



Case No. SCSL-2003-01-T

THE PROSECUTOR OF
THE SPECIAL COURT
V.
CHARLES GHANKAY TAYLOR

WEDNESDAY, 20 AUGUST 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 William Romans
Ms Carolyn Buff

For the Registry:

Ms Advera Kamuzora
Ms Rachel Irura

For the Prosecution:

Ms Brenda J Hollis
Mr Nicholas Koumjian
Ms Ruth M Hackler
Ms Maja Dimitrova

For the accused Charles Ghankay
Taylor:

Mr Courtenay Griffiths QC
Mr Morris Anyah

1 Wednesday, 20 August 2008

2 [Open session]

3 [The accused present]

4 [Upon commencing at 9.30 a.m.]

09:28:45 5 PRESIDING JUDGE: Good morning. I'll take appearances,
6 please, Mr Koumjian.

7 MR KOUMJIAN: Good morning, your Honours. For the
8 Prosecution today are Brenda J Hollis, for the first time in
9 court I believe Ruth Mary Hackler, Maja Dimitrova and myself,
09:29:04 10 Nicholas Koumjian. Thank you.

11 PRESIDING JUDGE: Thank you, Mr Koumjian. Mr Griffiths?

12 MR GRIFFITHS: Good morning, Madam President, your Honours,
13 counsel opposite. For the Defence today are myself, Courtney
14 Griffiths, and my learned friend Mr Morris Anyah.

09:29:15 15 PRESIDING JUDGE: I note, Mr Griffiths, that Mr Munyard is
16 not with you.

17 MR GRIFFITHS: I was waiting for an opportune moment to
18 mention that he is still indisposed, your Honour, and
19 consequently we hope that the suggestion I made yesterday can be
09:29:33 20 implemented and we can embark on the next witness.

21 PRESIDING JUDGE: Thank you. It's unfortunate. I hope he
22 will recover soon.

23 MR GRIFFITHS: I'm grateful.

24 PRESIDING JUDGE: Mr Koumjian, Ms Hollis had indicated that
09:29:46 25 another witness could be interposed. I notice there is no
26 witness on the stand. Please advise. I should also welcome your
27 new - your colleague to the court.

28 MR KOUMJIAN: Thank you, your Honours. Yes, given the
29 situation as announced by the Defence, the Prosecution does have

1 both witnesses ready today and we are prepared to proceed with
2 the other witness. We do have a matter to deal with with the
3 protective measures, but before I go into that I would just - I'd
4 like to just state the Prosecution's position as indicated by Ms
09:30:26 5 Hollis yesterday. Understanding Mr Munyard's health that he is
6 not able to attend today, when he is able to attend it is our
7 position, our hope, that we interrupt this witness and it's been
8 explained to this witness that we'll start today that his
9 testimony is likely to be interrupted.

09:30:42 10 375, the witness who is in the middle of cross-examination
11 that - sorry, finished direct-examination and the
12 cross-examination was postponed, as your Honours know, he last
13 testified exactly eight weeks ago and we are very anxious to
14 complete his testimony in fairness to him.

09:31:04 15 So we are prepared to state to your Honours the situation
16 in regards to the current witness, 367.

17 [Redacted]

18 However, we've talked to the witness. The witness -
19 and we've communicated this to the Defence. The witness is
09:31:23 20 prepared to testify without - in open court without facial or
21 voice distortion, but does want to use - maintain the pseudonym.

22 PRESIDING JUDGE: I am sorry?

23 MR KOUMJIAN: Will maintain his pseudonym, we'll not be
24 using his names, and so our procedure will just be as we've done
09:31:42 25 previously to request a brief private session to go into the name
26 and, of course, the witness by all parties and in all proceedings
27 or public transcripts will only be referred to by the pseudonym.

28 Just for your Honours' benefit, the decision by Trial
29 Chamber I granting closed session for this witness was issued on

1 the 14 June 2006 and has the document number 577. The decision -
2 this witness is one of, of course, a series of witnesses granted
3 pre-trial measures in the RUF case and those measures were
4 granted in decisions of 11 February 2005, document number 320,
09:32:32 5 and then also on 5 July 2004, document 180.

6 So we are asking the Court, in order to open up the
7 witness's testimony for the public so the public can view his
8 testimony, that the closed session measure be - this Court
9 withdraw that measure. And that on the decision of the 5 July
09:33:00 10 2004, number 180, the following orders of that court - the
11 following paragraphs of that court order be rescinded for this
12 witness - for this witness's testimony in this case.

13 PRESIDING JUDGE: I am just looking to see if I have copy
14 of that document, Mr Koumjian.

09:33:22 15 MR KOUMJIAN: If you do not, your Honours, we have copies.

16 PRESIDING JUDGE: That is the July 2004 document you are
17 referring to?

18 MR KOUMJIAN: Yes. Your Honour, as previously - as your
19 Honours know previously, this decision that we've looked before
09:33:35 20 does not mention all the witnesses, it mentions the categories,
21 and if necessary I can go back and find - and give you that
22 decision as well. It's one of the ones I've already cited, but
23 the specific paragraphs of the court order from Trial Chamber I
24 of 5 July 2004 that we believe need to be rescinded would be on
09:34:02 25 page 16, paragraphs (f), (g), (h) and (i). I don't know if you'd
26 like me to hold off and repeat that when your Honours have the
27 decision.

28 PRESIDING JUDGE: [Microphone not activated] in priority.
29 You are seeking that the court rescinds the closed session, but

1 retains the pseudonym and may be subject to an application for a
2 private session if and when it should arise?

09:34:45 3 MR KOUMJIAN: Well, we will - yes, we are making that
4 application now. We propose to do that at the very beginning of
5 the witness's testimony.

6 PRESIDING JUDGE: I see. Mr Griffiths, you have heard the
7 application by the Prosecution.

8 MR GRIFFITHS: Well we welcome the application and are
9 content for the witness to give his evidence with a pseudonym,
09:35:01 10 subject of course to the Tribunal moving into private session
11 when and if necessary.

12 Can I make one observation, though, Madam President, and
13 it's this. Whilst we are content to interpose the witness's
14 evidence in-chief that has already been concluded, I think it
09:35:25 15 would be of assistance to everyone if we seek to find a
16 convenient point in the evidence of this witness to adjourn when
17 Mr Munyard is available to return.

18 PRESIDING JUDGE: I'm sure we can deal with that when it
19 arises, Mr Griffiths, and I doubt if it will be necessary to
09:35:50 20 argue very much about it.

21 [Trial Chamber conferred]

22 We grant the application as made, the rescission of the
23 closed session, and for purposes of the security of the witness
24 certain evidence pertaining to him will be adduced in private
09:37:49 25 session. For those persons in the public gallery and for the
26 public record, this will mean that certain parts of the evidence
27 will not be heard and will not be on public record.

28 Mr Koumjian, whilst Madam Court Officer is arranging to
29 have the witness brought in, what language will this witness

1 speak, please?

2 MR KOUMJIAN: The witness will speak in Krio from Sierra
3 Leone. Your Honour, the - I believe I may have forgotten one of
4 the paragraphs and so if I could just say it again. The
09:38:24 5 paragraphs to be rescinded from the order of 5 July 2004 would,
6 of course, include paragraph (e), that the witness testify with a
7 screening device, paragraphs (f), (g), (h) and (i), and the
8 remaining paragraphs would remain in effect. So, the paragraphs
9 to be rescinded would be (e) through (i) on page 16 of document
09:38:56 10 number 320 - 180. Excuse me, document number 180.

11 JUSTICE SEBUTINDE: Mr Koumjian, could you kindly repeat
12 the pseudonym of this witness? The record is in a terrible
13 state; the LiveNote.

14 MR KOUMJIAN: The pseudonym is TF1-367.

09:39:25 15 PRESIDING JUDGE: For purposes of record, I will read out -
16 and purposes of clarity I will read out the relevant orders:

17 "(e) that all witnesses testify with the use of a screening
18 device from the public.

19 (f) that the photographing, video recording, sketching and
20 recording or reproducing of any other manner of image of any
21 witness are prohibited.

22 That the voice of the witness during testimony is distorted
23 in the speakers for the public, that the witness testify with the
24 use of closed circuit television and that the voice of the
25 witness during the testimony and trial be distorted in the
26 speakers for the public."

27 Is that the correct record, Mr Koumjian?

28 MR KOUMJIAN: That's correct. I see now when your Honour
29 reads it that actually (g) and (h) were not applicable to this

1 witness, but, yes, that's correct.

2 PRESIDING JUDGE: Indeed. For purposes of the record they
3 do not apply, but if they did they've been rescinded. Please
4 call the witness.

09:40:18 5 Mr Interpreter, is the interpreter in position?

6 THE INTERPRETER: Yes, your Honours.

7 WITNESS: TF1-367 [Sworn]

8 PRESIDING JUDGE: Thank you. Please proceed.

9 MR KOUMJIAN: Your Honours, I'd ask at this time that the
09:41:38 10 Court go into private session for a few identifying questions
11 regarding the witness.

12 PRESIDING JUDGE: For purposes of rule 75 and public
13 record, we are now going into a short private session in order
14 for the - for reasons of the security of the witness. Madam

09:41:56 15 Court Attendant, please implement that.

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17 [At this point in the proceedings, a portion of
18 the transcript, pages 14075 to 14078, was
19 extracted and sealed under separate cover, as
20 the proceeding was heard in private session.]

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1 [Open session]

2 MS IRURA: Your Honour, we are in open session.

3 PRESIDING JUDGE: Yes, please proceed, Mr Koumjian.

4 MR KOUMJIAN:

09:50:01 5 Q. Sir, where were you born?

6 A. In Sierra Leone.

7 Q. What year were you born?

8 A. It was in October 15th, 1969.

9 Q. Where did you grow up?

09:50:26 10 A. I started in Sierra Leone and ended in Liberia.

11 Q. Between what ages did you live in Liberia?

12 A. From 1980 onwards I was in Liberia.

13 Q. Can you tell us, sir - I think we'll later explain when you
14 left Liberia. Can you tell us, sir, when you speak Krio in

09:50:59 15 Sierra Leone do people notice any accent?

16 A. Yes, when I speak they will understand that I am somebody
17 who had stayed in Liberia before.

18 Q. What languages do you speak?

19 A. I speak Mende, Krio and English.

09:51:23 20 Q. Do you understand Liberians speaking Liberian English?

21 A. Yes. Yes, I speak Liberian English.

22 Q. Where were you, sir, in 1990?

23 A. I was in Kakata in Liberia.

24 Q. What happened in Kakata in 1990?

09:51:54 25 A. In 1990 we were in Kakata when Charles Taylor's rebels came
26 and attacked us in Kakata and they captured us there.

27 Q. What was the name of the force that you called "Charles
28 Taylor's rebels"? Did they have a name?

29 A. Yes, they were called NPFL.

1 Q. When Kakata was attacked by the NPFL, can you tell us what
2 happened to the people in Kakata?

3 A. Yes. It was on Saturday night and the following morning we
4 realised that gunmen had - were all over the town and we were in
09:52:57 5 the house where we were living. In the evening they asked every
6 one of us to move outside and, when we went outside, the next
7 thing we saw was they were asking whether you were a Mandingo and
8 if you are a Mandingo they will kill you, but if you are not
9 Mandingo and if you are another tribe, a Liberian tribe, you
09:53:29 10 would be released.

11 So that was what they were doing when I decided to run
12 away, because by then I was a mechanic. I was working there as a
13 mechanic. So I ran away and went to that particular man who gave
14 me that name, because I used to work for him. He was the person
09:53:43 15 who rescued me and that was the reason why I took that name
16 because he changed my name. Up to this moment I had that name,
17 because the name I had before if I had retained that name at that
18 particular moment I would have been killed. Because I saw it
19 with my own eyes. It was not in my absence when people were
09:54:16 20 killed, even when they were not Mandingos but they had surnames
21 that resembled Mandingo surnames. There was a Mende man who was
22 living in Via Town. He was a Via man, but because he had a
23 similar name he was killed. That was what they said. They said
24 they were not Mandingos.

09:54:36 25 Q. Sir, are you by tribe Mandingo?

26 A. I'm not a Mandingo. I'm a Mende.

27 Q. After you took this other name did you stay in Kakata, or
28 where did you go?

29 A. When I took that name I was in Kakata for some days and

1 then I met with my brother.

2 Q. Before we discuss your conversations with the man you
3 referred to as your brother, can you tell us when the NPFL, after
4 attacking Kakata, were there any checkpoints set up in the area?

09:55:31 5 A. Yes, no sooner they captured the town they would make
6 defensive around the town. There were about four checkpoints
7 along the roads - along the main roads.

8 Q. Can you describe what the checkpoints looked like, as far
9 as you can recall?

09:55:57 10 A. Yes. One was on the Gbarnga Highway and the other was on
11 the Monrovia Highway and the other was on the Bong Mines Highway
12 and the other was at Harbel Highway. All of these checkpoints,
13 each of them had a mounted stick checkpoint that crossed the road
14 and those innocent people, like they said the Mandingo groups
09:56:34 15 that they were looking for, when they were killed they will
16 decapitate them and then they will plant it on the stick at the
17 gate. That was what they used to do at the gate.

18 Q. Sir, there is a technical problem, just so you know, and
19 I'm just waiting to see if it's okay to proceed. It's nothing to
09:57:03 20 do with your testimony.

21 PRESIDING JUDGE: I'll just clarify if we are getting some
22 better record because, as you can see yourself, Mr Koumjian --

23 MR KOUMJIAN: I'm not really --

24 PRESIDING JUDGE: Well, just take it from me there's some
25 strange spellings. Madam Court Attendant, if you can assist us
26 again and update the situation.

27 MS IRURA: Your Honour, the Chief of Stenography is on his
28 way to try and see if they can rectify the problems at the moment
29 with the record.

1 JUDGE LUSSICK: I know you've been asking questions,
2 Mr Koumjian, so you're probably not aware of what's going down,
3 but we're hoping to get some use out of this LiveNote and just
4 for an example your question, "Can you describe what the P
5 checkpoints looked like, as far as you can recall?", the answer
6 is shown as being, "Yes, one was on the Bang GA high which and
7 the other was on the money rough, I can't high with way, and the
8 other was on the P bump mans high P way and the other was on the
9 HAB BAS high if way and all of these checkpoints each of them
10 had".

11 Now the reason we are trying to improve this record is
12 that, if there is any dispute arising some time later in regard
13 to that answer, this LiveNote is not going to be of much
14 assistance in resolving it.

15 MR KOUMJIAN: Well, I don't claim to be an expert in my
16 understanding. Perhaps part of the problem is the stenographers
17 build the dictionary for the coded entries they're given.
18 Perhaps the wrong dictionary is now being used in the software
19 and so this key stroke that should come out Gbarnga is coming out
20 as something much different.

21 Would your Honours like me to proceed extra slowly, or
22 would you rather we take a break?

23 JUDGE LUSSICK: I'm not quite sure what's going on,
24 Mr Koumjian, but nothing that's been said in the last few minutes
25 has been recorded at all and so I'm not quite sure whether
26 anything else that's said is going to be recorded either.

27 PRESIDING JUDGE: Mr Griffiths is on his feet.

28 MR GRIFFITHS: I'm anxious not to waste time, your Honour,
29 but it seems that it'd be difficult for us to proceed with the

1 transcript in the state that it currently is. It's a complete
2 waste of time.

3 PRESIDING JUDGE: Obviously we are very reluctant to
4 adjourn, but the record is the official record and it has to be
5 in place. Oh, Madam Court Attendant, have you got some news?
6 The present exchange has not been recorded at all and in the
7 circumstances, since we have someone coming, we will adjourn for
8 the few minutes that it takes that person to get here and get
9 into position and get it sorted out.

10 Mr Witness, this is not a problem to do with you. It's to
11 do with the recording of the - your evidence. It's not being
12 recorded properly on our machines. We are going to break for a
13 few minutes while another person comes to record it properly.
14 Please remain where you are and we will - Madam Court Attendant
15 will look after you. Please adjourn court temporarily to resolve
16 this.

17 [Break taken at 10.00 a.m.]

18 [Upon resuming at 10.25 a.m.]

19 PRESIDING JUDGE: We are grateful to the head of the
10:23:58 20 stenographers who has come and attended at the Court and has now
21 rectified the position and we hope that things will now run more
22 smoothly. When you are ready please proceed, Mr Koumjian.

23 MR KOUMJIAN: I would just like to know if your Honours
24 would like me to go over anything that was covered. [Microphone
10:24:21 25 not activated]. The witness - there was just one point that --

26 THE INTERPRETER: Your Honours, could counsel put on his
27 microphone?

28 MR KOUMJIAN: Thank you.

29 Q. Mr Witness, when we took the break you had mentioned the

1 name of the four points or four roads where there were
2 checkpoints. Perhaps you can just repeat those locations,
3 please.

10:24:56 4 A. One was on the Gbarnga Highway, the second was on the
5 Monrovia Highway, the third was on the Bong Mines Highway, the
6 fourth was on the Harbel Highway.

7 Q. Thank you. Sir, you described the forces that attacked
8 Kakata as Charles Taylor's rebels. Did you ever see Charles
9 Taylor in Kakata?

10:25:30 10 A. Yes.

11 Q. Was that in the same year 1990, or a different time?

12 A. It was in the same year that I saw him there.

13 Q. Can you describe for the Court what happened when you saw
14 Charles Taylor?

10:25:53 15 A. You know where I was, our house was located at the Bong
16 Mines park and across the street there is a police station. So
17 when he came from Gbarnga to Kakata, all of his men and he
18 himself all alighted right at that police station. We did not go
19 close to them, but where we were standing in front of our house
10:26:34 20 we saw all what they did in the street. So that was the time
21 those of us who did not know him before knew him because fingers
22 were pointed at him and people were saying that that was the man.
23 So that was the first time I saw him in Kakata.

24 Q. You said he came with his men and alighted. Can you just
10:27:05 25 describe what it was you saw? What did he alight from?

26 A. They were in vehicles. He was in a jeep and he had gunmen
27 behind him. They were plenty. Rebels were behind him.

28 Q. Do you know which road he had come into Kakata from?

29 A. Yes, at that time he came from Gbarnga because by then he

1 was based in Gbarnga, because by then the war had just entered
2 Monrovia and he was based in Gbarnga. He used to come from
3 Gbarnga.

10:27:59 4 Q. From Gbarnga entering Kakata where you were do you have to
5 pass - at that time did you have to pass one of the checkpoints
6 you described?

7 A. Yes.

8 Q. Which checkpoint, or checkpoints, would that be?

10:28:20 9 A. I passed through two checkpoints. The first checkpoints
10 that I passed through was the one that was located by the Bong
11 Mines Highway close to the prisons. That was called Katta Hight.
12 And the second was on the main road going to Gbarnga and that was
13 the time Foday Sankoh went to collect us to go. That was my
14 second time that I passed through those gates.

10:28:46 15 Q. Okay. Sorry, Mr Witness, perhaps my question wasn't clear.
16 You said Charles Taylor came from Gbarnga and you saw him
17 somewhere in Kakata. To get from Gbarnga to the place you saw
18 him would Charles Taylor - was there a checkpoint in between
19 Gbarnga and the place you saw Charles Taylor?

10:29:09 20 A. Yes, checkpoints were there. That is what I am talking
21 about. I said that was the second checkpoint that was on the
22 Gbarnga Highway close to Kakata.

23 Q. Okay, thank you.

10:29:25 24 JUDGE SEBUTINDE: Could we have the spelling of that Katta
25 Hight or something that the witness said?

26 PRESIDING JUDGE: It's page 15, line 15 on my record,
27 Mr Koumjian.

28 MR KOUMJIAN:

29 Q. Okay, Mr Witness, I am just going to read your answer up to

1 the point where there is a word we don't understand. You said,
2 "The first checkpoints that I passed through was the one that was
3 located by the Bong Mines Highway close to the prison. That was
4 called" and you used a word we didn't understand. What was it
10:30:01 5 called?
6 A. Katta Hight.
7 Q. Do you know how to spell that?
8 A. K-A-T-T-A, Katta, and then Hight, H-I-G-H-T.
9 Q. Is that two words?
10:30:27 10 A. Yes, Katta is one word and Hight is another word. So it's
11 Katta Hight.
12 Q. And when you use the word Hight, did that mean something?
13 What was that place?
14 A. It was a prison yard.
10:30:47 15 Q. Thank you. Now, sir, you mentioned that after hiding -
16 going into hiding in Kakata you spoke to your brother. Who was
17 this person that you used the word this morning as your brother?
18 A. Mike Lamin.
19 Q. Who was Mike Lamin?
10:31:10 20 A. Mike Lamin was an NPFL soldier.
21 Q. How was it that you came to speak with Mike Lamin?
22 A. Repeat that. Let me hear it clearly.
23 Q. Let me try to rephrase it. Thank you. It's not just such
24 a clear question. Did you know Mike Lamin before the attack on
10:31:35 25 Kakata?
26 A. Yes, I knew him before in Sierra Leone.
27 Q. After the attack on Kakata did you have a discussion with
28 Mike Lamin?
29 A. Yes.

1 Q. Tell us what was it that Mike Lamin told you or talked to
2 you about?

3 A. Okay, just like I had said before, our house was in the
4 centre of the town, so one particular morning we were sitting in
10:32:14 5 front of our house when I saw Mike Lamin and his colleagues
6 passing by and then I asked him. But because he was my brother I
7 was not afraid. I went close to him. So he asked where I was
8 living and I told him the house where I was staying.

9 Q. Okay, let me just clarify one thing, sir. When you say
10:32:47 10 Mike Lamin was your brother, does that mean that you had a parent
11 in common or what do you mean by the word "brother"?

