



Case No. SCSL-2003-01-T

THE PROSECUTOR OF
THE SPECIAL COURT
V.
CHARLES GHANKAY TAYLOR

WEDNESDAY, 16 JULY 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 Doreen Kiggundu

For the Registry:

Ms Rachel Irura

For the Prosecution:

Ms Brenda J Hollis
Mr Nicholas Koumjian
Mr Mohamed A Bangura
Ms Maja Dimitrova

For the accused Charles Ghankay
Taylor:

Mr Courtenay Griffiths QC
Mr Terry Munyard
Mr Morris Anyah

1 Wednesday, 16 July 2008

2 [Open session]

3 [The accused present]

4 [Upon commencing at 9.30 a.m.]

09:29:47 5 PRESIDING JUDGE: Good morning. Mr Bangura, I think
6 appearances are as before on your Bar.

7 MR BANGURA: That's correct. Good morning Madam President,
8 good morning your Honours and counsel opposite. Your Honours,
9 for the Prosecution this morning Ms Brenda J Hollis; myself,
09:30:04 10 Mohamed A Bangura; and Ms Maja Dimitrova. Thank you, your
11 Honours.

12 PRESIDING JUDGE: Thank you. Mr Munyard, you're also - no,
13 you have a change.

14 MR MUNYARD: Madam President, for the Defence this morning
09:30:20 15 there is Courtenay Griffiths QC; myself, Terry Munyard; and
16 Morris Anyah. Good morning counsel opposite and your Honours.

17 PRESIDING JUDGE: Thank you, Mr Munyard. If there are no
18 other matters I will remind the witness of his oath.

19 Mr Witness, I again remind you this morning, as I've done
09:30:39 20 on other mornings, that you're still under oath. Having taken
21 the oath you're obliged to answer questions truthfully. Do you
22 understand this?

23 THE WITNESS: Yes, ma'am.

24 WITNESS: TF1-388 [On former oath]

09:30:53 25 PRESIDING JUDGE: Thank you. Please proceed, Mr Munyard.

26 MR MUNYARD: Thank you, your Honour:

27 CROSS-EXAMINATION BY MR MUNYARD: [Continued]

28 Q. Good morning, Mr Jaward.

29 A. Good morning, sir.

1 Q. Yesterday I was asking you a line of questions that I never
2 quite finished and that was about the Abidjan peace process and
3 you said that when Foday Sankoh first went to Abidjan it was to
4 talk peace with the NPRC government and you agreed that by the
09:31:27 5 time the Abidjan Peace Accord was finally signed later in 1996,
6 it was the government of Ahmad Tejan Kabbah. Do you remember
7 we'd had that discussion, you knew he'd been elected but you
8 couldn't remember the date that he was elected?

9 A. Yes, sir.

09:31:51 10 Q. And you have given evidence that at some stage Camp Zogoda,
11 the RUF camp in the hills that had been set up some time before,
12 was attacked and the RUF were driven out of Camp Zogoda. Do you
13 remember saying that?

14 A. Yes, sir. I can remember the driving of RUF from Camp
09:32:24 15 Zogoda, but that is not the actual description of Zogoda like you
16 have said.

17 Q. Well, don't worry about the description of it. If anyone
18 wants to take up that point they can. I'm simply concerned with
19 the fact that the RUF were driven out of Camp Zogoda and they
09:32:40 20 were driven out by government forces, were they?

21 A. Yes, sir, in collaboration with the Kamajors.

22 Q. So they were driven out by government forces and Kamajors
23 acting in concert with the government forces, yes?

24 A. Yes, sir.

09:33:04 25 Q. And this was during the time that Foday Sankoh was
26 attempting to negotiate a peace accord at Abidjan with that same
27 government, is that right?

28 A. Yes, sir.

29 Q. So the government was talking peace with Foday Sankoh, but

1 not acting peace on the ground. Do you agree?

2 A. Yes, sir.

3 Q. Now I want to go back, if I may, to arms dealings with
4 ULIMO. I didn't quite finish that topic yesterday and I just
09:33:51 5 want to ask you a few questions about that. Now, this Court has
6 heard that the RUF bought arms from ULIMO from the end of 1997
7 all the way through to 2003. Were you aware of that?

8 A. No, sir.

9 MR BANGURA: Could counsel provide the reference to this
09:34:31 10 evidence.

11 MR MUNYARD: Yes. Transcript 10 January this year, pages
12 1017 to 8. I haven't got line references, I'm afraid, I didn't
13 have time to do that, but those are the page references:

14 Q. You told us yesterday about two occasions on which you went
09:34:52 15 to see ULIMO, either with or without Sam Bockarie, depending on
16 whether we're going on your written accounts or your evidence.
17 Were they the only two occasions on which you yourself had any
18 contact with ULIMO in the effort to secure arms from them?

19 A. Yes, sir.

09:35:18 20 Q. And did you hear from other people about other attempts by
21 the RUF to get arms from ULIMO?

22 A. Yes, sir.

23 Q. And would you agree with this: That the RUF were coming
24 into Voinjama, Kolahun and Foya, all in Liberia, in Lofa County,
09:35:48 25 using money and looted goods to purchase arms and ammunition from
26 former ULIMO soldiers? Is that something that you heard?

27 A. For the RUF going deep into Liberia to the areas you have
28 made mention of, no, sir.

29 Q. Did you hear that ULIMO soldiers were even going looking

1 for the RUF, trying to sell arms and ammunition to them?

2 A. Yes, sir. ULIMO members were coming across to Sierra Leone
3 with their arms.

4 Q. And selling them to the RUF?

09:36:37 5 A. Well, selling in the sense at that time it was in a form of
6 a barter system of exchange.

7 Q. They were giving arms and they were getting goods in
8 return?

9 A. Yes, sir.

09:36:55 10 Q. Were you aware that there was a period of several months in
11 1998 when Lofa County was totally lawless and former ULIMO
12 combatants, who were no longer receiving any payment for
13 fighting, were selling their arms and ammunition to the RUF?

14 A. No, sir.

09:37:23 15 Q. Well, were you aware that ULIMO combatants at some point
16 were no longer being paid and were selling their arms to make
17 money to live off?

18 A. No, sir.

19 Q. Did nobody ever tell you that?

09:37:41 20 A. No, sir.

21 Q. In your chats with Sam Bockarie during '98 and '99 did he
22 never mention that to you?

23 A. No, sir.

09:37:55 24 Q. When you were overhearing his radio communications did you
25 never hear him say that to anybody on the other end of the radio?

26 A. No, sir.

27 Q. When you were listening in to his satellite phone calls did
28 you never hear him saying things like that to the people he was
29 talking to?

1 A. No, sir.

2 Q. So just how often did you overhear his radio conversations
3 and his satellite phone conversations?

09:38:39

4 A. When you asked about the time I used to monitor him during
5 his radio conversations and if you are referring to 1998 to 1999,
6 he was not too frequent on the VHF radio in 1998 to 1999. He was
7 more or less always directly busy with the satellite phone.
8 Messages were mostly received by the operators and brought to
9 him.

09:39:02

10 Q. And when he was on the satellite phone whereabouts was he
11 on these occasions when you were able to listen in?

12 A. Whenever he was at his house, that was the time I used to
13 monitor because I was always at the house doing my job.

09:39:35

14 Q. By monitor do you mean earwig, or listen in? By monitor
15 you don't mean that you had an official role monitoring his phone
16 calls. You mean you were just listening in because you happened
17 to be around when he was making these phone calls. Is that what
18 you mean?

19 A. Yes, sir.

09:39:48

20 Q. So he didn't seem to care, on your account, who it was who
21 could hear him on the phone or the radio. Is that what you're
22 saying?

23 PRESIDING JUDGE: Are you implying in that question that
24 Sam Bockarie was aware of the witness listening, or his presence?

09:40:11

25 MR MUNYARD: I am, your Honour, yes.

26 THE WITNESS: Please come back with that question.

27 MR MUNYARD:

28 Q. When you listened in to Sam Bockarie's radio calls and
29 phone calls, were you in a position where he could see you

1 overhearing them?

2 A. Yes, sir, he did not have a boundary preventing me to
3 listen to him.

4 Q. So he didn't mind when he was making these satellite phone
09:40:49 5 calls that the house boy was listening in to him. That's what
6 you're saying, isn't it?

7 A. Yes, sir.

8 Q. And where in the house did he make these satellite phone
9 calls?

09:41:07 10 A. Well, there were certain times when he was speaking on the
11 satellite phone he will just go outside. When he was using the
12 one like the Thuraya phone, he would go outside and look for the
13 signal where everybody was sitting down and he would talk to
14 whosoever he wanted to talk. But there were certain calls
09:41:32 15 sometimes like on the other satellite phone, like the laptop,
16 most of the times at night he would have to sit at the back of
17 his house at the veranda to make the calls.

18 Q. So he would sit on the veranda using the other phone, yes?

19 A. Yes, yes.

09:41:44 20 Q. Under the veranda roof, yes?

21 A. Yes.

22 Q. And he'd make phone calls on that phone from within the
23 veranda, yes?

24 A. I said in the veranda.

09:42:10 25 Q. You're agreeing with me, aren't you?

26 A. Yes, sir.

27 Q. And where were you when he would be making those calls
28 within the veranda?

29 A. If I can set an example about the veranda calls, sometimes

1 Late at night when I was always around charging his satellite
2 phone mostly he would make those calls and I will sit aside - by
3 his side and then he would make his call.

09:42:52 4 Q. You weren't the only person who had the responsibility of
5 charging the battery, were you?

6 A. At that particular time when he was at his house, yes.

7 Q. You see, you told us the other day that there were
8 occasions when you had to charge the battery and I assumed from
9 what you were saying then that on other occasions other people
09:43:18 10 had to charge the battery. Was I right to make that assumption?

11 A. No, sir, as long as I was in the house I was responsible
12 for putting on the generator and connecting the other electrical
13 appliances.

14 Q. Right. And when you were weren't in the house that was
09:43:42 15 somebody else's responsibility, is that right?

16 A. Whether when I was in the house it was some other person's
17 responsibility?

18 Q. No, when you were not in the house someone else had to do
19 that job, yes?

09:44:04 20 A. As far as charging those things were concerned, especially
21 satellite phone during the night hours when we usually started a
22 generator, that was my responsibility and whenever he was ready
23 for it to be charged I was to charge it.

24 Q. Who else would be sitting on the veranda with you and Sam
09:44:32 25 Bockarie when he was making these satellite phone calls?

26 A. Most times his other bodyguards who would be on duty to
27 serve guard around his house would be around there as well.

28 Q. Who else in addition to you and the bodyguards?

29 A. When I'm talking about late at night calls I can only

1 recall myself and the bodyguards at that time; the bodyguards on
2 duty that particular night.

3 Q. How many bodyguards?

09:45:14

4 A. I cannot remember the total number of bodyguards that used
5 to be on shift.

6 Q. Try and remember, please. We're talking about 1998 and '99
7 now. You've given us very detailed accounts of events in '91 and
8 earlier - and years before '98 and '99. Just go back in your
9 mind's eye to this scene of Sam Bockarie sitting on the veranda

09:45:39

10 on the satellite phone with you sitting beside him and, if you're
11 giving us an account that really is taken from your memory, then
12 assist the Court by saying how many bodyguards would be present
13 to listen in on these calls?

14 A. I was not responsible for the deployment of the securities
09:46:04 15 around him during the night hours and I cannot remember how many
16 people used to be on duty when he made those calls.

17 Q. Have a try, please.

18 A. I cannot try on anything that I don't have idea about. I
19 can only say what I know to this Court, sir.

09:46:25

20 Q. Was it two? Was it 20?

21 A. I cannot give any estimated number like that for now, sir.

22 Q. So it could have been 20 as far as you know, is that what
23 you're saying?

24 A. I said I cannot estimate the number at that particular
09:46:49 25 time. All I know is that there were bodyguards on duty at that
26 time and the number used to vary.

27 Q. Let's go back to the other phone where you say he used to
28 come out of the house to where everyone was and make calls on the
29 other phone. Who is everyone?

1 A. I'm referring to any RUF member that would be present at
2 the time he would want to make his call during the day. That is
3 what I'm saying.

09:47:26 4 Q. Give us some idea of the numbers of people who might have
5 been around while he was making these other calls?

6 A. I cannot remember any specific call that he made to point
7 out a particular person who was around at that particular moment,
8 but all I know is that he made calls during the day and there
9 would be other authorities including other soldiers who would be
09:47:50 10 around, but I cannot remember who would be around at a particular
11 time when he made a specific call.

12 Q. I'm not asking you for specific individuals. Just give us
13 an idea of how many people there would have been around on some
14 of the occasions that you can remember when he went outside to
09:48:13 15 where everyone was and made phone calls?

16 A. At that particular time I did not have time to check or
17 count how many people were around when he was making this call,
18 so I cannot give you any estimate for that, sir.

19 Q. Give us a rough idea, Mr Jaward.

09:48:37 20 A. That is what I'm saying here. I have said it earlier that
21 what I know is that I did not keep records of that in my memory.
22 I did not do it at all and so I cannot continue to say that in
23 this Court. I am telling you what I know and what I feel and
24 believe that I saw and what happened in my presence.

09:48:57 25 Q. And I suggest that, if Sam Bockarie really was making calls
26 on the satellite phone with you and everyone else present, you
27 would be able to give us some rough idea of the sort of number of
28 people who were around listening in on those calls if you're
29 telling the truth about that. Do you understand?

1 A. I said as far as that open communication that took place
2 during the day is concerned I cannot give you any rough estimate
3 in this Court for that.

09:49:40 4 Q. Back to the evidence that this Court has heard about ULIMO
5 dealing arms to the RUF, please. You are aware, aren't you, that
6 at the northern part of Lofa County three countries meet?

7 PRESIDING JUDGE: Mr Witness, did you understand the
8 question?

09:50:25 9 THE WITNESS: I don't know whether he was asking a
10 question, but what I heard him say was that he said "at the
11 northern part of Lofa County three countries meet." I don't know
12 whether he was saying --

13 PRESIDING JUDGE: Counsel also asked are you aware of that?

09:50:50 14 THE WITNESS: That whether the northern part of the Lofa
15 County three countries meet there?

16 PRESIDING JUDGE: Correct.

09:51:10 17 THE WITNESS: Well, as far as my understanding about the
18 geographical location of Lofa County is concerned, the northern
19 part of Lofa County is bounded by Guinea, so I cannot understand
20 that whether the northern part of Lofa County is bounded by some
21 other countries besides Guinea.

22 MR MUNYARD:

09:51:33 23 Q. Would you agree with - oh, you don't know. Well, let me
24 just make it clear. Guinea, Sierra Leone and Liberia all meet
25 around the northern part of Lofa County, do you agree?

26 A. No, sir. As far as I understand about the geographical
27 location of that area, Sierra Leone is at the western part of
28 Lofa County and Guinea is at the northeast - I mean northwest
29 side of Lofa County. We don't find Sierra Leone in the north.

1 Q. Did you come to understand this that I'm going to put to
2 you from evidence this Court has heard, that at the northern part
3 of Lofa County where Guinea, Sierra Leone and Liberia meet there
4 was a brisk business in arms, food, diamonds and looted goods and
09:52:26 5 it was akin to the Wild West? Do you agree with that?

6 A. As far as arms business was concerned with Guinea I am not
7 aware of that, but I know that transactions of other commodities
8 like food between the RUF and Guinea and the Liberian border.

9 Q. Were you aware that arms were being supplied to the RUF
09:53:09 10 from all the factions in Liberia, including ULIMO, the NPFL and
11 the Liberian Peace Council, and that individual fighters were
12 carrying weapons across the border to Sierra Leone being paid
13 between 200 and 300 US dollars per weapon, or exchanging them for
14 looted goods, as this Court has heard?

09:53:37 15 MR BANGURA: Your Honours, the question is double barreled,
16 I would say. The first part of it whether the witness agrees --

17 MR MUNYARD: I'll break it down, if required.

18 PRESIDING JUDGE: There are more than one faction involved
19 and so --

09:53:51 20 MR MUNYARD: Well, I'm going to put the factions all
21 together. I don't need to split those up because the proposition
22 is that it was all the factions that were doing the selling, but
23 I'll break the question up:

24 Q. Mr Jaward, this Court has heard evidence that the RUF were
09:54:10 25 getting arms from all the factions who'd been fighting in
26 Liberia, including ULIMO, the NPFL and the Liberian Peace
27 Council. Were you aware of that?

28 A. I am not aware of that, the involvement of all the factions
29 you have made mention of.

1 Q. Were you aware of individual fighters from those various
2 factions bringing their weapons across the border into Sierra
3 Leone and getting 200 to 300 US dollars per weapon, or exchanging
4 them for looted goods?

09:54:53 5 A. I'm only aware of the transaction that I explained about
6 here during 1996 to early '97 with the ULIMO-K along the Liberian
7 border, but not with any other faction, sir.

8 Q. But you're the man who was in charge, you claim, of Sam
9 Bockarie's store at his house in '98 and '99 when you say weapons
09:55:26 10 were being brought to that store and then being distributed from
11 it. That's what you claim, isn't it: That you were the man in
12 charge of that very store?

13 A. Yes, sir.

14 Q. And Sam Bockarie was the leader of the RUF at that stage,
09:55:51 15 yes?

16 A. When you talk about leadership, he was in charge on the
17 ground, but he still considered Foday Sankoh --

18 Q. That is what I mean.

19 A. Okay, okay, then that is correct.

09:56:08 20 Q. And you hear him on the radio and on the telephones,
21 plural, talking to all sorts of people and yet you don't seem to
22 know anything about where these arms are coming from apart from
23 claiming that they're coming from Liberia, presumably directly
24 from Charles Taylor. That's your evidence in a nutshell, isn't
09:56:47 25 it?

26 A. My evidence in that case was that I only monitored him
27 during a satellite communication about as far as arm issues were
28 concerned and he spoke to Charles Taylor and not all kinds of
29 people, sir.

1 Q. In your evidence you've got Jungle and various other people
2 coming to Buedu with arms, haven't you?

3 A. Yes, there were other people, but there were other people
4 who came along with Jungle with arms and ammunition from Liberia,
09:57:27 5 sir.

6 Q. You gave us a whole list of names some time last week of
7 people and they were all identified - or all but one identified
8 as Liberians.

9 A. Yes, sir.

09:57:39 10 Q. What about all these individuals and organisations who were
11 selling their arms to the RUF? Are you saying you've not heard
12 about any of these matters I've just been quoting to you from the
13 evidence of Varmuyan Sheriff?

14 A. No, sir, I did not monitor anything like that from Varmuyan
09:58:10 15 Sheriff and I am not aware of different people bringing weapons
16 rather than what I have just made mention of here with
17 Charles Taylor and also the transaction that happened with
18 ULIMO-K at that time.

19 Q. You don't know whether Jungle and all the other Liberians
09:58:29 20 who were coming into Buedu with arms were getting them from
21 ULIMO, or the NPFL's own supply, or the Liberian Council, or
22 anywhere else, do you?

23 A. No, sir. All I know is that Jungle and those I made
24 mention of here were coming by the instruction of Charles Taylor
09:58:59 25 and they were known as securities to Charles Taylor. Not from
26 any other person, sir.

27 Q. And who was it who told you that they were bringing the
28 weapons from Charles Taylor?

29 A. I can still confirm that piece of evidence to you from the

1 communication I talked about here that took place on the
2 satellite phone between Sam Bockarie and Charles Taylor and also
3 about the individuals I made mention of here that used to bring
4 them, like Jungle, and whenever they came they gave us the
09:59:40 5 information that they were sent with the ammunition by
6 Charles Taylor from Monrovia.

7 Q. Who did they give this information to? Who is "us"?

8 A. When I talk of us, I was one of the individuals who used to
9 have direct discussions with them and whenever they were on their
10:00:07 10 way coming I would have to be informed by Sam Bockarie that I
11 should expect them, they are on their way from Monrovia coming to
12 him with the arms and ammunition.

13 Q. And yet Sam Bockarie never told you about this roaring
14 trade over the border with all of these ULIMO fighters and even
10:00:32 15 sometimes NPFL and Liberian Peace Council people. He never once
16 mentioned that to you, is that what you're saying?

17 A. As far as the arms deal was concerned, no, sir.

18 Q. You're just not telling the truth, are you, about where
19 these weapons were coming from to the storerooms in Buedu?

10:01:01 20 A. That is what I am saying here. If some other person had
21 told you about some other thing else, as far as my duty at that
22 time, 1998 to 1999, was concerned I did not have any other
23 information from anywhere else about where Sam Bockarie was
24 getting arms from rather than he getting it from Charles Taylor,
10:01:27 25 who was at that time the Liberian President.

26 Q. And Jungle himself was a Mende, wasn't he?

27 A. He was not a Mende by tribe, but he used to speak Mende as
28 well. I knew him to be a Kissi.

29 Q. Well, a person can have more than one tribe depending on

1 where their parents each came from, can't they?

2 A. Well, as far as my own tradition is concerned they always
3 claim the tribe of your father to be your tribe. So that is what
4 I understand, sirs. So if somebody can claim both tribes to be
10:02:24 5 his tribe, I don't know what tradition he would be coming from,
6 but as far as my tradition is concerned they say that your
7 father's tribe is your own tribe. That is what I know.

8 Q. But, in any event, he spoke to you in Mende and he
9 associated with a lot of Mende people, didn't he?

10:02:50 10 A. Yes, sir.

11 Q. And he had a lot of contacts with all sorts of people in
12 Liberia, didn't he?

13 A. I don't know which of the contacts you are referring to in
14 this case.

10:03:09 15 Q. Did Jungle never tell you, "I've been able to get a load of
16 arms and ammunition from ULIMO fighters, groups and individuals"?
17 Did he never say that to you when he was busy telling you he'd
18 been bringing arms from Charles Taylor?

19 A. No, sir. That time I am referring to I did not even hear
10:03:34 20 about the existence of ULIMO in Liberia.

21 Q. And what about Varmuyan Sherif? When you saw him in Buedu
22 in 1998 did he tell you where he was getting his arms from that
23 he was bringing in to sell to the RUF?

24 A. I never saw Varmuyan Sherif in Buedu in 1998. I only saw
10:03:58 25 him in Liberia when we crossed over to Liberia in 2000. That was
26 the time I saw him.

27 Q. All right. Now, I want to ask you about diamonds, please.
28 You told us in your evidence on Wednesday the 9th, a week ago
29 today, that you really didn't know much about what Sam Bockarie

1 ever did with diamonds given to him by, amongst others, Pa Abdul.
2 Do you remember telling us that?

3 A. Yes, sir, I said that specific diamond that was given to
4 him by Abdul in Buedu, I did not know what exactly he did with
10:05:12 5 that particular diamond.

6 Q. And you never knew what Sam Bockarie did with diamonds from
7 Mohamed Kenneh. Do you remember telling us that?

8 A. Yes, sir. I said I don't know whether the diamond that was
9 given to Mosquito by his bodyguard commander Mohamed Kenneh were
10:05:33 10 the diamonds given to Jungle in the early 1998.

11 Q. And you told us that you weren't aware of diamonds being
12 given by other people to Sam Bockarie whilst he was in Kenema.
13 Do you remember telling us that?

14 A. Well, I did not make mention of other people, but later I
10:05:57 15 came to know that most of the diamonds given to him were sent to
16 Charles Taylor at that time, like the one that was given to
17 Jungle.

18 Q. You did make mention of other people. You were asked a
19 question by Mr Bangura and you said you weren't aware of him
10:06:10 20 being given diamonds from other people whilst he was in Kenema.
21 Have you forgotten saying that?

22 A. Please come back with that question. I did not get it
23 clear.

24 Q. You were asked by Mr Bangura a week ago if you were aware
10:06:30 25 of Sam Bockarie getting diamonds from other people whilst in
26 Kenema and you said no, you weren't.

27 MR BANGURA: Your Honours, could we have a reference?

28 MR MUNYARD: 9 July, page 13348, line 14:

29 Q. Now you claim, however, despite not knowing about where all

1 these other diamonds went, you claim that you know that Sam
2 Bockarie gave Jungle diamonds and that those diamonds were for
3 Charles Taylor, yes?

4 A. Yes, sir.

10:07:16 5 Q. You only saw Jungle the one time in 1998, didn't you?

6 A. No, sir.

7 MR MUNYARD: Would your Honours give me just a moment.

8 Q. Well, you were asked a question, "Do you know how long
9 Jungle remained in Sierra Leone?", on page 13353, line 29. You
10:08:52 10 said, "Yes, sir, he took about a year with us in the jungle and
11 later crossed through Guinea and entered Liberia." Then you were
12 asked, "Do you recall when he went back?" You said, "The only
13 time I saw him was the time I was referring to, 1998. I can't
14 remember the month or the date, but he spent some time with us in
10:09:12 15 the jungle before he left." Then:

16 "Q. The next time you saw him you say was 1998, is that
17 correct?

18 A. Yes, sir.

19 Q. Where did you see him?

10:09:31 20 A. I saw him in Sam Bockarie's house in Kenema."

21 You talk about that being an occasion on which his truck
22 had got stuck. Do you remember that?

23 A. Yes, sir.

24 Q. You were asked:

10:09:55 25 "Q. Do you know how long Jungle stayed in Kenema on this
26 visit?

27 A. No, sir."

28 Then you were asked on page 13356:

29 "Q. Okay. The question is how long after he had arrived

1 in Kenema and reported that he'd brought a truck full of
2 ammunition which was stuck before Buedu, how long after
3 that did he get, or was he given, a parcel of diamonds?"
4 At that point the Presiding Judge interrupted and said:

10:10:33

5 "A parcel.

