



Case No. SCSL-2003-01-T

THE PROSECUTOR OF
THE SPECIAL COURT
V.
CHARLES GHANKAY TAYLOR

MONDAY, 1 SEPTEMBER 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
Ms Doreen Kiggundu

For the Registry:

Ms Rachel Irura

For the Prosecution:

Ms Brenda J Hollis
Mr Nicholas Koumjian
Mr Alain Werner
Ms Ruth Hackler

For the accused Charles Ghankay
Taylor:

Mr Courtenay Griffiths QC
Mr Terry Munyard
Mr Morris Anyah

1 Monday, 1 September 2008

2 [Open session]

3 [The accused present]

4 [Upon commencing at 9.30 a.m.]

09:28:19 5 PRESIDING JUDGE: Good morning. I note changes of
6 appearance, Mr Koumjian.

7 MR KOUMJIAN: Good morning, your Honours. For the
8 Prosecution are Brenda J Hollis, Alain Werner, Ruth Mary Hackler
9 and Nicholas Koumjian.

09:28:40 10 PRESIDING JUDGE: Mr Griffiths.

11 MR GRIFFITHS: Good morning, your Honours. For the Defence
12 today is myself, Courtenay Griffiths, my learned friend Mr Terry
13 Munyard and my learned friend Mr Morris Anyah.

14 PRESIDING JUDGE: Thank you, Mr Griffiths. If there are no
09:29:04 15 other matters, I will remind the witness of his oath.

16 Mr Witness, you'll recall that last week you took the oath
17 to tell the truth. That oath is still binding upon you and I
18 remind you that you must answer the questions truthfully. Do you
19 understand?

09:29:25 20 THE WITNESS: Yes, ma'am.

21 PRESIDING JUDGE: Thank you. Mr Griffiths, please proceed.
22 I have been informed over the course of the weekend that our
23 problems with LiveNote have been rectified and that at least one
24 of these monitors is now working, although apparently one will
09:29:47 25 not receive ELMO. I think that's that machine and let us hope
26 that it runs smoothly.

27 MR. GRIFFITHS: Very well, your Honour.

28 PRESIDING JUDGE: Please proceed.

29

1 WITNESS: TF1-367 [On former oath]

2 CROSS-EXAMINATION BY MR GRIFFITHS: [Continued]

3 Q. I want first of all this morning to deal with one or two
4 discrete topics. The first topic I'd like to deal with with you
09:30:14 5 is amputations. I wonder if the witness, please, could be shown
6 our Defence cross-examination bundle. I would like you, please,
7 to look behind divider 7 at page 14. Now, what you're looking at
8 there is a note of certain things you have said on a previous
9 occasion. Now if you count four lines from the top do you see
09:31:19 10 this, "Is it also the case that the AFRC committed atrocities
11 against civilians which the RUF commanders were not happy about?"
12 Answer, "Yes, that caused the problem in Makeni." Pause there.
13 Is that right?

14 A. Yes.

09:31:45 15 Q. What problems were caused in Makeni because of those
16 activities by the AFRC?

17 A. It was at that Kabala axis. It was the AFRC, former SLAs,
18 who were there, Gullit and others. They were killing innocent
19 people, amputating people's legs and arms and we did not want
09:32:21 20 that sort of bad name, so that was why that problem erupted
21 between us, we and the SLA. The bad things that they were doing
22 all of us were blamed for that, so whenever they did them people
23 blamed us. That was the problem that was between us in Makeni.

24 Q. So who was to blame?

09:32:45 25 A. RUF.

26 Q. They were the ones who got the blame, was it?

27 A. Yes.

28 Q. Who actually did those wicked things? Who actually did
29 them?

1 A. That's what I have told you. It was the former SLAs. When
2 they joined us they said they had come to repay people who had
3 done wicked things to them, but then when they were doing these
4 things to people the people were not blaming them, the blame was
09:33:31 5 on all of us. Even though later some RUF joined them because
6 they were persuaded to join them and to do those wicked things,
7 but initially they were the ones who did it.

8 Q. Now can I draw your attention further down that page,
9 please. If you count eight lines from the bottom of that page do
09:34:00 10 you see this, "While we know that there were amputations of
11 civilians in Sierra Leone during the conflict, would it be
12 correct to say that amputations were not taking place in Makeni?"
13 Answer, "Yes, it was in that Kabala area that was done, the SLAs
14 who were in Kabala." Again, is that right?

09:34:24 15 A. That's what I have told you. They used to do these wicked
16 things in the Kabala axis, but when all of us met in Makeni when
17 we came from - we came from Kono, the RUF, so all of us joined
18 together and we were settled in Makeni and that was what they
19 were doing in Kabala. That was what we did not like and that was
09:34:49 20 the problem we had in Makeni, but they were not based in Makeni.
21 They were in Kabala.

22 Q. Understand this, Mr Witness. So far as this topic is
23 concerned, I am not challenging what you're telling us. I am
24 agreeing with you. Do you follow me?

09:35:11 25 A. Yes.

26 Q. So let's go over the page, shall we, where you give further
27 details about this. Turn the page, please, and count 12 lines
28 from the bottom of that page, please. "That's what I'm saying.
29 I never saw that happen in Makeni, "It was in that Kabala area

1 where the SLA soldiers and the ULIMO soldiers who were with
2 Superman who were there in that area, they did that." Pause
3 there. So the ULIMO soldiers who were fighting with the SLAs,
4 they were also involved in doing these wicked things, weren't
09:36:07 5 they?

6 A. Yes.

7 Q. Skip a couple of lines and then we see this, "Is it also
8 right that amputations were not taking place in Magburaka?" "No,
9 that did not happen in Magburaka because there was not much
09:36:30 10 fighting there. They did not happen then". "And is it also
11 right that amputations were not taking place in Kailahun?"

12 Answer, over the page, please --

13 A. Okay, yes, sir.

14 Q. "Yes, not that I know of. I would just like to explain a
09:36:53 15 little on that so that you'd know. The amputations all started
16 with Johnny Paul's people, but at first it was something very
17 strange if Foday Sankoh hears that. In fact, you wouldn't even
18 attempt to do that because you would think about the rule, the
19 rules that we had. But Johnny Paul's boys wanted to revenge.

09:37:19 20 That is what caused that." "Just one other matter, if I may. I
21 spoke to you earlier about exchanges on the Guinea border."

22 Let's pause there. What you say there about Johnny Paul's
23 boys, again is that the truth?

24 A. Yes.

09:37:40 25 Q. Thank you. I'd now like to move on, please, and deal with
26 another topic. You can close that file for a moment. Now, do
27 you recall an event when Augustine Gbao was asked to dig his own
28 grave?

29 A. Yes.

1 Q. Where did that occur?

2 A. It occurred in the Naama base, Criole [phon].

3 Q. Who ordered Augustine Gbao to dig his own grave?

4 A. Rashid Mansaray.

09:39:06 5 Q. Did he dig his own grave?

6 A. Yes.

7 Q. Was he asked to get into it?

8 A. Yes.

9 Q. Why was that done to that man?

09:39:25 10 A. You want me to explain a bit?

11 Q. Yes, please.

12 A. It was at one time at the Naama base when we were there
13 that we saw Augustine Gbao in Foday Sankoh's vehicle. He was
14 brought from Gbarnga. When they came they said he had gone on a

09:39:57 15 recon. They said he had left from Freetown, Sierra Leone. He
16 was sent there to go on a spy mission to see what we were doing
17 there. So Augustine Gbao was in jail, he was put in jail, and
18 even some of us like me I was sent to that jail to go and gather
19 information from him to actually know whether he went there on a

09:40:31 20 recon mission. But that was not what he went there for. He did
21 not go for a recon mission because I got that from him. I went
22 there in the jail myself. But Foday Sankoh was not at the base
23 so Rashid went and opened the jail yard and took out Gbao one
24 morning. He was taken to a riverside where we used to take our
09:40:58 25 shower. It was along that road that he ordered him to dig his
26 grave.

27 Q. Now Mike Lamin was present at that event, wasn't he?

28 A. Yes.

29 Q. What was his role?

1 A. He was the one who told Pa Sankoh that Rashid was to kill
2 Augustine Gbao.

3 Q. But in the end Augustine Gbao's life was saved, wasn't it?

09:41:54

4 A. Yes, sir. When Foday Sankoh was told he issued out an
5 order to send to Rashid not to kill Gbao, so that he was to be
6 brought back and be placed where he was.

7 JUDGE SEBUTINDE: Sorry, I want to understand Lamin's role.
8 Was Lamin part of the conspiracy to kill Gbao, or he merely
9 reported what was about to happen to Gbao?

09:42:24

10 THE WITNESS: He did not partake. What he did was to go
11 and inform Sankoh that Gbao was about to be killed, that Rashid
12 wanted to kill Gbao. That was why even Gbao was not killed.

13 MR GRIFFITHS:

09:42:51

14 Q. Now another topic, please. Could you once again look
15 behind divider 7 in that file, please, and before we come to a
16 particular passage can I ask you this question. You've told us
17 about your role in purchasing ammunition from former ULIMO
18 combatants. Did the RUF also purchase ammunition across the
19 Guinea border?

09:43:27

20 A. At the Guinea border we used to take produce there, but the
21 way we used to buy from ULIMO was not the way we bought from
22 them. They were packets. It was in '93 when we went to the
23 jungle initially.

09:43:58

24 PRESIDING JUDGE: Mr Witness, the question was whether you
25 purchased ammunition across the Guinea border. You said you took
26 produce, but I don't know what you bought with the produce. You
27 haven't answered the question.

28 THE WITNESS: What I meant, yes, in '93 when we went to the
29 jungle and we met with the NPFL we were together in the same

1 place. They were the ones who even negotiated on our behalf
2 because they were there. We got ammunition from there, but not
3 much. We did not even buy many ammunition. We only bought few
4 packets, but that did not take long and we stopped it.

09:44:41

5 MR GRIFFITHS:

6 Q. Because if we now go, please, to page 8 behind divider 7,
7 we see at the bottom of the page, six lines from the bottom of
8 the page, "Do you know that there were ammunition transactions
9 which took place on the Guinea-Sierra Leonean border?" "Yes."

09:45:10

10 "And that the RUF participated in such transactions?" "Yes."
11 Now it is correct, is it not, that the - that's another topic.
12 You agree with that?

13 A. That's what I've told you. That's what I explained to you.
14 When we met with the NPFL initially at that border in '93 they
15 were the ones who negotiated on our behalf - Jungle and others.

09:45:28

16 Q. And if we just continue with the passage, and this is
17 another topic, "Now it's correct, is it not, that the RUF had
18 laws which prohibited rape?" "Yes." Is that right?

19 A. Yes.

09:45:50

20 Q. "And which prohibited the burning of houses?" "Yes." Is
21 that right?

22 A. Yes.

23 Q. "And which prohibited amputations?" "Yes." Is that
24 right?

09:46:10

25 A. Yes, at the initial stage it was Foday Sankoh himself who
26 instituted that law, but when he was not in power, when he left,
27 those who stayed did not go by the law any more.

28 Q. And it continues, "And which prohibited looting." All
29 those laws were there and they were there, weren't they?

1 A. Yes, the order was there because that was a laid down law
2 that was there right from the beginning.

3 Q. "Which prohibited the harassment of civilians?" "Yes."
4 "And which prohibited the killing of innocent civilians?" "Yes."
09:46:51 5 "And there was also a law, was there not, which prohibited the
6 killing of an enemy combatant if that enemy combatant surrendered
7 with their hands up?" "Yes, all was on paper." What was the
8 name of that paper, witness?

9 A. It was ideology paper. They started teaching us that from
09:47:13 10 Naama base, so even in Sierra Leone it was the same ideology
11 paper that we had. That was what they gave to us.

12 Q. Very well, let's leave that topic.

13 PRESIDING JUDGE: Mr Griffiths, just before we leave, a
14 point of clarification, page 9, line 5. I thought I heard the
09:47:33 15 witness say "when he left" whereas it's written, "when we left".

16 MR GRIFFITHS: This is on the --

17 PRESIDING JUDGE: I'm looking at the LiveNote transcript.
18 On my font it's page 9, line 5. "When he was not in power when
19 we left."

09:48:04 20 MR GRIFFITHS: Yes, "when we left":

21 Q. Now when you say, witness, "when he left", are you talking
22 about when he was arrested in Nigeria?

23 A. Yes, when he was not with us again in the jungle. That's
24 what I mean. When just we were in the jungle.

09:48:26 25 Q. Now I'm going to come back to that in a moment, but I'd
26 like to deal with another topic first, please, and I'd just like
27 first of all to briefly remind ourselves of some evidence you
28 gave us last week and the week before. From that bank robbery
29 some 56 million leones were recovered, is that right?

1 A. Yes, the one that we got from people, that was it, but the
2 one that was at the bank I cannot tell you because people escaped
3 with money, but the one that we got from people, live, that was
4 what I saw and that is it.

09:49:16 5 Q. And that's, for everyone's assistance, page 14145 of the
6 transcript. Now you further told us that before you retreated
7 from Freetown when ECOMOG pushed you out you had some 200 million
8 leones, is that right?

9 A. Yes.

09:49:42 10 Q. And what happened was, as I understand it, some 25 million
11 leones were taken by yourself and Sam Bockarie to Foya where you
12 met Ma Mary and changed that money into Guinean francs. Is that
13 right?

14 A. Yes, that was how it happened, because at that time the
09:50:18 15 Sierra Leone currency hadn't much value.

16 Q. And it was that money in Guinean francs which you used to
17 purchase a consignment of ammunition from ULIMO, is that right?

18 A. Yes.

19 Q. Now you also told us this, that on another occasion when
09:50:48 20 you went to purchase arms from ULIMO you were provided with 7,000
21 US dollars by Sam Bockarie. Is that right?

22 A. Yes, Sam Bockarie was the one who had the money. Foday
23 Sankoh gave the money to Sam Bockarie, but I knew about it and so
24 it was from that money that he used to take some and give to me.

09:51:15 25 It was not everything that he gave to me. He used to take some
26 at a time and give to me, but I knew about the 7,000 dollars.

27 Q. This is page 14156 of the transcript from 20 August:

28 "What I am telling you, he gave me leones, but the first
29 one was Foday Sankoh who had left money with him, he, Sam

1 Bockarie, so it was that money that he himself was there when the
2 transaction was going on. It was dollars. 7,000 US dollars."

3 Page 14157: "\$7,000. American dollars." And that was
4 used for the transaction, yes?

09:52:04 5 A. Yes, that's what I mean. That's the \$7,000 I'm talking
6 about.

7 Q. Now help me with this, please. Where did you get that
8 figure of 7,000 US dollars from?

9 A. That \$7,000 I saw it with Mosquito when Foday Sankoh gave
09:52:24 10 it to him. I just did not say it like that. I saw it myself
11 with him.

12 Q. And did you use all of that \$7,000 to buy ammunition from
13 ULIMO?

14 A. He did not give me the money in a lump sum. He used to
09:52:46 15 give some to me in leones. He used to take some and give to me
16 in leones and in francs, Guinea francs. He did not give me the
17 physical dollar. He used to exchange it into francs and give it
18 to me.

19 PRESIDING JUDGE: Mr Witness, I don't think that's answered
09:53:08 20 counsel's question. The question was, "Did you use all of that
21 7,000 to buy ammunition from ULIMO?" You've explained that you
22 didn't get it all, but you didn't say what you did with what you
23 got.

24 THE WITNESS: I cannot recall the total amount that he gave
09:53:34 25 to me. I cannot recall that now, the total amount that we used.
26 I would not tell whether he gave me all the \$7,000, whether it
27 was in francs or leones, but I cannot tell now the total amount
28 that I used.

29 MR GRIFFITHS:

1 Q. What I'm asking is did you use all of that 7,000 US dollars
2 to purchase ammunition from ULIMO?

3 A. I used some money, that's what I'm telling you, but I
4 cannot tell now if it was everything that I used.

09:54:08 5 Q. That figure - that precise figure of 7,000 US dollars -
6 where did you get that figure from?

7 A. I saw the money with Sam Bockarie. Foday Sankoh gave it to
8 him, \$7,000. He counted it and I saw it myself. I saw him
9 counting the money. He did not used to hide things that was for
09:54:41 10 the general good of us.

11 Q. Now, the reason I'm asking about these details is this.
12 Could you look behind divider 8, please. It is behind divider 8
13 and could we turn to page 4 of that document, please, and let's
14 have a look please at paragraphs 26, 27 and 28:

09:55:29 15 "Witness states that at that time he was assigned on
16 missions to Liberia to buy arms and ammunition from ex-ULIMO and
17 some NPFL fighters. It was Mosquito who assigned witness and
18 provided the money which was in both local and foreign currency
19 mainly US dollars.

09:55:51 20 The buying of the arms and ammunition from ex-ULIMO
21 fighters was as a result of blockage of the RUF supply route.
22 Witness went on two such missions and brought mainly ammunition
23 on both occasions.

24 Witness states that on the first mission, Sam Bockarie gave
09:56:11 25 him twenty-five million leones but no foreign currency."

26 Then this:

27 "On the second mission to buy the arms and ammunition,
28 Mosquito gave him the same amount of twenty-five million leones,
29 plus 3,000 US dollars. But the US dollars were to be delivered

1 to the ULIMO commander that was based in Foya for what
2 transaction witness cannot tell. Witness cannot recall the name
3 of the ULIMO commander but he will supply it when he recalls."

09:56:53

4 So help us, please. Where does that 3,000 figure come
5 from?

6 A. This 3,000 was from that \$7,000 but, you know, I cannot
7 recall everything that I have been saying now. My head is not a
8 computer.

09:57:15

9 Q. That's a phrase we've heard on numerous occasions, "My head
10 is not a computer", but I would still like you to assist us. Why
11 is it that you were giving the investigators that precise figure
12 of 3,000 US dollars in March of this year and then in August of
13 this year you're giving us another precise figure of 7,000 US
14 dollars? Why is that?

09:57:44

15 A. Don't mislead me. The \$7,000 that I'm referring to was in
16 the hands of Mosquito. He used to take from that amount and give
17 it to me to do the purchases. He did not give me in bulk, not a
18 lump sum. That's why I called out the amount, I said \$7,000, but
19 he did not give it to me in a lump sum.

09:58:14

20 Q. Yes, but that's the figure you told us last week - no, the
21 week before that you'd used to purchase arms, 7,000 US dollars,
22 and what I'd like to know is why has the figure suddenly jumped
23 from three in March to seven in August? Can you help me?

