon. For those of you who
6 haven't seen the Rule 16 order which has been filed, I'd advise
7 that Justice Sebutinde is not able to come to court today and
8 won't be able to come to court tomorrow either so far as I know.
9 I'll be presiding in her absence. We will take appearances
14:02:59 10 first, please.

11 MR KOUMJIAN: Good afternoon, your Honours. Good
12 afternoon, counsel. For the Prosecution this afternoon, Mohamed
13 A Bangura, Kathryn Howarth, Maja Dimitrova and we're joined by a
14 new intern with our office, David Tait, the spelling is with the
14:03:29 15 Court reporter.

16 PRESIDING JUDGE: Thank you. Yes, Mr Munyard.

17 MR MUNYARD: Good afternoon, Mr President, your Honours,
18 counsel opposite. This afternoon for the Defence, myself Terry
19 Munyard, Morris Anyah, and Logan Hambrick. And good afternoon,
14:03:52 20 Mr Kolleh.

21 PRESIDING JUDGE: Before we begin I'll just clear up our
22 programme for this afternoon. We normally sit two hours in the
23 afternoon. That's what we will do today, notwithstanding that we
24 started half an hour earlier than we normally start, that means
14:04:09 25 we'll finish half an hour earlier than we normally finish.

26 Now, Mr Kolleh, I'll remind you that you've taken an oath
27 to tell the truth and that oath is still binding upon you.

28 THE WITNESS: Yes, your Honour.

29 PRESIDING JUDGE: Thank you. Yes, you're continuing your

1 cross-examination, Mr Koumjian.

2 WITNESS: DCT-102 [On former oath]

3 CROSS-EXAMINATION BY MR KOUMJIAN: [Continued]

4 MR KOUMJIAN: I'd like to begin by distributing two
14:04:36 5 documents and having one copy shown to the witness. Just so
6 everyone is clear, these documents include the photographs that
7 were MFI-7C and MFI-7G. As you'll see, 7C is a photograph with a
8 caption and 7G is an entire page of an article that includes the
9 photograph with a caption. Perhaps the witness could also be
14:05:46 10 given 7C and 7G.

11 Mr Court Officer, if we could start by putting on the
12 overhead the photograph, this colour photograph, and at the top
13 it indicates a website, washingtonpost.com, "Sierra Leone rebels'
14 gallery" with the full web address at the bottom. And it
14:06:51 15 indicates this is 4 of 16.

16 Q. Mr Witness, Mr Kolley, do you recall last week I showed you
17 this photograph without the caption? Do you recall seeing this
18 photograph last week? That's for you, sir, Mr Witness.

19 A. Yes.

14:07:29 20 Q. And do you recall you recognised Johnny, a bodyguard for
21 Sam Bockarie, as being the person in camouflage?

22 A. I said I recognised him. I did not say for Sam Bockarie.
23 I said I recognised him as RUF.

24 Q. Well, Mr Kolley, your answer is not clear because we don't
14:07:52 25 know who you mean by "him". Did you say you recognised Johnny,
26 the person in camouflage, as an RUF?

27 A. Yes, I said I recognised the man in the camouflage.

28 Q. And you said he was a bodyguard for Sam Bockarie, correct?

29 A. Yes, I knew him to be a bodyguard to Sam Bockarie.

1 Q. Mr Kollah, you recognise Sam Bockarie as being the man in
2 the suit, in the double-breasted suit, isn't that true?

3 A. No, sir.

14:08:28 4 Q. Do you see here it indicates in the caption: "Dressed in a
5 double-breasted suit, Mosquito admits he is a 'big showman'."
6 Mr Witness, you would agree with that description, wouldn't you?

7 A. No, sir.

8 Q. That he was a big showman?

9 A. No, sir.

14:08:45 10 Q. Didn't you tell us that Sam Bockarie was a braggart, he's a
11 person that liked to talk about himself?

12 A. I said he followed news from flamboyance, he was flamboyant
13 or full of flamboyancy.

14 Q. And, sir, you were the person, the CSO for Sam Bockarie,
14:09:08 15 you told us, and you were responsible for leading his convoy for
16 a period of time, correct?

17 A. Yes, in Freetown.

18 Q. And you don't recognise the military leader of the RUF in
19 this photograph as Sam Bockarie?

14:09:24 20 A. No, sir.

21 Q. Thank you. If we could now put up the part of the article,
22 it's two pages, and we see part 8 entitled - of an article
23 entitled "The other war, part 8: Washington, the meanings of
24 Sierra Leone." The first page just indicates where this is from
14:09:51 25 and now if we can just turn to the second page. Again, sir, you
26 were shown this photograph last week and we see in the top
27 photograph next to the second full paragraph, the caption reads
28 "General Mosquito is dressed for a family portrait." Sam
29 Bockarie was known as General Mosquito, correct?

1 A. Yes, we used to call him general.

2 Q. And, sir, the truth is you recognise Sam Bockarie in this
3 photograph. Isn't that the truth?

4 A. No, sir.

14:10:35 5 Q. And the truth is you recognise Daniel Tamba, Jungle Kissi,
6 as the man next to him, isn't that true?

7 A. No.

8 MR KOU MJIAN: Your Honour, may these two photographs be
9 marked for identification. My suggestion for these two documents
14:10:51 10 is because they are tied to the photographs previously shown, the
11 colour photograph was MFI-7C, perhaps this could be marked
12 MFI-7C.2 or something to indicate that it is related.

13 PRESIDING JUDGE: Well, it's actually just a smaller
14 version of MFI-7C.

14:11:31 15 MR KOU MJIAN: But it also includes the caption that came
16 along with the photograph.

17 PRESIDING JUDGE: You're interested in the caption. I see.

18 MR KOU MJIAN: Yes, sir.

19 PRESIDING JUDGE: We'll mark it, unless you have anything
14:11:52 20 else to say, Mr Koumjian, we'll mark the latest photograph
21 MFI-7C(1).

22 MR KOU MJIAN: Thank you. I'd ask that the two-page
23 article - section of an article, chapter 8 of "The other war",
24 that includes the photograph on page 2 that was originally a
14:12:19 25 photograph that was marked 7G, MFI-7G, be marked similarly, this
26 two-page article, MFI-7G(1).

27 MR MUNYARD: Can I inquire through you, Mr President, if
28 Mr Koumjian is proposing making any use of the words in the
29 article or is it simply the photograph? The title page to show

1 where it's come from and the photograph?

2 MR KOUMJIAN: Thank you. I am simply interested in the
3 photograph, the caption, and the title page to show where it came
4 from.

14:13:00 5 PRESIDING JUDGE: All right. Well that second document
6 then, the title page and the photograph on page 2 will be marked
7 for identification MFI-7G(1) in brackets.

8 MR KOUMJIAN:

9 Q. Mr Witness, do you recall telling us last week that you
14:13:27 10 never told the Defence, is this correct, that the RUF and the
11 Armed Forces of Liberia combined forces to neutralise a common
12 threat in the attack on Guinea? Mr Court Officer. Sir, did you
13 hear my question?

14 A. No, sir.

14:13:54 15 Q. Did you tell the Defence before you came here to The Hague
16 that the RUF and the Armed Forces of Liberia combined forces in
17 an attack on Guinea?

18 A. I told you last week, I said no. I said the RUF attacked
19 Guinea and in the process I also heard a gun sound again from
14:14:21 20 Liberia side into Guinea and rocket was flying from Guinea into
21 Liberia and Sierra Leone.

22 Q. So, sir, I have a document --

23 JUDGE DOHERTY: Mr Witness, that doesn't really answer the
24 question to my clarification. Did you tell the Defence this or
14:14:46 25 did you not tell the Defence this?

26 THE WITNESS: I said that the RUF attacked Guinea. In the
27 process attack too from Liberia into Guinea. This is what I said
28 earlier. But to go and directly combine to plan the war together
29 to enter into Guinea, I did not say that.

1 MR KOUMJIAN:

2 Q. Mr Witness, I'd like you now to look at another document
3 and this is entitled "Defence Rule 73 ter witness list and
4 summaries, version V, 12 May 2010." And we see the witness in
14:15:30 5 box number 55 is DCT-102. Mr Witness, you're aware, aren't you,
6 that that is your witness number for the Defence? Are you aware
7 of that?

8 A. Please repeat.

9 Q. DCT-102, are you aware that that's your witness number?

14:15:52 10 A. No.

11 Q. Okay, sir. I want to direct your attention to the third
12 page, page 42 of 103, in the second full paragraph. It indicates
13 he, that's being you, Mr Witness, it talks about you giving
14 evidence on the departure of Sam Bockarie to Liberia and his
14:16:15 15 subsequent death and then the next sentence says:

16 "He will also give evidence on the attacks in Guinea by the
17 RUF and the Armed Forces of Liberia. The witness will say that
18 the two combined forces to neutralise a common threat."

19 Mr Witness, you told the Defence - did you tell the Defence
14:16:38 20 what's written in this paragraph?

21 A. I kept telling you that the RUF did attack Guinea and
22 fighting from Liberia into Guinea. But I believe - I mean, the
23 both party were attacking common enemies because the both attacks
24 was taking place in Guinea and Guineans too were shelling into
14:17:00 25 Liberia and into Sierra Leone. Yes, into Liberia and Sierra
26 Leone. So I believe that they had a common goal, but we did not
27 go together to plan a war to say, yes, we are going to move into
28 Guinea. This is what I'm saying. But the attack was on the line
29 of Guinea and the Guinean attacks both parties, the shelling into

1 Liberia and shelling into Sierra Leone. This is what I said
2 earlier.

3 PRESIDING JUDGE: Mr Witness, you still haven't answered
4 the question. Will you ask that question again, Mr Koumjian.

14:17:30 5 MR KOUMJIAN: Yes.

6 Q. Sir I've read to you from your witness summary that the
7 Defence provided us. It said that you will give evidence on the
8 attacks in Guinea and it says that you will say "that the two
9 combined forces." Did you tell the Defence that the RUF and the
10 Armed Forces of Liberia combined forces?

