



Case No. SCSL-2003-01-T

THE PROSECUTOR OF
THE SPECIAL COURT
V.
CHARLES GHANKAY TAYLOR

WEDNESDAY, 11 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
Ms Carolyn Buff

For the Registry:

Ms Rachel Irura

For the Prosecution:

Mr Nicholas Koumjian
Mr Christopher Santora
Ms Kirsten Keith

**For the accused Charles Ghankay
Taylor:**

Mr Terry Munyard
Mr Morris Anyah

1 Wednesday, 11 June 2008

2 [The accused present]

3 [Open session]

4 [Upon commencing at 9.30 a.m.]

09:29:34 5 PRESIDING JUDGE: Good morning. I think appearances are as
6 before, Mr Koumjian?

7 MR KOUMJIAN: No, your Honour, there is a change.

8 Appearing for the Prosecution today: Christopher Santora,

9 Kirsten Keith and myself, Nicholas Koumjian.

09:29:53 10 PRESIDING JUDGE: Thank you, Mr Koumjian. Yes, Mr Munyard.

11 MR MUNYARD: Good morning, Madam President, counsel
12 opposite. This morning there is no change on the Defence bench;
13 myself Terry Munyard, Morris Anyah and Shannon Torrens.

14 PRESIDING JUDGE: Thank you, Mr Munyard. If there are no
09:30:16 15 other matters I will remind the witness of his oath. Mr Witness,
16 I again remind you that you have taken the oath to tell the
17 truth, the oath is binding on you still and you must answer
18 questions truthfully. You understand?

19 THE WITNESS: Yes, my Lord.

09:30:32 20 WITNESS: TF1-539 [On former oath]

21 PRESIDING JUDGE: Please proceed.

22 MR KOUMJIAN: Your Honour, before I proceed just to inform
23 the Court about the Court's order which was issued yesterday
24 regarding the photograph, we did pass that order to the Freetown
09:30:48 25 investigation section of the OTP and to the evidence section.

26 The evidence section reported that they searched again and did
27 not find the photograph. The investigation section did talk to
28 Mr Cunningham, the investigator who said that he had scanned and
29 returned the photograph to the witness, but he does not have the

1 photograph.

2 PRESIDING JUDGE: Mr Munyard, you had raised this issue in
3 the light of the witness's remarks. You have heard the response
4 from the Prosecution. Is there anything further you wish to say
09:31:35 5 on this subject?

6 MR MUNYARD: I don't think there is anything I can add to
7 the astonishment that I expressed yesterday that any investigator
8 could possibly have handed back an exhibit of this significance
9 to the person who produced it. I would hope that in the future
09:31:59 10 at any rate the vast army of investigators that the Prosecution
11 appear to have down in Freetown, from my observations in April,
12 are instructed to retain original exhibits.

13 PRESIDING JUDGE: Thank you. It is the normal practice.
14 However, Mr Koumjian, you have heard the remarks. There is
09:32:25 15 nothing more I think that can be added to what has been said so
16 we will proceed with the witness's evidence, Mr Koumjian.

17 EXAMINATION-IN-CHIEF BY MR KOUMJIAN: [Cont.]

18 Q. Good morning, sir. When we left off we had come to the
19 point where your plane had landed in Burkina Faso. After the
09:32:44 20 plane landed, can you tell us where you went?

21 A. Yes, my Lord.

22 THE INTERPRETER: Your Honours, can the witness kindly
23 speak up.

24 PRESIDING JUDGE: Mr Witness, the interpreter needs to hear
09:33:00 25 you clearly. Please speak a little bit louder and maybe come a
26 little closer to the microphones.

27 THE WITNESS: Yes.

28 MR KOUMJIAN:

29 Q. Sir, if you could push your seat a little bit closer it

1 also helps with the voice distortion.

2 A. After we landed, as I said, two vehicles came and one of
3 them there was a general who was introduced to us by General
4 Ibrahim as his boss who was called General Samba. It was just in
09:33:46 5 Ouagadougou, not far from the airport, and he took us to a
6 residence whom - which he said belonged to the Liberian
7 ambassador. That was where we went, because on that very day
8 Eddie Kanneh and Sam Bockarie left us because they had another
9 trip that they were to make. According to Eddie Kanneh he said
09:34:12 10 they were supposed to go to France, he and Sam Bockarie, so they
11 left us there at this residence that I am telling you about. It
12 was not a hotel. It was a house. Most of the guys who prepared
13 food for us at the residence were speaking Liberian languages.
14 So, that was where we were lodged in Ouagadougou.

09:34:44 15 Q. Just to remind us you said Eddie Kanneh and Sam Bockarie
16 did not go to the house with you, so can you tell us which
17 members of the delegation went to the house?

18 A. General Ibrahim, Colonel Razak, Pa Cisse Musa and I,
19 together with the other people who came to receive us. We were
09:35:14 20 the ones who went to the house.

21 Q. How many nights, if you recall, approximately did you spend
22 at that house?

23 A. We spent three nights at the house and on the fourth Eddie
24 Kanneh and Sam Bockarie came. Then we went to the store, that
09:35:48 25 too was not far from the house, and I tried to identify some of
26 the arms that I had knowledge about. As I told the Court General
27 Ibrahim himself had vast knowledge on some of the weapons, so
28 together with his contribution we were able to indicate some of
29 the weapons that we could get for us to bring and use on that

1 Panhard and the 40 barrel.

2 Q. Sir, I have a few questions about the answer you just gave,
3 so please concentrate on just these questions. First you said,
4 "Eddie Kanneh and Sam Bockarie came. Then we went to the store."

09:36:51 5 When you say "the store", what do you mean?

6 A. It was a place that had big doors that rolled up. Those
7 were the stores that we were taken, including the two other
8 personnel whom I said were in Burkinabe army uniform. They were
9 the ones we went with to the store. These were big stores. They
10 were not small stores.

09:37:36

11 Q. Was the place you call --

12 A. Where the arms were.

13 Q. Was this place that you have called the store, could you
14 tell if that was a civilian location or a military location?

09:37:56

15 A. It was not a civilian location. It was a military
16 location. The store belonged to the Burkinabe armed forces. It
17 was not a civilian location. Civilians would not just get access
18 to that place, because it had gates and it was well secured with
19 securities around with guns. That was where we drove to.

09:38:29

20 Q. How long did it take you to drive from where you were
21 staying to the place where the weapons were, approximately?

22 A. It did not take even an hour. They were just short
23 distances. They were all in the city.

24 Q. You said, "We went to the store." Can you tell us now who
25 you remember being with you when you went to the place where the
26 weapons were?

09:38:57

27 A. I can recall Sam Bockarie, Eddie Kanneh, myself, General
28 Ibrahim and Colonel Isaac - Colonel Razak and those two Burkinabe
29 military officers. I didn't know their names. We went to the

1 store while Pa Cisse Musa and General Ibrahim's boss --

2 THE INTERPRETER: Your Honours, the witness has called a
3 name that I would like him to repeat.

4 PRESIDING JUDGE: Pause, Mr Witness, please. The
09:39:47 5 interpreter has not heard a name that you pronounced. Go back
6 please to where you said, "We went to the store with Pa Cisse
7 Musa, General Ibrahim's boss ..." Continue from there and
8 pronounce the names.

9 THE WITNESS: Yes, myself, Eddie Kanneh, Sam Bockarie,
09:40:11 10 General Ibrahim, Colonel Razak and the two Burkinabe military
11 personnel whom I did not know by name. We went to the store and
12 we were able to identify some of the arms that we needed. As
13 I said General Ibrahim himself had vast experience in arms, so
14 with his contribution we were able to identify some of the arms
09:40:53 15 that we would make use of during - sorry, on the Panhard and the
16 40 barrel and some RPG7 and some 7.62 millimetres; both NATO and
17 Warsaw type of ammunition.

18 Q. Sir, in your answer when I first asked you to name the
19 people that went with you the transcript has you saying, "Sam
09:41:32 20 Bockarie, Eddie Kanneh, myself, General Ibrahim and Colonel Isaac
21 - Colonel Razak." Are those two people, or was there a Colonel
22 Isaac?

23 A. No, Colonel Razak. Razak.

24 Q. Thank you.

09:41:51 25 JUDGE LUSSICK: Mr Koumjian, in that same answer the
26 witness mentioned General Ibrahim's boss. He hasn't taken that
27 any further. I am just curious to know who General Ibrahim's
28 boss was.

29 MR KOUMJIAN:

1 Q. Can you explain, sir, when you say again today General
2 Ibrahim's boss, who are you speaking of?

3 A. I am referring to General Samba. He and Papay Cisse Musa
4 stayed at the residence where we were lodged in Ouagadougou.

09:42:31 5 Q. This General Samba that you talked about, what was his
6 nationality?

7 A. He was a Gambian. I had told the Court that when General
8 Ibrahim told me about him, he told me that he was the man who
9 invaded the Gambia during the '80s under Dauda Jawara's regime.

09:43:00 10 He said he was a personal friend to Papay Sankoh. He was at his
11 house in Ivory Coast.

12 MR KOUJIAN: Anything further, your Honours? No:

13 Q. Sir, can you describe as best you can approximately the
14 dimensions - well, let me just ask you can you describe what this
09:43:28 15 place looked like that you called the store inside? What did it
16 look like?

17 A. It was a warehouse - a very big warehouse - that even
18 vehicles could park in it. It was a very big warehouse;
19 warehouses like those you can see at the airports that even
09:43:58 20 aeroplanes can park in. That was how it looked like. It was
21 divided by apartment. It was a very big warehouse, not a small
22 one. A big store. As I told you, it had gates manned by
23 securities with weapons and sand bags around.

24 Q. You had told us a few moments ago that, "General Ibrahim
09:44:37 25 himself had vast experience, so that with his contribution we
26 were able to identify some of the arms." Can you explain again
27 in a bit of detail what happened when you and General Ibrahim
28 were identifying arms?

29 A. We were able to identify them and the people who came

1 around who loaded some of the arms - who started loading some of
2 the arms - were military personnel from Burkina Faso. They came
3 and started loading and when they started loading it, the first
4 five trucks that they loaded and the consignment started leaving,
09:45:40 5 that was when myself, Sam Bockarie, Eddie Kanneh, General
6 Ibrahim, Colonel Razak, we drove back to the house where we were
7 and to get prepared because the plane which took us to the place
8 was still parked. It was still parked there waiting and they
9 started transporting the arms to the airport where the plane was
09:46:09 10 parked, so we came back to the house to get prepared.

11 Q. Thank you. I understand from this last answer that while
12 you were at the warehouse they started loading the first five
13 trucks. Can you describe these trucks?

14 A. Yes, they were military trucks. They were military trucks
09:46:41 15 that were used by the army because all of them had military
16 registration plates. They didn't have any other registration
17 plates. They were all military trucks and all the drivers were
18 in green uniform.

19 Q. So what happened after you left the warehouse?

09:47:19 20 A. As I said, we went to get ourselves prepared and when we
21 got prepared we were there and after they had finished loading
22 the trucks it was then that we used the same vehicles that
23 General Samba had used earlier, that he used to pick us up. So
24 those were the vehicles we used to go back to the airport and at
09:48:06 25 that time we met, the plane already had started and when we went
26 straightaway we emplaned and it rode through the runway and we
27 left.

28 Q. I want to clarify your movement, sir.

29 MR MUNYARD: I hope that before my learned friend does that

1 we can clarify his last answer which has come up in a very
2 strange way on the screen. We have on the screen - I am looking
3 at page 8 line 24 onwards, "So those were the vehicles we used to
4 go back to the airport and at that time we met, the plane already
09:49:03 5 had started and when we went straightaway we S-N-E-M planed and
6 it rode through the runway and we left." I am afraid I have no
7 idea what he is saying, let alone what the plane did.

8 PRESIDING JUDGE: I heard, but we will have it clarified,
9 "We emplaned which is some sort of technical term I have heard
09:49:24 10 about one other time", but let's get it in plain English, please,
11 Mr Interpreter.

12 THE INTERPRETER: Yes, your Honour, the interpreter used
13 "emplaned".

14 JUDGE SEBUTINDE: Mr Interpreter, what does that mean?

09:49:39 15 THE INTERPRETER: To go on board the aircraft, your Honour,
16 E-M-P-L-A-N-E.

17 MR KOUMJIAN:

18 Q. Sir, I want to make sure that we are clear of your
19 movements. When you left the warehouse where was the next place
09:49:56 20 you went to?

21 A. We went back to the house where we were lodged to get
22 ourselves prepared.

23 Q. After preparing yourself at the house or the lodge where
24 did you go next?

09:50:11 25 A. And General Samba informed us that we were to leave. As
26 I said, when we landed in Ouagadougou earlier the same vehicles
27 which we had used, two jeeps that belonged to General Samba were
28 the same jeeps that we used back to go to Ouagadougou while the
29 plane had already been loaded and the engine was warming up and

1 we --

2 Q. I don't want to get any further than - you have answered
3 the question, thank you.

4 JUDGE SEBUTINDE: Mr Koumjian, the witness yesterday, if
09:51:06 5 I recall mentioned, one Koqwai Samba. Is this the same General
6 Samba that we're talking about?

7 THE WITNESS: Yes, it is the same General Samba. He was a
8 Gambian who was introduced to us by General Ibrahim or to me,
9 because I never knew him that he was his boss. I am referring to
09:51:30 10 the same person.

11 MR MUNYARD: And is he saying they got on the plane or
12 isn't he? I am sorry to be insistent about this, but "emplaned"
13 is not an expression I am familiar with and I would just like to
14 know in simpler English if that's what he meant.

09:51:51 15 MR KOUMJIAN: The interpreter explained that "emplane"
16 means to board an aeroplane. That is the interpreter's word, but
17 I will be coming to that later in my examination.

18 PRESIDING JUDGE: Very well. Proceed, Mr Koumjian. If
19 Mr Munyard is still not satisfied he can raise it again in due
09:52:09 20 course.

21 MR KOUMJIAN:

22 Q. Sir, I want to ask you about something though before you
23 got to the airport. During your stay in Burkina Faso did you
24 learn whether Sam Bockarie met with anyone?

09:52:33 25 A. As I told you, when we landed in Burkina Faso Sam Bockarie
26 and Eddie Kanneh - because Eddie Kanneh had already told me that
27 they had a trip to France that Mosquito was to go and buy a house
28 in France, so I don't know if he met with any other person other
29 than General Sani Samba because he met us there when he went for

1 us at the airport. That was when General Ibrahim introduced him
2 to me as his boss, but I don't know if he met with any other
3 person. But apart from the fact that Eddie Kanneh told me that
4 General Sam Bockarie and he were to go and meet with the
09:53:28 5 President, I don't know whether he met with him at all because
6 I was not there and it never happened in my presence. I am
7 telling the Court what I know or what I witnessed.

8 Q. Just to be clear, when you said, "Eddie Kanneh told me that
9 General Sam Bockarie and he were to go and meet with the
09:53:50 10 President", which President are you speaking about? The
11 President of which country?

12 A. I was referring to the President of Burkina Faso, that was
13 Blaise Compaore.

14 Q. If I understand your answer you are saying you never saw
09:54:09 15 the President of Burkina Faso yourself, is that correct?

16 A. Yes, my Lord.

17 Q. Did you learn, or did anyone tell you whether or not Sam
18 Bockarie had met with the President of Burkina Faso?

19 A. That was Eddie Kanneh who told me. I discussed some more
09:54:38 20 with him. As I told the Court he was a comrade officer so I felt
21 freer to talk to him, so he was the one who gave me that
22 information.

23 Q. Did Eddie Kanneh indicate to you how he knew about a
24 meeting between Sam Bockarie and the President of Burkina Faso?

09:54:57 25 A. As I told you earlier, Sam Bockarie could not speak French,
26 but Eddie Kanneh spoke very good French, so he was the one who
27 interpreted for Sam Bockarie. When Sam Bockarie would be talking
28 he would be interpreting into French because Sam Bockarie could
29 not speak French. That is what I know.

1 Q. Did Eddie Kanneh tell you when this meeting took place?
2 Was it during your trip, or was it another time?

3 A. He said before they were to leave for France. As I told
4 you, after General Samba had spoken they drove off with another
09:56:01 5 vehicle. Except after those three days that they returned that
6 I saw Eddie Kanneh and Sam Bock and we went and identified the
7 arms in the store that I told you about. That's all that I know.

8 MR MUNYARD: Madam President, my learned friend just asked
9 this witness, "Did Eddie Kanneh tell you when this meeting took
09:56:30 10 place?" He has already said he didn't know whether any such
11 meeting took place. I don't want questions asked that appear to
12 be pushing the witness in a particular direction. They are known
13 as leading questions.

14 PRESIDING JUDGE: Mr Koumjian, it is a valid point.
09:56:51 15 I don't know what meeting you are actually referring to, but if
16 it relates back to the answer that he was not aware whether they
17 met the President then you should not lead the witness.

18 MR KOUMJIAN: Your Honour, in response the witness
19 indicated he was not present during any meeting. On my LiveNote
09:57:09 20 page 12, line 2, I asked: "Did you learn or did anyone tell you
21 whether or not Sam Bockarie had met with the President of Burkina
22 Faso?" The answer was: "That was Eddie Kanneh who told me.
23 I discussed some more with him". To me that indicated that there
24 was a meeting. Then when I asked him "Did Eddie Kanneh indicate
09:57:31 25 how he knew about a meeting", he said, "As I told you earlier Sam
26 Bockarie could not speak French, but Eddie Kanneh spoke very good
27 French, so he was the one who interpreted for Sam Bockarie when
28 Sam Bockarie would be talking".

29 PRESIDING JUDGE: I found both those answers very

1 inconclusive. He said they discussed, I don't know what, because
2 he trusted Eddie Kanneh, but to me it did not convey a clear
3 message that there was or there was not a meeting, or he had been
4 told that there was or there was not a meeting.

09:58:00 5 MR KOUMJIAN: Reading the answers I agree that there is
6 ambiguity.

7 Q. Sir, just tell us what you remember. Please, I do not in
8 any way want you to - just a second. Did Eddie Kanneh indicate
9 to you whether or not there was a meeting? Do you recall now

09:58:21 10 whether Eddie Kanneh indicated to you whether or not there was a
11 meeting between Sam Bockarie and the President of Burkina Faso?

12 A. Yes, as I said, Eddie Kanneh told me that they were to have
13 the meeting before he and Sam Bockarie were to leave for France
14 and they drove off. But I don't want to say things that I was
09:58:53 15 not present, but Eddie Kanneh told me that they had the meeting
16 with Blaise.

17 Q. Do you recall anything Eddie Kanneh told you about what
18 occurred at meeting? Let me strike that. Let me ask you: Did
19 Eddie Kanneh tell you anything about what was said at the
09:59:18 20 meeting?

21 A. No, he only told me that the President was the host and he
22 was the one they had the meeting with before they left, he and
23 Sam Bockarie, to go to France, but I was not present when they
24 had the meeting, but he told me that they had the meeting.

09:59:43 25 Q. Thank you, Mr Witness. When you got to the airport can you
26 describe what you saw at the airport in Burkina Faso after coming
27 from the lodge to the airport?

28 PRESIDING JUDGE: When you say "the lodge" you mean the
29 ambassador's residence?

1 MR KOUMJIAN: Thank you, your Honour.

2 THE WITNESS: We came back to the airport when we left the
3 lodge. The first movement we made was to go to the warehouse
4 where we identified the ammunition and we returned to the
10:00:27 5 ambassador's residence again where we received a message that we
6 were to get ready to go back to the airport. When we got to the
7 airport we were driven to the runway because we were treated as
8 executives and we went on board the flight and the flight rode on
9 the runway and went back to Monrovia.

10:00:56 10 MR KOUMJIAN:

11 Q. When you got to the airport was there anything around your
12 plane?

13 A. Well, except the vehicles who - except the vehicles which
14 had steps, that had ladders that we used to climb up and when we
10:01:26 15 left they reversed and they went back.

16 Q. Thank you. Was there anything already on the plane when
17 you got inside?

18 A. Yes, they had already loaded. As I told the Court earlier,
19 most of the seats after we had - they had loaded in the places
10:01:56 20 that were meant for cargo we used the seats too to pack because
21 we were not many. So, all the empty seats we used to pack the
22 boxes somewhere down where the feet should be. That is just it.

23 Q. You told us that six of you had gone on the trip from
24 Liberia to Burkina Faso. Who returned on this trip?

10:02:28 25 A. All six of us returned.

26 Q. What time of day was it when you got to the plane at the
27 airfield in Burkina Faso for the return trip?

28 A. What do you mean?

29 Q. Was it day time or night time when you got to the plane to

1 go back to Liberia?

2 A. It was day time.

3 Q. Was it morning, or afternoon?

4 A. Well it was around 11, because we landed in Liberia in the
10:03:15 5 afternoon.

6 Q. Thank you. When you - by the way, did you see the pilots
7 on the plane on the way back?

8 A. The same pilots who flew us to come were the same pilots
9 who flew us back to Liberia.

10:03:41 10 Q. Thank you. And just to clarify something, were they
11 staying where you were staying at the ambassador's residence?

12 A. Earlier I told the Court that when we arrived we alighted
13 and we went to the ambassador's place. I don't know where the
14 pilots stayed. They stayed at the airfield. It was a special
10:04:12 15 plane.

16 Q. Thank you, sir. When you landed in Liberia - I am sorry,
17 I may be assuming something you haven't testified to yet. Where
18 did the plane go from Burkina Faso?

19 A. We returned to Liberia. It did not go anywhere else.

10:04:34 20 Q. Where did you land?

21 A. At Roberts airfield.

22 Q. Please describe what happened when the plane landed?

23 A. When the plane landed we stayed in the plane for a long
24 time - for some time - and one of the pilots came and opened the
10:05:08 25 side door, but later I saw him close it again. We were in the
26 plane sitting. Everybody was looking at each other. That was
27 when I realised that the ECOMOG who were at the airfield were
28 coming close to the plane, because when I peeped out of the
29 window that was what I saw. So then I concluded that that could

1 have been the reason why the pilot closed the doors again, and we
2 were there for some time until I started seeing other vehicles
3 coming with Liberian security personnel, the SSS. Vehicles were
4 bringing them and they will alight the vehicles, the vehicles
10:06:27 5 will go back and bring some more people, so I saw that their
6 number - that they outnumbered the ECOMOG personnel who were at
7 the airfield.