12 A. Brother in the sense that I am a Sierra Leonean and he is a
13 Sierra Leonean and when we met in another man's country we were
14 considered brothers and we had known ourselves in our own country
10:33:15 15 before.

16 Q. After you told Mike Lamin where you were staying, what
17 happened?

18 A. He used to come there. Sometimes he will go for a day or
19 two and then he will come and visit me.

10:33:36 20 Q. And tell us what you discussed with Mike Lamin?

21 A. So I explained to him the things that I went through that
22 even caused me to change my name. That is the name that I have
23 told you about before. So he advised me that the only way I
24 would be able to rescue my life was for me to join them just as
10:34:09 25 he had joined them.

26 Q. When you say he said to join them, what did he mean when he
27 said "them"?

28 A. For me to join the rebels, the NPFL.

29 Q. At that time, Mr Witness, in Liberia, was there anything

1 going on with Sierra Leone people?

2 A. Yes.

3 Q. Can you explain, please?

10:34:56

4 A. At that time many Sierra Leoneans and even other nationals
5 from Guinea, Nigeria, they were molested, because Charles Taylor
6 said that ECOMOG had come and based in Sierra Leone, so he said
7 that was where they would come from and they will go and launch a
8 war in Liberia. So he gave an order that all nationalities whose
9 people were fighting war in Sierra Leone were to be arrested. So
10 they arrested some and put them in jail.

10:35:47

11 PRESIDING JUDGE: Mr Koumjian, if you could clarify. He
12 said, "That was where they would come from". Who is the "they"
13 in question, please?

10:36:11

14 THE WITNESS: The military. The Nigerians, the Guineans,
15 the Sierra Leonean military who were going to fight Charles
16 Taylor in Liberia.

17 PRESIDING JUDGE: Thank you, Mr Witness.

18 MR KOUMJIAN:

10:36:24

19 Q. Mr Witness, you said, in regarding the order, that: "So he
20 gave an order that all nationalities whose people were fighting
21 war in Sierra Leone were to be arrested". What did you mean when
22 you said "people who were fighting war in Sierra Leone"?

10:36:55

23 A. What I meant by that is that the soldiers who came from
24 like Sierra Leone and who went to fight war in Liberia. So those
25 of us, the civilians, at that time who were living in Liberia, he
26 said they should arrest all of them, all of us, so that our
27 brother Sierra Leoneans who were the soldiers coming from Sierra
28 Leone and going to fight war over there.

29 Q. Were other nationalities besides those from Sierra Leone

1 arrested according to - pursuant to this order?

2 A. Yes.

3 Q. What other nationalities?

4 A. Guineans and Nigerians.

10:37:35 5 Q. So, Mr Witness, after Mike Lamin advised you to join the
6 NPFL, what happened?

7 A. The same day he told me to join the NPFL I did not join,
8 but I told him that I will take the word to my aunt that I was
9 staying with. But he told me that he will also visit me the

10:38:09 10 following day. But when I went I was afraid, I did not explain
11 to my aunt because I knew she was not going to accept it and when
12 he returned - he, Mike Lamin - he told me about Foday Sankoh.

13 Q. What did Mike Lamin tell you about Foday Sankoh?

14 A. He said that the same war that Charles Taylor had brought
10:38:44 15 to Liberia, he said there was a man called Foday Sankoh. He said
16 he too had brought a similar war to be taken into Sierra Leone,
17 so he said we should go and join him because that is our own
18 country.

19 Q. At the time - you said that Mike Lamin was NPFL, how do you
10:39:10 20 know, that at this time when he was speaking to you in 1990 in
21 Kakata?

22 A. I saw him there. I did not just hear it. I saw him with
23 my own eyes. I saw them moving around the town.

24 Q. What happened after Mike Lamin told you that Foday Sankoh -
10:39:41 25 told you about Foday Sankoh?

26 A. For me to protect my own life I agreed, but he told me that
27 Foday Sankoh was coming on the Friday so that all of us, the
28 Sierra Leoneans there, would be able to meet him. So he came on
29 that Friday that we were waiting for him. So the place he had

1 said that we should all move to meet him, we all moved and met
2 him there.

3 Q. Where was it that you met Foday Sankoh?

4 A. It was on a school compound that was called St Augustine.
10:40:31 5 St Augustine. That was the compound where all of us, the Sierra
6 Leoneans, went and met him and we welcomed him there.

7 Q. What happened when Foday Sankoh arrived at the school?

8 A. He too welcomed us and he said thanks to us because we had
9 wasted our precious times and we went there to wait for him, so
10:41:02 10 he said he appreciated our efforts. So he explained to us how we
11 will be able to join him so that we will go over and liberate
12 Sierra Leone. So some of us accepted. And even though all of us
13 accepted, yet some people did not go.

14 Q. Mr Witness, you said that Foday Sankoh explained how you
10:41:33 15 would be able to join him so that he will be able to go over and
16 liberate Sierra Leone. Did he explain any details about how he
17 would be able to liberate Sierra Leone?

18 A. Yes.

19 Q. What did he say?

10:41:57 20 A. At first during the meeting he explained to us although he
21 did not go into details, but he told us on the surface. He said
22 the war that Charles Taylor had brought to Liberia was a similar
23 war that he had planned to enter Sierra Leone. He said he came
24 together with Charles Taylor and that Charles Taylor was giving
10:42:22 25 him full-time support for him to go and fight in Sierra Leone.
26 So he said we should not be afraid of him for anything.

27 Q. Did Foday Sankoh give you and the others present any
28 details about what would happen to you once you joined, where you
29 would go?

1 A. Yes, that was the reason why even he, Sankoh himself, used
2 to go to the prisons and they would ask for the place to be open,
3 because when he went there he will ask the people who were there
4 about who were in the prisons that were Sierra Leoneans and those
10:43:09 5 [indiscernible] with him they would ask to be released and they
6 would be taken over because those people who manned the prisons
7 were called the MPs. They were there manning the people.

8 Q. Okay, let me come back to the prisons in a moment. First
9 my question is - let me try my question again. Did Foday Sankoh
10:43:37 10 say if you joined his forces where you would go immediately?
11 Would you immediately go to Sierra Leone, or did he explain
12 anything?

13 A. Yes, when he told us during the meeting that those of us
14 who had accepted to join him, he would not tell you where he was
10:44:06 15 going to take you to during that meeting because there were so
16 many other people in whose presence he wouldn't want to tell
17 where the people would be taken to. But he told us that within a
18 week a vehicle would be dispatched to come and collect all of us
19 and indeed trucks came, military trucks, and we were loaded on
10:44:33 20 board and they took us to a place called Naama. It was called
21 Camp Naama, that was where they took us to, but at first he did
22 not refer to that name.

23 Q. Okay, thank you. Now you said he told you that a vehicle
24 would come in a week and pick you up. Did that happen?

10:44:51 25 A. Yes, yes.

26 Q. And on the way when you got on the vehicle can you tell us
27 where the vehicle went from Kakata?

28 A. Yes, from Kakata the vehicle travelled and went to Gbarnga
29 and from Gbarnga we went to Camp Naama. That was where we were

1 undergoing our training.

2 Q. Now, Mr Witness, a few moments ago you talked about Foday
3 Sankoh that he used to go to the prisons and ask to speak to some
4 people who were Sierra Leoneans. How do you know that?

10:45:45 5 A. Even before I joined Foday Sankoh there was a man that I
6 knew he had died. He was called Jarffer. Jarffer Massaquoi. He
7 is deceased. He was his first bodyguard. He was the person who
8 explained all of those things to me, because he was my Mende
9 brother too. The two of them used to do things in common.

10:46:18 10 Q. The truck that picked you up in Kakata, did it make any
11 stops before it went to Naama?

12 A. When the truck drove off from the police station in Kakata,
13 because that was where we loaded on board, we did not alight
14 anywhere else save Camp Naama. That was where we alighted.

10:46:46 15 MR GRIFFITHS: I hesitate to interrupt, your Honour, but I
16 see the phrase "the two of them used to do things in common".
17 Who is the two of them?

18 PRESIDING JUDGE: Yes, there was also a reference to "he"
19 in the same context, Mr Koumjian. On my transcript it's page 23,
10:47:06 20 line 15.

21 MR KOUMJIAN:

22 Q. Sir, when you were talking about Jarffer Massaquoi you went
23 on to say, "He is deceased. He was his first bodyguard". First
24 of all, whose bodyguard was Jarffer Massaquoi?

10:47:32 25 A. He was Foday Sankoh's bodyguard.

26 Q. And when you say, "He was my Mende brother", who do you
27 mean?

28 A. I am talking about the same Jarffer Massaquoi. I said he
29 was my brother, my Mende brother.

1 Q. And then you said, "The two of them used to do things in
2 common". Can you explain what did you mean by that?

3 A. What I mean by that is that Jarffer Massaquoi was the main
4 bodyguard to Foday Sankoh and he, Jarffer Massaquoi, knew Liberia
10:48:15 5 more than even Foday Sankoh. So he used to move about with him.
6 It was because we mainly saw him moving with him that some of us
7 decided to join him.

8 Q. Who actually - did you ever talk to anyone who was in the
9 prisons and joined the NPFL, or anyone who went with Foday Sankoh
10:48:41 10 to the prisons?

11 A. Yes.

12 Q. Where did you meet or talk to these people?

13 A. Some of the men were in the prison that I had referred to
14 before. That is Katta Hight. He went there and enhanced their
10:49:12 15 release and then the police station --

16 PRESIDING JUDGE: Mr Witness, pause, please. Mr Griffiths?

17 MR GRIFFITHS: I see the answer, or the question, "And
18 joined the NPFL". I am not so sure that the witness said that.

19 MR KOUMJIAN: I believe counsel is absolutely correct.
10:49:35 20 That was my slip.

21 PRESIDING JUDGE: Yes, I agree. Very well, continue,
22 Mr Koumjian.

23 MR KOUMJIAN: Thank you:

24 Q. To be clear, Mr Witness, joined Foday Sankoh's group, the
10:49:46 25 people from the prisons, that's the one I'm talking - that's what
26 I'm asking about now; do you know about people from the prisons
27 who joined Foday Sankoh's group. Your answer, you began it and I
28 will ask you to continue, you said, "Some of the men were in the
29 prison that I had referred to before. That is Katta Hight. He

1 went there and enhanced their release and then the police
2 station". First of all, who went to Katta Hight to have the
3 prisoners released?

4 A. He, Foday Sankoh himself, went to the prison.

10:50:27 5 Q. How do you know that?

6 A. His bodyguard, Jarffer, went there together with him. He
7 himself told me that they had gone and freed our other brothers
8 from the prison.

9 Q. Thank you. By the way, these prisons were controlled by
10:50:53 10 who?

11 A. Those prisons, when Charles Taylor had captured Kakata, he
12 was in control of them. His men were there, but they were under
13 him.

14 Q. Thank you. You said you were taken to Camp Naama. Can you
10:51:19 15 tell us what is Camp Naama, or what was it when you arrived?

16 A. Camp Naama was a barracks, a military barracks, but it had
17 been converted into a training base.

18 Q. Can you describe the training base at Naama in 1990?

19 A. Yes. Camp Naama is a barracks and it was divided into two.
10:52:09 20 On the one side were Charles Taylor's men and Foday Sankoh's men
21 were on the other side, but the field where we used to undergo
22 the training was on their own side. So when we were ready to go
23 and undergo training we will pass through their own area before
24 we go to the field. So that was how the camp was structured.

10:52:47 25 Q. Thank you. Mr Witness, just so the record is absolutely
26 clear, when you say "the training was on their own side" and that
27 "we will pass through their own area", who is the people you are
28 talking about as "their own side" and "their own area"?

29 A. NPFL, Charles Taylor's men. We will pass through their own

1 area because there was a street that divided the place. We will
2 pass through there before we go to the training ground, but
3 because where we were, we were in something like a hole,
4 something like a valley, because there wasn't any field in our
10:53:32 5 own area and so --

6 THE INTERPRETER: Your Honours, the name that he referred
7 to with regards the hole was not clear to the interpreter.

8 PRESIDING JUDGE: Mr Witness, the interpreter did not hear
9 the name of the hole or valley that you mentioned. Please repeat
10:53:47 10 it.

11 THE WITNESS: It was called Crab Hole [phon], but in
12 Liberian language they say Cray Hole [phon].

13 MR KOUMJIAN:

14 Q. Thank you. Sir, first of all how long did you spend at
10:54:09 15 Camp Naama?

16 A. The time I spent there was up to three months.

17 Q. Can you briefly describe the training that you underwent?

18 A. Yes, I went through physical training. We did that for
19 some time and later we did ideology training.

10:55:00 20 Q. Were you trained in any other fields besides physical
21 training and ideology?

22 A. Yes, because physical training was to know about weapons,
23 how to fight wars. Those were all the trainings that we
24 underwent.

10:55:29 25 Q. Who were the trainers giving the training at Camp Naama to
26 those of you that were brought by Foday Sankoh?

27 A. They were many, but they were divided into two groups. We
28 had Sierra Leoneans and we had Liberians.

29 Q. Can you name some of the people that you recall that were

1 trainers?

2 A. Yes, on the Liberian side Isaac Mongor was one and there
3 was another called PI. They were two on the Liberian side. And
4 on the Sierra Leonean side there was Mohamed Tarawalli, Rashid
10:56:31 5 Mansaray and they were backed by Mike Lamin who gave ideology
6 training.

7 Q. The two Liberian side people that you mentioned, Isaac
8 Mongor and PI, did they belong to any military force, if you
9 know?

10:56:56 10 A. Yes, yes, they were NPFL fighters.

11 Q. Do you recall the names of any persons that you trained
12 with, fellow trainees, that later became well known?

13 A. Yes, there are many.

14 MR GRIFFITHS: Well known where? It could be anywhere in
10:57:30 15 the world. It would be useful to know some kind of geographical
16 location.

17 PRESIDING JUDGE: Yes, Mr Koumjian.

18 MR KOUMJIAN: Thank you:

19 Q. Sir, do you recall any of the trainees, your fellow
10:57:43 20 trainees, becoming top rebel commanders for the RUF in the war in
21 Sierra Leone and continuing up to the year 2002?

22 A. Yes.

23 Q. What were the names of some of these fellow trainees that
24 later became top rebel commanders?

10:58:06 25 A. One was Mike Lamin, Sam Bockarie, Issa Sesay, Morris
26 Kallon, Isaac Mongor, Peter Vandi and others.

27 Q. Do I understand you correctly that all of these commanders
28 that you have mentioned trained in Liberia at Camp Naama?

29 A. Yes.

1 JUDGE SEBUTINDE: Mr Koumjian, you did ask a question
2 previously - I am sorry to interrupt - as to who were the
3 trainers that trained the Sierra Leoneans at Camp Naama and then
4 the witness started naming some Liberians that trained Liberians,
10:58:53 5 et cetera. What I am not clear about is did these Liberian
6 trainers also train the Sierra Leoneans?

7 MR KOUMJIAN: I have a slightly different understanding
8 than your Honour, but that shows that my question or the answer
9 is not clear:

10:59:07 10 Q. Sir, when you talked about the trainers you talked about
11 Sierra Leoneans and you named three, like Mohamed Tarawalli, and
12 then you talked about the Liberian side. These people on the
13 Liberian side, you named CO Isaac and PI, who did they train?
14 Did they train - you said the camp was divided in two. Did they
10:59:31 15 train on the NPFL side or on the Foday Sankoh side?

16 A. These Liberian trainers I am telling you about, they had
17 already trained under the NPFL under Charles Taylor's men, so
18 they were the ones who Foday Sankoh went and took to come and
19 train us also. So they were the ones who trained us, the Sierra
11:00:04 20 Leoneans, backed by Rashid Mansaray, Mohamed Tarawalli, because
21 they were trained in Libya.

22 Q. Sir, after your training at Camp Naama, what did you do
23 next?

24 A. He decided to wage war on Sierra Leone, but the time didn't
11:00:42 25 come for us to wage the war on Sierra Leone - to start the war on
26 Sierra Leone when they took us from the base automatically for us
27 to come.

28 JUDGE SEBUTINDE: Mr Interpreter, we can't hear you. Did
29 you say the time hadn't come?

1 THE WITNESS: The time did not come.

2 MR KOUMJIAN:

3 Q. Mr Witness, then when you were taken from Camp Naama where
4 did you go next?

11:01:11 5 MR GRIFFITHS: I hesitate to interrupt yet again, your
6 Honour, but "he decided to wage war on Sierra Leone". It would
7 be useful to know who.

8 PRESIDING JUDGE: I anticipated that would be clarified,
9 Mr Koumjian, but we haven't got it on the record yet. Actually
11:01:31 10 my learned colleague has heard "we decided" rather than "he
11 decided" so there is two points of clarification there, please.

12 MR GRIFFITHS: I am grateful.

13 MR KOUMJIAN: Your Honour, I will ask those questions if
14 your Honours like. It is actually taking me out of the sequence.
11:01:48 15 The answer took me - the witness is taking me out of the sequence
16 I thought would be most efficient for the direct examination. I
17 wasn't asking about that:

18 Q. But, sir, you said someone decided to wage war on Sierra
19 Leone. Who did you mean decided to wage war on Sierra Leone?

11:02:09 20 A. Foday Sankoh.

21 Q. Did Foday Sankoh ever talk to the troops that you were with
22 in Camp Naama?

23 A. Yes.

24 Q. Did he explain how he was going to wage this war on Sierra
11:02:26 25 Leone?

26 A. Yes.

27 Q. How did he say he was going to be able to fight the
28 government in Sierra Leone?

29 A. He said he would enter Sierra Leone from two fronts. One

1 in the Kailahun District and, two, in Pujehun District and the
2 war that he would wage on Sierra Leone would be supported by
3 Charles Taylor fully.

11:03:04 4 Q. Did Foday Sankoh ever explain where he would get the
5 weapons and ammunition to give you soldiers?

6 A. That's what I have said, that it was Charles Taylor whom he
7 said, because we did not know any other person except Charles
8 Taylor with whom he was. He said he would support fully and we
9 too who were at the training base used to see it. The food we
11:03:31 10 ate, whatever we used at the base, was coming from Charles
11 Taylor.

12 Q. Sir, when did you first - well, let me make it so that it's
13 a neutral question. Let me try the question again, sir. After
14 your training did you ever re-enter Sierra Leone?

11:03:52 15 A. Yes.

16 Q. Do you recall approximately when that was?

17 A. Yes.

18 Q. Can you tell us approximately when it was that you entered
19 Sierra Leone?

11:04:13 20 A. That was the time that we launched the attack on Koindu and
21 Pujehun District. Koindu - I mean Kailahun District and Pujehun
22 District.

23 Q. Okay. Were you with the first group of soldiers to enter
24 on those two fronts?

11:04:39 25 A. No, we - I went there as a reinforcement. At first it was
26 not the RUF that launched the attack. We were at the base and it
27 was the NPFL that first launched the attack on Koindu. They
28 first attacked there. When they captured there, then they went
29 for us at the base and we went there.

1 Q. You said when the NPFL attacked Koindu you were at the
2 base. What base do you mean?

3 A. Camp Naama base.

11:05:29

4 Q. When you arrived in Sierra Leone, first of all which part
5 of Sierra Leone did you go to?

6 A. At first we entered through the border in Koindu. Then
7 Koindu is in the Kailahun District.

11:05:54

8 JUDGE SEBUTINDE: Mr Koumjian, I am sorry to interrupt
9 again. For the first time this witness has mentioned RUF. Could
10 you perhaps relate that for us to the people training in Camp
11 Naama?

12 MR KOUMJIAN: Thank you:

13 Q. Sir, you used the word "RUF". When did you first hear the
14 word or those initials RUF?

11:06:16

15 A. I have heard RUF at Camp Naama when we went there. That
16 was when I heard the name RUF.

17 Q. And what was it described to you as? What did it mean,
18 RUF?

11:06:46

19 A. At the - during the ideology they showed us all that RUF
20 meant Revolutionary United Front. That was the meaning.

21 Q. Thank you. Sir, you indicated that you went to Kailahun
22 District to Koindu, but you were not - that Koindu was first
23 taken by NPFL forces. Do you know how long before you arrived in
24 Koindu the NPFL had first taken Koindu in Sierra Leone?

11:07:24

25 A. Yes.

26 Q. About how long after the NPFL took Koindu did you arrive
27 there?

28 A. It was two days.

29 JUDGE SEBUTINDE: Mr Koumjian, was this witness part of the

1 RUF in Camp Naama, or was the RUF some organisation fighting in
2 Sierra Leone? It's not clear, to me at least.

3 MR KOUMJIAN:

11:07:58

4 Q. Sir, when you were in Camp Naama, where was the RUF? What
5 was it? Let me start first of all: The RUF, can you tell us
6 what that organisation was when you were in Camp Naama?

11:08:28

7 A. Camp Naama, that was where the RUF were. That was where
8 the RUF was trained. The name RUF was not exposed all over, but
9 it was in Camp Naama that that name was, at Crab Hole. Those of
10 us who underwent the training there did so under the RUF.

11 Q. Was there any person who held the nominal position or a
12 title as the supposed leader of the RUF?

13 A. Yes.

14 Q. Who was that?

11:08:55

15 A. Foday Sankoh was the only one who we knew as the leader of
16 the RUF.

17 Q. Okay, thank you. And, just to be clear, when the NPFL
18 entered Koindu was the RUF in Sierra Leone or still only in
19 Liberia?

11:09:16

20 A. That is what I am telling you, that all of us were at Camp
21 Naama. No RUF had left, because there was no such order. It was
22 just NPFL that went there and attacked the place. But if they
23 had not taken RUF there there would have been a big problem.
24 That was why RUF went to Koindu, but we wouldn't have gone there
25 at that time.

11:09:44

26 Q. Well, perhaps you can explain, when you say it would have
27 been a problem if they hadn't taken the RUF to Koindu, why is
28 that?