11 A. No.

12 Q. Mr Witness, do you recall you also told us about the death
13 of Sam Bockarie and the death of Superman, both of those were
14 told to you by Pa Moriba, correct?

14:18:15 15 A. Yes.

16 Q. And both of those he told you the deaths were done by
17 Benjamin Yeaten. That Benjamin Yeaten was involved in both the
18 deaths, correct?

19 A. Yes.

14:18:29 20 Q. And not only the death of Sam Bockarie, but the death of
21 his wife and his children. The killing of his wife and his
22 children. Correct?

23 A. He told me about it, yes.

24 Q. Sir, but before you told us that I want to direct your
14:18:46 25 attention if we could have the transcript of Friday, 5 November,
26 page 48859. While that's coming up I'll just give you the
27 context. Mr Witness, you may remember that I read to you from
28 several - from the testimony of several witnesses who have
29 testified in this case about the RUF and the Liberian forces

1 combining forces for the attack on Guinea. When I was reading
2 one of those to you at page 48859 when we had the exchange that
3 I'm about to read. And I read beginning at his next, about 10
4 lines down from the witness, line 8, I told you that the next -
14:20:02 5 the witness's next answer is:

6 "We moved to Kono. From there Issa provided transport for
7 every one of us and we moved to Liberia and we were in Foya where
8 we met Colonel Benjamin Yeaten and he said, 'Guys, everyone
9 should get ready for the operation.'"

14:20:22 10 And then skipping down a couple lines, I then asked you:

11 "Q. First before I leave that, Mr Witness, who's Benjamin
12 Yeaten?"

13 A. I don't know.

14 Q. You were RUF all throughout the war and you tell us
14:20:37 15 that you don't know who Benjamin Yeaten is?

16 A. No."

17 Mr Witness, you did know who Benjamin Yeaten was because
18 you had talked about him with Pa Moriba. He had told you that
19 Benjamin Yeaten had killed your former leader, Sam Bockarie.

14:20:56 20 Isn't that true?

21 A. I don't know Benjamin Yeaten. The time Pa Moriba talked to
22 me was not a wartime. This time round was after the election in
23 Liberia.

24 Q. Well, when Pa Moriba talked to you about Benjamin Yeaten
14:21:16 25 bringing Sam Bockarie's family to him, killing Sam Bockarie,
26 telling Pa Moriba a story about how in order to rid a village of
27 a crab you have to kill the crab, and then when Pa Moriba told
28 you a story about how Benjamin Yeaten killed Superman by stopping
29 the car at a place where he said he shot animals, you knew who -

1 did you ask Pa Moriba who is Benjamin Yeaten?

2 A. I told you last week, I said no.

3 Q. You didn't know who was the top security man, the leader of
4 the Armed Forces of Liberia, the combined militias, Benjamin
14:21:57 5 Yeaten?

6 A. No, sir.

7 Q. You hadn't heard when you testified Friday when I asked you
8 this question about an arrest warrant for Benjamin Yeaten for the
9 killing of Sam Dokie?

14:22:11 10 A. You did not ask me.

11 Q. Well, I'm asking you now. You've heard about that then, is
12 that right?

13 A. No, sir.

14 Q. Well, you've heard that Sam Dokie, his wife and other
14:22:22 15 family members were killed shortly after President
16 Charles Taylor's election, correct?

17 A. I told you last week I said I am far from that information.
18 Last week, I did mention this. I am not aware of Liberia
19 incident. I did not fight war in Liberia.

14:22:38 20 Q. Well --

21 A. I am far from that information, sir.

22 Q. Mr Witness, the arrest warrant came out while you were in
23 Liberia, after 2005. Did you hear about that arrest warrant for
24 Benjamin Yeaten?

14:22:52 25 A. I told you entered Lofa County 2005. I took part in the
26 election, 2006 in Monrovia on the inauguration day of Ellen
27 Johnson. I was not there, sir. I'm far from that information.

28 Q. You're a Liberian and you've been in Liberia, you say,
29 since October 2005, five years, and you've never heard of

1 Benjamin Yeaten, of who he was?

2 A. No, sir.

3 MR KOUMJIAN: Could I please have the transcript of 10 July
4 2008, page 13442.

14:23:49 5 Q. Mr Witness, did you know Jabaty Jaward? You know Jabaty
6 Jaward, correct?

7 A. The name you are calling is strange to me. I don't know
8 that name you are calling. Perhaps you are mispronouncing it.

9 Q. Did you know a Jabaty?

14:24:10 10 A. No, I don't know Jabaty.

11 Q. Sir, Jabaty Jaward spoke to us about Pa Moriba and I want
12 to read some of that testimony. So starting at the bottom of
13 page 13442, the last four lines. Jabaty Jaward testified:

14 "Q. Why did you some of you stay at Voinjama whilst
14:24:53 15 Bockarie and others went to Monrovia?

16 A. Our understanding - I mean my understanding about the
17 instruction given to us at that time to stay there, from
18 Sam Bockarie, was that Charles Taylor said that the group
19 entering into Liberia was too large and that Foday Sankoh
14:25:08 20 had come to Monrovia to have discussions to settle the
21 misunderstanding between him and Sam Bockarie."

22 He was asked how he knew that information, and he said it
23 came directly from Sam Bockarie. And then he was asked:

24 "Q. Who was in the group that Bockarie went with to
14:25:31 25 Monrovia?

26 A. Officers at that time, like Eddie Kanneh, he was among
27 that group. When we came to Foya we also met Jungle and
28 others who had left Monrovia and they went to Sierra Leone
29 and they returned with Sam Bockarie and all of them drove

1 back to Monrovia. One Kaisuku was also another senior
2 officer in the RUF, he too was among that group. One
3 Papay, Pa Moriba, was also among that group and all of them
4 travelled to Monrovia, and even Dr Magona."

14:26:10 5 Mr Witness, this is correct - it's correct, isn't it, that
6 Pa Moriba, the man that told you about Bockarie's death, left
7 with Sam Bockarie in December 1999, left Sierra Leone for
8 Liberia?

9 A. Excuse me, sir, you are asking me about a statement quoted
14:26:31 10 to you from Foya and then you are asking me about Pa Moriba.
11 Which one, sir, please.

12 Q. Well, let me read back the question I asked you to you,
13 sir?

14 A. Yes, sir.

14:26:42 15 Q. Pa Moriba, the man that told you about Bockarie's death, he
16 left with Sam Bockarie, he left Sierra Leone in December 1999.
17 Isn't that true?

18 A. They all left. I was not present when Mosquito was
19 leaving. I was across the Moa River to Manowa area, but across
14:27:01 20 the river. That incident between Sankoh and Mosquito, he left
21 December 16th. So I can't tell who all went on that day, but Pa
22 Moriba went to Liberia.

23 Q. Pa Moriba became a member of Charles Taylor's SSS, Special
24 Security Service, isn't that true?

14:27:21 25 A. I told you if you ask any question about Liberia I am far
26 from that place. I did not go to Liberia, so I can't give you
27 any information about Liberia. Inside Sierra Leone, I can answer
28 you, sir. I am far from that information.

29 Q. Sir, you did go to Liberia you told us in 2005, and you

1 talked to Pa Moriba, correct?

2 A. I went to Liberia 2005 but that was not SSS time.

3 Q. And, sir, you also told us you went to Liberia in 2003.

4 After meeting with the Prosecution you went to Liberia and told

14:28:00 5 John Vincent about that in 2003, isn't that correct?

6 A. I did not go to Liberia 2003. Anyone from Kailahun tell
7 you I was out of Kailahun 2005, then it's a false. I was there
8 up to 2005 October before going to Liberia, please.

9 MR MUNYARD: I'd be grateful for a reference from

14:28:17 10 Mr Koumjian when he says you told us that you went to Liberia in
11 2003. Can we have that reference, please, because I don't recall
12 it and I'm not claiming perfect memory but I suspect that it's a
13 misquote. I'll be happy to be corrected if I am wrong.

14 MR KOUMJIAN: If I can just have one moment I will find

14:29:26 15 that.

16 Q. We'll come back to that in a moment, sir. And let me
17 complete where I was. Sir, if we look at the transcript for 10
18 July, the same date, page 13467. So I'm waiting for the
19 transcript to come up. I'm just waiting for the transcript to
14:30:57 20 come up, I guess there's a little problem.

21 PRESIDING JUDGE: It's on the screen now.

22 MR KOUMJIAN: Thank you.

23 Q. Sir, starting from line approximately 6. The same witness,
24 Jabaty Jaward was asked:

14:31:14 25 "Q. Now apart from you and others who were with you in the
26 ATU, do you know whether Sierra Leoneans - RUF Sierra
27 Leoneans who were with Sam Bockarie got into any other
28 units in Liberia apart from the ATU.

29 A. Yes, sir."

1 He was asked which ones did he remember, and he answered:

2 "The people I can remember that joined the SSS at that
3 time, one of them was Salami. He was later with Benjamin Yeaten.
4 Then one Martin who crossed with us from Sierra Leone to Liberia,
14:31:46 5 he was also in the SSS. Pa Moriba I mentioned earlier was also
6 in the SSS."

7 Mr Witness, Martin Koker was in the SSS, you know that,
8 don't you?

9 A. No, sir.

14:32:02 10 Q. Salami, former bodyguard for Sam Bockarie --

11 A. Please, I told you --

12 Q. You know him, don't you?

13 A. I told you earlier sir, I said I'm far from information
14 about Liberia. I don't know.

14:32:13 15 Q. Sir, you were one of Sam Bockarie's convoy security - chief
16 security officers. Did you know his bodyguard Salami?

17 A. I did not know Salami as bodyguard to Sam Bockarie. I was
18 chief security officers - I mean chief security officer in
19 Kailahun during the time of Sam, Bockarie of course, and also I
14:32:37 20 moved with him when we were in Freetown, not the time we
21 retreated, I was no longer in Buedu.

22 Q. And Pa Moriba who you talked to when you went to Monrovia,
23 you knew he was an SSS during Taylor's time, isn't that true?