09:58:48

24 A. What I have told you is this. The 3,000 that you are
25 seeing was for the commander. The balance - nobody asked me what
26 we did with the balance money, but we used that as well on
27 ammunitions. We did not just spend it on ourselves. We used it
28 for ammunition, the balance, everything. The 3,000 was for the
29 commander who was in charge, but they did not give everything at

1 the same time.

2 Q. Can I suggest the reason why the figure has jumped from
3 three to seven. Please look behind divider 11 in that bundle,
4 please. Now we know that in March you give the figure of 3,000
09:59:43 5 and then what happened was this. In June/July of this year -
6 turn to paragraph 14 in that document. In June/July of that year
7 you were shown our exhibit D-9. When we go to exhibit D-9, which
8 we've seen before, we see in the second paragraph reference in
9 that report to 7,000 US dollars. This is the report of 26
10:00:24 10 September. So in July you're shown this, and as you say you had
11 not seen the document before, and then all of a sudden in August
12 the figure becomes seven. Why is that?

13 A. The seven was the total amount that was given. That's what
14 I knew about, but if they had asked me I wouldn't tell them that
10:01:02 15 I had seven to go and purchase. I only would tell them the
16 amount that was given to me at a time, but the total amount was
17 seven. But if I will be going elsewhere and you give me 1,000 I
18 will not go and say that is 7,000. I will just say it is 1,000
19 because that is what you gave to me at that time.

10:01:22 20 Q. Tell me, in June/July when you had a proofing session, who
21 was present at that? Who showed you that document?

22 A. I can't recall the person now.

23 Q. Who was the lawyer present?

24 A. In July? I don't recall that person.

10:01:57 25 Q. Do you think that change in the amount has anything to do
26 with the fact that you had been shown that document for the first
27 time?

28 A. There were some documents that we saw, but that doesn't
29 mean that I didn't know the amount of money, but what was given

1 to me at the time was what I told you. I will not tell you that
2 this was the amount that was not given to me at a particular
3 time. That doesn't mean anything.

10:02:40 4 Q. In fairness to you perhaps I ought to show you the document
5 again, the same document you were shown in June/July. The very
6 first page, please, second paragraph on that page:

7 "Upon your departure I initiated contact with ULIMO, as per
8 your instructions, in a bid to buy materials to repel the vicious
9 attacks of the Kamajors at a time when there was a peace document
10:03:30 10 in place and we were not expecting to fight. At first ULIMO
11 arrested me thinking that I'd come to them to surrender. Later I
12 was able to convince them to release me and we commenced a
13 mutually beneficial relationship. I used the 7,000 US dollars to
14 purchase vitally needed materials."

10:03:58 15 Now, we know from this other document which is open in
16 front of you that you first saw and read this document in
17 June/July of this year. Do you follow me so far?

18 A. Yes, I'm hearing you.

19 Q. And so we have a situation, don't we, where you give a
10:04:25 20 figure of 3,000 in March, you're shown this document in
21 June/July, then all of a sudden in August you're quoting the same
22 7,000 figure. How did that come about, Mr Witness?

23 A. You should understand what I am saying here. The 3,000
24 that I'm referring to was out of the 7,000 that I spoke about,
10:04:56 25 but he wouldn't have told Foday Sankoh that you took 3,000 and
26 gave it to somebody else. He would just tell him that he used
27 the money to buy ammunition. But it was actually out of that
28 7,000 that he would take the money to buy ammunition and the
29 other he gave to the other people. That's what I'm telling you.

1 Q. I'm not interested in what Sam Bockarie told Foday Sankoh.
2 I'm interested in you and why your account has shifted in this
3 way. Do you follow me?

10:05:33 4 MR KOU MJIAN: Objection, the witness has explained - as
5 he's explained his account has not shifted. These are two
6 different figures. They are not the same thing. He has
7 explained that three times.

8 PRESIDING JUDGE: He can still put the question,
9 Mr Koum jian.

10:05:46 10 MR GRIFFITHS:

11 Q. My question is very simple and just so that Mr Koum jian
12 understands it I'll ask it again. Why is it that your account
13 has changed from March to August from the figure 3,000 to the
14 figure 7,000? I'm only interested in you. Why has it changed?

10:06:15 15 A. Nothing has changed. What I know is what I have said here.
16 I don't know, maybe you know something else, but nothing has
17 changed.

18 Q. Is it the case, Mr Witness, and I'll put it to you quite
19 bluntly, that you are willing to adopt any suggestion which might
10:06:37 20 appear to give your account greater credibility? Do you
21 understand me?

22 A. What I know about is what I am talking about. I will not
23 tell you what I don't know about.

24 Q. Very well, let's move to another topic then. After Foday
10:07:03 25 Sankoh's arrest the RUF became a very divided organisation,
26 didn't it?

27 A. No, we were not divided. We were one RUF.

28 Q. Let me explain what I mean by that. Could you look behind
29 divider 7 and let's look behind divider 7 at page 9, please. Now

1 on a previous occasion do you recall this passage, line 17, "Now
2 is it correct that Superman created an independent group of RUF
3 combatants under his control?" "Yes. I can say almost because
4 there was a clash between him and us." "When you say us which
10:08:20 5 group did you belong to?" Answer, "That group that was in
6 Kailahun until Kono, Issa, Kallon, Mosquito, that group in which
7 they were. That's the group I was in." "Now the hostility
8 between Superman's group and your group came to a head after the
9 January 6 invasion. Is that correct?" "Yes." "But Superman's
10:08:47 10 group operated more or less independently from August or
11 September 1998?" "Yes. Even when they were in Kamakwie they
12 were doing everything by themselves. They used to mine diamonds
13 and they wouldn't report. They were doing everything by
14 themselves."

10:09:08 15 Are the sentiments expressed there correct?

16 A. Yes, that's what they used to do, but that doesn't mean
17 that RUF was divided like when the faction would be divided and
18 be made into two. It was one faction. There was just some
19 misunderstanding. There was no division, because wherever they
10:09:33 20 went they will refer to them as RUF and wherever we too went they
21 will refer to us as RUF. So, we were all RUF.

22 Q. Do you see there you accepted that Superman had created an
23 independent group of RUF combatants? What do you understand by
24 the word "independent"?

10:10:05 25 A. What I mean by that, that they were doing things on their
26 own, was because they were in the jungle. You will not just go
27 there and pass an order, but that doesn't mean that they had a
28 different name like ULIMO, or some other name. They were the
29 same RUF. The same name that they had, RUF, was the same name

1 that we too had, RUF. There was just some misunderstanding
2 between the commanders, not we the fighters. It was just the
3 commanders.

10:10:43 4 Q. Let me put it differently then. They may have had the same
5 umbrella name, but Superman was effectively operating
6 independently, wasn't he?

7 A. Yes, he did that.

8 Q. And he was refusing to take orders from either Mosquito or
9 Issa Sesay?

10:11:03 10 A. Yes, he used to do that, but he did that because of a
11 reason.

12 Q. And just so that we get the full picture, the group that
13 Superman was leading in this independent way was that the same
14 group that included former SLA and ULIMO combatants? That's
10:11:24 15 right, isn't it?

16 A. Yes, that was the group that gave us the bad name.

17 Q. And that was the same group, as you accepted this morning,
18 who were responsible for amputations and the like?

19 A. Yes.

10:11:43 20 Q. And during that time Superman was effectively acting
21 independently from Sesay and Mosquito. That's right, isn't it?

22 A. Yes, they were not together. He did not take orders from
23 them, that was why they had the problem, but later it was
24 resolved.

10:12:09 25 Q. But later further disgruntlement developed within the RUF
26 after Mosquito went to Monrovia in December 1999. That's right,
27 isn't it?

28 A. Yes.

29 Q. And that was a disgruntlement between whom?

1 A. It was between - no, there was no disgruntlement between
2 the fighters. It was just between the commanders, Sam Bockarie,
3 Issa Sesay, Morris Kallon, Superman, because they were just four.
4 The other commanders were there, but there was no problem. It
10:12:56 5 was only those four people that had the problem.

6 Q. And effectively they could not get along with each other?

7 A. Yes, sir.

8 Q. And much of these difficulties within the RUF date from
9 that time in March 1997 when Foday Sankoh was arrested in
10:13:40 10 Nigeria. That's right, isn't it?

11 A. Yes, sir. When he left the leadership, that was when the
12 problems started.

13 Q. And would you agree that from that time onwards until
14 disarmament there were a number of factions within the RUF?
10:14:05 15 Although they all had the same name, RUF, there were a number of
16 factions within the organisation. That's right, isn't it?

17 A. Yes, because SLA joined us, ULIMO joined us, those were the
18 factions that were with us, but even there at that time we were
19 all called RUF.

10:14:29 20 Q. Yes, you may all have been called RUF, but as an
21 organisation there were a number of factions and infighting going
22 on, wasn't there?

23 A. Yes.

24 Q. Next topic, please. How many times have you visited
10:14:54 25 Monrovia?

26 A. I can recall it was one or two times that I went there.

27 Q. How many times have you been to Monrovia with Sam Bockarie?

28 A. I went there once with him that I can recall.

29 Q. Now what you told us about that one occasion that you went

1 with him was this, page 14231 of the transcript. You went to
2 Monrovia. "When was that?", you were asked. "At one time I went
3 to Monrovia, but I did not go alone". Then you went on to say,
4 over the page at page 14232, "It was the time I had not been
10:16:12 5 mining commander. At the time I became mining commander I did
6 not have chance to do such things." Pause there. So, did you go
7 to Monrovia with Sam Bockarie before you were appointed mining
8 commander in December 1998?

9 A. Yes, that's what I spoke about. When we left Freetown I
10:16:35 10 went to Monrovia.

11 Q. And it was before you were appointed mining commander?

12 A. Yes, we left Freetown first before I became the mining
13 commander.

14 Q. And then you went on to tell us how you stayed at a place
10:16:55 15 at Elawa [sic] Junction, yes?

16 A. It was not Elawa, E-L-W-A. There was no Elawa Junction in
17 Monrovia.

18 Q. ELWA Junction. That's where you stayed with Sam Bockarie,
19 yes?

10:17:16 20 A. It was not stay. We just passed the night.

21 Q. Now, what was the purpose of Sam Bockarie's trip to
22 Monrovia?

23 A. When we went to Buedu it was when Sam Bockarie said he had
24 received a message that Charles Taylor had invited him to
10:17:47 25 Monrovia, Liberia, but it so happened that the two of us would
26 go. I was to go and stop in Voinjama for this same negotiation.
27 There was a police commander in Voinjama at that time - he was a
28 Gio man, but I have forgotten his name now - and so I travelled
29 together with him and we went to Monrovia and we returned. That

1 was the mission I went on for Voinjama, but when I went and he
2 explained to the police commander he said he was going to leave
3 me there to be running in between. After that explanation he
4 spoke to the commander and then I went with him to Monrovia,
10:18:33 5 because even the times that I used to go to buy the ammunitions I
6 did not just go there alone. He would go first and introduce me
7 before I continued going to buy the ammunition later.

8 Q. Yes, can we now try my question. What was the purpose for
9 you and Sam Bockarie to go to Monrovia?

10:19:05 10 A. That's the reason that I have explained to you. I
11 travelled with him to go to Voinjama to make the same arrangement
12 that we had made in Foya, because the police commander that was
13 in Voinjama I did not know him. He knew them. He went with me
14 to introduce me to the police commander, but then after that
10:19:27 15 arrangement I followed him to Monrovia. The two of us went. So
16 when we came back now to Buedu then he had already introduced me
17 to the police commander in Voinjama, so afterwards he sent me
18 alone to the place. He gave me some money and I went there on
19 the mission, but I wouldn't have gone there on my own without him
10:19:49 20 introducing me first.

21 PRESIDING JUDGE: Mr Witness, we understand that, but the
22 question is, "Why did you and Sam Bockarie go to Monrovia?"
23 You're talking about Voinjama now.

24 MR GRIFFITHS: Your Honour, precisely.

10:20:07 25 THE WITNESS: Yes, I travelled with him to Monrovia because
26 Charles Taylor had invited him. I didn't know why he was
27 invited, but Charles Taylor invited him and we went there and
28 even when we went we were at the house when Benjamin Yeaten
29 invited him at night and they went out at night. When he

1 returned that was what he told me and then both of us returned.

2 MR GRIFFITHS:

3 Q. I just want to be clear about this because I am failing to
4 understand your answer. Are you saying that the only reason you
10:20:42 5 and Sam Bockarie went to Monrovia on that occasion is because
6 Charles Taylor had invited him? Is that your evidence?

7 A. Yes, that's what he told me. He said Charles Taylor
8 invited him. That's why I went with him to Monrovia.

9 Q. Okay. And that was the only reason why you went?

10:21:07 10 A. No, that was not the only reason.

11 Q. What other reason was there? That's what I've been asking
12 for the last five minutes. What other reason was there?

13 A. The two reasons were the ones I have told you. The one is
14 Voinjama and the other is I travelled with him to Monrovia
10:21:28 15 because he did not go with any senior officer, so I went with him
16 with his bodyguards. Those were the two reasons.

17 Q. Could we have a look, please, behind divider 8. Now before
18 we come to the particular passage, did Sam Bockarie have a
19 nickname?

10:22:27 20 A. Yes.

21 Q. What was it?

22 A. Maskita.

23 Q. Did you ever travel to Monrovia with any other Mosquito,
24 but Sam Bockarie?

10:22:43 25 A. No, we hadn't any other Maskita that was a high command.
26 There were junior boys who had the name, but he was the only
27 senior commander.

28 Q. Let's have a look now, please, at paragraph 35:

29 "Witness clarifies in relation to paragraph 6 of ERN

1 00010462 that he knew diamonds he presented to Issa Sesay whilst
2 as overall mining commander was taken to Buedu and handed to Sam
3 Bockarie contrary to what witness said that he never knew what
4 was done with the diamonds. Witness states that Sam Bockarie or
10:23:32 5 Issa Sesay or both of them will travel with the parcel of
6 diamonds to Monrovia, Liberia. Witness knew that the diamonds
7 were taken to Monrovia, because firstly, Mosquito would tell them
8 that he was taken the parcel of diamonds to Charles Taylor in
9 Monrovia."

10:23:52 10 Then this:

11 "Secondly, on two or three occasions witness accompanied
12 Mosquito to Monrovia with parcel of diamonds which he would take
13 to Charles Taylor."

14 Help me. How many times did you go with Bockarie to
10:24:12 15 Monrovia to see Charles Taylor? Was it once? Was it twice? Was
16 it three times?

17 A. That's what I have - I travelled - the first time we went
18 to Monrovia, Mosquito and I, that was the first thing I was told,
19 he went with diamonds, but the two of us did not go together to
10:24:43 20 present it. He went to Charles Taylor's place to present it and
21 even myself I gave him diamonds. At that time --

22 Q. You missed the point and I interrupt you because I want to
23 save time. You've told this Court in-chief and repeated this
24 morning that you only ever went to Monrovia once with
10:25:04 25 Charles Taylor - once with Sam Bockarie. What I'm asking is why
26 in March of this year were you telling the investigators that you
27 actually went with him two or three times? Why the difference?

28 A. I travelled with him to Liberia, but I'm talking to you now
29 about Monrovia. To Monrovia it was once, but to Liberia it was

1 not just once.

2 Q. The passage says, "Witness accompanied Mosquito to Monrovia
3 ...", not Liberia, "... on two or three occasions", so please try
4 and help us. Did you only go to Monrovia once with him, or did
10:25:59 5 you go two or three times as you were telling the Prosecution in
6 March of this same year? Which account is right?

7 A. The correct story is that I went to Monrovia once with him
8 to that place that I have told you about, but to Liberia I
9 travelled with him more than twice even.

10:26:26 10 Q. So help me, please. Why in March of this year, a matter of
11 months ago, were you telling the Prosecutors that you'd gone with
12 Sam Bockarie to see Charles Taylor on two or three occasions?
13 How?

14 A. The two of us went to see Charles Taylor only once, but I
10:26:56 15 did not even see Charles Taylor. I stayed home. But I went with
16 him about two or three times to Liberia.

17 Q. You've told me that before, but I'm sorry I'm going to
18 interrupt you because I want an answer to my question.

19 MR KOUMJIAN: Excuse me, your Honour, but if counsel
10:27:13 20 interrupts the interpretation there's a problem with the record.
21 We don't know what the witness has said. If the answer is
22 non-responsive it could be stricken, but the interpretation
23 should be allowed to be completed.

24 PRESIDING JUDGE: The problem is, Mr Koumjian, he's not
10:27:27 25 answering the question as put. I almost interrupted him myself.
26 I accept your point about the record, but he is not answering the
27 question and I'm going to direct him to answer the question.
28 Mr Witness, this question is about what you said to the
29 interviewers in March and what you said in court this month. Why

1 is there a difference? Is that an adequate paraphrase?

2 MR GRIFFITHS: Your Honour, precisely.

3 PRESIDING JUDGE: Do you understand the question now,
4 Mr Witness?

10:28:04 5 THE WITNESS: Yes.

6 MR GRIFFITHS:

7 Q. Are we going to get an answer?

8 A. That is the answer that I have given to you.

9 PRESIDING JUDGE: No, I don't have an answer, Mr Witness.

10:28:24 10 Please answer the question.

11 THE WITNESS: Then repeat your question so maybe I can
12 understand it better.

13 MR GRIFFITHS:

14 Q. In March of this year you told the Prosecution that you

10:28:40 15 went with Sam Bockarie to Monrovia on two or three occasions. In
16 this Court before these judges you have told us on more than one
17 occasion you only went once. Question number one is this. Do
18 you agree there is a difference between the two accounts?

19 A. Yes, you yourself have seen it. They are different.

10:29:15 20 Q. So the important question now is why did you give that
21 different account in March of this year?

22 A. That is not it. What you heard from me in this court is
23 that I went there once.

24 Q. Why did you give a different account in March of this year?

10:29:49 25 A. It is not a different thing. I told you I went there two
26 or three times to Liberia, not just Monrovia. I did not say
27 Monrovia. I said Liberia. I went there with Mosquito once, then
28 I went there two or three times to Liberia.

29 Q. Mr Witness --

1 A. Yes, sir.

2 Q. -- are you having difficulty understanding my question?

3 A. I have heard the question.

10:30:21

4 Q. Are you going to give me an answer, or should I just give
5 up?

6 A. If you ask me I will give you an answer.

7 Q. Final time. Why did you give a different account in March
8 of this year?

10:30:47

9 A. That's what I have told you. To me I did not say anything
10 different. I said Liberia. To me I did not say anything
11 different.

12 Q. Okay, I give up. Let's move on to another topic. Do you
13 remember telling us how you had been given some details about the
14 death of Sam Bockarie?