8 Before the plane could open, but it did not open again at
9 the side as it did before, I can recall Zigzag Marzah drove a
10:06:55 10 vehicle, a Honda vehicle, and came and somebody else drove a jeep
11 and came under the plane, and at the back of the plane they
12 released a step that touched the runway and it was from the back
13 of the plane that the first person that came out used. Cisse
14 Musa, he was the first person, and from that General Ibrahim
10:07:36 15 followed and then I too went out. As we were getting out - as
16 I got out I went into the vehicle straight off that Marzah had
17 brought, and Razak too came out and went into the vehicle that
18 Marzah had brought and Eddie Kanneh too went out and went into
19 Marzah's vehicle while the other people - I mean the other three
10:08:01 20 people, Sam Bockarie, Cisse Musa and General Ibrahim, were
21 sitting in the other jeep that was driven by another man, but
22 Chucky was in front of that jeep and so we drove off from the
23 airfield direct to the mansion to Cisse Musa's office.

24 Q. In your answer you said that, "Sam Bockarie, Cisse Musa,
10:08:36 25 General Ibrahim were sitting in the other jeep that was also
26 driven by another man, but Chucky was in front of that jeep."
27 Who was Chucky?

28 A. Chucky was the commander for the men who came and he was
29 the son of President Charles Taylor.

1 Q. When you say you then drove off to the mansion, can you
2 tell us clearly which place are you talking about when you say
3 "the mansion"?

4 A. That was the office of the President. We drove there while
10:09:30 5 Razak and I went to Cisse Musa's office in his waiting room and
6 Cisse Musa, General Ibrahim, Sam Bockarie and Eddie Kanneh went
7 and said they were going to see the President.

8 Q. Just a couple of questions back at the Roberts airfield.
9 When you left, were all of the items that you brought on the
10:09:59 10 plane still on the plane?

11 A. Yes, they were there.

12 Q. You talked about SSS security arriving at the airfield.
13 When you left did the security remain, or did it all go with you?

14 A. The securities left with the plane, with the pilot.

10:10:27 15 Q. Just to clarify, I am not sure what you mean when you say
16 --

17 A. They stayed.

18 JUDGE SEBUTINDE: Mr Koumjian, before you leave the topic
19 of this journey from Burkina - to Burkina and back, could you
10:10:43 20 give us a time frame, please.

21 MR KOUMJIAN:

22 Q. Mr Witness, you told us earlier that when you were in
23 Monrovia before your arrest you heard about what you called the 6
24 January incident in Freetown, correct?

10:11:07 25 A. The 6 January incident, that has gone past long ago.

26 Q. The question is if you - you have also talked to us about
27 or mentioned the Lome Peace Accord which it is a --

28 A. No.

29 Q. Sorry, Mr Witness, please wait for the question.

1 A. No.

2 Q. I am just trying to assist you with the dates, so please
3 listen to what I am saying. It is a fact that this Court has
4 found that the Lome Peace Accord --

10:11:37 5 MR MUNYARD: Well before my learned friend proceeds, he has
6 done this on a number of occasions. The facts found by the Court
7 are for the Court. They are not facts published to witnesses and
8 a witness should not be given information that the witness may
9 not know. The fact found by the Court is, as I say, a matter
10:11:59 10 that the Court takes in effect judicial notice of. It doesn't
11 mean that witnesses are then fed that information.

12 JUDGE SEBUTINDE: Mr Koumjian, why can't you just
13 straightforwardly ask this witness when he went, when this trip
14 took place, and see what the answer may be?

10:12:19 15 MR KOUMJIAN: Because, your Honour, what I would be doing
16 is asking this witness, who I believe is not very good about
17 dates, to give us a date almost a decade ago and then I think we
18 could confuse the record. I would much rather the witness be
19 given some parameters where he can place a date based upon events
10:12:39 20 that he is aware of. I think that that assists the Court in
21 finding the truth, rather than have people who are not checking
22 their calendars every day try to come up with a date that
23 happened almost a decade ago.

24 MR MUNYARD: This witness gave a specific date of a
10:12:56 25 specific month of a specific year at the beginning of his
26 evidence. He is patently capable of remembering specific dates
27 when he wants to.

28 PRESIDING JUDGE: Mr Koumjian, we cannot assume, as you
29 seem to be doing, that the witness cannot remember unless it is

1 put to him in a straightforward manner and he is asked. I am not
2 prepared to accept that he cannot remember unless I hear it from
3 him.

10:13:25 4 MR KOUMJIAN: Your Honour, if I may reply because the
5 Defence just replied without permission. May I?

6 PRESIDING JUDGE: Yes.

7 MR KOUMJIAN: Yes. We believe that this assists the Court
8 in determining the truth. We are trying to give witnesses some
9 guidepost of dates that are known by all parties that are fixed
10:13:42 10 that we know when they occurred. It will only assist the Court
11 in making sure the witnesses have a better idea of placing a
12 date, rather than coming up with a date almost a decade ago for
13 people who may not be very good at doing that.

14 PRESIDING JUDGE: Mr Koumjian, you are still saying "he may
10:14:02 15 not". He may be this, he may be that, I don't know. That is the
16 first thing. Secondly, you are verging on leading him in some of
17 the ways you are putting these time parameters as you refer to
18 them. Let us first ascertain whether he remembers and after that
19 we will know whether he does in fact remember, or he does not
10:14:25 20 remember.

21 MR KOUMJIAN:

22 Q. Sir, how long after you heard Sam Bockarie talk on the BBC
23 about the 6 January incident do you think it was that you took
24 this trip to Burkina Faso?

10:14:46 25 A. 6 January had gone past long ago. I didn't want you to be
26 bringing me back. 6 January had passed long ago. It was after 6
27 January, long after that. It was about the second phase that
28 Benjamin Yeachen discussed with me that the second phase was for
29 us to try and gain grounds. That was everywhere where ECOMOG was

1 we were to try and push them from those places. 6 January had
2 passed long ago before that could happen even.

3 JUDGE SEBUTINDE: Mr Witness, this is very simple. All the
4 judges want to know is this trip you have described that you went
10:15:40 5 to Burkina Faso, can you remember the year or the month when you
6 went to Burkina Faso?

7 THE WITNESS: It was around March. March, around March.

8 JUDGE SEBUTINDE: Which year? It can't have been 1999.
9 Was it 1999, or 2000?

10:16:07 10 THE WITNESS: It was in 1999. It was not in 2000.

11 JUDGE SEBUTINDE: So it was around March 1999, you think?

12 THE WITNESS: Yes, my Lord.

13 MR KOUMJIAN:

14 Q. Sir, just to follow up to make sure of something based on
10:16:34 15 the questions from the Bench, Her Honour's question. Just so we
16 are sure, did this trip to Burkina Faso occur before or after the
17 Lome peace was signed?

18 A. No, before. Before the Lome peace.

19 MR KOUMJIAN: And, your Honours, I would just for reference
10:17:01 20 ask your Honours to consider this evidence in light of the report
21 of the commission of experts testified to by the first witness
22 and I believe it is paragraph 211 which discussed certain dates
23 of certain flights:

24 Q. You said that you went to the mansion which you said was
10:17:38 25 the office of the President. What happened when you got there?

26 A. Well, as I said, Colonel Razak and I were waiting in the
27 protocol officer's office while General Sam Bockarie, General
28 Ibrahim, Pa Cisse Musa, Eddie Kanneh had gone to the President's
29 office. I don't know what they discussed there, but when they

1 I left there Pa Cisse Musa told me that he was - that I was to
2 expect some money that they should give to me because I had told
3 him that if I got that money --

10:18:41

4 Q. Mr Witness, please proceed. I just wanted the interpreter
5 to catch up with you.

10:19:24

6 A. I was expecting that if I got that money I should use it to
7 take my family to Liberia to be with me there, because Cisse Musa
8 had assured me that I would be with them and he will take me as
9 his son and I will work with the Liberian Government. He really
10 gave me that assurance, but the amount of money that I expected
11 was not given to me at that moment. He only gave me some amount,
12 about 2,000 dollars, and we drove to his house where I was.

13 JUDGE SEBUTINDE: I suppose these would be Liberian
14 dollars?

10:19:58

15 THE WITNESS: No, it was US dollars. I was expecting an
16 amount of money that he had already promised to give to me and
17 that was about 20,000 US dollars and after the trip he did not
18 give me that amount of money any more. He gave me 2,000 dollars
19 and advised me to go to the house and get my luggage and wait
20 until further notice.

10:20:29

21 MR KOUMJIAN:

22 Q. The money that was given to you you said was about 2,000 US
23 dollars. What currency was it in?

10:20:53

24 A. They were US dollars in 100 dollar bills. That was what he
25 gave to me.

26 Q. When you say you went back to the house, which house did
27 you go back to?

28 A. I went back to Cisse Musa's house. Then in the evening
29 hours he came home, he brought with him a Land Rover Discovery

1 and he told me that that Land Rover Discovery was from His
2 Excellency and that was what I would be using. As long as I will
3 be working with them that will be the vehicle I will be using.

4 Q. When you say "His Excellency", who are you talking about?

10:21:31 5 A. I am referring to President Charles Taylor.

6 Q. What did you do with the money that Cisse Musa gave you?

7 A. Well, I got dressed up. As I told you, Zigzag Marzah had
8 now become a personal friend and I gave him some amount and
9 Memuna too at the house, I gave her some money and I used the
10 remaining at times for - even though they used to give me fuel,
11 but there were times I bought fuel for myself for the time that
12 I was with Cisse Musa.

13 Q. The money that Cisse Musa gave you, did you understand it
14 to be his own money, Cisse Musa's money?

10:22:47 15 A. No. Cisse Musa told me plainly that it was from His
16 Excellency that he got the money for me. He made that known to
17 me and he told me that with time the money he had promised me,
18 I would get it. Because I told him that because of the
19 encouragement he had given to me I would need that money to bring
10:23:13 20 my family to Monrovia, because if my family was with me I will be
21 able to work with them peacefully, because if my family were in
22 Sierra Leone and they did not know anything about me, I was in
23 Liberia, it wouldn't have been good.

24 Q. Go back to the plane which you said was at the airfield
10:23:35 25 when you drove off and went to the mansion. Do you know what
26 happened to what was being carried on the plane?

27 A. As I told you, some of the ammunition that we went for were
28 in the plane. I was concerned, so I asked. I asked Cisse Musa
29 about the consignment in the plane and I said, "What about them?"

1 He said that ECOMOG had left the plane and the plane had been
2 off-loaded, because I was concerned and I was asking about the
3 consignment in the plane.

10:24:28 4 Q. When you say the plane had been off-loaded or when Cisse
5 Musa told you that, did you find out or understand where this
6 ammunition went to?

7 A. As I told this Court, my situation was a little delicate.
8 I had to be very careful. There was no need for me to be finding
9 out. That man had moved especially for those ammunitions, so
10:25:01 10 I didn't bother to ask him again. As he said that I knew, yes,
11 that would be correct, they must have off-loaded the plane.

12 Q. Sir, what did you do then after returning from --

13 JUDGE LUSSICK: Mr Koumjian, who was that man that he is
14 referring to? He said, "That man had moved especially".

10:25:23 15 MR KOUMJIAN:

16 Q. Mr Witness, in your answer you said, "There was no need for
17 me to be finding out. That man had moved especially for those
18 ammunitions, so I didn't bother to ask him again." Who is "that
19 man" you were referring to?

10:25:44 20 A. I said the man I am referring to is Cisse Musa. The
21 protocol officer was a senior man. There was no need for me to
22 ask him, because I knew we had gone for those ammunitions for a
23 purpose, so there was no need for me to confirm again to tell him
24 just what you've asked me. I took him by his word because I was
10:26:11 25 working for him.

26 Q. So, Mr Witness, what did you do after you returned from
27 this trip to Burkina Faso?

28 A. As I said, I was at Cisse Musa's house where Memuna was.
29 I was together with him. But most of the times I used to move

1 around with Zigzag Marzah and we will come to Benjamin and we
2 will be at Benjamin's, from there we would ride off and we would
3 go to Zigzag Marzah. It was like that, up and down, moving up
4 and down, because I still expected that I will get that money
10:26:53 5 that Cisse Musa had promised so that my family would come and
6 join me because I was concerned about that, because I wanted my
7 family to come and stay with me in Liberia so I would work
8 effectively if my family were with me.

9 Q. What happened to you then?

10:27:21 10 A. Well, Marzah observed that I used to ask him many times
11 about how my family would come. I was very concerned about how
12 my family would come and how I will get the money, but I can
13 recall one day when he called me and said, [redacted], and
14 I said, "Yes, sir" and he said, "I want to give you an advice.
10:27:50 15 I want you to forget about this" --

16 PRESIDING JUDGE: Pause for a moment. There has been a
17 name mentioned.

18 MR KOUJIAN: Thank you, your Honour. If that can be
19 stricken - if the Court can order that be stricken and the video
10:28:05 20 feed also edited.

21 PRESIDING JUDGE: Mr Munyard, you have noted what was said.

22 MR MUNYARD: Yes. I have no comment.

23 MR KOUJIAN: Excuse me, edited. May that be redacted from
24 the public transcript and redacted from the video.

10:28:20 25 PRESIDING JUDGE: Please have the name redacted that the
26 witness said. Mr Witness, I must remind you that you must be
27 careful in mentioning your own, relatives' or other names that
28 could identify you.

29 THE WITNESS: Yes, my Lord.

1 PRESIDING JUDGE: Very good. Please proceed with your
2 answer. We will take care of this.

3 THE WITNESS: He said, "I would want to advise you to
4 forget about that and any time Benjamin would call you and ask
10:28:48 5 you, just tell him that you want to go to Sierra Leone and
6 organise your artillery men that you had spoken about and that
7 you want to go and fight alongside your men. I think that will
8 help you other than asking here for money for your family to be
9 brought to Monrovia. I would want to give you this piece of
10:29:15 10 advise." Indeed after two weeks - two weeks after we had come
11 from Burkina was when he gave me that piece of advice and I took
12 to his advice. So when Benjamin called me, I can recall it was
13 one afternoon, just like how Marzah had advised me, that was what
14 I did. I told him that I would want to come and organise my
10:29:54 15 artillery men and to come to Sierra Leone to see --

16 Q. Sir, you said --

17 PRESIDING JUDGE: Mr Koumjian, just before you go to your
18 next question I want to make sure that the redaction has been
19 properly recorded as it may not have been properly ordered.
10:30:16 20 I have indicated that the draft should be made. However, for
21 purposes of record I will note that the name mentioned has to be
22 redacted. The order is on its way.

23 MR KOUMJIAN: Perhaps to help those doing the redaction
24 I believe that answer begins - the question was, "What happened
10:30:43 25 to you then?" It begins, "Well, Marzah observed that ..."

26 PRESIDING JUDGE: Continue with your questions,
27 Mr Koumjian.

28 MR KOUMJIAN:

29 Q. Sir, I just wanted you to clarify when you said, "I can

1 recall it was one afternoon, just how Marzah advised me, that was
2 what I did. I told him that I would want to come and organise my
3 military men." Who did you say that to?

4 A. That was Mr Benjamin. He called me one afternoon and he
10:31:30 5 asked me what was happening since I have been around, and then
6 like Colonel Marzah had advised me I told him that I would want
7 to go and organise my artillery men who were in the army together
8 with me and who were on the other side and that I will want to go
9 and see Johnny Paul because he was my boss. In response he told
10:32:03 10 me that I shouldn't be worried about that and that on Master's
11 arrival, that is Mosquito, he will tell him and that on his
12 return to Sierra Leone he will go with me to Buedu.

13 Q. What happened to you then?

14 A. Then within those few days Colonel Marzah allowed me to go
10:32:46 15 back on the radio that was in Benjamin Yeachen's place and
16 Colonel Marzah called on the radio and he got a commander who was
17 in Sierra Leone by the name of Colonel Tito. He came over the
18 air and they started discussing. Colonel Tito responded that he
19 told Colonel Marzah that they had been monitoring the VHF radios
10:33:31 20 regarding all the communications having to do with me and that
21 they were always waiting to know what was going to be the
22 outcome. He said they knew that that was the same allegation
23 they had made against Moses Kabia, whom I referred to as Rambo,
24 who was the chief security to Johnny Paul, and they ended up
10:34:05 25 killing him in Liberia. And that it did not just stop there and
26 that if they were to do the same mistake in assassinating me
27 everything would have taken to the wrong side, because they will
28 not be in good terms any longer and they will not take anything
29 from their own side and their cooperation will be in problem. He

1 was saying that it was better they did not take that decision and
2 Colonel Marzah told him that - I am standing right by him the
3 moment he was talking and that nothing was wrong with me and that
4 very soon I will tell his boss that I will want to go back to
10:35:02 5 Sierra Leone to fight alongside my men. He said he believed that
6 that will happen as soon as Sam Bockarie will arrive in Liberia.

7 Q. Mr Witness, Tito - the person you called Colonel Tito - who
8 was he?

9 A. Colonel Tito was an SLA.

10:35:31 10 Q. Do you know where he was when this radio conversation was
11 taking place?

12 A. Yes, he was around Magbeni.

13 Q. Thank you. You said that he said they had been monitoring.
14 What do you mean by monitoring?

10:35:55 15 A. On the VHF. We always had a standby set that was stationed
16 to monitor the various frequencies about how operations were
17 going on and it was always there to monitor any frequency that
18 was on the air. They would tune it on to pick up information
19 that they would act on accordingly. So, it was from those radios
10:36:33 20 that Tito told him that they had been monitoring all the
21 conversations that had been going on.

22 Q. So, Mr Witness, what happened after this radio
23 conversation?

24 A. Well the following day it was in the morning hours, around
10:37:02 25 1 something in the morning, when Colonel Marzah went to Cisse
26 Musa's house where I was and he called me and told me that
27 I should pack up my luggage and that General Sam Bockarie had
28 arrived. He asked me to pack up my luggage and I went inside and
29 started packing, but as I was coming outside with my properties

1 he told me that the properties were plenty and he said he was
2 advising me to just take a few of them and just dress up and take
3 one or two things with me. He was advising me to hand over the
4 remaining to him so that he will keep them for me, and that when
10:38:04 5 I arrive I should call him over the radio and sometimes when Sam
6 Bockarie would not be coming to Monrovia he will send Victor
7 Kemoh and when Victor Kemoh arrived he will give - hand over the
8 properties to him for him to take them over to me in Buedu.

9 So we drove and went to Benjamin Yeachen's place, that is
10:38:36 10 at the back of White Flower, and when we went there I met Sam
11 Bockarie there and he had brought the same trucks that I had
12 mentioned earlier, the Leyland trucks and his jeep. By the time
13 we arrived there, they had already loaded the three Leyland
14 trucks with arms and ammunition. He welcomed me, we greeted and
10:39:04 15 we started discussing and he advised me to board his own Land
16 Cruiser - that is what he was using, that was a black Land
17 Cruiser - and on that particular day Sam Bockarie was dressed in
18 an American camouflage uniform with a red beret. So I boarded
19 the Land Cruiser and I told all the men who were around the
10:39:30 20 place, I bid them farewell and then we drove off to Sierra Leone.

21 Q. You said that they had already loaded the three Leyland
22 trucks with arms and ammunition. Did you see from where they
23 obtained the arms and ammunition to load the trucks?

24 A. It was the store that was at Benjamin's house, at the back
10:40:01 25 of the house, the same store I have spoken about earlier. It was
26 from that same store that they took out the arms and loaded the
27 trucks, but amongst the trucks there were equipment used in
28 gymnastic that were - there was gymnastic equipment used for
29 exercise and some drums of fuel and diesel. Petrol and diesel.

1 Q. Sir, on this trip that you spoke about, you said yourself
2 and Sam Bockarie. Do you recall anyone else who was with you on
3 that trip?

4 A. Yes, I can recall. On our way coming, that was going to 3
10:41:01 5 am in the morning, he stopped at an area where we collected the
6 wife of the first accused in the AFRC case, that is Tamba Brima's
7 wife, that is Margaret, and we also collected the second
8 accused's wife, Ibrahim Bazy's wife, Anifa, and they also went
9 on board the same jeep because they were also trying to reach
10:41:35 10 their husbands inside, so we all drove off.

11 I can recall also that on our way coming we drove for the
12 whole of the night until the morning hours and we got to a point
13 where one amongst the Leyland trucks had - the Leyland trucks
14 broke down and when it broke down the entire convoy stopped there
10:42:07 15 for the moment. When the Leyland truck broke down there was a
16 driver, an SLA driver, who was called Jalloh, he was driving one
17 of the trucks, and when the truck broke down we all alighted and
18 Sam Bockarie decided to install a radio because he always moved
19 around with a VHF radio.

10:42:38 20 He called the commander who was based in Foya. That is
21 Colonel Fayia. He called him and explained to him that one
22 amongst our trucks loaded has got a broke down, and he responded
23 that he was going to send one of the AFL trucks that he was using
24 around the border area so that all the equipment that were loaded
10:43:10 25 on board the truck, the truck that had broken down, will be
26 transferred and he responded to that.

27 So, as we were waiting I can't actually tell what happened.
28 Sam Bockarie became angry with me. He called me and told me that
29 if I did not die in Liberia I will die in Sierra Leone and he

1 said he was going to shoot me. He took out his revolver pistol.
2 He had a big revolver pistol that he was using. He loaded it
3 with the rounds and he cocked it and he started using some words
4 that, "You, the SLA guys, you are trying to sabotage our
10:44:10 5 operation. You are trying to sabotage the operation", and that
6 if I did not die in Liberia he is now going to kill me. If
7 Zigzag Marzah did not kill me, he is going to kill me. So I was
8 in shock, I was overwhelmed by doubt and then I said to him,
9 "General, if you decide to just kill me like that, innocently, it
10:44:41 10 will not be good, but as far as I am concerned you can see the
11 efforts that I have made. I have willingly travelled with you
12 and I have come also willingly to fight alongside you and my own
13 men. So, I don't think I have gone against your operations."
14 But he insisted that he was going to shoot me, but by the grace
10:45:10 15 of God we travelled with some of the SSS and amongst them there
16 were two. One was called Colonel Jungle and the other Colonel
17 Sampson and together with his own bodyguards, I am talking about
18 Major JR and Major Foday, and Major JR told him, "Master", that
19 is he was referring to General Sam Bockarie, he told him,
10:45:37 20 "Please, sir, I don't want you to shoot at this man". He said,
21 "This man is a very nice man. At the time we went to Freetown he
22 was working at the defence and when we were there he was nice to
23 me". And that, "At the stage where we are now in the war this
24 man will be very useful, so for that reason I am advising that
10:45:59 25 you don't shoot at this man".

26 But Sam Bockarie still insisted that he was going to gun me
27 down. But, by the grace of God, Colonel Sampson and Colonel
28 Jungle, they were SS members, they were always with Mosquito,
29 they represented the Liberian Government. Colonel Jungle got up

1 and told him that, "Master, I don't want you to shoot at this
2 man". And then they came and rid him of the weapon and I was now
3 standing there in fear and Colonel Jungle even said to me that
4 Sam Bockarie had already received an instruction from President
10:46:56 5 Ghankay Taylor about my issue and that he was not going to kill
6 me, but I did not actually believe.