24 A. Not aware, sir.

14:33:04 25 Q. Now, sir, I want to compare what Pa Moriba told you to what
26 he told another witness, TF1-585. If we could have the
27 transcript for 9 September 2008, page 15767. Actually we can
28 just start at 15768. I'll just try to make it a little shorter,
29 what I read. Starting from the first line, the witness said:

1 "We arrived in Monrovia at night so in the morning Papay
2 Moriba went to Benjamin Yeaten's house in Congo Town, Monrovia.
3 As he went he did not take long and he came back and he asked
4 me," and there's some issue about interpretation and the witness

14:34:18 5 is then asked to continue their evidence and the witness answers:

6 "So he told me that if I knew that Sam Bockarie and his
7 family had been killed.

8 Q. Did he tell you or was he asking you?

9 A. He told me.

14:34:33 10 Q. Were you able to confirm this news, this information,
11 that Papay Moriba gave to you?

12 A. Yes, I confirmed it later.

13 Q. How did you confirm this information?

14 A. Ma Toasty told me.

14:34:51 15 Q. Could you give us the name again of the person who told
16 you?"

17 And the name Toasty is spelled.

18 "Q. Can you tell the Court how you got to learn from
19 Toasty or how Toasty confirmed this information to you
20 about the killing of Sam Bockarie and his family?

14:35:09 21 A. He met me because at that time I was - I was now in
22 hiding, so he too was hiding. They were in the hiding
23 place and they left there because they lacked some things
24 where they were, so he came to me where I was hiding and he
14:35:28 25 told me that, do you know that Master and every other
26 person has been killed. And then he said, 'Even myself,
27 I'm hiding with my family.' He said those pick-ups which
28 were full with manpower, our brothers were in those
29 vehicles that were taken, he said all of them had been

1 killed. He said even Master had been killed. He said,
2 'I'm in a hiding place.'"

3 Then if we can skip down to the bottom of the page, he was
4 asked in the last six lines:

14:36:11 5 "Q. When you spoke to Toasty and confirmed this
6 information, did Toasty tell you who killed Sam Bockarie
7 and his family as well as all the other fighters that he
8 had been told you had been killed.

9 A. Yes, he told that it was 50, that that was
14:36:26 10 Charles Taylor's order".

11 Mr Witness, do you know that Benjamin Yeaten was known as
12 "50"?

13 A. I know Benjamin Yeaten to be Benjamin Yeaten, the name I
14 heard, Benjamin Yeaten.

14:36:39 15 Q. Okay. And the witness is then asked who Toasty was and he
16 says:

17 "Toasty was one of Sam Bockarie's big fighters and he was a
18 bodyguard to him also."

19 And then the witness was asked about Bockarie's family and
14:36:53 20 the witness answered:

21 "Well, they took the entire family. Benjamin Yeaten's
22 wife at that time was Baby Girl. He took Sam Bockarie's
23 wife from Monrovia, his children, Sam Bockarie's mother and
24 everybody to that village where Sam Bockarie was put."

14:37:11 25 Mr Witness, this evidence coincides with your information
26 that Benjamin Yeaten took Sam Bockarie's wife and family out of
27 Monrovia and killed them along with Sam Bockarie. That's what Pa
28 Mori ba told you, correct?

29 A. Yes.

1 Q. Now let's go to whether you ever went to Monrovia in 2003.
2 If we could have the transcript for 4 November, please, page
3 48699. Starting about line 17. We can go up one line, please,
4 line 15. Okay. Line 17 the witness said, "I know Vincent," and
14:38:44 5 then you said - you were asked:
6 "Q. You know him, he's in Monrovia now, correct?"
7 And the witness answered - excuse me I'm having a little
8 trouble with the monitor. You said that you live almost in the
9 same environment. And then you were asked at line 23:
14:39:21 10 "Q. Okay, what does that mean almost in the same
11 environment."
12 And you said you lived a few miles - "I think we have about
13 a few miles between us. That's what I'm saying."
14 "Q. Did you ever talk to him about the Charles Taylor
14:39:36 15 trial, this case?"
16 A. Yes, I first talked to him when the Prosecution met me.
17 I met him.
18 Q. In 2003?
19 A. Yes.
14:39:50 20 Q. And where did you meet him then?
21 A. When they talked to me in 2003 is what I'm saying.
22 When the Prosecution talked to me.
23 Q. Thank you. Perhaps I wasn't clear. What I'm asking
24 you is where were you when you met him; in Sierra Leone?
14:40:10 25 A. In Monrovia.
26 Q. So in 2003 you were in Monrovia?
27 A. No, I said when the Prosecution talked to me 2003, I
28 met Vincent in Monrovia when I went to Liberia.
29 Q. That's very interesting. So you went to Liberia and

1 spoke about this case to John Vincent after you were
2 interviewed by the Prosecution, correct?

3 A. Yes."

4 So, Mr Witness, you were the person when I asked you if
14:40:53 5 you'd spoke to anyone about the case, you said you spoke to John
6 Vincent when you were interviewed by the Prosecution and you
7 spoke to him in Monrovia. So you went to Monrovia in 2003 and
8 reported your contacts with the Prosecution. Isn't that true?

9 A. I did not go to Liberia 2003, sir.

14:41:12 10 Q. And you realised after saying that that was a mistake
11 because now you're exposing the fact that you went and reported
12 to Charles Taylor's people, John Vincent was SSS, about meeting
13 the Prosecution and that's why you're changing your testimony.
14 Isn't that true?

14:41:31 15 A. You did not get me clear, sir. That's why I repeated it.
16 I say when the Prosecution talked to me 2003. I did not go
17 Liberia 2003. I was still in Kailahun, 2004, 2005.

18 Q. Well, sir, if you didn't mean that you spoke to John
19 Vincent in 2003, you would have said I spoke to Vincent when I
14:41:53 20 went to Monrovia. You wouldn't say I spoke to Vincent when I
21 spoke to the Prosecution in 2003?

22 A. You asked me if I ever talked to Vincent, I said yes I
23 talked to him after the Prosecution talked to me in 2003. I did
24 not say I went to Liberia 2003, please.

14:42:24 25 Q. Sir, I want to move on and talk to you about Freetown, the
26 invasion of Freetown in January 1999. Now you've told us that
27 that day was a very important day, correct?

28 A. Yes, sir.

29 Q. And, sir, on that day there was a sacrifice, did you hear

1 about SAJ Musa's forces doing a sacrifice?

2 A. No, sir.

3 Q. Did you ever tell anyone about a sacrifice?

14:43:07 4 A. I said King Perry said the man made a sacrifice. I'm not
5 saying the forces. He, he made a sacrifice before heading for
6 Freetown. I did not talk about his forces made sacrifice.

7 Q. Who made a sacrifice?

8 A. It was SAJ according to King Perry, sir. SAJ Musa.

9 Q. When you say a "sacrifice", what do you mean by a
14:43:26 10 "sacrifice"?

11 A. You could pray. You could do anything like a ceremony
12 before you take off.

13 Q. Sir, do you know about the sacrifice of Alice Pyne's baby?

14 A. Come again?

14:43:42 15 Q. Do you know about Sam Bockarie burying alive the child of
16 Alice Pyne?

17 A. A boy Pyne found or what? I'm not getting the end of your
18 statement, sir.

19 Q. Okay. First of all, sir, you told us you knew a radio
14:44:02 20 operator and you pronounced it perhaps a little differently but
21 you knew a Liberian radio operator, didn't you, named Nya?

22 A. Yes, Nyan. Not Nya, Nyan.

23 Q. And he had a women, a marriage, whatever you want to call
24 it with another RUF radio operator, correct?

14:44:23 25 A. Yes, sir.

26 Q. They had a child that Sam Bockarie buried alive. Isn't
27 that true?

28 A. I am not aware of any child being buried alive, sir.

29 Q. Mr Witness, one Defence witness in this case and I'm

1 referring to DCT-068 on 11 March of this year, page 37129, I
2 asked him did the RUF intend at all times after the intervention
3 to get back to Freetown? And the witness said yes. You would
4 agree with that, wouldn't you?

14:45:00 5 A. I can't tell what that person was saying. I was not here.
6 What I'm saying is what I am aware of, sir, please.

7 Q. Sir, my question is whether you agree that the RUF at all
8 times intended to get to Freetown?

9 A. No, not all times.

14:45:15 10 Q. What was the goal of the war?

11 A. It's to change the government from power.

12 Q. Where was the government?

13 A. The government was in Sierra Leone, capital city Freetown.

14 Q. So at all times in order to gain power the objective was to
15 take Freetown, correct?

14:45:36 16 A. Yes. But you are saying somebody said all the time and
17 that's why I said he said what he knew. What I knew is what I'm
18 saying to you, sir.

19 Q. Mr Witness, you testified that you were listening to the
14:45:56 20 radio, to the internal communications, in January 1999 when the
21 events of Freetown took place, correct?

22 A. Yes, sir.

23 Q. And the troops were in Freetown for several weeks. Isn't
24 that correct? About two weeks?

14:46:14 25 A. Which troop?

26 Q. The troops that invaded Freetown led by Gullit. They were
27 in Freetown for about two weeks, correct?

28 A. I don't know how long they were there. I was not too
29 concerned because RUF did not enter Freetown, so we were not too

1 concerned of what was happening in Freetown.

2 Q. Did you care about Foday Sankoh at all?

3 A. Come again.

4 Q. Were you interested in the fate of Foday Sankoh at all?

14:46:38 5 A. In the fate or fail?

6 Q. Fate. That means how he was, where he was. Foday Sankoh.

7 You know Foday Sankoh?

8 A. I knew him.

9 Q. Where did you think he was in January 1999?

14:46:53 10 A. Foday Sankoh was in - at what time are you asking for?

11 Q. The time of the invasion of Freetown, where did you
12 understand him to be?

13 A. Foday Sankoh was not in Freetown. I think he was in
14 Nigeria.

14:47:14 15 Q. Sir, the RUF believed that Foday Sankoh correctly was being
16 held in Freetown. Isn't that true?