6 MR BANGURA: A parcel. I'm sorry, your Honour."

7 Then you said:

8 "I heard of his arrival let's say like last night and I met
9 him in the afternoon when that happened.

10:10:48

10 Q. So was it the next day?

11 A. He was given a parcel. Sam Bockarie gave him the
12 parcel. It contained diamonds."

13 Of course you'd already been told that it was a parcel of
14 diamonds in an earlier question. At that point you then went on
15 to say that the diamonds were handed to Jungle for Jungle to take
16 for the old man and by old man you were referring to
17 Charles Taylor. Remember telling us all of that?

10:11:03

18 A. Yes, sir.

19 Q. You didn't have a clue what Sam Bockarie was giving Jungle
20 diamonds for, did you?

10:11:26

21 A. I only know that diamonds given to Jungle were for
22 Charles Taylor and those diamonds were only sent to him for arms
23 and ammunition as I later confirmed.

24 Q. You didn't know whether or not Jungle had brought any arms
25 and ammunition, did you?

10:11:53

26 A. I heard him telling Sam Bockarie when he arrived in Kenema.
27 When I saw him in Kenema the night he arrived and the following
28 morning that he brought ammunition and that the truck had got
29 stuck in a bridge very close to Buedu. I heard him say those.

1 Q. So why is it that when the Prosecution were asking you in a
2 detailed interview about all of this did you tell them that you
3 didn't know what Sam Bockarie did with diamonds and when you saw
4 Colonel Jungle coming to meet him in Kenema you didn't know if
10:12:43 5 any diamonds were handed to him by Sam Bockarie and you didn't
6 know if Jungle brought any arms and ammunitions at that time?
7 Why did you tell the Prosecution that when they were asking you
8 questions about Jungle, Sam Bockarie and diamonds?

9 MR BANGURA: Your Honours, again may I ask that I don't
10:13:02 10 know whether counsel is referring to evidence that the witness
11 gave in court and denied all this fact, or is he referring to the
12 statement? I'm not too clear.

13 PRESIDING JUDGE: Counsel has put to the witness that in a
14 detailed interview, so I take it from that that counsel is
10:13:19 15 putting a prior statement or prior interview record.

16 MR BANGURA: May I have the reference, please, your Honour.

17 MR MUNYARD: I am and I will, but I want an answer to the
18 question first.

19 PRESIDING JUDGE: I allow the question as put.

10:13:35 20 MR BANGURA: Your Honour, I don't quite understand the
21 position.

22 PRESIDING JUDGE: He's putting a proposition, admittedly it
23 is somewhat composite, and he's entitled to put that that there
24 was a prior statement made to the Office of the Prosecutor in
10:13:53 25 which those matters were as in the question and, as I understand
26 Mr Munyard's response just now, the detail will be put in due
27 course to the witness. Is my understanding of your response
28 correct, Mr Munyard?

29 MR MUNYARD: Absolutely.

1 MR BANGURA: Your Honour, I was asking for the reference
2 for our own purposes so that we know from what counsel is making
3 these --

4 PRESIDING JUDGE: I see. Mr Munyard --

10:14:25 5 MR MUNYARD: It's coming, but I want to deal with the
6 proposition generally first of all.

7 JUDGE LUSSICK: Mr Munyard has already undertaken to
8 provide the reference once he gets an answer to this question and
9 the Court has allowed the question, so what are we talking about?

10:14:43 10 MR BANGURA: Your Honour, I take the point, but I was --

11 PRESIDING JUDGE: Mr Bangura, you will be given the
12 information in due course.

13 MR BANGURA: Thank you.

14 PRESIDING JUDGE: I understand you're trying to get ahead
10:14:50 15 of yourself, but there is a ruling.

16 MR MUNYARD: I'll start again:

17 Q. Why did you tell the Prosecution in the course of a
18 detailed interview that you didn't know what Sam Bockarie did
19 with diamonds brought to him and you also - and that you didn't
10:15:23 20 know if any diamonds were handed to Colonel Jungle by Sam
21 Bockarie and you don't know if Colonel Jungle brought any arms
22 and ammunitions to Sam Bockarie at that time?

23 A. Well, if you are referring to a particular statement with a
24 particular time frame during which I gave this type of
10:15:52 25 information I don't know actually, but in terms of in connection
26 to the question asked about what Sam Bockarie did with the
27 diamonds, the ones that were given to Jungle at that time, that
28 is the answer I have given to you here that I knew that he sent
29 it to Charles Taylor because I know that Jungle was the

1 coordinator between Sam Bockarie and Charles Taylor at that time,
2 especially in terms of the arms deal. But the other individuals
3 who brought their diamonds, I don't know whether the specific
4 diamond that the individual brought was the one given to Jungle
10:16:31 5 and so I cannot say what Sam Bockarie particularly did with that
6 diamond. That was why I said that I did not know whether it was
7 those diamonds given to him or sent, because diamonds were meant
8 for so many purposes, not just for that.

9 Q. Tab 4, please. It starts on page 26406. Now, I'm going to
10:17:26 10 ask you if you remember this interview. You were interviewed
11 over two days in December of 2006, a period of time closer to the
12 events you were describing than we are in now, and you were
13 interviewed by Magnus Lamin. Do you remember him?

14 A. I can remember an interview. I can remember that I was
10:17:58 15 interviewed by Magnus.

16 Q. Yes, and also present was somebody called Shyamala
17 Alagenda. Do you remember that person?

18 A. I remember her.

19 Q. Thank you. Because she interviewed you on more than one
10:18:19 20 occasion, didn't she?

21 A. Yes, sir.

22 Q. Now on 1 December 2006 in the course of your interview with
23 her, if we look at page 26407 there are a number of unnumbered
24 paragraphs but they have bullet points against them. I want you
10:18:55 25 to look at the second paragraph, please, and I'm going to ask you
26 if this is what you told them. You stated that: "When Sam
27 Bockarie was based in Kenema he had his own group of miners, and
28 so did the other RUF commanders."

29 You stated that: "The diamonds that were mined, he didn't

1 see them himself, but is aware that they were brought to Sam
2 Bockarie." You saw packages of diamonds being brought to Sam
3 Bockarie in Kenema. You did not know what Sam Bockarie did with
4 these diamonds that were brought to him.

10:19:33 5 Did you say all of that to the investigator and
6 Ms Alagendra, the lawyer, or have they recorded that wrong?

7 A. No, I can remember that particular statement, yes.

8 Q. The third bullet point:

9 "He said he saw Colonel Jungle coming to meet Sam Bockarie
10 in Kenema. He does not know if any diamonds were handed to
11 Colonel Jungle by Sam Bockarie and does not know if Colonel
12 Jungle brought any arms and ammunitions at this time."

13 Did you tell them that?

14 A. No, sir, not directly in that information.

10:20:23 15 Q. Well, can you help the judges with what these two people
16 have got wrong in bullet point 3? Just explain what is wrong
17 with their record of interview. And this is not the people who
18 you said yesterday had wrongly recorded your accounts of seeing
19 Varmuyan Sherif. This is two other people now.

10:20:54 20 A. This is what I am now saying. In connection to the various
21 groups that I heard had miners in Tongo at that time Sam Bockarie
22 was in Kenema, you know, I said I knew that other people were
23 bringing diamonds to Sam Bockarie, but I did not know what he did
24 with those particular diamonds. I never made reference about a
10:21:23 25 specific one. I know his bodyguard commander, who I knew was
26 working for him in Tongo, and I know that he brought diamonds.
27 And later, when it came to the information regarding Jungle's
28 coming to Kenema at that particular time, what I meant in that
29 statement at that particular time was that I did not set eyes on

1 the ammunition, but I heard him say that he brought - I heard him
2 say that he brought the ammunition, but I did not set eyes on
3 them. That was what I said. And the question asked of me at
4 that time was whether I saw the diamonds given to Jungle, but at
10:22:02 5 that time I said it was a parcel. I did not see the diamonds
6 with my eyes. That was what I understood about the statement I
7 gave to them.

8 I think a question was asked of me about what I knew about
9 the word "parcel" at that time. I said whenever Sam Bockarie
10:22:22 10 referred to a parcel at that time it meant diamonds at that time,
11 but I did not set eyes on the particular diamonds to see. That
12 was what I meant in that sentence.

13 JUDGE SEBUTINDE: Mr Witness, you must make an effort to
14 slow down, please. We've told you this before many times in your
10:22:45 15 answers. Please make an effort to slow down.

16 THE WITNESS: I am very sorry, ma'am. Really I am finding
17 it difficult with the interviews because I speak very fast. I am
18 only trying, you know, because of my interviews with you, but
19 really I speak fast.

10:23:06 20 MR MUNYARD:

21 Q. You're finding it difficult to tell the truth, I suggest,
22 Mr Jaward. That's the difficulty you're facing, isn't it?

23 A. No, sir.

24 Q. Then let's concentrate on what you've just told us, "The
10:23:25 25 question asked of me at that time was whether I saw the diamonds
26 given to Jungle". You mean the investigators said to you, "Did
27 you see the diamonds given to Jungle?" Are you telling us first
28 of all that you can now remember out of dozens of - out of a
29 dozen or so interviews you can remember a particular question

1 that was asked to you on 1 December 2006?

2 A. You know, sir, I told you earlier that it is not that I had
3 said that grammatically I will understand all what was said, but
4 later on these questions when these statements were read to me I
10:24:21 5 understood that what was written was different from what I meant
6 and so that is when corrections come in, but it's not like
7 totally changing it by line.

8 Q. You went on to follow that, in the long answer you gave a
9 moment ago, with this - I'll start from the beginning:

10:24:59 10 "And the question asked of me at that time was whether I
11 saw the diamonds given to Jungle, but at that time I said it was
12 a parcel. I think a question was asked of me about what I knew
13 about the word 'parcel' at that time. I said whenever Sam
14 Bockarie referred to a parcel at that time it meant diamonds at
10:25:16 15 that time."

16 Where is the word "parcel" in either paragraph bullet point
17 2, or bullet point 3?

18 A. If you are referring to this document here, I think if you
19 were given all the - that is what I'm saying now. If you were
10:25:54 20 given all, I think, the interviews I had with the Prosecution at
21 that time, especially in terms of this particular statement that
22 is in front of me here, I think you will see where I made
23 corrections when I referred to a parcel at that particular time,
24 but I don't know whether the correction made would be this one,
10:26:17 25 but these were statements on which I made corrections in the
26 following interviews.

27 Q. Where is the word "parcel" in either of those two
28 paragraphs?

29 A. This is what I'm saying here. I don't know whether they

1 made the correction directly in here, but this statement had been
2 read to me before and I made the correction to the Prosecution
3 before.

10:27:00 4 Q. Do you agree that the word "parcel" does not appear in
5 either of those paragraphs?

6 A. I cannot find "parcel" in these two paragraphs here now.

7 Q. You see, you're picking up on the question that was asked
8 of you a week ago, "What happened with the parcel of diamonds?"
9 That's what you're picking up on, isn't it? You weren't using
10:27:37 10 the expression "parcel" back in December of 2006 because nobody
11 had suggested it to you by that stage, had they?

12 A. Nobody suggested anything to me and nobody ever tried to
13 tell me what I am supposed to be saying here. I am telling you
14 what I recall about those days. I'm not saying everything into
10:28:09 15 details, but what I remember is what I'm saying, sir.

16 Q. So why is it that in December of 2006, much nearer to the
17 events than we are now, when you're being asked about Jungle and
18 diamonds you never mention Sam Bockarie giving Jungle diamonds.
19 In fact you say quite specifically that you didn't know if any
10:28:51 20 diamonds were handed to him by Sam Bockarie?

21 A. I cannot remember all of those except that you bring the
22 statement, but my memory cannot recall all of those things to say
23 that that was what I said particularly at that time.

24 Q. Your evidence to this Court, during the period of a week or
10:29:20 25 more, amounts to this when it comes to diamonds: The only place
26 you know diamonds ever went to from Sam Bockarie was to
27 Charles Taylor through Jungle, through CO Jungle, yes?

28 A. That was what I - I mean that was what I saw - I mean I saw
29 with my own eyes.

1 Q. Do you agree that that's the gist of your evidence to this
2 Court: You don't know the destination of any of the diamonds
3 that these other people gave to Sam Bockarie, you only know that
4 Sam Bockarie gave diamonds to Jungle to give to Charles Taylor?

10:30:18 5 That's your evidence in a nutshell, isn't it?

6 A. I heard of other diamonds given to other persons. Like I
7 made mention in the evidence that a diamond was given to Issa
8 Sesay which later I --

9 Q. I am going to stop you at this point. I've already been
10:30:33 10 through your evidence about diamonds. Why is it that when you
11 are asked in December of 2006 about Sam Bockarie, Jungle and
12 diamonds you say you don't know if any diamonds were handed to
13 Jungle by Sam Bockarie? Why did you say that to the Prosecutors
14 in December 2006 unless it was the truth?

10:31:06 15 A. This is what I think I told you earlier, you know.
16 Whenever a question was asked at that particular time, the true
17 picture I had to - I had to rewind my memory for over 10 years
18 from my history I knew behind the rebel lines at that time,
19 before I can get the actual story and whenever we met I didn't
10:31:32 20 have to leave that particular correct answer behind because I
21 felt that I had already said something different before. I must
22 have to bring that true story that although I said it, but this
23 is exactly the true story that I can believe. This is exactly
24 what was happening.

10:31:51 25 Q. And it doesn't matter when or where you now tell us Sam
26 Bockarie gave diamonds to Jungle to give to Charles Taylor,
27 because you had every opportunity on 1 December 2006, when you're
28 being asked about Sam Bockarie and diamonds and Jungle, to say to
29 the Prosecutors, well, on such and such an occasion, or

1 occasions, and in such and such places, "I saw Sam Bockarie give
2 Jungle diamonds." You had every opportunity to say that to them,
3 didn't you?

4 A. Yes, I had that opportunity.

10:32:37 5 Q. Were you pressed later by the Prosecution to change your
6 mind on this and say that you did actually see Sam Bockarie, or
7 became aware of Sam Bockarie giving diamonds to Jungle for
8 Charles Taylor?

9 A. No, sir.

10:32:56 10 Q. Are you quite sure of that?

11 A. Yes, sir.

12 Q. So why the change of story?

13 A. I think I said it earlier that even the records we're
14 dealing with here now for the RUF behind the lines at that time,
10:33:26 15 it's so important in this case that my contribution here is one
16 of the main thing, but I want to assure you that from 2000, from
17 the time I spent, I was not even thinking about RUF issues any
18 more. It was only when I got in contact with these people, I
19 mean the Prosecution, that I knew that most of these records had
10:33:47 20 to be remembered before I started bringing some of these
21 important points back to my memory. So whenever I had said
22 something that I felt was not exactly how it was before I came to
23 present it here, I must have to make that correction, no matter
24 how it would look like.

10:34:07 25 Q. Talking of corrections, just explain to the judges, will
26 you, what it is that the Prosecutors recorded wrongly in
27 paragraph 3. When I first started asking you questions you said
28 no, you hadn't said that to the Prosecution. Just explain what
29 they got wrong, please.

1 A. When you're referring to paragraph 3 here, I don't know
2 exactly what the paragraph 3 meant. Maybe if you can read it I
3 will know exactly what caused the change in that particular
4 paragraph, because there were - there are some paragraphs maybe
10:34:47 5 it was because of either the way I felt about the situation and
6 it was --

7 Q. I will read it to you now.

8 A. You can go ahead, sir.

9 Q. I'll read it and I'd like you to follow it, please. It's
10:35:01 10 the third bullet point down from the top. Can you see that on
11 the screen? Can you see it on the screen, Mr Jaward?

12 A. Yes, sir.

13 Q. You said that you saw Colonel Jungle coming to meet Sam
14 Bockarie in Kenema. You do not know if any diamonds were handed
10:35:20 15 to Colonel Jungle by Sam Bockarie and you do not know if Colonel
16 Jungle brought any arms and ammunitions at this time. When I
17 read that to you first and said, "Did you say that to the
18 Prosecutors?", you said no, they've got that wrong. Just explain
19 to the judges what is wrong about what they have recorded of your
10:35:42 20 answer on that occasion.

21 A. I have just said it here. I said this particular
22 statement, what I meant at that time was that I did not set eyes
23 on the diamonds, on the diamonds themselves. It was only a
24 parcel that was given to Jungle at that time and I knew that at
10:36:09 25 that time when Mosquito said a parcel, there were diamonds in the
26 parcel at that particular time. I also referred to Jungle saying
27 - well, I don't know whether Jungle came with the ammunition at
28 that time. I meant that I myself did not set eyes on the
29 ammunition, but I heard that he brought the ammunition but that

1 the truck got stuck in the bridge closer to Buedu at that time.

2 Q. Mr Jaward, most of your evidence consists of things that
3 other people told you, or other people said they'd seen or heard.
4 Why didn't you say to the Prosecutors when they read this back to
10:36:57 5 you, "Well, I was told about diamonds, although I didn't actually
6 set eyes on them myself", or "I was told about ammunition, but I
7 didn't actually set eyes on it myself"?

8 A. I believe it's not only here that I'm making this
9 correction now. I think I have done this before and I believe a
10:37:26 10 similar thing that I have explained here was given to the
11 Prosecution at that time.

12 Q. If you look at paragraph 3 they haven't even said that you
13 claim to have seen arms and ammunition. All they say is that -
14 all you told them then, according to this, is you don't know if
10:37:50 15 Jungle brought any arms and ammunitions. You don't have to see
16 them yourself to be able to tell the Prosecutors, "I understand,
17 from what I was told, he brought arms and ammunition", do you?

18 A. I do not understand that long question except you repeat
19 it.

10:38:13 20 Q. You don't have to see something yourself to be able to tell
21 the Prosecutors, "I heard", or "I learned", or "I understood",
22 that he brought ammunition, or that he was given diamonds, do
23 you?

24 A. That question is somehow - I cannot understand the
10:38:41 25 question, so it's difficult for me to just say yes or no. You
26 can turn it any other way maybe so that I can understand it
27 better.

28 Q. And just where were you living when you were working as Sam
29 Bockarie's house boy and store keeper?

1 A. My wife was - I mean, I was sharing the same room in the
2 house of Sam Bockarie.

3 Q. Well, weren't you living in Issa Sesay's compound in a hut
4 at that time?

10:39:28 5 A. I lived in both houses as time went on, in Sam Bockarie's
6 house and I ended up in Issa Sesay's house right across the road
7 opposite Sam Bockarie's house.

8 Q. If we look at tab 3, please, this is an interview on 11
9 November 2006 when you're interviewed by Alain Werner and Alfred
10 Sesay. Do you remember those two gentlemen?

11 A. Yes, sir, I can remember. Their names are strange to me,
12 but I can remember interviews with other people, sir.

13 Q. You're interviewed in Monrovia by them and if we turn to
14 page 25976 - well, before we look at that can I just ask you
10:41:18 15 this. You told us about a storeroom, you showed us a photograph
16 of Sam Bockarie's house and you showed us where the storeroom was
17 on that photograph on the right-hand side of the house as we look
18 at it. What was stored in that storeroom?

19 A. First when I came, I was given that appointment in early
10:41:53 20 1998, arms and ammunition and other machines and food were all in
21 that store.

22 Q. Well, just have a look at page 25974 please. You were
23 asked a series of questions and you give answers and on that
24 page if we look at the second question and answer:

10:43:01 25 "Q. During 2 two years" - that's 1998 to 1999 when you
26 are in Buedu with Sam Bockarie - "did your job change?

27 A. When supplies coming from Liberia got larger, a second
28 storage room was created. It was just a few yards outside
29 Sam Bockarie's house. Not just food, but at times

1 ammunition and arms were kept."

2 THE INTERPRETER: Your Honour, counsel is going too fast,
3 please.

4 MR MUNYARD: I am sorry:

10:43:27 5 Q. "A. When supplies coming from Liberia got larger, a
6 second storage room was created. It was just a few yards
7 outside Sam Bockarie's house. Not just food, but at times
8 arms and ammunitions were kept."

9 So was there a second storeroom set up?

10:43:48 10 A. Yes, sir.

11 Q. Look further down the page at the fourth question down in
12 the middle of the page: "Who controlled the general warehouse?"
13 That's the general warehouse of the RUF and you answered:

14 "The G4 was responsible for the arms storage in Kudorwahun.
10:44:25 15 The S4 was in Buedu for the food storage ... 1998-1999 the
16 S4 warehouse for food was empty so they came to Sam
17 Bockarie's house store to get food. But the ammunition
18 store was separate.

19 Q. Who was in charge of this food storage?

10:44:41 20 A. I stayed in charge of the storage rooms at the house of
21 Sam Bockarie; I was the one who was responsible for the
22 inventory there."

23 Then you are asked:

24 "Q. Where was Rashid Sandy working?

10:44:54 25 A. At this time, 1998-1999, he came to Sam Bockarie's
26 house everyday to work."

27 Then over the page to 25975:

28 "Q. Where did you live?

29 A. Across the road in Issa Sesay's compound in a small hut

1 outside."

2 And you're being asked then where were you living in 1998
3 to 1999 whilst with Sam Bockarie in Buedu, aren't you?

10:45:30

4 A. No, sir. All the question they asked, there were some
5 elements in that question that I did not agree with, sir.

6 Q. Why didn't you say, "Well, some of the time I lived in Sam
7 Bockarie's house and some of the time I lived in Issa Sesay's
8 house"?

10:45:49

9 A. I think this was - this is what I have just confirmed to
10 you here a few minutes ago now that I lived in both houses.

11 Q. Why didn't you tell them that when they were asking you
12 those questions?

10:46:10

13 A. One thing, all these events we're talking about concerning
14 the RUF, or my life story in this particular case, there were
15 some issues. If I tried to go into detail to give you all the -
16 every single aspect of it I think just a period will take us
17 almost a month here. The fact here is that I made them to
18 understand that in 1998 to 1999 I ended up living in Issa Sesay's
19 house where my wife was, that is what I am referring to before I
20 finally left, but Sam Bockarie's house was even established by
21 me. I was there, my wife was there before they even came and
22 occupied the house.

10:46:38

23 THE INTERPRETER: Your Honours, can he repeat the last part
24 of his answer.

10:46:54

25 PRESIDING JUDGE: Mr Witness, you've speeded up and gone
26 too fast for the interpreter. Repeat the last part of your
27 answer where you said, "My wife was there before they even came
28 and occupied the house." Complete that part.

29 THE WITNESS: To make this clear to you people, when Sam

1 Bockarie and I went to join the AFRC my wife was in the house
2 where Sam Bockarie came and occupied, the house I am referring to
3 now, but later in 1998 when we came back, you know, my wife was
4 moved or transferred from Sam Bockarie's house to Issa Sesay's
10:47:37 5 house across the street, just opposite Sam Bockarie's house,
6 where we remained until we finally crossed over to Liberia.

7 MR MUNYARD:

8 Q. So it would have been very easy to tell the Prosecutors
9 that in November 2006, wouldn't it? "I lived in Sam Bockarie's
10:47:58 10 house, but eventually went to join my wife in Issa Sesay's
11 house." You didn't tell them that in November 2006, did you?

12 A. Really, I do not explain that long story. I only made them
13 understand - this is what I'm saying now. It is not something
14 like I have to explain every single movement step by step, you
10:48:26 15 know, until I got to the main point that they were asking for.

16 Q. It is not a long story. The answer to the question "Where
17 did you live in that period of time?" is "First of all in Sam
18 Bockarie's and then in Issa Sesay's in a hut in his compound." I
19 suggest that when you told them that you lived in a hut in Issa
10:48:47 20 Sesay's compound during that time that that was the correct
21 answer. Do you agree, yes or no?

22 A. Yes, I spent more time in Issa Sesay's house during that
23 period '98/'99.

24 Q. So that gave you even less opportunity to earwig Sam
10:49:10 25 Bockarie's telephone and radio conversations?

26 PRESIDING JUDGE: Mr Munyard, I'm not sure what earwig
27 means myself and I have a feeling the interpreter will have even
28 more problems.

29 MR MUNYARD: I'm sorry, I'm using English expressions that

1 I shouldn't:

2 Q. I suggest that gave you even less opportunity to listen in
3 to Sam Bockarie's telephone and radio communications because you
4 weren't even living in his house?

10:49:39 5 A. No, sir. When I talk about living here, it does not mean
6 that I hadn't access to Sam Bockarie's house. My activities were
7 more or less with Sam Bockarie's house than even my own room that
8 I was referring to where my wife and children were at that time,
9 so my wife being in Issa's house does not delimit me from going -
10:50:04 10 does not limit me from going to Sam Bockarie's house. I was more
11 or less busy with Sam Bockarie's house than even where my wife
12 was at that time.

13 Q. Just before we leave Buedu and move on, we saw yesterday
14 that when you were first interviewed by Mr Cunningham and
10:50:25 15 Mr Sesay in February 2006 according to them you told them that in
16 1998 you were caught by the RUF and taken and remained - taken to
17 and remained with them at Buedu where Sam Bockarie was based.
18 You of course claim that they've wrongly recorded what you told
19 them. But let us turn back again to tab 4, please, the page we
10:50:56 20 were looking at a moment ago where you say a different set of
21 people wrongly recorded your answers about Jungle and diamonds
22 and ammunition. Look at the next bullet point down, the fourth
23 bullet point down.

24 JUDGE SEBUTINDE: Page, please?

10:51:25 25 MR MUNYARD: I'm so sorry, page 26407:

26 Q. I want you to tell the Court if this is what you said.

27 This is what's recorded:

28 "Witness joined the RUF in Buedu less than a month after
29 the ECOMOG intervention in Freetown in 1998. He joined the RUF

1 in Buedu during the dry season between end February and March
2 1998. When he joined the RUF in Buedu his responsibility was as
3 storekeeper for the stores at and near Sam Bockarie's house."