29 A. When the NPFL had gone and waged the war and --

1 THE INTERPRETER: Your Honour, can the witness kindly
2 repeat his answer slowly.

3 PRESIDING JUDGE: Mr Witness, the interpreter hasn't heard
4 you clearly. Please repeat your answer starting from after you
11:10:21 5 said, "When the NPFL had gone and waged the war". Continue from
6 there.

7 THE WITNESS: Okay. When NPFL attacked Koindu the Sierra
8 Leone soldiers had then known that they were about to be attacked
9 and so the border - they would place soldiers at the border to
11:10:56 10 prevent people from entering. So that was the reason they went
11 to the base at Camp Naama to the RUF. They took us from there,
12 so that we can occupy where NPFL had captured so we were - they
13 put us in trucks and brought us to Koindu.

14 MR KOUMJIAN:

11:11:25 15 Q. Okay, thank you. Mr Witness, when you entered Sierra Leone
16 in Koindu, who was your commander?

17 A. My commander was Isaac Mongor.

18 Q. At that time do you know if Isaac Mongor had a commander?

19 A. Isaac Mongor, yes. His own commander was Sankoh.

11:12:00 20 Q. Thank you. How long did you stay in Sierra Leone after
21 coming in - well, first, Mr Witness, I asked you at one time if
22 you can tell us approximately when this was. Can you tell us at
23 least the year it was that you went back to Sierra Leone with the
24 RUF forces to Koindu? Do you recall what year that was?

11:12:30 25 A. 1990.

26 Q. Sir, how long did you stay in Sierra Leone at that time
27 after entering under the command of Isaac?

28 A. I spent up to two to three months after we had advanced.
29 Then I returned to Liberia.

1 Q. When you returned to Liberia, did you get an assignment?

2 A. Yes, sir.

3 Q. What was your assignment at that time?

4 A. Foday Sankoh took me from Sierra Leone to Gbarnga. So when
11:13:40 5 we went to Gbarnga I was the one who stayed at his house as
6 ground commander. That was the assignment.

7 Q. And what duties were there for you as the ground commander?

8 A. I was responsible to take care of everything that was in
9 the house, outside the house and in the house in the compound.

11:14:14 10 Q. Now we are talking several months after the RUF entered
11 Sierra Leone. Is that correct?

12 A. Yes.

13 Q. Where was Foday Sankoh at this time?

14 A. Foday Sankoh was not stable in one place, because his
11:14:45 15 headquarters was in Pendembu and Liberia. So sometimes he would
16 be in Pendembu for two to three weeks, or a month, then he will
17 return to Liberia in Gbarnga. That was what he used to do.

18 Q. When Foday Sankoh was in Gbarnga, where did he stay?

19 A. He was at Sugar Hill. A place called Sugar Hill. That was
11:15:16 20 where all of us were in Gbarnga. It's not far away from Charles
21 Taylor's Mansion Ground. It is there separated by a street.

22 Q. Sir, at this time where was Charles Taylor living? Was he
23 in - well, let me just leave it at that.

24 A. I have not heard what you said.

11:15:50 25 Q. Okay, you said Foday Sankoh was at Sugar Hill in Gbarnga,
26 but he would be travelling a lot. You said it's not far away
27 from Charles Taylor's Mansion Ground. Just to be clear, Charles
28 Taylor's Mansion Ground, what town or city are you talking about
29 when you mention that?

1 A. It was in Gbarnga Town, Gbarnga city. That was where
2 Charles Taylor's mansion was.

3 Q. At that time did Charles Taylor stay in that mansion, or
4 did he stay somewhere else?

11:16:34 5 A. Later when the NPFL captured Monrovia he used to go there,
6 but it was at Kakata where he was first based. That was where he
7 stayed. Gbarnga. That was where he was staying.

8 Q. You said that your position was the ground commander. Can
9 you please clarify for us you were in charge of everything in
11:17:04 10 what ground? What was the place that you were commanding or
11 responsible for?

12 A. Sankoh's own ground. Sankoh's own, because I can say it
13 was a mansion, because where they were they used to call there
14 mansion.

11:17:25 15 Q. At that time when you were with at times Foday Sankoh in
16 Gbarnga, you said Foday Sankoh would travel. Would you ever
17 travel with him?

18 A. Yes.

19 Q. Was that sometimes, or most of the time, or all of the time
11:17:42 20 that you would travel with Foday Sankoh?

21 A. No, it was not at all times. Once in a while I will go
22 with him to Sierra Leone and we will return.

23 Q. When Foday Sankoh went to Sierra Leone, do you know if he
24 ever brought anything with him?

11:18:10 25 A. Yes.

26 Q. What would he bring?

27 A. Whenever he goes and spends two weeks or so, when he
28 returns to Liberia in Gbarnga, when he was returning he will take
29 along condiments, he will take along supplies of arms and

1 ammunition, food and other little things.

2 Q. Okay. Sir, can you clarify, when you said he would take
3 along supplies of arms, ammunition, food and other things, he
4 would take those from where to where?

11:18:54 5 A. Those things that he used to take along, he was not taking
6 them from a different country. He used to take them from
7 Liberia. It was Charles Taylor who gave him everything, because
8 whatever we had to take to Sierra Leone, it was Charles Taylor
9 who gave us. If he did not give them we did not get them from
11:19:14 10 any other source that I knew of.

11 Q. What did Foday Sankoh do with the arms, ammunition, food
12 and other things that he took with him?

13 A. He used to take them to Sierra Leone. When he goes he will
14 give them to his deputy who was Rashid Mansaray and Mohamed
11:19:44 15 Tarawalli. He would call them and give them to these people and
16 they would give them over to the fighters.

17 Q. When Foday Sankoh was in Gbarnga did he have any means to
18 communicate with RUF forces in Sierra Leone?

19 A. Yes.

11:20:06 20 Q. How would he do that?

21 A. At first because we hadn't communication at our Mansion
22 Ground, we didn't have communication there, but he used to go to
23 Charles Taylor because there was just a street between us. So he
24 used to go there to communicate to Sierra Leone.

11:20:30 25 Q. To be clear, when you said he would go there, what is the
26 place that he would go to to communicate with Sierra Leone?

27 A. He used to go to the Mansion Ground, Charles Taylor's
28 Mansion Ground.

29 Q. Was there some communication equipment at Charles Taylor's

1 Mansion Ground?

2 A. Yes.

3 Q. What kind of equipment?

4 A. There was a communication there that looked like a radio.

11:21:08 5 They used to put - they would put it on a table like this. That
6 was what they used to talk. It's not the one that had those big
7 poles.

8 Q. Where exactly was this radio?

9 A. That radio was at the mansion, in Charles Taylor's mansion
11:21:32 10 itself in a room. That was where it was. It was not outside.
11 It was in the mansion like this house where we are now. It was
12 in one part of that house that the operation room was, so when he
13 wanted to speak that was where he went.

14 Q. How do you know that, that Foday Sankoh would use the radio
11:21:51 15 in Charles Taylor's mansion to communicate with the troops in
16 Sierra Leone?

17 A. Charles Taylor - let me say Sankoh, yes, of course, he was
18 a rebel leader. He was fearful. But those of us who were with
19 him, he was not fearful to us because he was our boss. Some of
11:22:17 20 the things that he did, he used to tell us. He used to say it
21 for us to hear. Not everybody, but those of us who were with
22 him, he will say it and we will hear. When he would have spoken
23 to Sierra Leone to our brothers he will tell us.

24 PRESIDING JUDGE: Mr Koumjian, there is a "he" in here.
11:22:39 25 The witness has said, "Charles Taylor - let me say Sankoh, yes,
26 of course he was a rebel leader. He was fearful", et cetera.
27 Now which of those two named persons is the "he"?

28 THE WITNESS: I said Sankoh was a rebel leader too just
29 like Charles Taylor was, but those of us who were with him, some

1 information - there was some information that he didn't keep
2 secret from us. That was what I meant.

3 PRESIDING JUDGE: Thank you, Mr Witness.

4 MR KOUMJIAN:

11:23:14 5 Q. Mr Witness, did you yourself ever go with Foday Sankoh to
6 Charles Taylor's mansion in Gbarnga?

7 A. Yes.

8 Q. Did you ever see yourself Foday Sankoh using the radio that
9 you described?

11:23:34 10 A. The radio that I am talking about was not outside. It was
11 inside this type of house that we are now. A part of this house
12 has a room. That was where the radio was. But it was Charles
13 Taylor who owned the radio. That was where he went and we will
14 stay by the vehicle and he will enter into that house and when he
11:23:59 15 came out we will all go - we would all board the vehicle and go
16 back to the house where he would tell us everything that he did.

17 Q. Did you yourself ever see the radio that you have
18 described?

19 A. In that house I did not enter that radio room to see, but
11:24:21 20 the communication radio, I knew it very well. The same radio
21 that we were using in Sierra Leone was the same radio that they
22 were using in Gbarnga, that same type.

23 Q. When you went with Sankoh to Charles Taylor's mansion, did
24 you ever see Charles Taylor?

11:24:42 25 A. Yes, not once, not twice. I saw him.

26 Q. Did you observe any interaction between Charles Taylor and
27 Foday Sankoh?

28 A. Yes, the house - the house has a veranda. They used to
29 stand there. When they would have spoken in the house, when

1 Sankoh was about to leave he would escort him up to the door, up
2 to the veranda. They would stand there for about five minutes
3 talking and we would see them.

11:25:23 4 Q. Thank you. Now, Mr Witness, for how long did you maintain
5 this position as the ground commander for Sankoh in Gbarnga? For
6 approximately how long?

7 A. I was there for six months because I too wanted to return
8 to Sierra Leone, so I became disgruntled and I said I was going
9 back.

11:25:50 10 Q. Did you go back to Sierra Leone?

11 A. Yes.

12 Q. Where were you based when you went back to Sierra Leone?

13 A. I was based in Pendembu in the Kailahun District.

14 Q. Mr Witness, have you ever since you returned - after
11:26:09 15 returning to Sierra Leone did you ever go to Koidu [sic] in Kono
16 District? Koidu, forgive my pronunciation. Koidu in Kono
17 District?

18 A. Yes, yes, in Kono. Yes, I went to Kono in 1992.

19 Q. In 1992 who controlled Koidu in Kono District?

11:26:45 20 A. It was the RUF that went there.

21 Q. Were you part of any attack on Koidu in Kono District or
22 any attacks in Kono District in 1992?

23 A. In 1992 I was not there. We went there, I and Foday
24 Sankoh, and the other securities went there, but at that time the
11:27:14 25 attack had already taken place and the place had been captured.

26 Q. Okay. Do you know how long RUF held Koidu Town in 1992,
27 approximately?

28 A. About two to three months the soldiers, the government
29 soldiers, drove or dislodged the rebels from Koidu Town so we

1 retreated to Kailahun.

2 Q. Do you know, Mr Witness, after being pushed out of Koidu at
3 that time in 1992 if RUF - when, if ever, RUF went back and took
4 Koidu Town again?

11:28:08 5 A. Yes.

6 Q. When was that?

7 A. 1995.

8 Q. Mr Witness, during the time - were you part of that attack
9 in 1995 or present after Koidu was taken?

11:28:34 10 A. No, I was not part of that attack, but after the attack
11 Foday Sankoh sent me there.

12 Q. So you were in Koidu then in - would it have been - what
13 year was it then that you were back in Koidu Town?

14 A. 1995 after they had captured Koidu, that was Rambo called
11:29:03 15 Flomo, he attacked Koidu Town, then Foday Sankoh sent for me and
16 I went there.

17 PRESIDING JUDGE: Mr Koumjian, I notice the time. This is
18 the time, if this is convenient, for the normal break.

19 MR KOUMJIAN: Thank you.

11:29:18 20 PRESIDING JUDGE: Thank you. Mr Witness, we take a break
21 in the morning at this time. We break for 30 minutes. We will
22 resume court again at 12 o'clock. Please adjourn court until 12.

23 [Break taken at 11.30 a.m.]

24 [Upon resuming at 12.00 p.m.]

11:58:14 25 PRESIDING JUDGE: Mr Koumjian, please proceed.

26 MR KOUMJIAN: Thank you:

27 Q. Mr Witness, just before we broke you had said that the
28 attack on Koidu Town in 1995 - you said it was attacked by Rambo
29 Flomo. Who was this Rambo that you were speaking about?

1 JUDGE SEBUTINDE: Mr Koumjian, was that '95 or '92. I
2 think the record says '92.

3 MR KOUMJIAN: The second attack he mentioned was '95, page
4 43, line 10, led by Rambo.

11:59:56 5 JUDGE SEBUTINDE: Okay, I beg your pardon.

6 THE WITNESS: Should I go ahead?

7 PRESIDING JUDGE: Please do so, Mr Witness.

8 THE WITNESS: Rambo was an RUF fighter.

9 MR KOUMJIAN:

12:00:19 10 Q. What was his nationality?

11 A. He was a Liberian.

12 Q. Can you tell us something about his age? Do you know how
13 old he would have been in 1995?

14 A. At that time Rambo was not that much of a big person. He
12:00:53 15 was just too brave, but his age would have been around 15 or 16,
16 but he was brave.

17 Q. You have talked about two attacks on Koidu Town in Kono
18 District. Did Koidu Town in Kono District have any strategic
19 importance to the RUF?

12:01:26 20 A. Yes.

21 Q. Can you explain what that importance was?

22 A. The attack on Kono was important to the RUF because that
23 was where the mineral that we needed was.

24 Q. You said that you came after the attacks, if I understand
12:01:46 25 correctly, in both '92 and '95 to Koidu Town. Did you yourself
26 collect anything when you went to Koidu Town?

27 A. Yes, I will start that from '92. When I went there in '92
28 I was not a commander. I was a bodyguard to Foday Sankoh. I
29 went there to look for gold and the garatage that was on it was

1 I like a box of cigarettes, so I took it to Foday Sankoh and I
2 handed it over to him. And then in '95 he also sent me there
3 after Rambo and others had captured the place. He sent me there
4 also to serve as a commander. So I was there when the soldiers
12:03:01 5 used to bring diamonds and gold to me.

6 Q. Sir, first you used a word "garatage". Can you give your
7 own definition of what that means?

8 A. Yes, the weight. It is the weight that we refer to as
9 caratage.

12:03:41 10 MR KOUMJIAN: I would just note for the record - I know the
11 word is being interpreted perhaps into English, but the witness
12 is using a G sound before the word. I don't know if that's
13 agreed by all parties:

14 Q. Sir, the gold that you obtained in 1992, do you know where
12:04:02 15 it came from?

16 A. No, I just went to look for it. I didn't know where they
17 got it from.

18 Q. How did you get it?

19 A. I found it in a house and the people who used to live in
12:04:28 20 that house had ran away, so we went there, myself and my
21 colleagues, and I found it there in a drawer.

22 Q. And in 1995 you indicated that you obtained other items.
23 Is that correct?

24 A. Yes.

12:04:48 25 Q. You said - well, you indicated diamonds and gold the
26 soldiers used to bring to you. Which soldiers are you speaking
27 about when you say soldiers used to bring you diamonds and gold?

28 A. RUF fighters. That is what I mean. Those who were under
29 our command. But at that time gold, diamonds and other items

1 were considered government property, so if they were seen on
2 anybody it would be a very serious problem for you. So if you
3 found it you were to report it to the commander. So when they
4 used to get them they would bring them to me.

12:05:37 5 Q. What did you do with the gold and diamonds you received in
6 Koidu in 1995?

7 A. At that time Sankoh was there. Sankoh was at Zogoda in the
8 Kenema District, so I informed him through the radio that I had
9 got those items, so he instructed me to hand them over, that is
12:06:20 10 the items, to one of his bodyguards for them to be taken to him.
11 So I did so.

12 Q. Mr Witness, earlier in your testimony when discussing Camp
13 Naama and the trainers I believe you mentioned Rashid Mansaray.
14 Is that correct?

12:06:47 15 A. Yes.

16 Q. Do you know what happened to Rashid Mansaray?

17 A. Do you mean in Liberia or in Sierra Leone?

18 Q. Well, is Rashid Mansaray alive today, to your knowledge?

19 A. No, sir, he is not alive. He is deceased.

12:07:21 20 Q. Do you know how he died?

21 A. Yes.

22 Q. Can you explain it to us, please?

23 A. Rashid Mansaray, it was Issa Sesay and Sam Bockarie who
24 caused his death. They lied against him that he had connived and
12:07:57 25 that did not happen.

26 Q. So what happened to Mr Mansaray after the accusations were
27 made that he had connived?

28 A. They arrested him, the men whose names I have called, Issa
29 Sesay, Sam Bockarie, and the time I am telling you about they

1 were now in power, so they arrested Rashid and put him in jail
2 for a week and they subjected him to suffering and after some
3 time they killed him.

4 Q. Mr Witness, do you recall what year this was?

12:08:54 5 A. Yes, it was at the end of '92.

6 Q. When Rashid Mansaray was arrested and killed was anyone
7 else arrested or killed regarding the same incident?

8 A. Yes.

9 Q. Can you please explain?

12:09:20 10 A. Before Rashid Mansaray's death - that happened later. Even
11 before that people - many people had died even before Rashid's
12 death.

13 Q. Where did this take place?

14 A. That happened in Kailahun Town and in Kailahun District as
12:09:43 15 a whole.

16 Q. Are there the names of any other towns where this happened
17 besides Kailahun Town?

18 A. Yes.

19 Q. What other place?

12:09:59 20 A. That happened in Giehun.

21 Q. And tell us what happened to the people in Kailahun Town
22 and Giehun in '92?

23 A. Foday Sankoh himself had a woman that they referred to as
24 Jande. She was born in Giehun and she had a brother who used to
12:10:36 25 do our transactions in Guinea. They lied against all of those
26 people and they were killed there in Giehun. And the MP
27 commander, Kanneh, who was based in Kailahun Town, they also lied
28 against him and he was killed.

29 So there were so many other people who were killed whose

1 names I cannot recall now and so many others wounded. They did
2 not actually die, but they are going on with the injuries. Maybe
3 the thing I am explaining now, some other person will come at a
4 latter time who will explain the same and will tell you that that
12:11:33 5 was what happened.

6 Q. Well, Mr Witness, in these killings that you are talking
7 about in '92 in Kailahun Town and Giehun, the people that were
8 killed, were they all RUF fighters?

9 A. Some were real RUF fighters and some were civilians, but
12:12:05 10 because they were in areas commanded by the RUF they were killed.
11 Even myself, my friends with whom I used to go along with, two of
12 them were killed, but what saved me personally was because I was
13 with Foday Sankoh.

14 PRESIDING JUDGE: Mr Koumjian, the witness said "they also
12:12:33 15 lied against him", "they did not" - I am looking now at line 11
16 of page 84. It is not clear to me who instigated this campaign.
17 Page 48.

18 MR KOUMJIAN: Yes:

19 Q. First of all, Mr Witness, I am going to go over one of your
12:12:55 20 last answers. You mentioned Jande, a woman that - you said Foday
21 Sankoh had a woman named Jande. What happened to Jande?

22 A. Jande's name also was called with regards the connivance.
23 They said she also connived. So Issa Sesay and Sam Bockarie at
24 that time also arrested her and killed her. And she was in fact
12:13:31 25 killed in her own home, together with her brother.

26 Q. Mr Witness, you have talked about these accusations and you
27 said, "They lied against all these people". Who was making the
28 accusations that you said were lies against these people?

29 A. The way we came to understand that those people lied

1 against those who were killed, it was because they were saying
2 that those people had connections with the government troops at
3 that time and that was Momoh's time, but we later found out. And
4 even in '97 when we left and went to Freetown nobody will tell
12:14:44 5 you that, "I was an SLA and I used to go to RUF territory".
6 Nobody told us that. Nobody had source that those people who
7 were killed had ever been to Freetown in relation to connivance.
8 Some of us used to investigate the matter on the ground and we
9 never understood something like that, so we later realised that
12:15:12 10 all of those people were falsely accused and were killed.

11 Q. Mr Witness, who was making the accusations? When you said
12 "they lied", who were the people that were making the accusations
13 that caused these people to be arrested or killed?

14 A. The first place these things started was when there was a
12:15:44 15 man with whom we all trained together, they went to the front
16 line and they were attacked and he got missing in action into the
17 bush for about two days. So when he got missing in action for
18 two days he even lost his way, but he later came and when he came
19 he was arrested and they accused him to have surrendered to the
12:16:20 20 enemies, that is the government troops, and it was they who had
21 again sent him to come and observe us. He was also accused for
22 such a reason.

23 Q. Let me just try to ask my question one more time.

24 Mr Witness, do you know who it was that was saying that these
12:16:38 25 people were conniving?

26 A. Okay. Those people whose names I have called, Sam Bockarie
27 and Issa Sesay, they had the command at that time and just when
28 they said they should kill this so and so person they will kill
29 you. They would not even check what was going to happen.

1 Q. Okay, thank you. Now, Mr Witness, I am going to jump ahead
2 several --

3 MR GRIFFITHS: Before my learned friend jumps ahead, I
4 wonder if he could assist us as to page 48, line 9, before we
12:17:22 5 move on and lose the point. "And she had a brother used to do
6 our transactions in Guinea". Firstly who is "our" and what
7 transactions are we talking about here?

8 MR KOUMJIAN: Your Honour, that certainly sounds like a
9 reasonable area for cross-examination. Unless your Honours
12:17:46 10 request me to go into it now it wasn't my plan to do that.

11 PRESIDING JUDGE: I think it would help to clarify it,
12 Mr Koumjian.

13 MR KOUMJIAN: Thank you, your Honour, then I would be happy
14 to do so:

12:18:03 15 Q. Sir, you talked about Jande's brother conducting
16 transactions for you. First of all, who was he conducting
17 transactions - on behalf of who?