17 A. 1999?

18 Q. Yes, sir.

19 A. No.

14:47:27 20 Q. Sir, did you ever hear an operation entitled "Free the
21 Leader"?

22 A. No.

23 Q. When the troops of Gullit entered Freetown did they contact
24 Sam Bockarie either before or after they entered Freetown?

14:47:51 25 A. Come again?

26 Q. You were listening to the radio?

27 A. Yes, sir.

28 Q. Did you hear of Gullit contact Sam Bockarie before or after
29 he entered Freetown?

1 A. After he entered Freetown.

2 Q. You didn't hear him call before he entered Freetown asking
3 Bockarie for reinforcements?

4 A. No, sir.

14:48:12 5 Q. After he entered Freetown did you hear conversations about
6 freeing Gibril Massaquoi from the jail?

7 A. Gibril Massaquoi in jail? No, sir.

8 Q. You didn't know that Gibril Massaquoi was in Pademba Road
9 Prison?

14:48:30 10 A. No.

11 Q. Mr Witness, you really don't know much about what happened
12 in January 1999. That is what you're saying?

13 A. No, sir.

14 Q. Sir, the RUF attacked Port Loko once Gullit contacted Sam
14:48:45 15 Bockarie. Isn't that true?

16 A. Please repeat.

17 Q. The RUF attacked Port Loko. Once Gullit contacted
18 Bockarie, the RUF attacked Port Loko, correct?

19 A. I'm not aware, sir.

14:49:05 20 Q. And the RUF then attacked Waterloo. Isn't that correct?

21 A. You mean the 1999?

22 Q. Yes, in January 1999 the RUF attacked Waterloo, isn't that
23 true?

24 A. Yes, the RUF forces I believe they stopped at Waterloo, but
14:49:29 25 there was - they stopped at Waterloo.

26 Q. You were there manning the big machine gun, weren't you?

27 A. No, sir. I told you I was a wounded somebody so I was not
28 active again. So I would not go nowhere. I was not there, sir.

29 Q. Sir, if we could have the transcript of 19 August, please,

1 page 46779.

2 MR MUNYARD: Which year, please?

3 MR KOUMJIAN: For 2010, page 46,779, thank you, 2010.

4 Q. And then if we go to the very bottom of the page beginning
14:50:47 5 about five lines up, this is the testimony of Issa Sesay. Issa
6 Sesay said, he was asked:

7 "Q. Well, you said that the RUF took Waterloo. Is that
8 right? Rambo captured Waterloo.

9 A. Yes. Rambo and Superman were able to capture Waterloo,
14:51:09 10 but a heavy reinforcement came from Port Loko that came to
11 reinforce their Guinean brothers, so they bulldozed their
12 way to Port Loko.

13 The next page.

14 Q. And again this is why Port Loko was so important,
14:51:24 15 because if you had been able to take Port Loko those
16 reinforcements never would have been able to come, correct?

17 A. Well, yes, because the reinforcements that came to
18 reinforce Waterloo came from the Guineans who were based in
19 Port Loko."

14:51:42 20 And then if we can go to 23 August, please, page 46835.

21 First before I leave that, Mr Witness, is that true? Did you
22 hear that the RUF took Port Loko and then were attacked by
23 Guinean troops coming from - the RUF took Waterloo and then were
24 attacked by Guinean troops coming from Port Loko in January 1999.

14:52:11 25 A. No, sir.

26 Q. And, Mr Witness, who knows better about these events in
27 your opinion, you or Issa Sesay? Who was in a better position
28 according to you to know about the events?

29 A. I can't tell. I was not there. Whether Issa was present

1 to see everything that went on, I can't tell you, so I can't tell
2 you whether Issa should know much than I do though he was my
3 commander, so I can't tell you whether he was present on the
4 scene. So I can't tell you. He was speaking his own capacity.

14:52:46 5 What I know is what I'm telling you, sir, please.

6 Q. Where was Issa Sesay in January 1999?

7 A. I did not know his actual position but he was my commander.

8 Q. How can you not know the actual position of your commander?

9 A. Not every step your commander will take in the war as he
14:53:06 10 take a step you should monitor, or as he take a step you should
11 know. Perhaps he might be here, in the second, he's in another
12 place. That was a wartime. not every step your commander takes
13 you know, please.

14 Q. We have the transcript of 23 August, page 46835. Beginning
14:53:38 15 at line 3 the witness said. Excuse me, it must be the bottom.

16 It's the last two lines of the page. The witness was asked:

17 "Q. And that's true, isn't it. When Sam Bockarie found
18 out that the Gullit forces had entered Freetown and taken
19 the State House he didn't respond negatively. He
14:54:18 20 immediately made orders for further attacks to reinforce
21 them. Isn't that true?

22 A. No, at the moment he did not give further orders to
23 attack. At that moment Bockarie said since Gullit and
24 others have entered Freetown, we too - the RUF too should
14:54:36 25 move through Port Loko to get to Lungi. But we were not
26 able to go through because ECOMOG resistance was strong in
27 Lungi."

28 Sir, is that true, you were listening to the radio, that
29 when Bockarie heard that Gullit was in Freetown he ordered an

1 attack on Lungi .

2 A. I did not hear that, sir.

3 MR MUNYARD: I don't think it's right for Mr Koumjian just
4 to leave it there. He's asking about Bockarie and Gullit and
14:55:07 5 orders between them and where he broke off in that transcript
6 answer, he broke off just before the following part of the same
7 reply:

8 "As far as what I knew Gullit was not under Bockarie's
9 instructions and even when Bockarie gave him instruction he did
14:55:24 10 not obey them."

11 I think if the witness is going to be asked about this
12 particular answer he should be asked about the whole of it to put
13 it properly in context.

14 MR KOUMJIAN: I was asking specifically about an attack on
14:55:35 15 Lungi and counsel's arguing the case that he could do - try to
16 put in re-direct. It's not my obligation to give - to go beyond
17 the question that I have for the witness.

18 PRESIDING JUDGE: Yes, you can handle that in re-direct,
19 Mr Munyard.

14:55:57 20 MR KOUMJIAN: Then if we go to 4 August 2010, page 45432.

21 Q. While that's coming up, Mr Witness, you don't know that
22 Gibril Massaquoi was with Gullit's forces in Freetown, freed from
23 Pademba Road Prison?

24 A. No, sir.

14:56:29 25 Q. And, sir, you don't know that King Perry and Alfred Brown
26 were in Freetown with the forces?

27 A. No.

28 Q. Do you know Rambo Red Goat, Mr Witness?

29 A. Rambo who?

1 Q. Rambo Red Goat, Idrissa Kamara, an SLA?

2 A. You are saying Rambo who, please.

3 Q. Rambo Red Goat?

14:57:06

4 A. No, I did not know any Rambo Red Goat. I knew normal Rambo
5 in the RUF.

6 Q. Okay. 4 August, page 45432. The witness was asked at the
7 very bottom of the page by the Presiding Judge, beginning four
8 lines up:

14:57:42

9 "The question simply asked of you was why did Rambo's
10 forces go to Waterloo? Now in everything that you have
11 said I haven't seen an answer to that question. Why did
12 Rambo's forces go to Waterloo?

13 THE WITNESS: Your Honour, the answer is within what I have
14 said. I said Freetown was the seat of power. That is
15 Freetown. So if Rambo went to Waterloo --"

14:57:58

16 And the Defence counsel asked him to go on, continue, and
17 he answered:

18 "That is RUF's move but that doesn't mean that RUF went
19 there to Waterloo to connect with the AFRC.

14:58:19

20 PRESIDING JUDGE: Yes, but what do you mean by 'that was
21 RUF's move'? What is your answer? Why did Rambo's forces
22 go to Waterloo? What is your answer?

23 THE WITNESS: My Lord, I said Rambo was an RUF group. His
24 going to Waterloo, RUF was fighting to go to Freetown also,
25 because Freetown was the seat of power, the seat of
26 government."

14:58:37

27 So, Mr Witness, aren't you aware, as Issa Sesay told this
28 Court, that the RUF attacked Waterloo when Gullit's forces were
29 inside the city to go to Freetown also?

1 A. I can't tell what Issa say here, but he spoke in his own
2 capacity. What I know is what I'm telling you.

3 Q. And what --

4 A. [Overlapping speakers] he answer because he was around
14:59:11 5 there, but I was not there. I can't tell you whether the RUF
6 activities that went on at Waterloo, I saw it. I don't, sir,
7 please.

8 Q. So in fact what's your knowledge based on? Your knowledge
9 of the events in Freetown is based on what?

14:59:29 10 A. On the communication, whatever information I give you is
11 what I monitored on the radio myself.

12 Q. Well then, sir, did you hear, as other witnesses have
13 testified to, Sam Bockarie on the radio ordering Gullit "to burn
14 the fucking place"?

14:59:45 15 A. No, I'm not aware.

16 Q. Now, you told us that Sam Bockarie was a friend of Gullit,
17 correct?

18 A. I told you Gullit told me that what happened to them in
19 Kailahun, he was going to return same. Meaning that that day --

15:00:15 20 Q. Mr Witness, that's not my question. My question was you
21 told us that Sam Bockarie was a friend of Gullit and that's
22 right, you said that, didn't you?

23 A. He was not a friend of him. We all operated together and
24 we retreated to Kailahun. Then something sparked and the

15:00:32 25 relationship begin sour. He was not a direct or personal friend
26 to him that they were together.

27 Q. Mr Witness, Issa Sesay was a friend of Gullit, correct?

28 A. Yes, we all were friends to the AFRC and they themselves,
29 they were friends to us, when we entered Freetown.

1 Q. And Alfred Brown was a friend of Gullit, correct?

2 A. That I can't tell, sir.

3 Q. Sir, tell us about the attack on Tombo in February. You're
4 aware, aren't you, that after Gullit's forces were pushed out of
15:01:23 5 Freetown in mid to late January, late January '99, there was an
6 attack, an attempt to get to Freetown by attacking Tombo. You're
7 aware of that, aren't you?

