



Case No. SCSL-2003-01-T

THE PROSECUTOR OF
THE SPECIAL COURT
V.
CHARLES GHANKAY TAYLOR

TUESDAY, 3 JUNE 2008
9.30 A.M.
TRIAL

TRIAL CHAMBER II

Before the Judges:

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

For Chambers:

Mr Simon Meisenberg

For the Registry:

Ms Rachel Irura

For the Prosecution:

Ms Brenda J Hollis
Mr Nicholas Koumjian
Mr Alain Werner
Mr Christopher Santora
Ms Maja Dimitrova

For the accused Charles Ghankay
Taylor:

Mr Terry Munyard
Mr Morris Anyah

1 Tuesday, 3 June 2008

2 [The accused present]

3 [Open session]

4 [Upon commencing at 9.30 a.m.]

09:31:41 5 PRESIDING JUDGE: Good morning. Mr Koumjian, I notice a
6 change of appearance on your bar.

7 MR KOUMJIAN: Good morning your Honours. For the
8 Prosecution: Brenda J Hollis, Alain Werner, Christopher Santora,
9 Maja Dimitrova and myself Nicholas Koumjian.

09:31:59 10 PRESIDING JUDGE: Thank you. Mr Munyard, you appear to be
11 as yesterday.

12 MR MUNYARD: Good morning Madam President, your Honours,
13 counsel opposite. Yes, we are. Myself Terry Munyard, Morris
14 Anyah and Emena Efeotor.

09:32:15 15 PRESIDING JUDGE: If there are no other matters I will
16 remind the witness of his oath. Mr Witness, I again remind you
17 this morning as I have done on other mornings that you have taken
18 the oath to tell the truth. That oath is still binding on you
19 and you must answer questions truthfully. You understand?

09:32:32 20 THE WITNESS: Yes.

21 WITNESS: SAMUEL KARGBO [On former oath]

22 PRESIDING JUDGE: Mr Munyard, please proceed.

23 MR MUNYARD: Thank you, your Honour.

24 CROSS-EXAMINATION BY MR MUNYARD: [Continued]

09:32:39 25 Q. Morning, Mr Kargbo.

26 A. Yes, good morning, sir.

27 Q. We broke off yesterday on page 45452 and I would like to
28 revisit that, if I may, so that we can continue. Are you able to
29 help us with when in March of 1998 it was that this incident

1 happened in which diamonds were taken from you and you said you
2 were detained for 72 hours?

3 A. I cannot give the exact date in March, but it was between
4 mid-March and at the end of March.

09:34:01

5 PRESIDING JUDGE: Mr Witness, it would be helpful if you
6 face the judges and speak into the microphone. I appreciate that
7 it's a natural reaction to look to the person talking to you, but
8 if you could try and do that it helps the interpreters. Please
9 proceed, Mr Munyard.

09:34:19

10 MR MUNYARD:

11 Q. So how long had you been in Buedu before this incident
12 happened?

13 A. Within three weeks time in March and towards the end.

09:34:53

14 Q. So you had been in Buedu for about three weeks, then there
15 is this incident. By this time of course the satellite phone has
16 stopped working according to your evidence. Is that right?

17 A. Yes.

09:35:15

18 Q. The satellite phone had run out of credit by the last week
19 of February, or early March, is what you told us in evidence
20 earlier. Is that right?

21 A. Yes, that is correct.

22 Q. When you first told the Prosecutors about this all you said
23 was that diamonds were taken from you and a quantity also taken
24 from Johnny Paul Koroma and that was it. Were any diamonds taken
25 from anybody else?

09:35:53

26 A. That was what I saw; mine and the ones taken from chairman
27 Johnny Paul Koroma.

28 Q. Yes, did you learn of any diamonds taken from anybody else
29 around that time?

1 A. No, no, no, no.

2 Q. Just you and Johnny Paul?

3 A. Yes.

4 Q. You've also said in paragraph 23 on page 45452:

09:36:29 5 "At that time Johnny Paul Koroma and his wife were taken to
6 a nearby village called Kangama and Johnny Paul Koroma was placed
7 under house arrest."

8 Do you agree you said that to the Prosecutors?

9 A. Yes.

09:36:44 10 Q. Who else was travelling in this party in your - first of
11 all in your red vehicle and then I think you swap it for a blue
12 vehicle at some later point. There is you, there is Johnny
13 Paul's radio operator or communications man, I should say, Banjah
14 Marrah, if I have got his name right, I will be corrected,

09:37:13 15 Mr Johnny Paul, Mrs Johnny Paul, what about the children? Were
16 there any children with you?

17 A. Yes, all of us were in the vehicle.

18 Q. Help us with how many children?

19 A. I can't recall the number that time because we were many.

09:37:40 20 Q. Well, hang on a minute, what's your vehicle? It's a jeep
21 of some sort, isn't it?

22 A. Nissan Patrol Cobra.

23 Q. And then by the time you get to Buedu have you swapped into
24 the blue Toyota, I think it was?

09:38:05 25 A. It was not in Buedu that we did the swapping.

26 Q. By the time you got to Buedu am I right in thinking that
27 you had swapped vehicles, or was that later?

28 A. Before even we went to Kono.

29 Q. Thank you. So I was right --

1 A. Yes.

2 Q. -- that by the time you got to Buedu you had swapped
3 vehicles. How many children together with you, Johnny Paul and
4 I think his wife is called Makuta, isn't she? Is that right?

09:38:46 5 A. Exactly.

6 Q. His communications man, that is four adults. Any other
7 adults in this vehicle?

8 A. His bodyguards, about five to six bodyguards. All of us
9 were in the vehicle.

09:39:07 10 Q. Five to six bodyguards. What sort of Toyota is this, the
11 blue one?

12 A. A Range Rover. It was not a Toyota.

13 Q. All right, a Range Rover. What sort of Range Rover? Is it
14 a Freelander, a Discovery? What sort? Are you able to help us?

09:39:37 15 A. I don't know the difference between Freelander and
16 Discovery, but it was a Range Rover, the old model.

17 Q. Right. Well, we have so far got ten adults and how many
18 children in a Range Rover?

19 A. I cannot recall the number of children.

09:40:06 20 Q. Are all these people in this one vehicle?

21 A. Yes.

22 Q. How many were travelling on the roof?

23 A. The roof --

24 Q. Of the vehicle.

09:40:37 25 A. -- or the road, which? We were many. I cannot recall the
26 number of people that were on the roof.

27 Q. I am just going to explore the children for a moment. What
28 was the age range of this unspecified number of children that
29 were in this Range Rover together with you ten adults?

1 A. I don't know their age.

2 Q. Well, I am asking you to give an estimate.

3 A. No, I cannot guess.

4 Q. Is any of this true, Mr Kargbo, that there were ten adults

09:41:16 5 and an unspecified number of children of unspecified age?

6 A. Yes.

7 Q. Well, was it more than four children?

8 A. Yes, there were more than that.

9 Q. More than six?

09:41:41 10 A. More than that, because if there were four, five to six
11 I would have - if I would have recalled the number. They were
12 more than that.

13 Q. Perhaps as many as ten children, is that what you are
14 telling us?

09:41:59 15 A. Yes, there were more than ten.

16 Q. All in the one vehicle?

17 A. Yes.

18 Q. More than 15?

19 A. They will not be up to 15, but there were more than ten.

09:42:22 20 Q. Right, so something between ten and 15 children? Less than
21 15, but more than ten?

22 A. Around that.

23 Q. And were any of these children teenagers, or were they all
24 younger than teenagers?

09:42:44 25 A. Some were teenagers and some were younger than teenagers.

26 Q. All right. What happened to them when Johnny Paul and
27 Makuta were put under house arrest? What happened to the
28 children?

29 A. All of us were arrested. I, together with the children,

1 were in the dungeon cell.

2 Q. Right. And what happened after you had been released?

3 What happened to the children after you had been released?

4 A. They gave them a place where they said they should be
09:43:49 5 together with the other family members. When we had been
6 released, they gave them a place to be in Buedu.

7 Q. Well, why didn't you tell the interviewers in that first
8 interview in tab 1 on 13 November last year that you had been
9 flogged?

09:44:23 10 A. I said that over and again, because I was the one who felt
11 the pain and so I will never have forgotten that one.

12 Q. So, why didn't you tell - oh, hang on, sorry. Are you
13 saying that you did tell them in that first interview that you
14 had been flogged?

09:44:42 15 A. Exactly.

16 Q. Right. Well, we looked yesterday - I don't now remember if
17 we did, but we had better turn back to the previous page 45451,
18 paragraph 21. Do you see that, Mr Kargbo? I am just going to
19 take you through it and so will you let me know when you can
09:45:18 20 identify it? Have you got that, Mr Kargbo? Mr Kargbo, I am just
21 asking you if you have got it yet. You needn't read through it.
22 I will take you through it.

23 A. Yes, sir.

24 Q. 21, yes?

09:45:30 25 A. Yes, sir.

26 Q. "Before these vehicles departed the witness states that RUF
27 and State Security Service men from Liberia under the direction
28 of Issa Sesay and Jungle took diamonds from the witness (214
29 pieces). A quantity of diamonds was also taken from Johnny Paul

1 Koroma."

2 Did you say all that to the investigators? Have they
3 correctly recorded what you were telling them there?

09:46:06

4 A. Well if they said the same quantity that was taken from
5 Johnny Paul Koroma was the ones they took from me, that one is
6 wrong. Johnny Paul Koroma's quantity was much more than mine.

7 Q. Mr Kargbo, I don't want to spend more time on this than is
8 necessary. No-one has suggested either in that passage or
9 anywhere else that the quantity taken from Johnny Paul was the
10 same as yours.

09:46:26

11 A. Well, it was the way the interpretation was done to me.
12 That was how I responded to the question.

13 Q. So it is the interpreter's fault, is it? Did they get it
14 wrong?

09:46:44

15 MR KOUMJIAN: Objection. How can the witness possibly
16 answer that question?

17 MR MUNYARD:

09:46:54

18 Q. Well, have the - he can answer it. He has already said the
19 interpreters got it wrong. Can we just be - I will read it out
20 so that you can clearly understand what is written there and I am
21 then going to ask you if you said that to the Prosecutors.
22 I will just take it from:

09:47:17

23 "... under the direction of Issa Sesay and Jungle took
24 diamonds from the witness (214 pieces). A quantity of diamonds
25 was also taken from Johnny Paul Koroma."

26 Now I wonder, Mr Interpreter, if you can interpret that
27 strictly as I read it out. Now do you understand, Mr Kargbo, all
28 that is recorded there is "a quantity", not the same quantity,
29 "of diamonds was taken from Johnny Paul Koroma"? You understood

1 that?

2 A. Yes.

3 Q. Did you tell the Prosecutors all of that that I have read
4 out to you from that passage?

09:47:53 5 A. Yes.

6 Q. Over the page I have already read out paragraphs 22 and 23
7 and you have already seen them. There is nothing in those two
8 paragraphs that says that you were beaten, or flogged. Did you
9 tell the Prosecutors in this very first interview on 13 November
10 2007 that you had been flogged?

09:48:20

11 A. Yes.

12 Q. Are you quite sure of that?

13 MR KOUMJIAN: Objection.

14 THE WITNESS: I am quite sure.

09:48:35

15 PRESIDING JUDGE: Mr Koumjian, it has been answered.

16 Please proceed.

17 MR MUNYARD:

18 Q. Was this interview read back to you the next day?

19 A. Yes.

09:48:51

20 Q. Did you notice that they had missed out this important
21 piece of information that you had given them that you had been
22 flogged and you still bore the pain?

23 A. They were the ones who read it, so what they read
24 I responded to it. I was not the one reading.

09:49:16

25 Q. We understand that. What was the purpose of them reading
26 it back to you?

27 A. For me to get it clearly.

28 Q. And for you to correct it if they had got it wrong, is that
29 right?

1 A. Yes.

2 Q. And for you to add to it if they had missed anything out of
3 what you had told them, is that right?

4 A. Yes, it is correct.

09:49:51 5 Q. So, did you point out that they had omitted to put in that
6 first interview that you had been flogged?

7 A. Well, I did not see the document. They were the ones
8 reading it. If I had seen it and read it myself, I would have
9 said, "This one is missing".

09:50:13 10 Q. We will move on.

11 A. Okay.

12 Q. I want to take you to tab 2. You were interviewed three
13 days later. Page 45463, please. Now, it is in the second

14 interview that you tell the Prosecutors that you were flogged and

09:50:52 15 I am going to ask you to look at paragraphs 39 onwards and I will
16 ask you if you told the Prosecutors this:

17 "39. The witness states that Johnny Paul Koroma and the
18 others were preparing to leave when Rambo, JPK's bodyguard, was
19 'grumbling' and told Sam Bockarie that Johnny Paul Koroma and a
09:51:22 20 few others including the witness", that is yourself, "were
21 carrying large quantity of diamonds."

22 Did you tell them that?

23 A. Yes.

24 Q. Paragraph 40:

09:51:36 25 "The witness states that on the orders of Issa Sesay he was
26 flogged and eventually gave up diamonds (214 pieces) that he had
27 hidden in the waistband of his pants. Banjah Marrah was also
28 flogged although he didn't have any diamonds."

29 Did you tell them that?

1 A. I did not say waistband. I said waist bag.

2 Q. Well I accept that when this was read back to you only a
3 couple of weeks ago in a proofing session, when it was gone over
4 line by line, that you did say that it was not in your waistband,
09:52:18 5 it was in a bag around your waist, and I don't need to go into
6 who got it wrong back in November. You did correct that when you
7 had a further opportunity to correct your statements.

8 A. Yes, just as I am saying it, they were the ones reading it.
9 If I had read it, I would have picked out the mistakes.

09:52:52 10 Q. Did you tell them Banjah Marrah was also flogged although
11 he didn't have any diamonds?

12 A. Yes.

13 Q. Paragraph 41:

14 "When JPK came outside during the flogging to see what was
09:53:07 15 happening the witness stated that Mike Lamin pointed a gun in
16 JPK's direction, fired over his head and demanded JPK's diamonds.
17 JPK subsequently turned over several parcels of diamonds to Issa
18 Sesay. JPK was not flogged."

19 Did you tell them that?

09:53:28 20 A. I told them that, but I did not say that he gave the
21 diamonds. They went in and took his briefcase.

22 Q. Right. Well, we will look at that in just a moment. So
23 when this was read over to you at the time, that's in November
24 last year, did you point out the mistake that they had made?

09:54:03 25 A. During the time it was read to me there was no mistake like
26 this that I realised, that I noticed.

27 Q. I see. What about when it was read back to you in proofing
28 when you corrected them about the waistband in the previous
29 paragraph? Did you spot this error in paragraph 41 when it was

1 read back to you line by line in proofing in May?

2 A. Well, they read it. If I had read it I would have been
3 able to pick out the mistakes, but because they read it now that
4 I am seeing it now I can pick out the mistakes.

09:54:48 5 Q. Paragraph 42, I am just going to summarise paragraph 42.
6 In that you deal with the diamonds - sorry, you deal with the
7 events after the diamonds had been taken from you and what
8 Mosquito said to you about diamonds, foreign currency and coffee
9 or cocoa, but you don't deal with anything else about people
09:55:22 10 being flogged. At the end of paragraph 42, the last three lines
11 of paragraph 42, you say: He ordered the military police
12 commander to take yourself, Banjah Marrah and JPK's securities
13 and children into custody. All were taken to the military police
14 headquarters and held in custody. Do you see that?

09:55:50 15 A. I can see it, but the instruction was not given by
16 Mosquito. It was Issa who gave the instruction at that time.

17 Q. Sorry, which instruction?

18 A. For us to be taken to the guard room dungeon.

19 Q. All right, I am not so concerned about that. But did you
09:56:11 20 tell them that it was Mosquito, or did you tell them it was Issa?

21 A. Yes, it was Issa who was dealing with us at that time.
22 Mosquito was not on the scene.

23 Q. Did you tell the Prosecutors that in this interview and
24 have they got it wrong?

09:56:31 25 A. Yes, I told them that.

26 Q. Now you told us - in the course of your evidence you said
27 several times, "We were flogged." Who was flogged as well as
28 you? Actually what you said was, "They flogged us seriously.
29 They continued flogging us."

1 A. When I said "we", that was me, the security and Johnny Paul
2 Koroma's family.

3 Q. Right. Who of Johnny Paul Koroma's family were flogged?

09:57:28

4 A. His children. Just all of us who were there, with other
5 relatives of his that were together with us.

6 Q. So were all the children flogged between 10 and 15 in
7 number?

8 A. I said all of us were flogged.

09:57:56

9 Q. Which other relatives who were with you, relatives of his
10 who were flogged, apart from the children?

11 A. His cousins who were with him.

12 Q. How many of them?

13 A. I can't tell the number now, but I can recall one who was
14 called Ramsay.

09:58:15

15 Q. Can you recall roughly how many of them, the names may not
16 matter, but the rough numbers of those that were flogged?

17 A. I cannot tell the number.

18 Q. How many members of his security were flogged?

19 A. I can recall Salieu, Twenty, David.

09:58:49

20 PRESIDING JUDGE: Is Salieu Twenty two different people or
21 one person?

22 MR MUNYARD: I imagine it's one person, but I will
23 certainly --

09:59:00

24 THE WITNESS: Different people. Salieu was a different
25 person and David was a different person and Twenty was a
26 different person.

27 MR MUNYARD: Well, your Honour is right:

28 Q. So Salieu and Twenty and David, yes? Anybody else?

29 A. Yes, I cannot recall the names of the others.

1 Q. And you told us on 22 May that some of the securities went
2 unconscious and some of the family members of Johnny Paul went
3 unconscious as a result of these floggings. Do you remember
4 telling us that?

09:59:38 5 A. Exactly.

6 Q. Did you tell the Prosecution in these interviews before you
7 ever came into court that members of Johnny Paul's family were
8 flogged?

9 A. Yes, yes.

09:59:59 10 Q. Did you tell them that members of his security were
11 flogged?

12 A. Yes.

13 Q. All right. Can you remember now when was it that you first
14 told the Prosecution about Johnny Paul's family members, all the
10:00:23 15 children and some of the cousins, being flogged? Was it way back
16 in November last year when you were first being interviewed?

17 A. Around that time.

18 Q. Well, we have just looked at paragraphs 39 to 41 in tab 2.
19 Do you think it was then that you told them that this large
10:00:51 20 number of other people were also flogged, some of whom went
21 unconscious?

22 A. Yes.

23 Q. Was that a rather dramatic experience, seeing all these
24 people being flogged and a fair number of them going unconscious?
10:01:26 25 Is that something that sticks in your mind very vividly?

26 A. Yes.

27 Q. How young was the youngest of the children who were flogged
28 and went unconscious?

29 A. I can't recall. I don't know the age.

1 Q. Just give us a rough estimate of the age. You were there.

2 A. I was there, but I cannot give you any rough estimate of
3 the age.

10:02:02

4 Q. Is that because none of this happened, none of these
5 children were flogged?

6 A. They were beaten, but I can't tell their ages.

10:02:34

7 Q. Well, there is nothing in that second interview in tab 2
8 that suggests that children were flogged, Mr Kargbo. Is that an
9 error on the part of the Prosecutors, or is it an error on your
10 part?

11 A. My Lord, I was present, so whatever I say here I believe
12 it's the truth. I did not come here to say things that are
13 untrue. It was for the truth that I came here.

14 Q. Answer the question, please.

10:02:54

15 A. It was true that the children were there.

16 Q. I asked you is it an error on the part of the Prosecutors,
17 or an error on your part that there is nothing in the record of
18 this interview about securities and children and family members
19 of Johnny Paul being flogged until they became unconscious?

10:03:21

20 MR KOUMJIAN: Your Honour, my objection is that it's not a
21 fair question to ask that if a statement does not include a fact,
22 that it is an error on either the witness's part or the
23 Prosecution's part. We are talking about events that occurred
24 over a period of ten years and it is not possible for even any
25 interview to include every fact. Our testimony just of yesterday
26 was five and a half hours and the witness has been cross-examined
27 for seven or seven and a half hours so far, probably about 200
28 pages. The choice of who made an error when something is not
29 included is not a fair question. It was not included, that maybe

1 doesn't necessarily mean anyone made an error.

2 PRESIDING JUDGE: Mr Munyard, you heard the objection.

3 MR MUNYARD: I have, your Honour, and in my submission
4 Mr Koumjian has compounded the error of the witness in failing to
10:04:23 5 listen to the question. The witness has said that he told the
6 Prosecutors in this interview about these people being beaten
7 unconscious. I am asking him, and this was where the line of
8 questioning began - I am not asking him what he remembered, I am
9 asking him given that he says that he told the Prosecutors these
10:04:46 10 facts in this interview, whose error is it that nothing about it
11 appears in the written record of the interview. That is the
12 question. He claims to have told them that.

13 Mr Koumjian has not listened to the question, with respect.
14 It is not about memory. It's a response to the evidence that
10:05:14 15 this witness has given.

16 Sorry, can I just draw the Court's attention to where the
17 questioning began. Would it help? It's page 15, line 9 on my
18 particular screen.

19 JUDGE SEBUTINDE: Mr Munyard, it's okay. We are following.
10:06:25 20 We are trying to deliberate this little issue.

21 [Trial Chamber conferred]

22 PRESIDING JUDGE: After considering both sides of this
23 argument, we allow the question. Please put the question,
24 Mr Munyard.

10:08:10 25 MR MUNYARD: Thank you, your Honour. I will put it in
26 exactly the terms that I put it before. I think the questioning
27 actually began on page 14, line 24:

28 Q. Now I am going to ask you the same question, Mr Kargbo.
29 "Can you remember now when it was that you first told the

1 Prosecution about Johnny Paul's family members, all the children
2 and some of the cousins being flogged? Was it way back in
3 November last year when you were first being interviewed?" Your
4 answer was, "Around that time." I then asked you, "Well, we have
10:08:46 5 just looked at paragraphs 39 to 41 in tab 2. Do you think it was
6 then that you told them that this large number of other people
7 were also flogged, some of whom went unconscious?" Your answer
8 was, "Yes". Finally I then asked you, "Was that a rather
9 dramatic experience seeing all these people being flogged and a
10:09:12 10 fair number of them going unconscious? Is that something that
11 sticks in your mind very vividly?", and your answer was, "Yes".

12 Now in the light of those answers that you gave us just a
13 few minutes ago, can you help us with whose error is it that none
14 of that appears in this interview that we are just looking at at
10:09:42 15 the moment? Is it the Prosecutors', or is it yours?

16 A. That is not my mistake.

17 Q. Thank you. Now I would like you now, please, to turn to
18 tab 3. It starts on page 100506. Do you have that, Mr Kargbo?

19 A. Yes.

10:10:37 20 Q. Thank you. Now, we have already looked at some of this
21 interview. This is - well it is a proofing session, I believe,
22 on 7 and 8 May, a month ago. You were being taken through some
23 photographs initially and then the previous statements that you
24 had made in November of last year, both 13 November and 16
10:11:07 25 November, and halfway down page 100506 it says, "13 November 2007
26 statement ... Witness reviewed this statement and made the
27 following clarifications and corrections." It deals with several
28 corrections and clarifications that you have made and I want to
29 take you over the page to 100507 and in particular to paragraph 8

1 on that page that deals with paragraph 21 of your first
2 interview, something that we started off looking at this morning.
3 I want to ask you if you told the Prosecution this, "The witness
4 added that Issa Sesay, Morris Kallon, Eldred Collins, Sam
10:12:16 5 Bockarie also known as Mosquito, and other RUF commanders were in
6 Buedu." Did you tell them that?