10:31:22

15 A. Yes, because that was an information that I was given
16 because I was not present.

17 Q. I tell you what would be a good idea, witness. Could you
18 just close that folder, please. We'll come back to it in a
19 moment and so you'll get a chance to read all of it then, but I'd
20 like you, please, to concentrate on my question.

10:31:43

21 A. Okay.

22 Q. Who told you about the death of Sam Bockarie?

23 A. Two people told me about his death. I was not present.

24 Two people told me. The first one is Amadou, his younger
25 brother, and his wife's elder sister called Kadie. Those were
26 the two people I saw.

10:32:02

27 Q. And the account that Kadie gave you, if I understand it
28 correctly, was that whilst she was away from the home people came
29 and took Bockarie and others away in a vehicle. Is that right?

1 A. Yes, that was what she told me. She told me she was not
2 there herself.

3 Q. And the place from which he was taken was where? I know it
4 was a house, but in which town?

10:32:58 5 A. You mean Sam Bockarie?

6 Q. Yes, please.

7 A. She said they took him and carried him to Ganta.

8 Q. From where?

9 A. What she told me was that because it was just an
10 information. I was not there. I was not present. That was what
11 she told me, that that was the way it happened. If I was present
12 I would have told you, "Yes, I was present", but I was not there.
13 Somebody told me.

14 Q. He was taken from a house, you tell us, but all I'm trying
10:33:49 15 to find out is was the house in Freetown? Was it in Gbarnga?
16 Was it in Voinjama? Was it Kailahun? Where on this planet was
17 that house from which he was taken?

18 A. Okay, she told me it was in Liberia according to what she
19 told me. She also told me that she was not present and I too was
10:34:18 20 not present, but that was what she told me.

21 Q. Where had she, Kadie, been living in Liberia?

22 A. Kadie was with her sister.

23 Q. Her sister called Hawa, is that right?

24 A. Yes.

10:34:37 25 Q. Where in Liberia were they living?

26 A. They were in Monrovia.

27 Q. And it was whilst they were living in Monrovia that men
28 came and took Sam Bockarie from the home and drove him away, is
29 that right? That's what she told you?

1 A. That was what she told me, but she told me that she herself
2 was not present and so according to her when he returned that was
3 the information she got and that was what she told me.

10:35:20 4 Q. So when she got back to the house in Monrovia Sam Bockarie
5 had gone, yes?

6 A. Yes, that was what she told me.

7 Q. And where were you when she told you this?

8 A. At that time I was in Freetown. That was the time they had
9 now come to Freetown. I met with her in the street at a point in
10:35:48 10 time. That was where she told me and we even went to her house
11 and she told me.

12 Q. And when did she tell you this? Can you remember a year?

13 A. I have forgotten the year. I have forgotten the date
14 because I did not take record of the date to say it was so and so
10:36:17 15 date, or so and so time. I have forgotten the time.

16 Q. Was it after disarmament?

17 A. Yes, at that time I was now in Freetown. It was after
18 disarmament. I said it was in Freetown that we met.

19 Q. And the person who gave you this information, Kadie, help
10:36:39 20 me, please, what was her relationship with Sam Bockarie, if any?

21 A. That was her sister's - her sister's husband. That was the
22 relationship, her sister's husband.

23 Q. Yes. Can we move on to another topic now, please,
24 diamonds. Now firstly, historically in Sierra Leone the diamond
10:37:54 25 business had been controlled by the Lebanese community, hadn't
26 it?

27 A. They had been in that business, but I cannot tell you much
28 about it because everybody used to mine for diamonds. But they
29 had money, that was the reason why they said they were in control

1 of it, but I was not on the government side and the Lebanese were
2 on the government side.

3 Q. And as a result Lebanese merchants did much of the trading
4 in diamonds, didn't they?

10:38:41 5 A. Yes, that is - we know about that, yes.

6 Q. Now even after the war the Lebanese community continued to
7 trade in diamonds in Sierra Leone, didn't they?

8 A. Yes.

9 Q. And even the RUF traded in diamonds with the Lebanese
10:39:04 10 merchant community, didn't they?

11 A. Yes.

12 Q. Because do you recall - in fact, it might be easiest if I
13 take you to the document itself. Please go behind the first
14 divider in that folder, please, again. Let us just remind

10:39:46 15 ourselves as to what you told the investigators in August 2004
16 about Lebanese dealings with the RUF. Final page, please, second
17 paragraph on that page:

18 "Toward the latter part of my eight months as diamond
19 commander I recall two Lebanese men met with Issa Sesay at his
10:40:15 20 house in Kono. These two men arrived in a green jeep on two
21 occasions. I don't know where they came from. Their second
22 visit was about one week after the first and on the second visit
23 they brought a generator with them. I believe the generator was
24 taken to the 'Number 11' site and used at that location. I do
10:40:37 25 not know the names of the two Lebanese. This was the only time I
26 saw white men engaged in the diamond business with Issa."

27 Is that true?

28 A. Yes, the two Lebanese. Yes, that was the time they used to
29 come there to Issa, the two Lebanese. I am not talking about any

1 other person. I said the two Lebanese.

2 Q. Now before we move on, please bear in mind the last
3 sentence in that paragraph, "This was the only time I saw white
4 men engaged in the diamond business with Issa." Is that sentence
10:41:26 5 the truth?

6 A. When I said who, the Lebanese? I meant the Lebanese.
7 Those were the only two Lebanese that I saw at that time who were
8 doing diamond business with Issa at that time.

9 Q. Were they the only two - was this the only time you saw
10 white men engaged in diamond with Issa?
10:41:55 10

11 A. Not everybody. I said Lebanese. I said Lebanese. That
12 was the only two times. I saw other black men, but I said
13 Lebanese.

14 Q. Very well. Let's move on then and we're still on the same
10:42:20 15 topic. Let's go behind divider 8, please. Divider 8 and let's
16 go to paragraph 37:

17 "In relation to paragraph 2 of ERN 00010463, witness
18 explains that as mining commander in Kono, any diamond
19 businessman or investor who contacted the RUF high command; the
10:43:17 20 businessman or investor would be sent ..."

21 I guess that should be "to him":

22 "Witness states that they would stay with him and would
23 take the businessman or investor on tour to the mining sites
24 every day to observe the operation. But they would not handle
10:43:38 25 any diamonds at the sites. They would be present when witness
26 collects the diamonds found at each site. Witness then handed
27 the diamonds to Issa Sesay who will transact business with the
28 businessman or investor.

29 Witness states that he recalls during his time as mining

1 commander two Lebanese nationals went to Kono and contacted Issa
2 Sesay. Issa then sent the two Lebanese men to the witness. The
3 two Lebanese men were based with the witness at Number 11 Plant
4 site near Koidu Town. Witness states that the Lebanese men spent
10:44:24 5 three weeks with him observing mining activities. All diamonds
6 witness collected was in their presence, but the diamonds were
7 taken to Issa Sesay and the witness is not aware how Issa
8 transacted business with them. Witness states that the two
9 Lebanese men came from Freetown at that time.

10:44:46 10 Witness states that on another occasion two white men and
11 an African also visited Issa Sesay in Kono. Witness was informed
12 about the three men. Witness learned from the African whose name
13 he recalls as Michael during discussion with him that they were
14 from Belgium; and that they were sent by Foday Sankoh who the
10:45:14 15 witness thinks was in Nigeria at that time. Witness took them to
16 tour of the mining area called Badafaye every day. They spent
17 two weeks in Kono and all diamonds collected during their stay by
18 witness were only shown to Issa Sesay this time.

19 Witness states that he kept those diamonds as ordered by
10:45:40 20 Sankoh until the Belgium visitors communicated with Foday Sankoh
21 who then travelled to Kono that time. Witness personally handed
22 the diamonds to Foday Sankoh. Witness states that Foday Sankoh
23 later only showed the parcel of diamonds to Issa Sesay."

24 Is all of that true?

10:46:07 25 A. Yes.

26 Q. Well let's go back to the third line then, shall we? Any
27 diamond businessman or investor, the businessman or investor
28 would be sent to you. Now because they were sent to you, you can
29 help us. How many businessmen and investors did you meet when

1 you were mining commander?

2 A. The first were the two Lebanese, those were the
3 businessmen, and the second were the white men and one black man.
4 Those were the other people. Besides those it was just the
10:47:05 5 separate RUF mining itself that went on.

6 Q. Now apart from the Lebanese and the Belgians, did you ever
7 meet with Gambian businessmen or investors?

8 A. No. Amongst the white men, the black who was amongst them
9 that came with them I think he was either a Gambian, or a
10:47:43 10 Senegalese. That was what I knew about him. But he was with the
11 white men. They came together, the three of them.

12 Q. Now, I'm sure it's my fault and I should be clearer in the
13 way I pose my question. You've told us of two Lebanese who came,
14 then two Belgians who came with an African. Forget about those
10:48:04 15 two occasions. Apart from those two occasions, did you meet
16 other African investors and businessmen?

17 A. No.

18 Q. So the only investors you met were on these two occasions,
19 the two Lebanese, the two Belgians and the African. They're the
10:48:31 20 only investors you ever met?

21 A. Yes, those were the only ones that Issa sent to me and that
22 besides I only continued with our own job. I did not get any
23 further contact with any other person.

24 Q. Now Issa Sesay, last line in paragraph 37, was actually
10:48:55 25 doing business with these investors, wasn't he?

26 A. That is the Lebanese I am talking about, that I know about.
27 Those were the ones.

28 Q. But he was actually transacting diamond business with them,
29 wasn't he?

1 A. Yes, he was more used to them. I was just somebody who was
2 sent. For instance, if he said just, "Lead these people to do
3 this", but they came to him.

10:49:41 4 Q. Was he selling RUF mined diamonds to those Lebanese
5 businessmen?

6 A. If that happened at all I wouldn't have known because not
7 everything that we knew. Certain things happened he will not
8 come out to tell you. But for me when I got the diamonds I will
9 not give them directly to the Lebanese. I will give them to
10 Issa. So, that was what I used to do.

11 Q. I was hoping that there was a commonsense answer to the
12 question. Can you think of any other reason why these Lebanese
13 businessmen would go to see Issa Sesay other than to buy
14 diamonds? Can you think of any other reason?

10:50:34 15 MR KOUMJIAN: It calls for speculation. All of us can make
16 the same calculations.

17 MR GRIFFITHS: This is a mining commander, Madam President.

18 PRESIDING JUDGE: Yes, he was in a position of control,
19 Mr Koumjian. He can answer that question.

10:50:54 20 MR GRIFFITHS: I'm grateful, Madam President:

21 Q. Can you think of any other reason why they would have gone
22 to see Issa Sesay?

23 A. The people used to come there for mining. They came there
24 for diamonds to Issa Sesay. Maybe they had an extra
10:51:20 25 relationship, but I never used to enter with them in the rooms,
26 but I knew that they came there for diamond mining and they came
27 there to do diamond job. I did not see them come there with some
28 other thing.

29 Q. Now, let's go to the last line on paragraph 38. "The two

1 Lebanese men came from Freetown", is that right?

2 A. They came from the Freetown side and went directly to us
3 because they went there with a green car. It was the route that
4 they took to come to us.

10:52:02 5 Q. So, they never came from Liberia?

6 A. I heard information that they came from there, but it was
7 through the Freetown route that I saw them come because that was
8 the only way open to us that they would have used because I saw
9 them come with a jeep.

10:52:23 10 Q. My question is very simple and I'm going to try it again.

11 So, they did not come from Liberia?

12 A. I have answered your question. I said I heard that they

13 came from Liberia, but I saw them come from the Freetown end.

14 That was why I said they came from Freetown area. I did not see

10:52:49 15 them come directly from Liberia. Even if they had come from

16 Liberia, what I saw is that they came from the Freetown end. I

17 only heard that with my ears that they came from Liberia, but I

18 did not see them directly coming from there. That was why I said

19 they came from the Freetown end.

10:53:04 20 Q. Let me help you understand why I'm asking. You do remember

21 telling these judges that the two Lebanese came from Liberia,

22 don't you?

23 A. Yes, I said that was what I heard, that they came from

24 Liberia, they passed through Freetown and came to our direction.

10:53:28 25 Q. Help me, please. Why in March did you say they came from

26 Freetown?

27 A. I said that was the end I saw them come from, because you

28 cannot come from anywhere else in Sierra Leone from that

29 particular angle. It was from Freetown. But I heard that they

1 left Liberia, they flew to Freetown and then they came from
2 Freetown and came to our direction. That was why I said they
3 came from Freetown end. That was the only reason why I said so
4 and nothing else.

10:54:06 5 Q. So why did you not say to the investigators, "They came
6 from Freetown, but they originated in Liberia"? Why not tell
7 them that?

8 A. No, they did not ask me that kind of critical - that kind
9 of question that you are asking me. It's just you that is asking
10:54:31 10 me that kind of way, but they did not ask me such a detailed
11 question. I told them that they were in Liberia, but they came
12 from the Freetown end and went to our direction.

13 Q. You knew in March of 2008 when you were being asked these
14 questions that you were being asked them with a view to giving
10:54:51 15 evidence against Charles Taylor, didn't you?

16 A. Yes.

17 Q. Now don't you think given that that it would have been
18 helpful to the investigators to say, "They may have come from
19 Freetown direction, but they actually came from Liberia"?
10:55:16 20 Wouldn't that have been more helpful, if it was the truth?

21 A. What I heard is what I said. I said, "They said they came
22 from Liberia, but I saw them come from the Freetown end to our
23 direction".

24 Q. Very well. Now the African who came with the two Belgians,
10:56:06 25 who was he?

26 A. He was a black man.

27 Q. What's his name?

28 A. They used to call him Mr Ibrahim. General Ibrahim.

29 Q. Where was he from?

1 A. He, General Ibrahim, was from Liberia.

2 Q. Was he a Liberian?

3 A. No.

4 Q. Where was he from?

10:56:40 5 A. The language he used to speak sounded like a Senegalese, or
6 a Gambian.

7 Q. Turn behind divider 11, please, paragraph 13:

8 "The witness met General Ibrahim once in Kono. General
9 Ibrahim was Gambian or Senegalese and came with the Belgians to
10 visit Kono when the witness was the mining commander."

11 Do you see that?

12 A. Yes.

13 Q. Where had they come from, the Belgians? Yes, they're
14 Belgians, but from which country had they come in order to get to
10:57:46 15 Kono?

16 A. They came with General Ibrahim.

17 Q. From where?

18 A. They used the Liberian route and went to us, because there
19 was no other route that one could use to come to Sierra Leone,
10:58:06 20 save through Liberia.

21 Q. Well it was possible to come from Freetown, wasn't it,
22 because the Lebanese had come from Freetown? So, help me. Were
23 the Belgians also from Freetown?

24 A. The Belgians you mean?

10:58:27 25 Q. Yes.

26 A. Yes, they were not based in Freetown. They passed through
27 - they just passed through there and came to our direction. It
28 was - they all passed through that route. It was just a road
29 leading to us. At that time one would not have passed through

1 Guinea because there wasn't any route between us and Guinea.

2 Q. So the Belgians also came from Freetown?

3 A. I said they passed through Liberia and came to us.

4 Q. From Freetown?

10:59:11 5 A. Yes, that was the place through which they passed to come
6 to us.

7 Q. So just to wrap up this section on diamonds, you would
8 agree that throughout your time as diamond commander - mining
9 commander there was continual contact between the RUF and diamond
10:59:35 10 merchants from both Lebanon and Belgium, would you agree?

11 A. No, it was a half and a half time. For instance, the
12 Lebanese will come for two or three days and then go, we wouldn't
13 see them again, and the Belgians and Mr Ibrahim also would come
14 for two to three days and then they would go, but they were not
11:00:07 15 actually living with us continuously like that always. They will
16 just come for a few time and go.

17 Q. I agree with you, but they were coming and going, staying a
18 few days in Kono, leaving and then coming back. That's right,
19 isn't it?

11:00:29 20 A. The Lebanese came once for the first time and then they
21 went back and later came for the second time and when they went
22 they did not come any longer. The two white men and the black
23 man, when they came they came there for a few days, for about two
24 weeks. When they left they did not come again.

11:00:51 25 Q. But there was such contact between the RUF and these
26 Lebanese and Belgian traders, yes?

27 A. Yes, if there wouldn't have been the contact they wouldn't
28 have come to us, but the only thing was that Issa did not
29 encourage because the plans they had to come and collect the

1 diamonds and carry them with them. Issa did not accept that from
2 them, so that was the reason why when they came once or twice and
3 left they did not come any longer.

11:01:38 4 Q. But why didn't Issa accept the - what was it that Issa
5 didn't accept?

6 A. The arrangements that they used to make, I was not there
7 present. I always saw them come maybe for a week or two and then
8 they leave, but I was not present during the arrangements and
9 when they went I did not see them again, so that means what
11:02:09 10 happened between them and the commander there wasn't any
11 cooperation in it. Maybe that was the reason why when they went
12 they did not come any longer.

13 Q. So that's what you mean by "Issa did not accept that from
14 them"?

11:02:25 15 A. Yes.

16 Q. Now you were appointed mining commander in or about
17 December 1998, weren't you?

18 A. Yes, sir.

19 Q. Now initially you were based in Kono, weren't you?

11:03:01 20 A. Yes, sir.

21 Q. Now, I just want to remind you of one or two things you
22 told us about your connection with Kono. Is it right that you
23 first went to Kono in 1992?

24 A. Yes, sir.

11:03:24 25 Q. And you remained in Kono on that occasion for only a couple
26 of months?

27 A. Yes, sir.

28 Q. Because in 1992 the RUF only controlled Kono for a short
29 period of time.

1 A. Yes, sir.

2 Q. Now on that occasion in 1992, the diamonds and other
3 minerals that the RUF was able to lay its hands on mostly came
4 from people's houses and so on, not from mining. That's right,
11:04:18 5 isn't it?

6 A. Yes, that was it, because at that time we were not well
7 organised to do mining. It was from people, from people's
8 houses. That was it.

9 Q. So can we take it then that in 1992 there was no organised
11:04:38 10 RUF mining in Kono?

11 A. Yes, sir, because at that time we had not captured mining
12 areas. That was the reason why there was no organised mining
13 system going on, but when we went to Kono we were about to plan
14 doing that when the enemies flushed us out of Kono.

11:05:05 15 Q. Now the next time you went to Kono was 1995, wasn't it?

16 A. Yes, sir.

17 Q. How long were you in Kono at that time?

18 A. About two months and a half.

19 Q. And again in 1995 there was no organised mining by the RUF,
11:05:32 20 was there?

21 A. Yes, sir.

22 Q. Is that, yes, you agree with me?

23 A. Yes, in Kono. There was no organised mining system in Kono
24 because we did not have civilians who would have done the job.