8 A. No, sir.

9 Q. Sir, you were listening to the radio and monitoring it but
15:01:40 10 you're not aware that there was an attack on Tombo in February?

11 A. No, sir, I did not monitor that.

12 MR KOUJIAN: If we could have the transcript for 23 August
13 2010, page 46851.

14 MS IRURA: Could counsel please repeat the page reference
15:02:30 15 because I'm not getting that page on this transcript.

16 MR KOUJIAN: Yes. 46851 of 23 August 2010.

17 Q. Mr Witness, at that point beginning on line 4 I was reading
18 to Mr Sesay from his testimony in his own trial and in his own
19 trial Mr Sesay's lawyer asked:

15:03:17 20 "Q. Let's not lead to March. Let's stay with February.
21 I'm trying to work out what the state of your knowledge is
22 about Gullit in February so, if you can't say, you can't
23 say, but don't lead to March. What's he doing in February,
24 do you know?

15:03:33 25 And Mr Sesay under oath in his own trial said:

26 "A. Well, they were in, he was in - he was in Benguema. He
27 was in Benguema and he, Rambo and Superman, to attack
28 Tombo, when they attacked ECOMOG at Tombo, and they were
29 unabl e."

1 I asked Mr Sesay:

2 "Q. Did you tell the truth in your own trial about this
3 attack by Rambo, Superman and Gullit on Tombo?

4 A. Yes, I did say that.

15:04:02 5 Q. So, Mr Sesay, in February 1999, when the RUF knew about
6 what had happened in Freetown, the city had been burnt,
7 people had been killed and amputated, the RUF continued to
8 work with Gullit and made a second attempt to get back to
9 Freetown in a coordinated attack with the AFRC forces,
15:04:21 10 correct?

11 A. Well, yes, that did happen but it was a failed attack,
12 the attack was not successful."

13 Mr Witness, aren't you aware that just soon after Gullit's
14 forces were pushed out of Freetown in February the RUF combined
15:04:48 15 with him again to try to go back to Freetown through Tombo?

16 A. No, sir, I'm not aware of that.

17 Q. Well, knowing that, Mr Witness, that shows you, since you
18 weren't there in Freetown, but that's pretty clear to you then,
19 isn't it, that the RUF and the AFRC were combining forces and
15:05:07 20 working together to take Freetown. Isn't that true?

21 A. No, sir.

22 Q. So the fact that they combined for an attack in February
23 according to Issa Sesay, that does not mean to you that they were
24 working together?

15:05:22 25 A. I can't tell you. What Issa was saying he said it in his
26 own capacity, sir. What I know is what I'm saying.

27 Q. Mr Witness, I want to talk to you about your contacts with
28 the Defence in this case, beginning from your very first contacts
29 with the Defence. Are you willing to do that? Will you answer

1 my questions truthfully?

2 A. No, sir.

3 Q. Okay. And one of the things I want to establish, sir, is
4 that you've already lied to us even about something that actually
15:06:06 5 is innocuous about your contacts with the Defence here in The
6 Hague. So I'm going to ask you that question again. Since you
7 arrived here in The Hague how many times have you spoken to
8 members of the Defence team?

9 A. I told you on the second day I spoke with them.

15:06:30 10 Q. And then you said you arrived on Wednesday, is that
11 correct?

12 A. Yes.

13 Q. So you're saying you spoke to them on Thursday?

14 A. Yes, sir.

15:06:40 15 Q. And when did you speak to them after that?

16 A. No, sir. After that, no.

17 Q. Sir, you spoke to them over the weekend, didn't you?

18 A. No, sir.

19 Q. Not this weekend, last weekend. Before you began your
15:06:56 20 testimony you spoke to the Defence, correct?

21 A. I said no, sir.

22 Q. You didn't see the Defence that weekend?

23 A. No, sir.

24 Q. Mr Kolléh, without giving me the location or a name, are
15:07:12 25 you staying at a hotel?

26 A. Yes, I am staying at a hotel.

27 Q. Did you see the Defence at the hotel this weekend?

28 A. No.

29 Q. Were you transported to another location to see the

1 Defence?

2 MR MUNYARD: I think there might be a confusion again about
3 which weekend because Mr Koumjian has just mentioned this
4 weekend.

15:07:37 5 MR KOUMJIAN: Thank you.

6 Q. Mr Kolléh, I'm speaking about the weekend before you began
7 your testimony.

8 A. Yes, sir.

9 Q. Did you see the Defence at your hotel?

15:07:51 10 A. Not at the hotel, sir.

11 Q. You were taken to another location to see them, correct?

12 A. No, sir.

13 Q. Did you see them at all?

14 A. I saw them.

15:08:00 15 Q. Where? Without giving us an exact location, you did see
16 them?

17 A. Yes, I said after two days I saw them.

18 Q. I'm asking about the weekend now, not Thursday?

19 A. I said no. I kept saying no, sir.

15:08:27 20 MR KOUMJIAN: I have a document to distribute.

21 Q. Now, sir, this is an email that's been redacted to remove
22 addresses and phone numbers from a member of the Defence,
23 Ms Logan Hambrick, and you know her, correct?

24 A. Yes.

15:10:07 25 Q. And you've spoken to her about your evidence, correct?

26 A. Yes, sir.

27 Q. And there's nothing wrong with that, let me make that
28 clear, for a lawyer to speak to a witness about the evidence
29 before they take the witness stand. Now, sir, this is an email

1 we received Friday from the Defence, Ms Hambrick, indicating some
2 areas that you would be testifying about that were not in your
3 original summary. And then if we look at the last sentence, it
4 says: "We will also be proofing the witness over the weekend,
15:10:45 5 and any further information will be provided as necessary." So,
6 Mr Kolley, tell us a truth. You spoke to the Defence over the
7 weekend before you testified, correct?

8 A. No, sir.

9 Q. Mr Kolley, if we have to contact the section that takes
15:11:12 10 care of you, the WVS, and ask them if they transported you or
11 arranged for you to meet with the Defence over the weekend, are
12 you saying that they will say you met no one over the weekend
13 before you testified?

14 A. I said I met them but you're talking about over this
15:11:30 15 weekend, no.

16 Q. No, sir, I'm quite clear. I think I've been quite clear.
17 I'm talking about the weekend before you testified you met the
18 Defence, correct?

19 A. I said yes. I told you earlier, I said yes.

15:11:43 20 Q. No, you didn't, sir. So you didn't speak to the Defence
21 once, you spoke to the Defence twice about the case. They
22 interviewed you about your evidence twice, correct? There's
23 nothing wrong with them doing that. Isn't that true?

24 A. Twice where, sir, please?

15:12:05 25 Q. In The Hague. Anywhere in this country?

26 A. No, not twice.

27 Q. Well, why did you ask - did you speak to them the weekend
28 before you testified?

29 A. I met with the Defence but not over this weekend.

1 Q. Mr Koll eh, you keep avoiding the question. You met with
2 them on Thursday, the second day after your arrival, and you met
3 them again over the weekend, correct?

4 A. No, sir.

15:12:37 5 PRESIDING JUDGE: Mr Koll eh, which weekend are you talking
6 about?

7 THE WITNESS: Not a weekend. I said when I arrived here I
8 met with them. But over the weekend he talking about, I don't
9 know which weekend, sir, that's why I kept asking which weekend.

15:12:49 10 I did not meet them over the weekend.

11 PRESIDING JUDGE: The question is the weekend - the first
12 weekend after you arrived did you meet with the Defence?

13 THE WITNESS: Yes.

14 MR KOUMJIAN:

15:13:12 15 Q. Mr Koll eh, now that we've established how open you are
16 about your contacts with the Defence, tell us again when was the
17 first time you spoke to any representative of the Defence about
18 this case?

19 A. In The Hague here?

15:13:27 20 Q. No, sir. Any representative of the Defence or of
21 Charles Taylor, when did you first have contact with them about
22 giving evidence in this case?

23 A. My first contact was in Monrovia, I have forgotten the
24 time, sir.

15:13:54 25 Q. Who was that first contact with?

26 A. I told you it was Gray and Gus, the first person I met, I
27 met with Gus, and Gray was with Prince Taylor.

28 Q. Prince Taylor is the former G5 of the RUF, correct?

29 A. Not that Prince Taylor, sir.

1 Q. Who's the Prince Taylor that you met with?

2 A. Prince Taylor is in Freetown.

3 MR KOUMJIAN: Could we have the transcript of 19 April
4 2010, please, page 39286.

15:14:55 5 Q. If we go to the bottom of the page - I'll skip this. It's
6 too ambiguous. I'm going to move on. Mr Witness --

7 JUDGE DOHERTY: Mr Koumjian, can I clarify with the witness
8 because I'd like to be clear, are you saying, Mr Witness, that
9 there are two people called Prince Taylor, one of whom was a G5
10 for the RUF -

15:15:42

11 THE WITNESS: Yes.

12 JUDGE DOHERTY: - and another one was a man also called
13 Gray as well as being called Prince Taylor?

15:15:58

14 THE WITNESS: No, Gray is different. Prince Taylor the G5
15 was RUF vanguard. Gray is different. He's in Monrovia on the
16 Defence team. Gray is different from Prince Taylor, sir, ma'am.

17 JUDGE DOHERTY: Why did you say I met with Gus and Gray was
18 Prince Taylor.

15:16:21

19 THE WITNESS: I said with Prince Taylor. But I talked to
20 Gus and Gray. I met - they were three persons, the people I met,
21 that's what I'm saying. He asked me when was my first contact
22 with the Defence and who were those people.

15:16:47

23 MR MUNYARD: May I, Mr President, through you indicate that
24 although I see that's on the LiveNote, that is not what I
25 actually - the word was wasn't what I actually heard the witness
26 say and it has actually been asked before about the people he met
27 last week in his cross-examination and he specifically mentioned
28 three separate people, those three names. So I do think this is
29 a case of the LiveNote not being entirely accurate in terms of

1 picking up everything the witness said.

2 PRESIDING JUDGE: Yes, thank you, Mr Munyard. I must say
3 I'm not clear on this at all. You said you met three people, who
4 were those people again, Mr Kolleh?