4 Did you tell them that?

10:52:09 5 A. This information was somehow, how do you call it, wrongly
6 expressed here. Like where they made mention of I joined the RUF
7 I do not know how you take it in this case, but what I meant in
8 this case was that in 1998 when I passed through Vahun I came
9 back to Buedu where I remained - I mean I came back to Buedu
10:52:39 10 where I remained with them, but I don't think if there is any
11 problem with joining them at that time.

12 And, secondly, the store you're referring here was not only
13 - I was not only entitled to the other store next to Sam
14 Bockarie's house. I remained in charge of the store in Sam
10:53:00 15 Bockarie's house and, when supplies got larger that the store in
16 Sam Bockarie's house cannot contain, that was the time we
17 established the next store that I am referring to here and I was
18 in charge of both at that particular time. And there were some
19 other dangerous weapons and ammunition which were not to be kept
10:53:21 20 in the store in Sam Bockarie's house and this made us to take
21 these materials far off from the living quarters.

22 Q. Mr Jaward, had you run away from the RUF at the time of the
23 intervention and were recaptured and taken by them to Buedu?

24 A. I never ran away from the RUF, but we were running away
10:53:44 25 from the juntas - I mean the ECOMOG intervention at that time
26 against the juntas.

27 Q. I want to move on to the end of 1999, to your evidence
28 about how you come to go to Liberia and I want you to help us,
29 please, with the numbers of Sam Bockarie's men and women and

1 families who went into Liberia. You have told us that you went
2 in one batch. Was that with Sam Bockarie himself?

3 A. I travelled with Sam Bockarie's batch.

4 Q. So you leave Buedu with Sam Bockarie?

10:54:46 5 A. Yes, sir.

6 Q. And where do you go to? Where do you go to first?

7 A. When we left Buedu that evening we slept in Foya because
8 that was where the day broke on us, because we travelled
9 throughout the night and the day broke on us in Foya - I mean

10:55:16 10 Foya Kama.

11 Q. How long did you stay in Foya Kama?

12 A. We continued our journey from Foya on that same day for
13 where we were stopped at Voinjama.

14 Q. How long did you stay in Voinjama?

10:55:41 15 A. I spent about a week in Voinjama.

16 Q. Could it have been two weeks?

17 A. I cannot remember taking two weeks in Voinjama.

18 Q. Was Sam Bockarie still with you when you were in Voinjama
19 for that week?

10:56:05 20 A. No, sir.

21 Q. And how many of you remained in Voinjama for that week
22 roughly? Roughly how many?

23 A. The group was large, but I cannot roughly estimate the
24 number.

10:56:35 25 Q. Well, you obviously travelled in vehicles, is that right?

26 A. Yes, we were in a truck.

27 Q. And are you able to give us any rough idea of how many of
28 you there were in that group?

29 A. No, sir, the convoy was long and I don't remember how many

1 vehicles we used in that convoy to go.

2 Q. And other people came in other batches, is that correct?

3 A. Yes, sir, other people continued coming to follow us.

4 Q. And putting on one side people's families and others that
10:57:32 5 they brought with them, how many fighters ended up joining the
6 ATU and being trained roughly?

7 PRESIDING JUDGE: Do you mean of this collection of batches
8 of people?

9 MR MUNYARD: Yes.

10:57:56 10 THE WITNESS: If you are talking of the group by batches
11 that were trained, I know of two groups or two batches were
12 trained as ATU that followed Sam Bockarie in Liberia.

13 MR MUNYARD:

14 Q. So give us a rough number if you can, please, of how many
10:58:18 15 in total of Sam Bockarie's fighters ended up having the training
16 in the ATU?

17 A. I can remember the total of my own batch when we graduated
18 as the second batch of the ATU, about 120, but I cannot remember
19 the total of the third batch of the ATU which included our own -
10:58:47 20 I mean some of the Sierra Leoneans who went there later.

21 Q. Would it be right to say that there were over 200 of Sam
22 Bockarie's RUF fighters that received the training in the ATU?

23 A. I don't know exactly the total of the third batch. If I
24 had known that, including our own total, I would have been able
10:59:18 25 to know exactly to estimate the total of Sierra Leoneans, the
26 Sierra Leoneans that went to train as ATU.

27 Q. And when you had your training in the ATU you were Sierra
28 Leoneans training in a Liberian force, but you were not the only
29 non-Liberians getting that training, were you?

1 A. I never knew of any other - I mean of any other group, with
2 the exception of we the Sierra Leoneans, that I needed to know
3 that this was a different group that we met.

4 Q. Once you were trained and you were full members of the ATU,
11:00:14 5 deal with that time, there were other nationalities as well as
6 Sierra Leoneans and Liberians in the ATU, weren't there?

7 A. Yes, sir.

8 Q. Thank you. Do you know when the ATU was first set up? Did
9 you learn that in the course of your training with them?

11:00:39 10 A. Yes, sir.

11 Q. When was it first set up and what was it called at the time
12 it was set up?

13 PRESIDING JUDGE: Mr Munyard, you've got two questions in
14 one there. Please take them one at a time.

11:00:56 15 MR MUNYARD: I'm quite happy to ask them separately, but
16 the witness may know the answer:

17 Q. When was it first set up, this organisation?

18 A. Well, the exact time, I mean the month or date, I cannot
19 remember.

11:01:14 20 Q. I'm not asking you for a month and a date. In what period
21 of time was this particular unit set up, as far as you know?

22 A. When we were on the base we came to know that they had
23 trained ATUs in 1999 before and at that time they were the
24 present ATU taking care of Charles Taylor. At that time they
11:01:46 25 were referring to them as the --

26 THE INTERPRETER: Your Honour, can he repeat the name of
27 the force.

28 PRESIDING JUDGE: Mr Witness, please pause. The
29 interpreter asks if you will repeat the name of the force. Just

1 the name, thank you.

2 THE WITNESS: They were referring to that particular ATU at
3 that time as the Demon Forces and some of the graduates of that
4 particular ATU at that time were serving as assistant instructors
11:02:27 5 to the white instructors that were taking care of our training at
6 that time.

7 MR MUNYARD:

8 Q. Mr Jaward, are you aware that this particular unit was set
9 up originally as the SATU, the Special Anti-Terrorist Unit, in
11:02:49 10 the 1980s when Master Sergeant Doe was the President of Liberia?

11 A. I never knew of that history, sir. I only knew of the ATU,
12 Anti-Terrorist Unit, at that time.

13 JUDGE SEBUTINDE: Mr Munyard, I notice that Demon Forces is
14 not properly spelt. Perhaps, Mr Witness, you could spell Demon
11:03:15 15 for us.

16 MR MUNYARD: I see that, your Honour, yes.

17 THE WITNESS: What I understood from that pronunciation was
18 that they were talking about D-E-M-O-N. You know Demon, because
19 they said they did not talk to people at that time. So the
11:03:36 20 forces is F-O-R-C-E-S.

21 MR MUNYARD:

22 Q. Now, are you saying that in the course of your time in the
23 ATU you never discovered that this was a force that was set up
24 originally called the SATU, set up by and trained by Israeli
11:03:57 25 agents working with President Doe in the 1980s. Did you never
26 learn that?

27 A. No, sir.

28 Q. But in any event the ATU, as it had become by the time
29 you're in it, its job was to guard the exterior places where the

1 President was, as opposed to the SSS who guarded the interior
2 premises where the President was. That's right, isn't it?

3 A. Yes, sir.

4 Q. And just dealing with the numbers of RUF fighters who took
11:04:39 5 that training, would you agree that when you went to Voinjama and
6 eventually from there to Gbatala to be trained, that there were
7 approximately six to seven vehicles, up to three trucks,
8 approximately 75 people, which were fighters and families, in
9 your batch? Would you agree with that?

11:05:13 10 A. I cannot remember the total numbers of vehicles in that
11 convoy. All I can remember is that we were all with our families
12 in that convoy, sir.

13 Q. Does that figure of about 75 people, both fighters and
14 families, sound about right for your batch that went to Gbatala?

11:05:39 15 A. No, sir. I want you to understand that my batch, about 120
16 of us graduated.

17 Q. Would you agree that for a period of about a month people
18 were still crossing over from Sierra Leone after you crossed?

19 A. The crossing of the people, after we had crossed to follow
11:06:17 20 Sam Bockarie with vehicles, I was not aware, but people were
21 escaping individually, walking by land to come and join us in
22 Liberia.

23 Q. Would you agree that over 200 of Sam Bockarie's RUF
24 fighters received the training at Gbatala in the ATU?

11:06:50 25 A. In addition to the third batch which I cannot exactly
26 estimate the number, added to 120, approximately we could be
27 around that 200 really.

28 Q. And is this right: That a majority of those who made the
29 trip across the border from Sierra Leone into Liberia went on the

1 ATU training as there was really no other option available to
2 them?

3 A. Yes, sir.

4 Q. Thank you. I'd just like you to be shown tab 2, please.

11:08:10 5 This starts on page 21935. It's called a clarification interview
6 with you on 11 July 2006 and although that page doesn't show it,
7 we have been disclosed the address. You were interviewed there
8 at the Great Wall Hotel in Monrovia by David Cunningham who had
9 interviewed you on the previous occasion and Joseph Saffa. If
11:08:31 10 you turn, please, to page 21937, halfway down that page there's a
11 heading, "When I leave SL, Foya arrival". I want to go to halfway
12 through that paragraph. It's at paragraph numbered 4 and about
13 halfway down it says:

14 "Colonel Jungle came with the same message and with two
11:09:10 15 additional messages from Charles Taylor through Sam Bockarie,
16 that the Sam Bockarie supporters could either be trained as ATU
17 and put on salary, or they could stay on their own in Liberia
18 where they would not be protected by anyone."

19 Did you tell the Prosecutors that?

11:09:28 20 A. Yes, sir.

21 Q. "In total there were approximately six to seven vehicles,
22 up to three trucks, approximately 75 people, fighters and
23 families."

24 Did you tell them that?

11:09:45 25 A. Yes, sir.

26 Q. But for a period of about one month people were still
27 crossing and so you couldn't estimate the number of people that
28 came in total. Is that what you told them?

29 A. Yes, sir.

1 Q. You received the training in January - the ATU training in
2 January 2000 in Gbatala, near Gbarnga, which lasted for three
3 months, and at the completion of training travelled to Monrovia
4 in March or April 2000. Did you tell them that?

11:10:19 5 A. Yes, sir.

6 Q. "There were over 200 of Sam Bockarie's RUF fighters that
7 received this training". You've agreed with that already. "Sam
8 Bockarie did not receive the ATU training". Did you tell them
9 that?

11:10:35 10 A. Come back with that, please.

11 Q. "Sam Bockarie did not receive the ATU training."

12 A. Let me just - from what is written here, "Sam Bockarie did
13 not receive the ATU training", if that is what you mean then it's
14 correct.

11:11:02 15 Q. Thank you. "The people that remained were those that had
16 been injured, not physically fit, elderly, women with babies,
17 they remained behind." Did you tell them that?

18 A. Yes, sir.

19 Q. "A majority of those that made the trip went on the ATU
11:11:26 20 training as there was really no other option available to them."
21 You've agreed with that.

22 A. Yes.

23 Q. "Returning to Sierra Leone was not an option as they would
24 be considered as Sam Bockarie sympathisers and would be in danger
11:11:44 25 of Issa Sesay and his followers." Did you tell them that?

26 A. Yes, sir.

27 Q. So on this occasion, the second interview, at least the
28 passage that I've read to you, everything that you told them has
29 been correctly recorded, yes?

1 A. Yes, sir. This was what I told them, sir.

2 Q. Even though you say that the same investigator,
3 Mr Cunningham, got things so badly wrong in his recording of your
4 first interview. I'm not going to go over it all again, but he's
11:12:30 5 the same man who records you as living behind rebel lines as a
6 civilian for two years, being captured in 1998, not starting your
7 arms training until 1993 and so on, but you agree that he got the
8 second batch of information that I've read to you completely
9 correct?

11:12:54 10 A. Yes, sir.

11 Q. When you undertook your training as a member of the ATU,
12 did you also receive citizenship of Liberia?

13 A. This is what they said. As long as we were soldiers of
14 Liberia, we were considered as first class citizens. This was
11:13:22 15 what I meant in that case.

16 Q. You were told that you were considered citizens, weren't
17 you?

18 A. Yes, sir.

19 Q. And you've also told us that by the time of disarmament all
11:13:46 20 the records had been destroyed of the Sierra Leonean members of
21 the ATU so that there was no trace of which Sierra Leoneans had
22 been in the ATU during 2000, 2001, 2002, 2003, is that right?

23 A. Yes, sir.

24 Q. And that who was it who was conducting - which organisation
11:14:16 25 was conducting the disarmament that was unable to trace any
26 records of all of you Sierra Leoneans?

27 A. The ATU organised the disarmament for the ATU - I mean for
28 the Sierra Leoneans. What can I say? For the ATU in general.

29 Q. No, you told us in your evidence to the Prosecution the

1 other day that when you went to disarm you couldn't because they
2 didn't have any record of your name, and indeed the Sierra
3 Leoneans, because on the orders of Chucky Taylor all the records
4 had been destroyed. Do you remember saying that?

11:15:06 5 A. Yes, sir.

6 Q. Which organisation was it that was conducting the
7 disarmament process that was unable to find any records of you
8 Sierra Leoneans because they'd been destroyed on Chucky Taylor's
9 orders?

11:15:30 10 A. The ATU officers were conducting this disarmament for the
11 ATU and they confirmed that they did not have records for the
12 Sierra Leoneans.

13 Q. Well, you yourself say that you kept some records of Sierra
14 Leoneans in the ATU. You were shown some documents in
15 handwriting, not your own, but you said they were similar to the
16 sort of records you used to keep. Do you remember telling us
17 that?

18 A. Yes, sir.

19 Q. When did you make such lists of ATU Sierra Leoneans?

11:16:23 20 A. After our graduation we had a meeting of all the Sierra
21 Leoneans who graduated so that we can have a record of the
22 individual ATUs in their various areas of assignment, so I was
23 given a copy of all the names, you know, of those who graduated
24 with us in that particular batch.

11:16:53 25 Q. Right, so who gave you that record?

26 A. I said we were working as a unit. I can remember those who
27 worked with me at that time, like Babah Tarawally.

28 Q. Who gave you that record of the copy of all of the names
29 who graduated in that particular batch?

1 A. We prepared the record because we were the officers, the
2 person I'm referring to here now. We prepared the list and I was
3 having - how can I say it - a copy of that particular name list.

11:17:43

4 Q. Are these documents that you prepared handwritten, or were
5 they typed?

6 A. It was handwritten, sir, the one I was having in my own
7 files, sir.

8 Q. And was it just the one list that you prepared when you
9 first graduated in 2000, or did you draw up more of these lists?

11:18:10

10 A. That was the only list in relation to my own group that we
11 graduated at that time. At that time I even had that list - the
12 ranks on that particular list I saw here before, at that time we
13 were not having those promotions, but all the names on that list
14 were at that time listed down, for those that graduated with my
15 batch.

11:18:35

16 Q. Right. What did you do with the handwritten list that you
17 wrote out?

18 A. It is also important to note that at the time that I
19 explained something about this killing of Sam Bockarie and the
20 Sierra Leoneans who were targeted at that time in early 2003, my
21 wife abandoned everything in our house to escape with the
22 children and all these documents, or everything concerning
23 military activities were all destroyed by other people who went
24 there to take them. So there was nothing left in the form of a
25 document for me, sir.

11:19:28

26 Q. All right. So your list disappeared in this unfortunate
27 situation. Who else made lists that you were aware of, these
28 sort of lists?

29 A. Well, as I told you earlier, we had other officers like

1 myself who were concerned brothers who always kept record of our
2 activities and some were even in the adjutant's section while I
3 was just an operational commander on the field. They also had
4 these records of us, sir.

11:20:20 5 Q. Are you able to name any of the people who drew up these
6 records, like the ones that you lost?

7 A. Yes, sir.

8 Q. Give us some names of people who made these records.

9 A. One of my colleagues I mentioned here, Babah Tarawally,
11:20:53 10 became the most senior officer for us. He had the record of us -
11 on us. Patrick Amara who was later working in the S1 section, I
12 mean the adjutant's section, also had the list of every one of
13 us. I think these two people --

14 Q. Are these two people still alive?

11:21:22 15 A. I know of Babah Tarawally, but Patrick Amara was killed
16 during the time of the execution of Sam Bockarie.

17 Q. So you say Babah Tarawally is still alive, yes, as far as
18 you know?

19 A. Yes, sir.

11:21:41 20 Q. Anybody else that you can think of who made lists like
21 these?

22 A. Well, these were the two people with whom we used to
23 interchange these documents, because the others were killed, like
24 one Captain Mohamed Barrie, you know, he too was killed.

11:22:02 25 Q. Anybody else still alive that you know of who prepared
26 these lists like yours?

27 A. The only person now in terms of our record is only Babah
28 Tarawally, sir.

29 Q. And do you know who drew up the handwritten lists that you

1 were shown that you put crosses against in the course of your
2 evidence earlier?

3 A. No, sir.

4 Q. You don't recognise the handwriting of the person who wrote
11:22:39 5 that list?

6 A. No, sir.

7 Q. Have you been told by anyone where that list came from?

8 A. No, sir.

9 Q. So that list was just put down in front of you by the

11:22:54 10 Prosecution and you were asked to cross off the names of those
11 who'd died, yes?

12 A. Yes, sir.

13 Q. Did you not say to them, "This looks awfully like one of my
14 old lists, although it's not mine. Where did you get this from?"

11:23:14 15 A. No, sir, I only said the names on the list are similar to a
16 list - the names on the list are the same names I was having on
17 one our lists that I had before. The difference was the ranks at
18 that time and the date that I saw on the paper.

19 Q. And you never made any enquiries of the Prosecution where
11:23:45 20 they'd got that particular list from?

21 A. No, sir, I was not in a position to investigate them
22 really. All I knew was to answer their questions, whether I knew
23 anything about the list.

24 Q. Now help us with this: If there were over 200 who did the
11:24:05 25 ATU training, the list you were shown, MFI-9A, contains a total
26 of 120 names; the list that you were shown, MFI-9B, has another
27 53 names, that's 173; and the list of brothers working at the
28 motor pool, MFI-9C, has another 16 names, which makes 189 if my
29 mathematics are correct, yes? 189 names on the list that you

1 were shown. I don't imagine you're going to argue with the
2 numbers, Mr Jaward. If there were over 200 in your estimate in
3 2006, by over 200 you obviously meant somewhere between 200 and
4 300, didn't you? When you gave that estimate in 2006 of the
11:25:31 5 numbers trained, when you used the expression "over 200" you
6 meant somewhere between 200 and 300, yes?

7 A. Well, I do not disagree with the estimation, but my
8 estimate is centred around 200 and I believe - this is what I
9 referred to really, because I only knew the exact number of those
11:25:56 10 of us who were trained in that particular batch, but those that
11 came after us, I did not know their number. That was why I was
12 only making an estimation. I hope you understand that point,
13 sir.

14 PRESIDING JUDGE: Mr Munyard, we've been alerted to the
11:26:11 15 fact that the time is just about up.

16 MR MUNYARD: Yes:

17 Q. In the passage I read to you from your interview in 2006,
18 you were talking about the total number of Sierra Leoneans who
19 were trained over that period of time. You weren't talking about
11:26:28 20 your batch and you gave a figure of over 200.

21 A. Yes, sir.

22 Q. That's the total number, isn't it?

23 A. Yes, sir, I am referring to the total number of all the
24 batches that took that training, not just our batch.

11:26:53 25 MR MUNYARD: Thank you, Madam President. I can continue
26 after the break.

27 PRESIDING JUDGE: Thank you. Mr Witness, it is now just up
28 to 11.30 and it is time for the mid-morning break. We are going
29 to adjourn for half an hour and resume court at 12 o'clock.

1 Please adjourn court.

2 [Break taken at 11.30 a.m.]

3 [Upon resuming at 12.00 p.m.]

4 PRESIDING JUDGE: Mr Munyard, please proceed.

11:58:41 5 MR MUNYARD: Thank you, Madam President:

6 Q. Mr Jaward, the ATU was a fully professional unit of
7 soldiers, wasn't it?

8 A. Yes, sir.

9 Q. You were given the most extensive military training you
11:59:02 10 have ever had in the ATU, weren't you?

11 A. Yes, sir.

12 Q. You have told us about some of the courses that you went
13 on, some in the year 2000, some in 2002, and then your time in
14 2003 when you go to Burkina Faso and La Cote d'Ivoire. Did you
11:59:30 15 qualify - at what stage did you qualify as a captain?

16 A. That was the time I went for the company commanders course
17 at Camp Schefflein. That was the time I graduated as a captain.

18 Q. Right. Did you at any time become an artillery specialist?

19 A. With that title, no, sir.

12:00:10 20 Q. But did you at any time become an artillery specialist
21 whether or not you had the title?

22 A. The only thing I can make you understand is that artillery
23 in this sense the individual courses that we did during our
24 officer courses were that we were trained and exposed to most of
12:00:39 25 those artillery pieces of weapons.

26 Q. So are you saying that you didn't become an artillery
27 specialist?

28 A. No, sir.

29 Q. All right. In any event, the ATU, a professional unit of

1 soldiers, had various duties apart from providing security for
2 the exterior perimeter of where the President was. Do you agree
3 that wasn't its only duties, the ATU?

4 A. Yes, sir.

12:01:23 5 Q. Amongst its other duties were the protection of diplomatic
6 missions, embassies and the like. Do you agree?

7 A. No, sir, we were not specifically assigned to embassies or
8 to diplomats.

9 Q. Well, you yourself may not have been, but the ATU was a
12:01:51 10 force far bigger than the 200 or so Sierra Leoneans, wasn't it?

11 A. Are you referring to the total number of the ATU, or just
12 the Sierra Leoneans?

13 Q. No, no, no, I'm saying it was a far bigger force than just
14 200 or so Sierra Leoneans, wasn't it?

12:02:22 15 A. I am still somehow confused whether you are referring to
16 the entire ATU or just the Sierra Leoneans.

17 Q. The entire ATU. Are you able to give us any estimation of
18 the numbers of soldiers in the entire ATU?

19 A. No, sir.

12:02:44 20 Q. Are you saying that you don't know what duties some other
21 members of the ATU were sent on, other than your group?

22 A. When I talk about my group, that was just to differentiate
23 between the Liberians and the Sierra Leoneans, but in terms of
24 the ATU operations we were all combined. In fact, the company I

12:03:14 25 was controlling, there were no Sierra Leoneans amongst that
26 company. They were entirely Liberians.

27 Q. You were in the 1st Battalion, weren't you?

28 A. Of the ATU, yes, sir.

29 Q. And the ATU, I suggest, had amongst its duties the

1 protection of diplomatic missions, embassies and so on, duties
2 sometimes at airports. Do you agree that the ATU soldiers were
3 sometimes deployed to airports?

12:03:59

4 A. Yes, sir, we had deployment at the airports and also the
5 outer side of some important areas, but not specifically to
6 interfere with internal activities of such diplomatic areas.

7 Q. I never suggested that, but I think you're now agreeing
8 that the ATU were sometimes assigned to the exterior of embassies
9 and the like. Are you agreeing with that now?

12:04:25

10 A. Yes, sir.

11 Q. And other positions of importance, other places of
12 importance, in the city of Monrovia. Do you agree?

13 A. Yes, sir.

12:04:45

14 Q. And the whole time that you were in the ATU did you ever go
15 anywhere near Sierra Leone in the course of your duties in the
16 ATU?

17 A. No, sir.

12:05:11

18 Q. Right. Back to these numbers, please. You were telling us
19 about the people who were in - the Sierra Leoneans who were in
20 your particular unit and do you recall in court the other day
21 marking on a list those Sierra Leoneans who you say died in the
22 course of the Charles Taylor's campaign to eliminate all the
23 Sierra Leoneans in the ATU? Do you remember doing that?

24 A. Yes, sir.

12:05:49

25 Q. And how many do you say died? I am not asking you to look
26 at the list at the moment. Roughly speaking how many Sierra
27 Leonean ATU fighters in Liberia do you say died as a result of
28 that campaign to eliminate them all?

29 A. When I was asked about the total number of Sierra Leoneans

1 who died, I did not specifically refer to just the ATU at that
2 time. I referred to all the Sierra Leoneans in the different
3 categories or groups that were targeted after the death of - I
4 mean Sam Bockarie and I estimated that to 200 and above.

12:06:50 5 Q. Well, the people who came with Sam Bockarie were 200 odd
6 soldiers, yes? They were the people that we know were trained in
7 the ATU. And who else?

8 A. The composition of Sierra Leoneans who went to the ATU
9 base, who took the ATU training, were not just those who crossed
12:07:26 10 with Sam Bockarie and they were not just those who followed
11 Sam Bockarie later. There were other Sierra Leoneans who had
12 already been in Liberia. Some of them were even in the refugee
13 camps. Some of them left those areas and joined the ATU. And
14 when I talk about the total number and estimated it at 200, you
12:07:54 15 know, civilians too were killed during that cause and there were
16 some other soldiers from the RUF and some were also identified as
17 the SLA officers. They were all killed.

18 Q. What was the reason for Sierra Leoneans in refugee camps
19 being killed?

12:08:19 20 A. They left the refugee camp and they were now ATU soldiers,
21 so they were targeted as Sam Bockarie's soldiers.