18 A. He was doing it for Foday Sankoh and the man who used to do
19 the transaction was called Ansu. Mr Ansu Neemahun.

12:18:31 20 Q. I'm sorry, did you say a second name? Ansu and --

21 A. His last name is Neemahun. That is in the Mende language,
22 Neemahun.

23 MR KOUMJIAN: I wonder if perhaps one of the interpreters
24 could help was the spelling or perhaps the witness:

12:18:48 25 Q. Sir, do you know how to spell the last name?

26 A. I know, but I cannot spell it. It is a Mende name.

27 PRESIDING JUDGE: Would any of the interpreters be able to
28 assist us with the spelling of that name?

29 THE INTERPRETER: Yes, your Honours.

1 PRESIDING JUDGE: I would be very grateful.

2 THE INTERPRETER: It's N-E-E-M-A-H-U-N.

3 PRESIDING JUDGE: Thank you.

4 MR KOUMJIAN:

12:19:18 5 Q. Sir, these transactions, can you tell us what was being
6 transacted by Jande's brother?

7 A. Yes.

8 Q. Please explain?

9 A. At that time all over Kailahun people were still processing
12:19:39 10 palm oil, cocoa, coffee, but it was that man who understood about
11 the business, how to sell them and do other things, so he was the
12 person that was placed as the head for that transaction. So he
13 was there, because they never wanted each - every civilian to be
14 just going and doing business for he or himself. So if you had a
12:20:06 15 bag of cocoa you will take it to Ansu and he will take it to the
16 riverside to sell it and he would bring you what you wanted and
17 he just used to buy food stuff after selling. He did not buy any
18 other thing besides those.

19 Q. Mr Witness, you have talked about a transaction for example
12:20:26 20 of cocoa, as I understand it, for food, is that right? The trade
21 was cocoa for food?

22 A. Yes, cacao, coffee and palm oil.

23 Q. Where did this cacao, coffee and palm oil come from that
24 Jande's brother traded?

12:20:53 25 A. It was in the same Kailahun District where we were based,
26 the areas that were under our control. Those things used to come
27 from all those areas.

28 Q. Well, you indicated that Jande's brother was working on
29 behalf of the RUF. Is that correct?

1 A. Yes.

2 Q. How did the RUF get cacao, coffee, palm oil to trade? Did
3 they buy it from the farmers?

4 A. No, no, they never used to buy them. There were
12:21:35 5 contributions from every town and sometimes they will get their
6 private items to buy food for themselves, but they used to
7 contribute. So it was the contribution that Ansu used to take to
8 the riverside to buy provisions for the RUF like salt, Maggi and
9 other things.

12:21:56 10 Q. Okay, thank you. Can you explain what you mean by
11 "contribution"?

12 A. Contributions in the sense that, okay, for instance in this
13 Court if they say that this Court is supposed to contribute five
14 bags of coffee or cacao to the RUF that would be your own
12:22:21 15 contribution to give to the RUF. That is what I mean.

16 Q. Mr Witness, what if I say I want to keep that coffee and
17 sell it for myself?

18 A. The people were under the RUF. They were not living there
19 on their own. So they will not be brave enough to take that
12:22:54 20 coffee or cacao all by themselves. That was the reason why they
21 were contributing them. That was why we said that Ansu Neemahun
22 should serve as the head to carry out those activities.

23 MR KOUMJIAN: Thank you. Would your Honours like any
24 further clarification on these points?

12:23:11 25 PRESIDING JUDGE: I think that is adequate, Mr Koumjian.

26 MR KOUMJIAN:

27 Q. Sir, I want to jump ahead now to the time that the - after
28 the Sierra Leonean elections when the Sierra Leone Army did the
29 AFRC coup. Do you recall that time?

1 A. Yes.

2 Q. Where were you when you first became aware of the AFRC
3 coup?

4 A. I was in Koindu in the Kailahun District.

12:23:54 5 Q. What was your assignment at that time?

6 A. I went to Koindu at that time to serve as advisor.

7 Q. Who were you advising?

8 A. They had soldiers, RUF soldiers, who were on the ground
9 there defending the place, because it borders two countries,
10 Guinea and Liberia.

11 Q. Okay, thank you. Now some time after the coup did your
12 assignment change?

13 A. Yes.

14 Q. About how long after you learned of the coup did your
15 assignment change?

16 A. Immediately after I heard that there had been a coup plot,
17 after a week my assignment was changed to Buedu. That was about
18 20 miles away and that was where I was in one month and a half
19 that I was called upon finally.

12:25:17 20 Q. Okay. So, if I understand your answer, it was - sorry.
21 About a week - do I understand correctly about a week after the
22 coup you were sent to Buedu?

23 A. Yes.

24 Q. Then did your assignment change again after you were in
25 Buedu?

26 A. Yes, sir.

27 Q. Who was it that changed your assignment?

28 A. It was Sam Bockarie who called on me to report to him.

29 Q. What did Sam Bockarie tell you when he called you to

1 report?

2 A. He told me to meet him in Kenema and I went to Kenema and I
3 met him there.

4 Q. Thank you. When you got to Kenema what did Sam Bockarie
12:26:27 5 tell you?

6 A. He said that we were going to travel to Freetown, but we
7 were in Kenema for two days before we left.

8 Q. Did you go with Sam Bockarie to Freetown?

9 A. Yes, sir.

12:26:47 10 Q. Can you tell us what route you took, what areas you passed
11 through?

12 A. Yes, sir. We passed through Tongo Field. We were in Tongo
13 Field for two days and from there we went to Kono. We were in
14 Kono for two days and after Kono we went straight to Freetown.

12:27:17 15 Q. Mr Witness, do you know why your group stopped in Tongo
16 Fields for two days and Kono for two days?

17 A. Yes, sir.

18 Q. Can you explain to us, please?

19 A. The first thing was that he wanted to talk to people in
12:27:42 20 Tongo because in Tongo by then people had mixed feeling and the
21 Kamajors and the RUF and the soldiers were all there, but he
22 wanted to talk to them for them to forget about all other things
23 and then live together as one. But we did a little bit of job
24 there before we left for Kono. That was we put people together
12:28:05 25 to do mining and from there we advanced to Kono. In Kono also we
26 did the same thing before we finally left for Freetown.

27 Q. Okay, thank you. When you got to Freetown were you given
28 an assignment?

29 A. Yes, sir.

1 Q. What was the assignment that you were given?

2 A. They made me S0-1 Logistics.

3 Q. Can you explain to us what the responsibilities are of that
4 position?

12:28:49 5 A. Yes, sir. I was responsible for the welfare of the RUF
6 soldiers to receive condiments and allowances that Johnny Paul
7 used to send for us. I was in charge of receiving all of those
8 items and I will ensure that they go to the right places.

9 Q. How would you do that, to assure that the condiments and
12:29:29 10 allowances went to the right places?

11 A. When I went and received the items I would take them to
12 Cockerill, that was our headquarters, and by then I will have
13 other officers with me. I will sit together with them and we
14 would arrange on how to distribute the condiments or the monies.

12:30:03 15 Those who were in the provinces, we used to send theirs through
16 their area commanders and those who were within the Western Area
17 and within the city, we used to distribute them to their
18 commanders also. They would come, receive the items and sign for
19 what they received. So that was how we used to operate.

12:30:32 20 Q. Can you remember any of the names of these commanders from
21 the Western Area that would come to receive the items?

22 A. Yes, one was Amara Peleto, he was residing in Benguema.
23 Number two was Rambo, he was at Lungi, and Komba was at Hastings
24 and Amara was at Grafton and so on.

12:31:09 25 Q. Any other Western Area commanders that you recall
26 distributing items to?

27 A. Yes, there were some like Mohamed Kamara. He was the
28 person that I used to give the items and monies to to distribute
29 in the provinces. And there were also some senior officers that

1 I used to give certain amounts of items to for their own boys
2 too.

3 Q. Can you name any of these senior officers that you just
4 referred to?

12:32:00 5 A. Yes, like Sam Bockarie, Issa Sesay, Morris Kallon, Mike
6 Lamin and Denis and Peter Vandi, Isaac Mongor and others.

7 Q. You mentioned Denis. Who is Denis?

8 A. I mean Superman.

9 Q. Denis is Superman?

12:32:29 10 A. Yes, yes.

11 Q. Who was Superman?

12 A. Superman was an RUF, but at first he was an NPFL, but later
13 he came over into the RUF and he was a Liberian.

14 Q. Was he in Camp Naama with you, or not?

12:32:56 15 A. No, no, he was not there. It was later that he joined us
16 in Sierra Leone.

17 Q. In order to distribute these items through the commanders
18 to the troops, did you have any records of RUF soldiers?

19 A. Yes, the records were there. For instance, in case of the
12:33:31 20 Western Area, when any commander came the amount of items that
21 they were to receive as per the manpower he had under him, he
22 will receive them and take it along and I had the book for that
23 and I also had the book that was for the provinces.

24 Q. Okay, Mr Witness, I have another question that has occurred
12:33:56 25 to me and if you do not know the answer just say so. Did you
26 have an estimate at that time, or do you recall a number as to
27 the total number of RUF soldiers during that junta time that you
28 had to distribute items to?

29 A. No, if I tell you that I would be lying.

1 Q. Thank you. During the time --

2 JUDGE SEBUTINDE: Mr Koumjian, I think I need to raise this
3 now and you may address it later, but earlier you did ask when
4 the witness was talking about the killings that happened in
12:34:46 5 Kailahun District, I think it was, he mentioned certain towns and
6 then you asked him, and I am looking at page 47 and 48, 47 the
7 very last line: Are there any other names of towns where this
8 happened besides Kailahun Town?" He said yes. "What other
9 place?" We are now on page 48. He says, "That happened in
12:35:14 10 Giehun" and the place is spelt G-I-E-H-U-N. But Giehun is not in
11 Kailahun District. There is no Giehun in Kailahun District.
12 That Giehun is in another district. You may think this is
13 important or not.

14 MR KOUMJIAN: I will check on that.

12:35:33 15 JUDGE SEBUTINDE: I think it needs to be --

16 THE WITNESS: Giehun is in Kailahun.

17 MR KOUMJIAN: Your Honour, I would point out I believe
18 there are many Giehuns which I think is a Mende word meaning
19 hill.

12:35:45 20 THE WITNESS: It is there in Kailahun. There are different
21 different Giehuns in the - even in the Kailahun District. I have
22 been there, I have settled there for a while. From Pendembu to
23 Kailahun, in between Pendembu and Kailahun there is a town there
24 called Giehun and if you ask anybody who comes from Kailahun
12:36:11 25 District in Sierra Leone he will tell you that that is the truth.

26 MR KOUMJIAN:

27 Q. Sir, do you know what language that comes from that word,
28 Giehun?

29 A. Yes, the town is located on top of a hill called Giehun.

1 Q. Well, I am not sure you are answering my question. My
2 question is what language is that? Is that Krio or some other
3 language, do you know?

12:36:49 4 A. No, Gi ehun is Mende. It is in the Mende language. You can
5 even ask any Mende man who is around. He will tell you that that
6 is the truth.

7 Q. What does it mean in Mende? Does it have a meaning?

8 A. Yes, any place that a Mende man gives a specific name to
9 mean - has a meaning and that particular one means something on
12:37:12 10 top of a hill.

11 JUDGE SEBUTINDE: Thank you, Mr Witness, for that
12 clarification. I think you can proceed, Mr Koumjian.

13 MR KOUMJIAN: Thank you. And your Honour, just for future
14 reference, for those looking on S7 there is in Kailahun District
12:37:33 15 just above - I direct anyone looking to look just above the word
16 "Kailahun" which is written in green. There is another name
17 written in red. Thank you. Thank you, your Honour, for pointing
18 that out. I see the ambiguity and the confusion it could have
19 caused. Thank you:

12:37:57 20 Q. Sir, going back to your time in Freetown, did you ever
21 during that assignment leave Freetown during the junta time?

22 A. Yes.

23 Q. Where did you go?

24 A. I went to Kenema. I did not just go there. It was
12:38:25 25 Sam Bockarie who called me to go and meet him, because I was
26 short of certain items like diesel and petrol, so that was what I
27 took to Kenema, but when I went to Kenema I asked permission of
28 him that I wanted to go to Tongo and I went to Tongo.

29 Q. Okay. So, sorry --

1 THE INTERPRETER: Your Honours, correction interpreter.

2 Instead of the witness being short of, it was Sam Bockarie who
3 was short of certain items, diesel and petrol.

4 MR KOUMJIAN: Okay:

12:39:07 5 Q. So, Mr Witness, where did you obtain the diesel and petrol
6 that you took to Kenema?

7 A. I took them to Sam Bockarie. He asked me to take them to
8 him.

9 Q. Where did you get them from?

12:39:27 10 A. Okay, those supplies that Johnny Paul used to give to us,
11 that was just one of them, because he used to give all of those
12 things to us.

13 Q. Thank you. Do you recall what month it was that you went
14 to Kenema and if not please just say so?

12:39:51 15 A. I can't recall the particular month now, but I know that I
16 went there, but I can't recall the month.

17 Q. Do you recall if it was rainy season or dry season?

18 A. It was not in the rains, because when I went there by then
19 it was not raining and it did not rain even when I was there.

12:40:19 20 Q. You said that you told - that you wanted to visit Tongo.
21 Why was that? Why did you want to visit Tongo?

22 A. My visit to Tongo was because I had some of my boys there
23 who were with me and being that I had now settled in Freetown,
24 they were based in Tongo, so I decided to go there and visit
12:40:51 25 them.

26 Q. How long did you stay in Tongo?

27 A. I reached there and I stopped there for a day and night and
28 the following day I left. I went to Kenema.

29 Q. After returning to Kenema where did you go?

1 A. I went back to my assignment area, Freetown.

2 Q. So this trip to Tongo, was it to the city, or were you in
3 the Tongo Fields or what part of the area did you visit?

12:41:46

4 A. Tongo is not something like a city. I don't know the name
5 of the area where I was in Tongo, but it was in the centre of the
6 town, Tongo, very close to the mosque.

7 Q. On these trips that you have mentioned now to Tongo, you
8 said once on the way to Freetown with Bockarie and now this time
9 on your trip to Kenema, did you see any mining going on?

12:42:09

10 A. Yes, sir.

11 Q. Can you describe what you saw?

12:42:40

12 A. Yes. When I got to Tongo, when I entered Tongo - you know,
13 by then, the way Tongo was like, commanders who were on the
14 ground there used to capture civilians and take them to mine for
15 them. That was what they used to do. They were just mining.

16 They were not doing any other thing. In the morning they will
17 capture civilians and ask them to go with them to go and work for
18 them and the following day - morning again they will do the same
19 thing. That was what used to happen all throughout when I was
20 there up to the time I left.

12:43:03

21 Q. Okay. Mr Witness, do you know anybody by the name of
22 Jungle?

23 A. Yes.

12:43:20

24 Q. And the person you know who is or was called Jungle, who
25 was he or her?

26 A. Jungle was Charles Taylor's bodyguard and he was a friend
27 of the RUF.

28 Q. Where did you first meet Jungle?

29 A. The first time I met Jungle was in Foya in Liberia.

1 Q. Did you later see him in Sierra Leone?

2 A. Yes.

3 Q. Can you tell us the circumstances that you recall of when
4 you would see Jungle in Sierra Leone?

12:44:17 5 A. At first when Jungle and others were in Foya, the enemies
6 at a point in time pushed them towards the border, towards the
7 Sierra Leone border. And at that time we who were in the RUF,
8 also we had been pushed by the enemies towards the Liberian
9 border. So we were trapped in the same bush, in the same jungle.

12:44:48 10 Q. Can you help us at all by telling us about what year this
11 was, if you recall?

12 A. Yes.

13 Q. What year do you think it was?

14 A. It happened towards the end of '93 going to '94.

12:45:14 15 Q. When you say Jungle was pushed by the enemies towards the
16 border, which enemies were pushing Jungle towards the border?

17 A. The ULIMO. Alhaji Kromah's ULIMO had pushed them towards
18 the Sierra Leone border and for us also, the Sierra Leone
19 government troops pushed us towards the Liberian border, so that
12:45:43 20 was where we met.

21 MR GRIFFITHS: Your Honour, I note the evidence given by
22 the witness to be to this effect: That his first meeting with
23 Jungle was in Foya in Liberia. There then follows the further
24 question, "Did you later see him in Sierra Leone?" Now he then
12:46:02 25 goes on to describe a push involving forces he now describes as
26 ULIMO and that that occurred towards the end of '93 to '94.

27 Question: What's the timing of the initial meeting in
28 Foya? Is that '93/'94, or does that solely relate to the later
29 meeting in Sierra Leone? I confess that I'm not clear as to what

1 that passage of evidence means.

2 PRESIDING JUDGE: Actually I am not entirely clear if he
3 met - he said, "I first met him in Foya" and then he later says
4 he and others were in Foya, so it could be quite two different
12:46:44 5 time frames, Mr Koumjian, if we could clarify, please.

6 MR KOUMJIAN: Yes, of course:

7 Q. Mr Witness, when you say you first met Jungle in Foya in
8 Liberia and then you described the various forces, ULIMO pushing
9 Liberians to the Sierra Leone border and the SLA - the Sierra
12:47:06 10 Leone government pushing the RUF to the same border. When you
11 first saw Jungle was that before this action where ULIMO pushed
12 them to the border, or are you talking about the same event? Can
13 you explain?

14 A. No, I saw Jungle. At that time they had not been pushed by
12:47:28 15 the enemy. At that time I and Foday Sankoh were travelling from
16 Sierra Leone, going to Liberia and returning. At that time I and
17 Jungle saw each other in Foya even before the enemy pushed them.
18 The second one was when the enemy pushed them to us when we met.

19 PRESIDING JUDGE: So it would appear to be two different
12:47:51 20 times.

21 MR KOUMJIAN: Yes.

22 PRESIDING JUDGE: And it would follow if one was '93/'94,
23 when was the first one?

24 MR KOUMJIAN: Okay:

12:47:59 25 Q. You say the first time you saw Jungle in Foya you were with
26 Foday Sankoh. Do you recall what year that was?

27 A. Yes.

28 Q. What year do you think that was?

29 A. '92. At that time the road had not been blockaded. We

1 used to go and return.

12:48:38 2 Q. Okay, thank you for clarifying that. The second time then
3 that you met Jungle after being pushed to the border, what
4 happened with Jungle? What happened to him over the next few
5 years, if you know?

12:49:08 6 A. The next few years when Jungle and others came to us they
7 crossed over. He crossed over from Guinea, because Guinea - in
8 Guinea you can speak the same language that they used to speak in
9 Liberia, that is Kissi, so he crossed from Guinea and went to
10 Liberia.

11 Q. Well, you began your answer, "The next few years when
12 Jungle and others came to us they crossed over". How long - are
13 you saying that Jungle was with you in Sierra Leone, or were you
14 with Jungle in Liberia?

12:49:30 15 A. When Jungle crossed over to us in our own zone we were all
16 there together, but we finally left that bush and came to town.
17 That was in '94, the end of '94, when we pushed the enemy from
18 Koindu, Kailahun, so the place came free for us so we were in
19 town. Jungle crossed to Guinea - from Guinea and went to
12:49:54 20 Monrovia, let me say Gbarnga.

21 Q. Okay, thank you. Now you have said that Jungle was a
22 bodyguard of Charles Taylor. How do you know that?

12:50:23 23 A. At the time that I knew that he was his bodyguard, even
24 though he was first a soldier, but later I knew that he was his
25 bodyguard, Charles Taylor had a special unit. It was in that
26 unit that Jungle was and at any time that he came to us he was
27 wearing that unit's clothes and it was only Charles Taylor that
28 was entitled to that unit.

29 Q. And do you recall the name of that unit?

1 A. Yes, SSU.

2 Q. Can you describe the uniform that you mentioned?

3 A. Yes, the uniform was an overall, but at the back of it it
4 was written "SSU".

12:51:09 5 Q. What colour was it?

6 A. It was black in colour.

7 JUDGE SEBUTINDE: Mr Koumjian, what does the witness mean
8 when he says it was only Charles Taylor that was entitled to that
9 unit? Entitled in what way?

12:51:27 10 MR KOUJIAN:

11 Q. Mr Witness, did you hear the question? I can repeat it.

12 A. Yes, it was a special - they were special bodyguards to
13 him, Charles Taylor. Nobody else. Special Security Unit.

14 Q. Did you yourself ever speak to Jungle?

12:51:52 15 A. Yes.

16 Q. Once, or more than once?

17 A. More than once. Jungle had become friendly to all of us.
18 We, the officers, we were friendly with him.

19 Q. Did Jungle ever explain to you or mention what his job was?

12:52:19 20 A. Even if Jungle did not explain to me personally about his
21 job title, I myself knew from what I saw him do, so I can tell
22 anybody that that was what he used to do.

23 Q. You have mentioned now seeing Jungle in Foya in Liberia and
24 then in the border area in late - after the various forces were
12:52:49 25 pushed by ULIMO and the Sierra Leone government to the border.
26 Did you ever see him after that?

27 A. Yes, that was the time that ECOMOG was deployed in Lofa
28 district, so the road was open. The ULIMO were there, but the
29 road was open. People would leave from Sierra Leone and go to

1 Gbarnga and return. The road was open at that time.

2 Q. Do you recall about what year that was?

3 A. That was the time that the ULIMO soldiers had disarmed the
4 soldiers, but I have forgotten the year.

12:53:38 5 Q. Was this before or after the AFRC coup?

6 A. It was before.

7 Q. Where did you see Jungle then after the road was open?

8 A. When the road was opened I saw Jungle in Liberia and I saw
9 him again in Sierra Leone in Buedu.

12:54:09 10 Q. Do you know what he was doing in Buedu?