7 But we were there and I realised that he was not going to
8 shoot at me again because he had already been disarmed of the
9 weapon and the truck that was sent for us by Colonel Tengbeh
10:47:25 10 arrived and we transferred all the ammunition into that truck and
11 then we continued our travel. We travelled for the whole night
12 because the road condition was appalling. We travelled for a
13 long period of time and finally we got to Buedu at General Sam
14 Bockarie's headquarters.

10:47:57 15 When we got to Buedu, whilst everybody was alighting from
16 the vehicle and just as I alighted General --

17 MR KOUMJIAN: Excuse me, your Honours, I raised my hand to
18 stop the witness:

19 Q. Witness, I want to ask you just one or two questions about
10:48:23 20 this journey before we get to Buedu. First of all, did you have
21 any kinds of radios on the journey, any kind of radio?

22 A. Yes, it was the VHF radio. Sam Bockarie always had one
23 with him when he moved around so that at any time he will be able
24 to establish communication.

10:48:51 25 Q. Was there any regular commercial radio, AM/FM radio?

26 A. No, that VHF radio was a very powerful radio. If you
27 wanted to listen to commercial radio you will be able to tune it
28 to that station and I recall that there was a point in time that
29 he tuned to the BBC and when the BBC came over air saying that

1 the Sierra Leone Government had agreed to release Foday Sankoh
2 from Pademba Road Prison and that even though they had passed
3 death sentence on him, that there had been people who decided to
4 serve as mediators, like President Eyadema, that he had agreed to
10:50:02 5 serve as a mediator through his foreign minister so that they
6 will be able to establish a peace talk. I recall that that
7 happened that particular day.

8 I think that was one of the reasons why Sam Bockarie had to
9 calm down and I heard him that he started saying that if Tejan
10:50:25 10 Kabbah said he was not ready to discuss with them, he will force
11 him to accept to go to the table to discuss with them. I recall
12 that. I think all of those things helped to calm him down and
13 the VHF radio was on and it was when Colonel Tengbeh sent the
14 other truck for us to transfer the goods that were on board the
10:50:53 15 broken down truck, for us to transfer it over to the other truck,
16 and some of the same people to come and repair the broken down
17 truck and we left it there, then we moved.

18 I also recall that immediately we got to Buedu Sam Bockarie
19 called an SLA who was called Junior Marvin. He was a colonel.
10:51:17 20 He called him and said, "Marvin", then he came. He said - he
21 told him, "Take this man to the MP, hand him over to his provost
22 marshal".

23 Q. Try to limit your answer to my question and then I will ask
24 you the next question. This broadcast that you said was from the
10:51:43 25 BBC about Foday Sankoh being released for peace talks, where were
26 you when you heard that broadcast? Do you recall approximately?

27 A. It was at the same point that I had made mention of, that
28 was in Liberia whilst we were on his way coming to Sierra Leone
29 that Sam Bockarie wanted to gun me down. It was at that same

1 point.

2 Q. Was it before Sam Bockarie was pointing the gun at you, or
3 cocking the gun, or after, or during that time?

10:52:29

4 A. Well, they had spoken to him already, but at that time he
5 had already established the VHF set. He had passed all the
6 connections and he had established a communication and it was
7 during that tuning that he tuned to the BBC channel. That was
8 during the 3.05.

10:52:55

9 Q. Sir, we don't understand what you mean when you say,
10 "During the 3.05". Can you explain that?

11 A. I am talking about the 3.05 BBC Focus on Africa, 3.05.
12 That is five after 3 o'clock, BBC Focus on Africa. It was over
13 that particular news that we heard that.

10:53:22

14 Q. How do you remember the time of the broadcast was five
15 after 3 exactly? How do you remember that now?

16 A. You know that when the BBC Focus comes on the reporter will
17 give the time. He normally gives the time 5.05, but at that time
18 he gave the time that it was 3.05. That is what I recall.

10:53:52

19 Q. Does the Focus on Africa programme, or did it at that time
20 come on at different times during the day, or the same times
21 during the day each day?

22 A. No, it comes sometimes at 3.05 then sometimes five after 5.

23 Q. On this trip do you recall approximately how many people in
24 total there were with you on the trip?

10:54:17

25 A. Like I said, Sam Bockarie's men like Major Foday, Major JR,
26 Major Victor Kemoh and the two SS - one amongst them Colonel
27 Sampson and the other Colonel Jungle, they were representing the
28 Liberian Government. They were all present including the first
29 AFRC accused and second accused's wives, Margaret and Anifa.

1 They were also present together with the drivers.

2 Q. Okay, Mr Witness, I didn't ask you to name them. I am just
3 asking you for a total. Are you saying that these are the only
4 people that were on the trip that you can recall, or were there
10:55:18 5 others also?

6 A. There were some other people, but those are the ones that
7 I recall because the others were just guards who were in the
8 vehicles to guard the ammunition.

9 Q. Can you tell us then approximately how many people in
10:55:43 10 total, just give us a number or a range of numbers if you can?

11 A. I am unable to do that. I can't recall. I don't want to
12 say something in this Court that I don't know about and something
13 that I'm not sure about.

14 Q. Thank you. Mr Witness, when you got to Buedu now please
10:56:10 15 tell us what happened when you arrived?

16 A. Just as we arrived in Buedu and we alighted the vehicles it
17 was at that time that General Sam Bockarie called on one of the
18 SLAs who was Colonel Junior Marvin. He called him immediately
19 and ordered him to take me to the provost master and that was
10:56:41 20 Colonel Kaisuku and he said he should hand him over to him
21 immediately and he carried out the order. He took me to the
22 provost marshal at the MP and when I got there the provost
23 marshal said they should put me in the dungeon. When I say
24 dungeon, I mean a hole that was dug. It was underground and it
10:57:14 25 had a zinc cover on top of it and it was in there that I was
26 placed.

27 But I met people in there. I met Fayia Musa in there,
28 I met Dr Jalloh, I met Palmer and I met a lady whom they said was
29 Foday Sankoh's wife. I met them in the hole. I was crying by

1 then. One amongst the people who were in the hole, Palmer,
2 advised me, saying that, "Oh, my friend don't start crying here.
3 In here people don't cry. You are better off because you are
4 just coming in here. I have been here for years. So all I will
10:58:20 5 advise you is for you to shut up and then patient, you wait and
6 see what is going to happen". But I refused.

7 I was there for four days. Within those four days another
8 SLA who was called honourable Adams, he came from his deployment
9 area in the east, from the Joru jungle. He came to the MP office
10:59:01 10 and he was talking. I was in the hole and I was able to pick him
11 up by his voice, so from there I shouted his name and when
12 I shouted his name he responded and asked, "Who is that shouting
13 my name like that?" And I told him that I am the one and
14 I explained myself. I said, "Please, I have spent a very long
10:59:33 15 time in this struggle. Master brought me from Liberia with the
16 hope that I have got my freedom, but it turned round to the other
17 way. But, please, I am asking you if you know where Johnny Paul
18 is I would want you to go and explain my situation to him. Maybe
19 with his intervention things will be better off for me". Then he
11:00:03 20 said okay and he went.

21 MR KOUMJIAN: Your Honours, I believe the transcript at one
22 point I am sure it will be corrected when the tape is listened
23 to, it was "Maja Musa" instead of Fayia. The interpreter said
24 Fayia Musa in discussing the persons that were in the dungeon
11:00:29 25 when he arrived.

26 JUDGE SEBUTINDE: The other name is Kaisuku.

27 MR KOUMJIAN: Yes. Our spelling is K-A-I-S-U-K-U, one
28 word:

29 Q. So after your conversation with Adams, what happened then?

1 A. Adams conveyed my message to Johnny Paul and the following
2 day I overheard somebody shouting, knocking at the doors of the
3 MPs and asking for me, and then I also shouted and answered to
4 him and I told him that I was in the hole, in the dungeon. So
11:01:37 5 there was one Major Tom Sandy who was also a military police,
6 I later realised that he was the one asking for me, so he opened
7 the dungeon and he asked me to come out of the dungeon. He said
8 Mosquito was outside waiting on me, so I came out and indeed when
9 I went outside I saw Mosquito.

11:02:14 10 He advised them - because by then I had been stripped
11 naked. He advised them to return my wearings to me for me to
12 wear to dress up, so I dressed up and he told me that we should
13 go to Johnny Paul. At that time Johnny Paul was based in
14 Kangama, which was about three miles away from Buedu, Mosquito's
11:02:43 15 defence headquarters. He said Johnny Paul asked that we go and
16 see him.

17 They were using the Pajero that I have made mention of,
18 that was what he was using together with Eddie Kanneh in
19 Monrovia, and in that Pajero the late SFY Koroma's wife, when
11:03:14 20 I said he was Johnny Paul's brother, by the name of Rosetta was
21 in there, and the director of war who was the late YB Rogers was
22 in there, and Sam Bockarie and Eddie Kanneh themselves were in
23 there and Eddie Kanneh was driving. We all went on board the
24 Pajero jeep.

11:03:40 25 Q. Thank you, Mr Witness. You said a name Rogers. Can you
26 repeat that name again?

27 A. Yes, Pa Rogers. They introduced him during the forum that
28 we had, or the meeting that we went to hold before Johnny Paul,
29 as the head of the war council for the RUF. That is the late

1 Pa Rogers. He died in the Pademba Road prisons.

2 Q. And do you recall the first name, or what else they called
3 him besides Rogers?

4 A. I can't recall his first name.

11:04:32 5 Q. Thank you. So, did you then arrive in Kangama?

6 A. Yes.

7 Q. And please tell us what happened when you arrived there in
8 Kangama?

9 A. I have forgotten to make mention of Colonel Sampson and
11:04:55 10 Colonel Jungle who were also in the Pajero. All of us drove to
11 Kangama, and when we arrived in Kangama I was fortunate that
12 since we had withdrawn from the city that was the next time I met
13 with Johnny Paul and that I saw him. I saw him. He was there
14 with his family and he was there with Jumu Jalloh, the former
11:05:31 15 minister of tourism, and including Pastor Momoh. When we
16 alighted from the vehicle, we entered the veranda. It was a
17 storied building, but there was a particular place prepared where
18 the veranda was where there were seats and so we all went there
19 and took seats.

11:06:03 20 So Johnny Paul greeted me, we sat down there a while and
21 Johnny Paul called for a tape recorder and an empty cassette - a
22 blank cassette. So the blank cassette was put into the tape
23 recorder and Mosquito started explaining about me, he started
24 explaining about the incident, the information he got from
11:06:33 25 Liberia, he explained about the trip that we made. After he had
26 completed his explanation and that was being recorded, he said
27 later that the reason why he got up to that point was that he had
28 understood that the SLA were trying to blame him for Moses
29 Kabia's death, alias Rambo, who was the chief security to Johnny

1 Paul. He said he decided to call this forum to make himself
2 clear that he had nothing to do with that man's death in Liberia.
3 He said that was the reason - one of the reasons - why he decided
4 to convene this forum in the presence of Johnny Paul.

11:07:35 5 From there Eddie Kanneh also highlighted his own point, and
6 I was later made to understand that honourable Cobra was always
7 trying to blame Eddie Kanneh about the allegations made against
8 me that I was a spy for the SLPP government. Eddie Kanneh also
9 tried to clear the air in explaining that he was not the person
11:08:17 10 who made the allegation against me, but that it was fellow Sierra
11 Leoneans who I met at the Freeport. From there Pa YB Rogers
12 spoke and he said they will not be in place to encourage such
13 things, because he said such things had the potential to cause
14 disputes.

11:08:42 15 From there, after that entire discussion, Colonel Jungle
16 also spoke and the cassette in my presence was replayed. After
17 listening to it, he took the cassette and handed it over to
18 Colonel Jungle for Colonel Jungle to take it back to Monrovia so
19 that they will be able to send it to His Excellency and, like
11:09:16 20 I said, it was Colonel Jungle and Colonel Sampson who represented
21 the Liberian Government.

22 From that point Johnny Paul and General Sam Bockarie they
23 moved aside and stood at the corner, a little bit far off from
24 us, and started discussing, but I did not know what actually they
11:09:44 25 discussed. So, from that point Johnny Paul told me that I should
26 feel free around and that he had told Sam Bockarie about me. He
27 said I shouldn't worry. I will live with them as a free man
28 until I receive necessary instruction from Sam Bockarie and that
29 whatever Sam Bockarie told me I should go by that, he said,

1 because at that present moment it was Sam Bockarie who was in
2 charge of every operation.

3 PRESIDING JUDGE: Sorry, Mr Koumjian, but I had noted the
4 people that went in the Pajero to Johnny Paul's and then they
11:10:26 5 went on to the veranda and now twice there has been a mention of
6 Mosquito, or Sam Bockarie, saying things. I don't remember him
7 in the Pajero.

8 MR KOUMJIAN: I would have to look at the transcript, but
9 I did understand that Bockarie is the one that collected him.

11:10:49 10 PRESIDING JUDGE: He was brought out of the dungeon, he saw
11 Mosquito, he was naked, he was given his clothes back, they went
12 into a Pajero, Eddie Kanneh was driving, there was somebody's
13 wife, et cetera.

14 MR MUNYARD: Your Honour, he does mention him on my --

11:11:12 15 THE INTERPRETER: Your Honour, can counsel activate his
16 mic.

17 MR MUNYARD: Sorry, page 40, line 24. I will start from
18 line 23, "He was Johnny Paul's brother by the name of ...",
19 something that is not clear, "... that was in there and the
11:11:35 20 director of war was the late YB Rogers was in there and Sam
21 Bockarie and Eddie Kanneh."

22 THE WITNESS: SFY.

23 PRESIDING JUDGE: Thank you, Mr Munyard, I see it now.

24 JUDGE SEBUTINDE: The woman that was in the dungeon was it
11:11:53 25 SFY Koroma's wife, or Johnny Paul Koroma's wife? In the dungeon.

26 MR KOUMJIAN: The witness said Foday Sankoh's wife is how
27 he described it.

28 JUDGE SEBUTINDE: I beg your pardon.

29 MR KOUMJIAN:

1 Q. Sir, by the way, just as we mentioned the people in the
2 dungeon, you mentioned Foday Sankoh's wife. Did you learn why
3 she was being held in this dungeon?

4 A. Yes. In the dungeon after I had shut up at that moment now
11:12:38 5 and I had spent some time with them, it was at that time that
6 Palmer told me that after the Yamoussoukro peace talk which they
7 went for they came back to the Guinean border to talk to the
8 combatants about the outcome of the Yamoussoukro peace talk, but
9 that they were across and it was at that time Sam Bockarie said
11:13:11 10 that they will not be across the river talking to them. That
11 delegation included the Sierra Leone ambassador - former Sierra
12 Leonean ambassador to Guinea, Colonel Jabbi. He said they will
13 not be across the border over the river talking to them, so he
14 asked them to cross over so that they will be able to talk to
11:13:39 15 them. You know, they tried to cajole them, and no sooner they
16 crossed over they arrested them and seriously beat them up. They
17 beat them up seriously and, even when I entered the dungeon,
18 I realised that --

19 PRESIDING JUDGE: Mr Witness, pause please. The question
11:14:01 20 was directed at Foday Sankoh's wife. Are you saying that Foday
21 Sankoh's wife was one of the group that met at the river at the
22 Guinea border?

23 THE WITNESS: Yes, my Lord, they all went for the peace
24 talk in Yamoussoukro. They were at the Guinean border, so when
11:14:20 25 they called them to cross over they all crossed over. They were
26 four in number. They told me that it was because of that
27 particular movement that they did that they decided to arrest
28 them and they said they wanted to connive with the government.
29 That was why they beat them up and placed them in the dungeon.

1 They were closed in there for years. She was the only woman
2 amongst the three men.

3 Q. Mr Witness, you said at this forum in Kangama that at one
4 point Johnny Paul Koroma and Sam Bockarie went - stepped away.

11:15:08 5 Can you tell us where they went?

6 A. They did not go to somewhere else. They only distanced
7 themselves from us and they stood in a particular corner
8 discussing. I did not actually know what they discussed, but
9 after their discussion they came back and took their seats.

11:15:33 10 Q. So in that discussion in the corner was it only Johnny Paul
11 Koroma and Sam Bockarie, or was anyone else involved?

12 A. They were the only two people who got up. They left us and
13 then they went to the corner, just he and Sam Bockarie.

14 Q. You said that the cassette tape of the forum was given to
11:16:00 15 Colonel Jungle to take to President Taylor. Why do you believe -
16 what makes you say that Colonel Jungle was to take it to
17 President Taylor? What did you learn about that?

18 A. Well that was just what they said in our presence, all of
19 us, and like I told you before Colonel Jungle and Colonel Sampson
11:16:28 20 were the representatives of the Liberian Government and so I saw
21 that they put the cassette in an envelope and it was handed over
22 to Colonel Jungle. That was just what they said, but I did not
23 actually know the reason why they said he should take it over to
24 President Taylor.

11:16:59 25 MR KOUMJIAN: I don't have any further questions as to the
26 forum, just so your Honours know, if there are any questions now
27 before I move on.

28 PRESIDING JUDGE: Yes, please do so.

29 MR KOUMJIAN:

1 Q. Sir, after this meeting in Kangama, what happened to you?

2 A. Well, Sam Bockarie - we drove back, by that I mean Sam
3 Bockarie, Eddie Kanneh, Pa YB Rogers and - Sam Bockarie, Eddie
4 Kanneh, Pa YB Rogers, Colonel Jungle, Colonel Sampson, we drove
11:17:44 5 back to Buedu at General Sam Bockarie's headquarters and when we
6 arrived there he asked somebody to prepare some food for me. He
7 called on one man who was a nurse. He was a medical nurse. He
8 asked the man to give me some treatment, some first aid treatment
9 and some drugs, and he handed me over to Major Victor Kemoh. So,
11:18:21 10 I was now there at the defence headquarters with them for some
11 time.

12 Q. At this point after the meeting with Johnny Paul Koroma in
13 Kangama, were you free from the dungeon?

14 A. Yes, my Lord, I was treated and then I was now handed over
11:18:45 15 to Colonel Victor Kemoh and I stayed with him in his house. He
16 prepared me a room there and I was staying there until the time
17 I got well.

18 JUDGE LUSSICK: In the previous answer it was Major Victor
19 Kemoh and now in this next answer he is a colonel.

11:19:09 20 MR KOUMJIAN:

21 Q. Sir, do you know one or more than one Victor Kemoh?

22 A. It is the same person, Major Victor Kemoh. I did not say
23 colonel. I said major. He handed me over to him freely and he
24 said I should go and stay with him now whilst I was undergoing
11:19:33 25 treatment, because I had very serious typhoid fever.

26 Q. Sir, what happened after you got well?

27 A. Well after I got well, General Sam Bockarie - like I have
28 said, he was the chief of defence staff. He called on me one
29 particular day and told me that I should feel free around. He

1 spoke with me and promoted me to the rank of major and it was in
2 black and white. It was written. It was typed and signed and he
3 signed as the chief of defence staff. And he told me that they
4 were faced with serious threats at Segbwema and that it will be
11:20:44 5 nice that we go with him to Pendembu, we will be there and we
6 will be there waiting and someone will come from Liberia who will
7 come to help us to construct a ferry that we will be using at
8 Manowa. That was after - that was three weeks after my arrival
9 in there and, indeed, he himself went with us. All of us went to
11:21:29 10 Pendembu and we waited there until somebody arrived from Liberia
11 and that was the Liberian Mosquito. He was a Liberian SS. He
12 came with 12 SS men. They were all well armed and we met in
13 Pendembu, we organised ourselves in Pendembu and we went to
14 Manowa where we constructed a ferry.

11:22:03 15 MR MUNYARD: Can we just have some clarification on "three
16 weeks after my arrival there", because I don't know if he is
17 talking about his arrival in Buedu where he was treated for
18 typhoid, or whether he is talking about later movements? It is
19 just not clear.

11:22:28 20 MR KOUMJIAN:

21 Q. Sir, you told us about your trip to Buedu and when you
22 heard the BBC broadcast about Foday Sankoh being released. How
23 long after that approximately was it that you went to Pendembu
24 with Sam Bockarie?

11:22:43 25 A. Well, the time I spent in Buedu up to the time I was
26 removed from the dungeon and up to the time - all the times
27 I spent at the headquarters it was totalled to three weeks, and
28 the one that made it four weeks was the time we travelled with
29 Sam Bockarie to Pendembu where we waited on Liberian Mosquito and

1 he arrived with some men with a Toyota Hilux and we went to
2 construct the ferry. That was the time.

3 JUDGE SEBUTINDE: Mr Interpreter, did you say it was
4 totalled to three weeks, or did you say it was two to three
11:23:31 5 weeks?

6 THE INTERPRETER: Totalled to three weeks, your Honours.

7 MR KOUMJIAN: I see the LiveNote had "two to three" and the
8 interpreter has indicated, thank you:

9 Q. Mr Witness, where you actually saw Liberian Mosquito and
11:23:57 10 the 12 men, was Liberian Mosquito in Sierra Leone or Liberia at
11 that time?

12 A. He came. He came from Vahun and he met us in Pendembu and
13 he also gave an idea.

14 PRESIDING JUDGE: The question is clear. Was this
11:24:27 15 meeting - you saw him in Sierra Leone, or in Liberia? You have
16 said Pendembu. Specify which country.

17 MR KOUMJIAN: If I can just - also, your Honour, I did hear
18 through my headphones the interpretation and I didn't hear the
19 word "Liberia", so I am not sure the witness got it.

11:24:44 20 PRESIDING JUDGE: I see. In the circumstances put the
21 question again, Mr Koumjian.

22 MR KOUMJIAN:

23 Q. Thank you. Sir, where you saw Liberian Mosquito, at that
24 time was Liberian Mosquito inside Liberia or inside Sierra Leone?

11:25:04 25 A. He came from Vahun and he came to Pendembu in Sierra Leone.

26 Q. Thank you. And what happened there where you met Liberian
27 Mosquito with his 12 men?

28 A. Well, they also came and helped us put ideas together and
29 we constructed a local ferry - a local ferry. We constructed a

1 local ferry, but the intention of constructing the ferry was for
2 us to be able to cross the Panhard tanks - the two Panhard tanks
3 - over. That was the intention why we decided to construct the
4 ferry, but the first attempt that we made to move the Panhard
11:26:13 5 tanks over the ferry was not possible because the Panhard tanks
6 ended up going into the river, the Moa River, so it was not
7 possible.