7 A. Yes.

8 Q. "Mosquito ordered Issa Sesay to make the witness and Johnny
9 Paul Koroma surrender their diamonds." Did you tell them that?

10:12:35 10 A. Yes.

11 Q. Issa Sesay's securities tied you to a mango tree and
12 flogged you, saying you had to surrender your "government
13 properties". Did you tell them that?

14 A. They tied me up to execute me, not to beat me. When they
10:12:55 15 tied me up, they were to execute me.

16 PRESIDING JUDGE: Mr Witness, the question is is that what
17 you said? We are not asking about the actual facts, but is that
18 what you said?

19 THE WITNESS: Yes.

10:13:08 20 MR MUNYARD: Thank you:

21 Q. "The securities said he had diamonds in his stomach and
22 they would have to execute him to get the diamonds, but they did
23 not." Did you tell them that?

24 A. Yes.

10:13:20 25 Q. "After the 214 diamond pieces were taken from the witness,
26 he and Johnny Paul Koroma's children were taken to the Buedu
27 prison dungeon and were imprisoned there." Did you tell them
28 that?

29 A. Yes.

1 Q. "Johnny Paul Koroma and his wife were taken to Kangama
2 village as hostages." Did you tell them that?

3 A. Yes.

4 Q. So, they have recorded everything correctly there?

10:14:00 5 A. Yes.

6 Q. Why didn't you tell them there, "Well, you haven't
7 mentioned all these children and securities being flogged
8 unconscious. You haven't recorded that in my previous interview
9 despite the fact that I told you about it"?

10:14:29 10 A. I told them that.

11 Q. Now, I just want to be clear when you say you told them
12 that. Are you saying that during the proofing session, slightly
13 less now than a month ago, you told them not only this further
14 information here, but also the fact that all of these children
15 and securities had been flogged unconscious?

10:14:49 15 and securities had been flogged unconscious?

16 A. I told them that.

17 Q. In May?

18 A. I told them that from the time I made my statement.

19 Q. Now, I want to be fair to you. Do you understand that I am
20 asking you what you told them about four weeks ago when you were
21 given the opportunity to correct, clarify and add to the
22 information you had previously given them in November? Do you
23 understand that is what I am asking you about?

10:15:11 20 asking you what you told them about four weeks ago when you were

24 A. I told them that right from the outset of my statement.

25 Q. Mr Kargbo, the question I asked you is do you understand
26 I am asking you about what you said to them in May? Just that
27 one point, please. Do you understand I am asking you about May
28 and what you told them then?

10:15:38 25 Q. Mr Kargbo, the question I asked you is do you understand

29 A. I told them that from the time I started giving my

1 statement.

2 PRESIDING JUDGE: Mr Witness, address your mind to May,
3 last month. It is May 2008, isn't it, Mr Munyard?

4 MR MUNYARD: Oh, yes. Yes.

10:16:11 5 PRESIDING JUDGE: Did you give them these facts in May
6 2008?

7 THE WITNESS: Yes, my Lord. I gave them the facts.

8 MR MUNYARD:

9 Q. All right. So it is their error that it has not been
10:16:30 10 included, is that right?

11 A. They wrote the document.

12 Q. Can we go to tab 4, please, which starts on page 100528,
13 and this is headed, "The witness gave the following additional
14 information in the course of proofing on 9, 10 and 11 May 2008."

10:17:20 15 That is about three weeks ago. I want to take you, please, to
16 page 100530 - sorry, 100531. We can see there paragraph 27, "At
17 Buedu, when diamonds were taken from Gullit, that was reported to
18 JPK." Did you tell them that?

19 A. Well, I was not there that time. I did not go together
10:18:53 20 with Gullit.

21 Q. Did you tell the Prosecutors what we can see in that single
22 one line sentence, "At Buedu, when diamonds were taken from
23 Gullit, that was reported to JPK"?

24 A. Yes, they reported that to Sam Bockarie, alias Mosquito.
10:19:16 25 I told them that.

26 Q. Well, here it has got "that was reported to JPK". Which
27 did you tell the Prosecution, it was reported to Mosquito, or
28 JPK?

29 A. Mosquito reported that to JPK when I arrived in Buedu.

1 Q. When were diamonds taken from Gullit?

2 A. Please repeat.

3 Q. When were diamonds taken from Gullit?

10:19:58

4 A. During the retreat, but I was not present, but I was
5 present when Mosquito was reporting to JPK, chairman.

6 Q. Right. Now let's go over the page to 100532, paragraph 29.

7 "When the witness" - I am sorry, do you have that, Mr Kargbo?

8 A. Yes.

10:20:27

9 Q. "When the witness was arrested on the 'Master's' orders for
10 having diamonds, the witness was flogged twice, the second time
11 by SBUs. The witness was then taken to the dungeon which was
12 inside the [military police] building in Buedu. The witness was
13 bleeding from the beatings."

10:20:50

14 Paragraph 30 - well before I go on to 30, did you tell the
15 Prosecution all of this?

16 A. Yes.

17 Q. How is it that you haven't mentioned SBUs being involved in
18 flogging you until the Prosecution are seeing you three weeks
19 ago?

10:21:08

20 A. From the beginning of my statement I always have been
21 mentioning SBUs.

22 Q. Ah, you mean back in November?

23 A. From the beginning, from they started interviewing me,
24 I started talking about SBUs.

10:21:31

25 Q. Right, you mean SBUs being involved in flogging you?

26 A. Yes.

27 Q. Well, will you take it from me that this is the first time
28 there is any written record that appears of you giving that
29 information to the Prosecution? Do you understand? I have been

1 through these papers.

2 A. I don't understand. I don't understand.

3 Q. Well, if I have got it wrong someone will point out my
4 error. So the Prosecution have failed --

10:22:06 5 PRESIDING JUDGE: I just want to be clear. Mr Witness,
6 when you said you don't understand, what is it you don't
7 understand?

8 THE WITNESS: The question. The entire question.

9 MR MUNYARD:

10:22:26 10 Q. I am suggesting that this is the first time we see any
11 written record of you mentioning SBUs being involved in flogging
12 you?

13 A. From the start of my statement, it is there.

14 Q. The first time we have a written record of it is in these
10:22:50 15 notes from 9, 10 and 11 May; that is three weeks ago. Are you
16 saying that the Prosecutors have failed to make a record of you
17 telling them this back in November in the first and second
18 interviews?

19 A. Well they prepared the document, as you said.

10:23:27 20 Q. Now there is nothing in these paragraphs that we have just
21 looked at that says anything about Johnny Paul's securities,
22 children or relatives being flogged. Did you tell them again
23 when they saw you three weeks ago that all those others were
24 flogged, some to the point where they became unconscious?

10:23:53 25 A. Yes.

26 Q. And they have not managed to write that down, is that what
27 you're saying?

28 A. Well, they said - well, they gave the information --

29 PRESIDING JUDGE: Pause, Mr Witness.

1 MR KOUMJIAN: I think just to be fair to the witness on
2 that paragraph 30 in tab 4 should be read to the witness.

3 MR MUNYARD: I can assure my learned friend I am coming on
4 to paragraph 30. If you recall, I paused before moving on to it
10:24:32 5 in order to check that he had actually said what is in paragraph
6 29:

7 Q. So the simple point - I don't want to go over all of it
8 again. The simple point, Mr Kargbo, is that every time in the
9 past that you told them about all these other people being
10:24:57 10 flogged they have failed to write it down. Is that what you're
11 saying?

12 MR KOUMJIAN: Again I renew my objection because that's
13 unfair without reading paragraph 30. You can't ask the question
14 and then provide the paragraph that makes some reference to
10:25:12 15 others.

16 PRESIDING JUDGE: Just allow me to read paragraph 30. Are
17 you referring to the second sentence, Mr Koumjian?

18 MR KOUMJIAN: Yes, just the second sentence, and
19 I recognise the ambiguity in it.

10:25:32 20 PRESIDING JUDGE: Mr Munyard, your reply?

21 MR MUNYARD: There is no reference whatsoever to
22 securities, children and relatives in paragraph 30.

23 PRESIDING JUDGE: Mr Munyard, there is a reference to - it
24 says, "The witness and others had been treated" and "others"
10:25:52 25 could cover a multitude of people.

26 MR MUNYARD: Yes.

27 MR KOUMJIAN: My point is that while clearly that does not
28 enumerate and it should have, it indicates that the witness had
29 obviously said something about others.

1 MR MUNYARD: No, it doesn't, with respect. It says: "Sam
2 Bockarie said that witness and others had been treated this way."
3 It is not suggested in that sentence that this witness said
4 others had been treated in this way. This is a quote from Sam
10:26:29 5 Bockarie.

6 PRESIDING JUDGE: Mr Koumjian, you have a right to
7 re-examine and I will allow counsel to put the questions in
8 cross-examination. I note, however, the point you're making.

9 MR MUNYARD: Thank you:

10:26:43 10 Q. The fact is, Mr Kargbo, others, including Gullit as we have
11 just seen on the previous page, were found to be crossing Sierra
12 Leone with diamonds hidden about their person, weren't they?

13 A. They did not cross Sierra Leone.

14 Q. Well, what was it Gullit was doing if he wasn't crossing
10:27:26 15 Sierra Leone after the intervention?

16 A. Everything happened in Sierra Leone, because Buedu is in
17 Sierra Leone.

18 Q. Mr Kargbo, Sam Bockarie, also known as Mosquito, told you
19 that you and other people who had been found with diamonds were
10:27:50 20 going to be treated in this way because the diamonds were
21 government property, didn't he?

22 A. Yes.

23 Q. And you knew that Gullit was one of those others who had
24 been found with diamonds, didn't you?

10:28:06 25 A. Yes, in Sierra Leone.

26 Q. You had been put in the dungeon and Johnny Paul Koroma and
27 his wife had been put under house arrest, hadn't they?

28 A. Yes.

29 Q. And Sam Bockarie was accusing you and others of not handing

1 over the diamonds, the government property, because "they wanted
2 to run away to Liberia with them." That's what he was accusing
3 you and other people of, wasn't it?

4 A. Yes.

10:28:49 5 Q. And those diamonds were government property, your 214
6 diamonds, weren't they?

7 A. I own them, part of them.

8 Q. Well, you said that most of them were yours and some of
9 them were government property, but you no longer had the record
10:29:13 10 so you couldn't say how many of them were government property.
11 Do you remember saying words to that effect?

12 A. Yes.

13 Q. The diamonds that you had on you should have been sent to
14 Freetown from Kono, shouldn't they?

10:29:42 15 A. Part of it that was government's.

16 Q. Well, let's go back, please, to page 100530 in the same
17 tab, paragraph 21. Do you have paragraph 21? Mr Kargbo, just
18 tell me if you have got paragraph 21, please, then we will read
19 it together.

10:30:28 20 A. Yes.

21 Q. "The witness worked with Moriba RUF commander there." This
22 is Kono. Is that right? Did you tell them that?

23 A. Yes, yes.

24 Q. "At the end of each day the diamonds mined that day by the
10:30:43 25 RUF and the AFRC were taken to the Government Gold and Diamond
26 Office, weighed and checked there." Did you tell
27 Prosecutors that?

28 A. Yes.

29 Q. "At the time of the intervention the witness was in Kono

1 and had 214 pieces of diamonds which had not been sent to
2 Freetown." Did you tell them that?

3 A. No.

10:31:22

4 Q. What of that sentence did you not tell them, the whole of
5 it, or part of it?

6 A. Part of it.

7 Q. All right, you tell us what you told them and tell us what
8 they have got wrong.

10:31:40

9 A. I said I had some diamonds that were government diamonds
10 that I was supposed to declare and negotiate for and I had mine
11 amongst them, but when that was not possible during the retreat
12 I decided to put everything together, that sum up to 214 pieces,
13 and those were in my possession.

10:32:03

14 Q. So you told them that some of the diamonds were yours and
15 some of them were government property, yes?

16 A. Yes.

17 Q. But they have not written that down there, have they?

18 A. I have not seen it as I am reading here.

10:32:23

19 Q. Can you remember who it was who was interviewing you three
20 weeks ago in a proofing session that lasted over - that went on
21 over a period of three days?

22 A. The lawyers who are sitting by my right-hand side.

23 Q. Both of the lawyers sitting by your right-hand side, the
24 two gentlemen in the front row?

10:32:53

25 A. Yes.

26 Q. Right. Do you agree that what is written in that sentence
27 makes it look as though all 214 pieces of diamonds had been due
28 to be sent to Freetown, as government property of course?

29 A. No.

1 Q. You don't agree that that's how that appears to read?

2 A. No. No, I disagree.

3 Q. Right. Well, let us go back then to paragraph 30 where Sam
4 Bockarie is telling you that you and other people had been
10:33:52 5 treated in this way because you didn't hand diamonds that were
6 government property. Did you tell Sam Bockarie, "Well, not all
7 of these diamonds are government property, some of them are mine.
8 In fact the majority of them are mine"? Did you tell him that?

9 A. Yes.

10:34:18 10 Q. Did you tell the Prosecutors that you pointed out this
11 simple fact to Sam Bockarie?

12 A. I did not tell them that I pointed out this fact to him.
13 I did not even tell them that the government diamonds were not
14 mine. What I told them was that I owned everything.

10:34:45 15 Q. So you told the Prosecutors in the course of interviews and
16 proofing sessions that the diamonds were all yours?

17 A. Yes.

18 Q. But if you told them that how could they possibly have
19 written down that you had 214 pieces of diamonds which had not
10:35:19 20 been sent to Freetown?

21 A. I told them that.

22 Q. And these diamonds were actually sewn into your waist bag
23 weren't they, or they were in a compartment that was sewn into
24 the waist bag?

10:35:47 25 A. I placed them in the plastic and then I sewed them in my
26 waist bag.

27 Q. Did you have a tailor sew them into your waist bag for you?

28 A. Yes.

29 Q. So that, as you told us in May, "So that you wouldn't know

1 they were there unless I told you they were there." Do you
2 remember telling us that in May in your evidence?

3 A. Yes.

4 Q. So these were hidden, weren't they?

10:36:30 5 A. Yes.

6 Q. Because they were government property, all of them?

7 A. No.

8 Q. Tab 5, please. This starts on 100511. It is additional
9 information provided in the course of proofing on 13 to 15 May.

10:37:11 10 This is about two weeks ago that you told the Prosecution this.
11 Paragraph 8 on page 100552:

12 "The witness thinks that the main problem between the RUF
13 and the SLA in the bush all stemmed back to when diamonds were
14 taken from he and Johnny Paul Koroma by Sam Bockarie."

10:37:41 15 Did you tell them that?

16 A. Yes.

17 Q. "The witness had been disarmed, stripped and badly beaten
18 before he was forced to turn over his diamonds to the RUF." Did
19 you tell them that?

10:37:57 20 A. Yes.

21 Q. "After this he was under restrictions and observation by
22 the RUF." Did you tell them that?

23 A. Yes.

24 Q. "He felt he was treated unfairly and humiliated by the RUF
10:38:15 25 at this time and he remains angry." Did you tell them that?

26 A. Yes.

27 Q. And you were angry because your plan to leave Sierra Leone
28 and escape into Liberia with 214 government diamonds had been
29 foiled by Mosquito and others. That is right, isn't it?

1 A. No.

2 Q. Right, I am going to move on to something else now, but
3 just before we leave diamonds can I ask you about one other
4 matter. Back to tab 4, 100530, paragraph 19 on that page, 530:

10:39:29 5 "During the Junta government, diamond mining going on in
6 Sierra Leone. Large quantity of diamonds brought to Freetown,
7 shown at the Supreme Council meetings, handed over to JPK. Some
8 diamonds used to buy rice and other supplies; these transactions
9 involved Kazim and Tariq Mackie."

10:39:58 10 Kazim and Tariq Mackie are who?

11 A. They were Lebanese men.

12 Q. Lebanese men living in Sierra Leone?

13 A. Yes.

14 Q. And so they were diamond dealers who Johnny Paul knew, is
10:40:40 15 that right?

16 A. Yes.

17 Q. And Johnny Paul dealt in diamonds on more than one occasion
18 with these two men, is that right?

19 A. Yes, but some of those instances I don't know about.

10:41:04 20 I only knew about those ones.

21 Q. Did Johnny Paul ever buy arms as a result of the money that
22 he made from his diamond dealings with Kazim and Tariq Mackie?
23 When I say "arms", I mean arms and/or ammunition.

24 A. Like I stated in my statement, those were the - that was
10:41:38 25 what we used for our salaries, rice, fuel and for the generators.
26 We did not use the money to buy arms.

27 Q. Well, how do you know what Johnny Paul used the money from
28 these two diamond dealers for?

29 A. The one I have explained were the ones that came to the

1 Supreme Council meeting and we needed to pay salaries to workers,
2 oil for the electricity supply and some other things that we
3 needed money for. It was those diamonds that we sold to do that.

10:42:49

4 Q. You were not involved in JPK's dealings with these two men,
5 were you?

6 A. Well I can't say I was not involved, but it was not direct
7 because everything went in the interest of our government by
8 then, but I did not actually get a very close dealings with them,
9 with the men.

10:43:09

10 Q. And you were not present when Johnny Paul Koroma met either
11 of those men, were you?

12 A. No.

13 Q. Thank you. What about Steve Bio? Did Johnny Paul Koroma
14 do any diamond dealing through Steve Bio?

10:43:35

15 A. I have no idea about that.

16 Q. I want to ask you about another person. Do you know a man
17 called Ziff?

18 A. Yes.

19 Q. Who is Ziff, Mr Kargbo?

10:44:03

20 A. It was a white man that I knew since the NPRC days, but
21 I don't actually know his nationality.

22 PRESIDING JUDGE: The spelling, Mr Munyard?

23 MR MUNYARD: Z-I-F-F:

24 Q. Do you know his last name?

10:44:22

25 A. No.

26 Q. Does the name Mugastan ring any bells with you? Ziff
27 Mugastan?

28 A. I don't know his last name.

29 Q. All right. Now he is an Israeli citizen, isn't he, or

1 Israeli man?

2 A. I had told you initially that I don't know his nationality.

3 Q. Well, did he own a hotel in Freetown?

4 A. I have no idea about that.

10:45:03 5 MR KOUMJIAN: Your Honour, before we go too far could we
6 get the spelling of the last name? I don't believe we have that.

7 MR MUNYARD: Ah, certainly. I don't know if I am spelling
8 it correctly, or pronouncing it correctly, but this is the one
9 that I do have, M-U-G-A-S-T-A-N:

10:45:27 10 Q. Now, you mentioned the NPRC time. You knew that the NPRC
11 dealt with Ziff, didn't you?

12 A. Yes.

13 Q. And he was an arms dealer, wasn't he?

14 A. I did not know what he was dealing in by then, but I used
10:45:53 15 to see him hang out with my bosses during the NPRC days at that
16 time.

17 Q. Well didn't you get any idea, Mr Kargbo? This man is
18 hanging out with your bosses. Didn't you get any idea what deals
19 he was doing with them?

10:46:10 20 A. No. I used to see them hang out, but I did not know the
21 dealings that they had.

22 Q. And did he ever deal with the AFRC, Ziff?

23 A. I never saw him around us. I did not see him around the
24 AFRC.

10:46:40 25 Q. Right. I did say actually that I would deal with one
26 matter that I didn't then deal with and that was the question of
27 how Johnny Paul's diamonds were taken off him. I simply want to
28 put this to you and tell me whether you agree or disagree.

29 Johnny Paul's diamonds were taken off him in these circumstances,

1 that word reached Mike Lamin that Johnny Paul had diamonds and
2 Mike Lamin went and fired shots in the air over the heads of
3 Johnny Paul's securities. When Johnny Paul heard the firing he
4 came out to see what the fuss was about and, when Mike Lamin made
10:47:48 5 it plain that he and others knew Johnny Paul was hiding a stash
6 of diamonds, Johnny Paul handed over quite voluntarily his
7 briefcase containing the diamonds. Do you agree or disagree with
8 that scenario?

9 A. Well it means the explanation goes that Johnny Paul himself
10:48:19 10 handed over the briefcase, is that what you mean?

11 Q. Yes, yes. I am putting that proposition to you, a
12 proposition that this Court has heard earlier.

13 A. No, I disagree. No, I disagree.

14 Q. Thank you. Now, I am just going to deal with a little bit
10:48:41 15 more about your time in Buedu. Can you tell us this. Did Johnny
16 Paul have a radio at any time after the intervention when he was
17 fleeing across Sierra Leone?

18 A. What type of radio.

19 Q. Any kind of radio?

10:49:11 20 A. You mean a radio receiver that you normally listen news, or
21 a communications radio?

22 Q. A communications radio?

23 A. We had a handset in our possession, but it was no longer
24 functioning because the receivers were interfered with by the
10:49:35 25 Nigerian forces. Can I ease myself, please?

26 PRESIDING JUDGE: Please assist the witness.

27 Are you ready to proceed, Mr Witness?

28 THE WITNESS: Yes, ma'am

29 PRESIDING JUDGE: Good. Please proceed, Mr Munyard.

1 MR MUNYARD:

2 Q. Mr Kargbo, you say that Johnny Paul had a handset, or you
3 had a handset in your possession, you and he, but it was no
4 longer functioning. From what time did he have the handset in
10:53:47 5 his possession?

6 A. The handset was with the control officer, Banjah Marrah,
7 and I also had my own handset, but as we got to Masiaka it was no
8 longer functioning because the Nigerian forces had tampered with
9 the receiver.

10:54:13 10 Q. And what happened to that handset?

11 A. During the time that we were vandalised they took
12 everything from us.

13 Q. You mean when you were flogged?

14 A. Yes.

10:54:44 15 Q. Did radios work at all when you were travelling from when
16 you first met up with Johnny Paul after the intervention up to
17 the time that you were flogged? Did the radios work at any stage
18 during that time?

19 A. It was only from the time I collected Johnny Paul and his
10:55:12 20 family members and his securities. That was the time it was in
21 working order, but to the time we got to Makeni it was no longer
22 in working order. To the time we were flogged, it was not in
23 working order.

24 Q. One final question on Johnny Paul and communications: You
10:55:38 25 told us when you were shown a document in the course of your
26 evidence in May - you told us that you remembered Johnny Paul
27 when he was in his village speaking to the BBC via satellite
28 phone and saying, "I am in the hills behind Freetown." Can you
29 remember saying that?

1 A. No, I said he was up the hills.

2 Q. Well, I think you are probably agreeing with me. I want to
3 ask you a supplementary question. When you heard Johnny Paul on
4 the BBC that time, you didn't hear him say anything at all about
10:56:21 5 Operation Pay Yourself, did you?

6 A. I was there myself when he communicated through the BBC.
7 I did not hear that over radio. I was present when he
8 communicated with the BBC that we were up the hills. He never
9 talked about Operation Pay Yourself.

10:56:45 10 Q. Right. Buedu. You have given us some evidence about the
11 time that you spent in Buedu and two trips to Dawa and possibly
12 also over the border into the Foya area. Do you recall telling
13 us about those two trips?

14 A. Yes.

10:57:25 15 Q. Now the first trip took place some time in March or April
16 of 1998. You told us that --

17 A. Yes.

18 Q. -- and you said that a number of people went on that trip.
19 Do you remember that?

10:57:46 20 A. Yes, of the RUF commands.