15:17:30 5 THE WITNESS: I said Gus, John Gray and one Prince Taylor.
6 Those were the three persons I met.

7 PRESIDING JUDGE: And who was this Prince Taylor you met?

8 THE WITNESS: I met all of them together to the office in
9 Monrovia too, the Defence.

15:17:50 10 PRESIDING JUDGE: I didn't ask you that. I asked you who
11 was the Prince Taylor you met. Was this the person that
12 Mr Koumjian referred to as the former G5?

13 THE WITNESS: No, sir. The G5 he talk about, I'm saying we
14 had another Prince Taylor called - I mean another senior officer
15:18:09 15 called Prince Taylor. He was a G5. I am telling him that he was
16 not the one I met with Gray and Gus. I just tried to make things
17 clear to him, sir.

18 PRESIDING JUDGE: All right. Thank you.

19 MR KOUMJIAN: Perhaps we can go then to the transcript of
15:18:23 20 19 April 2010, page 39286 at the bottom. I take it back.
21 Rereading it, it can be read two ways, so I will not bother with
22 this. I apologise.

23 Q. Sir, when you were with the Defence any time since 2003,
24 have you done any work for the Defence of Charles Taylor?

15:19:20 25 A. Please repeat your question, sir.

26 Q. Sir, have you recruited any witnesses for Charles Taylor's
27 Defence?

28 A. I did not work for Defence. I did not recruit people, sir.

29 Q. Did you refer any witnesses to speak to the Defence

1 investigators?

2 A. I don't remember, sir.

3 Q. You don't remember whether you did or not?

4 A. No.

15:19:46 5 Q. Did you refer John Vincent to speak to the Defence?

6 A. No, I never.

7 Q. You've mentioned a Stephen Jusu Moriba who you said was
8 your former adjutant. When was he your adjutant?

9 A. When I was a chief security officer in Kailahun District,
15:20:16 10 he was my adjutant.

11 Q. What years were you - was he your adjutant?

12 A. 2000 - 1999 ending to 2000 up to disarmament.

13 Q. So you were the chief security officer in Kailahun at the
14 time the peacekeepers were taken. Is that right?

15:20:44 15 A. Which peacekeepers, sir?

16 Q. The peacekeepers from Makeni and the peacekeepers that
17 Martin George captured in Kailahun?

18 A. No, I don't want you to combine that information or that
19 point because Kailahun was a separate case and Makeni was a
15:20:58 20 separate case. Kailahun, Martin George was in charge, I told you
21 earlier that I was not in Kailahun.

22 Q. Sir, the question is were you the chief security officer
23 for Kailahun?

24 A. Yes, sir.

15:21:10 25 Q. When Martin George took the peacekeepers in Kailahun?

26 A. No, Martin George was a chief security officer, by then I
27 was not at that position, sir.

28 Q. That was in May 2000, so were you the chief security
29 officer in Kailahun in May 2000?

1 A. [Overlapping speakers] you asked me when Stephen Jusu
2 Morigba was my adjutant, I say from 2009 [sic] ending into 2000
3 and up to disarmament. That's what I tried to say, sir.

15:21:48

4 Q. Sir, you said he works as a statement taker for the Court.
5 Who does he work for?

6 A. I can't tell. We only used to converse on mobile phone
7 when he was working in Freetown, so I can't tell who specifically
8 he worked for.

15:22:05

9 Q. You said you didn't refer John Vincent to the Defence. Is
10 that right?

11 A. No, sir.

12 MR KOUJIAN: Can we have the transcript of 1 April,
13 please, of this year, page 38483. This is closed session, so I'm
14 going to read paraphrasing, or private session.

15:22:36

15 Q. So the witness, John Vincent, said beginning on the third
16 line:

17 "When I put the photos in my album it was later that I met
18 Sam Kolléh and he told me he had gotten in touch with the Defence
19 team, so he elaborated to me and straightaway I informed him"
20 what someone said. I'm not going to tell you what that was.

15:22:56

21 "And he said but then if that is the case then the Defence team
22 will need you also. That was kind of introduced to one Gus, like
23 I told you."

24 So, Mr Kolléh, did John Vincent lie when he said you
25 introduced him to Gus and told him that he needed to - he should
26 contact the Defence team?

15:23:18

27 A. I don't know what John Vincent said here. What I know is
28 what I'm telling you. I did not, please.

29 Q. Well, then is that a lie? I read to you that John Vincent

1 said you told him that the Defence team -

2 A. I am saying I did not -

3 Q. Sir, let me finish the question - will need to talk to him.

4 Is that true or is that a lie?

15:23:45 5 A. I am saying I did not talk to John Vincent. I don't know
6 what he said here. You are quoting him. He said what he knew he
7 would say. But I'm telling you that I did not.

8 Q. Okay, thank you. I want to ask you some other questions
9 about the Defence and any association you have with the Defence.

15:24:20 10 Before I was asking you about, and I didn't finish, Stephen Jusu
11 Moriba, while the document is being distributed, if we could have
12 a document distributed, please, and you said he was your
13 adjutant. You also said he was a statement taker. Who did he
14 take statements for?

15:24:38 15 A. I did not see him working. I mean we conversed on the
16 telephone. He told me was now working with the Special Court in
17 Freetown. By then I'm already a student now in Liberia. We used
18 to talk, I was leaving to the house in Kailahun, I went to
19 Monrovia, so we used to talk over telephone and I told you he did
15:25:01 20 not specify which department he was taking statement from or for,
21 but he told me he was now working with the Special Court. That's
22 what I said earlier when I came here.

23 Q. Well, you said he was working in Monrovia, as I understood
24 you, is that correct?

15:25:15 25 A. Who was working in Monrovia?

26 Q. Stephen Jusu Moriba.

27 A. I did not talk about Monrovia.

28 MR MUNYARD: Again I would ask for a reference. If
29 Mr Koumjian says he did speak about Monrovia, I'd like to see it.

1 MR KOUMJIAN: Okay, we'll come back to that in a moment.
2 We're looking to see exactly, but it's spoken about on 3 November
3 and I'll look to see whether Monrovia's there or not.

15:26:41

4 Q. Sir, I've handed out a document that consists of two
5 pages --

6 MR MUNYARD: Before we move off that other point I've just
7 looked up 3 November, page 48554, line 9:

15:26:59

8 "A. Stephen Jusu Moriba was my adjutant. He was with me
9 in Kailahun but later worked for the Special Court in
10 Sierra Leone as a statement taker."

11 Now I have no recollection, again I'm happy to be corrected
12 if I'm wrong, I have no recollection of him saying anything other
13 than Moriba working in Sierra Leone. If that's the reference
14 then let's clear this point up for once and for all.

15:27:19

15 PRESIDING JUDGE: I understood Mr Koumjian to be saying
16 he's going to get the appropriate reference for his contention.

15:27:49

17 MR KOUMJIAN: It may be a matter of interpretation. What I
18 have is page 48557. And what the witness said at line 5, he
19 said, "I said Stephen Jusu Moriba, my former adjutant, when I
20 went to Liberia now later he was working for the Special Court in
21 Freetown later."

22 And then he says on line 12:

15:28:06

23 "He worked as a statement taker. He used to talk to me
24 while in Monrovia. He said, 'I'm now working with the Special
25 Court as a statement taker.' This is in 2006, 2007, up to 2008
26 maybe."

27 Q. So, Mr Witness, you told the Court that when you saw
28 Stephen Jusu Moriba, your former adjutant, you said, "He used to
29 talk to me while in Monrovia. He said, 'I'm now working with the

1 Special Court as a statement taker.' This is 2006, 2007, up to
2 2008."

3 So my question is who was he working for?

15:28:43

4 A. I don't know. He told me was working with the Special
5 Court. That was the communication. And you are reading
6 something there, sir, you mentioned about Stephen Jusu Moriba
7 working in Liberia. I did not mention that. Please go over that
8 statement.

15:28:57

9 Q. Let me read it. These are your words, sir. "He used to
10 talk to me while in Monrovia. He said I'm now working with the
11 Special Court as statement taker." That's what you said?

12 A. No, I heard you talking about working in Monrovia. That's
13 what I tried to find out, sir.

14 Q. Sir, is Monrovia in Liberia?

15:29:12

15 A. Yes, sir.

16 Q. So if he was talking to you in Monrovia you said and he
17 said I'm now working for the Special Court, that means he was
18 talking to you while you were in Monrovia?

15:29:28

19 A. Yeah, I was in Monrovia, he was talking to me. He talked
20 to me on the phone.

15:29:57

21 Q. Let's move on. Sir, I want to ask you about an
22 organisation and any knowledge you have of that organisation
23 because it is a mystery to me. It is called the Association For
24 the Legal Defence of Charles G Taylor and we see a two-page
25 document before us. And if we look at the document and it's from
26 a web page, www.fortaylor.net, that previously has come up and we
27 also have a document in evidence regarding contributions to that
28 organisation, I believe that's exhibit P-406.

29 Sir, according to the document in front of you it talks

1 about the function of this association is to and it says:

2 "Number 5, recruit witnesses for the trial. And number 6,
3 coordinate investigations. 7, mobilise resources and other
4 logistics."

15:30:48 5 And it says in the next paragraph that the association has
6 three sections, legal, Press and Public Affairs, finance and
7 administration. Sir, do you have any knowledge of this
8 organisation?

9 A. Which organisation, sir.

15:31:10 10 Q. The Association For the Legal Defence of Charles Taylor,
11 Charles G Taylor?

12 A. I have a knowledge, yes.

13 Q. Thank you. Who is involved in that organisation?

14 A. You mean the Defence team, please?

15:31:40 15 Q. Sir, this isn't the Defence team that's paid for from the
16 public funds. This is a separate organisation that solicited
17 funds on its own.

18 A. I'm not aware. I thought you were talking about the
19 Defence team, sorry.

15:31:53 20 Q. Well, sir, did anyone other than the Defence team, the
21 official Defence team, recruit you for this trial?