8 Q. Okay, so I understand the river you were trying to cross
9 was the Moa River from your last answer. Is that correct?

11:26:35 10 A. Yes, my Lord, it was the Moa River that we were trying to
11 cross.

12 Q. Can you please make it clear to us which side the Panhard
13 vehicles were on and which side you wanted to take them to?

14 A. Well, the Panhard vehicles were on this side and when I say
11:27:06 15 "on this side" I mean the Kono side. The only way we would have
16 used to pass through there was through the Daru barracks, but the
17 ECOMOG had fortified themselves and were based in the Daru
18 barracks and so we were unable to use that particular route to go
19 around. So the only route that was open to us that we had access
11:27:35 20 to was through the Moa, but the Panhard tanks were so weighty
21 that it was not possible because the intention was for us to be
22 able to cross over with the Panhard tanks so that the Liberian
23 Mosquito, if we were to cross the Panhard tanks, he would have
24 moved them to Liberia.

11:28:04 25 PRESIDING JUDGE: Mr Witness, we understand that. When you
26 said, "They were on this side", well this side is Holland. Where
27 exactly were they and where exactly where you taking them? That
28 is the question you were asked.

29 THE WITNESS: It was over the Bunumbu area and the river

1 divided Bunumbu - it separated Bunumbu and Pendembu. They were
2 on the Bunumbu side, so if we were able to cross them over we
3 would have had an easy access for them to be taken to Liberia
4 because all of those areas had been cleared up. They were under
11:28:49 5 our perfect control.

6 PRESIDING JUDGE: The tape had actually run out during the
7 answer, I am afraid. We will have to now take the morning
8 adjournment, Mr Witness. We are going to adjourn until
9 12 o'clock and we will resume at 12. Please adjourn court until
11:29:09 10 12.

11 [Break taken at 11.30 a.m.]

12 [Upon resuming at 12.00 p.m.]

13 PRESIDING JUDGE: Mr Koumjian, it would appear the answer
14 has been recorded and I believe the tape was still running, so
12:01:11 15 that last answer is on record. If you proceed on, please.

16 MR KOUMJIAN: Thank you, your Honours:

17 Q. Mr Witness, you talked about coming to Buedu in a convoy
18 with some trucks with ammunition. Do you know what happened to
19 that ammunition?

12:01:38 20 A. As I told the Court just now, when I came I made no
21 movement. Immediately I arrived, Sam Bockarie ordered Junior
22 Marvin to take me to the dungeon, so I don't know what happened
23 to that particular ammunition.

24 Q. Okay, thank you. Where did you go next after the operation
12:02:13 25 you talked about involving the attempts to get equipment across
26 the Moa River.

27 A. Well, when we made the attempt for the tank to come on
28 board the ferry and that failed, there was some confusion at the
29 river. There was a commander called Morris Kallon. He cocked

1 his rifle. He already set one round in the chamber and they said
2 they would shoot at him, because the SLA liked to betray and I
3 was near Sam Bockarie, General Sam Bockarie, so I told Sam
4 Bockarie that he should please stop Morris Kallon not to shoot at
12:03:17 5 the driver because those men were useful and the tanks were still
6 at our disposal and if he had shot the driver that would not be
7 good. Really General Sam Bockarie listened to me and the driver
8 was not shot. We used what we referred to as monkey jack that we
9 tie on a big tree and we also tied it on the APC, the tank, and
12:03:52 10 we drew it from out of the river.

11 From there, because we were unsuccessful, Sam Bockarie
12 called honourable Cobra, honourable Sule, myself and Colonel
13 Bakarr and some other men. He gave us more manpower with some
14 ammunition and said that we should go to Segbwema where we
12:04:34 15 already had troops under Colonel Momoh Rogers' command, he said
16 because they had monitored ECOMOG and they were trying to regroup
17 in Daru and they wanted to come and hit our men in Daru and
18 Segbwema so they would clear the Segbwema route. That was the
19 order that General Sam Bockarie gave to us.

12:05:02 20 Q. Mr Witness, did you yourself go to Segbwema?

21 A. Yes, my Lord.

22 Q. Was there any combat that you saw in Segbwema?

23 A. Yes, my Lord. As we went to Segbwema it did not take even
24 up to three days when ECOMOG advanced with a seven barrel tank.

12:05:43 25 They advanced to pull us out of Segbwema, because Segbwema was a
26 vital ground. Segbwema would link to Tongo and would link to
27 Kenema and Manowa. So when our troops had been in Segbwema, the
28 operation was really difficult for ECOMOG, except when they would
29 fly with their logistics by air. That was why ECOMOG wanted to

1 hit us and they hit our first ECOMOG - sorry, our first combat
2 camp that we established and one of our soldiers lost his life.

3 There is a bridge in Segbwema that divides - that separates
4 Segbwema. We were moved - we almost lost the town, but because

12:06:43 5 of the brave men that we had, like one Major Soriba, he showed
6 some bravery that made even the seven barrel tank that ECOMOG had
7 brought, they could not go back with it and the officer who was
8 commanding the artillery from the ECOMOG side and the tank

9 driver, they died in that operation and the tank was just there
12:07:24 10 [indiscernible] and even myself I entered the tank trying to move
11 it from the bridge, but it happened that the clutch plate was not
12 functioning, so it could not move. So because of that I advised

13 the radio man, the operator, to call General Sam Bockarie and
14 inform him that that was the situation. In spite of the fact
12:08:06 15 that ECOMOG was firing against us using heavy mortars, I said we
16 could not move that tank and that was the situation, and he

17 authorised us to burn it down and indeed we ordered a soldier to
18 set fire on the tank and the tank burnt down. That was what made
19 ECOMOG to be unsuccessful and so they withdrew back to Daru where

12:08:43 20 they were. They even used the Alpha Jet against us, but when we
21 set the tank on fire the smoke prevented the Alpha Jet from
22 bombing any target, because they could not trace any target
23 because of the smoke in the air.

24 Q. Thank you, Mr Witness. After this attack by ECOMOG on
12:09:11 25 Segbwema - I believe you said ECOMOG was not successful - what
26 was the next fighting that you saw? Mr Witness, you don't need
27 to give us all the details of the battle, but just explain to us
28 where it was and who was taking part.

29 A. After ECOMOG had lost that operation, it was then that

1 General Sam Bockarie called a forum. So I was one of the men who
2 went back and we crossed Manowa and we went back to Pendembu
3 where we planned to attack Kenema.

12:10:13

4 Q. Can you tell us what was the plan as far as attacking
5 Kenema?

12:10:47

6 A. Well, we planned to capture Kenema, but the ECOMOG who were
7 in Kenema, their forward position was at Mano Junction and that
8 was a big obstacle for us. It was a simultaneous attack. When
9 Akim Turay would be coming from Tongo where he was, using the
10 main highway, another troop would be bypassing to go and block
11 Blama Highway so if any reinforcement would be coming from
12 Freetown or Bo they would fall in an ambush. And RUF Rambo
13 himself was to set an ambush in Lago while we - what I mean by
14 "we", that includes honourable Cobra, honourable Sammy,

12:11:18

15 honourable Sule and some other SLAs, including a tank. We used
16 one of the Panhard tanks so that we would be able to capture Mano
17 Junction, but we were not successful because the man who was in
18 charge of the operation, who was Eagle, did not allow us to use
19 the tank the way it was supposed to be used. He directed it the
20 way it should not be directed. As I said, the tank used two
21 types of ammunition. There was the piercing and the explosive.

12:12:00

22 So the explosive was in the tank at that moment, so when he gave
23 the wrong command the tank ended up releasing that bomb and that
24 bomb caused heavy casualty and we lost up to 15 men from our own
25 side including one of the oldest RUF fighters who was called
26 Kailondo, Native Warrior.

12:12:33

27 Q. Sir, if you can briefly explain, you said the bomb caused
28 heavy casualties and that we lost up to 15 men. Can you explain
29 why the bomb from the tank caused casualties among your men?

1 A. Well the way the firer wanted the barrel to go, because it
2 was an elevated barrel that could rotate he was only to fire it
3 the way the command Eagle wanted it to be fired, if it was the
4 piercing, because that is designed to pass through hard objects,
12:13:38 5 but the other bomb that came after that was the explosive and if
6 you come from the curve towards Mano Junction there are cotton
7 trees in front of us. That was what was the explosive hit at
8 and, when it hit at it, the bomb blasted back and the fragments
9 killed our men who were near the tank. I was just about 70
12:14:21 10 metres off, because they did not take the advice that we gave to
11 them and so that caused casualty and for that we did not succeed
12 to capture Mano Junction and finally we could not capture Kenema.

13 Q. Thank you, Mr Witness. Now after this failed attempt to
14 take Mano Junction, what was the next military operation you were
12:14:47 15 part of?

16 A. Well, we withdrew back to Segbwema and we rested for two
17 days and General Sam Bockarie sent another order that we should
18 go and hit Daru barracks where ECOMOG was so that we would
19 dislodge them and we would clear that highway, but we came and
12:15:23 20 organised ourselves including Issa Sesay, who was the battlefront
21 commander, and I was his advisor on that particular operation
22 while Colonel Bakarr was the operations commander. We made the
23 attempt. We attacked Daru barracks 2 a.m., but it was not easy.
24 ECOMOG had very serious firepower. They used mortar and
12:16:04 25 artillery against us and we sustained casualties heavily. That
26 also prevented us from succeeding in Daru and we withdrew again
27 to Segbwema.

28 Two days after that operation was when the Lome Peace
29 Accord was signed and Foday Sankoh came over the BBC and advised

1 that everybody who was under the RUF and SLA command at that
2 moment should cease fire and stop all hostilities. The ceasefire
3 met us in Segbwema.

12:17:04

4 Q. Mr Witness, after the Lome Peace Accord was signed what was
5 your assignment?

12:17:49

6 A. Well after the Lome Peace Accord had been signed, Issa told
7 me that now that the Lome Peace Accord has been signed - he
8 called Colonel Momoh Rogers, Major Francis Musa and other senior
9 officers who were around and told them that - he said these
10 words, "Now that you yourself have heard what Papay Sankoh has
11 said I think it would be advisable for us to listen and hold on,
12 but I am returning to Kono so that I will send the message and
13 make sure that the men abide by the ceasefire". So, he moved me
14 from Segbwema and I joined him - honourable Hector and myself

12:18:24

15 joined Issa and we moved to Kono. When we arrived in Kono he
16 made me the IO, that is the intelligence officer, in charge of
17 2nd Brigade.

18 Q. What force or forces controlled Kono at that time after the
19 signing of the Lome Accord?

12:18:58

20 A. It was the SLA/RUF, or RUF/SLA. We were in control of Kono
21 and it was there that Issa himself had established his base after
22 he left Makeni and at that time the commander was a vanguard
23 called Colonel Martin George. He was the brigade commander.

12:19:35

24 Q. Did Issa Sesay stay in Kono, or did he go anywhere after
25 that, after you arrived?

26 A. Well, he stayed in Kono observing all the diamond mining.
27 What I meant by that, I meant the government diamond mining while
28 he was in Kono. He continued to be there until the very last
29 time I saw Sam Bockarie. He came there with two Arabs that I can

1 recall I had gone to Benjamin Yeachen on that day who separated
2 those diamonds. They came to Kono to visit us. That was the
3 very last time I saw Mosquito.

12:20:27 4 Q. The question was about Issa Sesay. Did Issa Sesay
5 eventually leave Kono to go somewhere?

6 A. Well, the only time Issa Sesay left Kono was when Mosquito
7 Spray cut off our supply route. That was the - when they
8 attacked Foya, Lofa County. When that attack occurred, it was
9 when Sam Bockarie sent a message that all the fighters that we
12:21:00 10 had in Kono should organise themselves and Issa Sesay should get
11 a reinforcement from those men so we should come and capture and
12 clear the ULIMO off from Foya. That was an order he had received
13 from President Charles Taylor. That was the only time Issa moved
14 with troops.

12:21:39 15 Q. Sir, you mentioned Mosquito Spray. Do you know who
16 Mosquito Spray was?

17 A. Although I don't know him or I did not see him, he was a
18 ULIMO. He was the commander of the LURD rebels. They were the
19 ones who cut off our supply route - our supply route in Foya -
12:22:07 20 because everything came from Liberia for us. So, Mosquito Spray
21 came - Mosquito Spray and others came and cut off our supply
22 route and that created a problem for us. That was why Issa put
23 men together to go and clear that supply route.

24 Q. How long was - first of all just to be clear, when Issa
12:22:28 25 Sesay left Kono because of the Mosquito Spray attack was that
26 before or after the Lome Peace Accord was signed?

27 A. That was after the Lome Peace Accord.

28 Q. Do you recall for approximately how long Issa Sesay - well,
29 first let me ask you did Issa Sesay return to Kono after leaving

1 on the Mosquito Spray operation?

2 A. Yes.

3 Q. About how long after he left did he return?

4 A. Approximately two weeks.

12:23:09 5 Q. Did he come back by himself, or with anyone else?

6 A. Well, when Issa Sesay returned I can recall that he brought
7 the twin barrel that was at Mosquito's headquarters - the twin
8 barrel. That was what we used to defend the headquarters from
9 the Alpha Jet. He brought it back together with some more men,
10 including Captain American and his own troops. Captain American
11 was an SLA and his troops, he brought them back to Kono and they
12 met us.

13 Q. Were there any other persons that you recognised with Issa
14 Sesay when he returned to Kono?

12:24:08 15 A. Yes, he had reinforcement, his men and some of the fighters
16 who were in Buedu, together with some SS men who he brought from
17 Foya. He crossed over with them to Kono. They met us at the
18 base.

19 PRESIDING JUDGE: Mr Koumjian, I'm not sure if that
12:24:46 20 actually answers your question.

21 MR KOUMJIAN: Yes:

22 Q. Do you recall any of the SS men? Do you know their names?

23 A. I can recall like Captain Denis. I can also recall the men
24 I told you that they were always with us representing Liberia,
12:25:18 25 like Colonel Jungle, he was one of the men, and one Colonel - he
26 too was from Liberia and he was called Colonel Martin, I can
27 recall those, but his nickname was Lion. He too came along with
28 Issa in Kono.

29 Q. Now, Mr Witness, you've talked to us about some operations

1 you were involved in in Sierra Leone after returning from
2 Liberia. During any of those operations do you know whether or
3 not any of the ammunition that you had picked out, or ammunition
4 of that type that you had picked out, in Burkina Faso was used?

12:26:28 5 A. Like the RPG bombs and the twin barrel ammunition, he
6 brought some more together with the twin barrels. And the tanks,
7 because there was a tank in Kono, he brought ammunition for that
8 one too. I can recall that.

9 Q. Who are you saying brought the ammunition?

12:26:48 10 A. It was Issa Sesay. He brought the ammunition and some more
11 7.62 millimetre NATO and Warsaw type, because after the ceasefire
12 -when the ceasefire was in place already, ECOMOG was not
13 fighting, so there was no way we could get ammunition from
14 ECOMOG, so he brought some more of those from Buedu.

12:27:24 15 Q. Mr Witness, did you eventually leave Kono?

16 JUDGE SEBUTINDE: Mr Koumjian, we're a little lost. This
17 ammunition that Issa Sesay brought, he brought it from where to
18 where? Because there's the battle at Foya that we've been
19 speaking about, so this ammunition was brought from where to
20 where?

21 MR KOUMJIAN:

22 Q. Mr Witness, you said Issa Sesay brought ammunition. First,
23 where did you see Issa Sesay with the ammunition?

24 A. Issa Sesay took them from Buedu. After they had cleared
12:28:04 25 Mosquito Spray and the route, Issa Sesay brought the ammunition,
26 together with the twin barrel which Mosquito was using to defend
27 his headquarters from the Alpha Jet, and brought them to Kono,
28 together with some more manpower and they met us in Kono.

29 Q. Earlier you spoke about some fighting at - I believe it was

1 Mano Junction. In that operation you talked about some tank
2 fire, is that correct?

3 A. Yes, my Lord. It was the tanks that I told you about, the
4 Panhard.

12:28:54 5 Q. The type of shells, you described two different types,
6 piercing and explosive.

7 A. Yes.

8 Q. Had you ever seen that type of ammunition in Liberia?

9 A. It was only at that time when we brought them from Burkina.
12:29:19 10 I told you that we wanted to make use of those tanks that we had
11 captured from ECOMOG. It was only the tanks without the
12 ammunition. It was at that time that I saw it. But when I came
13 in, I only saw the ammunitions again when we left Segbwema and
14 tried to hit Mano Junction. We used it again to hit Daru
12:29:48 15 barracks, but we were unsuccessful.

16 Q. Mr Witness, please just answer this question: When did you
17 leave Kono approximately?

18 A. Well, why I left Kono, during --

19 Q. That wasn't my question, sir. My question was when did you
12:30:19 20 leave Kono?

21 A. That was the time Issa Sesay had come from Buedu, as I am
22 saying. He came from Buedu and said that now the SLA who are in
23 Makeni do not listen to Papay Sankoh's order, because he said
24 because they said Foday Sankoh had told them that they should
12:30:45 25 send former President Momoh to Buedu at Mosquito's place, but
26 Brigadier Mani and the other SLAs who were there had refused to
27 do that, so we should organise ourselves and so we would go and
28 dislodge them from Makeni.

29 I advised him that, "General, now that all of us have been

1 fighting together as one, I think we should resolve this thing
2 amicably", because I was the IO commander and that was my duty,
3 but he said I was not to dictate to him what he should do, so he
4 ended up organising men and they went and hit Makeni and they
12:31:38 5 dislodged the SLAs in Makeni. As a result of that I had a fear,
6 because I was an SLA and I was in Kono with Colonel Martin George
7 and others, so it was that fear that made me to go through
8 Magburaka and I went to 91 where ECOMOG was and I surrendered
9 myself and my weapon and my grenades that were in my possession.

12:32:12 10 Q. My question is, Mr Witness: Do you remember approximately
11 what month and year that was?

12 A. It was at the end of 1999. The end of 1999.

13 MR KOUMJIAN: Thank you. I have no further questions, your
14 Honours.

12:32:36 15 PRESIDING JUDGE: Thank you, Mr Koumjian. Mr Munyard,
16 cross-examination?

17 MR MUNYARD: Thank you, your Honour.

18 CROSS-EXAMINATION BY MR MUNYARD:

19 Q. Mr Witness, I want to ask you first of all how it was that
12:33:06 20 you first came into contact with the Office of the Prosecution of
21 this Court?

22 A. I can recall back when somebody who had come in contact
23 with the Court and through his explanation to the Court he
24 mentioned my name and when he mentioned my name while discussing
12:33:57 25 with the Court, that was how my name came up and it was that very
26 person that went with some men that I had never known before,
27 they went to me asking me. I even really had some fear because I
28 didn't want anybody to associate me with anything like that.
29 That was how I came in contact with the Court and they met me in

1 Kono.

2 Q. Well, all you've told us so far, in answer to my question,
3 is that somebody else mentioned your name to the Court and then
4 they met you in Kono. How did you actually come into contact
12:34:50 5 with them? Did you make contact with them, or did they make
6 contact with you?

7 A. I have told you that it was one ex-combatant who explained
8 to the Court and when he was explaining issues to the Court - but
9 I did not know it was the Court. It was a gentleman called --

12:35:26 10 THE INTERPRETER: Your Honours, can I call the name?

11 PRESIDING JUDGE: Just pause, Mr Witness. Mr Interpreter,
12 I will ask counsel. The interpreter is seeking guidance as to
13 whether he can repeat the name mentioned. I am not aware of the
14 issues involved with this person.

12:35:43 15 MR KOUMJIAN: Your Honour, I really do not know the person
16 that the witness is going to name.

17 PRESIDING JUDGE: He has already called the name. It's not
18 on the record, but the interpreter --

19 MR KOUMJIAN: I didn't hear the witness say the name. I
12:35:56 20 heard only the interpreter. There is absolutely no problem, your
21 Honour.

22 PRESIDING JUDGE: Mr Interpreter, you've heard counsel.

23 THE WITNESS: It was a gentleman called Alfred Sesay.

24 MR MUNYARD:

12:36:20 25 Q. Alfred Sesay is not the person who put the Prosecution in
26 touch with you. Alfred Sesay was the Prosecution, wasn't he?

27 A. Alfred Sesay was a policeman. He was a CID in Sierra
28 Leone. He got in touch with me, as I told you. I had a fear
29 because I didn't want anybody to associate me with this Court

1 issue, but he took his time to talk to me that I should not have
2 any fear, that I should explain only what I knew. He was the one
3 I got in touch with. He is now in England. He used to work for
4 the Special Court. He was an investigator.

12:37:22 5 Q. And was the person who gave your name to Alfred Sesay - was
6 that a friend of yours?

7 A. He was not my friend, but he was an ex-combatant. He was
8 an RUF person. When I was with the RUF he knew me. He was the
9 one explaining when he gave my name to the Court. I even felt
12:37:57 10 bad about it.

11 Q. So did he tell you that he was going to give your name to
12 the Court, this ex-combatant?

13 A. As I am telling you, he did not ever tell me. It was a
14 surprise to me. That was why I even had a fear initially,
12:38:20 15 because I didn't want anybody to associate me with the Court. I
16 lived - I was living my private life. At that time I was working
17 for --

18 MR KOUJIAN: I'd ask the witness not to say who he was
19 working for.

12:38:37 20 PRESIDING JUDGE: Mr Witness, please don't give the name of
21 the organisation or company you were working for, for security
22 reasons.

23 THE WITNESS: Yes, my Lord.

24 PRESIDING JUDGE: Do you require the information,
12:38:52 25 Mr Munyard?

26 Mr Munyard: I didn't quite hear your Honour's question. I
27 don't require the name of any organisation. I wasn't asking
28 about that. I was asking about the go-between:

29 Q. Right, so Mr Alfred Sesay, a CID officer from the Sierra

1 Leone police, who was then working for the Court, came and met
2 you in Kono. Is that right?

3 A. He met - this ex-combatant that I'm referring to, it was in
4 Kono and it was in Kono that Alfred Sesay met me at Old Yengema
12:39:41 5 Road.

6 Q. And did Alfred Sesay interview you in Kono at Old Yengema
7 Road?

8 A. Yes.

9 Q. Was it just him who was interviewing you, or was there
12:39:56 10 anybody else present?

11 A. Well, there was another person because they went with a
12 white Land Rover, I saw a driver and a white man, but it was
13 Alfred Sesay who took his time to talk to me because I was very
14 aggressive.

12:40:26 15 Q. When he was talking to you was he making notes of what you
16 were telling him?