22 Q. You haven't told us that before, that people left the
23 refugee camps and became ATU soldiers.

24 A. Well, I believe if you check the records from my
12:08:46 25 interviews, if I have not presented anything like that to you I
26 don't think I would be responsible for that, but I recall that I
27 have said this to the Prosecution before, that the composition of
28 the ATU did not only refer to those who crossed over with
29 Sam Bockarie and those that followed him. Others left the

1 refugee camp and later joined us.

12:09:28 2 Q. Mr Jaward, you know that if I have missed something I will
3 be corrected by the Prosecution eventually. I suggest that there
4 is nothing in your notes of interview, unless I have missed it,
5 of you telling the Prosecution that it wasn't just the 200-odd
6 who were trained at the Gbatala base, but also people from the
7 refugee camps - Sierra Leoneans from the refugee camps - who
8 turned up and joined the ATU. You have never mentioned that
9 before, unless I have missed it, and I would be grateful to my
12:09:59 10 learned friends opposite, if I have missed it in this huge amount
11 of material from you, if I could have that shown to me, because I
12 don't want to put anything to you that is inaccurate.

13 A. That is - that is --

14 Q. Who else joined the ATU? We have got the 200-odd originals
12:10:30 15 and now we have got some from the refugee camps. Any more?

16 A. This is exactly what I have said, that with the exception
17 of those who crossed with Sam Bockarie and those who later
18 followed him from RUF territory, and there are those who we met,
19 some who were in the refugee camp, they also joined the ATU as
12:10:59 20 well.

21 Q. No, you see we have already got those who crossed with
22 Sam Bockarie and those who later followed. They are in the
23 200-odd. We have already established that from you this morning.
24 Now we have got another lot who come out of the refugee - how
12:11:16 25 many of them came from the refugee camps and joined the ATU?

26 A. I cannot remember the total, but this particular group, I
27 cannot try something I don't have knowledge about, but those who
28 came from the refugee camp and joined the ATU and even the boy
29 who survived with me was from - we met them in Liberia. They

1 were in the refugee camp.

2 Q. Hold on a moment, please. Before we lose track of what you
3 just said, "I can't remember the total, but this particular
4 group, I cannot try something I don't have knowledge about". On
12:12:02 5 the one hand you are saying people came from the refugee camps
6 and joined the ATU and on the other hand you are saying you don't
7 have knowledge about how many --

8 A. The total number.

9 Q. -- of them there were. So how can you say that people came
12:12:21 10 from the refugee camps if you don't know if it was only one or
11 two?

12 A. This is what I am saying. I can only give you an example
13 with clear evidence of those I knew were very popular amongst
14 that group. One was one of the survivors that survived with me
12:12:44 15 in that case. We met them in Liberia and he was in the refugee
16 camp at that time. Like one Moalimu [phon] who was well known
17 amongst the group as the elderly one, he was in the refugee camp
18 when we met them there and they all later went and joined the
19 ATU. So these are the examples I can just give to you, but I
12:13:07 20 don't know the exact number of them who joined the ATU.

21 Q. And what do you say was the purpose of Charles Taylor
22 having all of these people killed?

23 A. Well, from my understanding and from the information given
24 to us before, before we even left to go to Ivory Coast, and also
12:13:41 25 like the information I gathered from Jungle who was a clear
26 example and was closer to them, these executions went on just to
27 destroy the evidence, like I who is sitting here today, to
28 destroy evidence regarding this particular case, like what I am
29 doing here today. This was the main thing I knew of.

1 Q. To destroy evidence regarding this particular case. What
2 do you mean by "destroy evidence regarding this particular case"?
3 Killing people who came out of refugee camps and joined the ATU,
4 how does that destroy evidence regarding this particular case?

12:14:35 5 A. During the time I was in Liberia in the ATU I heard of
6 allegations that there were Sierra Leoneans in the ATU in the
7 Charles Taylor government at that time, the ATU, and he continued
8 denying that he did not have any connection with Sierra Leoneans,
9 especially in terms of the RUF. On one occasion when Joe Tuah
12:15:02 10 came and spoke to us he also confirmed that the UN would be going
11 there to do more investigation about us, the Sierra Leoneans, and
12 he said they did not want them to come and know that there were
13 Sierra Leoneans in the ATU. So that was why they were taking us
14 at that time to Gbarnga, you know. They were taking some of the
12:15:21 15 people to Gbarnga at that time.

16 Q. I want to stop you here because for a start you are going
17 far too fast and, secondly, you are not dealing with the question
18 of why a Sierra Leonean who ended up in a refugee camp in Liberia
19 and then joined the ATU had to be killed in order to destroy
12:15:46 20 evidence regarding this particular case. What is it about a
21 Sierra Leonean who was unfortunate enough to end up in a refugee
22 camp in Liberia, who then decides to make something of his time
23 there by joining the ATU and no doubt earning a living - how is
24 it that that person has to be executed in order to destroy
12:16:21 25 evidence regarding this case?

26 A. I think if I can make myself clear again, they were not
27 killed during the time they were in the refugee camp as refugees.
28 I said the number - okay, I am coming, sir. I only gave this
29 example of refugees that the total number of the ATU came to that

1 number I estimated by also including the composition of some
2 people who also left the refugee camp to join us and the time the
3 killings went on they were already regarded as ATU soldiers with
4 Sam Bockarie. That is what I am trying to make you understand,
12:17:06 5 that they were not killed in the refugee camp, or with the title
6 at that time "refugees".

7 JUDGE LUSSICK: Mr Munyard, I think the witness has
8 completely missed the point of your question. He still hasn't
9 answered it.

12:17:19 10 MR MUNYARD: Yes.

11 JUDGE LUSSICK: I don't know whether rephrasing it will
12 help at all.

13 MR MUNYARD: Your Honour, I don't propose to pursue it:

14 Q. I want to put one simple point to you, Mr Jaward. You have
12:17:31 15 begun to realise, haven't you, that your numbers don't add up,
16 that your hundreds killed doesn't tally with that little list
17 that you put some "X"s against the other day and you are now
18 starting to swell the numbers, aren't you, by inventing a whole
19 load of people from refugee camps who were later killed for some
12:17:53 20 unspecified reason that you can't give, in order to destroy
21 evidence regarding this case? Do you appreciate what I am
22 saying? You are just inventing this because you have realised
23 that the numbers you have given don't make sense.

24 A. This is what I am saying here. If the Prosecution never
12:18:15 25 gave the information about that, or that they don't have any
26 record, or did not keep any record of that, then it is a mistake
27 on their own part, but I can remember in front of this Court I am
28 sitting today that I have made mention of this composition before
29 about the various areas that joined us, you know, to take the ATU

1 training during the course of the time I was with the ATU in
2 Liberia. I included that composition, sir.

3 Q. I suggest that your evidence now about all of this is a rag
4 bag of lies. What do you say about that?

12:19:02 5 A. Well, I don't believe that I can risk myself to come and
6 sit down here and start decorating myself with lies, especially
7 in this particular case, but all I can tell you is that with all
8 the points I have been making here, if only - if you take them to
9 be lies and you say that I am a liar then it is up to the
12:19:21 10 Prosecution to decide, but I believe that I have said that before
11 during my previous testimonies, that I included that particular
12 composition to the number of people who were trained as ATU.

13 Q. If I am wrong on that I will be corrected at some point.
14 Do you have a relative called Mansa [phon], or a name sounding
12:19:52 15 like Mansa?

16 A. Yes, sir.

17 Q. What is that person's name? Is it Mansa?

18 A. It is Massa, M-A-S-S-A, Massa.

19 Q. Who is that person? Is that your next of kin?

12:20:19 20 A. My wife's name is Massa and my mother's name is Massa.

21 Q. Thank you. How much were you paid when you were in the
22 ATU? What was your rate of pay?

23 A. I used to receive 225 US dollars a month.

24 Q. Right. Every month?

12:20:44 25 A. Every month. That did not include the other allowances
26 that we used to receive when I was on operations, because we used
27 to receive allowances.

28 Q. Did you receive allowances when you were on these
29 operations in La Cote d'Ivoire and Burkina Faso?

1 A. No, sir.

2 Q. What month do you say you went to Burkina Faso and from
3 there into La Cote d'Ivoire?

4 A. I can remember that was in December 2002.

12:21:40 5 Q. When you were in the ATU earning this money, when was it
6 paid to you? Was it paid to you at the end of the month?

7 A. Yes, sir.

8 Q. And so if you were away anywhere how was your money paid?

9 A. At the end of the month the company I controlled, the
12:22:11 10 paymaster will have to go to our company and pay us at our
11 various assignment areas and I was paid according to the rank I
12 carried at that particular time.

13 Q. Right. What if you were away at the end of the month? How
14 would your money be paid then?

12:22:35 15 A. My wife was to receive the money if I was away to anywhere
16 and when the pay was ready.

17 Q. And how would the paymaster know that your wife had
18 received the money, or how would you know that your wife had
19 received the money?

12:23:02 20 A. That was up to the arrangement that I made with the
21 paymaster whenever I was going to somewhere where I will not be
22 able to go and receive my money myself, by either giving my
23 identity in form of pictures, or the ATU badge that we used.

24 Q. Would your wife sign for receiving your salary?

12:23:28 25 A. Yes, sir.

26 Q. Now I want to deal with this business of you going to
27 Burkina Faso and La Cote d'Ivoire. Do you remember the other day
28 when two were giving evidence about this you told us that you
29 were basically given no choice but to go to Burkina Faso? That's

1 what you were saying, wasn't it?

2 A. I don't understand the question clearly, sir.

3 Q. You were taken to the airport by Joe Tuah and basically
4 told to get on a plane and go to Burkina Faso. That's what you
12:24:10 5 were saying to us the other day, wasn't it?

6 A. He never disclosed to us that we were going to pass through
7 Burkina Faso. He only told us that we were going to join
8 Sam Bockarie in the Ivory Coast.

9 Q. Right. Or did you volunteer to join your old employer,
12:24:35 10 Sam Bockarie, in Ivory Coast?

11 A. I never volunteered. I was forced to do so because I had
12 no other option left because of the conditions given at that
13 time.

14 Q. Were you being paid by the ATU at the time that you go off
12:24:56 15 to join Sam Bockarie abroad?

16 A. No, sir. Before this time there were times when during the
17 time of Chucky Taylor's regime, when he took over, our regular
18 salaries were no longer coming.

19 Q. And for how long had that difficult situation been going
12:25:25 20 on, your salaries not coming?

21 A. That went on for over six months when I was fighting in the
22 bush around the Bopolu area.

23 Q. So for six months you weren't paid. Why didn't you run
24 away again if you weren't being paid?

12:25:52 25 A. I want to make this clear to you again as an additional
26 point that that led me to even take my wife and children and send
27 them to the refugee camp at Banjow [phon], the Sierra Leone
28 refugee camp, and I went to the Sierra Leone embassy myself. I
29 went and met the ambassador and I explained everything about me

1 to him and that I wanted to go back to Sierra Leone with my
2 family.

3 PRESIDING JUDGE: Mr Witness, the question was why did you
4 not run away if you were not being paid?

12:26:28 5 MR MUNYARD: Well, your Honour, Madam President, with great
6 respect I think he is actually starting to answer that question
7 by explaining what he did do, so I will pursue it if I need to at
8 the end of the answer.

9 PRESIDING JUDGE: Very well. Continue with your answer,
12:26:44 10 Mr Witness.

11 THE WITNESS: As I was saying, what stopped me from running
12 away is what I am explaining. I started - I laid the foundation
13 by taking my family and sent them to the refugee camp and I went
14 to the Sierra Leone embassy myself, I reported myself to the
12:27:01 15 ambassador at that time who was Mr Kemoh Salia-Bao and he was in
16 sympathy with me and who was Dr Kemoh Salia-Bao, he was in
17 sympathy with me, but he said at that particular time there
18 wasn't any way for him to just take me in the vehicle and cross
19 me over across the border, because my fellow ATU were deployed
12:27:29 20 all along the border and they would have identified me. But he
21 said he would give me a laissez-passer which would be with me
22 whenever I was chanced to be able to cross the border then I
23 should contact him if I crossed going towards Kenema way. There
24 was a police commander there that he told me about so that he
12:27:52 25 would try and get - contact him and he would tell him that he
26 sent me, so if there was any other reason I would be able to
27 explain to him for my security at this time.

28 Q. Right. Two things on that. First of all, you told me a
29 moment ago in evidence that when you were in the ATU you never

1 went anywhere near Sierra Leone. How would ATU people deployed
2 on the border identify you? All you would need to do was put on
3 civilian clothes, wouldn't you?

12:28:34 4 A. I don't know how you understand that. I was an ATU officer
5 and this ATU I am talking about, majority of them knew me in
6 person and a vehicle would not pass through ATU checkpoint
7 without them checking who were in the vehicle. And at the point
8 in time I am talking about - let me come in with my point,
9 please. And the point in time I am talking about there were
12:28:55 10 securities planted on all the Sierra Leoneans because they said
11 we had started escaping, because that was the time Babah
12 Tarawally had already escaped together with some other friends
13 into Sierra Leone.

14 Q. Mr Jaward, there were 2,900 members of the ATU. How do you
12:29:18 15 claim to be so well known amongst those 2,900 that any ATU person
16 on the border would immediately recognise you even if you weren't
17 wearing your uniform?

18 A. I want to make this clear to you again that it was not
19 pride for me to say I was popular, but referring to myself in
12:29:52 20 this case, my battalion controlled those areas as far as Klay, Po
21 River and the extension. And the operational area I was
22 explaining about where the embassy itself was located, to even
23 get into the embassy I had to take a kind of excuse from the
24 other soldiers who were assigned around that area at that time
12:30:15 25 that I had relatives that I used to visit, but it was like I was
26 risking myself for me to go there and for them to see me enter
27 the embassy because they had already noticed that we were
28 escaping because Babah and others had already escaped into Sierra
29 Leone.

1 JUDGE SEBUTINDE: Mr Witness, why can you not speak slowly
2 when you have been requested to do so? Must you run?

3 THE WITNESS: I'm sorry, ma'am, really.

12:30:45

4 JUDGE SEBUTINDE: Calm down. Calm down, please, and speak
5 slowly.

6 THE WITNESS: I am very sorry for that. It's just that I
7 will manage my way to speak.

8 MR MUNYARD:

12:31:02

9 Q. Mr Jaward, over the decades, if not the centuries, people
10 have been crossing over the border between Sierra Leone and
11 Liberia, or Liberia and neighbouring countries without any risk
12 of being detected. Would you agree?

13 A. Yes, depending on the category or group that they belong to
14 at that time.

12:31:28

15 Q. Well, let us accept for a moment just for the sake of
16 argument that there was some reason why you couldn't change into
17 civilian clothes and go across the border because of your
18 colleagues in the ATU who would recognise you. What about this
19 police officer that the ambassador offered to put you in touch
20 with to get you a laissez-passer safe passage across the border.
21 Why didn't you take up that offer?

12:31:54

22 A. This is what I am saying. I would only get in touch with
23 the police officer in Kenema when I would have got into Sierra
24 Leone, but how was I going to get to the Sierra Leone border?
25 That was the serious obstacle that we had at that time.

12:32:19

26 Q. With your laissez-passer.

27 A. This is what I am saying. For ATU officers or authorities
28 to know at that time that I even had the plan at that time to go
29 to Sierra Leone was a big risk for me. That is what I am saying.

1 Q. Are you saying that no Sierra Leonean citizen was allowed
2 out of Liberia in the year 2002 and 2003? Are you really
3 suggesting that?

4 A. In the ATU, yes, sir. In the ATU, yes, sir.

12:33:04 5 Q. What about relatives of those in the ATU? Are you really
6 saying that they weren't allowed out? They weren't allowed to
7 escape, as you put it?

8 A. I am referring to those of us who were trained as soldiers
9 in the ATU.

12:33:26 10 Q. And I am asking you about relatives now. Concentrate on
11 the question.

12 A. As far as relatives are concerned, my own relatives were
13 afraid for their own lives for them to cross over to Sierra Leone
14 at that time. They expected that they would be accused of what I
15 was afraid of too.

12:33:50 16 Q. How would the ATU - assuming for a moment that you are
17 correct, how would the ATU who for some reason are operating
18 these border posts know if a particular individual was the
19 mother-in-law of a member of the ATU, for example?

12:34:15 20 A. Come back with that question, please.

21 Q. I am just testing this proposition of yours that people's
22 relatives couldn't even cross the border, the relatives of people
23 in the ATU. How would - are you saying that the ATU were present
24 at every single border crossing and indeed up and down the Mano
25 River or the other physical boundaries between the two countries
26 to prevent people going across maybe on a canoe?

12:34:39 27 A. I am referring to my relatives in this case and in this
28 case as far as --

29 Q. Sorry, I am not asking you about your relatives. I am

1 asking you about --

2 A. Well, I cannot --

3 Q. Hold on. Hold on. I am asking you - I am testing your
4 proposition that no Sierra Leoneans were allowed to escape if
12:35:15 5 they were somehow connected with the ATU.

6 MR BANGURA: Your Honours, I believe counsel is misstating
7 the evidence as put by the witness. My understanding of the
8 evidence is that he and others of the ATU were not free to leave,
9 they would be found out by members of the ATU. And as regards
12:35:42 10 other civilians, he said of his own family that they were afraid
11 to leave. But he does not say that they were also prevented from
12 leaving by the ATU. I stand corrected, but that's my
13 understanding of what the witness said.

14 PRESIDING JUDGE: Mr Bangura, the record as I heard it is,
12:36:01 15 "My own relatives were afraid for their own lives for them to
16 cross over to Sierra Leone at that time". That is what the
17 record shows on page 74, lines 12 to 15.

18 MR BANGURA: That is correct, your Honour.

19 PRESIDING JUDGE: And counsel is now putting a more general
12:36:17 20 proposition.

21 MR BANGURA: Your Honours, counsel's proposition is that
22 the witness has said that civilians - well, persons connected
23 with the Sierra Leoneans who were in the ATU were also prevented
24 from leaving Liberia by the ATU and that's not what the witness
12:36:35 25 has said.

26 PRESIDING JUDGE: I note that he says, "I am testing your
27 proposition that no Sierra Leonean" --

28 THE INTERPRETER: Can your Honour kindly activate her mic.

29 PRESIDING JUDGE: Sorry, Mr Interpreter. I am noting the

1 question, however let me short-circuit this by asking Mr Munyard
2 to respond to your objection.

12:37:08 3 MR MUNYARD: The response is in black and white on page 74
4 at line 8, question by me, "What about relatives of those in the
5 ATU? Are you really saying that they weren't allowed out, they
6 weren't to escape, as you put it?"

7 THE WITNESS: Let me just - because when I talk about
8 relatives here I think I had made comparison of a similar
9 troubles that I experienced together with some of my colleagues.
12:37:33 10 I was not referring to the ATU in particular that they were going
11 to threaten them, but at that time we were in Liberia in the ATU
12 --

13 MR MUNYARD: I'm sorry, but the witness is not allowed to
14 answer or to take part in a debate as to whether or not this
12:37:48 15 objection is sustainable.

16 PRESIDING JUDGE: Yes, Mr Witness, it is the Bench that
17 makes the decision here, not you.

18 MR BANGURA: Your Honours, my learned friend has just read
19 from the question which he says is clearly answered by the
12:38:00 20 witness --

21 MR MUNYARD: With respect, I do not want to be misquoted by
22 Mr Bangura. I didn't say anything about what the witness
23 answered. I said my answer to his objection is clear in black
24 and white. That was the question that I posed and I am still
12:38:18 25 waiting for an opportunity to explore the witness's answer to it.

26 MR BANGURA: With respect, your Honour, that is different
27 now from the proposition --

28 PRESIDING JUDGE: Mr Bangura, you have objected. You have
29 said counsel is misstating the evidence as put by the witness.

1 The witness made an answer, counsel has now moved on and he is
2 now saying, "I am not asking about your relatives, I am asking
3 about" - and he was interrupted and he said, "I am testing your
4 proposition that no Sierra Leoneans were allowed to escape."

12:38:52 5 That is the question that counsel is putting and I allow that
6 question.

7 MR BANGURA: If your Honour is reading - Madam President,
8 if you are reading from page 75, that is what I have read, line
9 11, this is the question from counsel, it says, "Hold on, hold
12:39:18 10 on, I am asking you - I am testing your proposition that no
11 Sierra Leoneans were allowed to escape if they were somehow
12 connected with the ATU." That is the point, your Honour.

13 PRESIDING JUDGE: Yes and I said I am allowing that
14 question, Mr Bangura. I have allowed the question. I do not
12:39:41 15 consider that it is a misstatement of the evidence. I consider
16 it is extending the questions asked into another field and I
17 allow it. Please continue. We are losing track of this question
18 now.

19 MR MUNYARD: Your Honour is not alone in that:
12:40:09 20 Q. I just want to test this notion of yours, Mr Jaward, that
21 if somebody was the mother-in-law of a member of the ATU, in
22 other words mother-in-law not sharing the same family name, and
23 she wanted to cross from Liberia into Sierra Leone, how is it
24 that she could possibly be stopped, assuming for one second that
12:40:36 25 you are right that the ATU are patrolling all of the enormously
26 long border of these two countries?

27 MR BANGURA: Your Honours, again I stand to object. My
28 learned friend puts it to the witness that, "I just want to test
29 this notion of yours", and then he makes a proposition. My

1 position there is that this is not the notion of the witness as
2 put by counsel to the witness. The proposition which counsel is
3 seeking to put to the witness now is not the witness's notion, as
4 he phrases it.

12:41:09 5 PRESIDING JUDGE: The witness has made a statement. I have
6 ruled that counsel is entitled to expand on that statement. If
7 you do not like the word "notion", or you think the word "notion"
8 is misleading, I will ask counsel to readjust that word, but the
9 intent of this question is allowed.

12:41:30 10 MR BANGURA: Certainly, your Honour, I stand by your ruling
11 on that. It is when counsel attributes this proposition as being
12 the notion of the witness and that does not flow from the
13 witness's previous answer.

14 PRESIDING JUDGE: It does to my mind, Mr Bangura. If the
12:41:45 15 witness is confused he will tell us.

16 MR BANGURA: Thank you, your Honour.

17 PRESIDING JUDGE: Proceed, Mr Munyard.

18 MR MUNYARD: I am going to move on:

19 Q. I am just going to suggest to you that this is complete
12:42:07 20 rubbish that you are talking, Mr Jaward, about the ATU members
21 and their families and others associated with them not being able
22 to leave Liberia and go back into Sierra Leone. Do you agree
23 that you are talking complete nonsense?

24 A. I did not condemn - I did not condemn the fact of you
12:42:41 25 describing me in any case in this case, whether you are wrong or
26 right, I think you are doing a piece of job, but I want you to
27 understand that I never made it clear to you that these relatives
28 were afraid of just the ATU, but I wanted to expand on my excuse
29 by saying that these relatives were afraid that when they crossed

1 into even Sierra Leone, our home country, they would be harassed
2 somehow because of us. So these were some of the reasons they
3 had to be afraid for them to go, but they did not say that they
4 were to be identified.

12:43:30 5 Q. What about the refugee camp that your wife and family went
6 to? Why didn't you go to the refugee camp if you weren't being
7 paid when you were in the ATU and somehow you believed that you
8 couldn't just cross the border?

9 A. The position of the refugee camp where my wife was in
12:43:56 10 Banjow, you know, was not - I mean protected enough to hide me
11 away from my fellow soldiers who were deployed around the refugee
12 camp for the time we heard about evacuation of refugees,
13 repatriation of refugees back to Sierra Leone. So it was not too
14 safe for me and I used to go there and return, so I saw the
12:44:26 15 situation.

16 Q. Sorry, you used to go where and return?

17 A. I used to go to the refugee camp where my wife was. I
18 spent nights there.

19 Q. You used to spend nights there in the refugee camp?

12:44:48 20 A. Yes, sir.

21 Q. Right, I am going to move on from that, please. You claim
22 that all of this occurs, all of this business of Sierra Leoneans
23 not being allowed to leave Liberia because Charles Taylor didn't
24 want the authorities to know that Sam Bockarie's men were in
12:45:09 25 Liberia, yes?

26 A. Yes, sir.

27 Q. Are you aware that on 21 December 1999 President Taylor of
28 Liberia and President Obasanjo had a well publicised meeting at
29 Roberts International Airport in Liberia and discussed the fact

1 that Sam Bockarie was coming into Liberia. In fact they also met
2 with Sam Bockarie at that same airport that day. Are you aware
3 of that?

4 A. No, sir.

12:46:16 5 Q. You listened to the BBC, you have told us. Were you
6 listening to the BBC in 1999 at any time.

7 A. Yes, whenever a radio was available at that time I will
8 listen to it, but not every day that I will listen to BBC, or
9 that I had access to radio.

12:46:40 10 Q. Did you hear the BBC correspondent in Monrovia on the
11 afternoon of 21 December 1999, a man called Jonathan Pellele,
12 report that Presidents Obasanjo and Taylor had met with
13 Sam Bockarie at the Roberts International Airport, that the two
14 leaders informed Sam Bockarie that it had been decided that he
15 would stay out of Sierra Leone until the end of the disarmament
16 process and that he was given the choice to stay in Liberia, or
17 any other third country? Did you hear anything like that on the
18 BBC through Mr Jonathan Pellele, their correspondent in Monrovia?

19 A. That detail that you have explained, I am not aware of.

12:47:39 20 What I concluded in one of the announcements on the BBC at the
21 time that I was in Voinjama was that Sam Bockarie and Omrie
22 Golley were no more members of the RUF. They said they have been
23 fired by Foday Sankoh.