11 A. Yes.

12 Q. What was he doing?

13 A. When the road had been opened Sam Bockarie used to leave
14 Sierra Leone to go to Liberia and return. So at one time I saw

12:54:31 15 Jungle. He came there in a truck, but what was in the truck -
16 because at that time I was in Buedu - the truck contained
17 ammunition.

18 Q. So you have indicated that - perhaps you could explain your
19 answer. I understand you to say that sometimes after the road
12:54:55 20 was open Sam Bockarie used to leave Sierra Leone to go to Liberia
21 and return and one time you saw Jungle, he came there in a truck.
22 Where was this truck going? Well, first of all, where were you
23 when you saw this truck?

12:55:22 24 A. I was in Buedu when the truck came from Liberia. At first
25 when the truck came there was a bypass road that the truck used
26 and it got --

27 THE INTERPRETER: Your Honours, can the witness kindly
28 repeat that portion slowly?

29 PRESIDING JUDGE: Mr Witness, the interpreter has missed

1 part of your answer. You are going a bit quickly. Would you
2 please continue from when you said, "When the truck came there
3 was a bypass road that the truck used". Continue from there,
4 please.

12:55:50 5 THE WITNESS: Okay. There was a bypass road, because the
6 main road to enter Buedu is from Koindu, but there is a bypass
7 road from Foya Tinkia - from Foya Tinkia you come straight to
8 Buedu, but the road was not motorable [sic], it was muddy, and so
9 the truck got stuck there. We were the ones who went there and
12:56:22 10 brought the truck out and it came to town.

11 Q. You said the truck contained ammunition. How do you know
12 that?

13 A. Where the truck had got stuck, that was the first place
14 that I knew, because when I went I was an officer, nobody could
12:56:45 15 stop me from seeing what was inside. I went up and I saw what
16 was inside. So after we had hauled the truck and brought it out
17 to town, where it was off-loaded I was there too when they
18 off-loaded the items, but I was not there when they completed the
19 off-loading. Then I went home.

12:57:11 20 Q. You have told us that this happened, the road was opened,
21 before the AFRC coup. Did you ever see Jungie during the junta
22 time?

23 A. Yes.

24 Q. Where did you see him?

12:57:30 25 A. I saw him in Freetown.

26 Q. And can you tell us anything about the circumstances?

27 A. Yes. I was in Freetown when Jungie went and met Issa
28 Sesay, but in the morning when I came to greet Issa Sesay I met
29 him there, then I greeted him. So he was there with us for a

1 week and at that time Sam Bockarie had transferred to Kenema.

2 Then he said he was going to Sam Bockarie because he was his best
3 friend. Then he went there. He left us in Freetown.

12:58:38

4 Q. Okay, when you say that he was going to Sam Bockarie
5 because he was his best friend, who was whose best friend?

6 A. Yes, Jungle's best friend was Sam Bockarie more than
7 anybody else in the RUF.

8 Q. Do you know what language/languages Jungle spoke?

9 A. Yes.

12:59:05

10 Q. Tell us, please.

11 A. Jungle used to speak Kissi and Sam Bockarie too was Kissi,
12 so both of them were brothers.

13 Q. Mr Witness, can you tell us what happened to your
14 assignment as the S0-1? How long did that continue until?

12:59:41

15 A. From the time I went and I was given that assignment I
16 stayed there until the time we were dislodged from Freetown. I
17 was not replaced.

18 Q. And when you say the time you were dislodged from Freetown,
19 can you make it clear what you are talking about?

13:00:00

20 A. When ECOMOG attacked us in Freetown, that's what I mean.

21 Q. Do you recall what year that was?

22 A. Yes.

23 Q. What year do you recall?

24 A. At the end of '97 going to '98.

13:00:28

25 Q. Can you describe what happened when, as you say, ECOMOG
26 attacked you in Freetown and you were dislodged? Tell us what it
27 was like.

28 A. The ECOMOG, because they were based in Jui, Hastings and
29 Lungi, that was where they were, so they attacked the town from

1 Jui, Hastings and they started pushing us towards the sea. Then
2 Johnny Paul and the other officers decided that we should retreat
3 from the town, so we retreated and went through Tombo. From
4 Tombo we crossed over to Mile 38 to Masiaka. That was how we
13:01:32 5 retreated.

6 Q. When this attack from ECOMOG happened and you said you
7 retreated, first of all can you make it clear who retreated from
8 Freetown? Which forces?

9 A. The RUF, SLA, ULIMO, we, all of us, retreated and left.

13:01:54 10 Those of us who were together. Even some SLAs left, some ULIMOs
11 left, but those of us who were together we were united and those
12 of us who were united retreated.

13 Q. Now in referring to this retreat you have used the word
14 "ULIMO". At this time when you are using the word ULIMO can you
13:02:15 15 explain what you mean?

16 A. I mean the STF. At that time they used to call them the
17 STF.

18 Q. Who were these people, these STF?

19 A. They were fighters who had fought for Roosevelt Johnson and
13:02:44 20 Alhaji Kromah. So the remaining people, even the Liberian
21 soldiers who had come to Sierra Leone, they came together and
22 they joined with the government troops of Sierra Leone. They
23 were the ones who were referred to as the STF.

24 Q. Mr Witness, so that our record is clear, when you're
13:03:05 25 referring to this particular force can you call them STF in the
26 future so we are sure what you're talking about, okay?

27 A. Okay.

28 Q. What effect did this - excuse me. May I continue?

29 PRESIDING JUDGE: Is there something we've missed there,

1 Mr Griffiths, is there?

2 MR GRIFFITHS: I just found the instruction to the witness
3 as to how he should refer to a clearly named organisation
4 somewhat curious.

13:03:46 5 PRESIDING JUDGE: Please continue, Mr Koumjian.

6 MR KOUMJIAN: I presume your Honours do not wish me to
7 reply?

8 PRESIDING JUDGE: No.

9 MR KOUMJIAN: Thank you.

13:03:57 10 Q. Sir, can you describe what happened militarily when this
11 ECOMOG attack happened and your forces were forced to withdraw
12 from Freetown?

13 A. The reason that happened was because Johnny Paul, who was
14 the chairman who called upon the RUF, his men, his soldiers who
13:04:37 15 were with him, they hadn't respect or regard for the RUF. Like
16 our colonels or majors, they used to call them bush colonels or
17 bush majors. Secondly, they used to incite Johnny Paul not to
18 give RUF ammunition - arms and ammunition. They said the RUF
19 would overthrow their government. So these were the major
13:05:22 20 problems that caused ECOMOG - that caused that when ECOMOG
21 attacked the RUF did not repel them. Instead they withdrew.

22 Q. Now, Mr Witness, you said that both RUF and the - I believe
23 you used the word SLAs and you said Johnny Paul Koroma withdrew.
24 Was the Sierra Leone Army that was with you, the AFRC, were they
13:05:53 25 able to withdraw all of their weapons from Freetown?

26 A. No, they left some in the town. Then when we retreated,
27 the remaining ones that they had in Tombo, they threw them into
28 the sea.

29 Q. Did the relationship then between the AFRC and the RUF that

1 you described just a moment ago change at all once you had all
2 left Freetown?

3 A. Yes.

4 Q. Can you explain that to the judges?

13:06:44 5 A. When we were retreating we arrived at Makeni. Some of them
6 became afraid and they went to Kabala to be based there because
7 they were afraid to go with the RUF into the bush, or to go to
8 Kono.

9 Q. My question is you indicated that during the time in
13:07:15 10 Freetown the SLAs, you said Johnny Paul and his men, they didn't
11 have much respect for the RUF in your view and called them bush
12 colonels or bush majors. Did the situation change at all when
13 you were pushed out of Freetown?

14 A. The situation carried on and that was what caused ECOMOG to
13:07:48 15 push us out of the town and that was why RUF did not repel,
16 because of that provocation. It did not change until we went
17 into the bush.

18 Q. That's what I'm asking you. When you went into the bush,
19 as you describe it, what changed?

13:08:08 20 A. Yes, conditions changes. When we were in the bush the
21 power that they had, they never had. It was the RUF that was now
22 in command. It was the RUF that was passing commands to them.

23 Q. You've talked about the route that you took to retreat from
24 Freetown and perhaps you could just repeat that quickly. You
13:08:41 25 yourself, can you describe how you left Freetown?

26 A. I left Freetown together with my family in a vehicle and a
27 group of RUF, SLA and STF. We went to Tombo. We hired a boat in
28 which we placed our belongings and they crossed us over to Fogbo,
29 a village called Fogbo. From there Mike Lamin and Rambo, they

1 came with a vehicle to pick me up at Fogbo, so I placed my items
2 in the vehicle together with my family and we went to Masiaka.
3 That was where we met Issa.

4 Q. After you went to Masiaka, where did you go next?

13:10:03 5 A. When I got to Masiaka the first thing that I did was that I
6 tried to transport my people to Makeni because I had government
7 property. So when I requested for the vehicle they gave it to
8 me, so I went to Makeni. That was where I first went and I
9 returned to Masiaka for the remaining things.

13:10:34 10 Q. When you got to Makeni, can you describe what you saw going
11 on?

12 A. When I first entered Makeni, that was - there was a place
13 they called MP. That's the centre of the town. That was where I
14 met the RUF, the SLA, the STF soldiers who had been assigned to
13:11:07 15 the town before we got there. They had already received
16 information that we were not in command in Freetown, so they
17 started looting in the town. As we were getting there we met
18 them shouting in the streets shouting operation - they were
19 looting shops everywhere, so we joined in the looting.

13:11:48 20 Q. Mr Witness, we understood you to say in the last sentence,
21 "As we were getting there we met them shouting in the streets,
22 shouting operation". Can you explain what you mean, "Shouting
23 operation"? What were they saying?

24 A. Operation Pay Yourself.

13:12:12 25 Q. What was being taken during this looting in Makeni that you
26 saw?

27 A. Whatever you came across that could be moved that you are
28 able to take, you can take it. The one that you did not like, or
29 that cannot be moved, you leave it there.

1 Q. What kinds of things were taken by the soldiers, the RUF,
2 the SLAs, the STF?

3 A. We took material things like food, clothing, vehicles, you
4 know. All those items were taken. We took them.

13:13:07 5 Q. How were the items that were stolen transported?

6 A. Through - by using vehicles, because there were many
7 vehicles. Everybody had his.

8 Q. Was there any other means used to take items?

9 PRESIDING JUDGE: Just pause, please, Mr Koumjian, because
13:13:28 10 it would appear the LiveNote has hung. Just let me clarify
11 what's happening, please.

12 MS IRURA: Your Honour, the serial LiveNote appears to be
13 working. I will confirm what has happened with the other
14 LiveNote.

13:13:45 15 PRESIDING JUDGE: Please continue. It seems to be being
16 recorded.

17 MR KOUMJIAN:

18 Q. You have mentioned looted items were taken by vehicle.
19 Were any looted items transported in any other way?

13:14:04 20 A. Yes.

21 Q. Can you explain?

22 A. From Masiaka when it was not everybody that was able to
23 take a vehicle, some people used to walk, so they carried their
24 own luggage on their heads. So when we got to Makeni there were
13:14:30 25 many vehicles, because from Makeni to Kono the distance is long,
26 so you couldn't walk. So if you did not have a vehicle your
27 brother would have, so if you had your own luggage you would take
28 it to your brother's vehicle.

29 Q. What happened with the civilians that were in Makeni?

- 1 A. The civilians who were in Makeni, some of them ran away
2 because of the - some of them could not withstand the actions.
3 We were taking some of their properties, so some of them were
4 running away to the surrounding villages. The only thing was
13:15:14 5 that because it was looting it was not fighting. There was no
6 killing. I did not see somebody being killed. It was just
7 looting.
- 8 Q. Were all of the civilians allowed to leave or to remain in
9 their homes?
- 13:15:35 10 A. No, where we were going, that's not forcefully. Whoever
11 wanted to go with us would go. If you don't want to you would go
12 into the bush or into surrounding villages or you go into your
13 house and close the door and stay there.
- 14 Q. From Makeni where did you go?
- 13:15:58 15 A. We went to Kono.
- 16 Q. Who did you go to Kono with? Which commanders, if any?
- 17 A. I went with a lot of commanders to Kono initially. One was
18 Johnny Paul Koroma, Issa Sesay, Isaac Mongor, Mike Lamin. The
19 commanders were many.
- 13:16:46 20 Q. Did you enter Kono directly - Koidu Town, excuse me?
- 21 A. At first, no, it was in Kokuima that we stopped and the
22 Kamajors attacked us.
- 23 Q. What happened when the Kamajors attacked you in Kokuima?
- 24 A. We --
- 13:17:16 25 MS IRURA: Your Honours, I am broadcasting the LiveNote if
26 the users would please press PC1.
- 27 PRESIDING JUDGE: Thank you. Has counsel got LiveNote?
- 28 MR GRIFFITHS: Yes, we have, thank you, your Honour.
- 29 PRESIDING JUDGE: Does counsel for the Prosecution?

1 MR KOUMJIAN: It was disconnected and I am trying to
2 reconnect.

3 PRESIDING JUDGE: We will just wait for that to be
4 reconnected, Mr Koumjian.

13:18:22 5 MR KOUMJIAN: Thank you:

6 Q. So the question I asked you and we didn't get a chance to
7 get your answer is what happened when the Kamajors attacked you
8 in Kokui ma?

9 A. That was where we met them. They were staying there. They
10 were in control of Kono. So when we wanted to enter they
11 attacked us.

12 Q. Thank you. Were you able eventually to enter Koidu Town in
13 Kono?

14 A. Yes, but it was later. We retreated to Bumpe. That was
13:19:04 15 where we organised ourselves.

16 Q. When you say you organised yourselves, how was that done?

17 A. Organised, I mean we were mixed when we went, soldiers,
18 civilians, women, vehicles, all of these were among the group, so
19 if you said you were going to fight you wouldn't be able - you
13:19:35 20 wouldn't be able to conquer them and so we pushed all of those
21 things at the back and we, the soldiers, came to the road to come
22 to them.

23 Q. And were you able then to take Koidu Town in Kono?

24 A. Yes, we mounted an ambush in front of them and when they
13:19:57 25 came they fell into that ambush. Superman and Rambo mounted an
26 ambush. They took us along and they mounted an ambush. When
27 they fell into that ambush then we chased them. We chased them
28 until all of us entered the town.

29 Q. How long did you hold Koidu Town after capturing it on that

1 occasion, approximately?

2 A. We took long - a little. As for me, I was there for two
3 weeks when I was called upon, but I left the other people there
4 and I went to Kailahun.

13:20:45 5 Q. Mr Witness, were you ever aware of any incident involving a
6 bank in Koidu Town?

7 A. Yes.

8 Q. When did this incident happen?

9 A. Earlier, as soon as we entered Koidu Town. That was the
13:21:14 10 first mission that the STF ran with the SLAs.

11 Q. Can you tell us, explain to us, what happened?

12 A. It was at night-time that the SLAs and the STF put
13 themselves together, because some of them were with Superman as
14 bodyguards. They went and broke into that bank at night. So
13:21:42 15 that information reached Superman, because some of them were with
16 Superman, so some of them gave the information to Superman that
17 some people had broken into that bank and had taken a lot of
18 money. Then Superman passed an order to Ray and others to raid
19 them from house to house. Some of them who were captured, some
13:22:10 20 of them had information - heard the information. They ran away
21 to Guinea. The remaining ones who were captured, they took the
22 money from them.

23 Q. Mr Witness, I am going to go over this with you again. If
24 you could please try not to use the word "them". If you can
13:22:29 25 describe the persons in another way that would be helpful to us.

26 A. Okay, okay.

27 Q. First of all do you recall the name of this bank, or no?

28 A. No, I do not know the bank's name, but it was close to the
29 cotton tree near the bridge. That was where the bank was, but I

1 do not know its name.

2 Q. Is that inside Koidu Town or outside Koidu Town?

3 A. In the centre of Koidu Town.

4 Q. Now you said the bank was broken into at night --

13:23:11 5 A. Yes.

6 Q. -- and that the information reached Superman?

7 A. Yes.

8 Q. You said some of them gave the information to Superman. Do
9 you know who gave - who do you mean when you say, "They gave the

13:23:24 10 information to Superman"?

11 A. Superman's bodyguards who were with him, some of them -
12 because Superman liked anybody who fought, so SLAs, STF were with
13 him. He had a mixed group. They were his securities, so they
14 told him that this was what had happened so that they wouldn't

13:23:49 15 give him a bad name.

16 MS IRURA: Your Honours, Defence counsel has kindly pointed
17 out that LiveNote is now working again.

18 PRESIDING JUDGE: Thank you. Please continue, Mr Koumjian.

19 MR KOUMJIAN: Thank you:

13:24:39 20 Q. Mr Witness, what did Superman do after receiving
21 information about the break in at the bank?

22 A. He passed an order. He passed an order to Peleto to raid,
23 to arrest those whose names had - those who had been named and to
24 search from house to house and wherever they found that money to
13:25:04 25 take it from there.

26 Q. The person you have called Peleto, do you know him by any
27 other name?

28 A. Yes.

29 Q. What is the other name?

1 A. Amara Salia.

2 Q. Who was Peleto, Amara Salia?

3 A. Amara Salia was Issa's bodyguard.

4 Q. What kind of a bodyguard or soldier was he?

13:25:48 5 A. He was an RUF soldier, but he was a bodyguard who was first
6 with Issa, but later they used to send him to the front lines.
7 He used to take commands there.

8 Q. Did he have any reputation as far as his work as a
9 bodyguard or front line soldier?

13:26:19 10 A. Yes, Peleto, what made them to like him was because he
11 executed orders quickly. As soon as you say "do this" he did not
12 waste time, he did it immediately.

13 Q. Was Peleto an educated person?

14 A. No, he cannot even write his name.

13:26:52 15 Q. When Superman gave the order to Peleto, what happened?
16 What did Peleto do?

17 A. As soon as he gave him that order - you know, Peleto is
18 someone when you say, "Go and do this" he goes there immediately.
19 As soon as they said he should go and arrest the people whom they
13:27:25 20 had said had taken that money he went and arrested them and
21 started searching the houses and he recovered a lot of money and
22 brought the money.

23 Q. What happened to those who had taken the money that Peleto
24 searched?

13:27:49 25 A. They beat them up. They were disciplined militarily.

26 Q. Now, sir, earlier you indicated that some of them went to
27 Guinea when you were talking about those breaking into the bank.
28 Can you explain that?

29 A. Yes, those who went to Guinea were never seen. Nobody

1 could discipline them, because they were not seen. Those who
2 were arrested, unfortunately they bore the punishment.

3 Q. Mr Witness, do you know what happened to the money that
4 Peleto recovered?

13:28:30 5 A. Yes, the money was handed over to Superman. Then he sent a
6 message to Sam Bockarie.

7 Q. And then what happened?

8 A. Then Sam Bockarie told him to give me that money for me to
9 take it along.

13:28:50 10 PRESIDING JUDGE: I note the time, Mr Koumjian, if this is
11 a convenient time.

12 MR KOUMJIAN: Yes, thank you.

13 PRESIDING JUDGE: Thank you. Mr Witness, this is the time
14 we normally adjourn for the lunchtime break. We adjourn for one
13:29:03 15 hour. We will be resuming court at 2.30. Please adjourn court
16 until 2.30.

17 [Lunch break taken at 1.30 p.m.]

18 [Upon resuming at 2.30 p.m.]

19 PRESIDING JUDGE: Please proceed, Mr Koumjian, when you're
14:29:35 20 ready.

21 MR KOUMJIAN: Thank you:

22 Q. Mr Witness, when we finished before the lunch break you had
23 told us that the money from the bank that was recovered by Peleto
24 was handed over to Superman who sent a message to Sam Bockarie
14:29:47 25 and then you said that "Superman told him to give me that money
26 for me to take it along." Who did Superman give that message to
27 to give you the money?

28 A. The money was with Superman. It was Sam Bockarie who sent
29 a message to Superman to hand the money over to me so that I can

1 take it to him. That is Sam Bockarie.

2 Q. So you could take the money, you said, to him. Can you
3 explain who do you mean by "him"?

4 A. To him, Sam Bockarie.

14:30:30 5 Q. Okay, thank you. Can I just remind you, I know it's not
6 natural, but if you can try not to use "he" or "they" and use the
7 names it will make the record very clear. Mr Witness, did
8 Superman give you money that he said came from the bank?

9 A. Yes, sir.

14:30:55 10 Q. Do you recall the currency that the money was in?

11 A. Yes, sir. It was Sierra Leone money, Leones.

12 Q. Do you recall approximately how much money Superman gave
13 you on that occasion?

14 A. Yes, sir.

14:31:22 15 Q. How much do you recall now it being approximately?

16 A. 56 million.

17 Q. 56 million Sierra Leone currency, Leones?

18 A. Yes, sir. Yes, sir.

19 Q. Mr Witness, how was the money given to you? Was it in any
14:31:46 20 kind of container, or how was it handed to you?

21 A. The money was with him in his room. It was in a bag, in a
22 travelling bag.

23 Q. What did you do with the money?

24 A. It was Sam Bockarie who ordered me to take the money to
14:32:15 25 Kailahun, so I took the money. I took the money to him in
26 Kailahun, that is Sam Bockarie.

27 Q. What did you carry the money in, if anything?

28 A. Yes, the money was in the bag. I said the money was in the
29 bag.

1 Q. In addition, Mr Witness, to this money from the bank, did
2 you bring any other money with you to Sam Bockarie?

3 A. Yes.

4 Q. Do you recall about how much that money was?

14:32:59 5 A. Yes.

6 Q. Can you tell us, please?

7 A. Before we retreated from Freetown when ECOMOG pushed us out
8 I had money with me, up to 200 million, and then when we went to
9 Kono we added that to the money taken from the bank and it went
10 up to 256 and a piece of diamond that was equivalent to 12
11 garats.