11:05:56 25 It was only in the jungle at Peyima around the Tongo axis that
26 that was happening, but I was not assigned there.

27 Q. But would you agree that proper organised mining by the RUF
28 in Kono only really started in December 1998 when you were
29 appointed mining commander? Would you agree?

1 A. Yes, sir. When I met Mr Mohamed, Major Mohamed, as mining
2 commander in the zorbush and when I went and replaced him, that
3 was the time real mining started.

11:06:53

4 Q. In 1998 when you were appointed in December. That's right,
5 isn't it?

6 A. Yes, that is what I'm telling you.

7 Q. And you remained in that post as mining commander until
8 2000, yes?

9 A. Yes, sir.

11:07:08

10 Q. What do you understand by the phrase "Operation Free Foday
11 Sankoh"?

12 A. The meaning of that it was when we were ready to attack
13 Kono and because we knew that Kono was posing a serious obstacle
14 to us by the government forces and that if we captured Kono the
15 pressure on us would be reduced, and also Foday Sankoh's
16 imprisonment too, if we did that he would be freed by the grace
17 of God. So that was the reason why we decided to undertake that
18 Operation Free Foday Sankoh, so that if we captured Kono Foday
19 Sankoh would be set free. That was the reason why they said so.

11:08:02

11:08:28

20 Q. And when was that operation?

21 A. At the time we were ready to attack Kono, to capture Kono,
22 that was the time they brought up that phrase. I cannot actually
23 remember the date now, but it was during the time we planned to
24 capture Kono, to attack and capture Kono, that we brought up that
25 phrase, "Operation Free Foday Sankoh".

11:09:00

26 Q. Was that just before you were appointed mining commander?

27 A. Yes, sir.

28 Q. So would you agree it would have been in the year 1998?

29 A. Yes, sir, because I was appointed and we were in the bush,

1 so it was at that time - immediately after that time that we
2 captured Kono, Koidu Town.

3 Q. So, an important motivation for capturing Kono was to put
4 pressure on the government to release Foday Sankoh. That's
11:09:49 5 right, isn't it?

6 A. Yes, sir.

7 Q. Now on this same topic, remember we're still discussing
8 diamonds, the RUF were not the only group within Sierra Leone to
9 exploit the diamond areas of Kono and Tongo Fields, were they?

11:10:15 10 A. That is it. All the fighting forces that were in Sierra
11 Leone did that.

12 Q. That included ECOMOG, didn't it?

13 A. Yes, sir, that was the reason why I said all the fighting
14 forces that were in Sierra Leone.

11:10:43 15 Q. Because the Nigerian troops with ECOMOG were heavily
16 involved in mining diamonds, weren't they?

17 A. Yes, sir.

18 Q. In fact when the RUF captured Kono in '98 and when you were
19 appointed mining commander, much of the equipment that was
11:11:09 20 captured for mining you captured from the Nigerians, didn't you?

21 A. Yes, sir.

22 Q. And that was because the Nigerian soldiers were well
23 organised and well involved in mining in Kono, weren't they?

24 A. Yes.

11:11:55 25 Q. But in addition to the Nigerian ECOMOG forces who were
26 involved in well organised mining, ordinary people were also
27 mining for themselves in those areas, weren't they?

28 A. Yes, after we had captured Kono? Is that what you're
29 talking about?

1 Q. Yes.

2 A. Yes, ordinary people were mining for themselves because by
3 then the roads leading to Freetown were now open and somebody
4 would go to Freetown and come back.

11:12:34 5 Q. And, in fact, when you were mining commander there were
6 different kinds of mining going on, wasn't there? There was the
7 RUF organised mining that you were responsible for, do you agree?

8 A. Yes. The one that I was responsible for, the RUF mining,
9 was under me, but there were different other minings going on
11:13:08 10 that I was not responsible for.

11 Q. Because individual commanders would also be mining for
12 themselves, wouldn't they?

13 A. Yes, sir.

14 Q. And you've already agreed with me that ordinary civilians
11:13:27 15 were also mining for themselves?

16 A. Yes, those who were not under our control and they were not
17 around the mining axis where I was, they were doing it for
18 themselves. They were doing - some were doing it under hiding,
19 or some were doing it for the soldiers, commanders.

11:13:52 20 Q. Would you agree that the mining activity in Kono at that
21 time was something of a free for all? Would you agree?

22 A. At the time I was there the officers used to do mining, but
23 it was not made public to everybody. To say that everybody was
24 involved in the mining it was not like that, because it was risky
11:14:26 25 to just go and undertake - do mining on your own. I don't want
26 to lie to you. But later the mining spread out.

27 Q. But it was a very difficult business to control, wasn't it?

28 A. Yes, because we were more than thousands and thousands, so
29 it would not have been possible for you to control everybody or

1 to say you would go to the bush and to look out for everybody to
2 begin searching people. So, it was difficult to control in all
3 the areas.

11:15:15 4 Q. Now whilst you were mining commander, can you help us with
5 production levels. How many diamonds on average would you find
6 per day?

7 A. No, in that case it is not specific. Maybe today people
8 will bring 50, or tomorrow 60, or maybe next tomorrow 70, but to
9 say every day it was 100 and every day 100 it was not like that
11:15:42 10 because we did not keep it. We were going to look out for it.

11 Q. So effectively what you're saying is the production levels
12 would vary from day to day?

13 A. Yes, sir, because it was not clearly established that if
14 they brought two today that tomorrow they would bring two and
11:16:10 15 next tomorrow they would bring two. Because these were
16 properties that we were looking out for that were kept by God, no
17 human being kept them, so we were just looking out for them.

18 Q. Now, did you keep your own records of the diamonds that
19 were given to you?

11:16:29 20 A. Yes, sir.

21 Q. In what did you keep those records?

22 A. It was in a book. A thick one. A big one.

23 Q. And during your time as mining commander from, you tell us,
24 December '98 to 2000, how many such books did you produce?

11:17:07 25 A. No, it was just one book, but I said the book was a big
26 one. It was a ledger and it was in that ledger that I had
27 everything. There were not two books. It was just a single
28 ledger, but it was big.

29 Q. What happened to the single ledger that you had?

1 A. The ledger was with me later up to the time I was in
2 Magburaka. At the time they arrested Issa Sesay and Morris
3 Kallon and when the news spread out that they were going to
4 arrest all of us that was the time that ledger, I lost it.

11:18:02 5 Q. Did you lose it, or did you do something else with it?

6 A. I did something with it. I burnt it, including some other
7 documents that I had with me. I burnt everything.

8 Q. And you did that after you heard that Issa Sesay had been
9 arrested?

11:18:34 10 A. Yes, they said they were going to arrest all of us.

11 Q. So by the time you first spoke to the Prosecution in August
12 2004 your records had been destroyed, is that right?

13 A. Yes, I had destroyed them.

14 Q. By August 2004?

11:18:59 15 A. I cannot recall the date any longer, but I destroyed them.

16 Q. But before you spoke to the Prosecution?

17 A. Before, yes. Just when I heard that they were going to
18 arrest us, that was the time I destroyed them. In fact, by then
19 I had not seen anybody from the Special Court.

11:19:27 20 Q. The reason I ask is this. On a previous occasion in June
21 2006 you told a court this - now through an oversight you don't

22 have this page in your bundle, but I will see if we can get

23 copies made over the short adjournment. You said this, "I'm

24 telling you the truth. If you want to know the real documents,

11:19:59 25 if you have an opportunity, let's go and I'll find it for you to

26 see if you think I'm telling lies." "Well, you are welcome to

27 produce documents if there are other documents you can find. Can

28 you find us other documents? Are there other documents in

29 existence?" "If you give me the chance we can go and look out

1 for them where my clerk is and we will bring them." "You've had
2 since August 2004 to produce documents and give them to the
3 Prosecution in an attempt to get close to the truth, so why
4 haven't you?" "No, they did not ask me for documents. They did
11:20:43 5 not tell me to produce documents. The questions that they asked
6 me were those I answered. If they had asked me for a document
7 maybe I would have provided them, but they did not ask me for it
8 and I wouldn't do what they did not ask me for. I would only do
9 what I was asked for." "So if what you say is right your
11:21:05 10 adjutant is in possession of records for diamond mining in Kono
11 and he is in possession of them now, is that the truth?" "Yes, I
12 left them with him."

13 Hold on, I thought you'd burnt them by August 2004 and
14 [Redacted]

11:21:35 15 I appreciate I slipped.

16 THE WITNESS: Do you want me to explain?

17 MR KOUMJIAN: Actually I'd rather, so the witness's train
18 of thought is not missed, that he answers and then we do it.
19 Thank you.

11:21:52 20 PRESIDING JUDGE: Mr Witness, please answer the question.

21 THE WITNESS: The reason why I said so was that I had a
22 personal document regarding that and that my adjutant will have a
23 copy of that, so when I took mine and destroyed it you know that
24 in the RUF we used to get information from different angles.
11:22:22 25 When you hear something you will have to relay that to your
26 colleague and it was later that I came to know that I should send
27 to the adjutant about his own document that he had with him, but
28 he too told me that he had also destroyed his. But he had his
29 and he had - and I had mine, but I destroyed mine first before I

1 sent to him so that I will get his from him, but when I sent to
2 him he told me that he had already destroyed his. That was the
3 time I told them about that. That was the reason why I said so,
4 but my adjutant had his and I had mine.

11:23:12 5 MR KOUMJIAN: Excuse me, your Honour. The redaction that
6 we are requesting is line 16 to 17 on page 51.

7 PRESIDING JUDGE: You're actually applying for a redaction,
8 Mr Koumjian. Mr Griffiths, you have heard the application.

9 MR GRIFFITHS: I appreciate the need for that.

11:23:32 10 PRESIDING JUDGE: I'm not entirely clear. Is this a
11 reference to something said in a question by --

12 MR GRIFFITHS: Yes, it was.

13 PRESIDING JUDGE: Because bear in mind there's everything
14 from --

11:23:42 15 THE INTERPRETER: Your Honour's microphone.

16 PRESIDING JUDGE: Everything from a Magistrates' Court to a
17 Court of Appeal to other courts in Freetown, but allow me to
18 confer.

19 [Trial Chamber conferred]

11:24:03 20 We will redact that particular passage. Madam Court
21 Attendant, you've heard the lines in question. Continue,
22 Mr Griffiths.

23 MR GRIFFITHS:

24 Q. When on that previous occasion you made that statement that
11:24:33 25 documents were available for you to bring to court, that was a
26 lie, wasn't it?

27 A. No, it was not a lie. I was not saying a lie. I knew that
28 the man had it, but they did not ask me to go there with them. I
29 had mine and I destroyed it, but the man had his.

1 Q. So why didn't you go and get it?

2 A. I did not know. I was with them. They should have taken
3 me there. Was I the one who was supposed to tell them that they
4 should go there and take it? Even when I'm here now am I

11:25:13 5 supposed to tell you that you should go there and take it?

6 Q. What you were supposed to have said was, "I have burnt my
7 records and I don't know if other records are available." That's
8 what you should have said, wouldn't you agree?

9 A. No, I disagree with that. When I said "I burnt mine", if
11:25:34 10 you don't tell me about going to bring some other one I will not
11 tell you anything about it. If you would want to do it then you
12 can do it on your own, but I will not do it.

13 Q. But you did not tell them, did you, that you had burnt your
14 records? You didn't tell them that, did you?

11:25:56 15 A. If you look through the paper there you will see it there.
16 I told them that I burnt mine, I destroyed mine, but that my
17 adjutant had his.

18 Q. Not in June 2006 you didn't. When you mentioned that for
19 the first time, please look behind divider 11.

11:26:41 20 PRESIDING JUDGE: Mr Griffiths, can I check if there's a
21 very long passage you intend to read as we've been alerted there
22 is only two minutes left on the tape.

23 MR GRIFFITHS: It's a very short passage.

24 PRESIDING JUDGE: Oh, fine. Please proceed.

11:26:55 25 MR GRIFFITHS:

26 Q. Behind divider 11, paragraph 8, page 2:

27 "The witness believes he was replaced as mining commander
28 because he was too soft on civilians. When Issa Sesay was
29 arrested by the Special Court the witness burned mining records

1 he had."

2 That's the first time you mentioned that in June/July 2008.

3 Question, why did you wait so long to give them that information?

4 A. No, I have told you that just when they started I told them

11:27:37 5 that I had burned the documents. Initially they did not ask me

6 about documents, but at the time they asked me I told them that I

7 had burnt them, I had destroyed them. But when I told them that

8 I had burnt mine I told them the adjutant had his in Kono, but I

9 wouldn't have told them to go and take it or not to go and take

11:27:54 10 it. They were leading me, I was not leading them, but if I had

11 done so it would have appeared as if I was leading them. Even

12 here I am not leading you. You are leading me.

13 Q. I hope not.

14 PRESIDING JUDGE: Mr Griffiths, we have had an indication

11:28:13 15 that --

16 MR GRIFFITHS: That's as good a time as any, your Honour.

17 PRESIDING JUDGE: Thank you. Mr Witness, we are now going

18 to take the mid-morning adjournment. We will be resuming court

19 at 12 o'clock. Please adjourn court until 12.

11:28:27 20 [Break taken at 11.30 a.m.]

21 [Upon resuming at 12.00 p.m.]

22 PRESIDING JUDGE: Mr Griffiths, please proceed.

23 MR GRIFFITHS:

24 Q. Before the short adjournment I was asking you about a

11:58:53 25 passage in which, for the first time I suggest, in June/July 2008

26 you first mentioned having burnt your mining records. Why did

27 you wait until then to tell the Prosecutors that?

28 A. That was the time they asked me and I would only respond to

29 questions that were asked of me.

1 Q. Very well. Let's move on to another aspect of this, shall I
2 we? There came a time in the year 2000 when you were removed
3 from your role as mining commander.

4 A. Yes.

11:59:52 5 Q. Who made that decision?

6 A. It was Issa Sesay.

7 Q. What prompted him to do that?

8 A. According to the information I got, because I was not
9 present when they spoke, they said Kallon told him - he incited
12:00:27 10 him against me for me to be removed from the position and be
11 replaced with somebody else.

12 Q. And if I understand your account Morris Kallon's position
13 was that you weren't tough enough for the role, is that right?

14 A. Yes, he said I did not discipline, or let me say I did act
12:01:02 15 accordingly on the civilians the way I was supposed to do, to
16 discipline them. So they - because he said I did not have iron
17 hand, so I should be replaced with somebody with an iron hand.

18 Q. So would it be fair to say that the person who took over
19 from you as mining commander introduced a much harsher system of
12:01:29 20 mining?

21 A. Yes.

22 Q. Who was that?

23 A. It was Amara Salia.

24 Q. And how did things change when he took over from your
12:01:49 25 regime?

26 A. The things that changed were like the civilians, everybody
27 started crying. Those who used to work privately started crying.
28 The civilians who were doing the mining were being harassed and
29 they grumbled a lot. Those were some of the changes.

1 Q. When you were mining commander, did you use forced labour?

2 A. I will say so because the civilians who were working with
3 us did the job because they wanted to save their lives, so I will
4 say, yes, we forced them.

12:02:57 5 Q. And was that regime of using forced labour - I'm trying to
6 understand, do you see? Was that regime increased after you were
7 replaced?

8 A. Yes, it was increased much more than what used to happen
9 when I was there. In fact, then they started capturing civilians
12:03:30 10 in the streets. It doesn't matter who it was.

11 Q. Now let's move on to another aspect. Would your Honour
12 give me a moment?

13 PRESIDING JUDGE: Yes, certainly.

14 MR GRIFFITHS: Madam President, Mr Taylor points out that
12:04:23 15 the witness has just mentioned a name of an individual who
16 replaced him and he's concerned that the mention of that name
17 might lead to the identification of this witness, so he wishes me
18 to express that concern because he's anxious that we don't break
19 the rules. I don't know if Mr Koumjian has an opinion on this.

12:04:48 20 MR KOUMJIAN: Your Honour, this witness understands the
21 content of his testimony could lead individuals to identify him,
22 but he's asked that his name not be used. So it's a very
23 particular protective measures for this particular witness that
24 only the name is not used, but he has already described his own
12:05:09 25 role and so the fact that another person replaced him when he's
26 publicly described his own role would not identify him any more
27 than all the other testimony about his role and so we don't
28 believe it's necessary. Thank you.

29 PRESIDING JUDGE: We are most grateful for that. It would

1 appear that there is not a concern.

2 MR GRIFFITHS: Very well:

3 Q. Now could we go behind divider 1 again, please, and I want
4 to revisit a topic in order to see how this aspect of your

12:05:56 5 account develops. Do you follow me? Can we turn to the third

6 page, please. Now what we know is this. On 20 August 2004,

7 bottom of page 3, you told the investigators this:

8 "I don't know precisely what Issa Sesay did with the

9 diamonds I passed to him as mining commander other than to say

12:06:35 10 that he would tell me that he was going to Buedu. Sam Bockarie

11 was in Buedu at that time."

12 Pause there. What is missing from that, Mr Witness?

13 A. Do you want to know why I said that? I know the reason why

14 I said so.

12:07:07 15 Q. What is missing from that account given what you're telling
16 us today?

17 A. The one that is missing in this story is when I said he

18 used to take the diamonds to Liberia to Charles Taylor. That is

19 what is missing.

12:07:49 20 Q. Let's now go behind divider 2, please, okay? Behind
21 divider 2 we have notes of a proofing session conducted with you
22 over four days in February 2006. Let's turn to paragraph 8 on
23 page 3, please:

24 "Sesay and Bockarie took diamonds to Liberia. Diamonds
12:08:35 25 were given to Eddie Kanneh to take out and when Peleto was the
26 mining commander Kanneh went out and did not come back."

27 Pause there. What is missing from that account given 18
28 months later?

29 A. Nothing is missing. That is what happened.

1 Q. Is there any mention of Charles Taylor in that context
2 there?

3 A. In this area Charles Taylor's name is not included. It was
4 Eddie Kanneh who was given the diamonds to give to him for him to
12:09:23 5 run the mission for them.

6 Q. But given what you're telling us today surely that passage
7 should have read, "Sesay and Bockarie took diamonds to Liberia
8 and gave them to Charles Taylor." That's what it should have
9 read, shouldn't it?

12:09:45 10 A. I am telling you one thing, Liberia is our home. Those men
11 used to go to Liberia every month or any time they wanted to go,
12 not just once that they went to Liberia. So if I said they went
13 and gave it to Eddie Kanneh, they would give it to Eddie Kanneh
14 today and maybe after one week he would take it to go and give it
12:10:09 15 to Charles Taylor. So don't see it written like this and you
16 want to say, "No, that's not correct", what I said.