21 Q. Yes. C0 Lion was on that trip, Eddie - presumably Eddie
22 Kanneh, is that right?

23 A. No, that's not correct. It was not Eddie Kanneh.

24 Q. Which Eddie was it?

10:58:09 25 A. He was an RUF. He was somebody that limped on his one
26 foot, but I don't know any other name for him. I only know him
27 by the name Eddie. He was very close to Issa.

28 Q. Was Issa on that trip?

29 A. Yes.

1 Q. And you all go in one vehicle, is that right?

2 A. Yes.

3 Q. What sort of vehicle was that?

4 A. Land Cruiser.

10:58:58 5 Q. So in the Land Cruiser there is you, Eddie, CO Lion, Issa
6 Sesay, Mike Lamin and who else?

7 A. Issa's bodyguards and some other RUF high commanders and
8 their names I cannot recall.

9 Q. So roughly how many bodyguards were in the Land Cruiser?

10:59:25 10 A. I can't recall the number because most of them were hanging
11 by the side of the Land Cruiser. Some were inside and some were
12 hanging by the sides.

13 Q. So are we talking more than five?

14 A. Yes.

10:59:46 15 Q. And other RUF high command, roughly how many of those were
16 there in addition to the ones you've named?

17 A. The ones I have called I cannot recall the number, because
18 we were so choked in there. Even myself, I was at the back of
19 the vehicle.

11:00:16 20 Q. When you say we were so choked in there do you mean it was
21 so packed with people?

22 PRESIDING JUDGE: I heard choked.

23 MR MUNYARD: I have just read from --

24 PRESIDING JUDGE: Yes, I see that.

11:00:29 25 MR MUNYARD:

26 Q. "Choked" certainly would mean packed, that's right, isn't
27 it, Mr Kargbo? By "choked" you mean there were so many of you
28 you were all packed in?

29 A. That was what I said exactly.

1 Q. No room to move inside the vehicle I suppose, is that
2 right?

3 A. Exactly.

11:01:05

4 Q. And several of them hanging on to the sides, yes, on the
5 outside?

6 A. Yes.

7 Q. Any on the roof?

11:01:19

8 A. Well, when I - I had already gone inside so I did not know
9 if anybody was on top of the roof of the vehicle, but all I knew
10 was bodyguards were inside and some were hanging by the sides.

11 Q. And you set off in that vehicle. You go to the market in
12 Dawa and then you go to Foya and you have food in the restaurant
13 of the lady police commander, yes? I'm just summarising the
14 evidence that you have given us already because I want to ask you
15 some more questions about it.

11:01:49

16 A. No, we did not go to a restaurant. We went to the house of
17 one Liberian police - of one Liberian police woman - a
18 restaurant.

11:02:12

19 JUDGE SEBUTINDE: Was it a house or a restaurant,
20 Mr Witness?

21 THE WITNESS: A house. A house.

22 MR MUNYARD:

23 Q. Do you mean you went to her private residence and had food
24 there?

11:02:28

25 A. Yes, we were sitting in front of his house. They cooked,
26 they completed cooking, they dished for us, we all ate.

27 Q. We don't need the menu, I just want to establish what you
28 did. Did you later go to --

29 A. What we did exactly is what I am explaining to you.

1 Q. Right. Did you go later to her restaurant, her bar?

2 A. We went first to her bar. We sat there for some time. We
3 took some drinks. Then later we went to her house, they prepared
4 food for us and then we ate.

11:03:12 5 Q. All right. Well, I am looking at the transcript for 22
6 May, page 10544, at lines 16 onwards. Is this right, Mr Kargbo,
7 that you went to a particular house belonging to the police
8 commander, who was a woman, she cooked for you, you ate food and
9 later went to her restaurant, her bar? Is that right?

11:03:48 10 A. We went first to the bar and then we ended up going to the
11 house.

12 Q. Is this right: "We drank there", talking about her
13 restaurant or bar. "We drank there." That was in Foya in
14 Liberia, up to about 8 or 9 at night? Is that right?

11:04:13 15 A. That is not correct. It was not a restaurant. We took
16 drinks in the bar and then later we went to the house.

17 Q. Well, let me read to you in full what you told this Court
18 in your evidence-in-chief on 22 May, line 16 onwards:

19 "So we moved to Foya. We entered a particular house
11:04:41 20 where - and the place belonged to the police commander by then.
21 I think she was a woman. She cooked for us. We ate food and
22 later went to her restaurant, her bar. We drank there. That was
23 in Foya now in Liberia. We were there up to night, around 8, 9,
24 and Issa asked us to move again."

11:05:08 25 Do you remember saying that to this Court two weeks ago,
26 Thursday 22 May?

27 A. I spoke about the police woman, yes, and I spoke about the
28 house and the bar and exactly up to the time you have spoken
29 about the night.

1 Q. Do you agree you told this Court what I have just read out?

2 A. You made some mistakes in some areas. I did not talk about
3 restaurant.

4 Q. Let's be clear about this. I am not going to spend any
11:06:00 5 time on it. That is my error, is it? That is not what you said
6 when you were giving evidence to this Court 12 days ago?

7 A. Yes. Yes, that is your own mistake.

8 Q. Right. Now on your return you told us that you met another
9 Land Cruiser, or you came across another Land Cruiser parked by
11:06:34 10 the side of the road loaded with ammunition. Do you remember
11 telling us that?

12 A. Yes.

13 Q. And in it were Sam Bockarie and Jungle. Do you remember
14 telling us that?

11:06:58 15 A. Yes.

16 Q. And some other SSS men as well. Do you remember telling us
17 that?

18 A. Yes, yes.

19 Q. And how many people all together were in that Land Cruiser
11:07:22 20 roughly? I am not expecting you to give a precise figure, but
21 roughly.

22 A. Which one?

23 Q. This is the white Land Cruiser with Mosquito, Jungle and
24 some SSS men and it was also loaded with ammunition?

11:07:45 25 A. The SSS were not even more than five, plus Jungle and
26 Mosquito and the driver, the driver.

27 Q. So that makes eight people plus a load of ammunition, yes?

28 A. Yes, yes.

29 Q. And it turned out that this - you told us when you were

1 giving your evidence earlier it turned out this ammunition came
2 from Liberia and that Sam Bockarie told you that Charles Taylor
3 was going to send vehicles for you to be picked up, is that
4 right?

11:08:46 5 A. No, you have missed part of the statement. He was telling
6 my boss that Charles Taylor had sent the vehicles to collect us.
7 He was not speaking directly to me. He was speaking to my boss,
8 but we were all there present.

9 Q. But in any event the materials - the ammunition - that was
11:09:19 10 coming from Charles Taylor for you, yes?

11 A. Yes.

12 Q. And it consisted of RPG bombs, AK rounds, mortar bombs and
13 G3 rounds, yes?

14 A. Yes.

11:09:42 15 Q. Now had you by this time received any other materials, arms
16 and/or ammunition, from Charles Taylor after the intervention, or
17 was this the first consignment that you received from him after
18 the intervention?

19 A. After the intervention, that was the first one that

11:10:12 20 I witnessed that we collected.

21 Q. And it was not just you who witnessed it. It was all these
22 other people as well, wasn't it? All the people who were in your
23 vehicle that was packed with people, yes?

24 A. Yes.

11:10:32 25 Q. So Lion, Eddie, Mike Lamin, Issa Sesay, they all were
26 present for this first consignment of materials since the
27 intervention, yes?

28 A. Yes.

29 Q. And that was very significant, wasn't it? This was the

1 first time since you had been chased out of Freetown that you had
2 had any materials from Mr Taylor. It was a very important event,
3 wasn't it?

4 A. Yes.

11:11:10 5 Q. And does it stick very clearly in your mind?

6 A. Yes, it is in my mind.

7 Q. And would you expect the others who were present, the high
8 command of the RUF in particular, to remember this event also?

9 A. Well I can't tell his mind, but I have it in mine, but
11:11:40 10 I can't tell whether he has it in mind too.

11 Q. Would you be surprised if one of the other senior RUF
12 members failed to remember this; this first ever consignment
13 after the intervention?

14 A. I would not be surprised, because they have minds of theirs
11:12:13 15 and I have a mind of mine and so I will not forget that.

16 Q. And just tell me, how was it put into your vehicle?

17 A. You have missed the point. They did not place it in my
18 vehicle.

19 Q. Right.

11:12:42 20 A. I did not even have a vehicle in my possession by then and
21 I had told you that we were parked in a vehicle that we went
22 with.

23 Q. All right. But in any event you said to us - quite right.
24 You said to us that there were enough you called them sardine
11:13:16 25 tins. There were enough materials to fill the whole storeroom?

26 A fairly big storeroom, yes?

27 A. Yes.

28 Q. Do you remember telling us that?

29 A. Yes.

1 Q. Just tell us whereabouts was this storeroom in Buedu?

2 A. It was in Mosquito's house.

3 Q. Right. Using this courtroom, can you just give us an idea
4 of the size of the storeroom?

11:13:51 5 A. This courtroom is big. The courtroom is too big.

6 Q. Carve it up, Mr Kargbo. Can you give us a portion of this
7 room to describe how big the storeroom in Buedu was?

8 A. From the top of that door coming towards this side and up
9 to this other side.

11:14:32 10 Q. Right, I am afraid that is still a little vague. The top
11 of that door. Is that the height of the storeroom, the top of
12 that door over there? Is that how high it was?

13 A. That was why I said this courtroom is too big. It was not
14 as high as this one. No, I can't say that, because you know the
11:14:56 15 kind of houses that they build in the villages. No, it will not
16 be easy for me to describe it here now, but I believe like you
17 have mentioned about photos, there were photos that they showed
18 me. That house is there. If I can see the photo, I can tell you
19 exactly about the store.

11:15:24 20 Q. Ah, you have been shown photos with houses that would give
21 us an idea of how big the store is, yes? Is that right?

22 A. Well, yes. Yes, if I see the photo then I will tell you
23 exactly where the store was.

24 Q. Well I think you have the advantage over me in seeing
11:15:56 25 photos with houses, but you have been shown some photos that
26 demonstrate the size of the store. Well, just let's try a little
27 bit more without the benefit of the photos at the moment. Am
28 I right in understanding you to say that the store is about as
29 high as the top of that door over there?

1 A. The house is not up to that level.

2 Q. Well, you used that a moment ago as an indicator of the
3 size of the store. Up to what level would the house be?

11:16:50

4 A. I was only trying to show the size and not the height. It
5 was the size of the store that I was trying to describe, not the
6 height.

7 JUDGE LUSSICK: What are we talking about here? The size
8 of the house, or the size of the storeroom?

9 MR MUNYARD: The storeroom, your Honour.

11:17:03

10 JUDGE LUSSICK: You started off talking about a storeroom
11 and now we are saying the size of a house.

12 MR MUNYARD: He is saying that he had seen photographs of
13 houses that would help him to show the size of the storeroom.
14 That is why houses have come into this:

11:17:19

15 Q. Just concentrate on the storeroom. If you walked into the
16 storeroom would you have to bend down, or would you be able to
17 stand up in it?

18 A. You would be able to stand up. You will stand up and get
19 in, but it is not as high as this courtroom.

11:17:39

20 Q. Would you be able to - if you lay down on the floor, would
21 the floor be longer than the length of your body?

22 A. Yes.

23 Q. How much longer?

11:18:05

24 A. As even you as you are taller than me, even if you lie down
25 on the floor there there will be so much more space left and you
26 are taller than me.

27 Q. Is the storeroom at its width as wide as this court; that
28 is to say from the window to the public gallery to the wall
29 behind the judges?

1 A. No, it is not up to that.

2 Q. Tell us how far short it falls of that distance?

3 A. If my Lord will allow me to stand up I will - I don't
4 actually know but I will try to describe it, but as I am sitting
11:18:49 5 down now I will not be able to describe it for your full
6 understanding.

7 PRESIDING JUDGE: Please stand up, Mr Witness, and describe
8 it for us. I think I counted three paces.

9 MR MUNYARD: Well I was not going on paces, your Honour.
11:19:21 10 I was going from the back of the court where he started to the
11 front of the Prosecution desk:

12 Q. Can you just pace out the whole of the size?

13 JUDGE LUSSICK: I made that six paces by five at three feet
14 per pace.

11:19:49 15 MR MUNYARD: I am quite content with that, your Honour.
16 I am working on my observation of the distance which we now know
17 can very easily be measured:

18 Q. And the height is lower than the top of that door there,
19 but it is taller than your head. Thank you very much. And this
11:20:09 20 storeroom was filled with this ammunition that you received that
21 night, yes?

22 A. Yes, it was filled up with the ammunition.

23 Q. Yes. Now, what you told us in May was:

24 "We packed them in the store and it filled the whole store,
11:20:35 25 a whole room. When we packed it in the room I can't tell the
26 size of the room, but it was fairly big."

27 That was what you said on 22 May and you have now
28 demonstrated the size. Tell me, how were they able to get five
29 people plus that volume of materials into a Land Cruiser?

1 A. Well I wouldn't know, but that was their own strategy.

2 Q. No, Mr Kargbo, a Land Cruiser would not be big enough to
3 fill an entire storeroom of the dimensions you have just shown us
4 and carry five other people as well. Sorry, I don't think it was
11:21:23 5 five. I think it was eight. Eight other people as well, would
6 it?

7 A. I wonder if you know the Land Cruiser I am talking about.
8 It is the one with the car behind. It is not the one that is
9 covered all over, or the one that has truck at the back. Maybe
11:21:47 10 you are getting me clearly now.

11 Q. All right, as you wish. Eight people and that volume of
12 materials all on the one vehicle. That is what you are telling
13 us. To you, a very memorable occasion. Now it happened again,
14 didn't it?

11:22:12 15 A. Yes, my Lord. That was their own strategy. They could
16 even use two men, or sometimes one man. That was their own
17 strategy.

18 Q. When it happened again, who went the second time to Dawa?

19 A. We brought the first one in the vehicle - in the car -
11:22:45 20 ourselves. In the case of the second one we went there together
21 with Sam Bockarie, alias Mosquito, to collect it.

22 Q. I am sorry, what do you mean by, "We brought the first one
23 in the vehicle - in the car - ourselves"?

24 A. The Land Cruiser with the open cab entered Buedu that same
11:23:10 25 night and we unloaded it and then it returned and that was the
26 first one.

27 Q. I am not asking you about what happened on the first one.
28 I asked you who went the second time to Dawa. Did you
29 understand? I am talking about who went on your second trip with

1 you to Dawa?

2 A. Sam Bockarie, and I was fortunate to be there, alias
3 Mosquito.

4 Q. Anybody else?

11:23:44 5 A. Yes.

6 Q. Who?

7 A. And his bodyguards and together with some other RUF
8 commanders, but their names I can't recall now.

9 Q. Well, let's try and see who the other RUF commanders in the
11:24:02 10 area were and see if you can recall if they went. Issa Sesay?

11 A. Issa did not go with us that time.

12 Q. CO Lion?

13 A. No, Lion was not there.

14 Q. Mike Lamin?

11:24:18 15 A. Yes, Mike went.

16 Q. Anybody else?

17 A. Yes.

18 Q. Any other names?

19 A. I believe Collins went. Those are the ones that I can
11:24:32 20 remember and, like I have told you, I had not associated much
21 with them. I was not that much used to them. Most of them I met
22 them there, but there were common names by which they were
23 referred: CO, CO.

24 Q. Yes, all right. And you went in what vehicle on the second
11:24:57 25 occasion?

26 A. Land Cruiser.

27 Q. Right.

28 A. Not even one.

29 MR MUNYARD: Well it has come up as "not even one", but

1 I think that must mean one only. I think that is what "not even
2 one" means. Let me clarify it, if I may:

3 Q. How many vehicles went with your party on that occasion?

4 A. About two to three vehicles that we went with.

11:25:49 5 Q. Two to three vehicles?

6 A. Yes.

7 Q. Are you sure about that?

8 A. Yes, if my memory serves me well.

9 Q. Well, how many people in your vehicle?

11:26:15 10 A. I can't recall the number. Most times when we took such
11 patrols we were parked in the vehicles, so I cannot actually
12 tell.

13 Q. And you repeated the same pattern, did you? Did you go to
14 Dawa and then to Foya?

11:26:39 15 A. Yes.

16 Q. And did you park in the same area where you had parked
17 before?

18 A. It was not the same area, but it was between Dawa and Foya.
19 Not the same area, but it was within the same - just the same
11:27:10 20 area between Dawa and Foya, but not the same place.

21 Q. You go and see the Liberian police woman commander again,
22 yes?

23 A. We went straight to that same place.

24 Q. And did you eat and drink again with her up to the night?

11:27:31 25 A. We drank, but we did not eat. When we went there we drank
26 again.

27 Q. And as you were returning again you met Jungle on the way.
28 Is that correct?

29 A. What?

1 Q. As you were returning again you met Jungle on the way. Is
2 that correct?

3 A. Yes.

4 Q. And was this in the same place where you had bumped into
11:28:14 5 Jungle with Sam Bockarie before, about two weeks earlier?

6 A. It was not the exact place where the first one happened,
7 but it was still between the same area, between Foya and Dawa.

8 PRESIDING JUDGE: Mr Munyard, we have been alerted to the
9 fact that we are just about out of time, so if that is
11:28:40 10 convenient?

11 MR MUNYARD: Yes, I will stop there.

12 PRESIDING JUDGE: Thank you. Mr Witness, we are now going
13 to take the mid-morning break. We are going to break from 11.30
14 to 12. We will resume court at 12. You understand?

11:28:52 15 THE WITNESS: Thank you, my Lord.

16 PRESIDING JUDGE: Please adjourn court.

17 [Break taken at 11.30 a.m.]

18 [Upon resuming at 12.00 p.m.]

19 PRESIDING JUDGE: Mr Munyard, please proceed.

11:59:56 20 MR MUNYARD: Thank you, your Honour:

21 Q. Mr Kargbo, when we broke we were just talking about the
22 second trip to Foya, about two weeks after the first one. Help
23 us with this: Between the first trip and the second trip, what
24 had happened to the materials that had filled this entire
12:00:23 25 storeroom in Buedu?

26 A. He distributed them to the forward positions by then.

27 Q. So was the storeroom empty by then?

28 A. Well, after I unloaded I never went back into the store
29 during that first trip because I was not there. I was in Buedu,

1 but I was on the other street. I was not in Sam Bockarie's
2 house, alias Mosquito.

3 Q. So moving on then to the second trip, it's pretty much a
4 repeat of the first trip, is it not, in terms of where you go and
12:01:15 5 where you meet up with the vehicle bringing the materials?

6 A. Between Foya and Dawa.

7 Q. Yes, still on the Liberian side of the border or not?

8 A. It was on the Liberian side. Foya is on the Liberian side,
9 Dawa is on the Sierra Leonean side. It was between those two,
12:01:57 10 between Foya and Dawa.

11 Q. This is the second trip?

12 A. Yes.

13 Q. Well, do you remember saying to us when you gave evidence
14 on 22 May relating to the second trip, and I'm looking at page
12:02:22 15 10549 - perhaps I should start at the foot of the previous page,
16 10548, line 25, "What happened after you met Jungle?" Do you
17 recall saying:

18 "We met him on the road. He said hi to Sam Bockarie. Sam
19 Bockarie said we should climb down to unload and pack the
12:02:47 20 materials into the other vehicle. Then we alighted and
21 transferred all the materials into the other vehicle. From there
22 Sam Bockarie and Jungle spoke for some time and Jungle turned his
23 car and returned to Liberia."

24 A. Yes, after we had off-loaded them.

12:03:08 25 Q. So if he's returning to Liberia he must be in Sierra Leone.

26 A. From where we off-loaded the vehicle, its front was turned
27 in Sierra Leone - towards the Sierra Leone direction. After
28 unloading it it went - it turned the face towards Liberia.

29 Q. I asked where did you meet up with the vehicle bringing the

1 materials and you said it was on the Liberian side.

2 A. Yes, it was facing the Dawa side towards Sierra Leone
3 border. After the unloading it turned around and went to the
4 Liberian side. It turned it round.

12:04:00 5 Q. So it was in Sierra Leone and not Liberia when you first
6 see Jungle's vehicle?

7 A. The vehicle, we saw it between Foya and Dawa. It did not
8 get to Dawa, which is the Sierra Leonean border. I hope you
9 understand what it means by to turn around, or to turn back.

12:04:25 10 When you're coming and you turn back, that means you do not get
11 to where you are going so you return to where you have come from.
12 I hope you understand that, my Lord.

13 Q. I'm sure their Lordships do. In which country was it that
14 you first saw Jungle on this trip?

12:04:49 15 A. The first time I saw him on that particular second trip you
16 mean?

17 Q. Yes.

18 A. It was on the Liberian side, because he did not cross Dawa.

19 Q. Right. I'm going to carry on from where I broke off
12:05:07 20 reading the transcript of what you told the Court on 22 May.

21 Line 6, question from Mr Koumjian, "So where exactly was it you
22 saw Jungle's vehicle? Can you give us your best description of
23 the location?" Your answer is this, "Yes, he had crossed Foya,
24 he had crossed Dawa, but he had not entered Buedu. It was along
12:05:33 25 an area where there wasn't actually no village, but it was all
26 over bush. So we stopped there, we unloaded his own vehicle and
27 then we transferred everything onboard our vehicle and then
28 Jungle left, he went, then we returned to Buedu. I can say
29 precisely the outskirts of Dawa." Next question, "Then in which

1 country was it you first saw Jungle? Where was that location?"

2 Your answer, "That was in our own district in Sierra Leone,

3 Kailahun District."

4 Now you're saying it was in Liberia. Which one is it,

12:06:18 5 Mr Kargbo? Did it actually happen at all?

6 A. I want you to make it clear. You mean the first time that

7 I saw Jungle?

8 Q. Well, I thought I had made it clear because that was the

9 question that I asked and you've given us an answer and indeed

12:06:42 10 that was the question that Mr Koumjian asked on 22 May when you

11 gave him the opposite answer to the one that you've given us this
12 morning.

13 A. If you mean the first time I saw Jungle, I told you I saw

14 him in Kailahun, Kailahun District, that is in Buedu.

12:07:02 15 Q. Mr Kargbo, it will be for the learned judges to decide what

16 you first said. I suggest you're giving a contradictory account

17 now from the account you gave us on 22 May. Do you agree?

18 A. No, I disagree.

19 Q. And how many materials were transferred on that occasion

12:07:29 20 and what were they?

21 A. It was the same material on the first shuttle. I wouldn't

22 know the exact amount, but it was just like the same.

23 Q. And you just transferred them into one vehicle, did you?

24 A. No, we transferred them to the other vehicles, the vehicles

12:07:59 25 that we went with. It was in them that we transferred

26 everything, all the vehicles had.

27 Q. So are you saying that all the vehicles were filled with

28 materials?

29 A. Well, I wouldn't say they were filled because we had some

1 space to sit down, but the materials were in all the vehicles.

2 Q. So Jungle is in one vehicle, but the contents of his
3 vehicle are so much that you have to pack them into three of your
4 vehicles, is that what you're telling us, on this second trip?

12:08:53 5 A. Exactly, because Jungle did not get across the Liberian
6 border.

7 Q. Bear with me for a moment while I just check something you
8 told us a moment ago. Just help us with this: Are you saying
9 that on this second trip Jungle did not cross the Liberian

12:09:49 10 border, in other words that he remained in Liberia the whole
11 time?