17 A. At the beginning he was not writing anything.

18 Q. Does that mean that he was writing something later on?

19 A. Yes, I saw him writing. He started writing.

12:41:07 20 MR MUNYARD: The witness at that point gestured with his
21 right hand in a writing movement:

22 Q. So this is the first time that they meet you, yes?

23 A. Yes, sir.

24 Q. In Kono?

12:41:27 25 A. Yes.

26 Q. And can you help us with roughly how long that first
27 interview lasted?

28 A. Well, I cannot be specific now, but it took some time.

29 MR KOUMJIAN: I'm a little late, but I would object to the

1 word "interview" as the witness has told us that they were
2 talking about - according to what the witness has described, the
3 conversation was not an interview. He was telling him about
4 cooperating with the Court.

12:42:06 5 PRESIDING JUDGE: I don't recall the word "cooperating",
6 but you've heard the objection, Mr Munyard, although the witness
7 has in fact answered your question.

8 MR MUNYARD: My reply to the objection is that the witness
9 is clearly describing an interview because he is describing an
10 exchange between himself and Alfred Sesay and I will pursue what
11 that exchange consisted of, if I may.

12 PRESIDING JUDGE: Yes, please continue.

13 MR MUNYARD:

14 Q. When you first met Mr Sesay on this occasion in Kono and he
12:42:41 15 at some point starting writing down what you were telling him,
16 what were you telling him about?

17 A. Well, he was not writing exactly what I was telling him.
18 He was just taking down my name and my particulars and my phone
19 number so that they would be able to contact me again.

12:43:04 20 Q. And what else were you telling him on that first occasion?

21 A. Well, as I am telling you, I was too busy. When he got my
22 particulars I told him to see if there would be another time to
23 get me back. I had something to do. I was too busy to talk to
24 him for a long time.

12:43:34 25 Q. And so did he get back to you?

26 A. Yes, he got back to me after some time, almost a month.

27 Q. And did you see him again and did he write down more notes
28 of what you were telling him on this second occasion?

29 A. Yes, I saw him again, but he did not write down any notes.

1 He just asked me about when I would be able to go to Freetown and
2 I told him that I was working. I would only be able to go to
3 Freetown when I would be on leave, I said, but outside that if I
4 went to Freetown that would be for my job, an official trip.

12:44:52 5 Q. And so did you eventually go and see him in Freetown?

6 A. It did not just happen immediately. It took some time
7 before Mr Sesay and I got in touch again with each other.

8 Q. Mr Witness, that's why I asked the question, "Did you
9 eventually go and see him in Freetown?" Did you go after some

12:45:29 10 time and see him in Freetown and give him information?

11 A. Yes.

12 Q. How long after the very first time that he got in touch
13 with you in Kono did you go to see him in Freetown?

14 A. Over three months.

12:46:01 15 Q. When you went to see him in Freetown, were you aware that
16 he wanted information from you about any involvement you had with
17 Charles Taylor?

18 A. Like I told you, they had already discussed that with
19 Mr Sesay even before Mr Sesay tried to get in touch with me, and
12:46:40 20 he was finally able to cajole me and he told me that I shouldn't

21 fear. Because in actual fact I did not want to have anything to
22 do with this Court, but when he finally explained to me that
23 there was going to be no problem and, even if it came to the
24 worst, they would hide my identity from the public so that the

12:47:08 25 public would not be able to know. So, yes, he asked me and he
26 told me to feel free to explain myself, what I knew, so that he
27 would also be able to know.

28 Q. So the first time that you go and see him in Freetown, you
29 are aware that he wants to know from you everything about your

1 dealings with Charles Taylor, yes?

2 A. He did not directly say he wanted to know about my dealings
3 with Charles Taylor. What he said was that what I knew, what I
4 did and the role I played during the war, that was what he wanted
12:48:02 5 to know.

6 Q. I asked you just a few moments ago, "When you went to see
7 him in Freetown, were you aware that he wanted information from
8 you about any involvement you had with Charles Taylor?", and your
9 answer was, "Like I told you, they had already discussed that
12:48:21 10 with Mr Sesay even before Mr Sesay tried to get in touch with me
11 ...". So they'd already discussed that before, hadn't they, that
12 they wanted to know all you could tell them about any dealings
13 you had with Charles Taylor?

14 A. He did not specifically tell me that they wanted to know
12:48:48 15 the dealings I had with Charles Taylor. What he said was that he
16 was asking to know the role I played and what I knew. That was
17 what he wanted to know. And it was during my explanation that I
18 explained about what I knew, the things I came across and what I
19 experienced. That is what I am trying to say.

12:49:14 20 Q. You told us that you were told by them - by Mr Sesay - that
21 they could hide your identity from the public. Hide your
22 identity from the public in what?

23 A. Because I made it very clear to Mr Sesay that I did not
24 want to have any business to do with this Court because I was a
12:49:41 25 busy man and I wouldn't want him to associate me with the Court,
26 but Mr Sesay told me that it was not a crime and that if it came
27 to the worst nobody from the public will know my identity. That
28 was what he told me.

29 Q. Whose trial did you think you were giving him information

1 for?

2 A. He told me about the Special Court and that other trials
3 were going on in Sierra Leone. The CDF trial was going on, the
4 RUF it was going on and the SLA/AFRC trial was going on.

12:50:32 5 Q. And did he tell you that they were getting information from
6 people, yourself included, in order to prosecute Charles Taylor?

7 A. No, he did not tell me that.

8 Q. When did you first discover that you were going to be used
9 as a witness in the prosecution of Charles Taylor?

12:51:02 10 A. Well, when he had finally got me to explain myself and
11 whilst I was explaining, it was during my explanation that he
12 knew that I had got some business - some dealings with Liberia
13 and he told me that if I knew I had got some dealings with
14 Liberia and that you have mentioned Mr Taylor, he said he knew
12:51:44 15 that if I had much information he will have to put it aside and
16 then when it gets to the appropriate time he will have to call on
17 me. So, that was just what he told me.

18 Q. In other words, during the first interview when you first
19 tell Mr Sesay and his colleague all about your time in Liberia.
12:52:10 20 Is that correct?

21 A. No. Like I told you I initially had fear in me, to be
22 frank enough with you. I did not want to go into details. I had
23 fear in me. It was not just from the first time.

24 Q. Mr Witness, we may be at cross-purposes. I am talking
12:52:35 25 about the first time you actually go to Freetown and are seen by
26 him then. During the course of that interview he makes it clear,
27 does he, that he is looking for information from you to prosecute
28 Charles Taylor?

29 A. He said after he had got some pieces of information from me

1 he told me that he would call me when it got to the appropriate
2 time.

3 PRESIDING JUDGE: Mr Witness, the question is directed
4 about the person that was going to be prosecuted at the Court.

12:53:26 5 Were you aware whose trial you might give evidence in?

6 THE WITNESS: It was only after he had got those pieces of
7 statements from me that he told me that when President Taylor
8 will be indicted they will have to call on me. That was the time
9 I knew, when he told me, and indeed when they had got President
10 Taylor he called me again. That was the time I met with the
11 other investigator, that is Mr David.

12 MR MUNYARD:

13 Q. When you first met Mr Sesay in Freetown, were you
14 reimbursed for loss of wages and transport and so on?

12:54:41 15 A. No, at the initial stage there was nothing like that.

16 Q. Just listen to the question, please. When you first met
17 Mr Sesay in Freetown, were you reimbursed for loss of wages and
18 transport and so on?

19 A. Like I told you, at the initial stage nothing like that
12:55:18 20 happened. It was when he asked me whether it is possible for me
21 to leave my job and come over so that we will be able to sit
22 together and at that time he will be ready and he will be able to
23 write something on paper, and I knew that that will be difficult
24 for me because it will let me lose my daily wages. But then he
12:55:55 25 told me I should come, they will try to do something about that
26 and then indeed when I came he reimbursed me the transportation
27 cost that I used.

28 Q. And loss of wages?

29 A. No, it was the transportation cost that I used. It was

1 reimbursed to me.

2 Q. All right. And was that the first time that you went down
3 to see him in Freetown and he wrote down what you were saying on
4 paper?

12:56:39 5 A. That was my third meeting with him in Freetown when he
6 invited me to go to their office. That was the time it happened,
7 my Lord.

8 Q. Just so that we can be clear, Mr Witness, you've mentioned
9 two occasions in Kono when he sees you to persuade you to help
10 them and then you've mentioned going to Freetown. In the last
11 answer that you've just given, "that was my third meeting with
12 him in Freetown", are you saying that the first two were also in
13 Freetown and it was only on the third occasion when you met him
14 in Freetown that he paid for your transportation, or are you

12:57:30 15 saying that it was the third time that you met him, twice in Kono
16 and then the third time in Freetown, that you were reimbursed?

17 A. They did not give me anything in Kono and the first time I
18 came to Freetown, that I made it possible to meet with him, was
19 when I came on duty for my organisation that I was working with
12:58:02 20 and I came the second time - I also saw him, but the third time
21 was in their office like I said. That was the time I met with
22 one of his fellow comrades that he told me was a policeman from
23 Canada who was called Mr David. That was the third time. So
24 because of the time that I used to come, my transportation cost
12:58:35 25 that I paid to come was reimbursed to me.

26 Q. Yes, so am I understanding you correctly that you see them
27 three times in Freetown and it is only on the third occasion in
28 Freetown that they reimbursed you your transport costs?

29 A. Yes.

1 Q. On the first two occasions in Freetown did they write down
2 what you were telling him?

3 A. No.

12:59:16

4 Q. On all the occasions after visit number three in Freetown
5 when they do write down what you're saying do you get paid for
6 transport costs for each time you're interviewed?

7 A. Yes.

12:59:47

8 Q. Can you remember now - and tell us if you can't - that the
9 first time that they interview you and they pay you your
10 transport costs was on 23 and 24 March 2006? Do those dates ring
11 any bells with you?

12 A. No, I can't recall those dates any more. I can't recall
13 them because, like I told you, I was working. I was engaged.

13:00:15

14 Q. Can you remember being interviewed over a two day period in
15 2006, early 2006?

16 A. Say again.

17 Q. Can you remember being interviewed at the Special Court
18 premises by Alfred Sesay and Mr David, the Canadian gentleman,
19 over a period of two consecutive days?

13:00:49

20 A. Yes.

21 Q. Do you remember, about three months later, being
22 interviewed over three consecutive days, in June of 2006?

23 A. I can't recall.

13:01:33

24 Q. Can you help us with this then: After the two day
25 interview that you do recall with Alfred Sesay and the Canadian
26 policeman, how long after that was the next time you were
27 interviewed?

28 A. Like I am telling you, and I'm saying it again, I was too
29 busy, I was engaged, I can't recall. I can't recall the specific

1 dates and I do not want to say something wrong here.

2 Q. Can you remember how many times you were interviewed by the
3 Prosecution - on how many different occasions you were
4 interviewed by them before you came to Holland, to the

13:02:30 5 Netherlands, I should say?

6 A. I can recall again that after Mr Alfred and Mr Sesay
7 interviewed me and wrote down something, I can recall also that
8 there was a time that this man, this lawyer, and another lady
9 interviewed me again, which is up to three times. Three times,
10 yes. These ones interviewed me once and I did not see them again
11 except that I am seeing him here.

13:03:26

12 PRESIDING JUDGE: I notice that the witness turned towards
13 the Prosecution Bar, but did not specify who on the Bar he was
14 referring to.

13:03:49

15 MR MUNYARD: I was just going to deal with that, your
16 Honour.

17 PRESIDING JUDGE: I'm sorry to interrupt you. There was a
18 gesture that I wanted to put on record.

19 MR MUNYARD:

13:03:58

20 Q. By "this one here" you're referring to the gentleman who
21 has been asking you questions before I stood up, is that correct?

22 A. Yes, and a lady.

23 Q. And then the third time that you're interviewed before you
24 came to this country, can you remember who interviewed you then?

13:04:30

25 A. That was the last - I think he was the last person that
26 interviewed me. That was the third time. The last person who
27 interviewed me before I came here was another lady by the name of
28 Shyamala. She interviewed me.

29 Q. Did she interview you with anybody else?

1 A. No, she interviewed I alone.

2 Q. I don't mean were you giving information with another
3 person giving information, I mean was there more than one person
4 in the interview, in addition to the lady called Shyamala? Was
13:05:30 5 she assisted by anybody else present?

6 A. Yes, somebody assisted her, but the person was a Sierra
7 Leonean man and the person was speaking Krio.

8 Q. And, finally, were you interviewed very recently here in
9 the Netherlands and, if so, who interviewed you very recently?

13:06:07 10 A. It is this lawyer.

11 Q. Which lawyer?

12 A. This gentleman in front of me.

13 Q. Mr Witness, there are two gentlemen in front of us. Can
14 you just identify is it the person that you've already

13:06:33 15 identified, the gentleman that has been asking you questions, or
16 is it the other gentleman sitting next to him?

17 A. The two gentlemen, these two gentlemen.

18 Q. Both of these two gentlemen sitting on the front row of the
19 Prosecution Bench interviewed you very recently, is that right?

13:06:58 20 A. Yes, my Lord.

21 Q. Right. I want to ask you in what language were all of --

22 PRESIDING JUDGE: Mr Munyard, again I apologise for
23 interrupting. For purposes of record the witness indicated
24 Mr Koumjian and Mr Santora.

13:07:13 25 MR MUNYARD: Thank you, your Honour:

26 Q. In what language were these interviews conducted? The
27 first one with Mr Sesay and Mr David?

28 A. Mr Sesay and Mr David, it was in Krio. Mr Sesay was
29 speaking in Krio whilst Mr David was speaking English.

1 Q. The second interview with the lawyer and another lady, what
2 language was that interview conducted in?

3 A. They went with another man who was also working for the
4 Court and he was Mr Lahun. They met me at my job. They
13:08:16 5 interviewed me in both English and Krio. Mr Lahun was speaking
6 Krio.

7 Q. The last interview in Sierra Leone, conducted by the lady
8 called Shyamala, what language was that interviewed conducted in?

9 A. She was speaking English and another investigator, who also
13:08:51 10 works with the Court, was speaking Krio, so it was both. If she
11 said something that I did not understand clearly, the next person
12 was there to interpret it and if I also said something that was
13 clear to her, that same next person was there to interpret it for
14 her.

13:09:16 15 Q. Thank you. So is that what happened in each of those three
16 interviews: That they're conducted both in English and Krio and
17 any misunderstandings by either you or the interviewers were
18 explained?

19 A. Yes. Yes, my Lord.

13:09:35 20 Q. Thank you. The last interview that I think took place on
21 Friday of last week, what language was that conducted in?

22 A. Well, there was an interpreter that interpreted between
23 these two men and me. There was a lady that was speaking Krio.

24 Q. Very well. In each of these interviews was somebody taking
13:10:07 25 notes?

26 A. Except the ones who were interviewing me.

27 PRESIDING JUDGE: That's not a very clear answer,
28 Mr Witness. When you say "except the ones that were interviewing
29 me", do you mean those persons who interviewed you were taking

1 notes, but you were not taking notes? Is that what you mean?

2 THE WITNESS: Well, what do you mean by taking notes? You
3 mean whether they were writing? Whether they were writing?

13:10:53

4 MR MUNYARD: If I can deal with it. I don't know if you
5 can see from where you are, but again the witness is making a
6 handwriting gesture with his hands.

7 THE WITNESS: You mean if they were writing?

8 PRESIDING JUDGE: I am hampered by the screen,
9 unfortunately. I don't see any gesticulation.

13:11:12

10 THE WITNESS: Do you mean whether they were writing?

11 MR MUNYARD:

12 Q. Mr Witness, let me try and deal with it if I may. You've
13 told us about four different interviews: Three in Sierra Leone,
14 one here in the Netherlands. When you are being interviewed, you
15 told us earlier that in the first of those interviews Mr Alfred
16 Sesay was writing down what you were telling him. Now, did one
17 or other of the investigators interviewing you write down what
18 you were telling them in every interview?

13:11:25

19 A. Yes, for those that were conducted in Freetown. At any
20 time they were interviewing me they wrote, they wrote down the
21 notes, but for this one that was done at this - at the latter
22 part in the Netherlands here they did not take down any notes.
23 We were just like discussing.

13:11:59

24 Q. Well, we'll come back to that if we have to. The three
25 where they did write notes, were those notes read back to you at
26 the end so that you could correct anything that was wrong, or
27 clarify or add to any of the information that you'd given them?

13:12:21

28 A. Yes.

29 Q. And did you at any time in the course of an interview being

1 read back to you correct what the note taker had written down?

2 A. Yes. I can recall, like in the case of Shyamala, I did
3 some correction while she was writing and I told her it was not
4 supposed to go that way.

13:13:19 5 Q. And finally in relation to the last interview, the one here
6 in the Netherlands, was anyone who was present typing anything
7 into a computer, or writing anything down by hand?

8 A. No, nothing was being typed into a computer, but they read
9 out the statements to me and for some areas that I said, "No, it
13:14:02 10 shouldn't go that way", they scratched it off with - they struck
11 it out with a pen.

12 Q. So do you mean that they had actually made a note of what
13 you were saying and, when they read it back to you, you corrected
14 it and they scratched out what they'd written?

13:14:32 15 A. Whilst they were reading the documents in front of me,
16 whatsoever thing they read if something was there that was not
17 correct I told them that it was not correct and so they scratched
18 it out.

19 Q. Yes, at this point I'm only concerned with this interview
13:14:59 20 last Friday, do you understand? That's all I'm asking you about
21 now. And did they do that process in that interview?

22 A. Yes, they scratched out the one that was not correct. So
23 they scratched it out with a pen and I told them, "That one was a
24 mistake."

13:15:23 25 Q. How good is your ability to understand spoken English?

26 A. I can try. I'm not perfect, but I can try.

27 Q. How many years did you spend in school?

28 A. About 12 years.

29 Q. And you were taught in what languages?

1 A. English, Krio and sometimes French.

2 Q. And were you given books that you worked from that were
3 written in English?

4 A. Yes.

13:16:49 5 Q. And were you able to understand those books?

6 A. I can try.

7 Q. When you joined the army, is it right that you were sent to
8 the Nigerian Defence Academy for further training?

9 A. I made that correction even with Shyamala that there were
13:17:27 10 two batches of training and after the training I told Shyamala
11 that I was commissioned under the Sierra Leone Military Academy,
12 whereas the other batch was commissioned under the Nigerian
13 Defence Academy. So, I had made that point clear with Shyamala.

14 PRESIDING JUDGE: Mr Witness, that doesn't actually answer
13:18:00 15 the question. Were you sent to the Nigerian Defence Academy?

16 THE WITNESS: That is the same thing I am trying to
17 express, ma'am. I told Shyamala that there were two batches.

18 PRESIDING JUDGE: Pause, Mr Witness. No, no, forget what
19 you're telling Shyamala. Tell the judges. Did you go - were you
13:18:27 20 sent to the Nigerian Defence Academy? Were you sent or not, yes
21 or no?

22 THE WITNESS: They sent me there on the special training.

23 MR MUNYARD:

24 Q. Right, thank you. Was it the Nigerian Training Assistance
13:18:50 25 Group Programme?

26 A. It was NATAG.

27 Q. Yes, I think that's the acronym, NATAG. And were you
28 trained there for a period of about 12 months?

29 A. No.

1 Q. How long do you say you were trained there for?

2 A. I had about three months training at the Nigerian Defence
3 Academy.

13:19:37

4 Q. And was that training conducted in English? The English
5 language?

6 A. Yes.

7 Q. And did you have any difficulty in following the training
8 in the English language when you were in Nigeria for those
9 months?

13:19:57

10 A. I measured up little by little. I tried to measure up.

11 Q. But you graduated from there, didn't you?

12 A. I went through the training and I graduated at the Benguema
13 training centre. That was just what I was trying to make clear
14 to you, but you did not give me chance to do so.

13:20:35

15 Q. You graduated as a second lieutenant, didn't you?

16 A. At the Benguema training centre, yes.

17 Q. And you were trained there also in English, weren't you?

18 A. Yes, and Krio because that is our own local language, Krio.

13:21:20

19 Q. After you'd graduated did you stay in the army all the time
20 up until the AFRC takeover in May 1997, or did you leave the army
21 at any time before the AFRC coup?

22 A. I was in the army throughout up to the time I retired in
23 2001.

24 Q. Were you ever court-martialled during your time in the
25 army?

13:21:53

26 A. I was never charged. Not a day that I was charged in fact,
27 instead of talking about just court-martial.

28 Q. At some point you were sent by the army to join the ECOMOG
29 force in Liberia. Can you remember what year that was?

1 A. That was early '95.

2 Q. And in the course of your duties in Liberia, did that
3 involve you working at the Executive Mansion while you were
4 working as part of the ECOMOG force?

13:22:59 5 A. I never worked at the Executive Mansion. I made it clear
6 to this Court that I never worked at the Executive Mansion.

7 Q. Right. When you were first describing your experiences in
8 the army of Sierra Leone, you told this Court on Monday of this
9 week that sometimes you ran across enemy checkpoints where you
10 saw heads cut off and planted at checkpoints and you saw
11 amputated limbs as well. Did you tell the Prosecution that when
12 you were being interviewed?

13 A. Yes.

14 Q. And in which of the interviews did you tell the Prosecution
13:24:18 15 that? Was it in your interviews in Sierra Leone, or was it in
16 your interview last Friday with the two lawyers opposite?

17 A. It was the one I did with the two lawyers here.

18 Q. And was it something you just told them, you just
19 volunteered, or was it something you told them in answer to a
13:24:59 20 question, "Have you ever seen severed heads or limbs?"

21 MR KOUMJIAN: Your Honour, that question provides only two
22 of what would be an unlimited number of possibilities.

23 PRESIDING JUDGE: Well, I think --

24 MR MUNYARD: I agree, but I don't know if my learned friend
13:25:23 25 wants me to --

26 PRESIDING JUDGE: I think counsel is entitled to
27 cross-examine, he has a certain leeway and it's up to the witness
28 if there are other possibilities to answer. I will allow the
29 question as put.

1 MR MUNYARD:

2 Q. Do you wish me to repeat the question, Mr Witness?

3 A. It's up to you.

4 Q. Well, I will in that case. Was it something you just
13:25:57 5 volunteered, you just told the Prosecutors last Friday, or did
6 you tell them that in answer to a question along the lines of,
7 "Have you ever seen severed heads or limbs anywhere?"

8 A. Yes, those were some of the experiences I got during the
9 battles and that was what I answered.

13:26:28 10 PRESIDING JUDGE: Mr Witness, pause again. This is a
11 specific situation. Did you volunteer the information, or did
12 you answer a question?

13 THE WITNESS: I volunteered.

14 MR MUNYARD:

13:26:44 15 Q. So why didn't you volunteer that information in interview
16 number one, interview number two, or interview number three in
17 Sierra Leone?