22 A. No, sir.

23 Q. Sir, do you know what the funds that were collected for
24 this organisation, what they were spent on?

15:32:09 25 A. I'm not aware of that.

26 Q. Sir, I want to ask you about an affidavit that you signed
27 and that is the Defence bundle, tab 1. Excuse me, may that
28 document be marked for identification, please, the two-page
29 document. Yes, and I believe I also have not marked the

1 redacted --

2 PRESIDING JUDGE: Just a moment. I'll have to locate that
3 document again. I think the next MFI number is 13. I'll mark
4 that for identification 13.

15:33:42 5 MR KOU MJIAN: Just to be clear, I believe I failed to mark
6 one other document. I'm not sure which document your Honour's
7 referring to. There was the redacted email and then there's a
8 two-page document from a website fortaylor.net. So I'd ask that
9 each be marked. The website document is two pages, although I
10 only referred to the first page. I really only need the first
11 page. My colleagues remind me I also did not mark the summary,
12 so I apologise.

13 PRESIDING JUDGE: You're getting too far ahead of me.
14 What's the two-page document? What's the title of it? I've got
15:34:36 15 a bundle here, Mr Koumjian.

16 MR KOU MJIAN: This was not in the Defence bundle. This was
17 handed out just a few moments ago, it's called "The Association
18 For the Legal Defence of Charles G Taylor: About us." Page 1 of
19 2.

15:34:49 20 PRESIDING JUDGE: That's the one I just marked MFI-13.

21 MR KOU MJIAN: Thank you. And then there's the witness
22 summary which was handed out, it's actually an official document
23 of the Court, but Taylor Defence Rule 73 ter witness list,
24 version V and the summary for this witness consists of pages 40
15:35:09 25 through 42. The only page I referred to was page 42 which refers
26 to the combined forces. But I believe it's necessary to have it
27 all to understand that this all relates to DCT-102 because the
28 number doesn't otherwise appear.

29 PRESIDING JUDGE: All right. That witness summary in

1 relation to the current witness is marked for identification,
2 MFI-14.

3 MR KOUMJIAN: Thank you. And then the email indicating the
4 Defence will be proofing the witness over the weekend, the email
15:36:01 5 dated 29 October 2010, redacted to remove addresses, may that be
6 marked MFI-15.

7 PRESIDING JUDGE: Yes, that document is so marked.

8 Q. Now, sir, there's a document before you that on the fourth
9 page has a signature. First, look at the signature and tell us
15:36:27 10 if that is your signature.

11 A. Yes.

12 Q. And did you prepare - well, you signed this document. Is
13 that correct?

14 A. Yes.

15:36:37 15 Q. Who wrote it? Mr Witness, I've been waiting about 30
16 seconds and you haven't answered the question. Who wrote the
17 document, if you know?

18 A. It was taken from me by the Defence people.

19 Q. Well, who wrote this document, if you know?

15:37:06 20 A. I told you I was interviewed by Gray and Gus.

21 Q. When did you sign the document?

22 A. I am forgetting the date.

23 Q. Was it a long time ago? Was it years ago, months ago,
24 weeks ago?

15:37:34 25 A. I believe it was 2010.

26 Q. And, sir, who gave it to you to sign?

27 A. It was given to me by the Defence to sign.

28 Q. Who, sir? Who gave it to you to sign?

29 A. It was given to me by Logan to sign.

1 Q. And did you sign it the same day she gave it to you?

2 A. I signed it, I think, the next day.

3 Q. Did you read it?

4 A. Yeah, I went through.

15:38:39 5 Q. Was everything correct?

6 A. Yes.

7 Q. So did you sign this, swear that it was the truth and sign
8 it knowing that you were signing a document under penalty of
9 perjury?

15:39:02 10 A. Under what?

11 Q. That you could be punished if it was false? Did you sign
12 it knowing that?

13 A. Well, yes, if you sign a document, you agree with it.

14 Q. Okay. You signed it affirming, excuse me, that everything
15:39:22 15 was true to the best of your knowledge and belief. Is that
16 correct?

17 A. Yes.

18 Q. Sir, who's Mr Supuwood?

19 A. He's with the Defence. I don't know his actual position,
15:39:42 20 sir.

21 Q. What was his role in this affidavit?

22 A. I did not understand his actual role. He was there also.

23 Q. Where? Where was it that you saw Mr Supuwood?

24 A. In Monrovia.

15:40:01 25 Q. Yes, sir, but where? Unless it's your house, don't tell us
26 the address. But tell us what place it was at. Was it an
27 office? Someone's house?

28 A. I met him at his office, sir, around Sinkor in Monrovia.

29 Q. Now we see on the side of the document it's written

1 "reference" and it appears to be to say, "Cllr. JL Supuwood". Is
2 that correct? Do you know who wrote that?

3 A. Yes.

4 Q. Who wrote it?

15:40:54 5 A. I'm seeing "Cllr. JL" - it's a signature. The spelling is
6 giving me hard time.

7 Q. Well, how many times did you meet with Mr Supuwood?

8 A. I met him once.

9 Q. How many times did you speak to him on the phone?

15:41:27 10 A. On the mobile phone?

11 Q. Yes.

12 A. I remember only one time.

13 Q. And you said on the mobile phone. Did you speak to him on
14 any other phone?

15:41:50 15 A. No, sir.

16 Q. There's another two documents I would like handed out, but
17 while they're being handed out I'll continue. Just one moment,
18 please. I'll come back to that in a moment. Sir, let's go
19 through this for a moment. Going to paragraph 3, in this
15:42:49 20 affidavit you say that David Crane who you understood was the
21 Chief Prosecutor for the Court and Chris Bomford deliberately
22 intimidated, harassed and threatened you into cooperating with
23 them. Is that correct?

24 A. Yes, I said it.

15:43:08 25 Q. And you said, "The Prosecution would also use the local
26 Sierra Leone police to exert indirect pressure on me." Is that
27 correct?

28 A. Yes, if I refused to talk to them.

29 Q. Sir, in your testimony you didn't say anything about the

1 Prosecution threatening to use the police against you, did you?

2 A. The Prosecution used the police to have me taken to the
3 police headquarter in Kailahun and it is after I talked to them
4 for the first day I have to go to the Interpol to confirm this
15:43:42 5 and they told me you have to talk to these people.

6 Q. Sir, you didn't say anything in your testimony up to now
7 about Interpol?

8 A. The MILOBs, the military observers, they were the
9 international police that we call Interpol, they were the MILOBs
15:43:58 10 as well, military police, in Kailahun.

11 Q. Well, Interpol and military observers, MILOBs, are two
12 different things. Did you know that?

13 A. They are the same people, I consider.

14 Q. Actually, sir, you don't know any Interpol, do you?

15:44:13 15 A. Come again.

16 Q. You don't know anyone in Interpol, do you?

17 A. You mean at their office?

18 Q. Interpol is an international organisation dealing with
19 police cooperation. You don't know anyone with Interpol, do you?

15:44:34 20 A. I knew their headquarter and we all worked together during
21 disarmament. I did not know their name particularly, but I knew
22 them.

23 Q. The people you're talking about are the civilian police or
24 military observers. Which one are you talking about?

15:44:54 25 A. During that time --

26 Q. UN civilian police?

27 A. During that time the Interpol, the military observer, they
28 stay in the same compound in Kailahun Town, so I considered them
29 to be military observers, sorry, or international police.

1 Q. I want - some documents have been distributed and I want to
2 go with them - go over them briefly. I believe the first one, if
3 I could see it again on the screen, push it down a little bit,
4 please, is dated - this is the second one but this one is fine.

15:46:05 5 Dated 16 July 2010. Mr Witness, you've talked about speaking on
6 the phone to Mr Supuwood. Mr Supuwood, were you aware, and first
7 of all please take the document off for a moment and I wish to
8 make the Court aware that the document the registrar has marked
9 confidential. I don't see any reason for it to be confidential
10 but I wanted the Court to be aware of that in case anyone wants
11 to make any such application.

12 MR MUNYARD: I would ask that the document remain
13 confidential for two reasons at the moment. First of all,
14 because it was issued confidentially. Secondly, your Honours
15 will see who it is issued to. There is no suggestion in any part
16 of this document that it was ever issued to this witness or had
17 anything to do with this witness. So A, it's a confidential
18 document, and B, its use at the moment is, on the face of it,
19 highly speculative in relation to this witness. And so for both
15:46:57 20 those reasons, one because it's so marked, and two out of an
21 abundance of caution I would ask that it not be put on the screen
22 for public display and I really do think at this stage
23 Mr Koumjian is under a duty to explain why - what use he intends
24 to make of this document with this witness.

15:47:23 25 PRESIDING JUDGE: Yes, do you want to reply to that,
26 Mr Koumjian?

27 MR KOUMJIAN: Yes. Your Honour, the witness has spoken
28 about giving an affidavit and has spoken about that the affidavit
29 was actually given - he indicated in the office of Mr Supuwood if

1 I'm correct. He said he was involved. And we see on the side of
2 the affidavit is written Mr Supuwood. We further have testimony
3 from this witness that he's spoken on the phone to Mr Supuwood.
4 The question that it's relevant for, the Prosecution believes, is
15:48:24 5 the integrity of the Defence evidence, given that the information
6 in the proposed document would indicate that counsel, this
7 counsel specifically Mr Supuwood, and I want to make it clear I'm
8 not accusing anyone else, has violated his duties to the Special
9 Court and misused his confidential privileges with Mr Taylor and
15:48:50 10 we believe that that affects the integrity of the evidence,
11 including this witness's evidence.

12 MR MUNYARD: Actually that misstates what this document in
13 fact says. Although in the first paragraph it starts, and I'm
14 looking at line 4 of the first paragraph, "On the basis of
15:49:10 15 information collected it was established" and it goes on to say
16 that there was a misuse of attorney-client privilege and the
17 Registrar had reasonable grounds to believe that such
18 communications could prejudice the proceedings, it goes on to say
19 in paragraph 2, "On 2 July 2010 counsel for Mr Taylor provided
15:49:33 20 information to the registrar regarding the content of Mr Taylor's
21 privileged communications. The Registrar accepted the
22 explanation provided by counsel and decided that the suspension
23 of privileged communications between the accused and
24 Mr Supuwood" - I'm only mentioning him - "was no longer
15:49:54 25 necessary."