12 A. Between Foya and Dawa, along a bush road, that was where he
13 stopped and we transferred everything.

14 Q. Which country?

12:10:07 15 A. On the Liberian side.

16 Q. Right. So what you told us in May is incorrect when you
17 say that you first saw him in Sierra Leone. He had crossed Foya,
18 he had crossed Dawa, but not entered Buedu when you saw his
19 vehicle?

12:10:32 20 A. I don't know if you are saying first, you mean first.
21 Second is second. The first time I saw him, it was in Buedu in
22 Sierra Leone. That's the first time when Mosquito did the
23 introduction.

24 Q. I'm not going through this again. The transcript is
12:10:53 25 perfectly plain. I want to ask you about the number of vehicles
26 though that you transferred materials into. When he, Jungle,
27 said hi to Sam Bockarie, Sam Bockarie told you to climb down and
28 unload and pack the materials into the other vehicle, didn't he?

29 A. He did not tell me to climb down. When they discussed, he

1 said we should transfer. He was with his commanders and his
2 other securities, so we all just jumped down and transferred
3 everything. He did not talk to me as an individual.

12:11:40 4 Q. And you just transferred all the materials into the other
5 vehicle, singular, didn't you?

6 A. Yes.

7 Q. Just one vehicle it was transferred into?

8 A. We transferred the materials in all three of the vehicles.

9 Q. Well page 10548, 22 May, line 26, this is your answer on 22
12:12:10 10 May:

11 "We met him on the road and he said 'hi' to Sam Bockarie.
12 They were speaking and the vehicle was parked by the side and Sam
13 Bockarie said we should climb down to unload and pack the
14 materials into the other vehicle", singular, "Then we alighted
12:12:29 15 and we transferred all the materials into the other vehicle."

16 Then on the next page, 10549, in the course of your answer
17 you start on line 8, "Where exactly was it you saw Jungle's
18 vehicle?", and your answer on line 8 was:

19 "Yes, he'd crossed Foya, he'd crossed Dawa, but not entered
12:13:01 20 Buedu. It was all over the bush. So we stopped there, we
21 unloaded his own vehicle and then we transferred everything on
22 board our own vehicle and then Jungle left. Then we returned to
23 Buedu. I can say precisely the outskirts of Dawa."

24 That's what you said in May. You were only talking about
12:13:20 25 one vehicle then. Did you go to Foya twice in the course of
26 March/early April of 1998, or not?

27 A. I can't remember the exact date, but I went to Foya twice:
28 first by Issa and the second one by Sam Bockarie who took me
29 there.

1 Q. In May of this year you told us in your evidence, "All of
2 this happened in 1998 around the end of March going into the next
3 month, April", page 10550, line 4, and that was when you were
4 dealing with the second trip. So the two trips take place in
12:14:31 5 March going into April of 1998, is that right?

6 A. Yes, it's correct because I cannot remember the right date,
7 as I've been saying.

8 Q. And Mike Lamin is on both trips?

9 A. Yes.

12:14:47 10 Q. Can we have a look, please, at tab 1. I'm going to start
11 at the top of page 45452, paragraphs 22 and 23, and I'm not going
12 to read out again because we've seen them several times. This is
13 where you describe having diamonds taken from you and you being
14 detained for 72 hours, Johnny Paul and his wife placed under
12:15:55 15 house arrest in paragraph 23 and then paragraph 24 I want you to
16 tell us if this is what you told the Prosecution in November
17 last:

18 "The witness states that after his release", this is your
19 release from detention, "Issa Sesay told him to remain in Buedu
12:16:14 20 until Sam Bockarie returned from Monrovia. Bockarie returned
21 after being away for 48 hours with a shipment of materials
22 including AK-47 and G3 rounds as well as mortar bombs."

23 Did you tell the Prosecution that?

24 A. Yes.

12:16:34 25 Q. In other words Bockarie returned to Buedu where you were
26 remaining, is that right?

27 A. We received him on the way.

28 Q. Well, your interview reads that Issa Sesay told you to
29 remain in Buedu until Sam Bockarie returned and then Sam Bockarie

1 returned with the materials. No mention of you going across into
2 Liberia to meet him there, is there?

3 A. Yes, I have not seen any mention of that.

4 Q. Paragraph 25, "Bockarie spoke with you upon his return and
12:17:26 5 advised you to cooperate as they were receiving pressure from
6 ECOMOG forces." Did you tell them that?

7 A. Yes.

8 Q. The next sentence reads, "The witness", you, "and RUF
9 commander Mike Lamin were deployed to Manowa Ferry where they
12:17:51 10 remained for one month until ECOMOG forces were pushed back."

11 Did you tell them that?

12 A. Yes.

13 Q. And did you go with Mike Lamin to Manowa Ferry for a month?

14 A. Yes, after the second shuttle.

12:18:19 15 Q. And by the second shuttle just tell us what you mean?

16 A. After the second materials which we went to collect
17 together with Mike Lamin and Sam Bockarie.

18 Q. From Foya?

19 A. Between Foya and Dawa.

12:18:41 20 Q. Paragraph 26, "The witness was then called back to
21 headquarters in Buedu." Did you tell them that after you had
22 been deployed with Mike Lamin to Manowa Ferry for a month you
23 were then called back to headquarters in Buedu?

24 A. Yes.

12:19:02 25 Q. "Bockarie then directed the witness along with Mike Lamin,
26 Rambo and other commanders to proceed to Foya." Did you tell
27 them that?

28 A. Yes.

29 Q. "After the witness arrived in Foya Jungle arrived with a

1 shipment of materials including AK rounds, G3 rounds and RPGs.

2 The witness then transported these materials to Buedu." Did you
3 tell them that?

4 A. Yes.

12:19:42 5 Q. And which of the Foya shuttles is that one, Mr Kargbo?

6 A. We did two trips in Foya: the first one and the second one
7 when we met with Jungle, when we took and brought them. I don't
8 know which one has been included in this document, but these ones
9 in this document, all this happened after the second shuttle when
10 we and Mike Lamin went to Foya together with Rambo.

11 Q. Well, just now you told us that you and Mike Lamin go off
12 to Manowa Ferry for a month after the second shuttle. Do you
13 remember telling us that just a moment ago in evidence?

14 A. Yes.

12:20:42 15 Q. But according to this you go to Manowa - sorry, you go to
16 Foya with Mike Lamin, Rambo and others after you've been to
17 Manowa Ferry.

18 A. Well maybe you've placed the other one before the other,
19 the paragraphs. Maybe you've made a mistake.

12:21:21 20 Q. I'm just reading what's written down there. Are you saying
21 that the Prosecutors who took this information from you made a
22 mistake?

23 A. Maybe.

12:21:39 24 Q. You see, in paragraph 24 you haven't said a word about you
25 going off to Foya to meet Bockarie with a shipment of materials,
26 have you?

27 A. I told them that.

28 Q. What, on 13 November 2007 you told them that?

29 A. I told them that.

1 Q. On that date?

2 A. I do not know the exact date, but I had made that in my
3 statement.

12:22:31

4 Q. You told them that at this interview, is that what you're
5 saying?

6 A. Yes.

7 Q. And they have completely failed to record it, is that
8 right?

12:22:52

9 A. Well I don't know if they failed to record it, but I gave
10 them all my information that I was supposed to give them.

11 Q. You see in here, in the interview we're looking at, you've
12 only got Mike Lamin going with you to Foya to meet Jungle with
13 materials on one occasion, haven't you?

14 A. No.

12:23:26

15 Q. Well, look at the page. Go from paragraphs 24 to 27,
16 indeed 28 if you wish, and you tell us where that shows Mike
17 Lamin going with you to Foya on more than one occasion?

18 A. I do not know if he went there more than once. When I went
19 with him it was twice.

12:23:53

20 Q. No, I'm not asking you about your story. I'm asking you
21 about what's recorded here.

22 A. Well it was the person who recorded it, but what I had
23 said, I had given all my information during the investigation.
24 What I am seeing here is not what I compiled. I did not compile
25 this.

12:24:17

26 Q. But it was read back to you, wasn't it?

27 A. Yes.

28 Q. At the --

29 A. But I do not know if this was the exact one that was read

1 to me.

2 Q. Well they're hardly likely to read another one back to you,
3 are they, Mr Kargbo?

4 A. Well I do not know how they compiled this one, but the one
12:24:44 5 that was read to me everything was in place.

6 Q. I see, all right. Well, you do in fact put a lot more
7 detail in when this is gone over line by line just over three
8 weeks ago. I'm looking now at tab 3, page 100507. In paragraph
9 10 on that page, it's the last paragraph and it's about half a
12:25:31 10 page long, you explain what you meant by paragraph 24 of the
11 first interview where you talk about you remaining in Buedu until
12 Sam Bockarie returned from Monrovia with a shipment of materials
13 and I'm going to summarise it. Basically you say that, after you
14 were released from the prison, Issa Sesay told you to cooperate
12:26:00 15 and then told you and Rambo to go to Dawa market to buy you
16 belongings, you go on a trip to Dawa with Issa Sesay, Mike Lamin
17 and the rest of them and then you go to Foya and you meet the
18 woman police officer and you eat and drink and you meet this Land
19 Cruiser on the way back. That is a completely different story
12:26:30 20 from the one that you were telling the interviewers recorded in
21 paragraph 24 in the first interview, isn't it? Do you agree it's
22 a completely different story?

23 A. No, it's not different.

24 Q. Paragraph 24 has you remaining in Buedu and then Sam
12:26:52 25 Bockarie returning. The new story has you on a trip to Dawa and
26 then across the border into Liberia. They are different, aren't
27 they?

28 A. No.

29 Q. And then just to complete the picture, over the page on

1 100508 in tab 3, paragraph 25 is clarified about when Sam
2 Bockarie spoke to you, advising you to cooperate, and then the
3 next paragraph that is clarified is paragraph 29 and we're not
4 concerned with paragraph 29. Just go back to page 45452. You
12:28:03 5 don't clarify paragraph 26, or paragraph 27, or paragraph 28 and
6 so the picture that you're painting in those two interviews, one
7 last November, one just last month, is that after Issa Sesay
8 tells you to remain in Buedu in fact you don't, you go across the
9 border and collect these materials, then you go with Mike Lamin
12:28:43 10 to Manowa Ferry for a month and then you come back and go with
11 Mike Lamin and others to Foya and pick up more materials. That's
12 what we're left with when you combine these two interviews
13 together, isn't it?

14 A. No.

12:29:13 15 Q. And therefore it's not right, is it, to say that you went
16 on these two trips, these almost --

17 A. It's right. It's right that I went on both trips.

18 Q. I haven't finished. It's not right, is it, that you went
19 on these two trips within a couple of weeks of each other, within
12:29:38 20 one to two weeks of each other, which is what you told us in May?

21 A. I cannot remember the exact dates, the time and the
22 distance, but both trips I went on before I was deployed at Mano
23 Ferry [sic] with Mike Lamin.

24 Q. And if that's right why didn't you correct those other
12:30:12 25 paragraphs in that first interview when you were taken through,
26 line by line, just three weeks ago?

27 A. As I have been saying, I did not make this document. You
28 found out a lot of mistakes that you've said are there. I did
29 not make this document. They are explaining to me and I will say

1 yes or no, because they have been explaining things to me. I did
2 not make this document. I hadn't access to it like you have it
3 now. You have all the documents with you, it's right in front of
4 you. I do not have that access. If I had that access I would
12:30:58 5 have corrected my mistakes.

6 Q. Well, turn, please, to tab 4, page 100532, paragraph 32:

7 "The witness stated that the first time he was involved
8 with the collection of arms from Foya was around March 1998. The
9 second time was around April or May of 1998."

12:31:44 10 Did you tell them that?

11 A. Just as I said, I was unable to remember the exact date,
12 but I participated in those two things: The transfer of arms and
13 ammunition from Liberia to Sierra Leone.

14 Q. Did you tell the Prosecutors what I have just read out in
12:32:16 15 paragraph 32?

16 A. I told them that, but maybe slightly --

17 Q. Maybe what?

18 A. Maybe it's slightly wrong, you're slightly wrong with your
19 dates, but I told them that.

12:32:38 20 Q. Sorry, who has got the dates wrong there?

21 A. The document that you've put in front of me.

22 Q. So they've got the dates wrong, yes?

23 A. Because I was unable to remember the exact date, maybe they
24 got it wrong or right, but I told them that, those two shuttles
12:33:04 25 before I went to Mano Ferry, but I did not go to Mano Ferry
26 before I went on the other one.

27 Q. Sorry, you told them what, looking at paragraph 32? Did
28 you tell them what's written there, or did you tell them
29 something different and they've written it down wrong?

1 A. The exact year 1998, it's correct.

2 Q. Mr Kargbo, listen to the question, please. Look at
3 paragraph 32, take all the time you need to read it and just tell
4 the judges did you say what is recorded there, or have the

12:33:46 5 Prosecutors got this wrong?

6 A. It's right.

7 Q. All right. Now, you told them that in proofing on 9, 10
8 and 11 May. We are only on 3 June now, but on 22 May you told
9 this Court in your evidence that the two trips were within one to
10 two weeks of each other; which is it?

12:34:21

11 MR KOUMJIAN: Objection because that statement in the
12 paragraph that's read, something around March and something in
13 April or May, are not inconsistent with one or two weeks'
14 difference.

12:34:48 15 PRESIDING JUDGE: Mr Munyard?

16 MR MUNYARD: The words as they're written there, the first
17 time around March, the second time around April or May, clearly
18 suggests end of April/beginning of May, in my submission. It
19 certainly does not create the impression that the two trips were
20 only one to two weeks apart.

12:35:12

21 PRESIDING JUDGE: I'm not entirely sure that I agree with
22 you, Mr Munyard. It could be April or May and he's not sure. He
23 seems to be giving a more positive answer now and I'm not sure -
24 I agree with Mr Koumjian, it could create an impression that's
25 not inconsistent.

12:35:33

26 MR MUNYARD: I'll leave it. I've dealt with this
27 sufficiently:

28 Q. When is it that you say the herbalist marked you?

29 A. After we had come from Mano Ferry and we returned to Buedu.

1 Q. And when that was done and there was some sort of test
2 firing that you told us about, can you just tell us this: Are
3 you saying that some of the - I think it was RUF securities or
4 RUF forces agreed to have guns fired at them after they'd been
12:36:29 5 marked and the bullets didn't affect them at all. Are you saying
6 that the bullets actually travelled out of the weapons, but
7 didn't do any harm to the RUF people?

8 A. Yes.

9 Q. So the bullets hit them, but didn't harm them?

12:36:56 10 A. No, the bullet didn't touch them. I didn't see anywhere on
11 them that the bullet touched them, but they were shot at.

12 Q. They were shot at in a direct aim from what sort of
13 distance?

14 A. It was not even up to 20 metres.

12:37:24 15 Q. I want to ask you just a little, please, about events
16 around the time of the invasion of Freetown. Now, you had
17 nothing to do with the invasion of Freetown, did you?

18 A. No.

19 Q. Where was Sam Bockarie when news came in that SAJ Musa had
12:38:10 20 been killed?

21 A. He was in Buedu, the defence headquarters then of the RUF.

22 Q. And what was his reaction to hearing that SAJ Musa had been
23 killed?

24 A. He was not happy.

12:38:37 25 Q. All right.

26 A. It told on his face that he was not happy, but I didn't
27 know what was on his mind.

28 Q. All right. I want to ask you another question, please.

29 During the period after the intervention is it right that

1 wherever there was an AFRC commander they would have an RUF
2 deputy and vice versa?

3 A. Yes.

4 Q. And so it would not be right to say that after the
12:39:29 5 intervention it was decided that the RUF would be in charge and
6 the AFRC would be deputies to the RUF?

7 A. Not just the AFRC, but the SLA. They were saying the SLA,
8 Sierra Leone Army.

9 Q. Forgive me, I'm using AFRC really to mean the SLA, that
12:40:01 10 part of the SLA that were part of the AFRC. I think we're
11 talking about the same group of people, Mr Kargbo.

12 A. Yes.

13 Q. Now I also want to ask you, please, about events in 1999
14 when you go to Monrovia and you go as part of Johnny Paul
12:40:43 15 Koroma's security, is that right?

16 A. Yes.

17 Q. Now, Johnny Paul had been under arrest prior to him going
18 to Monrovia, hadn't he?

19 A. Yes, under house arrest.

12:41:07 20 Q. And it was as a result of Charles Taylor's intervention
21 that Johnny Paul was released from house arrest and enabled to go
22 to Monrovia. Do you agree?

23 A. No. It was because of the arrest of the UNOMSIL, when the
24 West Side SLAs did that. During the negotiations Charles Taylor
12:41:42 25 intervened.

26 Q. Yes. It's right, isn't it, that Johnny Paul was released
27 from house arrest after Mr Taylor's intervention?

28 A. Yes.

29 Q. You all then are flown to Monrovia for negotiations, yes?

1 A. Yes.

2 Q. And you stay at the RUF guesthouse, is that right?

3 A. Yes.

4 Q. And what was the response of the SLA to the Lome agreement?

12:42:45 5 A. Well, they said the Lome agreement was not in our interest
6 in that they did not state anything about the AFRC and SLA.

7 Q. And so were there some further negotiations following Lome
8 involving President Kabbah with a view to reinstating your SLA
9 members into the country's official armed forces?

12:43:35 10 PRESIDING JUDGE: Mr Witness, did you hear the question?

11 THE WITNESS: No, I didn't know if it was a question.

12 MR MUNYARD: I will try it again.

13 PRESIDING JUDGE: In the circumstances, Mr Munyard, please
14 put it again.

12:43:49 15 MR MUNYARD: Certainly, yes:

16 Q. Were there further negotiations following the Lome
17 agreement involving President Kabbah with a view to reinstating
18 your SLA members, you AFRC people, into the country's official
19 armed forces?

12:44:11 20 MR KOU MJIAN: Excuse me, but even I'm confused with what it
21 means to say "with a view" - "negotiations with a view" - and on
22 whose part? It's not clear to me. Perhaps the witness would
23 understand the question if counsel just slightly rephrased it. I
24 am sorry, but --

12:44:29 25 MR MUNYARD:

26 Q. Mr Kargbo, do you not understand the question?

27 A. I don't understand it at all. You said other negotiation.
28 No other negotiation took place.

29 Q. No, I didn't actually say other. I'm afraid you haven't

1 heard me properly. I said further.

2 PRESIDING JUDGE: It could be lost in translation possibly.

3 MR MUNYARD: Indeed you're quite right, your Honour. Let's
4 start again:

12:44:53 5 Q. You all go to Lome - sorry, you all go to Monrovia because
6 you, the SLA and AFRC members, are unhappy about the Lome Accord,
7 yes?

8 A. Yes.

9 Q. A principal unhappiness is that the SLA/AFRC seem to have
12:45:18 10 been completely ignored by the Lome Accord, yes?

11 A. Yes.

12 Q. And so do some negotiations happen when you arrive as
13 security for Johnny Paul in Monrovia with the intention of trying
14 to get the SLA/AFRC incorporated into the official armed forces

12:45:48 15 of the country?

16 A. Yes.

17 Q. And did that eventually come about? Did President Kabbah
18 eventually agree to do that?

19 A. Yes, so that the army could be reinstated.

12:46:14 20 Q. Yes. And that took quite some time, didn't it, that
21 process of negotiation?

22 A. No.

23 Q. Well you're not there as a negotiator, are you? You're
24 simply there as Johnny Paul Koroma's security, is that right?

12:46:39 25 A. I was there as security and as a former Supreme Council
26 member in the AFRC/SLA. My presence --

27 THE INTERPRETER: Your Honours, can the witness repeat this
28 last bit.

29 PRESIDING JUDGE: Mr Witness, the interpreter needs you to

1 repeat. You have said, "I was there as security and as a former
2 Supreme Council member in the AFRC/SLA. My presence ..."

3 Continue from "My presence ..."

4 THE WITNESS: I was present, but no negotiation happened
12:47:23 5 between President Kabbah and the AFRC when we were in Monrovia.

6 MR MUNYARD:

7 Q. I'm not suggesting direct negotiation. I'm suggesting
8 indirect negotiation involving the ECOWAS governments --

9 A. Yes.

12:47:47 10 Q. -- acting as intermediaries, do you agree?

11 A. Yes.

12 Q. And how quickly do you say this issue was resolved after
13 your arrival and Johnny Paul's arrival in Monrovia?

14 A. Well, we spent some time. After some time the UN
12:48:17 15 representative, by then Francis Okelo, he was the one who met
16 with the chairman, Johnny Paul Koroma, at the time, so he said
17 there was something for the SLA when they would have reinstated
18 us in the Sierra Leone Army.

19 Q. Yes. And when do you say - by what time do you say that
12:48:36 20 agreement was reached?

21 A. Well from the time that I was there, July up to September
22 before I left, it was that agreement. It was that message that
23 he told me to bring to the men at West Side. That was why I came
24 to Freetown, the SLAs who were at the West Side.

12:49:05 25 Q. I am sorry, you said from the time I was there from July?

26 A. August. From the time I was there, August to September. I
27 want to ease myself.

28 PRESIDING JUDGE: Mr Munyard, if you wish to have a seat.

29 [In the absence of the witness]

1 MR MUNYARD: Can Mr Taylor leave the room for the same
2 reason?

3 PRESIDING JUDGE: Of course. He should be escorted out.
4 [In the presence of the witness]

12:54:08 5 MR MUNYARD:

6 Q. Now this agreement about the SLA being part of the armed
7 forces of Sierra Leone, can you remember when that was finally
8 concluded?

9 A. Well, I believe that it was during the time of the accord.

12:54:42 10 Q. No, I'm not asking you to refer to accords. You start off
11 in August and you say it goes on until September. Roughly when
12 in September was agreement finally reached?

13 A. During the time of the accord, whilst the negotiation was
14 going on, that was the argument that they will remember the SLA.

12:55:11 15 Q. Was it the end of September, perhaps beginning of October,
16 that agreement was finally reached?

17 A. Well, I left them there when I came to Freetown as Chairman
18 Johnny Paul Koroma sent me to go and talk to the guys that the
19 reinstatement of the army should be included in the accord. I
12:55:40 20 don't know how it continued.

21 Q. So, you leave Monrovia before a final agreement is reached?

22 A. I did not know if they had any other accord that they
23 signed, but I left Monrovia around September.

24 Q. Are you able to help us with when in September you left
12:56:06 25 roughly?

26 A. No, I cannot. Maybe if I want to think, around
27 mid-September to the end of September.

28 Q. Thank you. And how shortly before you left do you say you
29 had this meeting in Charles Taylor's office?

1 A. When we went to Monrovia, in two weeks the meeting
2 commenced. We went to Monrovia on 7 August. I will never forget
3 that one.

4 Q. Right. And at that meeting Mr Taylor was urging you,
12:56:59 5 SLA/AFRC and the West Side Boys in particular, to accept the Lome
6 Accord, wasn't he?

7 A. Yes, that was what he told us.

8 Q. He told you that it was in your favour, didn't he?

9 A. Yes, he said many other things including that one.

12:57:29 10 Q. I'm just asking you about this particular point.

11 A. Yes.

12 Q. And you had to be flown to Freetown to try to persuade the
13 West Side Boys and others to accept some sort of agreement with
14 the Kabbah government and the RUF, is that right?

12:57:57 15 A. Yes, the message that Chairman Johnny Paul Koroma gave to
16 me.

17 Q. And eventually President Kabbah did agree to reinstate the
18 SLA into the armed forces and he also appointed Johnny Paul
19 Koroma chairman of the Committee for the Consolidation of Peace,
12:58:24 20 didn't he?