18 A. Well, they did not ask me some of those questions about my
19 experience in the army, what were my experiences in the army.

13:27:14 20 Those questions were not asked of me in Sierra Leone during the
21 interviews they conducted with me there.

22 Q. So were those questions asked of you on Friday?

23 A. Yes, they asked me.

24 MR MUNYARD: Thank you, your Honour, I see the time and I'm
13:27:35 25 about to move - in fact I can't quite see the time.

26 PRESIDING JUDGE: We have roughly two minutes, but if you
27 are moving into a whole new line of cross-examination it may be
28 appropriate to adjourn at this point, Mr Munyard.

29 MR MUNYARD: I am about to go on to something else.

1 PRESIDING JUDGE: Mr Witness, we are going to take the
2 lunch time break. We will have a one hour break and we will
3 resume court at 2.30. Please adjourn court until 2.30.

4 [Lunch break taken at 1.28 p.m.]

14:23:06 5 [Upon resuming at 2.30 p.m.]

6 PRESIDING JUDGE: Mr Munyard, when you are ready to
7 proceed.

8 MR MUNYARD:

9 Q. Witness, you were telling us today about hearing the voice
14:30:10 10 of Africa, BBC World Service programme?

11 PRESIDING JUDGE: I think it's Focus on Africa.

12 MR MUNYARD: I have done it again I fear. I think I called
13 it voice of Africa. It's Focus on Africa:

14 Q. I imagine, Mr Witness, you are more familiar with Focus on
14:30:31 15 Africa than I am. Do you listen to that programme often?

16 A. Yes, of course.

17 Q. You have told us sometimes it goes out at five past 3 and I
18 think sometimes it goes out I think at five past 5. Does it go
19 out every single day?

14:31:02 20 A. The time that I am referring to it was only during the
21 weekends that it was not aired, that is Saturday and Sunday it
22 was not aired.

23 Q. And what about nowadays?

24 A. Well, now there is a programme now over the weekend, Focus
14:31:31 25 on Africa. Now there is a programme over the weekend.

26 Q. And do you still listen to it regularly?

27 A. Well, I don't have chance always because at that time why
28 we were listening to it frequently it was because the situation
29 in which we were was not normal.

1 Q. Do you still listen to it regularly?

2 A. No, my Lord.

3 Q. When did you last listen to it?

4 A. Well, before I came I listened to it when they were telling
14:32:25 5 us of somebody who is in Congo, Kinshasa and who was arrested in
6 Belgium. They said Special Court had indicted the person. That
7 was the last time I listened to it before I came. That was the
8 former Vice-President to Joseph Kabila. They said he was
9 arrested in Belgium. That was the last time I listened to it
14:32:57 10 before I came.

11 Q. And that was about three weeks ago, wasn't it?

12 A. Before I came here.

13 Q. Yes, we don't know when you came here. You tell us when
14 you came here.

14:33:21 15 A. Well, I think it too were following up, because you have
16 just said it was about three weeks ago, so I think you were
17 following up.

18 Q. You are agreeing with me that it was about three weeks ago,
19 are you?

14:33:39 20 A. Well, that's what you have said.

21 Q. Mr Witness, just tell the judges how long ago it was that
22 you heard that Focus on Africa programme about a former
23 Vice-President of an African country.

24 A. Before I came here. I have been here now for one week, so
14:34:10 25 I want to believe it is around the time that you are saying.

26 Q. Thank you. I now want to ask you about another former
27 Vice-President of an African country. Did you hear anything on
28 Focus on Africa about former President and former Vice-President
29 Moses Blah of Liberia?

1 A. No, I did not listen that. I did not listen to that. I
2 hadn't the time.

3 Q. Have you heard anything about Moses Blah, former President
4 and Vice-President of Liberia, giving evidence at this Court?

14:34:57 5 A. No, I did not follow that up.

6 Q. Were you aware that he gave evidence before this Court last
7 month?

8 A. I did not follow that up, except when you are telling me
9 now.

14:35:22 10 Q. So today is the first time that anyone has ever told you
11 that Moses Blah gave evidence to this Court in this trial in May?

12 A. Yes, yes.

13 Q. Can I go back, please, in time to your service with the
14 ECOMOG peacekeeping force in Liberia. You said that you were in
15 Liberia - you were sent by the army to join the ECOMOG force in
16 Liberia in early 1995. You able to help us with a month?

14:35:58

17 MR KOUMJIAN: Your Honour, if I could ask counsel for a
18 citation on that it would be helpful.

19 MR MUNYARD: Certainly. It is page 84 in 14 point font and
20 it is line 24 and 25 and the answer is page 85, line 1.

14:36:21

21 MR KOUMJIAN: Of today? I'm sorry, was that today?

22 PRESIDING JUDGE: Yes, just before lunch.

23 MR KOUMJIAN: Okay, thank you. And, your Honour, just to
24 remind counsel about his microphone. That is other reason I
25 stood up. I see he has turned it off, thank you.

14:36:36

26 MR MUNYARD: Sometimes it stays on, sometimes it goes off.
27 I am trying to remember, but if it is causing a problem no doubt
28 someone will let me know.

29 PRESIDING JUDGE: It is something to do with the voice

1 distortion. Normally we are not so fussy.

2 MR MUNYARD: No, I am trying. I am now going to wait for
3 the answer to my question.

4 PRESIDING JUDGE: Mr Witness, do you remember the question?

14:37:10 5 THE WITNESS: No, my Lord.

6 PRESIDING JUDGE: Mr Munyard, please put the question
7 again.

8 MR MUNYARD:

9 Q. I asked you, when you told us about an hour and a quarter
14:37:20 10 ago that you had been sent by the army to the ECOMOG force in
11 Liberia in early 1995, are you able to give us a month when you
12 went to Liberia to join the ECOMOG force?

13 A. It was around February/March. February/March.

14 Q. You have told us that you were there for around eight
14:38:03 15 months, is that correct, from February/March 1995?

16 A. Yes.

17 Q. So that would mean that you left the ECOMOG force in
18 Monrovia and came back to Sierra Leone in October/November of
19 1995, correct?

14:38:42 20 A. Around December. Around December.

21 Q. At the time of the AFRC coup in May of 1997, you have told
22 us you were in Kenema, yes?

23 A. Yes.

24 Q. Were you in Freetown around the time of the AFRC coup?

14:39:16 25 A. I was in Kenema.

26 Q. You told us that during the time that you were in the army
27 during the junta period, when the AFRC and RUF were in power, you
28 were involved in trying to put an end to a student strike. Do
29 you remember telling us about that?

1 A. Yes, I remember.

2 Q. And you said that, "We were about to stop the strike
3 peacefully, just beating them with whips." Is that what you mean
4 by peacefully: Beating people with whips?

14:40:35 5 A. What I meant by peacefully - because the strike ended up
6 with gunshots and they hadn't guns, so I thought we were to stop
7 the strike without using any gun.

8 Q. But you were intending just to beat people with whips, were
9 you, in order to put an end to the strike peacefully?

14:41:12 10 A. Not me specifically. That was an order that we received
11 from the chief of staff at that time.

12 Q. And when is it that you say you went to Tongo and were
13 involved in the mining fields there?

14 A. That was about two months before the intervention that I am
14:41:40 15 talking about, when Yamohokaty died.

16 Q. Could it have been as short as about one month?

17 A. Say again.

18 Q. Could you have been in Tongo for as little as about one
19 month before the intervention?

14:42:07 20 A. It was more than a month before the intervention.

21 Q. You told us in your evidence earlier that when you were in
22 Tongo "everyone had his portion of diamonds". Who do you mean by
23 everyone?

24 A. I am referring to the AFRC senior men who were there, like
14:42:46 25 Eddie Kanneh who was the resident minister, Sam Bockarie who was
26 representing the RUF. That was what I was talking about, and we
27 who were representing the army, we were there for the AFRC.

28 Q. But "everyone had his own portion of diamonds", by that do
29 you mean for his own personal use?

1 A. No, you would not mine it for your own personal use. They
2 were government diamonds.

3 Q. At the time of the intervention, what happened to these
4 diamonds that everyone had their own portion of?

14:43:49 5 A. Well, I cannot tell that because - but I know that when the
6 mining was going on the government had its representative there
7 and so whatever diamond they got was reported to the resident
8 minister, Sam Bockarie. Those diamonds were reported to him.

9 JUDGE SEBUTINDE: Sorry, Mr Munyard. Mr Witness, what do
14:44:17 10 you mean by everybody had his portion?

11 THE WITNESS: There was the AFRC and the RUF. That is what
12 I am talking about. When - everybody had his representative
13 there. After the mining would have finished, then they would put
14 the diamonds together and send them to the resident minister,
14:44:45 15 Sam Bockarie, and he in turn will send it to Johnny Paul.

16 MR MUNYARD:

17 Q. That is not what you were telling us in your evidence on
18 Monday. What you told us on Monday was that:

19 "Mining in Tongo started hastening up. Everyone had his
14:45:09 20 own portion of diamonds so as to be able to have some if we had
21 to pull out."

22 In other words, you were basically describing all the
23 senior people involved in the diamond business as having their
24 own personal stash, weren't you?

14:45:37 25 A. That is not what I was talking. You would not even think
26 about that, except if you hid it, but if you were caught you
27 would be beaten to near death, except if you hid it.

28 Q. And what was the most common place to hide your stash of
29 diamonds?

1 A. What are you trying to say?

2 Q. You were involved in the control of the mining industry in
3 Tongo, you say, for a couple of months. You have told us that if
4 you hid diamonds and you were caught you would be beaten to near
14:46:23 5 death. You tell us, from your experience, what was the most
6 common place that people would hide their diamonds?

7 A. Well, everybody has his own way. I cannot tell you now
8 specifically that this was a standard way that - some people
9 would swallow it and some other people had their own ways.

14:46:56 10 Q. Where did you hide your stash of diamonds?

11 A. Well, unfortunately for me, during that time I did not have
12 any diamonds again and so I did not hide any diamonds. I just
13 pulled out because things were really out of control.

14 Q. "During that time I did not have any diamonds again",
14:47:28 15 suggests that you did have some diamonds before the intervention.
16 Is that correct?

17 A. Well, once in a while I used to get some diamonds that I
18 would sell and I survived on the proceeds of that, once in a
19 while, before the intervention, but at around the intervention -
14:48:00 20 because at that time I was no longer engaged in any personal
21 mining.

22 Q. You were a member of the armed forces when you were posted
23 to Tongo, weren't you?

24 A. Yes, of course.

14:48:22 25 Q. What was your rank at that time, in the two months before
26 the intervention?

27 A. I was lieutenant right up until the time I left the army.

28 Q. And what was a lieutenant doing engaged in personal mining
29 in Tongo?

1 A. It was not a personal mining, as I was saying. That one
2 was like if you are overseeing a government mining and the area
3 was a big place, they were not just doing the mining at one
4 place, so maybe you would put one or two or three people together
14:49:06 5 and you would feed them so they will mine for you, because it was
6 only the government that was capacitated enough to do big mining,
7 because it was the government who could bring a lot of civilians
8 together.

9 Q. It was your phrase that I was quoting back to you when you
14:49:28 10 said:

11 "Well, once in a while I used to get some diamonds that I
12 would sell and I survived on the proceeds of that, once in a
13 while, before the intervention, but at around the intervention -
14 because at that time I was no longer engaged in any personal
14:49:50 15 mining."

16 What were you doing engaged in personal mining when you
17 were a soldier, a lieutenant, based there to oversee the mining
18 operations?

19 A. I was not doing anything.

14:50:13 20 Q. Were any of your relatives doing anything for you in the
21 mining area?

22 A. Well, it was not that they were doing something for me as
23 such. They were living in a mining area and during those times
24 things were really difficult and everybody was looking for a way
14:50:38 25 and means to survive and protection. So it was only a relative
26 or a friend that you could mine with during those times, because
27 everybody was engaged in government mining and it was well
28 supervised.

29 Q. Government mining means mining for the government, not for

1 your personal benefit, doesn't it?

2 A. Yes, and even when you would be mining for yourself, for
3 your personal self, if there are times you got a big diamond and
4 you did not present that to the government and the information
14:51:21 5 got to Kenema, to either Eddie Kanneh or Sam Bockarie, it would
6 not be an easy thing for you. So that made people to hand over
7 diamonds like those, except those small diamonds that could not
8 cost anything, so with those you could transact business together
9 with other people who were mining for you.

14:51:57 10 Q. So, finally on this subject, is this your evidence: That
11 although the government was in control of the diamond mines at
12 Tongo you, and anybody else who was in a position to do so, could
13 cream off the smaller diamonds for your own personal benefit?

14 A. Yes, I told you that.

14:52:29 15 Q. And if you were later found with a stash of diamonds, even
16 smaller diamonds, that wouldn't be a problem. Is that what
17 you're telling us?

18 A. It would be a problem. That was why I told you that that
19 would not be to the knowledge of the big ones, because I was
14:52:55 20 there purposely to represent the government.

21 Q. Now after the intervention chaos breaks out amongst the
22 AFRC/RUF, doesn't it?

23 A. Where are you talking about?

24 Q. After the intervention there was no control any more,
14:53:23 25 everyone was on his own because the regime was no longer in
26 power. Do you agree?

27 A. Well, after the intervention Mosquito was in control.
28 Mosquito was in complete control.

29 Q. Mr Witness, let me just see if you agree or disagree with

1 this proposition. There was no control any more, everyone was on
2 his own because the regime was no longer in power. Do you agree
3 with that?

14:54:12 4 A. Not everywhere. As I told you, all of us who went towards
5 the Kailahun-Daru axis - as I told you, Mosquito was in full
6 control.

7 Q. Do you agree with any part of the proposition that I have
8 just put to you that there was no control any more, everyone was
9 on his own because the regime was no longer in power?

14:54:37 10 A. Like in the city, but where I found myself that I am
11 telling you we - when the intervention met us in Tongo we went
12 towards the Daru area and Mosquito was in complete control from
13 the initial stage of the withdrawal. That was why he was able to
14 go with those big weapons like the twin barrel that I told you
14:55:04 15 about, that I told the Court about. He was in control
16 completely.

17 Q. Well, the proposition, the phrase I was putting to you,
18 comes from your own evidence to this court on Monday.

19 MR KOUMJIAN: Again if we could have the citation it might
14:55:22 20 be helpful.

21 MR MUNYARD: I can't, because I am going from my
22 handwritten notes, but it is on Monday the 9th I believe and to
23 give you an idea of when on Monday I can tell you it was some
24 time after 10.12 a.m. in the morning.

14:55:39 25 MR KOUMJIAN: Yes, what I am reading at 10.06 it's clear -
26 it's on page - line 18 of page - I have lost the page. Well, he
27 was talking about the intervention - the coup at that time.

28 MR MUNYARD: Can I help my learned friend by repeating that
29 what I am quoting from comes some time after 10.12 in the

1 morning, because I have made notes of certain of the witness's
2 evidence and set the time against them. This comes some time
3 after that. Actually it comes between 10.12 and 10.28. The next
4 note I put a time against is 10.28, but I am moving on in any
14:56:31 5 event.

6 PRESIDING JUDGE: Was the last question answered? I don't
7 think so.

8 MR MUNYARD: Your Honour, I don't think so, but I can move
9 on and deal with it.

14:56:45 10 PRESIDING JUDGE: Very well.

11 MR MUNYARD:

12 Q. You have told us that Mosquito had command and when the
13 army was in disarray Mosquito and the Sierra Leone Army, the SLA
14 as a whole, were no longer in control, but Mosquito was able to
14:57:07 15 put the RUF structure under a strong command. Do you remember
16 telling us that some time after 10.28 on Monday morning?

17 A. Not only the RUF did Mosquito put under strong command.
18 Even the SLAs who went to that end - I am talking about people
19 who went towards Kailahun, Buedu, who left Daru. Mosquito was in
14:57:36 20 total control at that particular time. It was until when the
21 entire operation had started again General Mosquito was in total
22 control of the operations for us to go and fight back and
23 dislodge ECOMOG and government troops from the various areas that
24 they had captured.

14:58:01 25 Q. Right. I want to ask you about the relationship between
26 the RUF and the SLA after the intervention. Would you agree that
27 after the intervention it was decided that where the SLA had a
28 commander that his deputy would have to be an RUF commander and
29 where the RUF had a commander his deputy would have to be an SLA

1 member? Would you agree with that proposition?

2 A. Yes.

3 Q. And did that arrangement continue in the months and years
4 after the intervention?

14:58:55 5 A. It continued, but it was not that effective. The RUF had
6 total command over everybody so far that was there.

7 Q. You also told us on Monday that three months after the
8 intervention you finally crossed into Foya out of Sierra Leone.
9 Do you remember telling us that?

14:59:33 10 A. Yes.

11 Q. And all of those three months you spent in Sierra Leone,
12 did you?

13 A. Yes, yes, as I told you, because of the things that used to
14 happen and we heard about, like for example when we heard that
14:59:58 15 Johnny Paul had been arrested and his wife had been searched and
16 some of his honourables that were with him had been tied up and
17 beaten up, that was why we started using those bypasses. That
18 was the reason why we hid --

19 Q. Mr Witness, I am going to interrupt you for a moment. I am
15:00:22 20 simply trying to ask you about timing at the moment. We are not
21 so much interested in what was going on, but the period of time.
22 Now do you have a very clear memory of all of those things
23 happening and you still being in Sierra Leone for those three
24 months from the time of the intervention in mid-February 1998?

15:00:50 25 A. As I told you, I am mentioning this because these were some
26 of the things that made me never to come to the open. I was
27 hiding right until the time I went out of the country.

28 Q. Right. And then it takes you another three months, you
29 say, to get from Foya to Monrovia. Do you remember saying that?

1 A. Yes, because it was on foot.

2 Q. What was going on in Foya and in the area around Foya while
3 you were there? Was any fighting going on?

15:01:54

4 A. There was no fighting going on around Foya. Fighting was
5 not going on there. The only thing I knew that was going on
6 there was that if somebody was travelling that person would be
7 properly searched and if money was found on that person, or any
8 other thing that was of interest to them that would be taken from
9 the person and seriously beaten up.

15:02:21

10 Q. Who was actually running these road blocks? Were they the
11 Armed Forces of Liberia, or were they local civilians, or were
12 they some other group?

13 A. It was the Armed Forces of Liberia and at that time the
14 commander in that area was Colonel Fayia.

15:02:54

15 Q. As far as you understood it, were the Armed Forces of
16 Liberia hostile to former members of the junta; that's to say SLA
17 or RUF?

18 A. Please simplify that language for me. What do you mean by
19 "hostile"?

15:03:18

20 Q. Were the Armed Forces of Liberia against the former junta
21 members, SLAs and RUF?

22 A. Well, it was not in all cases. Not in all cases. Not in
23 all cases.

15:03:50

24 Q. Was it your understanding while the junta was in power that
25 the government of Charles Taylor in Liberia was opposed to or
26 against the junta in Sierra Leone?

27 A. No, it was not against. It was not against at all. It was
28 not against the junta.

29 Q. So were these road blocks that were manned by the Armed

1 Forces of Liberia, where people would be searched and have all
2 their property removed, was that being done on government orders,
3 as you understood it, or was that just soldiers acting entirely
4 in their own personal interests?

15:04:39 5 A. Well, I don't know. I don't know that.

6 Q. Were any of these road blocks that you were so anxious to
7 avoid being manned by rebel forces opposed to the Government of
8 Liberia?

9 A. It was the Liberian soldiers, the AFL, they were in those
15:05:04 10 places.

11 Q. Yes, we know that from what you have told us. I am asking
12 you as far as you're aware were they doing this, removing
13 people's property, on government orders, or were they doing it
14 entirely to line their own pockets?

15:05:21 15 A. That is what I am telling you, Mr Lawyer, that I cannot
16 tell whether they were ordered by the government or not, but I
17 know that they were doing that. And to some extent some people
18 who even crossed over with vehicles, the vehicles were taken away
19 from them and they found themselves in refugee camps because
15:05:45 20 there were refugee camps there at that time.

21 Q. How was it that you knew this woman whose name you have
22 given to us and that you went to stay with in Monrovia when you
23 arrived in Monrovia in - well, it must have been around August
24 1998?

15:06:18 25 A. I have told this Court that when I was serving, during that
26 time I befriended that woman when I was with the ECOMOG and I
27 used to assist them once in a while with food. We had a food
28 stuff that was in a packet that we referred to as compo. That
29 was what we used to give to some of them. That was how I

1 befriended that woman.

2 Q. And what was her role when you were befriending her with
3 this food?

15:07:06

4 A. It was not hidden, it was clear, and she was a senior
5 person. A general in the NPFL.

6 Q. And what was the NPFL doing during the time that you were
7 in the peacekeeping force of ECOMOG?

15:07:45

8 A. Well, during that time they were disarming. They had
9 disarmed even. They were waiting for their elections to be
10 conducted. They had already disarmed.

11 Q. And how well did you get to know this woman?

15:08:17

12 A. I said she did not hide her identity. She was a big
13 person. She used to come there with some other people even,
14 because she knew how to talk to people and so I liked talking to
15 her. So whatever she wanted, she would explain to us and we too
16 used to encourage them just for them not to start any other
17 hostilities. So we used to give them food. That was how I came
18 to know her.

15:08:41

19 Q. And did you give her food in the premises where she worked,
20 or at her home?

21 A. They used to come and meet us at the checkpoints. I can
22 recall that, yes, they used to come and meet us at the
23 checkpoints.

15:08:58

24 Q. So you never went to her home during the period of time
25 that you were in the ECOMOG force?

26 A. No, you will not go to people's houses at that time because
27 there was not complete stability. Most of the times it was
28 around that Red Light area, because we had road blocks around
29 that area. There was a market there that you used to visit, so

1 it was during those times that I got used to her.

2 Q. So how did you find her when you go back to Liberia in
3 August of 1998?

15:09:53

4 A. Well, I asked people about her. Somebody directed me and
5 told me that if I wanted to get information about her whereabouts
6 in Congo Town I should just go and ask, because she was a popular
7 person and the first person I asked told me that she was in
8 charge of the airport at present, at the moment, and she was the
9 commander, so I was able to trace her.

15:10:22

10 Q. And how soon after you met her did you end up living in her
11 house?

12 A. I went and located her house, but she was not there. I
13 waited for the rest of the day and she came back around 8 at
14 night from the airport and I saw her and she recognised me and

15:10:49

15 she asked me about the situation in Sierra Leone and I explained
16 how I had struggled and how I even had gone out of even food
17 items, so that is why I had seen her, to help me get something to
18 eat.