17 Q. Why haven't you mentioned Charles Taylor there?

18 A. Okay. If I take something and give it to you and the next
19 time I take that same thing and give it to John, I wouldn't say -
12:10:33 20 I will say, "I gave it to John the time that I gave it to you."
21 If I am asked I will say, "I gave it to you", if it is you that I
22 gave it to. If it is John's turn, then I will say that I gave it
23 to John. So that is what happened.

24 Q. Have a look behind divider 5 now, please, and look at page
12:11:23 25 5 behind that divider. Let's start just below halfway, "What I
26 can tell you is that when I met them sometimes working" - no,
27 let's start earlier. Question: "Do you know what happened to
28 the diamonds that came from sites where commanders were mining?"
29 "What I can tell you is that when I met them sometimes

1 working, sometimes I hear that they've taken so and so diamond by
2 hearsay but I do not know where they take those diamonds but they
3 say they do give those diamonds to their commanders but whatever
4 they did with them I do not know because they did not tell me.

12:12:13 5 It was only the government ones that we made public, but those
6 separate ones, they wouldn't want anybody to know about them."

7 "And the diamonds that you refer to as the government ones,
8 do you know what happened to them?"

9 "It came to a time when Issa himself called me up and told
12:12:34 10 me that Pa Sankoh was in jail in Nigeria, that it was not good
11 for him to leave the jail and come and not find anything, for him
12 to start begging from other people in other countries, so he said
13 we should work very hard. The diamonds that we would get, he was
14 going to keep them for Pa Foday Sankoh. That was what he used to
12:13:00 15 tell us always."

16 And then you go on to say that when you stopped being
17 mining commander you were still in Koidu. Now help us again, why
18 in that context did you not mention that the diamonds were given
19 to Charles Taylor?

12:13:35 20 A. I have told you that I only responded to questions that
21 were asked of me. Those private diamonds, that's what said. But
22 for the government diamonds, Issa did that because he wanted to
23 impress the civilians so that they will work hard. He called
24 them in my presence and he told them that Pa Sankoh was in prison
12:14:00 25 and the only thing that would be good was that he would want when
26 Pa Sankoh would return for him not to be a beggar. So they
27 should work hard and get some more diamonds and when they get
28 them they will go and --

29 THE INTERPRETER: Your Honours, can the witness repeat this

1 Last bit.

2 PRESIDING JUDGE: Please pause, Mr Witness. The
3 interpreter cannot keep up with you. You were speaking quite
4 fast. Now repeat your answer and continue from where you have
12:14:28 5 said, "So they should work hard and get some more diamonds and
6 when they get them they will go --" Continue from there.

7 THE WITNESS: When they will get the diamonds Issa Sesay
8 should keep them until Foday Sankoh's return, but we didn't have
9 a bank in Sierra Leone or a place to keep diamonds safely in
12:14:49 10 Sierra Leone. So the only place Sesay said was to keep the
11 diamonds was in Liberia to Charles Taylor, that was what I knew.
12 But that was not to go and tell the civilians or the people that
13 Issa Sesay was going to keep the diamonds in Liberia, no. Their
14 private minings were controlled by themselves, the diamonds.

12:15:18 15 That's what I knew.

16 MR GRIFFITHS:

17 Q. Now can we go, please, behind divider 8. Now behind
18 divider 8 we have interviews conducted with you in March of this
19 year and when we turn to page 6, at paragraph 35 to which I have
12:16:04 20 drawn your attention earlier this is the very first time that you
21 mention that diamonds were taken to Charles Taylor. So this is
22 almost four years after you first spoke to the Prosecutors. Help
23 us, why did it take you so long to mention that?

24 A. I was talking about Issa Sesay's time. I did not talk
12:16:42 25 about Charles Taylor because I was not asked about
26 Charles Taylor. They said Issa Sesay. So if you bring up
27 Charles Taylor what I know about Charles Taylor is what I will
28 say. They were asking me questions about Issa Sesay's time or
29 Issa Sesay. They never asked me who was Charles Taylor. They

1 said who was Issa Sesay. So I spoke about Issa Sesay. So if
2 there came a time when they asked me about Charles Taylor, what I
3 knew about Charles Taylor was what I would say. So that is it.

12:17:12

4 Q. But you agree that this was the first time that you
5 mentioned it?

6 A. That's what I've told you. At the initial stage nobody
7 asked me about Charles Taylor. They said Issa Sesay. Whom did
8 you give diamonds to? I said Issa Sesay. That was it and nobody
9 asked me what did Issa Sesay do with the diamonds or this. So -

12:17:33

10 but if they asked me later, as they did, to whom did Issa take
11 the diamonds I said Charles Taylor, and that's what happened.

12 Q. Now stay on page 6. Now paragraph 36 on page 6 reads as
13 follows:

12:17:57

14 "Witness states that the escorting of diamonds started
15 during the time of Foday Sankoh. Witness states that he was at
16 that time bodyguard to Foday Sankoh and Foday Sankoh sent witness
17 a couple of times to Gbarnga to Charles Taylor where

12:18:23

18 Charles Taylor was based at that time and would return with Foday
19 Sankoh, condiments, arms and ammunition. Witness states that at
20 that time RUF was not mining but diamonds and other minerals like
21 gold were seized from civilians which were taken to

12:18:53

22 Charles Taylor in Gbarnga by Foday Sankoh himself. Witness knows
23 this as he had accompanied Foday Sankoh on a number of such
24 trips. Witness states that Foday Sankoh had told Sam Bockarie
25 and Issa Sesay that all diamonds collected in his absence should

26 be taken to Monrovia and handed to Charles Taylor. Witness
27 states that he was present when Sankoh told Bockarie and Issa.

28 Therefore, the escorting of diamonds to Monrovia was a
29 continuation of what Foday Sankoh had started."

1 Now was that something you knew, that Foday Sankoh was
2 taking diamonds to Charles Taylor, or was that an assumption that
3 you had made?

4 A. I did not just assume. That was what Foday Sankoh did.

12:19:43 5 Whatever he got from this country he took them to Liberia. If
6 you don't believe that there will be people who will come and
7 tell you that is correct.

8 Q. Let me ask you one more time. Is that something you knew
9 or is it an assumption?

12:20:10 10 A. Let me tell you one thing. You were told, you were paid to
11 come and speak here, but from the beginning I was with Foday
12 Sankoh. When we used to go to Liberia whatever we went with,
13 whatever they got at the front that it was government property,
14 when he would take them to Liberia all of us would go together to
12:20:37 15 Liberia. That's what I know. That's what I'm telling you.

16 Q. Can we go behind divider 12, please. Look behind divider
17 12, please. Second paragraph:

18 "With regard to the witness's statement of 25, 26 March at
19 page 6, paragraph 36" - the one I've just read out to you - "the
12:21:20 20 witness said that he himself used to give Sankoh diamonds and
21 minerals seized from civilians but it is only his assumption that
22 Sankoh gave it to Taylor and he did not witness this and cannot
23 say for certain if and when this occurred."

24 So it was an assumption, wasn't it?

12:21:46 25 A. It wasn't an assumption. I myself sitting here gave a lot
26 of diamonds to Foday Sankoh and we took them to Gbarnga where
27 some other bodyguards were even, but where he entered in the room
28 with his brother, because this man is his brother, we were not
29 there. It's just like a man and his wife, when they enter into a

1 room privately people will not be there, but what saw is what I
2 am telling you.

3 Q. Can you explain why the word "assumption" appears in this
4 passage in a record of a conversation held with you about a month
12:22:26 5 ago - just over a month ago in July of this year? Can you help
6 us?

7 A. Please say it again.

8 Q. Why does that word "assumption" appear in this record? Did
9 you not say that to the investigators who were proofing you on
12:22:52 10 this occasion?

11 A. What do you mean by assume? I am not an educated man.
12 Break that down for me.

13 Q. It means that it's not something you know, it's something
14 you've guessed at.

12:23:22 15 A. I am not guessing. I am telling you what I know. I was
16 with the people since I was small - I was a small boy. Maybe you
17 are the one guessing because you were told. I was not told. I
18 was there.

19 Q. Now would you go, please, behind I think it's divider 9.
12:24:10 20 It should be notes of an interview conducted with you on 27, 29
21 and 30 May 2008. Is that right?

22 A. I don't recall the dates. If that is what they wrote maybe
23 that is it. I am concerned about what I told them, not dates.

24 Q. In any event, turn to page 4, please. Now at page 4 at
12:25:01 25 paragraph 21 you're being asked about what you had said on a
26 previous occasion in June 2006 and you say this, with reference
27 to lines to 26 to 29, page 55, and lines 1 to 3, page 56, of that
28 previous occasion:

29 "The witness states that the matters therein is what Issa

1 Sesay would tell the civilians to motivate them to work and not
2 escape, but it was not true. The witness knows that the diamonds
3 were being sent to Liberia to Charles Taylor."

4 Do you see that?

12:25:55 5 A. That was how it happened. That was for us to let the
6 civilians work because if we told them that we were going to keep
7 the diamonds elsewhere and we are not going to do anything with
8 it maybe they would be discouraged. That's why they said that.

9 Q. So when on that previous occasion in June 2006 you were
12:26:26 10 giving that account you knew you weren't telling the full story,
11 didn't you?

12 A. This story, the one that you've read, what happened is what
13 I have said. I said that was just a way of encouraging the
14 people to work, but the diamonds were actually kept across to
12:26:49 15 Charles Taylor. But they would not tell the civilians, they
16 would not call the name Charles Taylor to the civilians for them
17 not to go and tell other people that Charles Taylor is the one
18 taking our diamonds. We didn't want that, so we did not tell
19 them.

12:27:03 20 Q. So when on that previous occasion you said you gave an
21 account about what happened to the government diamonds you were
22 not telling the full story, were you?

23 A. What I know is what I am talking here. Even if I knew
24 something, if I was not asked I would not say it.

12:27:42 25 Q. What I'd like you to do, please, is keep your finger in
26 that page and turn back to behind divider 5, okay? And on
27 divider 5 look at page 5, so keep this one open, okay? Now let's
28 just remind ourselves what you're being asked to comment on in
29 paragraph 21 in this interview in May 2008. You're being asked

1 to comment on this passage at page 5: "And the diamonds that you
2 refer to as the government ones, do you know what happened to
3 them?"

4 "It came to a time when Issa himself called me up and told
12:29:07 5 me that Pa Sankoh was in jail in Nigeria. That it was not good
6 for him to leave that jail and come and not find anything, for
7 him to start begging from other people in other countries. So he
8 said we should work very hard. The diamonds that we would get,
9 he was going to keep them for Pa Sankoh. That was what he used
12:29:31 10 to tell us."

11 Now go back to paragraph 21 now, please. You're now saying
12 in paragraph 21 in May of 2008 that you knew that that account
13 you were giving was a lie. You knew that. Do you follow me now?

14 A. I do follow you, but what I am telling you is that
12:30:05 15 Charles Taylor's business was not something we wanted to talk
16 about. I only wanted to talk about Issa's business, not
17 Charles Taylor, so anything that had to do with Charles Taylor I
18 didn't want to talk about it.

19 Q. The question I want to ask now is this. Why in June 2006
12:30:29 20 on that particular occasion did you not tell the truth?

21 A. So does that mean you don't understand what I said?

22 Q. I fully understand what you said. Tell me, you know when
23 you started giving evidence in this court you took an oath to
24 tell the truth and do you remember me asking you earlier if you
12:31:02 25 understood the importance of an oath? Do you remember me asking
26 you that?

27 A. Yes, I took an oath for that, but at early stage I did not
28 mention that man's name. I was asked about Issa and that was
29 what I spoke about, and if I was asked about Charles Taylor then

1 I will speak about him and that was what happened.

2 Q. In June 2006, why did you not tell the truth in that
3 situation?

12:31:46

4 A. That's what I have told you. Charles Taylor's issue did
5 not come up about that. It was Issa's issue that came up, so I
6 just had to talk about Issa's. So if it is your case that came
7 up, it is your case that we will talk about.

12:32:15

8 Q. Because the bottom line is that consistently for something
9 like four years you told lies about that issue and the first time
10 you mention diamonds being taken to Charles Taylor is in March
11 2008. Why did it take you so long?

12 A. Takes so long? I was not - I was not with these people for
13 so long even. I had gone my own way, so it was later that we
14 connected again.

12:32:49

15 THE INTERPRETER: Your Honours, can the witness repeat that
16 part of - he spoke about a diamond taken to Liberia.

12:33:06

17 PRESIDING JUDGE: Mr Witness, the interpreter asks that you
18 repeat part of your answer. Please pick up where you said, "So
19 it was later that we connected again". Please continue from
20 there.

21 THE WITNESS: I said at the initial stage when we met,
22 after that one it took some very long time before they knew where
23 I was again. They didn't even know my location. It was later
24 that we connected with each other again. I was in Freetown, but
25 they did not know the exact location where I was. It was later
26 on that we met with each other again. That's what I said.

27 MR GRIFFITHS:

28 Q. Just a couple more questions. That occasion in June 2006
29 when you gave that account - you know the account I'm talking

1 about, the one I've showed you behind divider 5? You know that
2 one?

3 A. Except you remind me of the story.

4 Q. Divider 5, page 5, that account.

12:34:07 5 A. You will read it for me to hear.

6 Q. Very well, "And the diamonds that you refer to as the
7 government ones, do you know what happened to them?" Do you see
8 the passage? Do you remember that passage? I've read it out
9 three times now.

12:34:47 10 A. Yes, I remember. Yes, I remember when you read it.

11 Q. Now is it the case that when you were asked that question
12 you deliberately decided not to mention Charles Taylor?

13 A. At the initial stage, yes, I said I was not going to call
14 his name out because I didn't want to give him any problem

12:35:15 15 because they did not ask me any question about him, so I did not
16 mention his name. I was asked about Issa Sesay. If you see some
17 places where Charles Taylor's name is not mentioned, that's the
18 reason at the earlier stage I did not.

19 Q. So in June 2006 when you were giving that account you knew
12:35:37 20 that you weren't telling the full truth, yes?

21 A. Not everywhere. I said I did not just mention his name. I
22 was saying the truth. I just did not mention his name. That
23 does not mean that I was not speaking the truth. I just did not
24 mention his name.

12:36:02 25 Q. And you decided deliberately not to mention his name, is
26 that what you're telling us?

27 A. That's what I've told you, yes. I said it to myself that I
28 was not going to mention his name.

29 Q. So the people you were speaking to on that occasion, you

1 were quite deliberately trying to mislead them, weren't you?

12:36:42 2 A. It was not a mislead. If I said I was not going to mention
3 somebody's name, does that mean it is misleading? If I say for
4 example I'm not going to mention your name here, does that mean
5 that I'm misleading people? It was up to me to say something, or
6 not to say.

7 Q. Mr Witness, final question. Do you understand the
8 importance of an oath to tell the truth?

9 A. Oath, I know it is oath. It is - I am sworn.

12:37:05 10 Q. Do you know the importance of that?

11 A. Yes, that's the importance. I am sworn. Anything you
12 swear to do you've sworn to your God to whom you pray and God is
13 important.

14 MR GRIFFITHS: I have no further questions, your Honour.

12:37:27 15 PRESIDING JUDGE: Thank you, Mr Griffiths. Mr Koumjian,
16 re-examination of the witness.

17 MR KOUMJIAN: Thank you, your Honours.

18 RE-EXAMINATION BY MR KOUMJIAN:

12:37:38 19 Q. Mr Witness, I want to first just go over briefly a few
20 matters that you mentioned today. First of all, you talked about
21 some man or men from Belgium that came to Kono when you were the
22 mining commander. Do you know was that during the time that Sam
23 Bockarie was the military commander of the RUF, or in Issa
24 Sesay's time?

12:38:11 25 A. Issa Sesay was the one who was with me in Kono when those
26 people came there. Sam Bockarie - I have forgotten the date now.
27 He - I think he was with us in Buedu, but he was not with us in
28 Kono.

29 Q. Do you recall, Mr Witness, if that was before or after

1 Sankoh returned to Sierra Leone?

2 A. It was before Sankoh returned. It was before he returned.
3 Those people had come. They were with us. Mosquito was there
4 even before Sankoh returned. It was when Sankoh returned that

12:38:58 5 Mosquito went back now I have - I can recall.

6 Q. Okay. Mr Witness, you talked today about some problems
7 between the RUF and the SLAs in Makeni. Who was the RUF
8 commander in Makeni at that time?

9 A. The overall commander for all of us was Issa Sesay.

12:39:27 10 Q. Mr Witness, do you know where Issa Sesay is from?

11 A. Yes, sir.

12 Q. Where is he from?

13 A. He's from the north, Makeni.

14 Q. Thank you. Now, Mr Witness, I'd like to turn to something
12:39:55 15 that was discussed I believe yesterday - excuse me, Friday, on
16 page 14967, and let me get that out so I don't misstate anything.
17 You said this beginning on line 12 - excuse me, first you were
18 asked about whether you knew anything about the purchase of
19 materials from ULIMO which were used to attack and capture Kono.

12:40:42 20 Counsel had read from a document to you and you answered:

21 "This attack that you were talking about, this attack on
22 Kono when Superman was given ammunition to capture Kono, that was
23 not the time that Issa Sesay came with that ammunition. Superman
24 attacked Kono, but was not able to capture there. It was at that
12:41:07 25 time that he left and went to Kabala."

26 Mr Witness, do you know if there was a name for this
27 operation that you spoke about where Superman attacked Kono
28 unsuccessfully?

29 A. Yes.

1 Q. What was the name of that operation?

2 A. Fitti-Fatta operation.

3 Q. Was that operation before or after the attack on Kono that
4 you mentioned where Issa Sesay brought the ammunition for the
12:41:48 5 attack? Was Fitti-Fatta before that, or after that?

6 A. It was Fitti-Fatta first that Superman and others ran away.
7 In fact many people were injured from amongst us, so that's when
8 Superman and his men went to Kabala and from there Issa Sesay
9 went to Liberia and brought the ammunition and --

12:42:22 10 THE INTERPRETER: Your Honours, can the witness repeat
11 this.

12 PRESIDING JUDGE: Mr Witness, the interpreter asks you to
13 repeat your answer from the point where you said, "Issa Sesay
14 went to Liberia and brought the ammunition and --" Please
12:42:39 15 continue from there.

16 THE WITNESS: Okay. Thereafter Issa Sesay went to -
17 because it was Sam Bockarie who was in charge at that time, he
18 went to him in Buedu and Sam Bockarie gave him ammunitions and he
19 brought it to Kono jungle and we captured Kono.