24 Q. So you were tuning into the BBC to follow events at around
12:48:04 25 this time, yes?

26 A. This was one of the most important messages that stayed in
27 my mind at that time. It was not - I was not only told by
28 individuals, but it was broadcast on even the BBC.

29 Q. Right. Well, did any individuals tell you about the

1 broadcast by Jonathan Pellele, the BBC's correspondent in
2 Monrovia, on 21 December 1999, saying that the President of
3 Nigeria had met with the President of Liberia and Sam Bockarie
4 and it had been agreed that he would stay out of Sierra Leone and
12:48:46 5 this also, that I haven't put to you: It was also reported that
6 security officials along the Sierra Leone-Liberia border had been
7 instructed to ensure that Sam Bockarie does not cross the border
8 back into Sierra Leone during the specified period. Did you ever
9 hear that, either directly on the radio or from all these people
12:49:12 10 who were telling you things?

11 A. No, sir.

12 Q. Did you ever hear directly, or from any other person later
13 in December of 1999, or maybe in January following, that
14 President Taylor told President Obasanjo during that meeting at
12:49:49 15 the airport on 21 December that in order to ensure that the Lome
16 Accord held, that arrangements should be made to ensure that
17 Sam Bockarie and his immediate followers stay out of Sierra Leone
18 until the end of the disarmament process, but that that,
19 according to President Taylor, would entail substantial
12:50:16 20 expenditure which Liberia alone could not shoulder and he
21 appealed to President Obasanjo and other leaders in the region to
22 assist Liberia in meeting the challenge and that President
23 Obasanjo welcomed President Taylor's initiative and promised to
24 approach other colleagues in the region so as to solicit their
12:50:44 25 support for such a project. Did you ever hear anything to that
26 effect?

27 A. No, sir.

28 MR BANGURA: First of all, I wonder whether the witness can
29 quite fairly remember all of those issues put together in one

1 question, but also I notice my learned friend was reading from a
2 text. I don't know exactly what. If he would oblige us with the
3 reference, please.

4 PRESIDING JUDGE: First of all, as I have mentioned
12:51:10 5 already, Mr Bangura, counsel for the Defence is not obliged to
6 give you certain pieces of information. He is obliged to put his
7 case to the witness. That is one point and so I am not going to
8 follow through, but the essence of your other leg of your
9 objection is that there is more than one piece of information, or
12:51:32 10 one proposition in the question.

11 MR BANGURA: Yes.

12 PRESIDING JUDGE: In actual fact the witness has answered
13 it, however if the witness is confused I will instruct counsel
14 for the Defence to if necessary break up --

12:51:44 15 THE INTERPRETER: Your Honour, can counsel kindly come back
16 to the question, please.

17 PRESIDING JUDGE: The witness has answered the question and
18 unless --

19 MR MUNYARD: Counsel will if you want me to.

12:51:56 20 PRESIDING JUDGE: Unless it is very clear to me that the
21 witness did not understand, if I think or he tells me he did not
22 understand, then I will --

23 MR BANGURA: Your Honours, I think the position is rendered
24 moot now by the witness's response.

12:52:08 25 PRESIDING JUDGE: Yes.

26 MR MUNYARD: I don't know how my learned friend knows what
27 I am reading from.

28 PRESIDING JUDGE: I have ruled on that, Mr Munyard.

29 MR MUNYARD: All right:

1 Q. Now, the simple point that I was just putting to you was
2 that it was going to cost Liberia money to keep Sam Bockarie and
3 his entourage in the country and he and President Obasanjo
4 discussed that and President Obasanjo offered to speak to other
12:52:41 5 regional leaders to help out with the cost. Did you ever hear
6 anything to that effect?

7 A. No, sir.

8 Q. Were you aware that it was made well known by not just
9 President Taylor but also his foreign minister Monie Captan to
12:53:06 10 the international authorities that Liberia was giving
11 Sam Bockarie and his followers asylum and that that was going to
12 cause Liberia some risks and some expense? Were you aware of
13 those concerns being publicly expressed by President Taylor and
14 by Monie Captan, the foreign minister?

12:53:36 15 A. No, sir, I was not aware of this arrangement, sir.

16 Q. And were you aware that the foreign minister made it plain
17 that Sam Bockarie was unwilling to reside in any third country
18 and therefore the plan was that he would live in Monrovia and
19 that the Government of Liberia would therefore be able to keep an
12:54:00 20 eye on his activities? Were you aware of that?

21 A. No, sir, I was not aware of this arrangement, sir.

22 Q. Furthermore, were you aware that certainly by February 2000
23 President Taylor made it clear that he was keeping Sam Bockarie
24 in Liberia certainly until at least until the end of the
12:54:45 25 disarmament process in Sierra Leone? Were you aware of that?

26 A. I was not aware of that, sir.

27 Q. Right. So it's your case, is it, that all these people
28 came over from Sierra Leone into Liberia with Sam Bockarie as a
29 great big secret? Is that what you're saying?

1 A. It was not a big secret for - of Sam Bockarie crossing, but
2 the fact there is that the activities of Sam Bockarie especially
3 Sam Bockarie's followers like within the ATU, they were denying
4 it that there were no Sierra Leoneans in the ATU. That was why
12:55:45 5 they used to even restrict us earlier from certain assignment
6 areas where we could be exposed to other people who will know
7 that we were Sierra Leoneans.

8 Q. And so is the reason why you drew up these little
9 handwritten lists of your Sierra Leonean brothers in the ATU
12:56:06 10 because the ATU were not making it known that these particular
11 individuals were Sierra Leonean?

12 A. That was not the reason at that time, sir. We wanted to
13 give account of ourselves that whenever somebody's name is called
14 somewhere we will be able to know that this member is among our
12:56:32 15 group. That was the essence of that list. That is the list you
16 are referring to. It was prepared earlier.

17 Q. Is it your position that the ATU disguised the presence of
18 Sierra Leoneans in its ranks?

19 A. Exactly. This was what I understood.

12:56:56 20 Q. And from where did you understand that?

21 A. I think I have made this clear on - let me just make two
22 points as one of my evidence. Like the statement altered that we
23 were to be sent out of Monrovia to Gbarnga at that time so that
24 the UN whom they were expecting to come for investigation on that
12:57:25 25 matter would not see the Sierra Leoneans of the ATU in Monrovia.

26 Later, during the execution of Sam Bockarie, what Jungle
27 and others had believed were the main authorities closer to -
28 close to this authority said to me that he wanted to destroy
29 evidence of Charles Taylor's involvement in accusation about his

1 involvement in Sierra Leone. This was why they were doing this
2 killing. That was my evidence to prove that this was the reason
3 they were doing this.

12:58:09 4 Q. Mr Jaward, I asked you from where did you understand that
5 the ATU was disguising the fact that some of its members were
6 Sierra Leonean?

7 A. I think the point I have made are two of the points and the
8 third one was that after that execution during the disarmament
9 when I went there all our names - I mean we, the Sierra Leoneans,
12:58:38 10 who had noted ourselves at that time, they said they had moved
11 our list from the ATU roster. So it was a clear evidence to me
12 that they were trying to disguise us, to hide us because --

13 Q. Did you say the ATU roster?

14 A. Yes, sir.

12:58:58 15 Q. What is the ATU roster?

16 A. This was the general list of both the Liberians and the
17 Sierra Leonean ATUs at their various assignment areas.

18 Q. What about the Gambians and the Burkinabes and the various
19 other nationalities within the ATU? Were they on the ATU roster?

12:59:22 20 A. If there were any of them I did not personally know them.
21 All I knew at that time was that we were among the Liberians that
22 comprised this ATU that I am talking of.

23 Q. And how were your group referred to in the ATU roster, you
24 Sierra Leoneans?

12:59:43 25 A. Exactly, sir. When somebody was trying to identify us as a
26 Sierra Leonean, that was what they used to say. But as far as
27 the ATU operation was concerned we were all operating at the same
28 level. We were all ATU.

29 Q. What does the roster look like?

1 A. There were different types of rosters depending on the type
2 of operation the list would be prepared for. The ATU generally
3 was a sort of a brigade and they had the various distribution - I
4 mean the division of soldiers in different battalions and other
13:00:31 5 attachments to the brigade for different assignments.

6 Then they also had pay rosters which were also prepared by
7 the ATU, you see, so I do not know which of the rosters - which
8 of the operational rosters you are referring to in this case.

9 Q. Who was the general officer commanding the ATU?

13:00:58 10 A. Well, the general officer commanding changed over time when
11 I was in the ATU. First of all --

12 Q. By February of 2003 who was the general officer commanding?

13 A. Chucky Taylor was in charge at that time and General Jason
14 Wennie was deputising him.

13:01:27 15 Q. And how was Chucky Taylor's name set out as general officer
16 commanding? Was it Chucky Taylor GOC, or was it something else?

17 A. I am referring to the son of Charles Taylor at that time.
18 He was in charge.

19 Q. We know that.

13:01:46 20 A. Yes, he took over - give me chance, please, sir. He took
21 over from General Momoh Gibba in 2002.

22 Q. Mr Jaward, I am asking you about February 2003. You have
23 said Chucky Taylor was general officer commanding. I have asked
24 you how was his name set out. We are talking about the roster.

13:02:06 25 How would his name be put on the roster? In what terms? Was it
26 Chucky Taylor, or was it something else?

27 A. I never knew any other name that he used to be called or
28 whether his name was part of that brigade roster for any reason,
29 but I knew that he was in charge of the ATU at that time.

1 Q. General Wennie, let's talk about him. You said, I think,
2 JC Wennie. Is that right?

3 A. That was his full name, sir. Jason --

4 Q. Do you know what - sorry, go on.

13:02:43 5 A. I said that was his full name that I knew, General Jason
6 Wennie.

7 Q. You said Joseph then did you?

8 A. I have not mentioned Joseph. I said General Jason Wennie.

9 Q. Jason, sorry, yes, all right. Who was third in command?

13:03:08 10 A. Well, as I told you, the commandship of the ATU used to
11 change as time went by.

12 Q. We are talking about February 2003.

13 A. If you are referring to February 2003 I only knew until I
14 came from the Ivory Coast Chucky Taylor was still in charge, but
13:03:27 15 at that time I did not know the complete administration how the
16 various other commanders other than that Chucky Taylor was in
17 charge, Jason Wennie was the deputy to him at that time and this
18 time that I am talking of, February 2003, I was in the Ivory
19 Coast.

13:03:46 20 Q. Well, let's go now to the Ivory Coast. You said to us when
21 you were giving your evidence to the Prosecution that you went to
22 Burkina Faso and that you crossed the border at, and I hope I
23 pronounce it correctly, Korhogo. What was the name of the town
24 again?

13:04:11 25 A. As I told you earlier, when we crossed the border from
26 Burkina Faso into Ivory Coast, the town I recognised we arrived
27 at that morning was Korhogo.

28 Q. Korhogo, you are absolutely right. In fact in the evidence
29 that you gave first of all you said that you crossed at a big

1 customs post and you called it Korhogo?

2 A. No, sir, I did not say the border post we crossed was
3 Korhogo. I said I came to know that we were in Ivory Coasts from
4 the sign boards that I saw on the border post written on it "La
13:05:00 5 Cote d'Ivoire". It was then that I knew that we were on the side
6 of the Ivory Coast where we met the delegation that came to
7 receive us on the rebel side.

8 Q. Well, we will have a look over the lunch adjournment at
9 what you actually said when you were first describing this, but I
13:05:17 10 would like you please to be shown the map book and I am looking
11 at map M7 and that is Ivory Coast. I also want the map of
12 Burkina Faso, please, which has briefly escaped me.

13 PRESIDING JUDGE: Mr Munyard, there is one Ivory Coast map
14 that has been marked for identification MFI-8. Is that the one
13:05:45 15 you're referring to?

16 MR MUNYARD: Yes, in the map book that's M7, your Honour.

17 PRESIDING JUDGE: Thank you.

18 MR MUNYARD: Then there is one of Burkina Faso. I don't
19 think it has been marked. M3 in the map book:

13:06:40 20 Q. Now if I show you first of all the map that is marked for
21 identification - MFI-9, was it, your Honour?

22 PRESIDING JUDGE: 8.

23 MR MUNYARD: 8, sorry:

24 Q. If you have a look at that, you marked on a copy of that
13:07:00 25 the route that you took from Ouagadougou all the way down to -
26 was it Seguela where you were first involved in some fighting?

27 A. No, sir.

28 Q. Where were you first involved in fighting?

29 JUDGE SEBUTINDE: Mr Munyard, for the record what the

1 witness did mark on MFI-8 is the entry point on the northern
2 border from Burkina into Ivory Coast and the exit point from
3 Danane outward into Guinea. Well, Liberia actually.

4 MR MUNYARD: Yes, exactly.

13:07:40 5 JUDGE SEBUTINDE: He didn't mark the entire route.

6 MR MUNYARD: No, I was not suggesting he had. I am just
7 saying he had marked something on that map:

8 Q. We need to look at both maps together actually. There is
9 MFI-8 and there is map M3 of Burkina Faso. From what you marked
10 we know where you say you came into Burkina Faso, because you
11 drew some lines on the map and if that is there on the screen I
12 would be grateful if you could just point to the lines on the map
13 that you drew to show the place you entered la Cote d'Ivoire.

14 Just indicate again showing us the place where you say you
15 entered la Cote d'Ivoire. Is that the marked map, can I just
16 enquire? Yes, it is. Thank you. So you come in somewhere near
17 where the River Komoe meets the border between Burkina Faso and
18 la Cote d'Ivoire, yes? Do you see that? Do you see the river?

19 A. I have not seen the name of the river.

13:09:34 20 MR MUNYARD: I wonder if Madam Court Officer could point it
21 out. It is both slightly below and to the right of his arrows
22 and above and slightly to the left of his arrows and it obviously
23 - or it seems to be the border:

24 Q. Do you see it, the River Komoe?

13:09:54 25 A. Yes, sir. Yes, sir.

26 Q. This was a Burkina Faso aircraft that brought you to
27 Burkina Faso, wasn't it?

28 A. Yes.

29 Q. And you say that it took you to Ouagadougou and you then

1 travelled by road all the way down to this particular point where
2 you crossed the border, yes?

3 A. Yes, sir.

13:10:54

4 Q. Can we go to map M3. Now, right in the middle of the page
5 we can see Ouagadougou. Do you see that, Mr Jaward? It has got
6 a big star on it.

7 A. Yes, sir.

8 Q. There is an aeroplane symbol indicating an airport. Do you
9 see that?

13:11:13

10 A. Yes, sir.

11 Q. Just put your finger on it and trace - I am not asking you
12 to remember the particular towns and so on, but just trace from
13 Ouagadougou down to - do you see at the bottom left-hand side of
14 the map there is the words "Cote d'Ivoire"?

13:11:31

15 A. Yes, sir.

16 Q. And the "D" in the middle of that name is just below the
17 area you have pointed out on the other map, so you travel from
18 Ouagadougou all the way - you travel across half of Burkina Faso
19 to get to that point where you cross the border, do you agree?

13:11:56

20 A. Yes, sir.

21 Q. Or possibly even slightly more than half because you are
22 going down as well as across. Now if you put your finger on the
23 "D" of Cote d'Ivoire and go straight up the page, do you see a
24 town called Bobo Dioulasso?

13:12:19

25 A. Yes, sir.

26 Q. With an aircraft symbol there signifying an airport there?

27 A. Yes, sir.

28 Q. Go back to map MFI-8, please. At the point where you say
29 you have marked on this map where you entered Cote d'Ivoire,

1 again if you trace with your finger upwards you come to Bobo
2 Dioulasso, don't you?

3 A. Yes, sir, I have seen the place.

4 Q. A town in Burkina Faso with an airport, indeed one about
13:13:07 5 which this court has already heard evidence. Do you have any
6 idea, if you are telling the truth, why it was that this Burkina
7 Faso aircraft flew you from Liberia all the way halfway across
8 Burkina Faso when there was an airport not very far away from the
9 border crossing that you eventually used to get into Cote
13:13:43 10 d'Ivoire?

11 A. Well, that question was left to those who transported us in
12 Burkina Faso, but I can remember the airport we landed was
13 Ouagadougou, a very big city, and I saw the writings - I mean the
14 name Ouagadougou, you know, on the Ouagadougou airport on the
13:14:10 15 sign boards and the time that we took that afternoon to travel
16 from Burkina Faso until late in the night that we arrived at the
17 border where I saw that la Cote d'Ivoire. You know, you cannot
18 compare that distance we covered to the time we are referring to
19 - the town we are referring to here, Bobo Dioulasso, from there
13:14:38 20 to the border at that time, so I don't know why we landed at
21 Ouagadougou, but Ouagadougou was the area we landed and we drove
22 from that afternoon throughout the day, until late in the night
23 when we arrived at the border.

24 Q. You were acting as a mercenary in Burkina Faso, weren't
13:15:01 25 you? Sorry, la Cote d'Ivoire.

26 A. Yes, sir, we were sent there as mercenaries because that
27 was my --

28 Q. Were you paid? I am sorry.

29 A. No, sir, I was not personally paid and I was not promised

1 with anything personally.

2 Q. So you have six months without pay in the ATU, yes? That
3 is what you told us earlier.

4 A. Yes, sir.

13:15:30 5 Q. And you are three months, was it, away predominantly in La
6 Cote d'Ivoire?

7 A. More than three months.

8 Q. With no pay?

9 A. Yes, sir.

13:15:49 10 Q. Are you sure that your wife wasn't getting your pay from
11 the ATU back in Liberia at this time?

12 A. No, sir.

13 Q. I think you are saying that she wasn't getting your pay, is
14 that correct?

13:16:08 15 A. Yes, sir.

16 Q. And then you eventually come back with Sam Bockarie and his
17 fighters, first into Burkina Faso and then into Liberia. Why did
18 you all leave La Cote d'Ivoire when you did?

19 A. Please come back with that question, sir.

13:16:41 20 Q. Why did you leave La Cote d'Ivoire?

21 A. To come to Liberia, sir?

22 Q. Well, you go first to Burkina Faso, don't you?

23 A. Yes, sir.

13:17:00 24 Q. Was it simply that you were leaving - you were going
25 through Burkina Faso on your way to go to Liberia? Is that what
26 you are saying?

27 A. No, sir, I only found myself in Burkina Faso when we were
28 moving to Ivory Coast and I was only informed in Liberia by Joe
29 Tuah that we were going to Burkina Faso. So I never knew the

1 route we were to take, but I only - I only found myself through -
2 I mean in Ouagadougou to get to the Ivory Coast.

13:17:42 3 Q. Yes, we are at the other end of the trip now. I just want
4 to know what was the reason that you turned back from La Cote
5 d'Ivoire and go to Burkina Faso and then Liberia?

6 PRESIDING JUDGE: Mr Munyard, my recollection of what the
7 witness says is that they exited near Danane and that little
8 arrow I have on my map is into Liberia. Have I got it wrong?

13:18:04 9 MR MUNYARD: No, I think I may have got it wrong and I
10 apologise:

11 Q. What was it that made you leave La Cote d'Ivoire and go to
12 Liberia?

13 A. The same order we had when they said it was an executive
14 order, that is an order from Charles Taylor that took us to Ivory
13:18:23 15 Coast, was the same order that I heard directly from
16 Sam Bockarie. He said Charles Taylor had sent for him saying
17 that all of us who had left Liberia and joined him were to return
18 to Liberia. It was that order that brought me back to Liberia,
19 sir.

13:18:41 20 Q. Well, what was going on in the Ivory Coast at the time that
21 you get this order to up sticks and come back to Liberia? Sorry,
22 at the time you get the order to return to Liberia?

23 JUDGE SEBUTINDE: Mr Munyard, what is the expression "up
24 sticks"? I beg your pardon.

13:19:06 25 MR MUNYARD: That is why I dropped the expression "up
26 sticks". I am sorry, I am lapsing into English colloquialism and
27 I shouldn't:

28 Q. At the time that you got the order to come back to Liberia
29 from Ivory Coast what exactly was happening in the Ivory Coast?

1 What were your group doing?

2 A. We were still engaged in fighting alongside the Ivorian
3 rebels, alongside the Ivorian rebels.

4 Q. Who were you fighting?

13:19:43 5 A. We were fighting against the government of the Ivory Coast.

6 Q. Well, it wasn't the government of the Ivory Coast that you
7 told us about the other day that you were fighting at that time.
8 It was MODEL, wasn't it?

9 A. We fought MODEL in Ivory Coast, but that was not the main
13:20:09 10 mission for which we were there. I fought them, but that was not
11 the main mission that we were there for in the Ivory Coast. That
12 only came at a time when they suspected that MODEL were trying to
13 - were in Ivory Coast and trying to enter into Liberia and we
14 were asked to dislodge them from one of their bases at Toloplea.

13:20:30 15 Q. Right. And when did you fight MODEL?

16 A. This was in 2003 when I was now in Danane. Early 2003 when
17 I was in Danane.

18 Q. And isn't that the reason that you actually went to the
19 Ivory Coast, because the MODEL were invading Liberia from the
13:21:04 20 Ivory Coast with the backing of the Ivorian government?

21 A. No, sir.

22 Q. Well, that was two questions in one. I will split them up.
23 Do you agree that MODEL were invading Liberia from the Ivory
24 Coast with the support, or backing of the Ivorian government?

13:21:35 25 A. I don't know where they were getting their support from,
26 but they were on the side of the government where they crossed -
27 where they were forcing to enter Liberia.

28 Q. You don't know where they were getting their support from,
29 but they were on the side of the government. Do you mean they

1 were on the side of the Ivorian government?

2 A. Exactly, sir, where the Ivorian troops were fighting them
3 before. It was that same position - it was that same position
4 that we heard of the MODEL among the group that wanted to enter
13:22:09 5 Liberia.

6 Q. And so if they were fighting alongside the Ivorian
7 government, did you not draw the conclusion that the Ivorian
8 government was backing MODEL in its attempts to unseat the
9 elected government in Liberia?

13:22:29 10 A. Well, I cannot confirm that whether they were giving them
11 any support, but the territory we fought them at the time that
12 they called for the help, they were at the area of the government
13 troops side. I did not know whether the government of the Ivory
14 Coast knew of them at that time.

13:22:49 15 Q. I didn't ask you to confirm that they were giving them
16 support. I asked you did you not draw the conclusion that the
17 Ivorian government was backing MODEL in its attempts to unseat
18 the elected government in Liberia. Did you not draw that
19 conclusion?

13:23:08 20 A. No, sir, I did not draw that conclusion.

21 Q. With all your experience of fighting in rebel groups, are
22 you saying you didn't draw the conclusion that MODEL soldiers
23 fighting alongside the Ivorian government and attempting to
24 invade Liberia to overthrow the elected government there did not
13:23:31 25 have - sorry, you didn't draw the conclusion that they had the
26 support of the Ivorian government?

27 A. I never drew - I cannot draw that conclusion even up to
28 now, because I do not have any sufficient evidence to prove that.

29 Q. When you got back to Liberia you were praised for your

1 efforts in fighting MODEL, weren't you?

2 A. By whom, sir?

3 Q. By High Command?

4 A. Which of the high commands are you referring to in this
13:24:18 5 case?

6 Q. Did your friend High Command not say anything to you about
7 how you were --

8 PRESIDING JUDGE: You're talking about the person called
9 High Command as a nickname?

13:24:29 10 MR MUNYARD: Yes, that's why I said "your friend High
11 Command".

12 THE WITNESS: Can I go ahead and answer that question,
13 please?

14 PRESIDING JUDGE: Please do so, Mr Witness. I should not
13:24:49 15 have interrupted.

16 THE WITNESS: Personally I did not receive any special
17 praise from High Command for me fighting against MODEL.

18 MR MUNYARD:

19 Q. Did High Command not say to you that people spoke of your
13:25:07 20 efforts in La Cote d'Ivoire in resisting the entrance of MODEL
21 into Liberia?

22 A. He said that was one of the reasons why other people were
23 talking about me, but he never had any special praise for me.

24 Q. Well, he may not have himself, but he certainly said to you
13:25:33 25 that people were speaking of your efforts in La Cote d'Ivoire in
26 resisting the entrance of MODEL into Liberia, didn't he?

27 A. Yes, I can remember they mentioned that when they were
28 giving excuses for my survival.

29 Q. And that was the principal role that you had in La Cote

1 d'Ivoire, wasn't it; trying to stop a rebel movement called MODEL
2 that was attempting to overthrow the elected government in
3 Liberia?

4 A. No, sir.

13:26:19 5 Q. So you're saying you just did that as a bit of fighting on
6 the side?

7 A. That was a different operation. In fact, in this case
8 majority of my fellow Sierra Leoneans in the Ivory Coast refused
9 to even - when the request was made they even refused to run this
13:26:45 10 operation and I personally volunteered that I was a trained
11 soldier from Liberia and my wife was there. So in terms of
12 defence, as long as they had called for us to go and assist to
13 attack that particular town and they said MODEL was attacking
14 that town I said I had to make my contribution. That point they
13:27:04 15 took to be very important to them that caused me to have sympathy
16 from them. But the majority of the Sierra Leoneans never
17 attempted to go to that particular area on that mission because
18 they were busy attacking the Ivorians on the Ivory Coast side.

19 Q. What was the name of the Ivorian rebel leader?

13:27:28 20 A. When you talk of the Ivorian rebel leader at that time I
21 heard of different groups, but the main one at that time they
22 used to call was Guillaume Soro. Or on the side where I was we
23 had Andre whom they used to call Felix Doh. They had others
24 whose full names I do not know, but some of them were like Adams
13:27:55 25 and others and they had one they used to call --

26 THE INTERPRETER: Your Honours, I did not get the last
27 name.

28 THE WITNESS: Sheriff.

29 PRESIDING JUDGE: Pause, Mr Witness. First of all the

1 interpreter needs you to repeat the name you gave before Sheriff.
2 They had used to call - they were like Adams and others and they
3 had used to call. Please finish that sentence.