19 Q. But you told us that you had come to Monrovia with five
20 other soldiers who you were treating like members of your family
21 and that you had brought money with you. Can you remember
22 telling us that earlier this week?

15:11:19

23 A. I had used up money long ago, as I told you. I could not
24 continue taking care of those soldiers, because things were not
25 really easy. Then I was fighting for my own personal survival
26 then, so the money that I had with me, I gave some share to each
27 and every member of the group and I told them that that was my
28 last assistance to them and I was around the Duala area, as I
29 told you. At that time I was not employed, so that was why I

15:11:40

1 decided to go in search of her.

2 Q. So how long had you actually been in Monrovia before you
3 end up finding where she is living and moving into her house?

4 A. I have told the Court that I was in Monrovia on my own
15:12:34 5 right after the 6 January incursion. I cannot recall the
6 specific date now. I cannot tell the Court an exact date now,
7 but it was after the 6 January incursion that I had no other way
8 to continue living there, that I decided I should go in search of
9 her.

15:13:05 10 JUDGE SEBUTINDE: Mr Witness, you haven't answered the
11 question. The question was: After you met this woman in 1999,
12 how long after you met her did you move into her house? One day,
13 two days, a week, that same day? How long?

14 THE WITNESS: No, it was not long. It was within the same
15:13:33 15 week when I explained to her that I hadn't a place to live,
16 because I told her I could not even pay a rent on my own. It was
17 within the same week.

18 MR MUNYARD: Thank you, your Honour:

19 Q. And how long did you actually live in her house?

15:14:03 20 A. I was there - I cannot tell the Court now a specific date,
21 but I was there until I came to the Freeport and met with my
22 people and that man collected me there that I gave you his name,
23 Mr Bamie. I was there right up until that time that he picked me
24 up and brought me to that bar.

15:14:37 25 Q. We will come on to Bamie in a moment. I am asking you not
26 what the specific dates were that you lived in her house, but how
27 long roughly did you live in her house, this woman?

28 A. It was not even up to two months.

29 Q. So something between one month and two months?

1 A. Yes, I am sure.

2 Q. Can you please just spell us her first name, letter by
3 letter?

4 A. I don't know if the way I spell it, or the way they used to
15:15:30 5 pronounce it is the same way I spell it. I don't know.

6 PRESIDING JUDGE: Never mind. You spell it the way you
7 think it is spelt.

8 THE WITNESS: I spell it M-A-T-I-L-I-D-A, Matilda Johnson,
9 J-O-H-N-S-O-N. That is how I spell it.

15:16:13 10 MR MUNYARD:

11 Q. Did anybody else live in Matilda Johnson's house with her
12 while you were there for between one and two months?

13 A. Yes.

14 Q. Tell us who.

15:16:36 15 A. One of her brothers was there. He was an SS, but he was at
16 LU as a student and there was a nanny who used to cook for us at
17 the house and her bodyguards will come in and out. They were not
18 staying there. Those are the people I can recall.

19 Q. Did any other member of her family stay in that house?

15:17:18 20 A. No, it was that gentleman who was an SS, but he was at LU,
21 studying at the Liberian University, with that nanny that I am
22 sure was her relation too. She was cooking. Because the house,
23 they didn't have a lot of bedrooms. It is like a villa.

24 Q. Did she have any sisters living at the house?

15:17:56 25 A. Except that woman who used to cook, a nanny, she too had a
26 young baby.

27 Q. What was her name?

28 A. I cannot tell you her name. I can't recall her name.

29 Q. Do you know Matilda's mother's name?

1 A. No, I never saw her mother and she never told me her
2 mother's name.

3 Q. Do you know the name of her chief of security?

4 A. Not at all. I don't know the name.

15:18:42 5 Q. Did you see her chief of security at any time during the
6 one to two months you were living there?

7 MR KOU MJIAN: Objection. That presumes that there is a
8 chief of security.

9 PRESIDING JUDGE: This is cross-examination. He is
15:18:55 10 entitled to put that, Mr Koumjian.

11 MR MUNYARD: I hoped we had got beyond that, but there we
12 are:

13 Q. There is, I suggest, a chief of security to the person you
14 call Matilda Johnson. Did you ever see a chief of security at
15:19:15 15 her villa?

16 A. As I told you, I saw her going in and out with bodyguards,
17 two guys who were guards to her, because she liked driving and so
18 most of the time she used to drive for herself.

19 PRESIDING JUDGE: That doesn't answer the question,
15:19:52 20 Mr Witness. Can you put a name to any of these people?

21 THE WITNESS: I cannot give any name now, because there was
22 one I heard him being called Junior and I don't think that Junior
23 is a name.

24 MR MUNYARD:

15:20:11 25 Q. Now, when the government of President --

26 THE INTERPRETER: Your Honour, can counsel please activate
27 his mic.

28 MR MUNYARD: That is the problem with this constant on and
29 off:

1 Q. When the government of Tejan Kabbah was restored to power
2 by the intervention in 1998, that government disbanded the army,
3 didn't they?

15:20:50

4 A. No, some people - even during the intervention, as I told
5 you, not every soldier was in favour of the coup, so most of
6 those who were not in favour of the coup were still with Tejan
7 Kabbah even when he returned. He still had the military ADC. So
8 that is not straight.

15:21:24

9 Q. All right. The ECOMOG peacekeeping force in Liberia, in
10 1999 there wasn't a - sorry, yes, 1999.

11 PRESIDING JUDGE: Is this a time that the witness was
12 working with the --

13 MR MUNYARD: No, your Honour, this is later:

15:21:43

14 Q. In 1999, and indeed 1998, there wasn't a Sierra Leone Army
15 contingent in the peacekeeping force in ECOMOG in Liberia any
16 more, was there?

15:22:13

17 A. You know that after the coup had taken place in Sierra
18 Leone at a point in time they withdrew everybody that was part of
19 the contingent back to Sierra Leone except those who escaped.
20 They were the ones who were still there. Nearly everybody who
21 was part of the contingent was in Pademba Road Prisons. That is
22 those who returned.

15:22:43

23 Q. Thank you. So there was no Sierra Leone Army contingent in
24 the ECOMOG peacekeeping force in Monrovia in 1998 and 1999, was
25 there?

26 A. Yes.

27 Q. I am not sure if you are agreeing or not.

28 A. By 1999.

29 Q. Mr Witness, are you agreeing with me that by early 1999 at

1 any rate there was no Sierra Leone Army contingent in the ECOMOG
2 peacekeeping force in Monrovia?

3 A. I told this Court this, that they were withdrawn. All of
4 those who were there were those who stayed there on their own.

15:23:26 5 They escaped. When people went to withdraw the contingent they
6 were around in small groups.

7 JUDGE SEBUTINDE: But, Mr Witness, exactly when were the
8 Sierra Leone contingent withdrawn from Liberia? Give us a year?
9 Was it 1998?

15:24:05 10 THE WITNESS: Yes.

11 JUDGE SEBUTINDE: Was it 1999?

12 THE WITNESS: Yes, 1998, late. 1998 late all the troops
13 had been withdrawn, the contingent had been withdraw, the Sierra
14 Leonean contingent. It was only the Nigerian contingent that was
15:24:26 15 still in Liberia.

16 JUDGE SEBUTINDE: And that included yourself?

17 THE WITNESS: No, I had been in Sierra Leone. I hid. I
18 ran away and went there. I hid on my own.

19 MR MUNYARD: Your Honour, I may be able to clarify that by
15:24:47 20 reference back to one of the witness's earlier answers that he
21 was in Kenema at the time of the AFRC coup. He has also said
22 that the junta withdrew the Sierra Leone contingent, so that must
23 have been between '97 and '98.

24 THE WITNESS: No.

15:25:09 25 MR MUNYARD: That's what I thought he was saying:

26 Q. Can I just cut to the quick and deal with --

27 A. No, it was not the junta. It was not the junta that
28 withdrew the Sierra Leone contingent. It was ECOMOG. You know
29 it was headed by the Nigerians. When that occurred it was ECOMOG

1 forces under the Kabbah government that ordered the contingent to
2 be withdrawn. It was the Kabbah government that withdrew that
3 contingent. That was the last contingent that was under the
4 command of Lieutenant Colonel Yapo Sesay.

15:26:01 5 Q. Was the Kabbah government withdrawing the Sierra Leone Army
6 contingent from ECOMOG because they, the Kabbah government, were
7 disbanding the Sierra Leone Army?

8 A. Well, they withdrew it because they no longer had any
9 support. The government did not have any support again. And
15:26:44 10 everybody was taking care of its contingent. Every country that
11 had contingents there were taking care of its contingents. So
12 after the AFRC had taken over there was no support any more for
13 that contingent. That was why our Sierra Leonean contingent was
14 withdrawn. That is what I told you.

15:27:07 15 Q. All right, thank you. So when you're in Monrovia at the
16 time that you're staying with Matilda Johnson there is no former
17 Sierra Leone contingent at the ECOMOG headquarters in Freeport,
18 is there?

19 A. I told you that there were some people who escaped. They
15:27:37 20 stayed. Those came around the contingent area, because there was
21 a Sierra Leonean woman who was called Mammy Ellie. She used to
22 prepare Sierra Leonean dishes and sell them so they used to go
23 around there.

24 JUDGE LUSSICK: Mr Witness, are you saying there was some
15:28:01 25 kind of Sierra Leonean contingent made up of these people?

26 THE WITNESS: I said individual soldiers. Some of the
27 individual soldiers did not return to Sierra Leone. They
28 escaped. They did not return to Sierra Leone. So they used to
29 come around that contingent headquarters where that Mammy Ellie

1 used to prepare her dish. It was a local restaurant. They used
2 to go around there.

3 JUDGE LUSSICK: I see. Well, you are being asked - it's
4 being put to you, rather, that there was no form of Sierra
15:28:54 5 Leonean contingent at ECOMOG headquarters in Freeport at that
6 stage. Are you saying there was or there wasn't?

7 THE WITNESS: Oh, right, they were not there.

8 JUDGE LUSSICK: So these people who used to come around,
9 the people from Sierra Leone, they had no participation in
15:29:17 10 ECOMOG. Is that right? They just used to hang around the
11 headquarters. Is that what you're saying?

12 THE WITNESS: Yes, because they refused to join the
13 contingent to return home. They were the people who escaped, so
14 they were there on their personal business.

15:29:37 15 JUDGE LUSSICK: I see, thank you.

16 MR MUNYARD:

17 Q. Now you have told us today about Mammy Ellie and her
18 cooking. When did you first tell the Prosecution about Mammy
19 Ellie?

15:30:17 20 A. Well, it was when the Prosecution lawyer was trying to know
21 from me what the reason was that made me to go to Freeport to see
22 the Sierra Leoneans to know exactly what was happening back home.
23 That was the time I told him that there was a woman who had been
24 there before, even when we were serving, and she still continued
15:30:48 25 to be there. I said that was how I knew that there were Sierra
26 Leoneans who used to go there for the Sierra Leonean dishes she
27 prepared and if I went there I would be able to get the right
28 information other than just sitting around or assuming or getting
29 worried about home. That was when I explained to the Prosecution

1 Lawyer.

2 Q. When did you explain that to the Prosecution lawyer?

3 A. It was when I came here when he was interviewing me.

4 Q. You mean last Friday, less than a week ago?

15:31:41 5 A. Yes, yes.

6 Q. The same time that you first told the Prosecution about
7 seeing severed heads and limbs, yes?

8 A. No, at that time it was when I was under Colonel Marzah's
9 supervision and Benjamin Yeachen.

15:32:13 10 PRESIDING JUDGE: Mr Witness, we are not talking about the
11 time that you were under their supervision. We are talking about
12 the time that you told the Office of the Prosecutor these facts,
13 Mammy Ellie and the severed heads. Was it at the same time that
14 you discussed those two items?

15:32:35 15 THE WITNESS: No.

16 MR MUNYARD: Right. I will deal with it in due course.

17 PRESIDING JUDGE: Very well, Mr Munyard.

18 MR MUNYARD: I am not going to spend time on that point:

19 Q. Now, is this right, that when you go to Freeport in
15:32:48 20 Monrovia you bump into the man you called Bamie? Is that right?

21 A. I did not just bump into Bamie like that. I told you that
22 I met with the wives of the honourable Tamba Brima, the
23 honourable Bazy and the honourable Momoh Dirty's wives. Those
24 were the ones. Patricia, she was the person who called Bamie,
15:33:28 25 because she told me that Bamie will serve as middleman because he
26 had been doing that as liaison for me to meet with Sam Bockarie
27 and Eddie Kanneh.

28 Q. And you told us that the purpose of him acting as liaison
29 for you to meet Sam Bockarie and Eddie Kanneh was that they

1 wanted fighting men to go back to Sierra Leone, yes?

2 A. Well, I told you that since that particular day that they
3 saw me they were doubtful over me because they were thinking
4 about where I had been all that while before seeing me that
15:34:20 5 particular day and they told me that those were the men who were
6 in charge of that and that if anybody wanted to go back to Sierra
7 Leone you should meet them. That is Bamie.

8 Q. Who is it that was doubtful over you?

9 A. The wives of the honourables that I have made mention of
15:34:49 10 here.

11 Q. Do you mean Patricia?

12 A. Yes.

13 Q. What about Bamie? Was he doubtful of you? Did he think
14 that you might be a spy?

15:35:02 15 A. Well, it was Patricia who called Bamie. I did not know
16 what she told him, but the way things went on I realised within
17 myself that Bamie too had that impression about me, that I was a
18 spy.

19 Q. Bamie told you that he didn't trust you because they had
15:35:39 20 intelligence suggesting that Sierra Leone Army men had come into
21 Liberia to act as Kamajor spies, didn't he?

22 A. Yes.

23 Q. And then he asked you for your address, yes?

24 A. Yes, because I knew that I was not a spy, so I showed him
15:36:09 25 where I was staying.

26 Q. Why did you show him your address if he had told you he
27 thought you were a Kamajor spy?

28 A. I knew that I was not a Kamajor spy and I had that
29 confidence and when he told me that he will inform Mosquito and

1 Eddie Kanneh, that was the reason why I showed him where I was
2 staying and he told me that after informing them he will get in
3 touch with me and that he will come to get me so that we see
4 them. That was the confidence I had and that was the reason why
15:37:00 5 I showed him where I was staying.

6 Q. And did you want to go back to Sierra Leone to fight with
7 the rebels?

8 A. At that time I was also a rebel, because we had all moved
9 out. I really had wanted to go back to Sierra Leone at that
15:37:35 10 time, because I did not cherish the way my life was in Liberia.

11 Q. Well, were you actively looking to make some money working
12 for anyone who would pay you at that time? Is that why you went
13 down there and met up with Bamie?

14 A. No, not at all.

15:38:10 15 Q. Do you agree that you were putting yourself at very
16 considerable risk if Bamie had told you he thought that you might
17 be a Kamajor spy and yet you still give him your address?

18 A. Well, I did not know that something like that was going to
19 happen and I had a clear conscience over things, so I believed
15:38:44 20 that I needed not to hide away anything from him and I believed
21 within myself that it will have been better for me to go back to
22 Sierra Leone, because I have not been used to the life of
23 depending on somebody for my survival, not at all at that point
24 in time again, so I did not want that to happen.

15:39:13 25 Q. The next day he comes to your house, doesn't he?

26 A. Yes.

27 Q. And he takes you to a pub where you meet, amongst other
28 people, Zigzag Marzah, yes?

29 A. I did not meet Zigzag Marzah in the pub. Bamie took me to

1 the pub and when I got there I only met K1 and two other Sierra
2 Leonean guys whom he said they were Eddie Kanneh's younger
3 brothers. It was later when Mohamed Saleh came and went that I
4 saw two men who came, and what I said about them was that one of
15:40:16 5 them identified himself to me as Colonel Zigzag Marzah and he
6 said he was from the mansion, and another who was called Captain
7 Denis. They met us in the pub where we were seated when Bamie
8 said that I should wait there for Eddie Kanneh and Sam Bockarie.

9 Q. So, Mr Witness, you are agreeing with me that he did take
15:40:41 10 you to a pub where you met, amongst other people, Zigzag Marzah,
11 aren't you?

12 A. I am still saying that it was Zigzag Marzah and Denis who
13 met us in the pub. I did not meet them there. We did not meet
14 them there. They met us in the pub whilst I was waiting for
15:41:06 15 Eddie and Sam Bockarie.

16 Q. Did Zigzag Marzah live in the area near to the pub?

17 A. At the initial stage when he came I never knew that he was
18 living in that particular area and that he was living on the next
19 street, but when he arrived he told me that he was coming from
15:41:36 20 the mansion.

21 JUDGE SEBUTINDE: Mr Witness, you were asked, "Did Zigzag
22 Marzah live in the area near the pub?" The answer is either yes
23 or no. You have answered a very long answer that doesn't answer
24 the question. Did he, or did he not, live near the pub?

15:42:14 25 THE WITNESS: Yes, yes, yes, but I only knew that later.

26 MR MUNYARD: Madam President, can Mr Taylor be excused for
27 a moment, please?

28 PRESIDING JUDGE: Certainly. He can be escorted out.

29 [In the absence of the accused]

1 MR MUNYARD: We have instructions to continue going on in
2 his absence.

3 PRESIDING JUDGE: We will note that in accordance with
4 Rule 60.

15:42:49 5 MR MUNYARD:

6 Q. Are you telling us that it was pure chance that Zigzag
7 Marzah came into that pub that day and started to speak to you?

8 A. What do you mean?

9 Q. Are you telling us that it was purely by accident that
10 Zigzag Marzah came into that pub and started to talk to you, or
11 was that part of the arrangement?

12 A. Yes, that was what Marzah told me. He said it was because
13 of the information given to him by my own Sierra Leonean brothers
14 that brought him there. That was why he came there.

15:43:41 15 Q. Did Zigzag Marzah enquire as to how you had entered
16 Liberia?

17 A. Yes, and I explained myself to him.

18 Q. You have told us that you showed Bamie your address, the
19 house where you lived, because you had nothing to fear. The next
15:44:12 20 day Zigzag Marzah is threatening to kill you, isn't he?

21 A. No.

22 Q. Mr Witness, the next day you are in a pub with Bamie and
23 Zigzag Marzah and Zigzag Marzah tells you that if it turns out
24 that you are a spy he is going to execute you, or Sam Bockarie,
15:44:41 25 or Eddie Kanneh might execute you. That is right, isn't it?

26 [In the presence of the accused]

27 A. Mr Lawyer, that is the reason why I want to explain. He
28 did not just put it to me immediately that he was going to kill
29 me. I don't know if you would like me to explain. He did not

1 just come to me and immediately tell me that he was going to kill
2 me. I don't know if you would like me to explain. I am
3 listening to you.

15:45:30 4 Q. Well, let me suggest this to you: That you meet Zigzag in
5 the pub, he takes you to the back of the bar to speak with you in
6 private and then he says to you that you are suspected of being a
7 Kamajor spy and if that was true you would not live to see
8 tomorrow. Is that right, or is that wrong?

15:46:06 9 A. I did not meet Zigzag Marzah. It was Zigzag Marzah who
10 came and met me and the other Sierra Leoneans in the pub and we
11 all sat together taking drinks together and we were all
12 discussing. I showed my pictures, my identity card to him and it
13 was during those discussions, when I identified myself to him,
14 that Zigzag Marzah asked me to have a discussion with him at the
15:46:41 15 back of the pub. It was at that time that I went to the back of
16 the pub and discussed with Zigzag Marzah.

17 Q. It wasn't that you discussed with him. It was that Zigzag
18 Marzah said you would not live to see tomorrow if it turned out
19 you really were a spy, that it was putting to you. Is that
15:47:07 20 correct?

21 A. Yes.

22 Q. Thank you. So the day before you have got Patricia saying
23 she thinks you are a spy, you have got Bamie saying he thinks you
24 are a spy and the next day you have got Zigzag Marzah saying you
15:47:24 25 won't live until tomorrow if you are a spy.

26 PRESIDING JUDGE: Mr Koumjian.

27 MR KOUMJIAN: Objection. That misstates the evidence. I
28 don't think the witness has ever said that Patricia and Bamie, in
29 those previous days, said that to him.

1 PRESIDING JUDGE: I was going to make that point myself,
2 Mr Munyard. It is not clear that they voiced an opinion. The
3 inference from the evidence, as I get it, is that the witness
4 thinks they may have entertained this. Is there a point where
15:47:52 5 they voiced that - Patricia voiced that opinion?

6 MR MUNYARD: Dealing with each of them in turn, I can work
7 backwards. I have established from him that Bamie said he
8 thought he was a Kamajor spy.

9 PRESIDING JUDGE: Yes.

15:48:07 10 MR MUNYARD: Nevertheless, because he was so confident that
11 he wasn't, he showed Bamie where he lived. That is Bamie. He
12 said to us that Patricia thought that he was a spy. How could he
13 have known that --

14 PRESIDING JUDGE: The point I am making, Mr Munyard, is the
15:48:20 15 impression I form is that he has come to that conclusion rather
16 than - have we got direct evidence she said it? I think that is
17 the subtlety of this that Mr Koumjian is objecting to.

18 MR MUNYARD: I will leave Patricia out of the equation for
19 now. I can deal with Patricia in a different way:

15:48:39 20 Q. Mr Witness, on the day before you go to this pub with
21 Bamie, Bamie has already told you he thinks you are a spy, hasn't
22 he?

23 A. No.

24 Q. That contradicts evidence you gave to us just a few minutes
15:48:57 25 ago, but we will move on. When did you realise that Patricia
26 thought you were a spy?

27 A. That was when Zigzag Marzah told me that that was the
28 information my Sierra Leonean brothers and sisters gave to him.

29 Q. So Zigzag told you in the pub that Patricia had given him

1 that information - hang on, listen to the question. Zigzag told
2 you in the pub that Patricia thought you were a spy as well, did
3 he?

15:49:54 4 A. He did not specifically say it was Patricia. He did say
5 that my own Sierra Leonean people informed him that I was a spy
6 for the Kamajors and that I was there to get intelligence
7 information whether the Ghankay government was supporting the
8 AFRC and the RUF. That was what Zigzag Marzah told me.

15:50:23 9 Q. When did you first learn that Patricia thought that you
10 were a spy?

11 A. It was when Zigzag Marzah told me that that was the feeling
12 my Sierra Leonean people had about me and that was at the back of
13 the pub.

15:50:55 14 Q. So that is when you first learned that Patricia -
15 specifically Patricia - thought you were a spy, yes?