12:43:08 20 MR KOUMJIAN:

21 Q. I believe you've answered my question. Sir, staying on the
22 topic of Superman, you were shown today tab 7 and you were read
23 some information that you stated previously where you said at one
24 time Superman's group operated more or less independently, at the
12:43:32 25 bottom of page 9. I'd like to read a little more from your
26 answer that was not read to you today. So on page 49 - I'll let
27 the Court Officer bring that to you. Excuse me, I should say on
28 page 10. On page 10 of tab 7, lines 18 to 22. You were asked:
29 "That group at least from August to September '98 was not under

1 the control of your group. That would seem to follow from what
2 you've said. Is that correct?" And you answered that question
3 by saying: "That happened for a long time but later there was
4 peace between us." What did you mean when you said "later there
12:44:42 5 was peace between us"?

6 A. What I mean, it's just like when a husband and wife will
7 have some problem between the two of them, they will invite
8 people to come and talk peace. So Superman and Issa had a
9 problem and that one affected us, but later they came together
12:45:08 10 and said well, let's resolve the problem and then we had peace.

11 Q. Mr Witness, I believe you've already given us some
12 information about --

13 MR GRIFFITHS: I think my learned friend, if he's referring
14 to that passage, should in all fairness refer to lines 23 to 26
12:45:26 15 on that same page, a continuation of the same passage he's read
16 out.

17 MR KOUMJIAN: No, your Honour, I was asking about that
18 specific answer. That's what I was asking about. I believe
19 counsel has asked already about this information in this
12:45:44 20 particular tab which I now have lost.

21 MR GRIFFITHS: But your Honour will see the point I make.
22 Mr Koumjian is seeking, I submit, quite misleadingly, to suggest
23 that there was agreement when the following question and answer
24 puts it properly in context.

12:46:07 25 PRESIDING JUDGE: I think Mr Griffiths has a point,
26 Mr Koumjian, because there's a difference between peace and the
27 following passage which refers to proper integral part of the
28 group.

29 MR KOUMJIAN:

1 Q. Sir, let me read some more to you. You were asked, "I
2 accept that there was a period when there was a degree of
3 cooperation but would it be correct to say that Superman's group
4 never became a proper integral part of your group?" And you said
12:46:43 5 yes. The next question was, "Now Superman was a brigadier; is
6 that correct?" And your answer was yes. The next question was,
7 "And Gibril Massaquoi became part of Superman's group. Is that
8 correct?" And your answer was, "Yes, after all" --

9 A. Yes.

12:46:59 10 Q. [Overlapping speakers] Sir, a couple of questions about
11 those answers. Superman was a brigadier in what force?

12 A. RUF.

13 Q. And Gibril Massaquoi, what force did he belong to?

14 A. RUF.

12:47:15 15 Q. How was it, if you know, that Gibril Massaquoi came to join
16 Superman's group? Where had he been previously?

17 A. Gibril Massaquoi was in jail. He was in jail. He was left
18 in jail in Pademba Road. So it was when they advanced on
19 Freetown that they were set free from the jail and then he came
12:47:44 20 back. But it was because it was Superman and others who were at
21 the front line, that was how he came to join them, their own
22 group.

23 Q. Mr Witness, when Superman was operating, when he was
24 commanding his forces, do you know where he got his ammunition?

12:48:16 25 A. Yes. Because at first we were all together he used to get
26 supplies from us, but when he went to the jungle, that is the
27 Kabala axis, he purely depended on captured ammunition.

28 Q. Sir, were there factories for ammunition in Sierra Leone?

29 A. No, not a day that I saw that.

1 Q. Sir, excluding the period of the junta when you were in
2 Freetown, were there ports available to the RUF to bring in
3 ammunition?

4 A. Repeat that question.

12:49:00 5 Q. I'm asking you if at any time except the period when you
6 were in Freetown with the junta were there ports, places where
7 ships could come to bring ammunition to the RUF? Could you get
8 ammunition from ships except for the junta period?

9 A. Beside the time we were in Freetown, we did not get access
12:49:35 10 for that because the areas where we were in our zone there
11 weren't seas from which we could get that opportunity. We either
12 got ammunition from the ULIMO that we bought or from
13 Charles Taylor, but we did not have that kind of contact that we
14 will get ammunition from outside countries, no.

12:49:55 15 Q. Did Superman have any contacts other than the ones you've
16 just mentioned, Liberia or purchasing from ULIMO in Liberia - any
17 other ways to get ammunition other than from Sam Bockarie or from
18 those other sources?

19 A. No, the place where Superman was was in the middle of the
12:50:21 20 country, in the centre of the country. He was not close to a
21 borderline. There was no other way for him to make contacts for
22 ammunition, except when he will get up some days and then go and
23 attack and fight and then he will capture ammunition and
24 sometimes he will get some ammunition from Sam Bockarie. So that
12:50:40 25 was it.

26 Q. Sir, can you remind us, what was the nationality of
27 Superman?

28 A. Yes, sir. He was a Gbandi by tribe, a Liberian.

29 Q. Can you tell us what force he first belonged to, Superman?

1 A. He was NPFL and he went to Sierra Leone to serve as a
2 reinforcement.

3 Q. After he came to Sierra Leone and joined with you, to your
4 knowledge, did Superman ever fight again in Liberia?

12:51:30 5 A. Yes, it used to happen in Lofa. At the time the ULIMO
6 tried to force their way to enter, so the Superman group, because
7 they were hard fighters, they would call on them sometimes to go
8 and fight there.

9 Q. Who would call on Superman to fight in Lofa County?

12:51:57 10 A. At times when Sam Bockarie was there he used to call him,
11 he used to do that.

12 Q. When Superman fought in Lofa County do you know who his
13 direct commander was?

14 A. Yes.

12:52:13 15 Q. Who was that?

16 A. Benjamin Yeaten.

17 Q. What force did Benjamin Yeaten belong to?

18 A. It was NPFL.

19 Q. Sir, you talked previously, on page 14271, about the bank
12:52:44 20 robbery in Kono and you told us that those that robbed the bank
21 were disciplined by the RUF. Correct?

22 A. Yes, yes. Not all of them. Those who were captured.
23 Those that they were able to capture at that time, they
24 disciplined them. And some of them ran away, they escaped into
12:53:06 25 Guinea.

26 Q. And you've told us that a quantity of leones was recovered
27 from these men. 50,000 something, I don't recall the exact
28 number, was recovered from these men. Was this money stolen from
29 the bank returned to the bank or returned to those who owned the

1 money?

2 A. No, sir. We did not return it. We took it to Buedu. The
3 high command, Sam Bockarie, sent for us to take the money there
4 so we took it there.

12:53:45 5 Q. Sir, on 29 August, I believe that's Friday, I'm going to
6 ask you about something you said on page 14970. You were being
7 asked about Jungle and on the bottom of page 14969 you were
8 asked:

9 "Q. He became a member of the RUF, didn't he?"

12:54:16 10 A. He was not an RUF member but I can say so because NPFL
11 and RUF were families, so I cannot refute that. They were
12 one family. That was how we took ourselves."

13 Sir, this family that you call the NPFL and RUF, did it
14 have a leader, a father?

12:54:41 15 A. Yes.

16 Q. Explain your answer, please.

17 A. From the beginning when I joined the RUF those of us who
18 were trained, we were all brothers and even the women who were
19 with us, we were all brothers and sisters and we had those who
12:55:03 20 were ahead of us who controlled us and at that time they showed
21 us Rashid Mansaray, Mohamed Tarawalli. The two of them came from
22 Libya. And Pa Foday Sankoh, he told us that Charles Taylor was
23 his brother and they were two who came from Libya, together with
24 those other men and they came. Those were our fathers.

12:55:29 25 But those of us who were trained together, we were brothers
26 and sisters in the RUF and the NPFL. Those of us who had weapons
27 who were fighting, so we were like a family. So that was the
28 understanding we had. So anybody who left Liberia at a point in
29 time and came to Sierra Leone, he or she was our brother or

1 sister and anybody who left Sierra Leone to go to Liberia at that
2 point in time, he or she would be considered a brother and sister
3 over there. So that was what used to happen.

12:56:05 4 Q. Okay. My question, Mr Witness, is in that family was there
5 a single leader of the family or more than one leader of the
6 family?

7 A. Yes, for that family we had two leaders, Sankoh and
8 Charles Taylor. They were the leaders for that family that we
9 had. They were controlling us.

12:56:30 10 Q. Can you describe the relationship between Foday Sankoh and
11 Charles Taylor in that family?

12 A. Between the two of them the family relationship was
13 cordial. I never came across an argument between the two of
14 them. I never saw that. Maybe it might have happened, but in my
12:56:54 15 absence.

16 Q. Sir, you were asked some questions about something someone
17 else said and I want to ask you some questions about that now.
18 First of all, do you know where Konola is in Liberia?

19 A. Konola? Repeat that language, Konola.

12:57:21 20 Q. Konola. Do you know where Konola is?

21 A. Curnella [phon].

22 Q. Perhaps.

23 JUDGE SEBUTINDE: Could you please spell what you're
24 saying.

12:57:34 25 MR KOUMJIAN:

26 Q. The spelling I have, Mr Witness, is K-O-N-O-L-A.

27 A. Yes, that is the meaning, Konola. Konola. I used to hear
28 that name at the time I was in Kakata. It was between Kakata and
29 Gbarnga. That - it is in between those two places that we have

1 that town, Konola.

2 Q. So it's in between Kakata and Gbarnga, correct?

3 A. Yes.

4 Q. Is it the same place as Bong Mines?

12:58:16 5 A. But Bong Mines is bigger than there.

6 Q. What do you mean by that?

7 A. The town, I mean Bong Mines, it's a common area, it is
8 bigger than the other town that you're referring to. Bong Mines
9 is a big town.

12:58:36 10 Q. Are these two separate towns or the same town?

11 A. They are two different towns.

12 Q. Sir, you were asked some questions about Mike Lamin. Do
13 you know who Mike Lamin stayed with when he was in Kakata? Just
14 say if you do or you do not.

12:59:02 15 A. I don't know. I used to see him. I always told you at the
16 time I used to see him he always had a book in his hands, but I
17 did not know who he was staying with and I never asked him, not a
18 day.

19 Q. I'm referring now to page - perhaps it could be handed out
12:59:21 20 - 2517 to 18 of a prior transcript. Let me proceed. I think
21 that's enough for a reference.

22 PRESIDING JUDGE: Just to avoid any problems here, there
23 was some evidence in relation to certain people adduced in
24 private session. Now I don't know what you're referring to or
12:59:47 25 whether there's any problem with a possibility that what you're
26 referring to was private.

27 MR KOUMJIAN: Your Honour, no, my question, and I'm almost
28 finished - this question I believe is fine. I can proceed:

29 Q. Sir, have you ever heard of the St Christopher Catholic

1 school?

2 A. Yes.

3 Q. Where is that?

4 A. That church and that school is in Kakata, that is the

13:00:24 5 Monrovia Highway around the Mandingo quarters.

6 MR KOUMJIAN: I believe anyway the document that I was
7 referring to was handed out last week. But your Honours have it,
8 it's an official transcript and I've given the reference, so I
9 don't believe it's necessary to go into it further. May I have
10 just a moment, your Honour.

13:00:49

11 JUDGE SEBUTINDE: Mr Koumjian, is it in the bundles that
12 were given to us?

13 MR KOUMJIAN: No, it's not in the bundle, your Honour. We
14 passed it out on Friday. And, again, I've given a reference on
15 the record. I probably have at least one copy here. Your
16 Honours, I have one copy that --

13:01:09

17 PRESIDING JUDGE: Is it page 2517? Does it start with
18 that?

19 MR KOUMJIAN: Yes.

13:01:29

20 JUDGE LUSSICK: I've got that, Mr Koumjian.

21 MR KOUMJIAN: Beginning the bottom of that page, through
22 the next page. So that your Honours, I don't believe I need to
23 go into it further and that concludes my re-direct examination.
24 Thank you.

13:01:42

25 PRESIDING JUDGE: Thank you, Mr Koumjian. Counsel I have
26 one question of the witness. It's a matter that arose in private
27 session. I just want to clarify a point. I don't intend to name
28 any names or make a specific reference. I think I can ask it
29 without any problem as to security, but however if out of an

1 abundance of caution counsel wish to me to put it in private
2 session I will do so.

3 MR GRIFFITHS: I don't make that request, your Honour.

4 PRESIDING JUDGE: Mr Witness, you were asked some questions
13:02:39 5 and I'm going to say some of the things you said. I want to
6 clarify a point. Counsel, I am now referring to page 14934 of
7 the transcript, 28 August. You said, "My sister owned a
8 restaurant in the Bong Mines park. A lot of people used to go
9 there and eat." Then later at the same place or soon after that
13:03:01 10 you said, "It is a restaurant but it is a house, a restaurant and
11 that is where we used to sleep." And you also said about the
12 same time, "My sister's restaurant was near to the street. That
13 is where the house is."

14 Now what I'm not clear on from this, Mr Witness, is was the
13:03:31 15 restaurant and the house the same building?

16 THE WITNESS: Okay. For instance, let's take it as this
17 court. We have a court here. Let's say this is the restaurant
18 and the rooms attached to it are the sleeping rooms, but in here
19 as the restaurant people don't sleep there. But it's a place
13:03:54 20 something - it's a restaurant where food is sold and it is the
21 same building, in the same area and it turned towards the main
22 line.

23 PRESIDING JUDGE: Do you mean the restaurant was one part
24 of this building and the sleeping area was a part of the same
13:04:13 25 building?

26 THE WITNESS: Yes, sir. Yes, sir. It's a whole building
27 and the restaurant is on one side and the sleeping places are on
28 the other side, but it's the same building.

29 PRESIDING JUDGE: Thank you, Mr Witness. That was my

1 question, counsel. Is there a question arising, counsel?

2 MR GRIFFITHS: Not from me, your Honour.

3 PRESIDING JUDGE: Thank you.

4 MR KOUMJIAN: No, your Honour.

13:04:38 5 PRESIDING JUDGE: Thank you. Any further matters?

6 MR KOUMJIAN: I believe there was a drawing by the witness,
7 MFI-2, which we would move into evidence. That was the scale
8 that the witness drew.

9 PRESIDING JUDGE: That was a hand drawn - Mr Griffiths, you
13:04:55 10 have heard the application to move MFI --

11 MR GRIFFITHS: No observations, your Honour.

12 PRESIDING JUDGE: Very well. The hand drawn one page
13 document explained by the witness becomes a Prosecution exhibit
14 P-166.

13:05:16 15 [Exhibit P-166 admitted]

16 Thank you. That was the only Prosecution tender, was it?

17 MR KOUMJIAN: Yes, your Honour.

18 MR GRIFFITHS: Your Honour, there were three pages of
19 photographs placed before the witness by us, MFI-3, MFI-4 and
13:05:37 20 MFI-5. I ask that they be exhibited and I wonder whether it
21 might be useful to give them one number and then A, B, C.

22 PRESIDING JUDGE: Mr Koumjian, you have heard
23 Mr Griffiths's application.

24 MR KOUMJIAN: Yes, your Honour. I would note, your Honour,
13:05:53 25 that on these photographs we have no information as to who took
26 the photographs, virtually no information about when they were
27 taken and virtually no information about where they were taken.
28 Nor is it obvious at this point what the relevance is of
29 photographs such as one of the witness or of Foday Sankoh kissing

1 a young woman.

2 The Defence previously on this very same witness stated
3 that their position was that there were certain necessary
4 conditions for any document. That is, where did it come from.

13:06:28 5 We don't know where this document came from or whether it's part
6 of the 50,000 pages in Mr Taylor's personal archives that were
7 available to the Defence. We don't know who took the photograph
8 or the type and the way it was taken and the Defence - that was
9 the second point of the Defence, who produced it, and the third
13:06:48 10 was where is the original. We don't know where the original is.

11 I simply make these points to note the contradiction in the
12 Defence position. The Prosecution's position is that any
13 document that's relevant should be admitted. Potentially these
14 are relevant, we do not oppose their admission, consistent with
13:07:03 15 our position on documents. Thank you.

16 PRESIDING JUDGE: Mr Koumjian, this arose in
17 cross-examination, but in any event, Mr Griffiths, you have heard
18 the objection by counsel.

19 MR KOUMJIAN: It's not an objection. I am simply stating
13:07:15 20 what we believe the law is and that we think because there's
21 potential relevance that the document should be admitted. We
22 think both sides should get relevant documents admitted into
23 evidence. Thank you.

24 PRESIDING JUDGE: I understand. I withdraw that comment
13:07:30 25 and I now put - the first is MFI-3. It is a one page document
26 with three photographs, one of which has been identified by the
27 witness. This will become exhibit number D-57. Mr Koumjian,
28 you're on your feet again.

29 MR KOUMJIAN: Your Honour, that would necessarily - I think

1 it might be better to mark this confidential because this is the
2 one that includes the photograph of the witness. And I
3 understood Mr Griffiths to make a very practical suggestion that
4 these be given one exhibit number A, B, C so that we have them
13:08:21 5 all together. Thank you.

6 MR GRIFFITHS: I have no difficulty with that, Madam
7 President.

8 PRESIDING JUDGE: Mr Koumjian, I do not have my notes in
9 front of me but I don't have any of these marked as the witness
13:09:13 10 himself. I thought it was a different person. I have to reread
11 my record.

12 MR GRIFFITHS: There was one.

13 MR KOUMJIAN: MFI-3.

14 MR GRIFFITHS: MFI-3, top right-hand corner.

13:09:26 15 PRESIDING JUDGE: Thank you. I'm grateful for that
16 reminder. In the circumstances that MFI-3 becomes Defence
17 exhibit D-57A and it will be confidential. MFI-4 will become
18 Defence exhibit 57B. There is not the same reservation on that
19 document. MFI-5 will become D-57C. Again there is not the same
13:09:55 20 reservation on that document. So 57A is confidential, Madam
21 Court Attendant.

22 [Exhibit D-57A to C admitted]

23 If there are no other matters I will release the witness
24 but I bear in mind certain matters that were to be put to him.

13:10:11 25 Counsel?

26 MR GRIFFITHS: I'm sorry, your Honour?

27 PRESIDING JUDGE: I said if there are no other matters I
28 will release the witness, but I do bear in mind a certain caveat
29 that was made in the course of private session.

1 MR GRIFFITHS: I have no further matters to deal with with
2 this witness, your Honour.

3 PRESIDING JUDGE: Thank you. Mr Witness, that is the end
4 of your evidence. We thank you for coming to court and giving
13:10:39 5 your evidence. You are now free to leave.

6 You may recall I said to you at the beginning you were not
7 to discuss your testimony while you were under oath. I want to
8 refer to some matters that were - questions that were asked of
9 you about things stated by other people in this Court. Those
13:10:56 10 others were also protected witnesses like yourself and have
11 protected orders like you have. Therefore I tell you that you
12 must not start guessing and speculating and trying to identify
13 those people or to talk to them. Do you understand what I have
14 said?