21 A. Yes. After they had returned, that was when I learnt about
22 the appointment, but when they were there I didn't know. It was
23 when they returned to Freetown that I learnt about it.

24 Q. But even when they'd reached their agreement, the SLA/AFRC
12:58:52 25 were still a bit unhappy with President Kabbah, weren't they?

26 A. We were happy because all of us had been reinstated. I too
27 had been reinstated in the army.

28 Q. Can you have a look, please, at tab 2 in the Prosecution
29 bundle. Do you have that in front of you, Mr Kargbo?

1 A. Yes.

2 Q. Now, this is headed "Personal statement by Lieutenant
3 Colonel JP Koroma on 1 October 1999." I'm not going to read all
4 of it out, but I want to ask you, first of all, have you ever
13:00:14 5 seen this document before?

6 A. No.

7 Q. Take your time if you want to read it.

8 A. Okay.

9 Q. Just tell us if there comes a point when you're quite sure
13:00:41 10 you've never seen it before, or you might have seen it before.

11 A. No, this is the first time.

12 Q. In that case I'll take you through some parts of it. This
13 is a statement that was issued by Johnny Paul Koroma and it
14 starts:

13:01:00 15 "Previous to May 1997 I did not collude with the RUF/SL,
16 nor did I ever collaborate with any coup plot. I want to hereby
17 inform my brothers and sister in the diaspora that yesterday was
18 the very first time I ever met with the RUF leader."

19 Pausing there, were you aware that Foday Sankoh was flown
13:01:27 20 to Liberia some time in late September, probably around the time
21 that you left? Were you aware of that?

22 A. Yes.

23 Q. I'm going to miss out the next paragraph and go on to the
24 third one:

13:01:50 25 "Yesterday after meeting with chairman Foday Sankoh I'm
26 very pleased that we are one step closer to the meeting between
27 President Kabbah, Foday Sankoh and myself that I repeatedly
28 called for in 1997 and 1998."

29 Do you have any recollection of Johnny Paul Koroma

1 repeatedly calling for a meeting between himself, President
2 Kabbah and Foday Sankoh in 1997 and 1998?

3 A. Yes.

13:02:33

4 Q. And was that during the AFRC junta time, or was it outside
5 the period of the junta?

6 A. During the AFRC time, when we were in power.

7 Q. And do you know what President Kabbah's reaction to that
8 was?

13:03:06

9 A. I cannot know his reaction, but we did our best, the AFRC,
10 because we went right up to Guinea. I did not know his reaction.

11 Q. All right. Fourth paragraph:

12 "I am fully aware of the concerns by the international
13 community and my countrymen about the state of the Lome Peace
14 Accord. I want to assure all that the meeting between chairman
15 Sankoh and myself went well. I want to assure all that my men
16 and I are fully committed to the Lome Peace Accord, albeit the
17 necessary addendums that would have been to be attached in the
18 near future."

13:03:26

19 Were you aware that there were going to be additions to the
20 Lome Peace Accord in order to meet the concerns of the AFRC/SLA?

13:03:46

21 A. Yes, I was aware that they were to add some things.

22 Q. And what were those things going to cover?

23 A. Like when our brothers came from the West Side and met us,
24 the reinstatement of the army that happened, that was one, and
25 the chairman was to be a signatory to the accord and some other
26 things that I cannot recall now.

13:04:25

27 Q. But the principal demand of the AFRC/SLA and the West Side
28 Boys was the reinstatement of your fighters in the army, wasn't
29 it?

1 A. No, that was part of it.

2 Q. So what was the principal demand?

3 A. We were to be a signatory to the accord. That never
4 happened. Either the chairman, or somebody else in the AFRC.

13:05:06 5 That never actualised.

6 Q. You mean the chairman or somebody else in the AFRC never
7 actually put his signature to the accord?

8 A. No.

9 Q. And therefore that demand was never met. Is that what
10 you're telling us?

11 A. Yes.

12 Q. And did that become a grievance of the AFRC/SLA?

13 A. No, we accepted whatever the international community said.

14 Q. I just wanted to see if you were really saying that that
13:05:55 15 was the principal demand. I'll move on to the fifth paragraph:

16 "I am very thankful to President Charles Taylor for the
17 role he has played in seeing that the first face to face meeting
18 between chairman Sankoh and myself went smoothly. My first
19 meeting with Foday Sankoh was successful because of the diplomacy
13:06:22 20 showed by President Charles Taylor."

21 Then I'm missing out the next couple of lines:

22 "Yesterday, after meeting with me, the RUF leader publicly
23 told President Taylor and others that he had been largely
24 misinformed about my motives."

13:06:46 25 Sixth paragraph:

26 "Again I want to assure my brothers, sisters and the
27 international community that chairman Sankoh and myself will work
28 together to see the full implementation of the Lome Peace Accord.
29 There are however a few points that we wish the world to be made

1 aware of:

2 1. The document released this week by the Sierra Leone
3 government, which promises to see to the grievances of the Sierra
4 Leone Army, was not signed by our commander-in-chief President
13:07:23 5 Kabbah but by his deputy Vice-President Demby."

6 Were you aware of a document released at the end of
7 September, as a result of negotiations with the Sierra Leone
8 government, promising to see to the grievances of the Sierra
9 Leone Army?

13:07:42 10 A. Yes.

11 Q. And were you aware of the concern by the AFRC/SLA that the
12 President himself had not signed that document?

13 A. No, except that I am seeing it here now that the President
14 did not sign it, but I heard that through hearsay. It is only
13:08:07 15 now that I have seen a document to the effect.

16 Q. Well, Johnny Paul Koroma goes on in that paragraph to say:
17 "We welcome the written promise by the government to see
18 the reinstatement and payment of salaries of my men, but we
19 question the rationale behind Demby's signature on the document
13:08:29 20 as against President Kabbah's."

21 I'm going to come back to paragraph 2 in a moment, but if
22 you turn over the page to paragraph 3 he says:

23 "All addendums to the Lome Peace Accord, including the
24 current proposal signed by Vice-President Demby, must be signed
13:08:51 25 by President Kabbah, chairman Sankoh, myself and all the moral
26 guarantors of the Lome Peace Accord before they can be considered
27 as addendums to the Lome Accord."

28 Was that something that did happen, do you know: That
29 President Kabbah signed the addendums rather than his

1 Vice-President?

2 A. Except that I have seen it on the document I never knew
3 this, because I was not in Liberia at that time. I had come to
4 Sierra Leone.

13:09:34 5 Q. Yes, but this all about events in Sierra Leone in any
6 event. Was it a continuing problem for the AFRC that President
7 Kabbah had not signed the document himself, but that he'd had his
8 deputy do it?

9 A. Maybe that happened while I was in the jungle because I
13:10:02 10 said in my statement that we were forced out of the Solar Hotel,
11 that we were to go in before Johnny Paul and Foday Sankoh could
12 come and we were there for some time before he ordered that we
13 should come and join him.

14 Q. Yes, I just want to find out from you, as one of the
13:10:21 15 Supreme Council members, was there a continuing problem with your
16 enforcing the Lome Peace Accord, because the AFRC didn't like the
17 fact that President Kabbah's deputy had signed the document and
18 not he himself?

19 A. I didn't know about this. It was only today that I have
13:10:48 20 seen it on the document. As I was saying, I never saw it and I
21 never knew about this, this document.

22 Q. So what was it that caused the Lome Peace Accord and these
23 further negotiations in September to break down and for fighting
24 to break out again?

13:11:18 25 A. Through the RUF who betrayed the AFRC/SLA.

26 Q. And how did they betray the AFRC/SLA after Lome and these
27 addendums?

28 A. Even before Lome the chairman was with them. Instead of he
29 being taken to the accord, he was under arrest.

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

3 PRESIDING JUDGE: Just pause, Mr Witness. The interpreter
4 is not catching up with you. I think you might need to go back
13:12:07 5 to the beginning of your answer. You've said, "Even before Lome
6 the chairman was", continue from there, please.

7 THE WITNESS: Even before the Lome Accord the chairman was
8 under house arrest and the RUF refused to take the chairman to
9 the accord, so it was because of that betrayal, that they
13:12:38 10 betrayed the AFRC/SLA, that caused these documents to be
11 produced.

12 MR MUNYARD:

13 Q. Yes, I've asked you about events after these documents were
14 produced. What was it that caused the Lome Accord and these
13:12:55 15 further agreements to break down and fighting to resume?

16 A. I don't know whether you would want to help me with the
17 areas where fighting resumed, because where I was there was no
18 fighting. At the West Side there was no fighting. Maybe in the
19 RUF area and so maybe you would want to help me, but where I was
13:13:25 20 there was no fighting because I had come to Freetown with
21 Chairman Johnny Paul Koroma. I don't know whether you would want
22 to help me with where there was fighting?

23 Q. Let me turn the question around. After the Lome Accord and
24 these additional agreements attached to it, did peace break out
13:13:47 25 in Sierra Leone after 1 October 1999?

26 A. Yes.

27 Q. And so would you say that the civil war ended with these
28 agreements in October of 1999?

29 A. Yes.

1 Q. And, as far as you're concerned, nothing else happened in
2 Sierra Leone that could be described as the continuation of civil
3 conflict or civil war?

4 A. Well except at the RUF side, but the AFRC/SLA area nothing
13:14:49 5 happened that could be described as war.

6 Q. What was the exception on the RUF side?

7 A. Because in 2000 was the year when they arrested the
8 peacekeepers. When they were trying to come to Freetown, the RUF
9 and the people of Sierra Leone rose against them that they wanted
13:15:16 10 war no more in Freetown.

11 Q. This is an incident around May of 2000, yes?

12 A. Yes.

13 Q. It is resolved with Foday Sankoh's arrest, do you agree?
14 Foday Sankoh and a lot of other people arrested in May of 2000?

13:15:42 15 A. Well, I didn't know if they resolved it. Many of those
16 guys had been released, but I didn't know if it was resolved
17 before the death of Foday Sankoh.

18 Q. Well, you say that except for the RUF side there was peace
19 and you've given us one example of something the RUF side did.

13:16:04 20 Did they do anything else, apart from that, that could be
21 described even remotely as conducting a civil war?

22 A. It was only when they were about to come to Freetown they
23 stopped at Masiaka.

24 Q. Are you talking about the same incident, May of 2000?

13:16:31 25 A. Yes. May 2000, yes.

26 Q. And so after May of 2000, as far as you're concerned, there
27 are no other incidents that could be described as civil war?

28 A. No, I can't recall any now. I don't know whether you would
29 want to help me with that?

1 Q. And you remained in the country - just help us with this -
2 until January of 2003?

3 A. Yes.

4 Q. When you left because of the allegations against you by the
13:17:13 5 government that we dealt with the other day. There's just one
6 other matter I'd like to ask you about in relation to that.

7 PRESIDING JUDGE: Mr Munyard, was that just a statement of
8 fact, rather than a question?

9 MR MUNYARD: Well, it was a sort of preliminary to the
13:17:29 10 question that I'm about to pose. I was just summarising what we
11 dealt with the other day:

12 Q. One other question, please, about your leaving the country
13 in January 2003. You say that you went into hiding because you
14 heard the police were trying to arrest you and you told us the
13:17:53 15 other day that the allegation was that you had arms in your
16 compound. Was it also something to do with an incident where
17 Johnny Paul Koroma escaped from Juba Hill in Freetown?

18 A. Well, I don't know how things were implicated - how the
19 SLPP implicated things.

13:18:27 20 Q. Well, was there an incident involving Johnny Paul Koroma
21 escaping from Juba Hill in Freetown?

22 A. Well, I don't think there was any incident.

23 Q. Tab 4, please, of the Defence bundle this time, page
24 100532, paragraph 33. I want you to tell us if this is a correct
13:19:28 25 record of what you told the two lawyers in your proofing sessions
26 on 9, 10 and 11 May last month:

27 "The witness stated that around December 2002 and January
28 2003 he along with other former members of the AFRC and RUF were
29 accused by some members of the SLPP and the Sierra Leone Police

1 of being involved in an attempt to overthrow the SLPP
2 government. "

3 Did you say that?

4 A. I did not say any RUF. Within the AFRC, yes. I did not
13:20:12 5 say RUF. I said this, but not including the RUF.

6 Q. Well this is only three weeks ago, so are you saying that
7 the two lawyers who interviewed you have wrongly included the RUF
8 in that sentence there?

9 A. I did not have any dealings with that. I said I heard it
13:20:43 10 over the radio and newspapers that we had been declared wanted,
11 Chairman Johnny Paul Koroma and other SLA soldiers.

12 Q. Mr Kargbo, I'm simply at the moment asking you what you
13 said to the lawyers. Are you saying that they have wrongly
14 included the RUF in that sentence?

13:21:04 15 A. Yes.

16 Q. But they have rightly got, have they, "he along with other
17 former members of the AFRC"? Have they got that right?

18 A. Yes.

19 Q. Who were the other former members of the AFRC that you were
13:21:22 20 being accused of a coup plot with in January 2003?

21 A. As I told you, Chairman Johnny Paul Koroma. I said I have
22 the newspaper and it is with me in Sierra Leone.

23 Q. Who else?

24 A. With a soldier called Rambo.

13:21:50 25 Q. Now, which Rambo is this?

26 A. He's a soldier with a nickname. Not Moses Kabi a Rambo. He
27 is dead now.

28 Q. Anybody else?

29 A. This was what I said in my statement.

1 Q. No, can you remember the names of anybody else who was
2 accused along with you that you heard about on the radio?

3 A. Hector Bob Lahai.

13:22:43 4 Q. Right. Is he any relation of Mrs Susan Lahai who we saw
5 making a contribution to the family reunion?

6 A. I don't have any relationship with him.

7 PRESIDING JUDGE: I didn't think the question was directed
8 to the witness's relationship.

9 MR MUNYARD: No, it wasn't.

13:23:02 10 PRESIDING JUDGE: Mr Witness - maybe in the circumstances
11 put it again, Mr Munyard, please.

12 MR MUNYARD: Yes, I will. Yes:

13 Q. You've said that one of the other plotters - alleged
14 plotters - was Hector Bob Lahai. Do you remember when we looked
13:23:21 15 at the family reunion document, the minutes of the meeting, that
16 one of the contributors was the honourable Mrs Susan Lahai? Do
17 you remember her contributing at that meeting?

18 A. Yes.

19 Q. She's the lady who at that meeting in April 2000 said that,
13:23:47 20 "The demon of strife is the bunch of corrupt politicians who are
21 the cankerworms of our society." Now, is she related to Hector
22 Bob Lahai?

23 A. I don't have any idea about that, if they are related or
24 not.

13:24:09 25 Q. Can you remember anybody else who is accused of plotting
26 with you around January 2003?

27 A. These are the only ones I can recall and I have the
28 newspaper.

29 Q. All right, but were there others named as well?

1 A. These are the ones I can recall.

2 Q. No, I'm asking you were other people named also in the
3 newspaper report of the alleged coup plot?

4 A. Yes, there are names, but these are the ones I can recall.

13:24:55 5 Q. And what newspaper was it in, or newspapers plural?

6 A. I can't recall now. It's just one newspaper, but I can't
7 recall the name of the newspaper any more.

8 Q. I'll carry on reading, "The Sierra Leone police attempted
9 to arrest the witness in Freetown but the witness was able to
10 escape and went into hiding." Did you tell them that?

11 A. Yes.

12 Q. "This was related to the incident where Johnny Paul Koroma
13 escaped from Juba Hill in Freetown." Did you tell them that?

14 A. Yes.

13:25:55 15 Q. So help us with what this incident was where Johnny Paul
16 Koroma escaped from Juba Hill in Freetown. What was that?

17 A. I don't know what the incident was. I heard about the
18 allegation that I got from the newspaper and the radio. That's
19 what I know.

13:26:20 20 Q. Well, you agree you told the Prosecutors that this was
21 related to this incident. Tell us what the incident was where
22 Johnny Paul escaped from Juba Hill?

23 A. This was the incident that I'm referring, that I got the
24 newspaper, I learnt from the newspaper and the radio that we had
25 been declared wanted relating to coup. I don't know why the SLPP
26 did that.

13:26:44 27 Q. Well, on your account they did it because you refused to
28 join their party when I first started questioning you about these
29 matters.

1 A. You cannot accuse me that I did it.

2 Q. What is Juba Hill?

3 A. It's an area in Freetown.

4 Q. Was Johnny Paul in some way imprisoned in Juba Hill?

13:27:41 5 A. That is where his residence was.

6 Q. So do I understand this sentence to mean that Johnny Paul
7 Koroma also ran away and went into hiding? Ran away from his
8 residence in Juba Hill and went into hiding?

9 PRESIDING JUDGE: Mr Witness, did you understand the
13:28:16 10 question?

11 THE WITNESS: Yes, yes.

12 PRESIDING JUDGE: Can you answer it now, please?

13 THE WITNESS: Yes, because I did not hear that he was
14 arrested.

13:28:28 15 PRESIDING JUDGE: I don't think counsel said he was
16 arrested. Mr Munyard, please put the question again. I am
17 watching the time as well.

18 MR MUNYARD: So am I, your Honour:

19 Q. It seems that all you mean by that sentence is that not
13:28:41 20 only did you run away and go into hiding, ran away from your
21 compound, but Johnny Paul ran away from his compound in Juba
22 Hill. Is that all that means?

23 A. Well, I don't know how he went, but when I got the
24 information I was in hiding.

13:29:02 25 MR MUNYARD: I'm not going to pursue it any further. I see
26 the time and I've got a little more.

27 PRESIDING JUDGE: Thank you, Mr Munyard. Mr Witness, we're
28 now going to take the lunchtime adjournment. We will have a
29 break of one hour until 2.30. Please adjourn court until 2.30.

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

2 [Upon resuming at 2.32 p.m.]

3 PRESIDING JUDGE: Mr Munyard.

4 MR MUNYARD:

14:32:17 5 Q. Mr Kargbo, we left off by you explaining the contents of
6 paragraph 33 of the page that we were looking at before. I am
7 still trying to deal with matters chronologically, but can I just
8 ask you about one other person and that is Dr Kandeh Babbah.
9 Now, did you know, or know who Dr Kandeh Babbah was?

14:32:55 10 A. Yes.

11 JUDGE SEBUTINDE: Perhaps you could --

12 MR MUNYARD: I will give a spelling in just a moment, if I
13 can just deal with the question first:

14 Q. Dr Babbah, Kandeh Babbah, was another arms dealer who the
14:33:12 15 AFRC used during the junta regime, wasn't he?

16 A. I don't know him as an arms dealer.

17 MR MUNYARD: All right. We will spell his name,
18 K-A-N-D-E-H B-A-B-B-A-H:

19 Q. What do you know Dr Kandeh Babbah as?

14:33:44 20 A. I only know him in the party peace and reconciliation.

21 MR MUNYARD: Madam Court Officer, it is not in there.
22 Thank you for anticipating a document. In fact, on this occasion
23 I am looking at something else:

24 Q. You only know him in the peace and reconciliation
14:34:06 25 organisation, do you?

26 A. No, I only know him Peace and Liberation Party as the
27 Secretary-General.

28 Q. Right. That presumably is a party that participated in the
29 elections, is that right?

1 A. Yes, 2002.

2 Q. Right. Did you know anything about him before?

3 A. No, I only knew him as a member of the party, as
4 Secretary-General, before I left in 2003.

14:34:50 5 Q. Put him on one side and I want to deal with the way you
6 earned your living after the Lome Peace Accord addendums were
7 agreed in October of 1999. You come back, as we know, in
8 September, back to Sierra Leone. Are you in employment after you
9 have come back to talk to the West Side Boys and so on?

14:35:40 10 A. Yes, I was reinstated into the army.

11 Q. Right. Then you left the army in 2001 due to threats on
12 your life from the past government, is that correct?

13 A. Yes, it is correct.

14 Q. Right. And just help us with this: Those threats from the
14:36:07 15 past government, did that mean that you had to go into hiding
16 then like you did in 2003, or were you still at liberty in Sierra
17 Leone after leaving the army in 2001?

18 A. Yes, I was still free. They used to come around to search.
19 I was still free until I joined the Wackenhut security company.

14:36:37 20 I served there for a short while and I decided to leave.

21 Q. When in 2001 did you leave the army?

22 A. I can't remember the right months, but it was within the
23 first six months.

24 Q. Right. And when you say --

14:37:05 25 PRESIDING JUDGE: Sorry to interrupt, Mr Munyard, but we do
26 not have the title of the security company recorded. Could the
27 witness please give me the name of the security company again.

28 THE WITNESS: Wackenhut security company.

29 MR MUNYARD: If I am right I think it's an American

1 corporation. They own prisons in America and I think it is spelt
2 W-A-C-I-N-H-U-T, but I will be corrected if I am wrong. I am
3 going entirely on my memory from reading newspaper reports about
4 them.

14:37:42 5 PRESIDING JUDGE: Thank you, Mr Munyard. Please proceed.
6 I interrupted.

7 MR MUNYARD: I have got I wrong. I'm grateful. Mr Anyah,
8 who has more experience of American prisons than I do, says it's
9 W-A-C-K-E-N-H-U-T:

14:38:06 10 Q. Right. Back to 2001. You leave the army within the first
11 six months of 2001 because of threats to your life, yes?

12 A. Yes.

13 Q. And when you say threats to your life, you mean if you
14 don't leave the army you will die? Is that what you mean?

14:38:32 15 A. Well, by then the British were saying we should join up on
16 the training, but I said that if I went through the training and
17 put on a uniform there will be more problems, because I had not
18 yet gone to the training and they started searching my house for
19 arms and ammunition. That was why I decided that I should leave.
14:38:49 20 I wrote a letter and it was accepted.

21 Q. Right. So then you are unemployed, but you get some work
22 briefly with Wackenhut Corporation, yes?

23 A. Yes, but I did not stay too long. Within three to four
24 months I decided to leave.

14:39:09 25 Q. Right. And so does that bring us to - are we still in
26 2001, or have we now moved into 2002?

27 PRESIDING JUDGE: Mr Witness, did you hear the question?

28 THE WITNESS: No.

29 PRESIDING JUDGE: Please put it again, Mr Munyard.

1 MR MUNYARD:

2 Q. Are we still in 2001 by the time you leave the Wackenhut
3 Corporation, or have we moved into 2002?

4 A. I hadn't a job by then.

14:40:09 5 Q. By the end of 2001?

6 A. Yes.

7 Q. Now we know that around the turn of the year, the following
8 year, December 2002 to January 2003, you go into hiding because
9 of another allegation of a coup, of you being involved in a coup,
10 or planning one. Are you employed at all during the year 2002?

14:40:36

11 A. No.

12 Q. Right. Then there is this business of you having to
13 disappear because of coup number 4, two of them are allegations,
14 two others that you joined in with, and you go to various
15 neighbouring countries, Guinea, Nigeria. Was that right? Guinea
16 and Nigeria?

14:41:08

17 A. That is correct.

18 Q. Burkina Faso?

19 A. Correct.

14:41:24

20 Q. La Cote d'Ivoire, did you go there?

21 A. La Cote d'Ivoire? Ivory Coast?

22 Q. Yes.

23 A. No.

24 Q. Any other countries apart from Guinea, Nigeria and Burkina
25 Faso?

14:41:42

26 A. Guinea, Mali, Burkina Faso, Benin, Nigeria.

27 Q. Right. Are you working in those countries?

28 A. No.

29 Q. And then late last year just after the elections you

1 returned to Sierra Leone, yes?