4 THE WITNESS: Yes, ma'am. I think Guillaume Soro, Adams
13:28:22 5 and Andre had been recorded and I spoke of one Sam Bockarie used
6 to call Majeure. He was also another rebel leader, but we used
7 to call him Majeure.

8 PRESIDING JUDGE: Mr Munyard --

9 MR MUNYARD: I know there is just one second, your Honour:
13:28:39 10 Q. When did you find out that this man Andre was called Felix
11 Doh?

12 A. Felix Doh, I knew him after we had been with him now in the
13 Ivory Coast in Danane. Sometimes he used to take interviews for
14 the - how do you call it. For the Ivory Coast. Most of the time
13:29:09 15 when international media was interviewing him about what was
16 happening in the Ivory Coast, he used to talk and it was at that
17 time that I knew of Felix Doh. But before that time I used to
18 know him as Andre from Liberia.

19 Q. Did somebody from the Prosecution --

13:29:26 20 PRESIDING JUDGE: Sorry, Mr Munyard, but we are well over
21 the time limit.

22 MR MUNYARD: All right. I will pursue that after the
23 luncheon adjournment.

24 PRESIDING JUDGE: Yes, Mr Witness, we are now taking the
13:29:37 25 lunchtime adjournment for one hour. We will resume at 2.30.
26 Please adjourn court.

27 [Lunch break taken at 1.32 p.m.]

28 [Upon resuming at 2.28 p.m.]

29 PRESIDING JUDGE: Mr Bangura, I see a change of appearance.

1 MR BANGURA: Yes, your Honour. Your Honour, the
2 Prosecution is represented this afternoon by the following:
3 Ms Brenda J Hollis; Mr Nicholas Koumjian; myself, Mohamed A
4 Bangura; and Ms Maja Dimitrova. Thank you, your Honours.

14:28:38 5 PRESIDING JUDGE: Thank you, Mr Bangura. I don't see any
6 changes on your Bar, Mr Munyard, and so I will ask --

7 MR MUNYARD: No change.

8 PRESIDING JUDGE: Thank you. Please proceed.

9 MR MUNYARD: Thank you, Madam President:

14:28:50 10 Q. Mr Witness, just before we broke off for the lunch
11 adjournment I said I would check the transcript. On Friday 11
12 July, that is last Friday, on page 13499 you gave an answer that
13 I am going to pick up at line 16 as follows:

14 "So a few minutes later Joe Tuah returned to the plane and
14:29:24 15 said they were waiting for a bus to come and we will get into the
16 bus, and within that period a bus came with only the driver in
17 it. When we alighted from the plane ..."

18 This I should add is all in Ouagadougou:

19 "When we alighted from the plane, about two steps from the
14:29:43 20 plane we were in the bus. We all got into the bus and Joe Tuah
21 stayed behind. Then the driver drove us through Ouagadougou
22 until we finally continued our journey throughout the day until
23 midnight. We crossed the border. According to the description
24 that was made to us later, we crossed closer to the
14:30:05 25 Mali-Burkina-Ivory Coast borders."

26 THE INTERPRETER: Your Honours, counsel is reading too
27 fast.

28 MR MUNYARD: I will just do that last couple of sentences
29 again:

1 Q. "We crossed the border. According to the description that
2 was made to us later, we crossed closer to the Mali-Burkina-Ivory
3 Coast borders. One of the big towns along the border that night
4 that we stopped at was Korhogo."

14:30:35 5 Then at that point Madam President interrupted Mr Bangura
6 to deal with an earlier issue. Was it your recollection that
7 Korhogo was the border town that you stopped at?

8 A. No, sir, Korhogo by virtue of its position is not the
9 border town. There were other towns that we passed through that
14:31:20 10 night until we got to Korhogo, but Korhogo was the name
11 I remember on the border during that trip, sir.

12 Q. So when you said in the passage I have just read out that
13 Korhogo was one of the border towns that you stopped at that
14 night, that was just a slip of the tongue, was it?

14:31:50 15 A. Not really a slip of tongue. I think you should please
16 understand what I am trying to say here. I said from the border
17 Korhogo was the only town whose name I can remember, but there
18 were other towns and villages that we passed by that particular
19 night.

14:32:12 20 Q. Well I was simply quoting, you see, what you had said when
21 you were giving your evidence to my learned friend that "one of
22 the big towns along the border that night that we stopped at was
23 Korhogo." You see, it was what you said on Friday that led me to
24 conclude that you thought that Korhogo was a border town, but you
14:32:40 25 are not disputing that you said that at one point last Friday,
26 are you?

27 A. Yes, sir, but I am still making the point clear that it is
28 not right on the border. There were other towns and villages
29 before getting to Korhogo.

1 Q. All right. Now this man Andre, did anyone in the
2 Prosecution tell you that he was known as Felix Doh?

3 A. No, sir, I told you earlier that I knew him by that name in
4 Ivory Coast as Felix Doh.

14:33:31 5 Q. Well you were not in the Ivory Coast when you were telling
6 the Prosecution all about him, were you?

7 A. I was not told by the Prosecution. That is what I am
8 telling you, that I knew that name before I came in contact with
9 the Prosecution.

14:33:59 10 Q. And did you refer to him by that name Felix Doh when you
11 were telling the Prosecution about your time in the Ivory Coast?

12 A. Both names were called. He was called by those two names
13 I have just mentioned: Felix Doh, or Andre.

14 Q. Well can we have a look, please, at tab 12 I believe it is.
14:35:39 15 Tab 12 is notes of interview with you taken on 4th, 5th - of
16 interviews conducted on 4, 5 and 6 March this year here in The
17 Hague and I would like you to look, please, at page 100292. Do
18 you see that page?

19 A. Yes, sir.

14:36:26 20 Q. And in particular paragraph 14. Well, actually we had
21 better read paragraph 13 because paragraph 14 refers back to it
22 and so we will start with 13. It reads as follows:

23 "At one time when [you] and other former RUF were with Sam
24 Bockarie in Ivory Coast fighting with the rebels, there was a
14:36:57 25 cease fire. Taylor's subordinate Sampson was there fighting as
26 well, as was 'Busy Boy', who was Benjamin Yeaten's 'brother'.
27 Sampson and 'Busy Boy' broke the ceasefire and 'Busy Boy' was
28 killed in their attack. Sampson contacted Yeaten to report that
29 'Busy Boy' was dead. Bockarie said he did not order them to

1 break the cease fire, that Sampson gave that order."

2 Did you tell them that?

3 A. Yes, sir.

4 Q. So they have recorded that correctly, yes?

14:37:38 5 A. Yes, sir.

6 Q. Paragraph 14:

7 "Yeaten sent Andre, the Ivory Coast rebel leader, High

8 Command, Rashid Foday and others to investigate the incident.

9 Some of Bockarie's men fired on the group, having been told the

14:37:57 10 group was approaching with arms at the ready. The group had to

11 flee. After that Bockarie was withdrawn to Burkina Faso for a

12 time."

13 Did you tell them that?

14 A. Yes, sir.

14:38:13 15 Q. I am going to skip over paragraph 15, which deals with Sam

16 Bockarie and his men going back to the border back towards

17 Liberia. Paragraph 16 reads as follows:

18 "When Bockarie and his fighters went to the border, the

19 majority of them turned in their weapons to Taylor's forces as

14:38:45 20 ordered."

21 THE INTERPRETER: Your Honour, counsel is reading too fast.

22 MR MUNYARD:

23 Q. "When Bockarie and his fighters went to the border the

24 majority of them turned in their weapons to Taylor's forces as

14:39:00 25 ordered. While Bockarie and the Sierra Leone fighters waited at

26 the border, the witness" - that's you - "heard about the death of

27 Andre in Ivory Coast."

28 We are going over the page to 100293:

29 "Also while they waited Dopoe Menkarzon came and spoke with

1 Bockarie. Bockarie explained to Menkarzon that because of the
2 confusion caused by the death of Busy Boy and Bockarie's presence
3 in the Ivory Coast subsequently being reported over the radio,
4 and tensions between Bockarie and Andre, Bockarie went to Burkina
14:39:47 5 Faso."

6 First of all, you don't ever call him Felix Doh in these
7 notes, I suggest. Are you saying that you did tell the
8 Prosecution that you knew him also as Felix Doh?

9 A. Yes, sir, I was not asked whether I knew any other name for
14:40:20 10 him rather than Andre.

11 Q. No, but you've told us that you said to the Prosecution you
12 also knew him as Felix Doh. Paragraph 19, please:

13 "Bockarie's base in Ivory Coast was at one time at Seguela.
14 From there Bockarie and his fighters tried twice to take Man.
14:40:45 15 They were pushed back the first time. The second time they
16 followed a route to the Guinean border to Danane. They joined up
17 with the rebel forces of MPIGO led by Andre."

18 You have only ever referred to him as Andre in these notes,
19 haven't you?

14:41:10 20 A. Yes, this is what I am seeing here. This name was more
21 common than even the Felix Doh that they used to call him by.

22 Q. Back to paragraph 16, please. What were the tensions
23 between Bockarie and Andre?

24 A. As I told you earlier, you know, there were some
14:41:42 25 information if they were like interviews they will be adding up
26 the informations upon informations. This is another issue which
27 I don't think I have explained much about. During the time of
28 our stay in Ivory Coast there was a kind of misunderstanding
29 between the bodyguards of - the bodyguards of Sam Bockarie at

1 that particular time who were the soldiers around Sam Bockarie at
2 that time against some of the soldiers of Felix Doh. So on one
3 occasion I can remember they went to seize one of the jeeps that
4 had been given to Felix Doh by Sam Bockarie in his absence. So
14:42:31 5 these boys went and said they were going to forcibly take the
6 jeep from Sam Bockarie - I mean Andre.

7 At that particular time I was present in Danane and I was
8 one of the officers that resisted that they shouldn't overlook
9 him and he was a rebel leader - he was one of the rebel leaders
14:42:53 10 in Ivory Coast, so he deserved that respect. So they should not
11 over-molest him. That was the time, you know, I was accused by
12 these brothers that I was in fact working in line with this Andre
13 I am referring to here, that Felix Doh.

14 So when Bockarie - before Bockarie could leave, that kind
14:43:16 15 of misunderstanding was already prevailing between his bodyguards
16 and the bodyguards of Sam Bockarie. So whenever such incidents
17 happened they would open fire and people would ask who were those
18 conflicting. So they will say they are Mosquito's boys against
19 Andre's boys. So that made the authorities grow concerned that
14:43:45 20 there was an alarming information against Sam Bockarie in Ivory
21 Coast. So as far as their relationship was concerned, that is
22 one of the problems that I can recall occurred between them.

23 Q. Go back, please, to the beginning of paragraph 16 on
24 page 100292. The second sentence of that reads:

14:44:09 25 "While Bockarie and the Sierra Leone fighters waited at the
26 border the witness" - that's you - "heard about the death of
27 Andre in Ivory Coast."

28 What did you hear about the death of Andre?

29 A. At that time we arrived at the border we were at the border

1 when we heard of - I monitored the BBC radio that Felix Doh -
2 I mean Andre, he is the same person I am referring to - was
3 killed by Sam Bockarie in the Ivory Coast. At that time we had
4 already withdrawn and we were at the border.

14:44:57 5 Q. So the BBC reported that Sam Bockarie had killed either
6 Andre or Felix Doh depending on which name you use, yes?

7 A. Yes, sir.

8 Q. Were you able to confirm that with your former employer
9 Mr Bockarie?

14:45:22 10 A. No, sir. My employer never did that, made that known to
11 me.

12 Q. Isn't it the fact that that rebel leader was killed in some
13 sort of skirmish with Sam Bockarie and Sam Bockarie and the rest
14 of you, his RUF comrades, were chased back to the border with
15 Liberia and were trying to get into Liberia from the Ivory Coast
16 because Bockarie was being held responsible for the death of
17 their rebel leader?

18 A. No, sir. I want you to understand that we moved peacefully
19 in the convoy to the border where we met, you know, some of my
14:46:22 20 comrade officers of the ATU. They had brought reinforcement
21 along the border.

22 Q. Was this BBC broadcast complete lies, or did it have some
23 truth in it?

24 A. As far as the death of Andre was concerned by Mosquito or
14:46:46 25 Sam Bockarie at that time I don't believe it was the fact,
26 because Sam Bockarie was not involved in the death of Andre at
27 that particular time, because I was with him when we left Danane
28 up to the border and up to the time we later heard about his
29 death.

1 Q. But, Mr Jaward, if it was on the BBC --

2 JUDGE SEBUTINDE: Sorry, Mr Munyard. Mr Witness, you were
3 with "him". You were with who? Bockarie or Andre?

4 THE WITNESS: I said I was with Sam Bockarie from Danane in
14:47:22 5 the convoy up to the time we came to the border at Loguato
6 border.

7 MR MUNYARD:

8 Q. Right. And was this when you heard this BBC broadcast?

9 A. Yes, sir.

14:47:36 10 Q. So did you say to him, "My goodness, sir, have you heard
11 what they're saying about you?", or something along those lines?

12 A. He himself was listening to news at Gbinta, at the border
13 where he was for almost three days before he crossed over.

14 Q. And was he worried of the impact this would have on people
14:48:04 15 in Ivory Coast when they heard that Sam Bockarie had killed their
16 rebel leader?

17 A. I don't - he did not express any sort of a worry to me at
18 that particular time regarding that and where I was even
19 listening to that particular announcement the radio was loud.

14:48:30 20 Q. This is more nonsense, isn't it? If it went over the BBC
21 that Sam Bockarie had killed the rebel leader in Ivory Coast Sam
22 Bockarie would be very concerned indeed that that particular
23 falsehood was being broadcast around the world, wouldn't he?

24 A. Well, that hadn't been the only false information expressed
14:48:58 25 about the rebel leader at that time. There had been so many
26 false information, because some media only collect information
27 from other people by hearsay. They did not know the reality on
28 the ground. And as far as that particular information was
29 concerned it was not a nonsense, sir. It is the fact that Sam

1 Bockarie was not involved in that killing, sir.

2 Q. Mr Jaward, we all know the dangers of acting on hearsay,
3 but the reality is that when a story like that is broadcast round
4 the world on the BBC, anyone accused of killing a rebel leader in
14:49:36 5 territory where he still is is liable to be very concerned, isn't
6 he?

7 A. Of course he must be concerned.

8 Q. And he is liable, if he is close enough to another place,
9 to move to that other place to be safe from the anger of
14:50:00 10 supporters of the dead rebel leader, isn't he?

11 A. No, sir. Let me make you to understand this, sir. Before
12 even Sam Bockarie left Danane to go to the border he called me on
13 the table - I mean, you know, he called me - he and I sat by the
14 table right in front of Kemoh's house, one of the SSS who was
14:50:31 15 operating in Danane, and he said Charles Taylor had called - he
16 said Charles Taylor had called on him to go to Liberia with all
17 the troops that came from Liberia and join him in order for us to
18 go and join hands with him to fight the current rebels who were
19 fighting to overthrow him. That was the message that went around
14:50:54 20 amongst every one of us that particular time he and I spoke that
21 night.

22 Q. Well, I suggest that's another lie, that Sam Bockarie
23 didn't tell you Charles Taylor had called him to come back to
24 Liberia. I suggest that Bockarie fled towards the border with
14:51:09 25 Liberia precisely because he was being accused, and it was being
26 broadcast around the world, of killing Felix Doh who you then
27 only knew as Andre. What do you say to that?

28 A. I am also still telling you that the particular information
29 I am giving to you is the whole truth and nothing but the truth.

1 And because of this kind of information maybe he wanted to make
2 at that time that Sam Bockarie is dead and everything should go
3 with him, that is why I have been protected up to this moment.
4 I am still here to make you understand that that was the reality
14:51:56 5 that took place on the ground at that time; that Charles Taylor
6 sent for Sam Bockarie and that he was not involved in the killing
7 of Andre directly.

8 Q. Who did kill Andre?

9 A. The information I got from one of his bodyguards who
14:52:49 10 sometimes served him as a driver by the name of Sheku whom we
11 later met in Monrovia, he had a garage, I took my car there for
12 repairs. He said Andre was killed by one of the rebel commanders
13 in Ivory Coast by the name of Sheriff and when we withdrew and
14 went to Bouake whom later said that Andre alone was not killed in
14:53:20 15 that case. He said Adams, who was earlier in charge of Man was
16 also killed in that incident. He was also one of the commanders.

17 Q. We are only interested in Andre. We don't need to know
18 about anybody else.

19 A. Just to be specific.

14:53:35 20 Q. If Sam Bockarie simply went back to Liberia to help
21 Charles Taylor deal with the rebels in Liberia, why was it that
22 he sat there on the border for three days?

23 A. It was because of the secret mission that they had against
24 him and that when we got there they said Benjamin Yeaten said he
14:54:00 25 shouldn't cross so that the civilians around that area would
26 raise alarm that Sam Bockarie has come back to Liberia and for
27 the pressure to be on Charles Taylor once again.

28 Q. So he sits on the border for three days with all of his
29 troops and that is a secret, is that what you are saying?

1 A. No, sir, I made you to understand that when we arrive at
2 the border it is like you stand here there was just a river
3 between Gbinta and Loguato. The majority of the troops and their
4 relatives crossed the bridge to Loguato. Whilst I crossed to
14:54:47 5 Gbinta, he stayed there with few soldiers.

6 Q. Mr Jaward, when you were in the ATU in Liberia for the
7 better part of three years, 2000, 2001 and 2002, amongst your
8 various duties were guarding the American Embassy, weren't they?

9 A. No, sir, not to guard the American Embassy. The embassy --

14:55:19 10 Q. Sorry, to provide security in the region of the American
11 Embassy, yes or no?

12 A. We only had deployment - I mean checkpoint - on the road
13 leading or passing in front of the American Embassy. Around the
14 embassy itself they had their own securities at that time, but we
14:55:46 15 had a checkpoint right at Mamba point where at the time I took
16 over we also had our soldiers deployed there but our
17 responsibility was not to guard the American Embassy. They had
18 their own security at that time.

19 Q. I corrected myself. I am not going to take anyone to the
14:56:08 20 particular tab. I just mention it for reference. Tab 13,
21 paragraph 42, and I am going to try and - as I say I am not going
22 to take you all through it, but if anyone wants to check it.

23 Amongst your assignments, is this right, were further assignments
24 included providing security, especially night patrol, in the
14:56:35 25 Ducal Hotel area around Mamba Point covering the US Embassy and
26 other important facilities and installations. Is that correct?

27 A. The embassy was around the deployment area, but not to
28 directly interfere with the embassy because when we talk about
29 Ducal Hotel deployment at that time the area covered the American

1 Embassy and some other embassies at Mamba Point, but not
2 specifically in charge of protecting or giving direct protection
3 to the American Embassy.

14:57:16

4 Q. We have got that point. Is what I just read out to you
5 correct?

6 A. That is the correction I have just made. I can't just
7 admit to what you said.

8 Q. Well, the words I was reading were your words to the
9 Prosecution on 27 and 30 June this year and 1 July this year.

14:57:36

10 Are you saying they have got those wrong as well?

11 A. This is what I am saying. If I had made mention of that
12 particular deployment area, that was exactly what I meant what
13 I have just explained. I said we took over assignments in that
14 particular area, but not to directly protect or interfere with

14:57:58

15 the activities of the American embassy as securities.

16 Q. During your time in the ATU, including your time on those
17 assignments, were you made aware of the fact that the American
18 embassy included staff who were in the secret service, the CIA
19 and any other secret services of the United States? Did you

14:58:32

20 learn that, that there were people from the CIA in Liberia during
21 your years in the ATU?

22 A. I did not learn that and I did not hear any official
23 information about that, sir.

24 Q. Well, I am not suggesting that you got official information
14:58:54 25 about it. I am suggesting that you might have picked it up in
26 your three years in the ATU in the capital of Liberia at a time
27 when the United States embassy was operating, including giving
28 support to some of the rebels trying to overthrow the elected
29 government of Charles Taylor. Did you not pick up any

1 information that the American secret service were about in
2 Liberia?

3 A. No, sir. I don't have any idea about that, sir.

4 Q. And are you saying that nobody knew - and by nobody I mean
14:59:42 5 people like the American secret service; nobody knew that Sam
6 Bockarie had been in Liberia during those years and then had gone
7 to Burkina Faso - sorry, gone to the Ivory Coast? Are you really
8 suggesting that the secret services who had an interest in these
9 affairs were completely ignorant of that?

15:00:10 10 A. I don't have any idea about that.

11 Q. Now, tell me about the story that you heard on BBC radio
12 describing how Sam Bockarie had tried to overthrow
13 Charles Taylor?

14 A. I did not have any other - hear any other story about Sam -
15:00:41 15 that Sam Bockarie was trying to overthrow Charles Taylor until
16 after his death when I was in jail when I heard the Sierra Leone
17 ambassador trying to confirm that he recognised the body to be
18 Sam Bockarie's body and that it was to be flown to Freetown, but
19 I did not hear any other story about Sam Bockarie trying to
15:01:03 20 overthrow Charles Taylor on the BBC with the exception of what
21 I have just mentioned.

22 Q. So in jail you had access to a radio and were able to
23 listen to the BBC even during that time?

24 A. I was not having radio in the jailhouse where I was
15:01:33 25 detained for a day. A vehicle on which one of the bigger weapons
26 were mounted, when they tuned their radio we were in the jail and
27 I monitored the radio broadcast the news openly. It was there
28 that I got that information about Sam Bockarie and the allegation
29 levied against him on the BBC was that they said he came and they

1 wanted to disarm him, he resisted and he was killed. That was
2 what I heard on the BBC as far as Sam Bockarie's death was
3 concerned.

15:02:26 4 Q. Had you ever heard anything before that time about Sam
5 Bockarie and an attempt to overthrow Charles Taylor? Before this
6 time, and I quote, "When I was in jail when I heard the Sierra
7 Leone ambassador trying to confirm he recognised the body", prior
8 to that had you heard anything at all about Charles Taylor and a
9 plot to - sorry, Sam Bockarie and a plot to overthrow
15:02:57 10 Charles Taylor?

11 A. The only thing I can tell you to confirm my evidence in
12 this case was that it was only an information from Sam Bockarie
13 himself which he revealed to me in Danane and he later expressed
14 similar concern to Dopoe Menkarzon, when we were at Gbinta he
15:03:22 15 came and met Sam Bockarie at that time, but not from any other
16 person saying that Sam Bockarie wanted to overthrow before
17 I heard that on the radio.

18 Q. Well, didn't you hear a rumour from Burkina Faso that Sam
19 Bockarie was returning to Liberia to help overthrow
15:03:51 20 Charles Taylor?

21 A. No, sir.

22 Q. That is a completely untrue statement, is it?

23 A. This is what I am saying. I did not have any connection
24 with any other person in Burkina Faso at that time with the
15:04:08 25 exception of Sam Bockarie who came from there, and he gave me the
26 information that I have just said he gave to me in Danane and he
27 confirmed it to Dopoe Menkarzon at the border again and so that
28 made me personally - that made me grow personally concerned.

29 Q. Tab 7, please. Now, this starts on page 40041 and it is

1 notes of what is called a prepping session on 9 and 10 August
2 last year. If we turn to page 40051 these are the notes from 10
3 August, and if you look at the last paragraph on that page it
4 reads as follows:

15:05:27 5 "There were several rumours circulating about Sam Bockarie.
6 One rumour from Burkina Faso was that Sam Bockarie was returning
7 to Liberia to help overthrow Charles Taylor."

8 Did you tell the Prosecution that?

9 A. Yes, sir, the rumour I am referring to here is the one
15:05:54 10 I heard from Sam Bockarie himself from Burkina Faso, not from any
11 other person else.

12 Q. Why do you say "One rumour from Burkina Faso", rather than
13 "One rumour that Sam Bockarie told me"?

14 A. Well, if it is mentioned there that one rumour, I am not
15:06:18 15 referring the source to be any other person but Sam Bockarie.
16 That is what I meant to that investigator, or whosoever at that
17 time who wrote it down. That is what I meant, but I did not get
18 it from any other source at that time to say that somebody came
19 from Burkina to give me that information rather than Sam Bockarie
15:06:38 20 alongside his bodyguard that he went with, Junior.

21 Q. And what was it that Sam Bockarie told Dopoe Menkarzon?

22 A. As far as this information from Burkina Faso is concerned,
23 is that what you want to know, sir?

24 Q. This is the rumour that Sam Bockarie was involved in a plot
15:07:07 25 to overthrow Charles Taylor?

26 A. Okay. What exactly I was told by Sam Bockarie and he
27 repeated the same statement to Dopoe Menkarzon was he said after
28 he left us some time in Ivory Coast and went back to Burkina
29 Faso, he said he was under serious pressure where he was based

1 and he referred to the area as the President of Burkina Faso,
2 Blaise Compaore's, farm. He said at one time one of his
3 aide-de-camp, who he named Musa Commando, he described him to be
4 one of the former, you know, securities to Charles Taylor during
15:07:52 5 the early stage of his NPFL war in Gbarnga. So he said this Musa
6 Commando came to Sam Bockarie and said, you know, they wanted to
7 use him, Sam Bockarie, to come and overthrow Charles Taylor in
8 Liberia and he said he refused. He said the title or the names
9 he has been making during the past years were supported by
15:08:21 10 Charles Taylor. He will never go against him. He said from that
11 incident he was detained. He was jailed on the President of
12 Burkina Faso's farm, Blaise Compaore's farm.