13:11:14 15 THE WITNESS: Yes, ma'am.

16 PRESIDING JUDGE: Thank you.

17 THE WITNESS: Yes.

18 PRESIDING JUDGE: Yes, Ms Hollis.

19 MS HOLLIS: Madam President, your Honours, the next witness
13:12:22 20 is TF1-338. The witness will testify in the Krio language. The
21 witness has the following protective measures: The use of a
22 pseudonym which protective measure was granted 5 May 2006,
23 SCSL-01-99 was the decision; the witness also has face and voice
24 distortion and the use of a screen as well as closed or private
13:12:56 25 session to be dealt with in court as the need arises. These
26 protections were given in decision SCSL-01-515, 22 May 2008.

27 PRESIDING JUDGE: Thank you, Ms Hollis. What language will
28 the witness give his evidence in? He or she, sorry.

29 MS HOLLIS: In the Krio language, your Honour.

1 PRESIDING JUDGE: Madam Court Attendant, if you could
2 assist us, how long will it take to implement the protective
3 measures that Ms Hollis has stated?

13:13:52

4 MS IRURA: Your Honour, our voice distortion takes 30
5 minutes to implement, to be set up.

6 PRESIDING JUDGE: In the circumstances it would seem
7 practical to take an early lunch break. We will adjourn court
8 and resume at 2.15. Please adjourn court until 2.15.

9 [Lunch break taken at 1.15 p.m.]

14:12:40

10 [Upon resuming at 2.15 p.m.]

11 PRESIDING JUDGE: Before I ask for the witness to be sworn,
12 I note some changes of appearance. Ms Hollis?

13 MS HOLLIS: Good afternoon, Madam President, your Honours.
14 Brenda J Hollis and Alain Werner representing the Prosecution.

14:15:52

15 PRESIDING JUDGE: Mr Munyard.

16 MR MUNYARD: Good afternoon, Madam President, the Bench and
17 counsel opposite. For the Defence it's myself Terry Munyard and
18 Morris Anyah.

19 PRESIDING JUDGE: Thank you. Please swear the witness.

14:16:07

20 WITNESS: TF1-338 [Sworn]

21 Ms Hollis, please proceed.

22 MS HOLLIS: Thank you, Madam President. Your Honours, we
23 would request an initial private session to go into identifying
24 information about the witness.

14:16:37

25 PRESIDING JUDGE: Mr Munyard, you have heard the
26 application.

27 MR MUNYARD: We have no difficulty with that.

28 PRESIDING JUDGE: Please put the Court in a private
29 session. I would first say to any members of the public or

1 monitors who are present in the court precincts that the Court
2 will go into private session for a brief period for reasons of
3 security of the witness. People will be able to see in, but not
4 hear what is happening in court.

5

6 [At this point in the proceedings, a portion of
7 the transcript, pages 15083 to 15090, was
8 extracted and sealed under separate cover, as
9 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: Thank you. Please proceed.

4 MS HOLLIS:

14:32:20 5 Q. Now, Mr Witness, we are now in open session, so I will ask
6 you to take care not to say anything that will identify you. Do
7 you understand?

8 A. I understand.

9 Q. Would you please tell the Court your tribe or ethnicity?

14:32:43 10 A. I speak Mende and Kissi.

11 Q. And what tribe are you?

12 A. I am a Mende Kissi.

13 Q. What formal education, if any, do you have?

14 A. I went up to Form 5.

14:33:05 15 Q. What languages do you speak? You mentioned Mende and
16 Kissi. Any others?

17 A. I speak Krio, I speak English and I speak Liberian English
18 little by little.

19 Q. What languages do you read?

14:33:27 20 A. I read English.

21 Q. Mr Witness, would you tell the Court why you have decided
22 or asked to speak in Krio for your testimony?

23 A. Yes, I decided to testify in Krio so that I would be able
24 to get more understanding from the lawyers.

14:33:57 25 Q. Now I'm not sure that I completely understand your answer.
26 What do you mean by that?

27 A. What do you want me to tell you again?

28 Q. What do you mean so you can get more understanding from the
29 lawyers?

1 A. To be able to understand the questions asked of me, because
2 if they ask me in English and they translate it into Krio to me
3 then I will be able to understand it better than when it comes
4 directly in English.

14:34:38 5 Q. Thank you, Mr Witness. Now, Mr Witness, in May of 1991
6 where were you?

7 A. In May 1991 I was in Koindu.

8 Q. And what were you doing in Koindu at that time?

9 A. I was going to school in Koindu.

14:35:00 10 Q. What happened in Koindu in May of 1991?

11 A. Well, in May 1991 we were in Koindu at a point in time when
12 gun men entered and they opened fire. That caused all of us to
13 enter into our houses for all night and in the morning we were
14 all asked outside and they took us to the barri and they told us
14:35:29 15 they were freedom fighters. The next thing they told us was who
16 wanted to join them and about 25 of us raised our hands up, about
17 25 of us raised our hands up, and they took us from amongst the
18 rest of them.

19 Q. Mr Witness, as you understand what you say is being
14:35:51 20 translated, so would you please be sure that you speak slowly so
21 that it can be accurately translated. Did you ever learn who
22 these armed gun men were who had come into the town shooting?

23 A. Later after they had asked us who wanted to join them they
24 introduced themselves to us and told us that they were freedom
14:36:22 25 fighters.

26 Q. Did they give you --

27 THE INTERPRETER: Your Honours, can witness's microphone be
28 raised up a bit and he be told to speak up a little.

29 THE WITNESS: Yes, the commander who asked us to raise our

1 hands up, he told us that he was general --

2 THE INTERPRETER: Your Honours, the name was not too clear
3 to the interpreter.

4 PRESIDING JUDGE: Mr Witness, two things. First of all,
14:36:44 5 the interpreters would ask that you speak a bit louder and,
6 secondly, the name of the general was not heard properly, so
7 please repeat the name of the general.

8 THE WITNESS: General Vienna. General Vienna.

9 MS HOLLIS:

14:37:07 10 Q. Did General Vienna say anything about what group he
11 belonged to?

12 A. General Vienna told us that he was from Liberia and that he
13 was an NPFL.

14 Q. The people that were with General Vienna, did you learn who
14:37:25 15 they were?

16 A. Well, I was able to know two of them. He said they were
17 their bodyguards - his bodyguards. One was called Gibson and the
18 other was called Mon Ami.

19 Q. Did you learn where these two people were from?

14:37:53 20 A. They were all Liberians. They said they were NPFL.

21 MS HOLLIS: Your Honours, the name of Vienna would be as
22 the city, V-I-E-N-N-A:

23 Q. Mr Witness, you said that they said they were freedom
24 fighters and that about 25 people volunteered including yourself.

14:38:19 25 Can you tell the Court why you volunteered?

26 A. Yes.

27 Q. Why is that?

28 A. I volunteered because that was my first time seeing
29 somebody with a gun shooting around and that was my first time

1 seeing somebody with a gun without uniforms and --

2 THE INTERPRETER: Your Honours, could the witness slow down
3 his pace and repeat the last bit of his answer.

4 PRESIDING JUDGE: Mr Witness, everything that you say is
14:38:50 5 being interpreted and is being written down, so you need to speak
6 more slowly to allow the interpreters and the writers to keep up
7 with you. So would you please go back to your answer and
8 continue where you said that was my first time seeing without a
9 gun and without uniforms. Continue from there, please, and speak
14:39:15 10 slowly.

11 THE WITNESS: I said that was my first time seeing people
12 with guns without uniforms and also I volunteered because I
13 thought if I had not volunteered they would have killed me and I
14 wanted to save my life.

14:39:37 15 MS HOLLIS:
16 Q. Now what happened after you and these other people
17 volunteered?

18 A. They took us from amongst the rest of the population and
19 took us to a school called Kissy Bendu.

14:40:00 20 MS HOLLIS: Your Honours, I believe that would be K-I-S-S-Y
21 B-E-N-D-U:

22 Q. Mr Witness, where is this school or where was this school
23 Kissy Bendu located?

24 A. Kissy Bendu is in Koindu Town going towards Liberia.

14:40:21 25 Q. And what happened when you arrived at the school?

26 A. When we got to the Kissy Bendu school, they took us PT,
27 something they called PT, that is jogging in the morning to know
28 how fit we were, and they showed us how to dismantle guns.

29 Q. How long did you remain at this Kissy Bendu school?

1 A. We were there for one to two weeks and the government
2 troops repelled the freedom fighters who were there, so they took
3 us from the base and they gave us loads to carry to Foya.

4 Q. When you say Foya, Foya is located where?

14:41:10 5 A. Foya is in Liberia.

6 Q. You said that government troops repelled the freedom
7 fighters. Who were these government troops?

8 A. The government troops, we used to call them at first
9 Momoh's soldiers. They were Momoh's soldiers.

14:41:30 10 Q. And for what government were they soldiers?

11 A. They were working for the Sierra Leone government.

12 Q. Now you said when you left from Koindu they gave you loads
13 to carry. What kind of loads did they give you to carry?

14 A. They gave us properties that they had taken from people in
14:41:58 15 Koindu.

16 Q. And who gave you these loads to carry?

17 A. Well, it was Gibson. The man who gave me the load, he
18 called himself Gibson. He told me that I was his own soldier. I
19 should be with him, so he gave me his load. He was called

14:42:20 20 Gibson.

21 Q. Now Gibson belonged to what group?

22 A. Gibson was a freedom fighter and he was NPFL.

23 Q. What happened when you arrived at Foya?

24 A. When we arrived at Foya they told us that all the recruits
14:42:44 25 from Kissy Bendu should be transferred to Voinjama, so they put
26 us in a queue formation and we marched to go to Voinjama.

27 Q. Who told you this?

28 A. It was General Vienna who queued us in line formation to go
29 to Voinjama.

1 Q. And who told you that all of you from Kissy Bendu were to
2 go to Voi nj ama?

3 A. General Vienna.

4 Q. Now what happened after that?

14:43:28 5 A. From there we continued our training.

6 Q. And where was it that you continued your training?

7 A. In Voi nj ama.

8 Q. How long did you train in Voi nj ama?

9 A. I was in Voi nj ama for three good months.

14:43:50 10 Q. While you were there, how many people were training?

11 A. Well, those of us who were there under the people who
12 captured us in the Koindu area we went up to 62 and they called
13 that one platoon.

14 Q. Were there any other people training there while you 62
14:44:12 15 were training?

16 A. Yes, we met other people on the base there. They also were
17 training.

18 Q. And these people were training for what group?

19 A. They told us that they were Charles Taylor's soldiers.

14:44:38 20 Q. Now, your group, were you told what group you were training
21 to become a member of?

22 A. Yes, the training commandant who was there, he came and
23 queued us in formation and he told us that they are going to
24 train us so that we will serve as soldiers tomorrow in Sierra
14:45:04 25 Leone.

26 Q. And did he tell you what group you would belong to?

27 A. He did not tell us until at one point in time when they
28 used us to show them bypass to go back to Koindu that we later
29 knew that those of us who were training there we were going to

1 fight as RUF.

2 Q. Who was in charge of the training base at Voinjama while
3 you were training there?

4 A. They had one commander who was called Bropleh Devil.

14:45:48 5 Q. Could you tell us that name again, please?

6 A. Bropleh Devil.

7 Q. What was the nationality of this person?

8 A. He was a Liberian.

9 Q. And do you know what group this person belonged to?

14:46:09 10 A. Yes.

11 Q. What group was that?

12 A. NPFL.

13 Q. While you were at this training base, what kind of training
14 did you receive?

14:46:25 15 A. Well, we used to jog with them. We used to do obstacles,
16 but when we got to the place at first they showed us halaka and
17 that they said was an introduction to the base.

18 Q. What was this halaka introduction to the base?

19 A. Halaka is an obstacle that was built with bricks. There
14:46:54 20 were two circles built with bricks. There was a big one outside
21 the small one. The small one was a circle and between the small
22 one and the big one there was sand and we will run in the sand
23 and the instructor for the halaka will stand in the small circle
24 and held a cane in his hands.

14:47:16 25 Q. And what did the instructor do during this halaka training?

26 A. During halaka training the instructor will be there to give
27 command and instruction and we will follow the instruction that
28 he gave.

29 Q. Now you testified that the instructor would have a cane.

1 What would the instructor do with this cane?

2 A. The cane was for anybody who will not be able to go
3 according to the instruction.

14:48:00

4 THE INTERPRETER: Your Honours, could the witness slow
5 down.

6 PRESIDING JUDGE: Mr Witness, you are going too quickly for
7 the interpreters. Remember they have to translate everything you
8 say. So pick up your answer again, please, where you said, "The
9 cane was for anybody who will not be able to go according to the
10 instruction" and continue from there and speak slowly, please.

14:48:21

11 THE WITNESS: The cane was for anybody who would not be
12 able to go according to the instruction, and whilst you were
13 running you'd be beaten on your back.

14 MS HOLLIS:

14:48:38

15 Q. The training that you received at this base, who provided
16 this training to you?

17 A. Well, we had CO Gorgie who was the halaka specialist and we
18 had Richard Honoru who represented those of us who were there.

19 MS HOLLIS: Your Honour, CO Gorgie, I believe, would be
20 G-O-R-G-I-E; Richard, regular spelling, Honoru, H-O-N-O-R-U:

14:49:10

21 Q. You said that Richard Honoru represented those of us who
22 were there. What to you mean by that?

23 A. Those of us whom they said will serve as Sierra Leone
24 soldiers tomorrow, he was there. He used to speak Krio.

14:49:43

25 Q. Do you know his nationality?

26 A. He was a Sierra Leonean.

27 Q. Now you mentioned a CO Gorgie. What was his nationality?

28 A. CO Gorgie, he said he was a Liberian.

29 Q. Do you know what group he belonged to?

1 A. He was with the NPFL.

2 Q. Were there only these two instructors or were there other
3 instructors as well?

14:50:30

4 A. There were other instructors, but I can't recall their
5 names now.

6 Q. Do you know what groups they were with?

7 A. They were all NPFL.

8 Q. Now earlier you mentioned something about being used to
9 show a bypass. Can you explain to the Court what you meant by
10 that?

14:50:45

11 A. They were not showing us bypass. They asked us to go and
12 show them bypass, how we'll be able to bypass Koindu Town or how
13 we will be able to use a bypass to get to a place in between
14 Koindu and Buedu. We used to show them the bypass.

14:51:11

15 Q. Now who was it who asked you to show them the bypass?

16 A. Well, it was CO Bropleh Devil who came and asked us how
17 many people we had amongst us who knew bypasses so that we would
18 be able to bypass Koindu, so some of us volunteered and then we
19 led the fighters to go to Koindu.

14:51:41

20 Q. And these fighters that you led, who were these fighters?

21 A. The fighters were NPFL fighters.

22 Q. When you say that you showed them bypasses, can you explain
23 what you mean by bypasses?

24 A. Yes, we will use a route that is not the main road so that
14:52:12 25 we will use a route that we will just come from the rear, from
26 the back of the soldiers, because initially they used the main
27 road and it was not easy for them. So what we did was that we
28 used the bush road and we led them.

29 Q. Did they tell you why they wanted you to show them bypasses

1 so you could get to the back of Koindu?

2 A. They just told us to show them the bypass to come from the
3 back of the soldiers.

4 Q. Now what did you do after you had shown these NPFL the
14:53:04 5 bypasses to Koindu?

6 A. They hit, they fought and they captured the town and when
7 they captured the town they went as far as Buedu. And whilst
8 they were proceeding to Kailahun they told us that those of us
9 who came from the base from Voinjama, we should return and

14:53:26 10 continue our training.

11 Q. Now, firstly, who is it who hit, fought and captured the
12 town? Who did that?

13 A. General Vienna was there. He was the head of the group,
14 but he had his commanders, Povae was there and Anthony Mekunagbe
14:53:55 15 was there. And this time around they came with so many fighters
16 and so many commanders.

17 Q. Now you mentioned a person. Did you say Povae?

18 A. Povae. Yes, Povae.

19 Q. Can you spell that for us?

14:54:15 20 A. The spelling that I know is P-O-V-A-E. That is what I know
21 for Povae.

22 Q. Now, while they were hitting and fighting and taking the
23 town, what were you doing, you and other trainees who went with
24 them to show them the bypasses?

14:54:41 25 A. We were just there to show them the route and we would be
26 in between them. We will have about 15 to 20 gun men in front
27 and we would be in between. We will go on showing them the road
28 and when we got to a particular point they asked us to return.

29 MR MUNYARD: Can we have a spelling, please, for the

1 Anthony person whose surname hasn't come out properly on the
2 screen?

3 PRESIDING JUDGE: I do recall hearing it before, but if --

14:55:16

4 MS HOLLIS: Mekunagbe is the name and it is part of the

5 record, I believe. M-E-K-U-N-A-G-B-E:

6 Q. What town was it that they hit, fought and captured?

7 A. They hit Koindu and they were able to capture there. They
8 hit Buedu and they were able to capture there.

14:55:46

9 Q. Now once they told you you should return where did you and
10 these others who had shown them the bypasses - where did all of
11 you return to?

12 A. We returned back to Voinjama.

13 Q. After your training was completed in Voinjama, where did
14 you go?

14:56:14

15 A. We did not complete our training in Voinjama. We were in
16 Voinjama for three months and after they had captured Koindu,
17 Buedu and Kailahun they told us they had already established a
18 base in Kailahun so they said we should go to Kailahun being that
19 we were the first trainees, so we came to Koindu and they took us
20 in a vehicle to Kailahun.

14:56:32

21 Q. Now firstly when you say Kailahun what are you speaking of,
22 Kailahun District or Kailahun Town?

23 A. Kailahun Town.

24 Q. And who was it who took you to Kailahun Town?

14:57:03

25 A. Well, it was Richard Honoru who took us to Kailahun Town.

26 Q. How were you transported to Kailahun Town?

27 A. They put us on board a vehicle. We went to Foya. We
28 passed the night there and the following day they took us to
29 Koindu and it was at Koindu that they said a recruit does not

1 have blood, so they said we should walk up to Kailahun and we
2 walked to Kailahun.

3 Q. Now this term that you just used, you said they told you a
4 recruit does not have blood. Did they explain to you what that
14:57:39 5 meant?

6 A. They did not explain to us what they meant.

7 Q. What happened then when you reached Kailahun Town?

8 A. When we arrived in Kailahun Town they took us to the base
9 at National.

14:58:01 10 Q. How many of you were taken to the base in Kailahun Town?