14:33:27

12 Q. Mr Witness, before we come to the diamond, this 200 million
13 what currency is it in, or was it in?

14 A. It was also in leones.

14:33:52

15 Q. Where did you get the 200 million leones?

16 A. Earlier I had told you that I was the SO in logistics and
17 those were the monies that Johnny Paul issued to the RUF, so that
18 was the money that was with me.

19 Q. So do I understand correctly that you received the money
20 directly from Johnny Paul Koroma?

14:34:26

21 A. Not directly from Koroma. Koroma had his own
22 administrative set-up. They would go and collect the money and
23 then hand it over to me.

24 Q. So who actually gave you the money, sir, if you recall?

14:35:00

25 A. Within their own administration there was somebody called
26 Colonel Koroma. That was the name I knew him by. He was the
27 person I used to go to. He was living in Murray Town. He used
28 to give me the money.

29 Q. When you took the 256 million leones to Sam Bockarie, where

1 was Sam Bockarie?

2 A. At that time Sam Bockarie was in Kailahun District in Buedu
3 Town.

14:35:43

4 Q. Now, Mr Witness, you mentioned earlier, or you began to
5 mention, a diamond that you said you took along with you. Can
6 you tell us where did you get this particular diamond?

7 A. Yes, I got it in Kono from Michael Coomber. He was the
8 standby commander. He put civilians together and they went to --

14:36:26

9 THE INTERPRETER: Your Honours, the name of the barracks is
10 not clear to the interpreter.

11 PRESIDING JUDGE: Please pause, Mr Witness. The
12 interpreter did not hear the name of the barracks clearly.
13 Please repeat it.

14 THE WITNESS: D-0 barracks.

14:36:43

15 MR KOUMJIAN:

16 Q. Okay. Mr Witness, you explained when I asked you about the
17 diamond that you got it from Michael Coomber, who was the standby
18 commander. Was he part of any force, Michael Coomber?

19 A. Yes, he was an RUF. An RUF fighter.

14:37:03

20 Q. And then you said "He put civilians together" and then we
21 didn't quite understand when you said something about the
22 barracks. Can you then repeat your answer and explain how you
23 got this diamond from Michael Coomber?

14:37:31

24 A. Yes, when we reached Kono initially at that time we were
25 not well organised. Michael Coomber too was a senior officer and
26 the captured civilians who were within the town he put them
27 together. They knew about the mining work, so they went to D0
28 barracks and they got this diamond. So that was the diamond that
29 he reported and he told us that they have got the diamond, so he

1 said they were going to hand the diamond over to me. It was
2 Superman who received the diamond and handed it over to me and he
3 was given instruction by Sam Bockarie for me to take the diamond
4 to him.

14:38:16 5 Q. When you got to Buedu with the leones, the 256 million, and
6 the diamond, what happened?

7 A. At first I met Issa Sesay in Kailahun Town and I told him
8 that I have so and so item that I have arrived with, but I did
9 not hand them over to him because I did not get instruction from
14:38:49 10 that - to that effect. So from there I proceeded to Buedu and it
11 was at Buedu that I handed them over to Sam Bockarie.

12 Q. Mr Witness, do you know what Sam Bockarie did with either
13 the money or the diamond?

14 A. Yes.

14:39:13 15 Q. Can you tell us what you know?

16 A. At first the money, part of the money, when we had
17 retreated initially we did not have the upper hand and it was
18 from that money that he took 25 millions. I, together with him,
19 we went to Foya in Liberia and the police commander who was based
14:39:49 20 in Foya --

21 Q. Mr Witness, let me just stop you and ask you again to try
22 to avoid "he" and use the name. You said that, "He took 25
23 million", and, "I, together with him, went to Foya." Who did you
24 go to Foya with?

14:40:12 25 A. Sam Bockarie and I went to Foya and we met the police
26 commander there who was called Ma Mary, so it was Ma Mary who
27 took us to the Guinea border to change that money to francs
28 because by then the Sierra Leonean currency was not value.

29 Q. Thank you. Mr Witness, I'm going to stop you here for a

1 moment to clarify some things. First the police commander that
2 you're talking about in Foya, was that a man or a woman?

3 A. Ma Mary. Mary is a woman.

4 Q. And the first word that you're using is "Ma"? What is the
14:41:11 5 first word that you're using for the name? Is that a name, or
6 what does it mean?

7 A. When they say "Ma Mary" they used to call her Ma Mary and
8 that means a woman, meaning Mother Mary.

9 Q. Okay, thank you. You said she was the police commander in
14:41:36 10 Foya. She was the police commander for what force?

11 A. For NPFL.

12 Q. When you met with Ma Mary in Foya and changed the money,
13 the Leones, to Guinean francs, what happened then?

14 A. We then took the money and travelled to Voinjama.

14:42:09 15 Q. What happened when you got to Voinjama?

16 A. In Voinjama I stayed to make negotiation with the former
17 ULIMO soldiers who had been disarmed, because some did not
18 declare the ammunition. They hid them in the bush.

19 Q. When you went to Voinjama - well, you said "we went". Who
14:42:41 20 did you go to Voinjama with?

21 A. Myself, Sam Bockarie and his bodyguards, all of us went.
22 He went directly with the intention of going to Monrovia, but I
23 stayed in Voinjama to carry out my own mission.

24 Q. Thank you. And just again so we're clear, when you say "he
14:43:10 25 went directly with the intention of going to Monrovia", who was
26 that?

27 A. I mean Sam Bockarie, because the two of us travelled
28 together with his bodyguards and I went to Voinjama to carry out
29 the mission that I have spoken about and he, Sam Bockarie,

1 continued - proceeded to Monrovia.

2 Q. Can you tell us in as much detail as you recall what
3 instructions Sam Bockarie gave you about this mission that you
4 were to carry out in Voinjama?

14:43:48 5 A. The instruction he gave me in Voinjama was to go to the
6 territories of the ULIMO for me to be able to cater and be able
7 to buy arms and ammunition from them. That was the mission for
8 which I went there.

9 Q. Did Sam Bockarie give you anything to buy the arms and
14:44:13 10 ammunition with? Did he give you any funds? Money?

11 A. Yes, that is the money I'm telling you about, the one we
12 went to change at the Guinea border into francs.

13 Q. Thank you. Did he explain - now, you said he gave you the
14 instruction to go to the territories of ULIMO. Now earlier you
14:44:42 15 talked about STF and you had said that they were - you also used
16 the word "ULIMO". Are these STF people that you were meeting
17 with in Voinjama?

18 A. I had told you earlier that the idea of STF only came into
19 being later, but at first they entered into Liberia as ULIMO. By
14:45:13 20 then there was no name like STF in existence. They were
21 initially ULIMO and it was when Charles Taylor had conquered them
22 and won and he became President, those who remained regrouped and
23 went into Sierra Leone and they changed the name to STF and by
24 then they were now with the SLA. They were no longer referred to
14:45:33 25 as ULIMO.

26 Q. Mr Witness, my question is the people that you were meeting
27 with in Voinjama, were these STF people?

28 A. They were ULIMO people.

29 Q. Were these people people that were there temporarily, or

1 were they living in that area?

2 A. It was not temporary. They were there. They were living
3 there. They were there until they were disarmed. They were
4 living there with their people, but when they were now disarmed
14:46:17 5 at that time they did not have much to do with gun affairs
6 because they had hid most of their items somewhere else. They
7 were now living with the civilians.

8 Q. Okay, thank you.

9 JUDGE SEBUTINDE: Perhaps we could have a time frame, if
14:46:33 10 possible, for these Voinjama purchases.

11 MR KOUMJIAN:

12 Q. Mr Witness, you've explained that after the taking of Kono
13 and the bank you took the money to Sam Bockarie and then
14 obviously this occurred subsequent to that. Do you recall the
14:46:51 15 month of the year that it was that you went at this time that you
16 are now talking about to Voinjama?

17 A. When we retreated from Freetown in '97 I can't recall the
18 particular month, but it was in '97.

19 Q. How long was it - about how many months was it after that
14:47:19 20 you had - after the bank robbery?

21 A. When the robbery at the bank took place and I received the
22 money, they asked me to go to Buedu. When I got to Buedu it was
23 not up to even two months, it was something like one and a half,
24 when I crossed into Liberia.

14:47:56 25 Q. Do you recall if it was dry season, or rainy season?

26 A. That time we were going close to the rainy season, but it
27 was not actually rainy season, but it used to rain sometimes.

28 Q. Thank you very much. That's helpful. Sir, now you've said
29 that you were to buy these weapons from disarmed ULIMO. Did you

1 receive any assistance from anyone in finding these people?

2 A. Yes.

3 Q. Who helped you?

4 A. I had help from one of their bosses who was in Voinjama who
14:48:54 5 was called Colonel Kundi and also the police commander who was in
6 Voinjama, he was a man and he had a Gio name. I have forgotten
7 his name, but he had a Land Rover - a blue Land Rover - a police
8 jeep.

9 Q. This police commander in Voinjama, can you again tell us he
14:49:14 10 was a commander of which police force?

11 A. NPFL had occupied all of those areas. There was no longer
12 any other force in those areas.

13 MR KOUMJIAN: And one spelling, your Honours, for the
14 record. I don't know if Colonel Kundi has been spelled before,
14:49:41 15 but our spelling is K-U-N-D-I:

16 Q. Did you use any type of vehicle in carrying out this
17 operation?

18 A. Yes.

19 Q. Where did you get the vehicle?

14:50:09 20 A. It was a police jeep. When I used to go to the bush and
21 when I bought items and I assembled them at one place, I will
22 come to Voinjama and tell the police commander. At night he will
23 give the jeep for us to go and bring the things over. Voinjama.

24 Q. Just so I'm clear, if you can just make it a little more
14:50:48 25 clear, you say "At night he will give the jeep for us to go."
26 Who gave you the vehicle, the police jeep, that you said you
27 used?

28 A. It was the man whose name I have said that I have
29 forgotten. It was the police commander who was based in

1 Voi nj ama. He used to give us hi s own jeep, the police jeep. He
2 will give me that jeep and I will go together wi th one of his
3 bodyguard. He was called Junior, Captain Junior. We will go and
4 load the things on board and then we will bring them over to
14:51:27 5 Voi nj ama.

6 Q. In this operation to get weapons to take - well, first of
7 all did Sam Bockarie tell you what to do with the weapons once
8 you got them?

9 A. Yes.

14:51:40 10 Q. What did he tell you to do with the weapons?

11 A. At any time I completed buying a reasonable amount, I will
12 call Sierra Leone through the communication and they will send a
13 vehicle to come and collect me from Sierra Leone.

14 Q. Who would send the vehicle to collect you?

14:52:07 15 A. It was Sam Bockarie who will send the vehicle to come and
16 collect me and, even if he was not there, there would be somebody
17 else in command and anybody who would be there in command would
18 send a vehicle to come and collect me.

19 Q. You said "somebody would be there in command". When you're
14:52:27 20 talking about "there in command", where do you mean?

21 A. I am talking about Sierra Leone, Buedu, our headquarters at
22 Buedu. At times when Sam Bockarie was not there Issa would be in
23 command and if Issa was not there Kallon would be in command.
24 There were so many senior officers and he would choose any one of
14:52:54 25 them to serve as the commander until his return.

26 Q. Mr Witness, you said that "when I completed buying a
27 reasonable amount I will call Sierra Leone through the
28 communication". Can you explain to us what was the communication
29 means that you used to call Sierra Leone?

1 A. It was radio communication. You know, any police officer
2 who was assigned like in Foya or in Voinjama, they all had
3 communication. So I would go and use their communication to
4 communicate with my people in Sierra Leone. I will go and use
14:53:35 5 the NPFL communication to communicate with the RUF in Sierra
6 Leone.

7 Q. Now you said once you made the communication someone or
8 people would be sent to collect you. My question is what
9 happened to the weapons that you had bought once these people
14:53:52 10 arrived?

11 A. We would load them on board the vehicle and we would go to
12 Sierra Leone.

13 Q. Now, Mr Witness, from where you were in Voinjama to Buedu
14 while you were in Liberia, at that time were there any
14:54:16 15 checkpoints?

16 A. At that point in time the ECOMOG had deployed in the area.
17 There were not many checkpoints. ECOMOG had deployed all over,
18 in many places around the area, and they had eased the movement.

19 Q. Okay. You said there were not many checkpoints. Do you
14:54:41 20 recall passing through any checkpoints within Liberia or at the
21 border?

22 A. At the main border crossing where the ECOMOG were based we
23 did not used to pass through there. We used to use the bypass.
24 I had told you earlier that we had a bypass that we used to pass
14:55:05 25 through and when we wanted to take ammunition from Liberia to
26 come we would use that bypass. We never used to use that main
27 road.

28 Q. Mr Witness, approximately how many times did you - or if
29 you know the exact number how many times did you go on missions

1 to purchase ammunition from ex-ULIMO in Lofa County?

2 A. It was just at the start of things, because by then we had
3 just retreated from Liberia - I mean, sorry, from Freetown anew
4 and Sam Bockarie had not yet travelled to Monrovia to meet

14:55:59 5 Charles Taylor. That was supposed to be the immediate ammunition
6 that we will have with us to use as defensive, but when he went
7 to Liberia, I mean to Monrovia, to see Charles Taylor, we knew
8 that we were going to get arms and ammunition.

9 Q. When you say when he went to Monrovia to see

14:56:21 10 Charles Taylor, just again so the record's clear who do you mean
11 when you say he went to see Charles Taylor?

12 A. I mean Sam Bockarie. He went to Monrovia to see
13 Charles Taylor.

14 Q. After this assignment --

14:56:43 15 MR GRIFFITHS: I'm sorry, your Honours, but we still
16 haven't got an answer to the question which my learned friend
17 asked which was: "Approximately how many times did you go on
18 missions to purchase ammunition from ex-ULIMO fighters in Lofa
19 County?" That question was has not been answered. And, whilst
14:57:06 20 we're on the topic, earlier, page 94, line 7, one of the answers
21 given by the witness to my learned friend was "at any time I
22 completed buying a reasonable amount I will call Sierra Leone"
23 which suggests that this occurred over a period of time. It
24 might be helpful to know over what period of time that was.

14:57:31 25 MR KOUMJIAN: I'd be happy to provide that:

26 Q. Sir, how many different times were you sent - first of all
27 sent to Lofa County to buy ammunition?

28 A. That happened - it happened up to two or three times
29 because I will not just go shortly and come back. Sometimes I

1 will be there for about two weeks, because you will not just go
2 and get the items, because they were things that they had hidden
3 for a long time, so to just go there automatically and get it
4 will not be easy. We will be there and cajole them to try and
14:58:22 5 get them from them. And when I got them I sent them to Sierra
6 Leone. That was up to four times that I did it.

7 Q. You have mentioned that Sam Bockarie and you together
8 changed some money, leones for Guinean francs, and you used that
9 money to buy these weapons. Was this the only money that you
14:58:48 10 used or did you receive money on other occasions to purchase
11 weapons?

12 A. No, the money that we went and changed, because that was my
13 first time, we only went there - I went there together with him
14 for me to know the terrain and the routes and how to go about
14:59:11 15 doing the thing because by then I had not done it before. So
16 when we went to Foya, Ma Mary told us how to go about and change
17 and we went and did it, but later on I used to go there alone.

18 Q. Where would you get the money to purchase the weapons on
19 these other occasions?

14:59:34 20 A. He, Sam Bockarie, was the same person that would give me.
21 And after any trip I made to buy, when I bought and returned to
22 Sierra Leone, he will again dish out some money to me for me to
23 go and purchase again. I did not have monies on my own.

24 Q. What kind of money would Sam Bockarie give you to do these
15:00:00 25 purchases?

26 A. What I am telling you, he gave me leones, but the first one
27 was Foday Sankoh who had left money with him, he, Sam Bockarie.
28 So it was that money that - he himself was there when the
29 transaction was going on. It was dollars. \$7,000.

1 Q. Okay. The \$7,000 - first, that's dollars from what
2 country?

3 A. American dollar.

4 Q. Who was it that had the \$7,000?

15:01:02 5 A. It was Sam Bockarie. Foday Sankoh gave it to him at one
6 time when Foday Sankoh was in Ivory Coast when they went on that
7 peace talks.

8 Q. How do you know that?

9 A. He went to Buedu. The helicopter took him, I don't know if
15:01:30 10 it was to Liberia or Ivory Coast, but he went together with white
11 people, the UN, in a helicopter and he went to Buedu. When he
12 was returning that was when he left that money with Sam Bockarie.
13 That was what Sam Bockarie told us, that the Pa had given him
14 that money, 7,000, for him to maintain the ground. That was what
15:01:58 15 he told me.

16 Q. Okay. And just so the record's clear, Mr Witness, when you
17 said he came with the UN in a helicopter, who are you referring
18 to? That he came to Buedu in a helicopter?

19 A. Foday Sankoh at that time when he was in Ivory Coast. We
15:02:22 20 saw him come to Buedu. He came with white people but I don't
21 know the kind of white people, but I saw him. He came in a
22 helicopter and he disembarked.

23 Q. All of the occasions that you conducted these transactions
24 in Lofa County purchasing weapons from ex-ULIMO, can you give us
15:02:49 25 a time frame for when that occurred? Can you tell us about - did
26 it occur over years, over weeks, over months?

27 A. That is something that had happened long time ago. I
28 cannot recall now, because I did not know I had to give any
29 statement here, so I cannot recall everything now. Some of the

1 things I can recall, but I cannot recall the exact time now or
2 duration.

3 Q. When you were being sent on these missions to purchase the
4 weapons from Liberia, what was your assignment in Sierra Leone,
15:03:36 5 if you had one?

6 A. Sometimes I was close to Sam Bockarie, I didn't have any
7 special assignment. Sam Bockarie only did this to me because I
8 was honest. If he knew someone was honest and will not be any
9 crook or do any criminal acts he will have confidence in you and
15:04:16 10 he will send you on those missions and that's why he sent me on
11 those missions.

12 Q. When you stopped going on these missions did you get a new
13 assignment?

14 A. Yes.

15:04:29 15 Q. What was the new assignment?

16 A. They sent me to Kono.

17 Q. When you were sent to Kono what was the job that you were
18 given to do?

19 A. I was sent to Kono to replace Mohamed Kamara who was the
15:04:57 20 mining commander, for me to replace him.

21 Q. Who was it that gave you this assignment to become the
22 mining commander?

23 A. It was in Buedu, Buedu Town, that I was given that
24 assignment to travel to Kono.

15:05:20 25 Q. Who was it that appointed you to that position?

26 A. Okay. It was Sam Bockarie and Issa Sesay, because the two
27 of them were together and whatever one person said, he would ask
28 the other and the other one would accept and that's what
29 happened; both of them agreed.

1 Q. Thank you. And just if you can help me so I understand
2 when you stopped doing these operations in Lofa County purchasing
3 weapons, is it correct what you've just said, that you stopped
4 doing that before you were appointed the mining commander?

15:06:05 5 A. Yes. When I stopped going there it was then that I was
6 appointed to go to Kono.

7 Q. Now, do you recall when it was that you arrived in Kono to
8 take up this assignment as the mining commander?

9 A. Yes. It was at the end of '97 to the beginning of '98.

15:06:41 10 Q. Well, Mr Witness, it is a fact that's been judicially found
11 - it's a fact that this Court has accepted that the ECOMOG
12 intervention happened when you were pushed out of Freetown about
13 February 1998. Did this assignment as the mining commander in
14 Kono - did it happen before or after the intervention where the
15 ECOMOG pushed you out of Freetown?

15:07:10 16 A. ECOMOG pushed us first from Freetown. When we returned to
17 Kailahun, it was thereafter that I was sent to Kono to be the
18 mining commander.

19 Q. Do you recall - you said it was - do you recall the month,
15:07:35 20 or can you give us a range of months, when you arrived in Kono as
21 the mining commander?

22 A. I have forgotten now and I don't want to --

23 Q. Thank you. Do you recall if it was during the rainy
24 season, or before or after the rainy season?

15:08:23 25 A. No, at that time, just as I told you, it was raining once
26 in a while.

27 Q. Okay. I think we can help clarify this a little later and
28 so, Mr Witness, don't worry about it right now. When you were
29 appointed the mining commander, where were you actually sent to?

1 A. They sent me to Kono, Guinea Highway.

2 Q. At that time who controlled Koidu Town in the Kono District
3 when you first arrived at this assignment?

15:09:20

4 A. It was the ECOMOG soldiers and the SLA and Kamajors who
5 were there.

6 Q. When you say the ECOMOG soldiers, first of all do you
7 recall which ECOMOG soldiers - which nationality - was based in
8 Koidu Town at that time?

15:09:40

9 A. Yes, it was the Nigerians. The Nigerians, Guineans, they
10 were there.

11 Q. And when you say it was the ECOMOG soldiers and the SLA,
12 who are the SLA that you're talking about at this point?

15:10:02

13 A. The SLA soldiers who were still loyal to Tejan Kabbah,
14 those were the SLAs. They were fighting alongside the Nigerians,
15 the Guineans and together with the Kamajors. They were there.

16 Q. Okay. Mr Witness, just so our record is clear, if you need
17 to refer to them in the future can you call them the loyal SLA so
18 we know which ones you're talking about, okay?

15:10:24

19 A. Okay. Okay, that's what I meant, the loyal SLA who were
20 under Tejan Kabbah.

21 Q. Now, you said that you were based at Guinea Highway. Can
22 you explain to us what that is? Is Guinea Highway a place, or
23 what is it? A highway, or a road, or what is it?

15:10:54

24 A. It was a road, but not a highway actually. It was the road
25 leading to Guinea and so the towns which were along that road we
26 did not know their names, so because we did not know their names
27 we just called every other place along that road Guinea Highway.