13 He said from that particular incident, three days later he
14 decided that he will have to tell them that he has accepted it so
15:08:45 15 that he will be released and be able to get a chance to tell
16 Charles Taylor that he was no longer safe in the hands of the
17 Burkinabes and that they had some other intention. So he said
18 after three days when he called them and gave them this
19 information that indeed he will do it, but that they should
15:09:06 20 release him --

21 JUDGE SEBUTINDE: Mr Witness, slow down, please. Slow
22 down.

23 THE WITNESS: And so after three days he said he told them
24 that he will accept the proposal they had made to him so that he
15:09:24 25 will be able to move off from their care so that he will be able
26 to come and join Taylor. So he said when they released him and
27 he came he called Charles Taylor and he gave him the same
28 information about what they told him and what they wanted him to
29 do against Charles Taylor. So he said it was there that

1 Charles Taylor said, "If that is the case then withdraw all my
2 men that I sent to you from Ivory Coast and then come back, let's
3 fight".

4 PRESIDING JUDGE: Mr Witness, you are racing again.

15:09:51 5 Justice Sebutinde has asked you several times. Not only is the
6 interpreter having a problem following you but also the people
7 that are writing it and I am trying to hear everything you say as
8 well. Slowly. Pause at each sentence.

9 THE WITNESS: Okay. As I was saying, he said after they
15:10:20 10 had released him he called Charles Taylor and he gave him the
11 information and then he said Charles Taylor ordered him to come
12 and take all his men that he had in Ivory Coast for them to cross
13 over back to Liberia to fight, you know, along with him. So he
14 said that was what brought him and it was Charles Taylor who
15:10:47 15 called him when he came to Ivory Coast to cross over with his
16 men. So he gave that similar information, just as he had
17 revealed to me in Danane the night he arrived, to Dopee Menkarzon
18 at the border.

19 MR MUNYARD:

15:11:02 20 Q. So what you're saying is this: That it was a big secret
21 from the rest of the world that Sam Bockarie and his Sierra
22 Leonean fighters had been in Liberia in the ATU for three years
23 and nevertheless Blaise Campaore wanted Sam Bockarie to go back
24 into Liberia and overthrow Charles Taylor, yes?

15:11:37 25 A. This was the information he gave to me and he only made
26 mention of one Musa Commando who was like, he said, an
27 aide-de-camp to Blaise Campaore.

28 Q. How was it that they were going to keep Sam Bockarie's
29 presence in Liberia a continuing secret if he had marched in and

1 overthrown Charles Taylor?

2 A. This is what I am saying. If that was the plan of Sam
3 Bockarie like I knew him before - we came from Ivory Coast not as
4 an unarmed group. We brought all types of kinds of weapons with
15:12:31 5 us that I feel that we could attack any area and conquer at that
6 particular time, but when we arrived at the border he himself
7 told us that --

8 Q. Well, let us cross the border and see where you go from
9 there in your account. You meet High Command when you cross the
15:12:52 10 border, don't you?

11 A. Before meeting High Command I just want to clear that
12 particular point I was trying to express concerning the secret
13 intention of Sam Bockarie that you were talking about.

14 PRESIDING JUDGE: Pause, Mr Witness. Please answer the
15:13:13 15 question that was put to you.

16 THE WITNESS: Yes, sir. I met High Command, sir.

17 MR MUNYARD:

18 Q. And where did you go with High Command?

19 A. When I said I met High Command, I met him in the combat
15:13:35 20 camp. That is Ganta where the fighting was going on at that time
21 in Nimba. I only made mention that he moved with me one
22 afternoon from the combat camp to go to Saclepea to collect my
23 own relatives and properties I had to go to Ganta where the
24 fighting was going on.

15:14:10 25 Q. What fighting was going on in Ganta?

26 A. At this moment as I am speaking to you the LURD rebels had
27 crossed from Guinea and they were fighting against Charles
28 Taylor's government in Ganta.

29 Q. Right, so you go with High Command to Ganta and how long do

1 you stay in Ganta?

2 A. When I said going - when we left Gbankoi I went back to
3 Ganta, I carried my things to Ganta and the following day I was
4 arrested and that was the day I heard of Sam Bockarie's death.

15:15:09 5 So I don't understand if you are talking about my stay in Ganta
6 after that incident, or if you are following up when you said
7 myself and High Command moved to Ganta. I don't know which one
8 you are referring to.

9 Q. Well, I am just going to see what happens from the time you
15:15:31 10 cross the border. When you crossed the border were you still
11 with Sam Bockarie?

12 A. No, sir. When we finally crossed Sam Bockarie crossed as
13 well. We were not together. They carried him first to Cocopa,
14 the rubber plantation company area.

15:15:58 15 Q. Well, how do you know they carried him to Cocopa?

16 A. Later when the orders came for us to go to Saclepea, those
17 of us who were still behind, there were some other bodyguards who
18 were still around him. They came to us at the village where the
19 camp was at Gbankoi where they informed us that Sam Bockarie was
15:16:25 20 at the particular place I have made mention of.

21 Q. Namely?

22 A. Are you referring to the bodyguards who came?

23 Q. No, I beg your pardon, what was the particular place you've
24 made mention of?

15:16:42 25 A. I made mention of Cocopa rubber plantation headquarters.

26 Q. Right. So did you go there to see Sam Bockarie?

27 A. No, sir. From that particular point I never set eyes on
28 him again until I heard about his death.

29 Q. Are you sure you didn't go to see him at Cocopa?

1 A. No, sir, I never went to Cocopa to see Sam Bockarie.

2 Q. Now, you never went to see him at Cocopa. Tab 12, please.

3 This is notes taken from your prepping session back in March when
4 you were here on 4, 5 and 6 March. Remind us who were the two
15:19:00 5 people who were present who were interviewing you and taking
6 these notes?

7 A. I can remember Madam Brenda and Alain. They dealt with me
8 when I came here.

9 Q. Turn to page 100293, please, paragraph 17, and I am going
15:19:34 10 to read it and you tell us if they have correctly recorded what
11 you told them as recently as March: "Not long after this
12 Bockarie and some of his boys crossed into Liberia with Menkarzon
13 and Bockarie went to Cocopa." Did you tell them that?

14 A. Yes, sir.

15:19:56 15 Q. "After Bockarie left the others got an order to go to
16 Saclepea." Did you tell them that?

17 A. Yes, sir.

18 Q. "From there they were sent to base at Gbankoi and wait for
19 arms and ammunition." Did you tell them that?

15:20:16 20 A. Yes, sir.

21 Q. "The witness then went to see Bockarie at Cocopa." Did you
22 tell them that?

23 A. No, sir, I did not go there myself. I only went to Ganta,
24 not to Sam Bockarie.

15:20:36 25 Q. Well, we know that you're now saying you didn't go there,
26 but did you tell the Prosecution in March that you did go there?

27 A. I don't actually remember that idea that I went to see Sam
28 Bockarie at Cocopa. I only spoke of going to Ganta.

29 Q. I am not asking you if you remember ideas. I am asking you

1 did you tell the Prosecution attorneys, Madam Brenda and Alain,
2 what I have just read out: That you went to see Bockarie at
3 Cocopa?

4 A. If I remember that I can just say I remember that, but
15:21:19 5 I cannot remember that. That was why I said I cannot remember.

6 Q. Did you tell them that?

7 A. No, sir.

8 Q. So they have invented that, have they?

9 A. Any how you take it to be, but I never told them that, sir.

15:21:43 10 Q. I am asking you if you didn't tell them that have they made
11 it up, invented it?

12 A. I said I don't understand what you mean by that
13 "invention", but I did not tell them that.

14 Q. Have they made up a story that you never told them, namely
15:22:03 15 that you went to see Sam Bockarie at Cocopa?

16 A. That question is up to them to answer, sir, but I did not
17 go to Cocopa to see Sam Bockarie myself. People went there and
18 came back with information, but I did not go there to see him.

19 Q. You obviously told them that, didn't you, back in March?
15:22:29 20 Do you agree?

21 A. No, sir.

22 Q. Do you agree that you must have told them that for them to
23 have written down such a straightforward, simple sentence as
24 that?

15:22:41 25 A. I said no, sir.

26 Q. "Bockarie said Taylor's people were bringing arms and
27 ammunition. He said he couldn't" --

28 THE INTERPRETER: Your Honour, can counsel kindly go close
29 to his mic.

1 MR MUNYARD: I think I have found the answer. Buried in
2 the depths of the desk there is actually more cable.

3 PRESIDING JUDGE: It is your fault for being tall,
4 Mr Munyard.

15:23:17

5 MR MUNYARD:

6 Q. "The witness then went to see Bockarie at Cocopa. Bockarie
7 said Taylor's people were bringing arms and ammunition. He said
8 he could not go to Monrovia or his presence in Liberia would be
9 known to the international community and Taylor would get
10 pressure again. So, because he would be on a long mission, his
11 family was being brought to see him at Cocopa. This visit was
12 the last time the witness ever saw Sam Bockarie."

15:23:34

13 Did you tell them that you went to see him at Cocopa and he
14 told you all of that and that this visit to him at Cocopa was the
15 last time you ever saw him?

15:24:03

16 A. No, sir, people went there and gave me all this
17 information.

18 Q. But that is not what is written there, is it?

19 A. Yes, I am seeing it myself, but that was not exactly what
20 happened to me.

15:24:28

21 Q. So they have got all of that wrong?

22 A. Not all. I think you had asked me some questions from the
23 beginning and I said "Yes" until we got to where I said, "That
24 was not what happened. I never went there to see him. I got
25 that information from those who went there and came from there."

15:24:48

26 Q. Why are you giving a different account now from the account
27 that you gave them in March?

28 A. Well, I believe I have not given any different statement
29 here. Maybe they might have misunderstood me, or I don't

1 actually know how it came about, but I am telling you what
2 exactly happened and what I believe I have told them before.

3 Q. Well, how would the Prosecutors possibly know to make up
4 what appears in that passage that I have read out unless it was
15:25:24 5 something you told them?

6 A. I continue to say that they might help to answer that
7 question, but I don't think what is being concluded in that
8 particular paragraph was what exactly happened at that time.
9 I never went to see him in person, but people went there and
15:25:51 10 brought the information to me.

11 Q. All right. Where were you when you got this information?

12 A. When we arrived at Gbankoi some of the bodyguards around
13 him came and met us at the village - at that village - and they
14 explained this to me, that they were expecting his wife and his
15:26:13 15 family to even come and visit him.

16 Q. You were at Gbankoi, thank you. How long did you stay at
17 Gbankoi?

18 A. I spent two days in Gbankoi.

19 Q. Who were you with at Gbankoi?

15:26:37 20 A. I was - we were - I mean, we were many. Those of us who
21 came from Ivory Coast we were all down there with the exception
22 of the body - those who were taking care of Sam Bockarie, but all
23 the others were ordered to come to Gbankoi, including civilians
24 and everybody, including our families and some other friends who
15:27:01 25 came along with us from Ivory Coast.

26 Q. Was High Command with you at Gbankoi?

27 A. High Command only came to Gbankoi when I went to Ganta.
28 After the attack that afternoon, he and I came during the night
29 hours to collect my relatives and my own properties to go to

1 Ganta. That is the only time I can remember that High Command
2 was in Gbankoi.

3 Q. Well you go from Gbankoi to Ganta, is that right?

4 A. Yes, sir.

15:27:39 5 Q. And do you go to Ganta with High Command?

6 A. Yes, sir, when he came with me he returned.

7 Q. That is all I need to know. You went from Gbankoi with
8 High Command to Ganta. How long did you stay in Ganta?

9 A. I spent nearly two months after the death of Sam Bockarie
15:28:13 10 in Ganta.

11 Q. Well, are you saying that after Gbankoi you went to Ganta
12 and you then stayed there two months? Is that what you are
13 telling us?

14 A. When I left Gbankoi and we went to Ganta, High Command and
15:28:34 15 I, the following morning was the day they arrested me and they
16 attempted to kill me for the first time and I was in jail. From
17 the jail, when I was released from the jail, when Jungle took me
18 from there he brought me to the combat camp and I was within that
19 particular area around the Ganta defensive up to two months.

15:28:56 20 Q. I am going to deal with that. I think I may have missed
21 asking you how long you were in Gbankoi. I might have asked you
22 that, but just to be clear how long were you in Gbankoi before
23 you went off with High Command to Ganta? I don't know if I asked
24 that earlier. If I did, then I apologise. Two days, thank you.

15:29:23 25 So on the second day you go to Ganta together with High Command.
26 Is that correct?

27 A. No, sir, that was the third day because --

28 Q. All right. And do you fight whilst you are in Ganta
29 together with High Command?

1 A. Yes, we were all on the same attack, sir.

2 Q. And for how long did that attack last?

3 A. The specific attack that took me to Ganta, I and High
4 Command, when we came back to Gbankoi, it was only an attack that
15:30:18 5 we started from the morning to the afternoon hours.

6 Q. And after that attack where did you go to?

7 A. After that particular attack, that was the time High
8 Command told me to come for my property from Gbankoi to take back
9 to Ganta.

15:30:43 10 Q. So where did you go from Ganta - from that attack?

11 A. This is what I have said. The particular attack that
12 I went for, I and High Command, we came for my property and when
13 we came back we did not go to any other attack the following
14 morning. He and I very early in the morning - we slept together
15:31:06 15 in a village near the defensive and when my car was --

16 Q. Stop for a moment. I am going to let you deal with all of
17 this in detail in due course, but when I first asked you what you
18 said was, "After that particular attack, that was the time High
19 Command told me to come for my property from Gbankoi to take back
15:31:31 20 to Ganta." Well, apart from him telling you to do that, did you
21 actually do it? That is all I want to know. Did you actually go
22 back for your property?

23 A. Yes, sir.

24 Q. And where was your property?

15:31:47 25 A. They were in Gbankoi at the school campus.

26 Q. Thank you. And so after the attack - and let me be clear.
27 The attack was an attack against LURD, is that right?

28 A. Yes, sir.

29 Q. And after the attack did you go to Cocopa?

1 A. No, sir, let me make this clear to you. This particular
2 attack that I am referring to was the attack after which we went
3 for my belongings. When we came back, there was no other attack
4 that I am talking about here now.

15:32:33 5 Q. Tab 7, please, and we are still on 9 and 10 August of last
6 year. On the 10th, page 40053, please, second paragraph on that
7 page. I am going to read it to you and I want you to tell us if
8 this is what you told the Prosecutors on that occasion:

9 "The witness stated that the next day he went to Ganta to
10 help attack the LURD and took a group of four fighters with him."

11 Did you say that?

12 A. Yes, sir.

13 PRESIDING JUDGE: Tab 7, Mr Munyard?

14 MR MUNYARD: I may have my numbers wrong. No, it should be
15:33:54 15 tab 7. 40053 is the page number. It is actually --

16 PRESIDING JUDGE: I am sorry, I have it now. Thank you.

17 MR MUNYARD: I will just start again if I may, your Honour.
18 I am only repeating one sentence.

19 JUDGE SEBUTINDE: That is page 12, not 10. It is page 12.

15:34:20 20 MR MUNYARD: Page 12? I am not going by page numbers at
21 the bottom. I am going by the ERN numbers at the top. It is
22 actually page 13. I think your Honours may find that sometimes
23 the type - the font that is in the binders might be a bit
24 different from the font in mine, so I am always going by ERN
15:34:47 25 numbers to make sure we are on the same page. 40053, second
26 paragraph:

27 Q. You have just agreed, Mr Jaward, that you said to the
28 Prosecutors back in August of last year that the next day you
29 went to Ganta to help attack the LURD and took a group of four

1 fighters with you. The next sentence:

2 "Several of the Sierra Leoneans that were with him refused
3 to take up arms, but the witness stated that he was a trained ATU
4 and would fight with the Liberians."

15:35:23 5 Is that what you told the Prosecutors?

6 A. No, sir, that was not exactly what I meant in this
7 particular paragraph.

8 Q. Did you tell them that, or didn't you, regardless of what
9 you meant?

15:35:36 10 A. I did not tell them this particular form.

11 Q. What did you tell them that they have got wrong?

12 A. I told them that after Benjamin Yeaten had come and spoken
13 to us to wait at that place, the next day when I heard of the
14 general attack at Ganta I went there with four of my men. After
15:36:03 15 the attack on that day, I and High Command went back to collect
16 my belongings at Gbankoi, not at Cocopa, and we went back to
17 Ganta.

18 Q. We have not got to Cocopa yet. I have only asked you about
19 the first --

15:36:19 20 A. I have read it.

21 Q. Hang on a minute. Hang on a minute. I have only asked you
22 about the first and second sentences. You agree you told them
23 what is in the first sentence. You are now saying that what they
24 have recorded in the second sentence is wrong and I am asking you
15:36:36 25 what is wrong with the second sentence. Limit yourself to that.

26 A. This is what I have said.

27 Q. Mr Jaward, what is there in the second sentence that you
28 did not tell the Prosecutors on 10 August last year? And to be
29 clear who they were, it was Brenda Hollis and Steven Niemi.

1 A. There were two areas I want to clarify. I am seeing here
2 witness the next day I left and when I talk about the next day
3 that is what I included. That was where I included Benjamin
4 Yeaten's visit, not that the day when --

15:37:23 5 THE INTERPRETER: Your Honours, can he repeat very slowly.

6 PRESIDING JUDGE: Mr Witness, the interpreter says you are
7 going too fast and I am still not clear if you are actually
8 answering the question. I don't think you are. You are saying
9 there are two areas I want to clear up, to clarify. Answer the
10 question as put, please.

15:37:39

11 MR MUNYARD:

12 Q. What is it that is wrong with the second sentence?

13 A. The other point minus the next day that I have just
14 clarified here --

15:37:55

15 PRESIDING JUDGE: Mr Witness, did you hear what I said to
16 you? I said answer the question as put. You are talking about a
17 previous answer you have given.

18 THE WITNESS: Okay, please come back with the question so
19 that I will know exactly which one to answer first.

15:38:11

20 MR MUNYARD:

21 Q. In the light of what you have just been saying we had
22 better go back to the first sentence. A few minutes ago you
23 agreed that you had said to the Prosecutors what is recorded in
24 the first sentence. Now you seem to be disputing the accuracy of
25 the first sentence. So let's try that one again:

15:38:27

26 "The witness" - that's you - "stated that the next day he
27 went to Ganta to help attack the LURD and took a group of four
28 fighters with him."

29 Did you say that to the Prosecutors, or not?

1 A. I said that.

2 Q. Second sentence:

3 "Several of the Sierra Leoneans that were with him refused
4 to take up arms, but the witness stated that he was a trained ATU
15:39:02 5 and would fight with the Liberians."

6 Did you tell them that?

7 A. No, sir.

8 Q. So what is there in that sentence that you did not say to
9 the Prosecutors?

10 A. The statement that the other Sierra Leoneans refused to
11 take up arms, that is the point I want to deny. But the fact
12 that I made them understand that I went to Ganta because I was an
13 ATU officer and other ATUs were - I heard of the general attack,
14 that was why I went there to see some of the other colleagues.

15 Q. How could they possibly have put in the words "several of
16 the Sierra Leoneans that were with him refused to take up arms"
17 unless you had told them that?

18 A. Definitely the way they expressed it in this sentence,
19 I did not say they refused take up arms in that particular sense.
15:40:07 20 I only made them to understand that I volunteered. Nobody told
21 me to go there, but I volunteered to go there because I was an
22 ATU officer and there was a general attack. Other friends would
23 be there. I did not refuse.

24 Q. So you never said several of the Sierra Leoneans with you
15:40:24 25 refused to take up arms?

26 A. No, sir.

27 Q. You never said that. They have just made that up?

28 A. No, sir, as far as Ganta attack was concerned I never said
29 that.

1 Q. Third sentence, please:

2 "The witness" - that's you - "stated that their attacks
3 were not successful against the LURD and they withdrew and the
4 witness" - that's you - "went to Cocopa."

15:40:55 5 Did you tell them that in August of last year?

6 A. No, sir.

7 Q. Because it's the same as you were saying in March of this
8 year, according to the same Prosecutors' interview with you.

9 When I say the same Prosecutors, for your benefit I mean Madam

15:41:24 10 Brenda was in both interviews.

11 A. This is what I am saying here, sir. I never uttered that
12 particular statement that I went to Cocopa from Ganta after that
13 attack.

14 Q. So she's got it wrong both in August of 2007 and again in
15:41:44 15 March of this year?

16 A. This is what I am saying here.

17 Q. And it's not you who has got it wrong, it's her, yes?

18 A. Yes.

19 Q. Next paragraph, please, of this account in August: "The
15:42:07 20 witness met his friend High Command and later made their way to
21 Ganta." Did you tell them that?

22 A. I met him in Ganta, not I met him somewhere and we went to
23 Ganta.

24 Q. So they've got that wrong as well?

15:42:28 25 A. That is just a clarification that I have made that I met
26 him in Ganta. They were the defensive commanders in Ganta.

27 Q. "The witness met his friend High Command and later made
28 their way to Ganta." That clearly means that you met High - what
29 is so funny about this, Mr Jaward?

1 PRESIDING JUDGE: Mr Witness, are you answering that
2 question? I have not heard anything.

3 THE WITNESS: Yes, sir - I mean yes, ma'am. I have given
4 the answer to him that when I left Gbankoi I went straight to
15:43:20 5 Ganta and it was there that I met High Command. I never met High
6 Command in a different area for he and I to go to Ganta on that
7 particular attack.

8 MR MUNYARD:

9 Q. The question was what was so funny?

15:43:35 10 A. I have not said anything about funny in this sense.

11 Q. Why were you laughing so much?

12 A. Not that I saw something funny, I cannot make myself so
13 serious like I am not understanding what you are saying. I just
14 am feeling relaxed, that's all, not that there is something
15:43:59 15 funny. There is no question here that you can ask me that will
16 be a funny question.

17 Q. I will try one last time with that sentence. "The witness
18 met his friend High Command and later made their way to Ganta."
19 You were telling the Prosecutors in August last year that you met
15:44:20 20 up with High Command somewhere and afterwards the two of you made
21 your way to Ganta, weren't you?

22 A. No, sir.

23 Q. And now you're telling us something different. Do you
24 agree?

15:44:39 25 A. Yes, sir, what is written here is different from what
26 exactly happened or what I told them.

27 Q. And when was it that High Command said to you that people
28 spoke of your efforts in the Ivory Coast resisting the entrance
29 of MODEL into Liberia?

1 A. I can remember they expressed these concerns after they had
2 rescued me from the first attempt at killing me. It was there
3 that they were expressing some of these ideas that some of them
4 came to save me at that time.

15:45:14 5 Q. I have asked you about when was it that High Command told
6 you that people spoke of your efforts in the Ivory Coast
7 resisting the entrance of MODEL into Liberia?

8 A. This is what I have said here. It was after --

9 Q. No, let me say what you've told us here. You said, "They
15:45:37 10 expressed these concerns after they had rescued me from the first
11 attempt at killing me." I am not asking you about them, I am
12 asking you about him, High Command. When did he tell you that
13 people spoke of your efforts in the Ivory Coast resisting MODEL?

14 A. This is what I am saying here. If High Command uttered
15:46:00 15 that particular statement at that time maybe it may be after they
16 had rescued me, but he never praised me personally when I met
17 him.

18 Q. Do you remember what evidence you gave last Friday morning?

19 A. Yes, I can remember.

15:46:15 20 Q. At around 12.56 p.m. on Friday morning you told this Court
21 that you went to Ganta, that Gbankoi was one and a half to two
22 miles away and that High Command, when you met him in that area,
23 said that people spoke of your efforts in the Ivory Coast
24 resisting the entrance of MODEL into Liberia. You hadn't been
15:46:38 25 arrested and nearly killed at that stage, had you?

26 A. This is what I am saying. After the attack he and I went
27 back. The village I spoke of was Togleawen which was about a
28 mile to enter the combat camp. It was there that he and I slept
29 in his room when a vehicle was collected by some of their men.

1 Q. And at what point did you see a long convoy come along?

2 A. I didn't get that question clearly, sir.

3 Q. Well, you told us on Friday about seeing a long convoy.

4 When did you see a long convoy in relation to the events you have
15:47:34 5 just been talking about?

6 A. The long convoy I was referring to in this case, you know,
7 when I and High Command returned from Gbankoi that night, early
8 in the morning my vehicle was taken. It was there that I went.

9 There was one man who used to live on the ground - I mean at the
15:48:00 10 base of Benjamin Yeaten as a representative whom they described
11 as a former Liberian ambassador to Guinea. They used to call him
12 Tiagen One. He called me, he sent --

13 THE INTERPRETER: Your Honours, can he kindly repeat.

14 PRESIDING JUDGE: Mr Witness, you have gone too quickly for
15:48:20 15 the interpreters. They need you to repeat what you said. Pick
16 up, please, where you said, "They used to call him Tiagen One",
17 whatever is the correct pronunciation of the name.

18 THE WITNESS: I said Tiagen One.

19 PRESIDING JUDGE: Continue from there, please.

15:48:43 20 THE WITNESS: He gave me a bag of salt and rice to carry it
21 then to Christopher Varmoh who they used to call Mosquito also.
22 He was taking care of the Gbarnga Highway on the defensive of
23 Ganta. About nearly two miles from where he was to an
24 intersection that they used to call Make It Red, there I saw the
15:49:10 25 convoy coming from Saclepea way.

26 MR MUNYARD:

27 Q. Right and who did you see in the convoy after you had
28 spoken to the former ambassador?

29 A. That convoy, the most important personnel I recognised in

1 that convoy was Benjamin Yeaten and later Salami who came and
2 disarmed the boys that were in my vehicle and also one of the
3 Sierra Leonean brothers Van Damme who was tied up in one of the -
4 at the back of one of the pick-ups crying.