26 In other words, a prima facie case established paragraph 1,
27 an explanation then provided by Defence counsel paragraph 2,
28 which resulted in the suspension being lifted.

29 PRESIDING JUDGE: All right, look, let's hark back to the

1 question of confidentiality first. I really don't know why this
2 has been marked confidential and it seems with this number of
3 addressees it's rather not practical to say it's a confidential
4 memo, but there may be something in it that the Registrar does
15:50:33 5 not wish to know about the proceedings they adopt in relation to
6 these matters. And as you said, Mr Munyard, I think seeing that
7 it is marked confidential and there's nothing to say that that
8 classification should be changed, I think we ought to deal with
9 it as a confidential document and not display it to the public.

15:51:08 10 In relation to what Mr Munyard has just said, Mr Koumjian,
11 did you have any reply to that?

12 MR KOUMJIAN: Well, my reply would be that if a privileged
13 non-monitored line is misused by counsel then simply there's no
14 way for us to further explore what was said because it's not
15:51:35 15 monitored and so we are not in a position unfortunately to
16 provide further information, but the Court will know that, of
17 course, and there was a filing about a year before that this was
18 not the first suspension, that this was a repeated occurrence.

19 PRESIDING JUDGE: What's the connection with this witness?
15:52:03 20 Are you going to ask him something on this document?

21 MR KOUMJIAN: I'll just ask him one question not
22 specifically on the document but related to the document. If
23 your Honour allows?

24 PRESIDING JUDGE: Well, I'd like to hear the question
15:52:24 25 before I make any ruling.

26 MR KOUMJIAN: Certainly.

27 Q. Mr Witness, did Mr Supuwood get you in contact with
28 Mr Taylor? Did he forward your call to Mr Taylor at any time?

29 A. I don't know, sir.

1 Q. You don't know whether or not you spoke to Mr Taylor?

2 A. No, sir, I never. I said I never.

3 MR MUNYARD: Please, never what?

4 THE WITNESS: I never spoke with Mr Taylor.

15:53:03 5 MR KOUMJIAN:

6 Q. Let me continue with your affidavit, if we can go back to
7 that. Now you say in paragraph 7 that your Interpol connections
8 assured you that in relation to the Special Court you should not
9 be afraid. Who again are you talking about when you talk about
10 your Interpol connections?

15:53:36

11 A. I said I went to the MILOBs. I told them what happened.
12 They told me you have to talk to these people. I said that's
13 what the officer told me.

14 Q. And what did he tell you would happen if you didn't talk to
15 the people?

15:54:02

16 A. He told me if you fail to talk to them they have a system
17 called sweeping, it will be applied, when the local police will
18 have you arrested and you will be forced to talk to them.

19 Q. So what did he say you should do?

15:54:21

20 A. He told me to talk to them and I did.

21 Q. Did you tell you to tell them the truth?

22 A. He did not talk about talking true or not. He told me you
23 have to talk to these people.

24 Q. Well, is that all he said? Just that you have to talk to
25 the people?

15:54:38

26 A. He told me to talk to them. If I failed to talk to them
27 that system would be applied, and I did.

28 Q. And he didn't tell you anything about whether you should
29 tell the truth or not?

1 A. It's David Crane that told me to talk the truth.

2 Q. Okay. What it says in paragraph 7 of your affidavit is you
3 said that your "Interpol connections assured me that in relation
4 to the Special Court I should not be afraid and should

15:55:06 5 cooperate." First of all, do you have names for the people that
6 you're talking about, the Interpol connections?

7 A. No, they were the one that were responsible to disarm us,
8 so I knew their office and I knew them by faces. I did not
9 actually know their names.

15:55:22 10 Q. And skipping a couple of sentences it says: "They said
11 that if I agreed to talk to the Prosecution, even if all I spoke
12 was foolishness then they did not have any power to use this
13 sweeping to arrest me."

14 Are you saying that a military observer or a civilian
15:55:43 15 police officer told you that as long as you said anything, even
16 if it was foolishness and a lie, then you wouldn't be arrested,
17 there was no power to arrest you?

18 A. Yes, the man was escorting me into the police station, we
19 were walking, he was telling me that once you talk with these
15:56:02 20 people they won't arrest you, but if you fail to talk to them,
21 meaning that you are hiding something from them you need to talk
22 to them. So once you talk to them they have no power to have you
23 arrested. But if you fail, it will not be fine. I walked to the
24 police station.

15:56:18 25 Q. Now --

26 PRESIDING JUDGE: I'm sorry to interrupt, Mr Koumjian.
27 Relating to that document marked confidential that was mentioned
28 earlier, Madam Court Manager has pointed out that the document
29 was displayed to the public. Madam Court Manager, is there a

1 delay in that so that it can be redacted?

2 MS IRURA: Your Honour, there is a delay and pursuant to an
3 order for redaction that can be effected.

15:56:50

4 PRESIDING JUDGE: All right. I'll make that order that the
5 document be redacted so as not to be on public display. Please
6 continue, Mr Koumjian.

7 MR KOUMJIAN:

15:57:13

8 Q. Sir, let's go to paragraph 11 on the next page. You talk
9 about being - in paragraph 10 you said you were flown to
10 Freetown. In paragraph 11 you say:

11 "Upon arrival at the Special Court a security contacted
12 someone, who I later learned was David Crane, by walkie-talkie
13 and informed him that Sam is here."

15:57:33

14 First of all, how was it you later learned that the person
15 the security guard was talking to on a walkie-talkie was David
16 Crane?

15:57:50

17 A. The security man, the receptionist that brought me in
18 handed me over to a security personnel. It is this security
19 personnel that asked the next man to the door, he say, "Is the
20 chief in?" He said, "Yes." He said, "Okay. Well then tell him
21 that the man is here." He went in and then I heard on the radio,
22 he said, "Bring in the perpetrators." When the security man
23 says, "Sam is here", he said, "Bring in the perpetrators." I
24 heard it on the handset from the security that I was standing
25 with and that's how he took me in, sir.

15:58:08

26 Q. Are you saying, sir, that David Crane was talking on a
27 walkie-talkie?

28 A. Yes, he responded on the walkie-talkie when the message is
29 given that Sam is here.

1 Q. How did you know that that was David Crane?

2 A. They carried me straight to the office to him. When I
3 entered they were about six in the office where - where I saw
4 him.

15:58:32 5 Q. Mr Witness, the Prosecutor of the Special Court doesn't
6 walk around with a walkie-talkie. You never saw David Crane with
7 a walkie-talkie, did you?

8 A. I am not saying I saw David Crane with walkie-talkie. I
9 said the security who held me in his possession, about to take me
15:58:49 10 inside. I am not saying I saw David Crane outside with
11 walkie-talkie. The security man took me in upon instruction from
12 David Crane. That's how I was taken into the reception room.

13 Q. Well, you're saying that the security guard spoke on a
14 walkie-talkie and the person at the other end was David Crane
15:59:07 15 that answered back to the walkie-talkie. Is that right?

16 A. Yes, he said, "Sam is here", and David Crane said, "Bring
17 in the perpetrator." That's how I was taken into the conference
18 room.

19 Q. And that got you very, very frightened. Is that right?

15:59:22 20 A. Seriously.

21 Q. Why is that, sir? Do you believe you are a perpetrator?

22 A. The language - no, no, but the language used on me, I mean
23 it was a threatened remark.

24 Q. How many years were you in the war?

15:59:40 25 A. I was in the war from the beginning to the end, sir.

26 Q. Now going to paragraph 14 - I don't know if your Honour
27 wants me to stop here; I see it's 4 o'clock.

28 JUDGE DOHERTY: Before we do leave that point, Mr Koumjian.
29 Mr Witness, why do you say because somebody was addressed as

1 chief that you automatically take it that it was David Crane that
2 was being spoken to?

3 THE WITNESS: After he spoke on the handset I was taken
4 directly to him in the conference room, where I was seated in the
16:00:16 5 middle and he told me to spin the chair around to see their faces
6 one by one.

7 JUDGE DOHERTY: Yes, that's not an answer, because you said
8 there were six people in that room.

9 THE WITNESS: Yes.

16:00:27 10 JUDGE DOHERTY: So why do you say the person who is chief
11 was Crane?

12 THE WITNESS: He was Crane. The security man, they were
13 talking to one another. I was strange at the Special Court.
14 When I was carried in there, I was handed over to somebody and
16:00:40 15 they were conversing. I listened. I understand English, ma'am.
16 I was taken in, I was placed in the middle and he told me to spin
17 the chair. I spin the chair around; I saw each of them face.
18 Then from there he told, "You know who is talking to you?" I
19 said, "No." He said, "This is David Crane." He said, "I need
16:01:00 20 nothing from you but the truth. In fact, do you want to see
21 Issa?" I said, "I did not come to see Issa, sir, but if you want
22 me to see him I don't have power here."

23 That's the time he sent me the card. Behind the card I
24 read it and he told me, "Are you now ready to cooperate?" I
16:01:17 25 said, "Yes, sir." That's the time he ordered the security to
26 take me to another room where they were going to take statement
27 from me. That is how I knew. He was sitting in the chair with
28 white spectacles on the face.

29 PRESIDING JUDGE: I think the tape would be close to being

1 finished by now, so we'll adjourn until tomorrow morning at 9
2 o'clock. And, Mr Kolley, as you're told every day, you're not
3 permitted to discuss the evidence in this case with anybody.

4 THE WITNESS: Yes, sir.

16:01:44 5 PRESIDING JUDGE: Thank you. We'll adjourn.

6 [Whereupon the hearing adjourned at 4.01 p.m.
7 to be reconvened on Tuesday, 9 November 2010 at
8 9.00 a.m.]

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WITNESSES FOR THE DEFENCE:

DCT-102 48923

CROSS-EXAMINATION BY MR KOUMJIAN 48923