28 Q. How far was this place that you're calling Guinea Highway
29 from Koidu Town?

1 A. From Koidu Town to the place is about three miles.

2 Q. Thank you. So, what district was that location in that
3 you're calling Guinea Highway?

4 A. Kono District.

15:11:35 5 Q. Now, you had mentioned - strike that. When you arrived at
6 that assignment at Guinea Highway in Kono, who was the commander
7 on the ground for the forces that you were joining?

8 A. The commander was Rambo.

9 Q. Was Rambo in permanent command, or was he acting, do you
15:12:09 10 know?

11 A. Rambo was there. He was acting. He was the commander on
12 the ground.

13 Q. Did any other commanders arrive after you arrived?

14 A. Yes.

15:12:31 15 Q. And who was that?

16 A. Kallon was there, Issa was there, Peter - okay.

17 Q. Sorry, go ahead. I didn't mean to cut you off. Did you
18 finish?

19 A. Peter Vandi was there, Akim, Kailondo and others.

15:13:04 20 Q. Was Issa Sesay there when you first arrived at Guinea
21 Highway?

22 A. No, they met me there.

23 Q. Okay, that's not quite clear. Was Issa Sesay already there
24 when you arrived at Guinea Highway, or did he come after you?

15:13:27 25 A. Issa Sesay came after me. He met me on the ground there.

26 Q. Before Issa Sesay came and arrived there at Guinea Highway,
27 had you heard anything about him coming?

28 A. Yes.

29 Q. What had you heard?

1 A. It was one morning when I went to Rambo, because he was my
2 friend I went to say "hi" to him and when we were together he
3 told me that Sam Bockarie had travelled and I said "To where?"
4 and he said, "Sam Bockarie had travelled to Monrovia for
15:14:16 5 materials. When he would return Issa would have to come to Kono
6 for us to attack Koidu Town." That was what he told me.

7 Q. How long approximately after you arrived at Guinea Highway
8 did Issa Sesay arrive, if you know?

9 A. It did not take long. Just about two weeks. It did not
15:14:48 10 take long.

11 Q. When Issa Sesay arrived, do you recall if he brought
12 anything with him?

13 A. Yes.

14 Q. What did he bring, if you know?

15:15:12 15 A. He brought materials and his bodyguards and some officers.
16 They came together.

17 Q. When you say "materials", what do you mean?

18 A. I mean ammunition.

19 Q. Was this a small amount of ammunition, or how would you
15:15:40 20 describe it?

21 A. Well it was not that very small because people carried it,
22 because that was what we used to capture the town even.

23 Q. After Issa Sesay arrived, was there any meetings held?

24 A. Yes, sir.

15:16:08 25 Q. Can you tell us what you recall about any meetings held
26 after the arrival of Issa Sesay?

27 A. When he came they sent message to the other targets for all
28 senior officers to report at the headquarters. That happened and
29 they scheduled a date for a meeting and that too took place and

1 the meeting was held and they discussed the Koidu Town attack.
2 They planned it and they asked the senior officers, everybody
3 expressed his own opinion. He organised the branches, the roads
4 leading to Koidu Town, he said that those roads were to be
15:17:09 5 attacked by the commanders. That was the plan.

6 Q. Can you recall now any specific commanders that were given
7 orders during that meeting?

8 A. Yes.

9 Q. Tell us what you remember about the meeting.

15:17:33 10 A. Like, for instance, Akim and Kailondo were given a place to
11 attack and Rambo too was given Five-Five to attack where the head
12 weapons were. Peleto, Issa, myself and some others were on the
13 Guinea Highway and Banya was sent to Tankoro. That was how the
14 manpower was deployed.

15:18:32 15 Q. Thank you. Mr Witness, the person that you just said was
16 sent to Tankoro, can you say his name slowly?

17 A. Banya.

18 Q. Who was Banya?

19 A. He was a former SLA like Akim.

15:18:57 20 Q. Thank you, you anticipated my next question. Do you recall
21 Akim's last name?

22 A. No, that was the name all of us knew for him, Akim.

23 Q. Who was Kailondo?

24 A. Kailondo was an RUF.

15:19:20 25 Q. You said that Akim was given a place to attack. Do you
26 recall what Akim's assignment was during this offensive in Kono?

27 A. Yes, but I have forgotten the name of the place now, but
28 later if I recall it I'll tell you.

29 JUDGE SEBUTINDE: Mr Koumjian, the witness mentioned - in

1 describing the places that were assigned to attack, he mentioned
2 Five-Five. Is Five-Five a name of a place?

3 THE WITNESS: Yes, yes, it's an area.

4 MR KOUMJIAN:

15:20:07 5 Q. And what we understood you to say is "At Five-Five where
6 the head weapons were"? Can you explain what you meant, or if we
7 understood you correctly? What did you say about Five-Five and
8 weapons?

9 A. The place where heavy weapons were, where ECOMOG - what
15:20:34 10 actually strengthened ECOMOG were two places, Five-Five and
11 Lebanon. Those were the two places that strengthened ECOMOG.
12 That's why those strong commanders were assigned there. Rambo
13 went to Lebanon and Five-Five. Those were the two places where
14 the heavy weapons were.

15:20:54 15 Q. At this meeting with Issa Sesay, about how many people were
16 present? Can you give us any approximation?

17 A. No, I cannot because I did not make a head count, but we
18 were many.

19 Q. Was the meeting for all the soldiers, or was it a
15:21:21 20 commanders' meeting?

21 A. For all the soldiers and commanders, but not all the
22 soldiers could come from far to attend the meeting, so the
23 commanders represented them. Whatever the commander would hear
24 from the meeting he would go and tell his soldiers.

15:21:43 25 Q. Was it discussed at this meeting what the objective of this
26 attack was?

27 A. Yes.

28 Q. What was the goal of the attack?

29 A. One of the importance of the attack was that Kono was a

1 stronghold and we had in mind that, if we attacked Kono, we would
2 suppress the then government in administration and Foday Sankoh
3 would be released. That made us to attack Koidu Town.

15:22:51 4 Q. In this attack that was discussed at the forum, did they
5 discuss where the attack would stop? What areas were hoped to be
6 captured in the total attack?

7 A. Yes, Koidu Town itself, to capture the town itself, and
8 from there we should not stop anywhere. We should go straight to
9 Freetown. That was our determination. We should go to Freetown
15:23:24 10 and release Foday Sankoh. That was why it was code named
11 Operation Free Foday Sankoh.

12 Q. Mr Witness, was there any discussion from the commanders to
13 the soldiers about how the operation should be carried out?

14 A. Yes, the only piece of advice that was given to every
15:23:57 15 soldier was that it was an operation do or die mission, or
16 Operation Free Foday Sankoh. We should do everything possible to
17 release Foday Sankoh.

18 Q. Was there any discussion about how either the enemy
19 soldiers or the civilians in these areas being attacked should be
15:24:20 20 treated?

21 A. The only piece of advice that was given was that nobody
22 should sabotage the mission, that the operation should be made
23 fearful so we should conquer the enemy. We should make the
24 operation fearful.

15:24:48 25 MR KOU MJIAN: Thank you. Your Honour, I have a couple of
26 documents now I'd like to have shown to the witness. Perhaps
27 begin with tab 9 and the original, the best copy that the OTP
28 has, is available.

29 PRESIDING JUDGE: Is this week 25, Mr Koumjian?

1 MR KOUMJIAN: Exactly, your Honours, yes.

2 PRESIDING JUDGE: Thank you. Madam Court Attendant, don't
3 show the document to the witness just yet until we have the
4 appropriate questions in place. Thank you.

15:26:09 5 MR KOUMJIAN:

6 Q. Mr Witness, do you know a Major Victor?

7 A. Yes.

8 Q. And who was that?

9 A. He was Issa's bodyguard.

15:26:24 10 Q. Mr Witness, have you ever seen Rambo's signature?

11 A. Yes.

12 Q. Would you think you might be able to recognise Rambo's
13 signature?

14 A. Yes.

15:26:47 15 MR KOUMJIAN: I'd like the document to be shown to the
16 witness. It can be put on the --

17 MR GRIFFITHS: Well, your Honour, let's be careful here and
18 do matters in proper stages. If your Honour looks at the
19 document there is no name on this document called Rambo, so I
15:27:08 20 think there are other preliminary matters which ought to be put
21 in place before we get to the stage of showing the document to
22 the witness.

23 PRESIDING JUDGE: That's a valid objection, Mr Koumjian.

24 MR KOUMJIAN: Well, your Honour, frankly I do not
15:27:31 25 understand the objection. The witness is prepared to speak about
26 the document, the document is clearly relevant, it corroborates
27 the evidence that he has given about the arrival of materials and
28 I don't want to speak more and lead. It discusses names that
29 he's mentioned and he's also indicated he can recognise the

1 signature which I believe is on this document.

2 PRESIDING JUDGE: I am looking at the document in front of
3 me, Mr Koumjian. You asked him two questions. Admittedly there
4 seems to be two pages and I'm looking at the numbers now 25700
15:28:05 5 and 25701. 25071 is a very poor copy. You asked about Victor
6 and you asked about Rambo, if I remember correctly, and I can't
7 see either of these names in this document.

8 MR KOUMJIAN: Well then, your Honour, I don't want to be
9 accused of leading, but if your Honour wants me to I can explain
15:28:30 10 where Rambo's name --

11 MR GRIFFITHS: Not in front of the witness he won't.

12 PRESIDING JUDGE: Not in front of the witness, no.

13 MR KOUMJIAN: This is the issue, your Honour. I can show
14 this document to the witness and he can point it out to us.

15:28:42 15 JUDGE SEBUTINDE: Mr Koumjian, the point is this. You have
16 not laid any foundation whatsoever for this document being shown
17 to this witness; the contents thereof. In fact, the questions
18 you've asked really relate to signatures of certain persons. Now
19 even then you have not asked the witness where he saw such
15:29:00 20 signatures, let alone this document. Now this document contains
21 a whole lot more than signatures of people and, short of you
22 having laid that kind of foundation, you will be leading this
23 witness when you just simply show him this document.

24 MR KOUMJIAN: Your Honour, it's not the Prosecution's
15:29:17 25 position that this witness prepared the document and so I am a
26 bit confused what the foundation --

27 JUDGE SEBUTINDE: That is not - I beg your pardon, you're
28 confused as to what foundation is in this document?

29 MR KOUMJIAN: That is required to show the document.

1 JUDGE SEBUTINDE: Mr Koumjian, I cannot teach you that, I'm
2 afraid. I cannot teach you that. We expect you to know how to
3 lead evidence.

4 MR KOUMJIAN: Thank you, your Honour.

15:29:43 5 JUDGE SEBUTINDE: Foundation. Foundational evidence that
6 relates to this document.

7 MR KOUMJIAN: Your Honour, the case law that your Honours
8 has discussed has been consistently used and by the Defence when
9 they've admitted documents that the issue for admission of a
10 document is relevance. It's clearly been relevant.

11 JUDGE SEBUTINDE: We're not arguing relevance here. We're
12 talking about foundation of the document being shown to the
13 witness. It's a totally different issue, Mr Koumjian.

14 MR KOUMJIAN: That is not what I understood the case law to
15 require for admission. Your Honour, I will ask further questions
16 of this witness going through the document without showing it to
17 him:

18 Q. Sir, who is Captain Junior? Have you ever heard of a
19 Captain Junior?

15:30:33 20 A. Yes, I used to hear about him.

21 Q. Who was he? Do you know what faction he belonged to, or
22 any force?

23 A. He was a former SLA.

24 Q. Do you recall the names of the units that were based in
15:30:53 25 Kono that were used during this attack?

26 A. I would like you to repeat that word. It was breaking.

27 Q. Thank you. Do you recall if the forces of the RUF, let's
28 say starting with RUF, or the SLAs that were allied with you, in
29 the Kono District that participated in this attack had any unit

1 names?

2 A. The former SLAs together with us, the RUF, were joined to
3 be one. Whether you were an SLA or RUF, when you come to RUF
4 territory automatically you are an RUF.

15:31:59 5 Q. Thank you. Sir, but how was that force divided? Were you
6 divided in any way into companies, battalions, brigades,
7 divisions?

8 A. The assignment area was divided into battalions, but when
9 we were prepared to attack Koidu Town it was by commanders. For
15:32:33 10 example they would take 20 people and assign them to a particular
11 commander, 20 here and assign them to a particular commander. We
12 were not fighting - the commanders were doing the fighting, not
13 by battalion.

14 Q. Sir, the battalions that were used in this attack, were
15:32:51 15 they part of any brigade?

16 A. Yes, they were under the 2nd Brigade.

17 Q. Sir, were records ever kept when ammunition was delivered
18 to units in the RUF?

19 A. Yes, whatever we did there are people who did not fight.
15:33:23 20 They were just there for that. Whatever they saw they would
21 write. That was their assignment.

22 Q. Do you recall - well, first of all you previously had told
23 this Court what Rambo's real name was. Can you please state that
24 again?

15:33:59 25 A. Boston Flomo.

26 Q. Can you tell us, sir, do you recall any adjutants for
27 Boston Flomo?

28 A. Yes.

29 Q. What persons names, if you remember them, do you recall

1 working as adjutants for Boston Flomo around in Kono?

2 A. Boston Flomo had people with whom he worked like Alpha
3 Momoh. I have forgotten some of them now, but I knew them even
4 though we were not living together.

15:35:02 5 Q. Okay, thank you. Sir, what does a tin of AK rounds mean to
6 you?

7 A. Alexander Kalashnikov.

8 Q. But what does the word tin for AK rounds mean to you? Do
9 you know what a tin of AK rounds is?

15:35:46 10 A. Oh, the tin, the box. There are two tins in a box, sardine
11 tins. We call them tins, so each of that tin there are two of
12 those in a box.

13 Q. What do you understand G3 rounds to mean?

14 A. G3 rounds?

15:36:07 15 Q. Yes, do you know what a G3 is?

16 A. Yes.

17 Q. What is a G3?

18 A. Most of the meanings of those weapons I cannot recall now,
19 but that was one of the heavy weapons that we used. That is
15:36:33 20 stronger than AK.

21 Q. Do you recall what rank Rambo, Boston Flomo, had at this
22 time?

23 A. It was Colonel Rambo. That was how he was called, Colonel
24 Rambo.

15:37:18 25 MR KOUMJIAN: Thank you. I ask the document, the first
26 page only, with the ERN 00025700 be shown to the witness.

27 MR GRIFFITHS: I'm still objecting, your Honour, I'm sorry.
28 My learned friend has asked the witness about what certain names
29 stand for. What we still have not established, and I fail to see

1 why my learned friend doesn't appreciate this point, is how this
2 document is relevant to the evidence of this witness. Now that
3 point still has not been established, unless of course I'm
4 missing something which my learned friend hopefully can enlighten
15:38:06 5 me on.

6 PRESIDING JUDGE: Mr Koumjian?

7 MR KOUMJIAN: I don't know if your Honours need that but
8 I'd be happy to respond. This Court has received evidence about
9 the attack on Kono.

15:38:19 10 MR GRIFFITHS: I'm sorry, it should not be done in such a
11 way as to effectively lead the witness, please.

12 MR KOUMJIAN: Well, this is not leading the witness.

13 MR GRIFFITHS: Yes, you are.

14 MR KOUMJIAN: Then I would ask for the witness to be
15:38:39 15 excused. I don't know what your Honours would suggest me to do.
16 And I'd also point out that counsel is now objecting to
17 relevance, while I understood the previous objection was
18 authentication, foundation for the document. So the objection
19 has changed.

15:38:54 20 PRESIDING JUDGE: The objection is still foundation as far
21 as I'm concerned. And you have established names in the light of
22 what was said before, but I still don't know whether this witness
23 would recognise certain signatures, et cetera, so that he could
24 identify this document. And, as counsel for the Defence has
15:39:20 25 said, you've still not established the relevance of this document
26 to this witness.

27 MR KOUMJIAN: Your Honours, documents have come in in this
28 case, in other cases in this Court and in other international
29 courts that the witnesses do not recognise the signatures. In

1 this particular case the witness has testified he can recognise a
2 signature. I haven't been able to show the witness yet the
3 document to ask him what he recognises, but I'd be happy to
4 address relevance --

15:39:49 5 JUDGE SEBUTINDE: Mr Koumjian, I don't understand. When
6 the Presiding Judge has said to you, and we all agree with her,
7 that you still have lacked foundation are you now arguing with
8 her, or what?

9 MR KOUMJIAN: Your Honour, I wish to establish - to fulfil
15:40:04 10 your Honours' expectations of what the foundation is. I would -
11 I do hope I can address the legal issue of what foundation is
12 required. I'm trying to address that.

13 JUDGE SEBUTINDE: You, Mr Koumjian, are in the best
14 position to know where you're taking this witness as far as this
15:40:23 15 document is concerned. We, on our side, on this side of the
16 Bench, know one thing: That there is not a question you've asked
17 that amounts to foundation as far as this document is concerned.
18 Now where you want to take the question, that is yours, for you
19 to determine, but we want foundation where this document is
15:40:40 20 concerned and the contents thereof. Are you asking us to tell
21 you what that foundation should be? Is that our duty?

22 MR KOUMJIAN: Your Honours, the relevance of the document
23 is in the contents of the document.

24 JUDGE SEBUTINDE: Foundation is the word, not relevance.
15:41:01 25 Foundation. I am so tempted to tell you what that is, but I will
26 not.

27 MR KOUMJIAN: I would appreciate it. I certainly don't
28 know everything and perhaps I'm missing this as to what it is
29 your Honours want. I don't want to guess. I can't ask this

1 witness what this document is because he hasn't seen it in this
2 Court right now.

3 JUDGE SEBUTINDE: Why don't you ask him what he has seen in
4 the past as far as records of weaponry are concerned?

15:41:37 5 MR KOUMJIAN: I believe I did ask - okay, I asked the
6 witnesses if records were kept and he said yes.

7 JUDGE SEBUTINDE: So what? How does he know that? Did he
8 keep the records, or what?

9 MR KOUMJIAN: Thank you, your Honour:

15:41:49 10 Q. Mr Witness, have you ever, yourself, ever made a report
11 about ammunition that was received or delivered?

12 A. I had not done that yet because that had never been my
13 assignment.

14 Q. Had you ever seen such documents?

15:42:22 15 A. Formally as a commander whenever you capture an area and
16 whatever you capture there you will send in the report that this
17 is what I captured. You will send a report to the high command.
18 That's what we did.

19 Q. My question is about ammunition that's delivered by the
15:42:45 20 command to a unit. Were there ever reports made that you know of
21 of ammunition delivered or received?

22 A. Yes, yes, yes.

23 Q. Was that a regular procedure or unusual in the RUF?

24 A. Any time a commander would want to give ammunitions they
15:43:16 25 would have to register them. They would not just give the
26 ammunitions like that.

27 Q. When materials were issued and received what happened to
28 the record of the ammunition that was issued and received?

29 A. The records were kept by the adjutant. Any commander who

1 would be in charge would receive ammunition and the adjutant
2 would write it how much you had received, or if you're issuing
3 out the adjutant would write it down how much he had issued out
4 and the adjutant would keep the records.

15:44:09 5 MR KOUMJIAN: Thank you. I apply to the Chamber to show
6 the page that I've indicated, 00025700, to this witness.

7 MR GRIFFITHS: Your Honour, it really escapes me why it is
8 that this matter is not being properly addressed by my learned
9 friend. Yes, any kind of documents might have been compiled
10 during the course of the campaign by the RUF. The question is -
11 and we know that we're talking about an attack on Koindu [sic] -
12 how is this document relevant to that and how can this witness
13 talk about that document, bearing in mind the somewhat, with
14 respect, limited foundation my learned friend has laid for this
15 particular document in the context of this particular witness's
16 evidence. That's the problem I have.

17 MR KOUMJIAN: Your Honour, responding to the Defence
18 objection I would point out that this document has more
19 foundation than any document the Defence has offered to date in
20 this case. The relevance of the document I understood your
21 Honours not to want me to address, but I would be happy to do
22 that, the relevance of this document.

23 PRESIDING JUDGE: With respect, Mr Koumjian, there's two
24 issues. One, when you talk of relevance you're talking about
25 admissibility. We haven't got to that stage yet. We're still
26 talking about foundation. Please respond to that objection.

27 MR KOUMJIAN: I haven't heard the Defence counsel make the
28 objection about foundation. His objection was the document
29 hasn't been shown to be relevant. May I respond to that?

1 PRESIDING JUDGE: The words I heard, and correct me if I'm
2 wrong, was limited foundation.

3 MR GRIFFITHS: Page 118, line 24, your Honour.

4 MR KOUMJIAN: Your Honours, it would be very helpful for us
15:46:20 5 if the Defence would ever cite any case law for this objection
6 that they're making as to foundation. I respectfully believe
7 that they don't have any that would support their position
8 because it doesn't exist in the international tribunals. The
9 foundation that's required for the admissibility of a document is
15:46:40 10 relevance.

11 In this case we've gone over with this witness all that he
12 knows about these various persons involved in the attack, some of
13 the items that are listed on the document. Frankly we've spent
14 much more time on the document than the document is worth, but
15:47:00 15 there's no reason for this document not to be admitted, or not at
16 least to be shown to the witness. I don't want to waste any more
17 of the Court's time. I apply to have it admitted based on the
18 foundation that we have, ask the Court for a ruling on that and
19 we will accept the ruling that the Court gives.

15:47:21 20 PRESIDING JUDGE: Thank you. Allow me to consult.

21 [Trial Chamber conferred]

22 We've heard the submissions and the evidence adduced. We
23 consider that the document cannot - the witness cannot be asked
24 to look at this document without the proper foundation being laid
15:49:09 25 and we find that there has been no such proper foundation led.

26 MR KOUMJIAN: Thank you, your Honours. For purposes of any
27 right that we might have to appeal this decision, does the Court
28 wish to expand upon the foundation or no?