16 A. Yes.

15:51:28 17 Q. So if your story - if your account of these meetings is
18 correct, you go from six months of wandering around in Monrovia
19 from about August - well, maybe five months, August to some time
20 after the 6 January invasion, looking for work and living off
21 people and then suddenly in the space of two days you are accused
22 of being a spy by Bamie on the first day, Zigzag Marzah on the
23 second day and you are effectively threatened with death and
24 imprisoned. That's what you're telling this Court, is it?

15:51:57 25 A. No, sir. I do not want you to complicate what I said.

26 Q. I was trying to simplify it by summarising it. What have I
27 inaccurately summarised in the way I put it a moment ago?

28 A. You are trying to tell me that Patricia and Bamie suspected
29 me and then Zigzag Marzah suspected me. I said no, sir. I did

1 not read that in the face of my Sierra Leonean people that they
2 suspected me. What I told you was that I had wanted to know much
3 about Sierra Leone, so that was the reason why I went to that
4 place, and when I got there Patricia told me that he will bridge
15:53:12 5 a connection between Eddie Kanneh and Mosquito and I so that they
6 would make arrangements for me to go to the battlefronts.

7 Q. Mr Witness, I am going to interrupt your for a moment.
8 What, if anything, did I get wrong in my very brief summary of
9 the events?

15:53:38 10 A. The thing you got wrong there is when you told me that
11 Patricia suspected me and that Bamie also suspected me and that
12 they made that known to me. I said no, I never had such a
13 feeling.

14 Q. I am going to stop you there. I did not mention Patricia
15:54:00 15 in the very short summary of events. I said Bamie and then the
16 next day Zigzag Marzah?

17 MR KOUMJIAN: Actually the full quote, if counsel is going
18 to give it again, otherwise I will sit down. Part of that phrase
19 was, "You are accused of being a spy by Bamie on the first day".

15:54:27 20 MR MUNYARD: Yes, that's absolutely right and that was my
21 point; I didn't mention Patricia there.

22 Q. Accused of being a spy by Bamie on the first day, Zigzag
23 Marzah on the second day and then effectively threatened with
24 death and imprisoned. Is that an accurate summary of the story
15:54:45 25 that you're telling this Court?

26 A. Yes.

27 Q. Thank you. Now in the back of the pub you show Zigzag some
28 documents, yes?

29 A. For him to know that I had no business to do with the

1 Kamajors. That was the reason why I started showing my documents
2 to him even inside the pub. And when we went to the corner at
3 the back of the pub, when he showed me that photo and he told me
4 that if I was found guilty they will kill me in a much more ugly
15:55:44 5 way than that woman, that was the time I took out my ID card and
6 my other photos again and showed them to him.

7 Q. You showed him your ID card from the military and you
8 showed him your certificate for artillery training. Is that
9 correct?

15:56:05 10 A. Yes, right.

11 Q. And how big is the certificate for artillery training?
12 Just indicate with your hands, if you wish.

13 A. It was a one page certificate on ordinary paper. It was
14 folded.

15:56:29 15 PRESIDING JUDGE: Mr Witness, we weren't able to see your
16 hands because of that screen. Could you hold them up a little
17 higher so that we can see, please.

18 THE WITNESS: It was on an A4 paper. On A4 paper.

19 MR MUNYARD:

15:56:45 20 Q. Witness, I am now holding up a blank piece of A4 paper.
21 You can see that, yes?

22 A. Correct.

23 Q. And what was written on the A4 paper?

24 A. On the top of it was the organisation from which I had the
15:57:17 25 training and it's NATAG. NATAG. It also indicates my name and
26 it indicates the time frame of my training and at the bottom it
27 indicated the signature of the commandant at that time.

28 Q. And Zigzag Marzah read these documents to himself, did he?

29 A. I showed him everything and he took all of the documents

1 from me at the end of the day.

2 Q. And did you see him reading them?

3 A. Well, he watched them. I can't tell whether he is somebody
4 who reads and writes, but he watched them for some time and then
15:58:33 5 he folded them.

6 Q. What else was it that he watched apart from the artillery
7 certificate and your ID certificate? Were there any other
8 documents, as opposed to photographs?

9 A. I had pictures that showed me in uniforms.

15:59:03 10 Q. No, I said apart from photographs were there any other
11 documents that you gave him to read?

12 A. No, sir.

13 Q. Because Zigzag Marzah has told this Court repeatedly that
14 he can't read and write. You say he looked at them for some
15:59:29 15 time, yes?

16 A. Well --

17 MR KOUMJIAN: Objection, because there is no question
18 pending.

19 MR MUNYARD: I did say "yes?" I wanted him to confirm
15:59:49 20 that.

21 PRESIDING JUDGE: Yes. The question was do you say Zigzag
22 Marzah looked at them for some time? That is the question, isn't
23 it?

24 MR MUNYARD: And in the transcript it ends with a question
16:00:02 25 mark.

26 THE WITNESS: I did not say he read them. I said he looked
27 at them for some time and folded them and placed it - placed them
28 into one of his pockets, the side pocket of his trousers.

29 MR MUNYARD:

1 Q. Is any of this story true about Bamie and Patricia and
2 Zigzag and the pub and threats to kill you? Is any of that true?

3 A. Mr Lawyer, I am a Christian. I am under oath here from the
4 scriptures. I know what that means. I will not come here to say
16:00:52 5 anything that did not happen. What I told this Court is the
6 truth.

7 Q. Is everything that you have told the Prosecution when they
8 have been interviewing you the truth as well?

9 A. I am quite sure of that. The truth.

16:01:16 10 Q. Well, let's turn to this photograph that you say Zigzag
11 Marzah gave you. Where did he produce it from?

12 A. He took the pictures out of one of his pockets and, like I
13 told you, he had two side pockets by the legs of the trousers and
14 it was from one of those pockets that he took out the pictures
16:01:51 15 that he used to threaten me.

16 Q. I will be corrected if I'm wrong, but I think you told us
17 that it was you who put things in your side pocket, but in any
18 event which side pocket did Zigzag Marzah produce this photograph
19 from and whereabouts on his trousers or jacket was the side
16:02:32 20 pocket?

21 A. One of the side pockets of his trousers by the leg side,
22 that was where he took the pictures from and he showed me them.
23 And another one dropped down on the ground and I picked it up,
24 but he realised that I was nerving, but when he placed the others
16:03:06 25 into his pocket again he left me by the side and he met - he went
26 back to the other Sierra Leoneans, Bamie and others, who were
27 sitting down. That was the time the other one that I picked - I
28 took from the ground, I placed it into my side pocket, including
29 the other photos that I had with me and I also walked, approached

1 him, where he was sitting together with the other men and he said
2 - Bamie said to me that, "We have been here for some time now
3 without seeing Eddie Kanneh and Sam Bockarie" and Zigzag said
4 that he was going to take me for us to go and see --

16:03:50 5 Q. We are dealing with the photograph at the moment,
6 Mr Witness. We will come back to Eddie Kanneh. This photograph
7 that you picked up from the ground and placed into your side
8 pocket, what was that of?

9 A. That was the photograph that he showed to me. It was one
16:04:13 10 amongst the pictures that he showed to me. He also told me some
11 other pictures that were awful. There was one where a woman's -
12 a woman was hacked all over her bodies with the head chopped off,
13 with some areas by the leg and the limbs were chopped off and
14 then there was a stick that was lying very close to the tie and
16:04:48 15 that was the one that I collected from the ground and placed into
16 my pocket and when we went back to the pub he told me that I
17 should move with him because we have waited for long for Eddie
18 Kanneh and Mosquito and they have not arrived.

19 Q. Forget about Eddie Kanneh. We will come back to him. I am
16:05:04 20 concentrating on the photographs. So now you're telling us that
21 he didn't give you that photograph, but that is one that fell on
22 the ground and you picked it up and put it in your side pocket.
23 Is that the account you're now giving?

24 A. It was from Zigzag Marzah. He showed me the pictures
16:05:28 25 whilst I was also showing him my own identities to prove to him
26 that indeed I had no business with Kamajors and it was within
27 that period.

28 Q. So he accidentally drops it on the ground and you pick it
29 up and put it in your side pocket. That's how you get that

1 photograph, is it?

2 A. Yes.

3 Q. So you surreptitiously took it from his collection when it
4 fell on to the ground, yes?

16:06:10 5 A. Oh, my friend, I have told you that when he dropped the
6 photograph, by then he was looking at my photographs, he placed
7 my own photographs into his pocket and that one had fallen on the
8 ground and he moved back to the place where we were sitting and
9 it was at that time that I picked up that photograph from the
16:06:37 10 ground and placed it into my pocket. And when I got there he did
11 not ask me for it and immediately I got there he asked that we
12 should move.

13 JUDGE SEBUTINDE: Mr Witness, I don't understand. This
14 photograph that was exhibited earlier, MFI-16, was that the
16:07:01 15 photograph that Marzah used to threaten you, or was this one of
16 the photographs that just fell out of his pocket?

17 THE WITNESS: He showed me a series of very dangerous
18 pictures and if you saw any one of those pictures you would be
19 afraid.

16:07:22 20 JUDGE SEBUTINDE: Please answer my question, which was very
21 simple. This photograph that you showed the Court, was this the
22 photograph that Marzah used to threaten to you, or was it one of
23 the photographs that accidentally fell out of his pocket and that
24 you picked?

16:07:38 25 THE WITNESS: Right.

26 JUDGE SEBUTINDE: What is right? I gave you two
27 propositions.

28 THE WITNESS: Yes, it was one of the photos. It was one of
29 the photos.

1 JUDGE SEBUTINDE: That did what?

2 THE WITNESS: That he used to threaten me, but that
3 particular one dropped on the ground and by then I was also
4 trying to show him my own documents and my own pictures.

16:08:08 5 MR MUNYARD:

6 Q. Why did you pick it up and put it in your pocket?

7 A. Well, I expected him to ask me for it, because it did not
8 belong to me.

9 Q. I am just going to try that question one more time. Why
16:08:36 10 did you pick this up and put it in your pocket if it wasn't yours
11 and it was so gruesome?

12 A. Well, I expected him to ask me for it. That was why I
13 placed it into my pocket.

14 Q. Did it not occur to you to just hand it back to him,
16:09:01 15 stretch out your arm and say, "Zigzag, old chap, I think you have
16 dropped this one on the floor"?

17 A. Well, like I told you, when Zigzag Marzah moved from there
18 and went back to the pub he was - he looked very angry with the
19 other men and at that time he just asked me immediately to join
16:09:31 20 him and we went.

21 Q. What condition was the photograph in that Zigzag dropped on
22 the ground?

23 A. What do you mean?

24 Q. Was it clean, was it creased, was it bent, or was it flat
16:10:00 25 and no creases?

26 A. Not at all.

27 Q. I am going to have to go through those. Was it clean, this
28 photograph?

29 A. Yes.

1 Q. Was it a shiny finish, or a matt finish, that is to say
2 non-shiny finish, on the photograph?

3 A. It is a picture. It is a photograph. It was not
4 destroyed.

16:10:39 5 Q. Did it appear to have been folded at any time?

6 A. No.

7 Q. Do you know what the expression "dog-eared" means? Just
8 tell me if you do. If you don't, I will explain it.

9 A. What do you mean by dog-eared?

16:11:05 10 Q. Were any of the corners bent?

11 A. No, I said the man had big pockets by the side of his
12 trousers. The trousers was a wide cleft like trousers. He
13 needed not to fold it. He will just put it into his pocket
14 without folding it.

16:11:29 15 Q. Was the photograph the same size as we have scanned, or was
16 it a different size?

17 A. No, it was not big. It was of the normal photo size
18 picture.

19 Q. Was it the same size as we have scanned, or was it a
16:11:57 20 different size?

21 A. It is the same size. It is a small size. It is not as big
22 as the one that has been scanned. It was the normal size.

23 Q. Right, so it is smaller than the photocopy that we have
24 got?

16:12:22 25 A. No, that is the exact size. That is the exact size.

26 JUDGE SEBUTINDE: The answer is yes.

27 MR MUNYARD: Your Honour is right:

28 Q. A moment ago you said it is a small size, it is not as big
29 as the one that has been scanned. Now you are saying it is the

1 exact size as the one that we have got. Which answer are we to
2 go by, if any, Mr Witness?

3 A. That is the exact size. I only thought that you were
4 talking about large scanned ones. That is the exact size. The
16:13:05 5 one that I am looking at now is the exact size.

6 MR KOUMJIAN: Your Honour, just to note there was ambiguity
7 because the photograph was originally displayed on the screen and
8 it was full screen and that is what I had recalled actually about
9 the photograph. It was on the document cam when the witness
16:13:25 10 first looked at it in court.

11 MR MUNYARD: Well, I would have hoped that the witness had
12 been given the original as is standard practice, but we know that
13 has not happened here:

14 Q. Now, can I just ask you was it a photograph, or was it a
16:13:41 15 photocopy of a photograph?

16 PRESIDING JUDGE: Are you talking about the one that Marzah
17 had?

18 MR MUNYARD: Yes.

19 THE WITNESS: It was the actual photograph. It was not a
16:13:56 20 photocopy.

21 MR MUNYARD:

22 Q. Did he tell you why he was carrying this photograph around
23 in his pocket?

24 A. I said that was not the only photograph he showed to me.
16:14:16 25 He showed me gruesome photographs to instill fear in me.

26 Q. Mr Witness, I asked you a question that was nothing to do
27 with the other photographs. Will you please listen to the
28 question and try to answer the question that has been asked. Do
29 you understand? Do you understand that you are to answer the

1 question that has been asked, not to give a speech about
2 something you want to tell us about? Now, did he tell you why he
3 was carrying this photograph around in his pocket?

16:14:59 4 A. He did not tell me why he went around with those
5 photographs. He told me that if they found me guilty they would
6 destroy me more than those ones.

7 Q. Where did it go once you had put it into your pocket?

8 A. What are you - who are you asking about? Who went? Who
9 went? Who is the person? Who is the person you are asking
16:15:30 10 about?

11 PRESIDING JUDGE: Mr Witness, the counsel is asking you
12 about the photograph, not about a person. Where did the
13 photograph go once it was into your pocket?

14 THE WITNESS: It was still in my pocket. It was with me.

16:16:00 15 MR MUNYARD:

16 Q. This is in a side pocket of your trousers, yes?

17 A. Yes.

18 Q. Together with other documents in there, yes?

19 A. He had taken the other documents from me, like I told you,
16:16:20 20 and he put it into his pocket. Those other documents that were
21 with me, he took everything from me and put it into his pocket.

22 Q. You mean he kept your military ID and your artillery
23 certificate?

24 A. I said every document I had in my possession.

16:16:43 25 Q. He kept them and didn't give them back to you, is that what
26 you are now telling us?

27 A. Up to this moment I have not received them. The only place
28 I last saw them were with his boss.

29 Q. Does that include all the photographs that you had pulled

1 out of your pocket to show him?

2 A. Yes.

3 Q. So when you came to put the one that you had picked up off
4 the floor, that you thought he was going to ask to be given back
16:17:20 5 - you just put that in your pocket by itself, is that right?

6 A. Yes.

7 Q. So that was the only thing in your trouser pocket, because
8 you had given him all the other things and he had kept them, is
9 that right?

16:17:38 10 A. Yes.

11 Q. Have you any recollection at all of the account you gave to
12 the judges on Monday of what you did with the photograph that you
13 claim now to have picked up off the floor?

14 A. It was in my pocket until a time I changed my trousers and
16:18:17 15 I folded that trousers and it happened that it was one of the
16 trousers that I collected from my suitcase. Like I told you,
17 there was a small bag. When he said - when he saw me with the
18 bigger suitcases he said no, they were too heavy, I should put
19 them into the small bag, a few things, so that I will take them
16:18:42 20 to Buedu, so that at any other time I needed the others, he will
21 send them.

22 Q. Mr Witness, we are going to follow your trousers and the
23 photograph over the years to see how it comes to be in your
24 possession, allegedly, in 2006, but I just want to concentrate on
16:18:59 25 the events of that particular day. Do you say now that you gave
26 Zigzag Marzah the whole of the contents of your pocket, all the
27 documents and photographs that you had in your pocket, and it was
28 then empty and then you put his picture of the murdered woman
29 into that empty pocket?

1 A. Mr Lawyer, I also had two pockets by the side of my cleft
2 and it was the pocket by the right-hand side that I put the photo
3 into. It was not in fact my intention to carry that photo with
4 me and it was when I had arrived in Buedu and at the time I was
16:19:59 5 now freed in Buedu, one particular day I took out the trousers to
6 be laundered and whilst I was shaking it and checking the
7 pockets, that photograph dropped on the floor and so I took it up
8 and then I kept it.

9 Q. When you put that photograph into your pocket, are you
16:20:26 10 saying that that pocket was empty and that was the only thing
11 that was in it when you put the photograph in it?

12 A. Yes, I had on khaki trousers and khaki, you know, is a
13 strong material.

14 Q. On Monday you told this Court:

16:20:53 15 "Colonel Marzah showed me this photograph. I had some -
16 some documents and ID and military photographs. I put this among
17 the other photographs in my right pocket."

18 That was some time after 12 noon on Monday. I am very
19 grateful, I am saying Monday, but it may be Tuesday.

16:21:21 20 THE INTERPRETER: Your Honours, counsel's microphone is
21 switched off.

22 MR MUNYARD: I am saying Monday, it may be Tuesday, but it
23 is page 11421 of the transcript.

24 THE WITNESS: I don't recall that I said that.

16:21:44 25 MR MUNYARD:

26 Q. Clearly not. Which is it, Mr Witness, if either of these
27 accounts is to be believed? Is it that you put it into your
28 empty pocket, or is it that you put it amongst other photographs
29 in your right pocket?

1 A. I said those of my other pictures and the certificate were
2 all taken from me by Zigzag Marzah for further investigation. I
3 did not receive them again. I did not put them amongst - into my
4 pockets. They were with Zigzag Marzah.

16:22:25 5 Q. You have told us twice already in evidence that Zigzag
6 Marzah did not tell you who the woman in the photograph was. Is
7 that correct?

8 A. Yes.

9 Q. So why did you tell the Prosecution twice that she was
16:22:42 10 called Isha and that she was from Sierra Leone?

11 A. I can correct you. Maybe you have forgotten. It did not
12 know the individual, but he said it was Isha, but I did not know
13 that particular individual.

14 Q. Maybe you didn't understand the question. The question
16:23:14 15 was, "You have told us twice already in evidence that Zigzag
16 Marzah did not tell you who the woman in the photograph was, is
17 that correct?" And you agreed. I have not asked you if you knew
18 who she was.

19 A. No, I disagree.

16:23:44 20 MR MUNYARD: Well, I don't have the reference immediately
21 to hand in the transcripts, but I can undertake if anyone
22 requires it to have it to hand in the morning. I know that your
23 Honours have your own notes of the evidence. Mr Anyah comes to
24 my rescue with a transcript reference. I think it's the same
16:24:11 25 page. Yes, 11421, line 8, and the question was:

26 "Q. Did Colonel Marzah tell you the name of the woman
27 depicted in the photograph?

28 A. No, he just told me that the woman was a Sierra Leonean
29 who too had come to spy."

1 I am pretty certain that he said that more than once, but
2 once will do:

3 Q. That's what you have already told the Court, Mr Witness,
4 but you told the Prosecution that Zigzag Marzah did tell you who
16:24:49 5 she was, that she was Isha, didn't you?

6 A. That was what Marzah told me.

7 Q. So why did you tell us earlier in your evidence that he
8 didn't tell you who she was?

9 A. I don't recall that I said that.

16:25:14 10 Q. Well, let's follow what happens to the photograph that you
11 have taken. Did Zigzag Marzah in the days and weeks after he had
12 shown you this photograph ever say to you, "By the way, you know
13 that time I showed you a photograph in the pub, did you by any
14 chance see it on the floor because it seems to be missing from my
16:25:42 15 collection?"

16 A. He did not ever ask me about those pictures any more.

17 Q. You told this Court today that at some stage Zigzag Marzah
18 had become a personal friend of yours. Do you remember saying
19 that?

16:26:08 20 A. Yes, because he was the only person I was moving around
21 with, going up and down with, and he was my friend, you know.

22 Q. When did you next discover that you still had the
23 photograph, apart from the day when you secrete it in your
24 pocket?

16:26:31 25 MR KOUMJIAN: I believe that's vague, because the witness
26 has talked about a day in Buedu and --

27 MR MUNYARD: It is deliberately vague, with respect, and
28 I'm entitled to ask a question that is broad so that he can see
29 if he can answer it.

1 MR KOUMJIAN: The problem is the question should be such
2 that the witness and all of us can understand what is being asked
3 and since there was a referral to Buedu and there was a referral
4 to the photograph in the bar, I don't believe it's clear what the
16:27:03 5 next time he saw it would be referring to in the question.

6 MR MUNYARD: I think I have misunderstood my learned
7 friend's objection and I'm sorry for that. I will focus it on
8 the next time after the day he picked it up:

9 Q. Mr Witness, you hide this photograph from Zigzag Marzah in
16:27:30 10 your pocket in the pub, presumably you were very much aware that
11 you still had it. Is that correct?

12 A. Before God and man, I have told you that it was only when I
13 went to Buedu and when I decided to launder some of my things I
14 took up that khaki trousers and whilst shaking it the photograph
16:28:09 15 dropped on the ground. That was the other time I saw that
16 photograph.

17 PRESIDING JUDGE: Mr Munyard, we have just about a minute
18 left if you can --

19 MR MUNYARD: Yes, I can ask one question.

16:28:28 20 PRESIDING JUDGE: Very well.

21 MR MUNYARD:

22 Q. Were you not concerned that if Zigzag Marzah found out that
23 you had kept his photograph of the brutally killed woman, that he
24 might well conclude that you were actually a spy spying on the
16:28:46 25 opposition for the Kamajors and the Sierra Leone government?

26 A. I did not ever think about that and he too did not think
27 about that. The state in which I found myself, I was not even
28 thinking about those pictures any more. The only thing I was
29 thinking about at that moment was how to save my life and how I

1 was going to be free from that threat. That was all I was
2 thinking about.

3 MR MUNYARD: I have more questions, but I will ask them in
4 the morning.

16:29:25 5 PRESIDING JUDGE: Yes. Mr Witness, it's now 4.30 and time
6 for us to adjourn for today. We will resume court tomorrow
7 morning and I again remind you that you have taken the oath and
8 you are not to discuss your evidence with anyone. Do you
9 understand?

16:29:44 10 THE WITNESS: Yes, my Lord.

11 PRESIDING JUDGE: Very good. Please adjourn court until
12 9.30 tomorrow.

13 [Whereupon the hearing adjourned at 4.30 p.m.
14 to be reconvened on Thursday, 12 June 2008 at
16:30:05 15 9.30 a.m.]

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I N D E X

WITNESSES FOR THE PROSECUTION:

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