2 A. Yes.

3 Q. That is late 2007 and you haven't worked since late 2001,
4 have you?

14:42:22 5 A. No.

6 Q. So you're pretty desperate for money by the end of last
7 year, aren't you, Mr Kargbo?

8 A. No.

9 Q. How have you survived for six years without earning money?

14:42:44 10 A. My relatives were assisting me and the good people who knew
11 me, they were assisting me and my wife.

12 Q. And your three children?

13 A. No, I don't have three children.

14 Q. How many do you have?

14:43:04 15 A. Five. I have five.

16 Q. So you, your wife and your five children have been living
17 off charity over the last six years, correct?

18 A. Correct.

19 Q. And when you came back to Sierra Leone late last year you
14:43:29 20 learned that if you cooperated with the Office of the Prosecutor
21 you would receive some money, didn't you?

22 A. No.

23 Q. Well, are you saying that you didn't learn that you would
24 receive a single penny?

14:43:54 25 A. Well, maybe now that you have told me I will have it, I
26 will know now, but I didn't know that they would give me
27 anything.

28 Q. How quickly did you find out that they would give you
29 something?

1 A. From what you have told me now, because since I joined them
2 they have never given me money that I will say will take care of
3 me and my family. They were giving me incentives in the form of
4 transportation, but it was not enough to take care of my family.

14:44:29 5 Q. Mr Kargbo, you were getting what you call incentives from
6 the Office of the Prosecutor, yes?

7 A. Yes, like transportation normally when I went there.

8 Q. Were you at some point moved - moved house? Were you
9 relocated?

14:45:04 10 A. Presently in fact I don't even know the house. It's my
11 family that is staying there.

12 JUDGE SEBUTINDE: Is that a yes or a no?

13 THE WITNESS: Yes, it's when I'm here now.

14 MR MUNYARD:

14:45:20 15 Q. No, let's just explore this in a little more detail. Were
16 your family relocated at some point to a new house - a different
17 house - in Freetown, or somewhere in Sierra Leone?

18 A. Yes.

19 Q. When?

14:45:42 20 A. Recently, when I am here in Holland.

21 Q. What about before you came to Holland? Had you been moved
22 from your original house before you started speaking to the
23 Office of the Prosecutor to a new location before you came to
24 Holland?

14:46:11 25 A. No.

26 Q. Are your children now going to a privately paying school
27 now that they have moved to this new location?

28 A. The school that they normally attended is the school they
29 are still attending.

1 Q. And does that involve the payment of any fees?

2 A. Yes.

3 Q. Who pays the fees for your children's schooling?

4 A. Before now I used to pay with the assistance of my wife.

14:46:58 5 Q. And now?

6 A. I am paying until I get again.

7 Q. Until I get back again you mean?

8 A. Yes, sir. Yes, to Freetown.

9 Q. Have you received any kind of weekly allowance before
14:47:28 10 coming to Holland?

11 PRESIDING JUDGE: You haven't specified from a particular
12 source, or do you mean it generally?

13 MR MUNYARD: I mean it generally at the moment, your
14 Honour. Deliberately generally.

14:47:44 15 THE WITNESS: No, it was only when I came to Holland that
16 my wife has started receiving allowances on my behalf from an
17 instruction I gave.

18 MR MUNYARD:

19 Q. Now you have been given incentives from the Prosecution,
14:47:59 20 but have you been given any kind of allowance from the witness
21 and victim service of the Court prior to coming to Holland?

22 A. No.

23 Q. Have you tried to persuade any other person to cooperate
24 with the Prosecution on the basis that that would result in them
14:48:29 25 getting some money?

26 A. No, it's only when I came here that I spoke to the lawyers.

27 Q. No, I am talking about any other potential witness. Have
28 you spoken to anyone in Sierra Leone suggesting that they should
29 cooperate with the Prosecution and that would enable them to earn

1 a bit of money? Have you ever said anything like that to any
2 person in Sierra Leone?

3 A. No, no, no.

4 Q. Where are you planning on going after you have finished
14:49:18 5 giving your evidence in this Court?

6 MR KOUJIAN: Objection.

7 PRESIDING JUDGE: Yes?

8 MR KOUJIAN: Relevance and it's a security issue also.

9 MR MUNYARD: Let me lay a little bit more foundation for

14:49:35 10 that, if I may. I do have a specific point to put. It is not a
11 sort of essentially general proposition:

12 Q. You are not the only member of your family living in
13 Europe, are you?

14 A. Yes.

14:49:58 15 Q. I don't need to know who the relative is or what part of
16 the country they live in, but you have a sister in France, don't
17 you?

18 MR KOUJIAN: Objection, relevance.

19 MR MUNYARD: Well, I am coming to the point. I am

14:50:20 20 literally laying foundation for the point I am about to make. I
21 would ask the Court to bear with me for just a moment.

22 PRESIDING JUDGE: Very well. [Overlapping speakers].

23 MR MUNYARD: I understand the objection, but I have to lay
24 a little bit of foundation to get to the point.

14:50:39 25 PRESIDING JUDGE: It wasn't recorded that I said I would
26 allow the question.

27 MR MUNYARD: Thank you, your Honour:

28 Q. You have got a sister, living in France, haven't you
29 Mr Kargbo?

1 A. For security reasons I do not want to disclose wherever she
2 is, my Lord.

3 Q. I haven't asked you the specific part?

4 MR KOUMJIAN: Your Honour, may I suggest - my request is to
14:50:58 5 go into private session for this and then I think it takes care
6 of any concern about security of family members.

7 MR MUNYARD: I am content.

8 PRESIDING JUDGE: Please arrange to go into private
9 session, Madam Court Attendant.

14:51:17 10 MR KOUMJIAN: Perhaps your Honour could explain to the
11 witness the significance.

12 PRESIDING JUDGE: Yes. Mr Witness, we have heard what you
13 said and the next series of questions will be heard only within
14 this courtroom. They will not be heard outside the courtroom and
14:51:35 15 they will not be recorded for the public, or sent in any
16 broadcast, so that you are secure in knowing that those answers
17 that you give will be restricted to only the people here. For
18 the purposes of those in the public gallery, we will be in
19 private session in order to answer some questions which relate to
14:52:02 20 security issues of the witness.

21 THE WITNESS: My Lord, with your Honour, I only plan to
22 make - to sacrifice myself. As to any member of my family, I
23 have decided to let them stay away from this issue. Thank you,
24 my Lord.

14:52:23 25 PRESIDING JUDGE: This is why these questions are being
26 answered privately. Everyone within this room is bound by the
27 duty not to disseminate any information from private session.

28 THE WITNESS: Every friend has a best friend. Maybe he
29 will reveal it, I don't know. For my security I only plan to

1 sacri fi ce mysel f.

[At thi s point i n the proceedings, a portion of
the transcript, pages 10849 to 10850, was
extracted and sealed under separate cover, as
the proceeding was heard i n private session.]

14:52:45

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1 [Open session]

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

3 PRESIDING JUDGE: Thank you. Mr Munyard, please proceed.

4 MR MUNYARD: I am sorry, when I said I had no other
14:55:46 5 questions, I meant I had no other questions.

6 PRESIDING JUDGE: Oh, I didn't appreciate. I thought you
7 meant in private session. I am clear now.

8 MR MUNYARD: I understand the misunderstanding and I am
9 sorry if I contributed to it. That is my cross-examination.

14:56:00 10 PRESIDING JUDGE: Mr Koumjian, do you have any
11 re-examination?

12 MR KOUMJIAN: Yes.

13 RE-EXAMINATION BY MR KOUMJIAN:

14 Q. Mr Kargbo, I only have a single question for you related to
14:56:10 15 the cross-examination today wherein you were asked, on page 76 of
16 my transcript, about the meeting with President Taylor in
17 Monrovia and the Defence asked you whether then President Taylor
18 asked you and the others present - told you to accept the Lome
19 Accord. I want to ask you a question about the context of that.
14:56:36 20 When you had that meeting in 1999 in Monrovia, after the signing
21 of the Lome Accord, who controlled the diamond fields of Kono?

22 A. The RUF.

23 MR KOUMJIAN: I have no further questions.

24 PRESIDING JUDGE: Thank you, Mr Koumjian.

14:57:04 25 QUESTIONS BY THE BENCH:

26 JUDGE SEBUTINDE: Mr Witness, I have two questions to ask
27 you. You have stated, on I think two occasions, that you were
28 reinstated into the Sierra Leone Army. When were you reinstated?

29 THE WITNESS: After the Lome Accord, through the accord.

1 The Lome Accord stipulated that all those whom the SLPP had had
2 problem with from --

3 THE INTERPRETER: Your Honour, can he repeat the date?

14:57:41

4 PRESIDING JUDGE: Just pause, Mr Witness. The interpreter
5 hasn't caught up with you. Please go back to you said, "The Lome
6 Accord stipulated all those whom the SLPP had a problem with",
7 and please continue from there and in particular clearly state
8 the dates.

14:58:07

9 THE WITNESS: The Lome Accord stated that after 1996 all
10 the SLAs whom the SLPP government then had had problem with and
11 had dismissed should be reinstated from 1996 to 7 July when they
12 signed the accord in 1999. So that brought me back into the army
13 before I retired.

14:58:35

14 JUDGE SEBUTINDE: Okay, I will ask to take you a little
15 back. You did state that on 25 May 1997, the time of the coup,
16 you were reinstated into the army and that that gave you the
17 standing to participate in the coup. Did I get you right?

14:59:07

18 THE WITNESS: No, I was out of the army before 25 May when
19 we came in. Then the AFRC reinstated all of us who the SLPP had
20 dismissed, from 25 May.

21 JUDGE SEBUTINDE: And then you were reinstated again by the
22 Lome Accord?

23 THE WITNESS: Yes, the accord. Exactly, ma'am.

14:59:20

24 JUDGE SEBUTINDE: Now, the second question is you testified
25 and said that Charles Taylor was the godfather of the RUF. You
26 made this statement in your evidence. How did you know this?
27 How did you come to the conclusion that Charles Taylor was the
28 godfather of the RUF since you weren't a member of the RUF?

29 THE WITNESS: Well, when we joined the RUF I was made to

1 understand that Charles Taylor was the godfather of the RUF by
2 the things that the RUF were doing without the consent of Charles
3 Taylor and they gave us the contact, we the AFRC and the RUF.
4 They established a contact for us to Charles Taylor when they
15:00:03 5 came in and joined us, the AFRC, the SLA.

6 JUDGE SEBUTINDE: Based on this you concluded that he was
7 the godfather of the RUF?

8 THE WITNESS: Yes, my Lord.

9 JUDGE SEBUTINDE: Thank you, no further questions.

10 PRESIDING JUDGE: Mr Witness, I too have a couple of
11 questions. Yesterday morning when you resumed your evidence you
12 mentioned that you had been asked, by people coming to your
13 house, to join the SLPP and you said that you weren't convinced
14 and, "I would have joined the RUF." When you said, "I would have
15:00:51 15 joined the RUF", do you mean you would have joined the
16 Revolutionary United Front, or the RUF political party?

17 THE WITNESS: Political party by then, thank you.

18 PRESIDING JUDGE: And my second question is: There has
19 been some questions concerning the interviews you had with the
15:01:13 20 Office of the Prosecution investigators and you have stated that
21 the records were read back to you. When they were read back,
22 what language were they read back in?

23 THE WITNESS: They read them in English and they were
24 interpreted into Krio, so there was an interpreter who was
15:01:34 25 interpreting in Krio.

26 PRESIDING JUDGE: Thank you. Those are my questions.
27 Questions arising from the questions?

28 MR MUNYARD: No, thank you.

29 FURTHER RE-EXAMINATION BY MR KOUMJIAN:

1 MR KOUMJIAN: If I may, I would just ask the witness to
2 clarify the answer he gave Justice Sebutinde:

3 Q. Sir, when you were asked about how you concluded that
4 Mr Taylor was the godfather, what we have as your answer was,
15:01:59 5 "Well, when we joined the RUF I was made to understand that
6 Charles Taylor was the godfather of the RUF by the things that
7 the RUF were doing without the consent of Charles Taylor and they
8 gave us the contact, we the AFRC and RUF. They established a
9 contact for us to Charles Taylor." Can you explain that answer
15:02:21 10 more? You said "without the consent of Charles Taylor", what did
11 you mean by that?

12 A. By telephone numbers that they gave us to contact Charles
13 Taylor and even when we went into the jungle, the arms and
14 ammunition that were coming, we took diamonds to Liberia. It was
15:02:42 15 from that that I knew that Charles Taylor was the godfather of
16 the RUF.

17 MR KOUMJIAN: May I follow it up, sorry?

18 PRESIDING JUDGE: Yes.

19 MR KOUMJIAN:

15:02:53 20 Q. People like - and let me ask specifically, Sam Bockarie,
21 did you ever hear him refer to Charles Taylor?

22 PRESIDING JUDGE: It is questions arising from the judges
23 questions. How does that arise?

24 JUDGE SEBUTINDE: Mr Koumjian, how does that arise from the
15:03:18 25 question I asked and the question that you have further asked,
26 unless you are examining in chief again of course?

27 MR KOUMJIAN: No. Well, I think - okay, I will accept your
28 Honour's ruling. Thank you.

29 PRESIDING JUDGE: Any other matters, or shall I release the

1 witness?

2 MR KOUMJIAN: Nothing else from the Prosecution, thank you,
3 other than exhibits.

4 PRESIDING JUDGE: We will deal with those in the presence
15:03:44 5 of the witness in case there is a matter arising. Please
6 proceed.

7 MR KOUMJIAN: Your Honour, I believe there are a number of
8 exhibits. The Prosecution would move all of those that were
9 exhibited with MFI numbers to this witness into evidence. Going
15:04:04 10 through them one by one: MFI-16, which were the minutes of the
11 first meeting of the AFRC.

12 PRESIDING JUDGE: Yes, Mr Munyard, have you --

13 MR MUNYARD: I hope that it is of assistance to the Court
14 and to my learned friends for the Prosecution. I don't take
15:04:31 15 objection to any of these being exhibited and I would simply add
16 that the document behind tab 2 in the Prosecution bundle be added
17 to them; that is the one that we took the witness through just
18 before the lunch adjournment.

19 PRESIDING JUDGE: When we come to that one I will ask if it
15:04:48 20 is a Defence or a Prosecution exhibit. We will deal with that
21 when we come to it.

22 MR MUNYARD: Certainly.

23 PRESIDING JUDGE: So the first one is a six page document
24 with the heading "AFRC - secret" and a subheading, "Minutes of
15:05:03 25 the first meeting of the AFRC held at the conference hall,
26 Defence headquarters, Saturday, 19 July 1997." What is the
27 Prosecution number, please, Madam Court Attendant?

28 MS IRURA: P-131, your Honour.

29 PRESIDING JUDGE: That becomes exhibit P-131.

1 [Exhibit P-131 admitted]

2 MR KOUMJIAN: Your Honour, the next of the four documents I
3 am moving into evidence would be the IRIN West Africa update and
4 it contains the ERN number 00100146 through 148. It is a three
15:05:45 5 page document.

6 PRESIDING JUDGE: That is a three page document with the
7 heading "University of Pennsylvania - African Studies Centre IRIN
8 - West Africa Update 14698.2.16". It becomes Prosecution exhibit
9 P-132.

10:06:04 10 [Exhibit P-132 admitted]

11 MR KOUMJIAN: The next are two photographs. They were
12 marked previously as MFI-18A and B. I would like to move them
13 into evidence. Also at the request of your Honours for the best
14 copy available the Prosecution has obtained what was originally
15:06:26 15 admitted to the evidence unit of the Prosecution and just to
16 explain, it was a photograph that was scanned so we do not have
17 the photograph. Apparently they scanned and returned the
18 photograph, but the best copies are available and we would move
19 those two photographs. We already have, excuse me, copies marked
15:06:48 20 with the names by the witness and so perhaps I should move all
21 four photographs into evidence.

22 PRESIDING JUDGE: They have been marked by the witness and
23 obviously the exhibit is the marked --

24 MR KOUMJIAN: Although I would say that these are not
15:07:04 25 really of significantly better quality than the ones that are
26 already in evidence, but --

27 PRESIDING JUDGE: Yes. You said you have one marked so
28 please pass it up. I have one marked, but if it's marked by the
29 witness let us have it.

1 MR KOUMJIAN: The Court Officer has it.

2 PRESIDING JUDGE: The Court Officer has it, of course.

3 Madam Court Officer, we will use the original document marked by
4 the witness and that will become - the first is a picture with
15:07:31 5 four male persons in it and it will become Prosecution exhibit
6 133A.

7 [Exhibit P-133A admitted]

8 MR KOUMJIAN: Perhaps if your Honours want to mark the
9 original 133A-1 if you would like, or that is the best copy?

10 JUDGE SEBUTINDE: Do you have originals?

11 MR KOUMJIAN: To explain, what we have is the copy that the
12 Prosecution originally scanned. We have the original scanned
13 electronically. We do not have the photographs, they were
14 returned.

15 JUDGE SEBUTINDE: They are all copies.

16 PRESIDING JUDGE: If it's what is in your hand it's no
17 better than what we have already got, Mr Koumjian.

18 MR KOUMJIAN: It is slightly better.

19 PRESIDING JUDGE: I see. The second photograph exhibit, it
15:08:11 20 was a marked MFI-18B, it is a picture of two males marked by the
21 witness. It becomes Prosecution exhibit P-133B.

22 [Exhibit P-133B admitted].

23 MR KOUMJIAN: The next exhibit of the Prosecution exhibits
24 was MFI-19 and that was the document the minutes of the family
15:08:33 25 reunion where the Prosecution was able over the break to find a
26 full set which has been marked 19B which includes page 3 in the
27 conclusions. So we would ask that MFI-19 and 19B both be
28 admitted into evidence. The only reason to keep 19 is it's a
29 better quality photocopy than 19B.

1 PRESIDING JUDGE: I see. Mr Munyard, have you any
2 objection to that procedure?

3 MR MUNYARD: No, your Honour.

4 PRESIDING JUDGE: Very well. There will be two documents
15:09:08 5 admitted into evidence, an original which should be a 12 page
6 document but in actual fact I think is 11. Is that correct,
7 Mr Koumjian, because one page is missing?

8 MR KOUMJIAN: That is correct.

9 PRESIDING JUDGE: And it is headed "Minutes of the family
15:09:25 10 reunion aimed at reconciling chairman Foday Saybana Sankoh and
11 chairman Johnny Paul Koroma", et cetera. It becomes Prosecution
12 exhibit P-134A.

13 [Exhibit P-134A admitted]

14 And another copy to be supplied by the Prosecution with all
15:09:47 15 pages, a 12 page document with the same title becomes Prosecution
16 exhibit P-134B.

17 [Exhibit P-134B admitted]

18 MR KOUMJIAN: It is actually, I believe, more than 12 pages
19 because it also has the conclusions.

15:10:01 20 PRESIDING JUDGE: I do recall you said that [microphone not
21 activated].

22 MR MUNYARD: I think there are six pages added on as well
23 as well as the full document.

24 PRESIDING JUDGE: So that is an 18 page document then.

15:10:18 25 MR KOUMJIAN: Yes, the Court Management has that. Your
26 Honour, as to the document behind tab 2 which was used in
27 cross-examination today, the statement of Johnny Paul Koroma, the
28 Prosecution does not object, but we note that the witness
29 indicated he had absolutely no knowledge, had never seen the

1 document before and we have just recognised the Defence
2 apparently has come around to our view that only relevance is
3 necessary in order for a document to be marked as an exhibit and
4 no further foundation. That being our consistent position we
15:10:50 5 have no objection.

6 MR MUNYARD: I note the way it's put. I am not going to
7 comment. I am making no concession, but I am grateful to my
8 learned friend for admitting it. Can I just draw the Court's
9 attention to the fact that this document P-134B appears to be 19
15:11:11 10 pages. I have just checked. It is 13, the full original
11 document, and then another six.

12 PRESIDING JUDGE: Thank you for that, Mr Munyard. Madam
13 Court Attendant, please adjust the records accordingly and I am
14 admitting - this is to be moved as a Defence exhibit, this
15:11:31 15 personal statement by Lieutenant Colonel JP Koroma, is that
16 correct?

17 MR MUNYARD: Yes, thank you.

18 PRESIDING JUDGE: Very well. This is a two page document
19 with a heading "Personal statement by Lieutenant Colonel JP
15:11:45 20 Koroma on October 1st 1999" and it becomes Defence exhibit D-50.

21 [Exhibit D-50 admitted]

22 If there are no further matters I will discharge the
23 witness.

24 MR KOUMJIAN: No, thank you, your Honours.

15:12:02 25 PRESIDING JUDGE: Mr Witness, that is the end of your
26 evidence. We thank you for coming and giving your evidence here
27 in court and we wish you a safe journey home. Thank you.

28 THE WITNESS: Thank you. God bless you all.

29 MR WERNER: Good afternoon, your Honours.

1 PRESIDING JUDGE: Good afternoon, Mr Werner.

2 MR WERNER: I am going to lead the next witness which is
3 TF1-577. Now there are some preliminary matters concerning
4 protective measures so the situation is as follows: We were told
15:13:08 5 when the witness came to The Hague that now he wishes to testify
6 completely openly with no protective measures and we have copies
7 available for your Honours.

8 There is a decision from this Chamber dated 7 December 2007
9 concerning TF1-577 and it is the same situation as the previous
15:13:37 10 witness. This decision refers to another decision dated 5 May
11 2006 with a number of protections listed from letter (a) to (m).

12 Now I think you remember our position from the previous
13 witness. We have had a closer look to this provision and indeed
14 our position now is that letter (a) and (b) in this 2006 decision
15:14:11 15 as well as letter (e) are moot because 42 days before we
16 disclosed the identity of this witness to the Defence. So we
17 would seek for this witness to rescind only letter (c), letter
18 (d), letter (f) and letter (g) and we would request that letter
19 (h) to (m) would be kept in place. Again we have copies
15:14:46 20 available for your Honours if necessary.

21 PRESIDING JUDGE: Thank you, Mr Werner. Mr Munyard, if you
22 could just pause for one moment while I find if I have --

23 MR MUNYARD: It will be Mr Anyah, your Honour.

24 PRESIDING JUDGE: Thank you, Mr Anyah. Thank you,
15:15:55 25 Mr Anyah, for your patience. I have those before me now, so your
26 reply?

27 MR ANYAH: Thank you, Madam President. Good afternoon your
28 Honours, good afternoon Madam President, may it please the Court.
29 I understood counsel to be requesting that the protective

1 measures previously granted pre-trial be rescinded. Obviously we
2 have no objection if the witness wishes to testify openly.

3 [Trial Chamber conferred]

15:16:36

4 PRESIDING JUDGE: We note the application to rescind the
5 protective measures and that is by consent, or without objection,
6 and accordingly the application is granted and provisions (c),
7 (d), (f) and (g) of the protective measures of 5 May 2006 are
8 hereby rescinded. The protective measures (h) to (m) of the same
9 decision are left in place.

15:17:09

10 MR WERNER: Your Honour, so we are calling TF1-577. Just
11 for me to tell you that he will testify in Krio and he is a
12 Christian.