15:49:50 5 Q. Are you sure Benjamin Yeaten was in that convoy?

6 A. Yes, sir.

7 Q. Are you sure that the man that you spoke to earlier who
8 gave you the bag of salt and rice was the former ambassador?

9 A. Yes, sir, that was how he was described. He gave the
15:50:10 10 instruction for the rice and the salt to be given to me by the S4
11 that they had.

12 Q. Are you sure that you saw Van Damme tied up in the back of
13 one of the pick-ups?

14 A. Yes, sir, I saw Van Damme. That was his common name, but
15:50:28 15 they used to call him Augustine Sheriff. He was tied up at the
16 back of the pick-up.

17 Q. Tab 7 again, please, same page, 40053. Do you see that,
18 Mr Jaward? Do you have that page in front of you?

19 A. Yes, sir.

15:50:59 20 Q. Halfway down the page there is a big paragraph and I am
21 going to read each sentence and ask you if this is what you told
22 the Prosecution:

23 "The witness" - that's you - "stated that he would have
24 travelled with a jeep (the date is unknown) to deliver a bag of
15:51:28 25 rice and salt at the request of a Liberian who used to be an
26 assistant to the Guinean ambassador."

27 Did you tell the Prosecution that?

28 A. No, sir, I said he was once - he was a former ambassador,
29 Liberian ambassador to Guinea.

1 Q. Can you think of any reason why Mr Niemi and Madam Brenda
2 would have put in the expression "who used to be an assistant to
3 the Guinean ambassador" unless that is actually what you told
4 them?

15:52:06 5 A. That was not what I exactly I told them. I never made any
6 extra division of Tiagen Wantee except as former Liberian
7 ambassador to Guinea.

8 Q. We understand. That wasn't the question I asked you. We
9 understand you're saying that that wasn't what you told them.

15:52:27 10 A. No, sir.

11 Q. That they've got it wrong. But I asked you a different
12 question. I asked you can you think of any reason at all how
13 they might have managed to put in --

14 A. I have no other reason for that, sir.

15:52:37 15 Q. Hold on. How they might have managed to put in an
16 assistant to the Guinean ambassador rather than the Guinean
17 ambassador himself?

18 A. No, sir, if I mention "assistant" I said he was the
19 assistant to Benjamin Yeaten on the ground. When Benjamin Yeaten
15:52:55 20 was not on the ground he used to be there, but he was a former
21 Guinean - Liberian ambassador to Guinea.

22 Q. So is this what you told them, that you saw Benjamin Yeaten
23 and a former ambassador to Guinea who was Benjamin Yeaten's
24 assistant on the ground? Is that what you told them?

15:53:15 25 A. I did not see them together in the convoy. I said I only
26 saw Benjamin Yeaten in the convoy. I am only making a
27 clarification that the one that gave me the instruction for the
28 rice to be given to me was the former Liberian ambassador to
29 Guinea and he was the special assistant to Benjamin Yeaten on the

1 ground there.

2 Q. They have got it horribly mixed up, haven't they?

3 A. That is what I am seeing written down here. That was not
4 the idea I gave to them.

15:53:47 5 Q. Mr Jaward, did you see Moses Blah that day?

6 A. I did not see him in person, but I saw a jeep.

7 Q. Right. Next sentence, "This Liberian wanted the witness to
8 make the transport as his jeep used regular petrol and all their
9 vehicles used diesel and there was a shortage of diesel." Did
10 you tell them that?

15:54:21

11 A. I never told them this. When I arrived on the ground that
12 morning when they carried my vehicle away, Tiagen Wantee only
13 expressed concern that my own vehicle was using gasoline and that
14 the diesel is finished to be used by the other vehicles. Mine
15 was using gasoline and so they were looking for me so that -
16 because my own vehicle was using gasoline to carry that
17 particular rice that I was referring to. This was the statement
18 that I uttered.

15:54:39

19 Q. So they have got that wrong as well, have they?

15:54:54

20 A. Exactly. That was not what I exactly told them.

21 Q. The next sentence, "The witness stated that he came across
22 a large convoy coming from Saglepie." The spelling of Saclepea
23 is wrong, but we all know that is what they mean by that word.
24 Did you tell them that; that you saw a large convoy coming from
25 Saclepea?

15:55:14

26 A. No, sir.

27 Q. So they have got that one wrong as well?

28 A. No, sir. I made them to understand that this particular
29 point, that intersection that I mentioned here, when I arrived

1 there I saw a long convoy coming from Saclepea going towards CNC
2 Monrovia way.

3 Q. Next sentence, "In this convoy he observed Moses Blah."
4 Did you tell them that?

15:55:46 5 A. I did not see him in person, no. I said I saw his jeep,
6 because he had a tinted jeep - tinted glass. A Mitsubishi Pajero
7 jeep.

8 Q. You are saying to these judges that Madam Brenda and her
9 colleague in this particular paragraph have got everything you
10 said wrong up to the point that we have reached, yes?
15:56:13

11 A. Exactly what I am seeing here was that --

12 Q. Exactly, that is all I need to know. We are going on with
13 the rest of the paragraph now. Next sentence, "The witness
14 noticed that in this convoy was a pickup that they had brought
15 with them from the Ivory Coast." Did you tell them that?
15:56:36

16 A. Yes, sir.

17 Q. So they have got that one right. "The witness saw five
18 young men he recognised sitting in the rear of the pickup crying
19 that they were going to be killed and they were tied up." Did
20 you tell them that?
15:56:58

21 A. No, sir, and that particular incident I only recognised Van
22 Damme, Augustine Sheriff, who was tied up crying at the back of
23 one of the pick-ups we had brought from Ivory Coast.

24 Q. So they have invented the other four, have they?

15:57:17 25 A. I cannot confirm what exactly happened there, but this is
26 the reality I am telling you. What I was --

27 Q. Well if you only told them about Van Damme and they have
28 said you told them about five people, they must have invented the
29 other four, mustn't they?

1 A. If you ask me about the other five, that was not the time
2 when I was standing at that particular point that I saw another
3 five people pass by. That was after we had been in jail that day
4 we saw five of them --

15:57:55 5 Q. Did you mention the name Van Damme, or whatever his other
6 name was?

7 A. I mentioned Van Damme, but --

8 Q. By what name?

9 A. Van Damme was, how do you call it? It was the commonest
15:58:13 10 name we used to call him, but it was a nickname.

11 Q. Yes, we understand that. Did you tell them that you saw
12 Van Damme by using the name Van Damme, or his proper name?

13 A. I told them Van Damme because I have been used to that.

14 Q. Well Van Damme doesn't appear in that paragraph and so they
15:58:35 15 have managed to miss that out, have they?

16 A. I am not aware of that. What I know is the person I saw
17 whether they wrote it down or not I was not given that document
18 to say confirm whether we wrote this or not, but I never - I only
19 said that I saw Van Damme. It was he that I saw in the vehicle
15:59:02 20 at that time.

21 Q. Do you mean that the Prosecution went to the trouble of
22 interviewing you over two days on Thursday 9th and Friday 10th
23 August last year and they didn't bother reading back to you the
24 contents of those two days' worth of interviews so that you could
15:59:28 25 check that they had correctly recorded your answers, or the
26 information that you had given them? Is that what you are
27 saying?

28 A. Exactly. I don't believe that really happened.

29 Q. That would be remarkably incompetent on the part of any

1 investigators or lawyers to do that, wouldn't it, to fail to --

2 A. I don't know --

3 Q. -- read back to you the interview notes, particularly as
4 they didn't ever get you to sign a statement?

15:59:59 5 A. I don't know how you will take it to be, sir, but what is
6 written on this paper was not what I gave to them. This is all
7 I can say, sir.

8 Q. Next sentence, "The witness stated there was also another
9 individual he recognised 'Salami' who was in the convoy." Did
16:00:19 10 you tell them that?

11 A. Yes, sir.

12 Q. So they have got two sentences out of six or seven correct
13 so far. "He" - that means Salami - "asked the witness how many
14 weapons he had in his vehicle" and [you] stated asked 'why?' and
16:00:44 15 explained that you were transporting rice and salt." Did you
16 tell them that?

17 A. Yes, sir.

18 Q. You were told to surrender your weapons, weapons that you
19 stated you had brought with you from the Ivory Coast, although
16:01:03 20 you were to have all been disarmed before entering the country.
21 Did you tell them that?

22 A. No, sir, these weapons were from Ganta on the defensive
23 after the attack.

24 Q. So you told them, did you, that you had some weapons that
16:01:27 25 you had picked up from Ganta after the attack? You told the
26 Prosecution that, did you, in the course of this interview?

27 A. No, sir, no question was asked concerning that and so I was
28 not just speaking as I wanted. I only answered questions that
29 I was asked.

1 Q. Well the questions you were asked presumably started with,
2 "What happened when you were on your way to Ganta, or at Ganta?",
3 and then you tell the story, don't you? That is how the
4 interview proceeds, does it not?

16:02:10 5 A. Come back with that question, please. I have not
6 understood it well.

7 Q. The Prosecution don't know what you are going to tell them.
8 They ask you to tell the story and then they may ask you some
9 more details about the things you are telling them. They can
10 only write down the story that you are telling them, can't they?

11 A. I don't know the format in which they were writing, but
12 what I explained to them was not exactly what I am seeing here.

13 Q. All right, so that sentence is wrong. Next sentence, "The
14 witness stated that armed men were then put in his jeep by Salami
15 and he was told to follow the convoy." Did you tell them that?

16 A. Yes, sir.

17 Q. Well, that is the end of that paragraph and where is
18 Benjamin Yeaten in there? Just have a look through and see if
19 you can find him.

16:03:15 20 A. I cannot find Benjamin Yeaten in this statement here.

21 Q. But you told us you told the Prosecution that you saw
22 Benjamin Yeaten in this group.

23 A. Yes, sir. Exactly, sir.

24 Q. And so why isn't his name in there?

16:03:47 25 A. That question goes to those that wrote this statement down,
26 sir, but I never - I informed them before that in that particular
27 convoy I saw Benjamin Yeaten and that had been my true story.

28 Q. Your true story was that you saw Moses Blah in that convoy,
29 wasn't it?

1 A. I didn't see him, sir. I said I saw his jeep.

2 Q. Nothing about Moses Blah's jeep in there, is there?

3 A. Yes, I see it is written here nothing about his jeep, but
4 this was what I said that I only saw his jeep with the tinted
5 glass.

16:04:48

6 Q. Did you tell them it was a Pajero with the tinted glass and
7 that was how you knew it was Moses Blah's jeep?

8 A. I can remember in an interview when I even came - before
9 I even came here there was an interview before I even came here
10 I made them to understand that I saw the jeep, Moses Blah's jeep.

16:05:06

11 Q. We are looking at an interview in which you claim to have
12 told them that it was - that you saw Benjamin Yeaten and you also
13 saw Moses Blah's tinted glass jeep?

14 A. I said at that particular time I saw Moses Blah's tinted
15 glass jeep.

16:05:37

16 Q. Did you tell them that in that interview?

17 A. I didn't include the tinted glass jeep, but I said I saw
18 Moses Blah's vehicle in the convoy.

19 Q. Right, so why have they got down that you saw Moses Blah?
20 Can you help us at all with that?

16:05:59

21 A. This is what I am saying. That is not my statement.

22 Q. Are you concerned about getting Moses Blah into trouble?

23 A. This is what I am saying. What I saw is what I am saying.
24 I am not here to make any false allegations about anybody to put
25 anybody in trouble, because Moses Blah in the first place has
26 never - I have never done anything that goes against him. This
27 was what I saw and this is why I am sitting here and saying it.

16:06:21

28 Q. Moses Blah was very much involved in the hunting down and
29 eventual shooting of Sam Bockarie, wasn't he?

1 A. I did not know how Sam Bockarie was killed at the point at
2 which he was killed, but I saw Moses Blah's jeep during that
3 particular incident.

16:07:09 4 Q. Now answer the question. The question was Moses Blah was
5 very much involved in the hunting down and eventual shooting of
6 Sam Bockarie, wasn't he?

7 A. I do not have any idea about that, sir.

8 Q. What about your friend, High Command?

9 A. I do not have any idea on that, sir.

16:07:30 10 Q. Any idea on what?

11 A. Whether, you know, he was one of them who was involved in
12 shooting down Sam Bockarie. I do not have any idea about that
13 because I do not know who shot him to kill him.

14 Q. Well, High Command, on your account, told you after you had
16:07:49 15 been in prison about how people were praising your activities
16 against MODEL in the Ivory Coast. So you talked to High Command
17 after you had been in prison, didn't you?

18 A. Yes, after - yes.

19 Q. Did High Command not tell you that Moses Blah was involved
16:08:21 20 in taking Sam Bockarie to a particular village and that Sam
21 Bockarie ran away and a group of men hunted him down and shot
22 him?

23 A. No, sir.

24 Q. Are you sure about that?

16:08:39 25 A. Yes, sir.

26 Q. And didn't High Command tell you that he was one of the
27 people who shot Sam Bockarie?

28 A. No, sir.

29 Q. Are you sure about that?

1 A. Yes, sir.

2 JUDGE SEBUTINDE: Mr Munyard, something happened to the
3 microphone. All that you said was not recorded. Your mic was
4 on, but I don't know why nothing is recorded of what you said.

16:09:09 5 MR MUNYARD: I will try it again if I may:

6 Q. Did High Command tell you that he was one of the group of
7 people that went with Moses Blah and that he, High Command, was
8 one of those who actually shot Sam Bockarie?

9 A. No, sir.

16:09:36 10 Q. Did High Command let on to you at all that he had been
11 amongst the people who saw Sam Bockarie being shot?

12 A. No, sir.

13 Q. Are you uncomfortable with my asking you these questions?

14 A. I do not have any problem with your questions, sir.

16:10:07 15 Q. How friendly are you with High Command?

16 A. He was just a Sierra Leonean brother in Liberia, sir.

17 Q. Yes and what about in the last year while you've been
18 living in Sierra Leone?

19 A. You mean behind the rebel lines of the RUF?

16:10:36 20 Q. In the last year, that's to say since you came into the
21 ambit of the Special Court Witness and Victims Section and were
22 living in Sierra Leone. What contact have you had with High
23 Command during that time?

24 A. Since I left Liberia and came here I have not been in
16:11:04 25 contact with him. I don't even have his telephone number.

26 Q. When you say "came here" do you mean came to Sierra Leone?

27 A. When I say "here" I am referring to Sierra Leone, sir, yes,
28 sir.

29 Q. Are you saying that you have neither seen him, nor spoken

1 to him since you left Liberia at the very beginning of April of
2 last year?

3 A. No, sir.

16:11:39

4 Q. Again I think by "no" you're saying that you have had no
5 contact with him. Is that correct?

6 A. Yes, sir.

7 Q. So how often did you see him after you were released from
8 prison, after the first attempt on your life?

16:12:07

9 A. I used to see him once in a while because they were the
10 defensive commanders at that time at Ganta.

11 Q. And really the only time that you came into contact with
12 him - sorry, the first time you had any real contact with him was
13 just about the time Sam Bockarie died, wasn't it?

16:12:30

14 A. No, sir. I said I came in contact with High Command during
15 I think 2000 - 2002 when he and my smaller brother who was also
16 killed came to me.

16:12:57

17 Q. All right, but you had dealings with him immediately after
18 the death of Sam Bockarie and very shortly after you had nearly
19 been killed but were saved by the intervention of a man called
20 Sylvester. That's right, isn't it? You had dealings with him at
21 that very dramatic time in your life.

22 A. Yes, sir.

16:13:15

23 Q. And the most important things that were happening to you at
24 that time was the killing of Sam Bockarie and the near death
25 experience of your own, yes?

26 THE INTERPRETER: Your Honour, can counsel kindly repeat
27 the question, please.

28 MR MUNYARD:

29 Q. The most dramatic things that were happening to you at that

1 time were the death of Sam Bockarie and your own near death
2 experience. That's correct, isn't it?

3 A. Not only Sam Bockarie, but the rest of the people who were
4 killed at that time.

16:13:43 5 Q. So what conversations did you have with High Command about
6 the death of Sam Bockarie?

7 A. I cannot remember any conversation specifically with High
8 Command, but everybody used to express their own way of what was
9 happening, but I cannot quote directly that this was what he said
16:14:08 10 at that moment.

11 Q. Back to Moses Blah, please. How did you know that it was
12 his jeep just because it had tinted windows?

13 A. No, sir. Moses Blah, I had been seeing him as an ATU in
14 his convoy when he passes as a Vice-President and one of his
16:14:29 15 vehicle at that time, one Mitsubishi Pajero, a blue colour with a
16 tinted glass with a private licence plate, I saw it on that
17 incident, sir.

18 Q. Did you see anybody else associated with him?

19 A. No, sir, I did not see anybody associated with him that
16:14:51 20 I recognised at that moment.

21 Q. What about his security personnel?

22 A. No, sir, I did not see anybody whom I recognised as his
23 security at that time.

24 Q. Just help us with this: What time of day was this?

16:15:09 25 A. This particular time that I saw him, it was going to the
26 12 o'clock.

27 Q. Middle of the day?

28 A. Yes, sir, from - let me say from 8 o'clock going to
29 12 o'clock, because I was not having an accurate time to remember

1 that time, but it was from the morning hours to 12 o'clock.

2 Q. We know from your evidence that the convoy came to a halt.

3 That's right, isn't it?

16:15:58

4 A. No, sir. The only people I said stopped at that particular
5 time I can remember in that convoy were Benjamin Yeaten and
6 Salami. Their vehicles stopped.

7 Q. Well, what about the vehicle with the five young men or the
8 one Van Damme, whichever version of your events we're going on,
9 didn't that stop?

16:16:22

10 A. I said I only saw Van Damme alone in one of these pick-ups
11 at that time. The five people I mentioned --

12 Q. Did it stop?

13 A. Van Damme's vehicle never stopped. They were passing by.
14 He was crying inside, tied up.

16:16:41

15 Q. Over the page, please, 40054. First sentence: "The
16 witness stated that the convoy travelled to the CNC logging
17 company." Did you tell the Prosecutors that?

18 A. Yes, sir.

16:17:25

19 Q. "Upon entering the witness observed several of
20 Charles Taylor's representatives including Benjamin Yeaten." Did
21 you tell them that?

22 A. Yes, sir.

16:17:42

23 Q. But why would you need to tell them that, because you had
24 already, on your story, told them that you had seen him in the
25 convoy?

26 A. Come back with that question, please, sir.

27 Q. Why would you need to tell them that you saw
28 Charles Taylor's representative, Benjamin Yeaten, if you had
29 already told them in the previous paragraph that he was part of

1 the convoy?

2 A. Please, sir, where according to this sentence you are
3 referring to here, it's a different area. I saw him first when
4 we were talking about Van Damme tied up, I said the vehicle
16:18:16 5 passed at the intersection to Make It Red. Where we are
6 referring to CNC now, the logging company area where they went
7 and parked, there I saw this group I am describing here now.

8 Q. Well, in the story you're telling us in your evidence you
9 have told the Prosecution that Benjamin Yeaten is in the convoy,
16:18:38 10 you've seen him and you've seen him stop. Then you go on over
11 the page on the passage we're looking at now to say the convoy
12 travelled to the CNC logging company, upon entering you observed
13 Benjamin Yeaten. But he was already in the convoy, on your
14 account, so why do you have to tell them again that you see him
16:19:02 15 at the logging company with the convoy gets there?

16 A. Benjamin Yeaten stopping, I mean here he stopped at the
17 junction but they moved ahead. Later on when Salami came to me
18 and took the weapons from the boys then we --

19 Q. Next sentence:

16:19:18 20 "The witness saw the pick-up with the group of five tied up
21 men in the back drive out of view. Then he heard gunshots and
22 then the pick-up returned empty."

23 Did you tell them that?

24 A. Yes, this was at CNC.

16:19:35 25 Q. You did?

26 A. Yes. CNC --

27 Q. Why didn't you tell us in your evidence last week anything
28 at all about these five young men?

29 A. This is not exactly that what happened from my life story

1 I have to be explaining everything. Until I am asked to explain
2 and I believe over the past days I have been here most of the
3 things I have been explaining, questions were asked to which
4 I answered. If a question was not asked about them I don't think
16:20:12 5 I should just be explaining and explaining just because I saw
6 something to just be explaining it that way. That was why
7 I didn't mention that particular one.

8 Q. How could you have forgotten five men tied up in a pick-up
9 who are taken away and executed when you're giving us the
16:20:33 10 account?

11 A. I was not asked really to mention this. I am only
12 referring to all those that were killed in that incident then
13 I will have mentioned other civilians with whom they were all
14 killed in that incident, but the question was not asked for me to
16:20:48 15 explain all those I saw, all those I believed were killed
16 outside. That was why I did not mention - I did not go to the
17 extent of explaining everything about what happened in my life in
18 those days.

19 Q. You see, in your account to us last Friday you told us all
16:21:10 20 about Van Damme being tied up, crying, taken away and shot. You
21 didn't mention five young men. But in your account to the
22 Prosecution last August you told them all about five young men
23 and you didn't mention Van Damme. Do you agree?

24 A. This is what I am saying here. How the statement was taken
16:21:36 25 in August is not exactly what is happening here. What I was
26 asked in this Court here was exactly the answers I was giving.
27 It was not that I had to memorise or quote everything that I had
28 given before and I should be repeating it like something I have
29 been studying. What I was asked was what I had to give answers

1 to.

2 Q. What you were asked by Mr Bangura last Friday was to tell
3 the story of what happened on that particular day and you didn't
4 say a thing about five young men. You told us all about Van

16:22:11 5 Damme which was the first time you'd mentioned him, wasn't it?

6 A. Yes, this is what I'm saying. If only - if Mr Bangura had
7 asked me to narrate a story about that incident and if I can sit
8 down here from the past two months within that particular area to
9 explain everything, I am not sure I will be able to give account
10 of all that I saw, or for any relevant --

16:22:34

11 THE INTERPRETER: Your Honours, can he kindly repeat.

12 PRESIDING JUDGE: Mr Witness, you are going too fast again.
13 Please pick up where you said, "I am not sure I will be able to
14 give an account of all that I saw." Continue from there.

16:22:52

15 THE WITNESS: I said if I was to be asked to explain all
16 the stories about what, you know, happened exactly, especially
17 where we are talking about now from over the past two months that
18 I spent with them, I said it will be a long story and I will not
19 be able to give an accurate account of what I saw at that time,
20 or what was happening at that time.

16:23:13

21 MR MUNYARD:

22 Q. When you were telling us last week about Van Damme being
23 tied up in the back of a vehicle and then taken away and shot and
24 then you seeing his corpse on the ground, how is it that that did
25 not immediately remind you of the other five who you saw exactly
26 the same thing happen to?

16:23:28

27 A. What I think I can remember was that I think I mentioned in
28 my statement, including what I did last week here, concerning the
29 dead body where they carried me that I recognised Van Damme among

1 the dead bodies, but I never said that these were the five
2 bodies. I never saw their faces to say these were the five
3 bodies, but I recognised Van Damme in particular at that time
4 among that group - I mean, the bodies on the ground which I --

16:24:18 5 Q. How is it - how is it - in August last year when you were
6 telling the Prosecution all about these five men tied up and
7 taken away - tied up in the back of a pick-up and taken away and
8 then shot, you didn't tell them a thing about Van Damme?

9 A. I have told you earlier that Van Damme's picture - I told
16:24:42 10 them earlier that the only person that I identified from that
11 intersection I said was Van Damme, whom I saw at first at that
12 intersection, and even when I came to CNC when the pick-up was
13 leaving I mentioned the pick-up that Van Damme was in that they
14 were going towards Monrovia highway and later when I then heard
16:25:07 15 the gunshot.

16 Q. And you never said a word to the Prosecution in August of
17 last year about seeing corpses on the ground, did you?

18 A. I was not asked such a question, but I believe I had said
19 something about five men and also to where they took me to kill
16:25:29 20 me at that particular moment that I saw people on the ground.
21 I said corpses on the ground.

22 Q. On the contrary, I suggest, Mr Jaward, your account last
23 August to the Prosecution suggests that you didn't see the
24 corpses of those five young men at all because what you said,
16:25:50 25 what I have just read out, was, "The witness saw the pick-up with
26 the group of five tied up men in the back drive out of view, then
27 he heard gunshots and the pick-up returned empty." In other
28 words, you never saw the corpses. That is what you were
29 conveying to the Prosecution last August, isn't it?

1 A. This is what I have said here, that where they carried me
2 I identified Van Damme's body. It was only Van Damme that
3 I recognised among the bodies, but I did not say those were the
4 five people's bodies on the ground. I only said that among the
16:26:34 5 bodies on the ground was Van Damme's body, but I have never given
6 any account of the dead bodies of the five people who were in the
7 pick-up.

8 PRESIDING JUDGE: Mr Witness, we have now run out of time.
9 It is just after 4.30 and we are going to adjourn for today. We
16:26:52 10 will be resuming court tomorrow morning at 9.30 as usual and
11 I remind you again, as I have done on other afternoons, of your
12 obligation not to discuss your evidence while you are under oath.
13 You understand?

14 THE WITNESS: Yes, ma'am.

16:27:07 15 PRESIDING JUDGE: Very good. Please adjourn court until
16 tomorrow at 9.30.

17 [Whereupon the hearing adjourned at 4.30 p.m.
18 to be reconvened on Thursday, 17 July 2008 at
19 9.30 a.m.]

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I N D E X

WITNESSES FOR THE PROSECUTION:

TF1-388 13811

CROSS-EXAMINATION BY MR MUNYARD 13811