29 JUDGE LUSSICK: Not without written submissions.

1 MR KOUMJIAN: Okay, thank you.

2 PRESIDING JUDGE: Sorry, Mr Koumjian, please proceed.

3 MR KOUMJIAN: Thank you:

4 Q. Mr Witness, I want to ask you a few more questions. What
15:50:41 5 was Issa Sesay's title at the time of the Kono attack, if you
6 know?

7 A. If I'm not mistaken I think it was BFI.

8 Q. Do you know what the BF stood for?

9 A. Battle front inspector.

10 Q. You said if you're not mistaken. Are you sure of that or
11 you're not sure?

12 A. I'm sure.

13 Q. Can you tell us, sir, did Issa Sesay have an adjutant?

14 A. Yes.

15 Q. Can you recall the name of the adjutant?
15:51:29

16 A. Yes.

17 Q. What was his name?

18 A. Jabba. Jabba.

19 Q. Do you know a Foday Lansana? Do you know that name, by
15:52:09 20 that name? If not, just say so?

21 A. I may have forgotten it, but the name --

22 Q. That's all right. If you don't remember, that's fine.

23 Don't worry about it. You've mentioned before a person named

24 Kallon, or at least one Kallon. Can you tell us anyone named

15:52:32 25 Kallon that was present at the forum meeting before the attack on
26 Kono that you've discussed?

27 A. It was Morris Kallon. That's what I mean.

28 Q. What was his first name again?

29 A. He had a nickname, but his real name is Morris Kallon. He

1 had nicknames, but his real name is Morris Kallon.

2 Q. Mr Witness, do the initials BFC mean anything to you?

3 A. BFC, battle front commander.

4 MR KOU MJIAN: Your Honour, I ask the witness to be shown
15:54:15 5 the document in tab 6.

6 MR GRIFFITHS: I'm sorry, your Honour, if we are to embark
7 on the same process yet again --

8 JUDGE SEBUTINDE: Perhaps, Mr Koumjian, we may ask why do
9 you want to show tab 6 to the witness?

10 MR KOU MJIAN: The witness was present and can - and we can
11 ask the witness if he recognises the document, or if the document
12 confirms with his memory of the events.

13 JUDGE SEBUTINDE: Present where?

14 MR KOU MJIAN: At the forum discussion that Issa Sesay held
15:55:09 15 prior to the attack on Kono.

16 JUDGE SEBUTINDE: Have you laid any foundation for that
17 statement, Mr Koumjian?

18 MR KOU MJIAN: The witness has testified about this forum in
19 the last hour. He discussed who was present, he discussed what
15:55:24 20 was discussed and the assignments given to various commanders.

21 JUDGE SEBUTINDE: Has he said anything about the document
22 having been written during that meeting? Was there any document
23 alluded to in his previous testimony?

24 MR KOU MJIAN: No, and the witness is not an adjutant.

15:55:38 25 JUDGE SEBUTINDE: That is exactly where the finger is.

26 MR KOU MJIAN: Can I ask is the Court indicating that we
27 have to produce the person that produced each document, or that
28 only a witness who has seen the document previously can testify
29 to a document?

1 JUDGE SEBUTINDE: Mr Koumjian, are you asking the Bench to
2 teach you how to lay foundation, because that is exactly what
3 you're asking us to do? Please lay proper foundation.

4 MR KOUMJIAN:

15:56:13 5 Q. Sir, when the RUF would hold a meeting, were there ever
6 occasions that those meetings - that any report was made of those
7 meetings?

8 A. Yes. The high command who would be there, his clerk or
9 adjutant would do that for him.

15:56:42 10 Q. What happened to these reports of the meetings?

11 A. When the clerk would have written the report, he would show
12 it to the high command who would be in charge and he would be the
13 chairman. Afterwards they would keep the document for records
14 sake.

15:57:11 15 Q. The meeting that you discussed at Guinea Highway before the
16 attack on Kono, do you know whether or not a record was made of
17 that meeting? If you don't know, say so.

18 A. I was not close to an adjutant, but I know personally that
19 whatever meeting that was held they must take down jottings of
15:57:42 20 the meeting to give those to the high command. That was what
21 obtained in the entire RUF.

22 MR KOUMJIAN: Your Honour, I re-apply to show the document
23 in tab 6. For the record, we can describe it as ERN numbers --

24 MR GRIFFITHS: What happens generally, your Honour --

15:58:09 25 MR KOUMJIAN: Excuse me, I'm not finished. May I please
26 complete my statement before counsel interrupts. Thank you. The
27 ERN number is 00015401 through 00015403, a three page document.

28 MR GRIFFITHS: Your Honour:

29 "Q. The meeting that you discussed at Guinea Highway before

1 the attack on Kono, do you know whether or not a record was
2 made of that meeting?

3 A. I was not close to an adjutant, but I know personally
4 that whatever meeting that was held they must take down
15:58:57 5 jottings."

6 That doesn't answer the question whether at that particular
7 forum a note was made and whether this witness saw it. That's
8 the foundation one would expect my learned friend to lay before
9 putting a document like this before the witness. It really is
10 simplicity itself. One wonders why it is my learned friend
11 appears to be failing to understand this most basic point of
12 advocacy.

13 MR KOUMJIAN: Thank you, your Honour. To respond that is
14 not the law that's been followed in this Court, in other cases,
15:59:36 15 in this particular case and in other international tribunals, and
16 I welcome again the Defence to cite any case that shows that such
17 a foundation has to be laid before a document can be shown or
18 even admitted into evidence in an international tribunal.

19 Documents in war crimes cases, the person who prepared the
15:59:56 20 documents, the side that took them, often are unavailable and
21 these documents are admitted in every - we can cite many cases
22 from the ICTY, ICTR and from this Court where these documents
23 were admitted.

24 The contents of this document describe - speak for
16:00:15 25 themselves. The issue of whether or not this is a correct copy
26 or whether this is a forgery is a question of foundation, but the
27 case law is clear and is decided at the end of the case by your
28 Honours. The relevance of this document is unquestionable,
29 because it describes in detail the plans for the attack on Kono

1 and that is the only foundation that's required by the case law.

2 Also this Defence has taken extremely inconsistent
3 positions each day on what the foundational requirements are.

4 For example Mr Griffiths submitted into evidence an autopsy
16:00:59 5 report that the witness had never seen before, the witness that
6 it was presented to, which was Mr Blah, President Blah. It was
7 admitted into evidence although the witness had never even seen
8 or heard of it before, or at least not seen it before. No

9 foundation was required by the Chamber for such a document and we
16:01:18 10 would submit that the case law is clear that where the document
11 is relevant on its face the document comes in. The issue about
12 whether or not the document is genuine is an issue that the case
13 law says clearly is decided by the Bench at the end of the case,
14 taking into account all of the evidence.

16:01:38 15 As we've already seen in this case some documents have been
16 admitted where one witness has very little information and a
17 subsequent witness has much more information about it, but the
18 documents are relevant to the testimony. So, what counsel is
19 saying as to the law is just clearly incorrect. There's no such
16:01:56 20 case, there's no rule in the rules of evidence of this Chamber,
21 there's no decision in international criminal law that would
22 require that kind of foundation and it hasn't been followed
23 before in this case with many of the documents admitted by both
24 sides.

16:03:12 25 [Trial Chamber conferred]

26 PRESIDING JUDGE: We have heard the arguments of both
27 counsel for the Defence and the Prosecution. We consider that no
28 proper foundation has been laid and the document cannot be shown
29 to this witness.

1 MR KOUMJIAN:

2 Q. Mr Witness, thank you for your patience through all this.
3 Sir, can you tell us was the attack in Kono District and on Koidu
4 Town that was planned at the forum that you attended with Issa
16:04:18 5 Sesay successful?

6 A. Yes.

7 Q. You've talked about Issa Sesay coming with some ammunition.
8 Do you know where that ammunition came from?

9 A. Yes.

16:04:38 10 Q. What do you know about that?

11 A. At that time we did not have anywhere else to get
12 ammunition from except Liberia from Charles Taylor. Sam Bockarie
13 went to Liberia and Issa Sesay stayed in charge in Buedu as
14 commander. So when Sam Bockarie returned to Buedu and he brought
16:05:06 15 the ammunition and he handed them over to Issa, Issa took the
16 ammunition to Kono for us to attack Koidu and every one of them
17 was new, but before that Rambo had given me the information
18 because he was the high command at the place.

19 Q. The forces that were defending Koidu Town and other parts
16:05:38 20 of Kono District, were those forces well armed or not well armed?

21 A. It was ECOMOG. They were from all over. They were well
22 armed.

23 Q. In your experience throughout this war, was this a strong
24 defence force - relatively strong, or relatively weak, that was
16:06:08 25 defending Koidu Town and Kono District during this attack?

26 A. The only thing was that because what we captured from them,
27 they would tell you that they would be able to defend the ground
28 but that they were not strong fighters. They had heavy weapons
29 that would prove that if it were the RUF that had such weapons no

1 other fighter would have been able to enter there.

2 JUDGE SEBUTINDE: Mr Koumjian, you asked the witness a
3 question what does he know about where the ammunition came from
4 and in his answer he says, "Issa took the ammunition from Kono
16:06:51 5 for us to attack and every one of them was new." One of what?
6 One of what?

7 MR KOUMJIAN: I didn't catch that as what the witness said,
8 but I'll ask him to repeat it:

9 Q. Mr Witness, I'm going to go back to when you said Issa
16:07:11 10 Sesay brought the ammunition. First of all, where was Issa Sesay
11 coming from, if you know, with the ammunition?

12 A. He brought the ammunition from Buedu and he brought them to
13 Kono, but we knew that it was Sam Bockarie who handed the
14 ammunition over to him.

16:07:32 15 Q. And can you repeat, and perhaps give us more detail, how
16 was it that you knew that the ammunition had come from
17 Charles Taylor?

18 A. Even before Sam Bockarie - I mean, Issa Sesay left Buedu to
19 come, like I said earlier, I got the information first from Rambo
16:08:01 20 who told me that Sam Bockarie had gone to Charles Taylor, but at
21 that time we never used to refer to him that way. We used to
22 call him Father. He said he had gone to him for arms and
23 ammunition and we were on that when Sam Bockarie arrived in Buedu
24 and we got the information through radio communication that he
16:08:24 25 had returned and after two to three days, Issa travelled to Kono
26 and he met us there with the materials with many manpower. They
27 in fact carried it on their heads because they did not use the
28 motorway. So those were the ones we used for the attack on Kono
29 and that was - those were the materials that they took.

1 JUDGE LUSSICK: Mr Koumjian, I'm referring to the same
2 answer that my colleague Justice Sebutinde was referring to and
3 what I think is difficult to understand about that answer is that
4 he said, "Issa took the ammunition to Kono for us to attack Koidu
16:09:09 5 and every one of them was new". What does that mean?

6 MR KOUMJIAN: I believe that was a transcript error. I
7 heard something different.

8 JUDGE LUSSICK: Is there second-hand ammunition or used
9 ammunition?

16:09:23 10 JUDGE SEBUTINDE: That is exactly what the witness audibly
11 said. I heard it and it was recorded apart from the word "new"
12 that is misspelt. I'm looking at page 127, line 16. He said
13 exactly what is written, save for the word "new" that is
14 misspelt. We don't understand.

16:09:46 15 MR KOUMJIAN: Your Honour, I understood that that word is
16 not misspelled and that's why perhaps I have a different
17 understanding, but I will ask the witness:

18 Q. Sir, when you were talking about the ammunition that Issa
19 brought you said, "Issa took the ammunition to Kono for us to
16:10:03 20 attack Koidu and every one of them was new." What does that
21 mean? What did you mean when you said that?

22 A. What I mean by "new" is that everything were in the boxes.
23 They were not yet been opened. That is what I mean by new. If
24 something was old, if they had opened the boxes and took them out
16:10:28 25 of there then they wouldn't have been referred to as new, but the
26 boxes were all sealed, so I can say they were new.

27 MR KOUMJIAN: I apologise, your Honours were absolutely
28 correct. I understood that to mean every one of us knew. I
29 didn't understand it correctly:

1 Q. Sir, what was the result of the attack in Kono District?

2 A. The result was a big blow on the side of the government at
3 that time and the so-called ECOMOG.

16:11:19

4 Q. Were you forces able to capture anything during that
5 fighting that you recall?

6 A. Yes.

7 Q. What do you remember about what was captured?

8 A. We captured arms and ammunition from them.

9 Q. What kind of arms were captured, if you recall?

16:11:47

10 A. We captured heavy weapons like ground missiles and we
11 captured light weapons.

12 Q. Were any heavy weapons that the defending forces had
13 destroyed?

16:12:16

14 A. Yes. Those ground missiles, about three ground missiles,
15 they removed the fire pins and they went with them. They left
16 the ordinary one there.

17 Q. Were any vehicles captured for --

18 PRESIDING JUDGE: Just pause, Mr Koumjian. Who is the
19 "they" that removed the fire pins, please?

16:12:37

20 THE WITNESS: I said the RUF. I said we, the RUF, captured
21 arms, ammunition, vehicles from the ECOMOG soldiers.

22 PRESIDING JUDGE: Yes, but, Mr Witness, you also said
23 "these ground missiles, they removed the fire pins." Who removed
24 the fire pins? "And went with them". Who is the they that
25 removed the fire pins and went away with them?

16:13:04

26 THE WITNESS: The ECOMOG soldiers who had the weapons, they
27 were unable to run away with them, so it was easier for them to
28 have removed the firing pin and run away with them, so they left
29 the empty weapons there.

1 PRESIDING JUDGE: That clarifies my question, Mr Koumjian.

2 Please proceed.

3 MR KOUMJIAN:

16:13:34

4 Q. Sir, do you know if any vehicles were captured or destroyed
5 by the RUF and AFRC forces?

16:14:03

6 A. We did not destroy cars because we also wanted to capture
7 them and use them. We did not used to destroy them because we
8 would use them to transport our manpower to the front line. We
9 would not capture them and burn them down, but we used to capture
10 them.

11 Q. My specific question was in this attack do you know if any
12 vehicles were either captured or destroyed in the fighting, any
13 ECOMOG vehicles?

14 A. Yes.

16:14:42

15 Q. Sir, what happened to the ECOMOG forces that had been in
16 defensive positions in Kono District?

17 A. We overran them and we captured some of them. Some who
18 were unfortunate died. Those who were fortunate to run away,
19 they ran away. So that was what happened.

16:15:09

20 Q. Those that ran away, do you know in what direction they
21 went?

22 A. Yes.

23 Q. Where did they go, if you know?

16:15:39

24 A. Some took the main road, Makeni to Freetown. Some took the
25 other road between Tongo to Kenema.

26 Q. Now you mentioned Akim. Do you recall if Akim had any
27 results during this offensive, this attack, the forces that he
28 was commanding?

29 A. Repeat that. I did not understand that result area.

1 Q. Earlier you said you couldn't recall what at that moment
2 the order to Akim was, what area he was to attack. I'm just
3 asking you now if you remember if Akim was able to capture any
4 areas during that attack after the forum that you described.

16:16:31 5 A. Yes, the area that was given to him, he and Kailondo
6 captured there. They captured there and all of us went and met
7 at the pivotal point where we had decided, that is the centre of
8 Koidu Town. Each and every one of us who was given a place to be
9 attacked, we all attacked our individual places and we all met at
16:16:55 10 the pivotal point, which was the centre of the town.

11 Q. After Koidu was taken, Koidu Town was taken, what happened
12 next?

13 A. As we captured Koidu Town the front line soldiers advanced
14 and they went ahead. Like in the case of Akim, he went to Tongo
16:17:27 15 and that was his assignment place given to him. Rambo, who is
16 Boston Flomo, he went - he advanced towards Makeni and I stayed
17 in Koidu Town to ensure that I assembled all the mining
18 equipment. I stayed in Koidu to do that job afresh.

19 Q. Was Akim able to capture Tongo?

16:18:07 20 A. Yes, sir. He captured Tongo.

21 Q. And what about the forces - you said Boston Flomo, Rambo,
22 advanced towards Makeni. Do you know what happened when those
23 forces went to Makeni?

24 A. Yes.

16:18:26 25 Q. What happened in Makeni?

26 A. At first at the time Superman was at the Kabala Highway
27 they were the first group who entered Makeni to attack there, but
28 they were unable. But they later coincided their attack together
29 with Rambo and they all attacked Makeni together and at that time

1 now they were able to capture the place because they now had a
2 large force.

3 Q. Where was Issa Sesay at the time that Rambo first advanced
4 to Makeni?

16:19:15 5 A. Issa Sesay was in Koidu. He later followed them, but he
6 would not be at the front line.

7 Q. Did Issa Sesay go to Makeni, ever enter Makeni, to your
8 knowledge?

9 A. Yes. When they went and captured Makeni they advanced as
16:19:44 10 far as Lunsar and he was now based in Makeni for some time.

11 Q. Where did you go at that time?

12 A. I did not go to anywhere else because my assignment did not
13 call for that. I was assigned in Kono, so that was where I was.

14 Q. And during this important attack you stayed in Kono. Is
16:20:09 15 that what you're saying?

16 A. Yes, after we had attacked the place and captured the
17 place, I stayed there. I did not advance to anywhere else. I
18 stayed in Koidu Town.

19 Q. What was your assignment there in Koidu Town?

16:20:28 20 A. I was overall mining commander.

21 Q. At the meeting, the forum before the attack on Kono, was
22 there any discussion of mining prior to the attack that you
23 remember?

24 A. You know, the first thing was how to capture the place.
16:21:04 25 That was the first thing that was discussed. So when we captured
26 the place we already knew - Issa and I, we already knew that,
27 that after we had captured Kono I will stay in Kono and continue
28 to do that work. We already knew that.

29 Q. Sir, you mentioned that weapons were captured from ECOMOG.

1 Do you know if any ammunition was captured during these attacks
2 in the Kono District on Koidu Town and surrounding areas?

3 A. Yes, as I told you earlier, we captured some arms and
4 ammunition during that attack when ECOMOG had left the place and
16:22:08 5 ran away.

6 Q. What happened with the arms and ammunition that were
7 captured during this attack on Koidu Town and the Koidu district?

8 A. They had people who were responsible for such things and
9 your - any one of us, anything you are responsible for, that was
16:22:38 10 the area you are supposed to go and cover. Like in my case I was
11 responsible for mining, I was not responsible for arms and
12 ammunition. So the person who was in care of that was the SY - I
13 mean the G4, Christopher. He was responsible for that. He used
14 to gather everything and ensure that they were put intact.

16:23:03 15 Q. Okay, thank you. Sir, you've mentioned the name of Issa
16 Sesay's adjutant. Can you say it again?

17 A. He was called Jabba.

18 Q. Have you ever seen Jabba's signature?

19 A. Yes, I had seen it before.

16:23:28 20 Q. When have you seen Jabba's signature?

21 A. At the time Issa Sesay was in Kono, because anywhere Issa
22 was, he was there with him.

23 Q. Would you say you saw it on one or two occasions or was it
24 more or less than that?

16:23:53 25 A. I can say we were all in the same place or in the same town
26 and at any time Issa was giving pass to someone or Issa was
27 issuing pass to somebody to move from there to another point and
28 if Issa was not around to sign Jabba would sign, so I saw that
29 different times.

1 Q. Can you recognise Jabba's signature?

2 A. Yes.

3 MR KOUMJIAN: Can the witness please be shown P-93. That's
4 on tab 3 of the documents. May the witness be shown simply the
16:24:51 5 last page with the ERN 00025507.

6 PRESIDING JUDGE: If it's P-93 I take it that's an existing
7 exhibit, Mr Koumjian?

8 MR KOUMJIAN: Correct, your Honour, yes:

9 Q. Sir, do you see the signature on the page? I believe it's
16:25:37 10 not yet displayed. I'm sorry.

11 PRESIDING JUDGE: Please show it to the witness.

12 MR KOUMJIAN:

13 Q. Sir, do you recognise the signature?

14 A. Yes.

16:25:56 15 Q. Whose signature is that?

16 A. This is Jabba.

17 MR KOUMJIAN: Thank you. It can be removed:

18 Q. Mr Witness, do you recall the date that Makeni was
19 captured?

16:26:28 20 A. I can't recall the date now because I didn't put my
21 attention on that.

22 MR KOUMJIAN: Okay, thank you very much. Your Honour, I'm
23 about to move to an entirely new area so I'm just going to take a
24 moment to review whether I've covered everything or perhaps your
16:26:59 25 Honours have some clarifications before the time runs out on this
26 subject before I move on. No? I think it would be a convenient
27 time.

28 PRESIDING JUDGE: You have sufficiently reviewed to your
29 satisfaction, Mr Koumjian, is that is what you're saying?

1 MR KOUMJIAN: I don't have another question right at this
2 moment and I'm moving into an entirely different area. I don't
3 know if your Honours want me to do that or to take the break now?

4 PRESIDING JUDGE: I see. In the circumstances,

16:27:31 5 Mr Koumjian, since it's so very, very close to our normal
6 adjourning time it would be appropriate to adjourn now.

7 Mr Witness, this is the time when we finish for the day.

8 Your evidence will continue tomorrow. I must inform you that now
9 that you have taken the oath you must not discuss your evidence

16:27:51 10 with any other person until all of your evidence is finished. Do
11 you understand?

12 THE WITNESS: Yes, sir.

13 PRESIDING JUDGE: Please adjourn court until 9.30 tomorrow.

14 [Whereupon the hearing adjourned at 4.28 p.m.

15 to be reconvened on Thursday, 21 August 2008 at
16 9.30 a.m.]

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WITNESSES FOR THE PROSECUTION:

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| EXAMINATION-IN-CHIEF BY MR KOUMJIAN | 14079 |