13 PRESIDING JUDGE: Thank you, Mr Werner. Do we have the
14 Krio interpreters in position?

15:17:26

15 THE INTERPRETER: Yes, your Honour.

16 PRESIDING JUDGE: Thank you. Please proceed and bring the
17 witness into court.

18 WITNESS: TF1-577 [Sworn]

19 EXAMINATION-IN-CHIEF BY MR WERNER:

15:19:54

20 Q. Good afternoon, Mr Witness.

21 A. Afternoon.

22 Q. Mr Witness, could you state your name for this Court?

23 A. My name is Albert Hindowa Saidu.

24 Q. Are you able to spell that name in English?

15:20:21

25 A. Yes.

26 Q. Please do so, Mr Witness?

27 A. Albert, A-L-B-E-R-T, Hindowa H-I-N-D-O-W-A, Saidu
28 S-A-I-D-U.

29 Q. And, Mr Witness, do you have any nickname?

1 A. Yes.

2 Q. What are your nicknames, Mr Witness?

3 A. They used to call me Abor.

4 Q. Who used to call you Abor?

15:21:05 5 A. My colleagues with whom we were together in the jungle.

6 Q. And which colleagues are you talking about?

7 A. The Liberians who came to us. They were calling me Abor
8 because my name was Albert, but they were unable to pronounce it
9 well, so they used to call it Abor. So everybody got used to

15:21:28 10 that, Abor.

11 Q. And how would you spell Abor?

12 A. Well, I was spelling it as A-B-O-R.

13 Q. And were you known, or are you known by any other nickname?

14 A. Well, yes.

15:21:57 15 Q. Which one?

16 A. Well, later on some of my friends were calling me Uprising.

17 Q. Could you spell it for the Court, please?

18 A. Yes, sir.

19 Q. Please do so.

15:22:18 20 A. U-P-R-I-S-I-N-G.

21 Q. And when were you born, Mr Witness?

22 MR ANYAH: I am sorry to interrupt, Madam President, but
23 with respect to the nickname, it may seem irrelevant but perhaps
24 there will be more foundation: Which jungle, which country, what
15:22:40 25 year? He says colleagues in the jungle were calling him by a
26 nickname named Abor and there is no more foundation.

27 JUDGE LUSSICK: This is just only introducing the witness
28 at this stage. This may well come out in evidence.

29 MR WERNER: It will, your Honours.

1 JUDGE LUSSICK: It is just giving his name and other names
2 that he was known by.

3 MR ANYAH: Then I withdraw the objection.

4 MR WERNER:

15:23:09 5 Q. So, Mr Witness, what is your date of birth?

6 A. I was born in 1967, 23 April.

7 Q. And where were you born?

8 A. I was born in Taiama in the Moyamba District, Kori
9 chiefdom.

15:23:37 10 Q. Are you able to spell Taiama?

11 A. Yes, sir, T-A-I-A-M-A.

12 MR WERNER: And the district, Moyamba, I think it is
13 already in evidence:

14 Q. What about the district, Mr Witness?

15:24:05 15 A. The district is Moyamba District.

16 Q. My mistake, my mistake. The chiefdom?

17 A. The chiefdom is Kori chiefdom.

18 Q. Are you able to spell it?

19 A. Yes, sir.

15:24:19 20 Q. Please do so, Mr Witness?

21 A. K-O-R-I, Kori.

22 Q. Mr Witness, what is your ethnicity?

23 A. I am Mende by tribe.

24 Q. And what is, Mr Witness, your education level?

15:24:48 25 A. Well, right now I am a graduate from an institution in Bo,
26 SAI DAC, an institution. I did a diploma in a Greek general.

27 Q. And before the war in Sierra Leone what was your education
28 level?

29 A. Well, before the war I was a college student at the Bunumbu

1 college. I was a final year student pursuing my teacher's
2 certificate, TC.

3 Q. And which year was that?

4 A. It was in 1988 up to 1990.

15:25:35 5 JUDGE LUSSICK: Mr Werner, what is this diploma he did in a
6 Greek general?

7 MR WERNER: Sorry?

8 JUDGE LUSSICK: He said, "I did a diploma in a Greek
9 general."

15:25:49 10 MR WERNER: I will get him to clarify that, your Honour:

11 Q. Mr Witness, it is recorded that you graduated from an
12 institution in Bo and then you did a diploma. Could you tell us
13 again what was your diploma, Mr Witness?

14 A. It was an ordinary national diploma.

15:26:20 15 JUDGE SEBUTINDE: In what field? What subject?

16 THE WITNESS: Agriculture general, extension worker.

17 MR WERNER:

18 Q. Now, Mr Witness, you said that you did that in Bunumbu
19 Teachers College, correct?

15:26:46 20 A. The diploma, no.

21 JUDGE SEBUTINDE: He gave an acronym, SAIDAC.

22 MR WERNER: I am going to clarify that, your Honour.

23 PRESIDING JUDGE: It is Bo.

24 MR WERNER:

15:26:59 25 Q. Where did you do your diploma, Mr Witness?

26 A. In Bo, at the second city in Sierra Leone, at one
27 institution called Southern Agro-Industrial --

28 THE INTERPRETER: Oh, your Honours, that was very fast for
29 me. Can he repeat it?

1 PRESIDING JUDGE: I am sorry, Mr Witness, but the
2 interpreter couldn't keep up with you. Please repeat the name of
3 the college a little more slowly.

4 THE WITNESS: The college or the institution where I did my
15:27:30 5 diploma?

6 PRESIDING JUDGE: The institution, you are quite right.

7 THE WITNESS: Southern Agro-Industrial Development
8 Associate Centre, (SAI DAC).

9 PRESIDING JUDGE: Thank you.

15:27:52 10 MR WERNER:

11 Q. Now, you said that you did that until 1990, correct?

12 A. This diploma?

13 Q. Yes.

14 A. No.

15:28:05 15 Q. So when did you finish your diploma?

16 A. Last year in March, that was when I sat to my final
17 examinations.

18 Q. Now, when you told us about your studies before the war did
19 you mention Bunumbu Teachers College?

15:28:28 20 A. Yes, sir.

21 Q. In which year did you complete your studies at Bunumbu
22 Teachers College?

23 A. Well, I did not complete it. I was in the final year when
24 the war started. I was a final year student.

15:28:48 25 Q. Now, Mr Witness, in which district is Bunumbu Teachers
26 College?

27 A. It is in Peje West. It is in the Kailahun District, Peje
28 West chiefdom. Kailahun District, Peje West chiefdom.

29 MR WERNER: Your Honours, Peje West would be P-E-J-E, one

1 word, and West W-E-S-T:

2 Q. Now, Mr Witness, in Kailahun District is there another
3 Bunumbu, Bunumbu Town?

4 A. Yes, sir.

15:29:31 5 Q. And in which chiefdom is the other Bunumbu in Kailahun
6 District?

7 A. It is in the Luawa chiefdom.

8 MR WERNER: Your Honours, Luawa would be L-U-A-W-A:

9 Q. So, Mr Witness, in 1990 where were you living?

15:30:00 10 A. I was in Bunumbu Teachers College.

11 Q. And to your knowledge, Mr Witness, what happened in Liberia
12 in 1990?

13 A. Well, we were in Bunumbu Teachers College.

14 PRESIDING JUDGE: Just pause, Mr Witness.

15:30:22 15 MR ANYAH: I suspect counsel meant Sierra Leone.

16 MR WERNER: I did not.

17 MR ANYAH: Okay.

18 PRESIDING JUDGE: Maybe repeat the question so the witness
19 can refresh his memory.

15:30:31 20 MR WERNER:

21 Q. To your knowledge, Mr Witness, what happened in Liberia in
22 1990?

23 A. Well, at the time that I was in Bunumbu we heard that a
24 rebel war had started in Liberia in 1990.

15:30:49 25 Q. And who was fighting in Liberia in 1990?

26 A. We heard over the radio that it was the NPFL that were
27 fighting in Liberia.

28 Q. Did you know at that time what NPFL stands for?

29 A. Yes, sir, because we heard it over the radio.

1 Q. What did it stand for?

2 A. We heard that it stood for the National Patriotic Front of
3 Liberia.

4 Q. And who, if anyone, was the boss of the NPFL at that time?

15:31:37 5 A. We heard that it was Charles Taylor.

6 Q. Now, you mentioned hearing something on the radio at that
7 time; which radio are you talking about when you said that?

8 A. It was the international radio, the BBC.

9 Q. And what can you remember hearing on the BBC in 1990 about
15:32:02 10 Charles Taylor and the war in Liberia?

11 A. Well, we heard that Charles Taylor and his rebels were
12 fighting in Liberia. Then at one time we heard over the radio
13 that he was saying that they were using Sierra Leone as an ECOMOG
14 base to launch attacks in Liberia, so Sierra Leone will face the
15:32:25 15 bitterness of war one day.

16 Q. And you said that "he was saying", who was saying?

17 A. He himself, Charles Taylor.

18 Q. And you said that "he was saying that they are using Sierra
19 Leone as an ECOMOG base". Who was using Sierra Leone as an
15:32:49 20 ECOMOG base?

21 A. The ECOMOG who were fighting against him in Liberia.

22 Q. Now, again, Mr Witness, when you heard this BBC programme
23 who did you know was Charles Taylor?

24 A. Well, we heard that he was the rebel leader for the NPFL
15:33:18 25 who entered into Liberia.

26 Q. And when you heard this programme on the radio how did you
27 know that it was Charles Taylor talking?

28 A. Well, he himself, when he was being interviewed, when Robin
29 White was interviewing him, we heard his name.

1 Q. And Robin White, who was Robin White?

2 A. Well, Robin White was a BBC reporter that we knew about.

3 Q. Thank you, Mr Witness. Now, I want to take you in 1991.

4 Do you remember the year 1991?

15:34:17 5 A. I can remember the year 1991.

6 Q. What, if anything, can you remember happening in 1991?

7 A. Well, in 1991 we were in Bunumbu at that time when we heard
8 about a rebel invasion in Sierra Leone by - through Bomaru, up
9 until the time the rebels entered into Sierra Leone through

15:34:48 10 Bomaru.

11 Q. Again, Mr Witness, what were you doing at that time when
12 you heard that in 1991?

13 A. At that time I was in Bunumbu. I have said that. I was in
14 Bunumbu. I was a college student at that time.

15:35:05 15 Q. And which months was that when you heard that?

16 A. It was in March. It was in the March months.

17 Q. And what, if anything, happened after that that you can
18 remember?

19 A. Well, after that March months up until May - because it was
15:35:28 20 in May that we saw the rebels when they entered in the Bunumbu
21 Teachers College. That was where they met us.

22 Q. And when you say the rebels, who are you talking about,
23 Mr Witness?

24 A. Well, the RUF rebels and some Liberian rebels. All of them
15:35:56 25 entered into Bunumbu, because I was there that morning when they
26 entered and met us there, then we ran away into the bush.

27 Q. And to your knowledge what does RUF stand for?

28 A. Revolutionary United Front.

29 Q. And you said that they entered with some Liberians. Who

1 were these Liberians?

2 A. They came from Liberia.

3 Q. And then what happened after you saw them coming to the
4 place where you were?

15:36:34 5 A. Well, when we ran away into the bush, later they went and
6 collected all of us from the bush and brought us to the town in
7 Bunumbu. They captured a lot of us. They brought us to Bunumbu
8 in the town.

9 Q. You said, "They captured a lot of us." Who captured a lot
15:36:53 10 of you?

11 A. The rebels. The rebels who entered Bunumbu.

12 Q. And what happened after that, Mr Witness?

13 A. Well, after we had been captured we were with them in
14 Bunumbu for about some time - for about a week or so. Then they
15:37:14 15 decided to send us to Pendembu. All of us young men and the
16 young women and some aged men, that we should go and train at the
17 training base to fight for our country.

18 Q. So first, Mr Witness, who sent you, you and other young
19 men, young women and other people, to the training base? Who
15:37:41 20 sent you there?

21 A. The rebels who entered Bunumbu, who captured us. They sent
22 us to the training base in Pendembu for us to go and train to
23 become commandos to fight for our country.

24 MR WERNER: Your Honour, I believe that Pendembu is already
15:38:00 25 in evidence:

26 Q. Now how many people about - are you able to give us an
27 estimate of how many people were sent with you at that time to
28 the training base in Pendembu?

29 A. Well, yes, at that time we were up to about a hundred or so

1 people who were sent. We were mixed. The young ones, the small
2 boys, women, men, the youths, adults. We were many up to about a
3 hundred or so, those of us who were captured and sent.

15:38:44 4 Q. And you talked about small ones. How old were the youngest
5 people sent to Bunumbu [sic] for training at that time?

6 A. Well, from their looks as I was looking at them they looked
7 like from nine years of age, the youngest whom I felt was among
8 us was about nine years of age.

15:39:14 9 Q. And the ones who was about nine years what was their
10 gender, Mr Witness?

11 A. There were males who were nine years, there were females
12 who were about 11 to 12 years, but they too were young anyway.

13 Q. Then what happened, Mr Witness, when you arrived in Bunumbu
14 training base - sorry, I should have asked you something before.
15:39:39 15 In which district is Bunumbu - is Pendembu, sorry. In which
16 district is Pendembu?

17 A. It's in the Kailahun District. That's where Pendembu is.

18 Q. So what, if anything, happened when you and the others
19 arrived in Pendembu?

15:40:02 20 A. Well, when we got there we met our companions at the base.
21 They had already opened the base. We met our companions training
22 at the base. They too were at the base and so we too went there,
23 but when we went we met categories of people at the base like the
24 boys, they were put in their own group, they called them the SBU.
15:40:23 25 The young girls or the young girls, they put them in a group and
26 they called them the WAC's. We the men who were there, we also
27 were put in our own group. That was how we were at the base when
28 we were training.

29 Q. Now first maybe just clarify that. You said, "We met our

1 companions training there." Who are you talking about?

2 A. Our Sierra Leoneans, our companions, those who were
3 captured around Pendembu and the surrounding villages in that
4 area.

15:40:58 5 Q. And when you first arrived there in the Pendembu training
6 base, how many people - how many of your companions were already
7 there?

8 A. Well, we met a lot of people there. I can't estimate.
9 There were many at the base, because we too when we went, we were
10 many.

15:41:18 11 Q. Now you said SBUs, the young were put in SBUs. What does
12 SBUs stand for, Mr Witness, if you know?

13 A. Well, since I went to the base when I knew about SBU, they
14 said they were the Small Boys Unit. Small Boys Unit.

15:41:45 15 Q. And then you talked about WAC's?

16 A. Yes.

17 Q. How would you spell that?

18 A. Well, they said W-A-C. That was how I saw them calling
19 them, W-A-C and they added the S at the end.

15:42:05 20 Q. And to your knowledge what does WAC's stand for?

21 A. Well, that was really - well, WAC's, the only meaning I
22 knew for that is that when they said WAC's it was meant for
23 women. I didn't know what that W, A or C meant.

24 Q. And at that time you went and there were these different

15:42:28 25 groups, how old were the females in the WAC's groups in Pendembu?

26 A. Well, they too were within the same age bracket. Some were
27 young, some were old, slightly old, some were youths. They were
28 mixed just within the same age bracket like those of us who went
29 together.

1 Q. And when you say some were young, how young were they?

2 A. Well, like from 18, 17, 17, 18. That's what I mean by
3 young, 17, 18 to 19.

4 Q. Now, Mr Witness, how long did you stay in Pendembu?

15:43:23 5 A. Well, I took - spent about three months at the training
6 base. About three months. That's when we graduated. That's
7 when we graduated.

8 Q. And what did you do during these three months?

9 A. At the training base?

15:43:45 10 Q. Yes.

11 A. We were undergoing a military training. They trained us
12 how to shoot a gun, how to manoeuvre, how to take cover,
13 concealment when you see your enemy. They taught us all those
14 tactics, how to attack a town.

15:44:20 15 Q. Mr Witness, just one more question about the SBUs. In
16 Pendembu you said there were different groups and one of those
17 groups was the SBU. How old were the boys trained in the SBU
18 unit in Pendembu?

19 A. Well, from the same age. From nine, ten. Nine, ten, 11,
15:44:53 20 12, 13. Yes, 13. From nine to 13. They fell within nine to 13,
21 those who were called SBUs, because they were small when you saw
22 them.

23 Q. Thank you. Now you said that you were undergoing military
24 training and you said, "They trained us how to shoot a gun, how
15:45:15 25 to manoeuvre." Who trained you?

26 A. The instructors whom we met at the base. There were people
27 at the base who were called instructors, training instructors.
28 They were the ones who trained us.

29 Q. And what, if anything, did you learn about these training

1 instructors in Pendembu at that time?

2 A. Well, like the training instructors whom we met there, like
3 the ones that we met at the base, they were speaking the Liberian
4 language to us. So we knew they were Liberians who were training
15:45:53 5 us at the base and that they were the instructors at the base.

6 Q. And how many Liberian instructors are we talking about at
7 that time in Pendembu?

8 A. Well, there were many. There were slightly many. About
9 eight or nine, something like that, but they were there.

15:46:15 10 Q. And what else, if anything, did you learn about them, about
11 the fact that they were Liberian?

12 A. Well, the training - the training was hard. They were
13 training - they were giving us hard training. That's what I
14 learnt from them.

15:46:40 15 JUDGE SEBUTINDE: Mr Werner, what is the Liberian language?

16 MR WERNER: Thank you, your Honour. I will clarify that:

17 Q. When you say, Mr Witness, they spoke with you in the
18 Liberian language, what did you mean? Which language are you
19 talking about?

15:46:57 20 A. Well, it was not Krio, because when a Krio man speaks you
21 will know that he is a Krio man, or a Sierra Leonean. Or when a
22 proper Englishman speaks you will know that an Englishman has
23 spoken. But in Liberian language when the person is speaking it
24 is mixed, it has slangs, it has English slangs and, you know,
15:47:17 25 things like that. Their own language was different from ours.

26 It was from that that I knew they were Liberians. Even their
27 names that they mentioned to us at the base, you knew that they
28 were Liberian names. We didn't have such names.

29 Q. And what about their accent, Mr Witness? Did you notice

1 anything about their accent, the way they were talking?

2 A. I do not understand what you mean by accent.

3 Q. Okay, so we will move on, Mr Witness. I think you answered
4 the question already. Now, Mr Witness, during your time in
15:47:58 5 Pendembu what, if anything, did you learn about where these
6 Liberians themselves were trained?

7 A. Well, all I knew about them was that they had come from
8 Liberia. They said that was where they had come from. That was
9 where they trained. That they had come to us, they were the
15:48:21 10 Special Forces. That's what they were calling them, Special
11 Forces. So those of us who went to train at the base, they
12 called us junior commandos because they said we were doing
13 training in our country, we were junior commandos. Those who
14 came, they called themselves Special Forces from Liberia.

15:48:38 15 Q. And what else, if anything, did you learn at that time in
16 Pendembu about the Special Forces apart from the fact that they
17 were coming from Liberia?

18 A. Well, even the way they passed commands on the base you
19 will understand that they were superiors. They were above. They
15:49:08 20 were above us, and we knew they were.

21 Q. And you said they were Special Forces. To which group, if
22 any, did they belong, the Special Forces?

23 A. They were NPFL just like I have said before. They said
24 they were Special Forces from the NPFL.

15:49:31 25 Q. Okay. Now can you remember the names of any of the Special
26 Forces instructors that you met in Pendembu?

27 A. Well, yes, like I recall CO Big Darling, one who was called
28 Big Darling. And there was another called CO Nyamator and there
29 was another with a nickname called CO After the War. So those

1 were the kind of names they had. There was also another called
2 Rebel Baby, CO Rebel Baby.

3 Q. Okay, Mr Witness, I will need some help for one of them.
4 You said Nyamator. Are you able to spell that for the Court?

15:50:32 5 A. To my own knowledge I think it is N-Y-A-M-A-T-O-R,
6 N-Y-A-M-A-T-O-R. Because some of their names were very queer to
7 be called.

8 Q. Now, when you were in Pendembu during that training, who,
9 if anyone, was in charge of the training?

15:51:11 10 A. Well, we used to see some other Liberian bosses come to the
11 base. There was another called Sam Tuah, CO Sam Tuah. He was so
12 frequent on our base. Sam Tuah and another who was called
13 General Dopoe and another called General Mustapha. Those were
14 the three of them who were very frequent on our own base. They
15:51:34 15 normally came and returned. They were the people that we saw
16 come there frequently.

17 Q. So my question was who was in charge and then you spoke
18 about these three individuals coming to the base. Are you saying
19 that these people were in charge of the base, or were they just
15:51:57 20 visiting the base?

21 A. Well, like in the case of Sam Tuah I want to believe he was
22 in charge of that training base in Bunumbu [sic]. That is CO Sam
23 Tuah. I think he was in charge really.

24 MR WERNER: Your Honours, Sam Tuah I believe was spelled
15:52:18 25 before. Dopoe, the same, and Mustapha will be the normal
26 spelling.

27 PRESIDING JUDGE: Just pause, Mr Werner.

28 MR ANYAH: Madam President, I notice from the LiveNote
29 transcript that the last response given by the witness speaks of

1 a training base in Bunumbu and I am wondering if it is the
2 interpretation, because so far we have been talking about a
3 training base in Pendembu.

4 PRESIDING JUDGE: Please clarify, Mr Werner.

15:52:48 5 MR WERNER: I am grateful for that clarification:

6 Q. Mr Witness, tell us again where was the training base
7 during these three months?

8 A. It was Pendembu.

9 Q. Had you had any training in Bunumbu at all at that time?

15:53:04 10 A. No, Bunumbu was a front line at that time.

11 Q. Thank you for that. So you told us that you believe that
12 Sam Tuah was in charge of the training base. Now, what was Sam
13 Tuah's nationality to your knowledge?

14 A. He was a Liberian.

15:53:32 15 Q. And to which group, if any, did he belong at that time, to
16 your knowledge?

17 A. Well, he was NPFL. NPFL.

18 Q. How did you know that?

19 A. It is because those who were on the training base with us,
15:53:53 20 at any time he came they saluted him and they referred to him as
21 "boss", the instructors who were training us.

22 Q. Now, you told us about someone else coming at that time:
23 Dopoe. Who was Dopoe?

24 A. Well, he was also one of the Liberian Special Forces who
15:54:18 25 used to come to the base. He used to visit the base.

26 Q. Do you know his last name?

27 A. No.

28 Q. Now, you mentioned as well an individual called Mustapha.
29 Who was Mustapha?

1 A. Well, the Mustapha was also a Liberian Special Forces, but
2 we understood even from his tongue, the way he was speaking, that
3 he was a Gambian. He was not actually a Liberian, because his
4 own tongue was different. The language he spoke was different.

15:54:59 5 Even the instructors who were there with us made us to understand
6 that General Mustapha was a Gambian.

7 Q. So you told us about Special Forces and then you mentioned
8 another group, you said junior commandos. Who were the junior
9 commandos?

15:55:25 10 A. Well, like for those of us who were captured in Sierra
11 Leone, whom they trained in Sierra Leone, we were those referred
12 to as junior commandos.

13 Q. So you were a junior commando then?

14 A. Yes, sir.

15:55:44 15 Q. Now, you told us about junior commandos and Special Forces.
16 If any, which other group were you aware of at that time during
17 your training?

18 A. Well, we heard about vanguards also. We heard about
19 vanguards.

15:56:04 20 Q. What did you hear about the vanguards?

21 A. Well, the vanguards, the way we heard about them was that
22 they were people who were trained in Liberia before they entered
23 Sierra Leone, so they said they were the vanguards for the RUF
24 war. That was what they told us and that was what I understood
15:56:28 25 from them.

26 Q. And who told you that?

27 A. Like, for instance, some of the vanguards who came. Like,
28 for instance, the time we graduated from the base when I was
29 attached to somebody where I went to work, I met a vanguard there

1 and he was the commander and he himself told me that he was one
2 of the vanguards that entered.

3 Q. And who was the vanguard who told you that? What was his
4 name?

15:57:02 5 A. The one I first started job with was Morris Kallon. He was
6 Morris Kallon.

7 Q. And is it Morris Kallon you are talking about that was a
8 vanguard? Is that correct?

9 A. Yes, sir.

15:57:18 10 Q. Now, which nationalities were the vanguards, to your
11 knowledge?

12 A. Well, some vanguards were Sierra Leoneans and some other
13 vanguards were Liberians.

14 Q. So when you were in this training in Pendembu, if any,
15:57:41 15 which vanguard did you know at that time?

16 A. Well, since the time I was on the base in Pendembu I did
17 not actually have much idea about vanguard that was present
18 there, until the time we graduated.

19 Q. And when you graduated then, what did you learn, if
15:58:14 20 anything, about Sierra Leonean vanguards?

21 A. Well, just like I said, after all they sent me back to
22 Bunumbu where I was captured and even when we were on the base,
23 closer to our graduation they will ask us where we want to go
24 because they will say that the areas where we were captured, we
15:58:39 25 knew the terrain better and so they will decide to send us to
26 those areas and the area I was sent to, Morris Kallon was there
27 as commander and some other fighters. So I went there, I was
28 fighting together with him and I met some other vanguards there
29 with him too.

1 Q. And which vanguards did you meet then?

2 A. Well, at that time I met Morris Kallon there as the
3 commander and then - anyway, there were some other vanguards, but
4 I cannot actually recall their names now, those who were there
15:59:24 5 with us, because I was working directly with Morris Kallon and
6 that was target C, Bunumbu. That was where I was.

7 Q. We will talk about that, Mr Witness. Now, you told us that
8 the vanguards were from the RUF and you told --

9 PRESIDING JUDGE: [Microphone not activated].

10 MR WERNER: I believe he did. Yes, I will clarify:

11 Q. Mr Witness, you told us that you were abducted by the RUF
12 and then you were sent to the training base and then you told us
13 about a number of Special Forces coming to visit and you told us
14 that you believed Sam Tuah, who was Special Forces, was in charge
16:00:21 15 of the training. Now, at the time of your training in Pendembu,
16 to your knowledge who, if anyone, was in charge of the RUF?

17 A. It was Foday Sankoh.

18 Q. And at the time of your training, how did you know that?

19 A. That it was Foday Sankoh who was in charge of the RUF?

16:00:49 20 Q. Yes?

21 A. Well, at the time we were being trained there were some
22 songs that the instructors taught us to sing. They were praising
23 Foday Sankoh and they were saying Foday Sankoh is our President
24 in Sierra Leone. So from that point we knew that he was the RUF
16:01:11 25 leader at that time.

26 Q. Did you ever see Foday Sankoh yourself, Mr Witness?

27 A. Whilst I was in training at the base?

28 Q. At any time.

29 A. Yes.

1 Q. When was the first time that you saw Foday Sankoh?

2 A. Well, my first time seeing Foday Sankoh was when I had
3 graduated and when I was sent to Bunumbu to work with Morris
4 Kallon. At a point in time I travelled with Morris Kallon from
16:01:53 5 Bunumbu and then he had a talk with Foday Sankoh where Foday
6 Sankoh was based. They referred to the place as the Mansion
7 Ground and that was where I saw him and that was the first time I
8 knew him.

9 Q. We will come back to that, Mr Witness. Now, just one
16:02:10 10 question to clarify: You said that on the training base you were
11 singing his name, what were you singing on the training base
12 exactly?

13 A. Well, there was another song that they taught us in which
14 they told us they referred to him as Lion. They will say, "Lion,
16:02:38 15 hey, Lion, hey", and when we asked them they said it was Foday
16 Sankoh who was referred to as a lion, that he was the lion of the
17 revolution that they entered with, and in that song also I
18 remembered.

19 Q. And when you said that "they told us they refer to him as
16:02:59 20 Lion", who told you that?

21 A. The instructors who were on the base.

22 Q. Now, Mr Witness, so you explained to us a little bit about
23 your training. What else, if anything, can you remember
24 happening during your training, during this month in Pendembu?

16:03:39 25 A. Well, like during the training - actually when we were
26 captured at Bunumbu and when they took us to the training base
27 and whilst we are training, some of my friends and I actually
28 decided to escape because the type of training that we were
29 undergoing and when they told us that we were going to fight a

1 war, we found it very difficult and moreover I was a college
2 student at that time and I was thinking about completing my
3 course, but whilst we were planning, at a point in time on the
4 base two recruits amongst us, because we were all recruits at
16:04:20 5 that time, they decided to escape. They attempted it. They
6 almost escaped, but they were caught and when they caught them in
7 the bush they brought them back to the base. They were stripped
8 naked and they tied their hands on their backs. They referred to
9 that action as tiebay [phon]. They were seriously beaten and
16:04:40 10 brought back to the base. So when they arrived on the base they
11 called for a formation and when they called for a formation all
12 of us would come and then we will assemble and stand in
13 categories: The SBUs would be in their own category, the men and
14 the women. So they brought the two of them in front of us. So
16:04:59 15 we thought it was an unfortunate situation for us and that was
16 the time CO Sam Tuah came. CO Sam Tuah came.

17 Q. Sorry to interrupt you, but just pause there one second.
18 You said that some of you tried to escape and then two people
19 were caught and you said "they" caught them. Who caught these
16:05:25 20 people trying to escape?

21 A. Whilst we were on the base they had base securities. The
22 instructors were there and they had the base securities who
23 looked after us, those of us the recruits. They were there to
24 ensure that no recruits escaped from the base, so I think those
16:05:46 25 securities saw them trying to escape and they caught them and
26 then they brought them back to the instructors and they handed
27 them over. So where we were, those of us the recruits, where we
28 were kept, they referred to the place as the billet. So whilst
29 we were in the billet we heard them calling for formation,

1 formation, formation. So all of us ran to the assembly ground,
2 because as a recruit when you heard that you should run to the
3 assembly ground. When we got there they brought them in front of
4 us and they were tied. They had beaten them up seriously.

16:06:17 5 Then CO Sam Tuah came and when he came they explained the
6 situation to him and then they told him that these men were
7 trying to escape. So right in our presence at that time we were
8 there standing and CO Sam Tuah turned to us and told us and he
9 said, "Now I am going to set an example for all of us standing
16:06:35 10 here that anyone amongst you who attempts - and now we are here,
11 we are trying to train you guys to fight for your country and you
12 are trying to escape, so now I will set an example and if anybody
13 attempts like these guys have done we will do the same thing to
14 you."

16:06:56 15 And right in my presence that was my first time that I saw
16 that kind of thing happen in my presence, the killing of a human
17 being in our presence. CO Sam Tuah took out his pistol and shot
18 the two men, the two guys in our presence and both of them went
19 down to the ground. And he turned to us, he started pointing
16:07:13 20 fingers at us that, "If anybody attempts escaping like these
21 people did I will do the same thing to you."

22 So right from that moment I was so panicked on that base,
23 because we had been thinking about escaping from the base then
24 this kind of thing happened in our presence. So that was one of
16:07:32 25 the things that happened in my presence on that base that created
26 so much panic in me over the whole training that was going on in
27 Pendembu.

28 So he turned towards some of the recruits and asked them to
29 drag the guys to the other side and then the two of them, they

1 dragged them to a nearby bush. I can't tell whether they were
2 buried now or they only threw them into the bush and came back.
3 So that was one of the things that happened in my presence at the
4 base.

16:08:04 5 Q. Mr Witness, before you said that you believed the
6 securities working for the trainers caught these people. To
7 which group, if any, did these securities belong that went after
8 these people trying to escape?

9 A. Well, when we went to the base we met them there. We met
16:08:34 10 them there and they were all working together with the
11 instructors. They were all working together with the
12 instructors. We met them there and I want to believe they were
13 those same NPFL fighters who had come.

14 Q. Now you mentioned at one point a tiebay. Could you explain
16:08:52 15 more what you meant when you said that?

16 A. Well, that was the word that they used. When they captured
17 somebody for such a thing they would put your two arms on your
18 back and then they will use nylons to tie your hands on your
19 back. They will tie you up a kind of way that you will even find
16:09:20 20 it very difficult to breathe. So that was how they referred to
21 the action, tiebay.

22 Q. Again, just forsake of clarity who referred to that action
23 as tiebay?

24 A. The instructors who were on the base.

16:09:37 25 Q. Okay. Now, Mr Witness --

26 PRESIDING JUDGE: I should maybe record that the witness
27 demonstrated his hands to the front and straining the muscles of
28 the shoulders and arms as he gave the explanation.

29 MR WERNER: Thank you:

1 Q. Now to your knowledge, Mr Witness, at the time you were
2 being trained in Pendembu how many training bases, if any, were
3 in the RUF at that time?

4 A. Well, at that time the base was in Pendembu and they were
16:10:19 5 even trying to establish another base in Kailahun because of the
6 escapist issues and Pendembu was very close to the front. So
7 they decided that because we were almost the last people who were
8 trained on that base in Pendembu they decided to take the base
9 now to Kailahun so that they will prevent people from escaping.
16:10:39 10 So that was where the next base was established.

11 Q. And when you say Kailahun what are you talking about?
12 About the district, or about the town?

13 A. Kailahun Town itself. There was a secondary school there
14 called Methodist Secondary School and it was on that campus that
16:10:58 15 the training base was established.

16 Q. Now you told us about your training in Pendembu and then
17 you told us about the fact that SBUs were being trained in
18 Pendembu as well. Which kind of training did the SBU undertake
19 in Pendembu?

16:11:20 20 A. Well, they also underwent similar training, but theirs were
21 not as difficult as those of us who were adults. They were
22 there. They also taught them how to shoot. They trained them so
23 many other skills like us, but theirs were not as tedious as
24 ours.

16:11:41 25 Q. Now you told us that you graduated from the base. When you
26 graduated were you the only one to graduate at that time?

27 A. No, sir.

28 Q. How many of you graduated at the same time?

29 A. Well, I can't give you an exact figure, but we are many.

1 We were many, because after our graduation there were front lines
2 like Baiima and Qui va and then Bunumbu. So those of us who came
3 from the Bunumbu area, we were sent there. Those who came from
4 the Baiima and Qui va areas, they were sent there respectively.

16:12:21 5 That was how we were sent.

6 MR WERNER: I am just checking if we have those spellings.
7 Okay, we believe that the town is correctly spelt in the
8 LiveNote:

9 Q. Now, Mr Witness, what happened to you after the graduation?

16:13:02 10 A. Well, they sent me to the Bunumbu target, and we refer to
11 there as target C, to be there as a fighter.

12 Q. And again you told us at the beginning of your evidence
13 that there were actually two Bunumbu in Kailahun District, so
14 which Bunumbu are you referring to?

16:13:25 15 A. Bunumbu Teachers College in the Peje West chiefdom.

16 Q. Thank you. And to whom, if anyone, did you report when you
17 were there?

18 A. I reported to Morris Kallon.

19 Q. And then you said target C. Can you explain why was
16:13:52 20 Bunumbu called target C at that time?

21 A. Well, at that time I believe that it was one of the
22 deployment areas. Because like the Qui va area was referred to as
23 target A, and Baiima which faced Daru barracks was called target
24 B, and Bunumbu which was where Bunumbu Teachers College was and
16:14:21 25 it was on the main Kono Highway going towards Kono, it was called
26 target C. So those were the codes that they used to refer to the
27 targets.

28 Q. Now you said that you were a fighter in target C under
29 Morris Kallon in Bunumbu, Bunumbu Teachers College. Were you the

1 only fighter at that time in target C?

2 A. No, sir. When we went we met people there. People were
3 already there before we went there. Some other fighters were
4 there already.

16:14:58 5 Q. Who were the fighters already in Bunumbu, target C, when
6 you went there?

7 A. Well, for those of us the junior commandos who went there,
8 and when we went there we met some Liberian fighters who were
9 there together with Morris Kallon. We were all there. We were
16:15:19 10 all a mixed set of people. We met them there, but we were there
11 with them.

12 Q. You said that some of them were working with Morris Kallon
13 and were Liberian. Which group, if any, did they belong to,
14 these Liberians?

16:15:40 15 A. They were NPFL.

16 Q. How did you know that?

17 A. It was because those men always created a line of
18 difference between us. Those of us who were trained in Sierra
19 Leone, they said we were junior commandos. And those of them who
16:16:01 20 came from Liberia and they were Liberians, they said they were
21 NPFL forces. So that was how they categorised us.

22 Q. And when you said that they always created a line of
23 difference, what do you mean? How did they create a line of
24 difference between you, between the different groups?

16:16:27 25 A. Because they said they came and trained us, so they were
26 the bosses, and they said we were the juniors for them.

27 Q. How about the vanguards that you talked about? How were
28 they considered?

29 A. Well, they and the vanguards were actually working hand in

1 gloves, but there were times that they had misunderstandings too.

2 Q. When you say they and the vanguards, who are you referring
3 to? Who is "they"?

4 A. NPFL, the Liberian fighters.

16:17:08 5 Q. Now what else, if anything, did you do when you were in
6 Bunumbu Teachers College, target C, with Morris Kallon?

7 A. Well, when we went there and whilst we were there we were
8 working there, but amongst us most of our men who were there with
9 us were not actually educated. So there were times - there was a
10 time that an issue of administration came up and then they asked
11 me that I took up a pen and start writing. And since then Morris
12 Kallon picked me up and he asked me to serve as his adjutant. He
13 said I will now stay with him and I will serve as his adjutant.

16:17:40 14 So since then I was now assisting the target C area acting as
15 adjutant to Morris Kallon.

16 Q. Now at that time in the target C in Bunumbu how many
17 adjutants were working for Morris Kallon?

18 A. Well, I did not know about all those things, because at
19 that time it was not something permanent. The adjutant or clerk
20 to Morris Kallon was not actually permanent. But since I started
21 working with him I want to say I was in fact the only person who
22 served permanently with him. So at any time now an
23 administrative business came to his camp he will call on me.

16:18:33 24 Although I met some other clerks or some other people who were
25 writing for him, but they were not actually educated. They were
26 not versed.

27 Q. And when you said that they gave you a pen and you started
28 to write, in which language did you start to write?

29 A. English language.

1 Q. And when you said that you started to work for Morris
2 Kallon as an adjutant and writing things, in which language did
3 you used to write things for Morris Kallon?

4 A. In English language.

16:19:28 5 Q. And you said that some of the people actually were not
6 educated. Who were you referring to when you said some of the
7 people were not educated?

8 A. Like for instance my colleague junior commandos with whom I
9 graduated from the base, some of them - some of them used to
16:20:04 10 write actually but they would not correctly spell the words and
11 they would not put them into good sentences in fact.

12 Q. And what about the commanders? What did you know about the
13 literacy level of the commanders, if anything, in the RUF at that
14 time?

16:20:29 15 A. Well, like in the case of Morris Kallon he could read, but
16 I cannot say he was actually better educated, but if someone
17 writes and then you read it out to him, he will be able to
18 understand it and sometimes if you give it to him he could read
19 the ones he could understand, but there were commanders who were
16:20:50 20 not actually educated.

21 Q. Can you think of any names of RUF commanders that you knew
22 at that time who were not actually educated?

23 A. Well, for instance, Morris Kallon because he was the person
24 that I actually directly worked with in the C target. I was
16:21:20 25 working directly with him in that target. I can recall him,
26 because, for instance, in the case of the other Liberian fighters
27 I used to scare them [sic], because I in fact never used to go
28 close to them. I did not know much about them. But they were
29 not actually involved in administrative jobs.

1 Q. Now, in the course of --

2 PRESIDING JUDGE: I am a little unclear on that, Mr Werner.
3 Sorry to interrupt. He said "I used to scare them" and "I never
4 used to go close to them."

16:21:52 5 MR WERNER:

6 Q. What did you mean, Mr Witness, when you said that you used
7 to scare the Liberians who were there and then you said that you
8 never went close to them, so how did you scare them?

9 A. Well, with the past experience I had from the training
16:22:14 10 base, when those two recruits were killed in my presence, I had
11 the feeling in mind that they were people that somebody will not
12 joke with to that extent, because they were quick to kill
13 somebody. So I had that feeling in me. I feared them. That was
14 why I said so.

16:22:34 15 PRESIDING JUDGE: I think, Mr Interpreter, you got that
16 wrong. It was the witness who was scared of them, not the other
17 way round.

18 THE INTERPRETER: Sorry, your Honours. It came clear to me
19 later.

16:22:47 20 MR WERNER:

21 Q. Now, Mr Witness, can you explain to us a little bit more
22 what you did for Morris Kallon in the course of your duties as a
23 clerk or adjutant? What did you do there in Bunumbu?

24 JUDGE SEBUTINDE: Did he say he was a clerk? He used the
16:23:09 25 word "clerk"?

26 PRESIDING JUDGE: Yes.

27 MR WERNER: Sorry, I will rephrase:

28 Q. As an adjutant?

29 A. Well, at times when he received calls, like for instance he

1 used to receive calls from Pendembu, at one time I recall when
2 Foday Sankoh came to Pendembu he called him and when he called
3 him he asked me to go with him to Pendembu. So at that time we
4 used to walk to go from Bunumbu to Pendembu, then we crossed the
16:23:42 5 Moa River and went there. I went with him. When we went there
6 we met Foday Sankoh on the Mansion Ground. That was the first
7 time I went and saw him. So all the details of the discussion he
8 had with Foday Sankoh, he called me and asked me to write them on
9 papers. So those were some of the things I did together with
16:24:00 10 him. I used to go out with him and return.

11 Q. What kind of document, if any, did you see when you were an
12 adjutant at that time working for Morris Kallon?

13 A. Well, at one point in time Foday Sankoh invited him to go
14 to Pendembu for briefing and he sent a letter to him. I even
16:24:29 15 read the letter out to him. He gave him directives that he was
16 writing the letter to report to him at Pendembu, with immediate
17 effect, for briefing and then he asked me, he said, "Adjutants go
18 with me", and then I went with him.

19 Q. You mentioned before that you went with Morris Kallon to
16:24:53 20 see Foday Sankoh. Is it the same event you are talking about?

21 A. Yes, sir.

22 JUDGE SEBUTINDE: Mr Werner, there are so many "him"s and
23 "he"s in there.

24 MR WERNER: Yes, I will clarify, your Honours:

16:25:08 25 Q. You said, Mr Witness, that at one point in time Foday
26 Sankoh invited "him" to go to Pendembu for briefing, so who is
27 "him"?

28 A. It is Morris Kallon, the commander with whom I was working
29 in Bunumbu.

1 Q. And then you said that "he sent a letter to him". Again,
2 who is the "him"?

3 A. I did not get you clear.

4 Q. You said that Foday Sankoh invited him, now you said that
16:25:52 5 it is Morris Kallon, to go to Pendembu for briefing and "he sent
6 a letter to him". Who sent a letter to whom?

7 A. It was Foday Sankoh who sent the letter to Morris Kallon at
8 Bunumbu, that he wanted to see him in Pendembu for briefing and
9 he asked me to go with him. Then we went to Pendembu.

16:26:16 10 Q. And who asked you to go with him?

11 A. Morris Kallon.

12 Q. Then you said that you even read the letter out to him. To
13 whom did you read the letter?

14 A. To him, Morris Kallon.

16:26:33 15 Q. And then you said that "he gave him directives", so who
16 gave directives to whom?

17 A. It was Foday Sankoh in the letter he wrote to Morris
18 Kallon. The subject was directive. He gave the directive to
19 Morris Kallon to report to him at Pendembu for briefing and he,
16:26:55 20 Morris Kallon, asked me to go with him to Pendembu and then we
21 went.

22 Q. To your knowledge, why did Foday Sankoh use the word
23 "directive" at that time?

24 MR ANYAH: Objection.

16:27:13 25 PRESIDING JUDGE: Yes, Mr Anyah?

26 MR ANYAH: The question involves facts not on the record.
27 Foday Sankoh is not said to have used the word "directive". The
28 witness is using "directive" generically to refer to the fact
29 that the letter contained instructions to Kallon to report to

1 Pendembu.

2 MR WERNER: I can clarify.

3 PRESIDING JUDGE: I thought the witness did use the word
4 "directive", but, Mr Werner, to report. I recollect that, but
16:27:41 5 Mr Werner is going to clarify. I will not interrupt the
6 examination-in-chief.

7 MR WERNER:

8 Q. Can you clarify that, Mr Witness? How was the word
9 "directive" used?

16:27:59 10 A. Well, when the letter came - when Foday Sankoh sent the
11 letter and when Morris Kallon received the letter, he called me,
12 the adjutant. He gave the letter to me to read it out to him.
13 He said the Pa had sent this letter. He said the Lion sent this
14 letter and that was how he used his name. After Foday Sankoh he
16:28:20 15 said the Lion. When I opened the letter I saw on the top of it
16 "Revolutionary United Front, Sierra Leone" and I saw "from CIC in
17 charge" and I saw subject - he wrote against it "directive" and
18 he dated it. I read the body of the letter out to him, that he
19 was to report to him in Pendembu for briefing.

16:28:44 20 Q. When you said - and the word "directive" I think is not on
21 the transcript, but you said, "He wrote against it 'directive'
22 and he dated it." Who are you talking about?

23 A. Foday Sankoh.

24 Q. So are you talking about the letter that you saw at that
16:29:05 25 time?

26 A. Yes, sir.

27 PRESIDING JUDGE: Yes, Mr Werner, we have just been alerted
28 to the fact --

29 MR WERNER: Just one more question.

1 PRESIDING JUDGE: Very well, but we are almost up to our
2 time limit. No, no, put the question. We have one minute I
3 think.

4 MR WERNER:

16:29:24 5 Q. Mr Witness, to your knowledge what did "directive" mean?

6 A. Well, what I understood from that letter was that directive
7 was a very strong command, or order, that came from the high
8 command that you shall go by. That was what I understood from it
9 later.

16:29:45 10 MR WERNER: Thank you, Mr Witness.

11 PRESIDING JUDGE: Mr Witness, it is now the normal time for
12 us to adjourn for the day. We will be starting court again
13 tomorrow at 9.30. I must advise you that now that you have taken
14 the oath you must not discuss your evidence with any other person
15 until all your evidence is finished. You understand what I say?

16:30:03 16 THE WITNESS: Yes, ma'am.

17 PRESIDING JUDGE: Please adjourn court until 9.30 tomorrow.

18 [Whereupon the hearing adjourned at 4.30 p.m.

19 to be reconvened on Wednesday, 4 June 2008 at

16:30:30 20 9.30 a.m.]

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I N D E X

WITNESSES FOR THE PROSECUTION:

SAMUEL KARGBO	10761
CROSS-EXAMINATION BY MR MUNYARD	10761
RE-EXAMINATION BY MR KOUMJIAN	10851
QUESTIONS BY THE BENCH	10851
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EXHIBITS:

Exhibit P-131 admitted	10856
Exhibit P-132 admitted	10856
Exhibit P-133A admitted	10857
Exhibit P-133B admitted	10857
Exhibit P-134A admitted	10858
Exhibit P-134B admitted	10858
Exhibit D-50 admitted	10859