11 A. The 62 of us who were at Voinjama base.

12 Q. And what was the nationality of the 62 of you.

13 A. We were Kissi and Mende and we had a few Temnes amongst us.

14 Q. And from what country were you?

14:58:41 15 A. Well, I was in Sumbuya - I mean Sierra Leone. All of us
16 came from Sierra Leone.

17 Q. This base that you went to, you said it was a base at
18 National. What is National?

19 A. National is a secondary school. That is the secondary
14:59:04 20 school in Kailahun.

21 Q. Was this base known by any other name?

22 A. They used to call it base Kailundo.

23 MS HOLLIS: Your Honours, I believe that would be
24 K-A-I-L-U-N-D-O.

14:59:25 25 PRESIDING JUDGE: Thank you.

26 MS HOLLIS:

27 Q. Mr Witness, how long were you at Kailundo base?

28 A. I was at Kailundo base for four months.

29 Q. And what were your duties while you were there at Kailundo

1 base?

2 A. I still continued my training.

3 Q. And what happened - well, first of all when you continued
4 your training, who was giving you the training at Kailundo base?

15:00:04 5 A. At Kailundo base we had CO Gorgie who was the halaka
6 specialist, he came us with, and Richard Honoru too was there.

7 Q. And did you have any other instructors, or only those two?

8 A. No, instructors were there. 045 was there and those were
9 the two people that I put in my statement.

15:00:33 10 Q. Now I don't think I completely understand. How many
11 instructors were there at Kailundo base while you were continuing
12 your training there?

13 A. They were there more than six.

14 Q. Now you have told us CO Gorgie was NPFL, Richard Honoru was
15:00:58 15 a Sierra Leonean. These other instructors at Kailundo base, what
16 was their nationality, if you know?

17 A. They were Liberians, but later they told us that they were
18 trained for the RUF.

19 Q. What happened then after this four months of additional
15:01:23 20 training at Kailundo base?

21 A. From there they sent us to the front line.

22 Q. And how long were you at the front line?

23 A. I was at the front line for almost six to seven months.

24 Q. Now just so we can be clear, what month are we talking
15:01:49 25 about now? Or, excuse me, what year are we talking about now?

26 A. That was the end of '91 going to '92.

27 Q. Was that the time you were sent to the front line?

28 A. Yes, sir.

29 Q. When you were at the front line, who were your commanders?

1 A. Well, the commander with whom I was at the time they sent
2 me there was Sam Latus and AB, Mon Ami.

3 THE INTERPRETER: Sorry, your Honours, the interpreter left
4 out one name, Sam Tuah.

15:02:39 5 MS HOLLIS:

6 Q. Can you help us with the spelling of Latus? Can you spell
7 that for us?

8 A. Yes, I will try.

9 Q. Please do.

15:02:58 10 A. L-A-T-U-S.

11 Q. Now, Sam Tuah, what was his nationality?

12 A. He was Liberian.

13 Q. And do you know what group he belonged to?

14 A. NPFL.

15:03:17 15 Q. And Sam Latus, what was his nationality?

16 A. Liberian.

17 Q. What group did he belong to?

18 A. NPFL.

15:03:41 19 Q. And you mentioned an AB, Mon Ami. Are those two people, or
20 just one person?

21 A. No, those are two people.

22 Q. AB, do you know AB by any other name?

23 A. Well, it was just the AB that I knew. That was what he
24 told us.

15:04:00 25 Q. And do you know what his nationality was?

26 A. He was a Gambian.

27 Q. Do you know what group he belonged to?

28 A. He came with the NPFL, but he was a Gambian.

29 Q. Mon Ami, did you know him by any other name?

1 A. Well, we used to call him Paul Vaye Mon Ami. I did not
2 know any other name for him, but we used to call him Paul Vaye
3 Mon Ami.

15:04:40

4 Q. Now earlier you mentioned someone, a Povae. Is this the
5 same person, or a different person?

6 A. No, it is a different person.

7 MS HOLLIS: Your Honours, that would be Paul, P-A-U-L
8 V-A-Y-E, Vaye:

15:05:02

9 Q. What was Paul Vaye, who was also known as Mon Ami, what was
10 his nationality?

11 A. Paul Vaye Mon Ami too said he was a Gambian, but he was a
12 Fulani, so he gave himself Mon Ami name, but he said - that was
13 not in my statement actually. He said Mon Ami was --

15:05:31

14 THE INTERPRETER: Your Honours, could the witness slow
15 down.

16 PRESIDING JUDGE: Pause, Mr Witness. You have speeded up
17 again. You must speak slowly, stop at the end of each sentence,
18 take a deep breath and then start again. Now pick up where you
19 said, "He said Mon Ami was --" Please continue from there.

15:05:49

20 THE WITNESS: I said although that is not in my statement,
21 I will just have to brief you. Mon Ami was an ECOMOG soldier
22 when they entered in Liberia during the time they were fighting
23 against the NPFL. It was Paul Vieux who captured him and saved
24 his life. So when they entered Sierra Leone he also decided to
25 use the name Paul Vaye, so we used to call him Paul Vaye Mon Ami.

15:06:13

26 MS HOLLIS:

27 Q. Now when you were fighting at the front line, beginning the
28 end of '91 or the beginning of 1992, were there any Sierra
29 Leonean commanders at the front line?

1 A. Where I was there was - there was no Sierra Leonean
2 commander, but we had targets at that time. We had target A,
3 that was around Kui va, there we had Morris Kallon. We had target
4 B, which was Blama, we had CO Fembeh there. But where I was
15:07:01 5 fighting we did not have any Sierra Leonean commander there.

6 MS HOLLIS: Your Honours, I believe we have had Kui va
7 spelled before, Blama spelled before and I believe it's CO
8 Fembeh, F-E-M-B-E-H:

9 Q. Now, Mr Witness, to your knowledge in 1992 - well, first of
15:07:31 10 all at this point in time you had been identified as fighting for
11 the Sierra Leoneans. Did you know the name of the group that you
12 were with at this point, the Sierra Leonean group?

13 A. Yes, it was from the Kailundo base in Kailahun that they
14 told us we were fighting for the RUF.

15:07:59 15 Q. And did they mention anyone as a leader in the RUF?

16 A. Yes.

17 Q. Who is that?

18 A. They talked about Foday Sankoh.

19 Q. To your knowledge in 1992 where was Foday Sankoh based?

15:08:27 20 A. Foday Sankoh was based in Liberia in a town called Gbarnga.

21 Q. Was he based in any other locations in 1992?

22 A. Yes, he later entered Sierra Leone and he was based in
23 Kailahun and Pendembu.

24 Q. And when you say Kailahun, do you mean Kailahun District or
15:08:57 25 Kailahun Town?

26 A. Kailahun Town.

27 Q. During the times that Foday Sankoh was based in Kailahun
28 Town and Pendembu, to your knowledge did he receive any visitors
29 at those locations?

1 A. Yes.

2 Q. Who came to see him at those locations?

3 A. Anthony Mekunagbe used to come there, Charles Timber used
4 to come there, Oliver Varney used to come, Dopoe Menkarzon used

15:09:40 5 to come there, Francis Mewon used to come there. So many of them
6 used to come there to meet him there.

7 MS HOLLIS: Your Honours, I believe we have all of those
8 spellings on record, but if you want a particular spelling I
9 would be glad to assist:

15:09:54 10 Q. Mr Witness, to your knowledge in 1992 did Foday Sankoh take
11 any trips outside of Sierra Leone?

12 A. Yes.

13 Q. And where would he go?

14 A. He went to Liberia.

15:10:16 15 Q. Do you know where he would go inside Liberia?

16 A. He used to go to Gbarnga.

17 Q. Do you recall how many times he would have made these trips
18 to Gbarnga?

15:10:42 19 A. He made those trips many times, but with me in his company
20 he only made it two times.

21 Q. And do you know why was he making these trips to Gbarnga?

22 A. He used to go for arms and ammunition there.

23 Q. And do you know from whom he was receiving these arms and
24 ammunition?

15:11:10 25 A. From Charles Taylor.

26 Q. Now do you recall the names of any people who would
27 accompany him on these trips?

28 A. Yes, I went there with him two times and we had Benjamin,
29 we had Papa, we had JR, we had Ansu Siillah and we had Rashid

1 Foday.

2 Q. Now you have mentioned a Ben who would go with him. Who
3 was this Ben?

4 A. Ben I have said was a captain in the Black Guard, but from
15:11:57 5 1992 going towards 1993 he became the Black Guard commander.

6 Q. And you mentioned a Papa. This Papa, what was his
7 nationality?

8 A. Papa was a Liberian.

9 Q. You mentioned a JR. Who was this?

15:12:22 10 A. JR was a Liberian.

11 Q. And you mentioned Ansu Sillah. Who was that?

12 A. Ansu Sillah was a Sierra Leonean.

13 Q. You said that JR was a Liberian. Do you know what group he
14 belonged to?

15:12:47 15 A. JR was an NPFL.

16 Q. And you said that Papa was a Liberian. Do you know what
17 group he belonged to?

18 A. Papa too was an NPFL.

19 Q. Now this Ben who was a captain, what was his nationality?

15:13:05 20 A. He was a Sierra Leonean.

21 Q. Now you indicated that Foday Sankoh would bring arms and
22 ammunition. Can you tell us what types of arms and ammunition he
23 would bring?

24 A. He used to come with AK-47 rounds, G3 rounds and RPG
15:13:26 25 rockets.

26 Q. Do you know how these arms and ammunition were transported
27 from Gbarnga to Sierra Leone?

28 A. They used to put them in vehicles.

29 Q. And these vehicles, how were these vehicles obtained?

1 A. It was Charles Taylor who used to give him a vehicle, a
2 blue Hilux.

3 Q. What was done with the arms and ammunition that Foday
4 Sankoh brought back to Sierra Leone?

15:14:10 5 A. They used it to fight.

6 Q. Now just to go back for a moment, you talked about being on
7 the front line for six or seven months. Where did you get your
8 arms and ammunition to fight when you were on the front line?

9 A. We used to get them from the Liberian commanders who used
15:14:39 10 to come.

11 Q. During the period of time that you went to the front line
12 to fight, throughout 1992, to your knowledge, who was in charge
13 of these fighters in Sierra Leone?

14 A. The overall commander was Dpoe Menkarzon.

15:15:08 15 Q. And who were the commanders that were next in command to
16 him?

17 A. He had various commanders. He had Sam Tuah; he had James
18 Caway; he had Christopher Varmoh, he had his commanders who were
19 around him.

15:15:34 20 Q. Who was Christopher Varmoh?

21 A. Christopher Varmoh was Liberian Mosquito.

22 Q. And to what group did he belong?

23 A. He was NPFL too.

24 Q. And you mentioned Dpoe Menkarzon. To what group did he
15:15:56 25 belong?

26 A. Dpoe Menkarzon was an NPFL, but he told us that he was a
27 member of the Special Forces.

28 Q. Did he explain to you what that meant, to be a member of
29 the Special Forces?

1 A. What he explained to us was that he was trained outside
2 Liberia. He said he was not trained in Liberia. He said he
3 trained outside Liberia and they were the ones who brought the
4 war into Liberia.

15:16:35 5 Q. Now during this time that you went to the front lines in
6 1992, how were civilians treated in Sierra Leone during this
7 time?

8 A. Well, they used to treat them badly. They used to rape
9 them. They used to kill them. Sometimes they even ate them.

15:17:08 10 Q. And who was it who was doing this?

11 A. Well, the actual person who was involved in that was one
12 Dawn-Dawn 18-18 who was at the Kono bypass.

13 Q. Could you tell us that person's name again?

14 A. Dawn-Dawn.

15:17:32 15 Q. Dan Down?

16 A. Dawn-Dawn. His name was Dawn.

17 Q. You said 18-18. What does that mean?

18 A. That was the nickname that he used.

19 Q. And can you assist us with spelling that name?

15:17:57 20 A. 18-18.

21 Q. No, Dawn, Dawn.

22 A. D-A-W-N.

23 Q. Who was his commander?

24 A. His commander was James Caway.

15:18:19 25 Q. And can you assist us with spelling James Caway's last
26 name, Caway?

27 A. I don't know how to spell Caway, but I can spell James.

28 MS HOLLIS: Your Honours, phonetically I would simply spell
29 it C-A-W-A-Y:

1 Q. And who was James Caway's commander?

2 A. He took instruction from Dopoe Menkarzon.

3 Q. Now was this type of behaviour occurring anywhere other
4 than in Dawn's area?

15:19:11 5 A. Yes.

6 Q. And where was that?

7 A. It used to happen at target A where James Caway himself
8 was.

9 Q. And any other locations?

15:19:28 10 A. It used to happen at Baima.

11 MS HOLLIS: Your Honours, I believe that would be
12 B-A-I-M-A. I have also seen it as B-A-I-A-M-A.

13 Q. Where was Baima?

14 A. Baima was on the highway going towards Daru Town.

15:19:54 15 Q. And you were going from where towards Daru Town?

16 A. Say that again.

17 Q. You say it was on the highway going towards Daru Town.
18 Travelling from where towards Daru Town?

19 A. When you are travelling from Pendembu you go to Tawid and
15:20:25 20 then you go to Baima and then you go to Daru.

21 Q. And who was in charge in Baima?

22 A. Baima, Charles Timber was in charge of Baima.

23 Q. And who was Charles Timber's commander?

24 A. His commander was also Dopoe Menkarzon.

15:21:02 25 Q. Now I would like to ask you another question about Captain
26 Ben. You've talked about Captain Ben. Are you aware of any
27 operations which were led by Captain Ben?

28 A. I am aware of an operation that Captain Ben led in 1995, if
29 my memory serves me well. I heard of one operation that he led.

1 Q. And what was this operation?

2 A. Well, I can't remember the code name of the operation, but
3 he led an operation in Yengema and Ngaya.

4 Q. And, if you know, what was the objective of that operation?

15:21:55 5 A. Well, he took instruction from the Pa and he asked him to
6 go and hit Ngaya and Yengema and that if at any point he got
7 resistance from those two areas he told him to burn down
8 strategic areas in the place, but that if he did not get any
9 resistance and if he was able to capture the place he should base
15:22:20 10 there.

11 Q. You said he got instructions from Pa. Who are you
12 referring to?

13 A. Foday Sankoh.

14 Q. Now, Mr Witness, I would like to direct your attention to
15:22:37 15 the year 1996. At the beginning of 1996, where were you
16 assigned?

17 A. In 1996 I was assigned at Zogoda.

18 Q. And who was in command at Zogoda at that time?

19 A. Pa Sankoh was there. We did not have commanders there, but
15:23:09 20 that was where Pa Sankoh himself was based.

21 Q. How long was Pa Sankoh at Zogoda in 1996?

22 A. Pa Sankoh was there from the start of 1996 up to May or
23 March, I don't recall actually, but a Red Cross aircraft came and
24 picked him up and took him to Abidjan.

15:23:39 25 Q. And do you know why was he going to Abidjan?

26 A. They took him there for a peace accord.

27 Q. When they took Pa Sankoh to Abidjan for the peace accord,
28 who was in charge on the ground in Sierra Leone?

29 A. He called on Commander Zino, but Commander Zino did not -

1 Commander Zino did not arrive there up to the time he was about
2 to leave, so in the interim he appointed Morris Kallon that he
3 should take care of the place until Commander Zino arrives.

4 Q. And when did Zino arrive?

15:24:31 5 A. Two weeks after Pa Sankoh had left, that was the time
6 Commander Zino arrived with his own forces at Zogoda.

7 Q. When you speak of Zino, do you know Zino by any other name?

8 A. Yes.

9 Q. What? What name?

15:24:51 10 A. Mohamed Tarawalli.

11 Q. Now how long was Zino, Mohamed Tarawalli, in charge at
12 Zogoda?

13 A. We were there going up to October/November when the
14 Kamajors invaded the place, so we all split. We all dispersed
15:25:21 15 from the place.

16 Q. And those who were at Zogoda, where did they go?

17 A. We split into two. Some went to Libya and some went to
18 Burkina Faso.

19 Q. Now when you say some went to Libya, where was Libya
15:25:43 20 located?

21 A. Libya was a code name for Pujehun District. We had a town
22 in Pujehun District which was called Sorogbema but for us to
23 disguise that name we used to call it Libya.

24 MS HOLLIS: Your Honours, Sorogbema --

15:26:08 25 THE WITNESS: Sorogbema.

26 MS HOLLIS: S-O-R-O-G-B-E-M-A:

27 Q. And you said others went to Burkina Faso. What was Burkina
28 Faso?

29 A. Burkina Faso was a town that we had in Kailahun District

1 called Giema, but because we wanted to disguise the name of that
2 town Giema we then called it Burkina Faso.

3 Q. Now those who fled to Libya, Pujehun District, do you know
4 what happened to them?

15:26:58 5 A. The Kamajors forced them to cross into Liberia.

6 Q. And where did Zino go when Zogoda was overrun?

7 A. Zino and I were trying to fight our way to go to Burkina
8 Faso, but he did not arrive there.

9 Q. And what happened to him?

15:27:37 10 A. Well, he lost his life on the way.

11 Q. Now after that happened to Zino, who was in charge of the
12 RUF on the ground in Sierra Leone?

13 A. Well, when we got to Giema we met Sam Bockarie, Mosquito,
14 there as the commander.

15:28:06 15 Q. Now, at this time I would like to direct your attention to
16 the year 1997. Where were you at the beginning of 1997?

17 A. At the beginning of 1997 I was at Giema and later we went
18 to Buedu and from there Koindu.

19 Q. And at the beginning of 1997 where was Foday Sankoh?

15:28:40 20 A. Well, by then we heard that he had been arrested in
21 Nigeria.

22 Q. And how did you hear about that?

23 A. We heard that over Daybreak Africa on the BBC.

24 Q. After you heard of his arrest, did you receive any
15:29:05 25 communications from Foday Sankoh?

26 A. We got communication from Foday Sankoh, but it was not a
27 direct communication.

28 Q. When you say it was not a direct communication, tell us
29 what you mean?

1 A. Well, the communication was sent to Mosquito by somebody
2 else and that person did say that it was Foday Sankoh who sent
3 him to do so.

4 Q. And who was this other person who sent the communication to
15:29:47 5 Sam Bockarie, to Mosquito?

6 A. We heard one Jungle who was called Daniel.

7 Q. Who was Jungle?

8 A. Jungle was an SSS in Liberia.

9 Q. When you say he was an SSS, what do you mean?

15:30:16 10 A. Special Security Services.

11 Q. And for whom did Jungle work, if you know?

12 A. He worked for Charles Taylor.

13 Q. Now what was this communication that Jungle passed to
14 Mosquito?

15:30:39 15 A. Jungle passed ranks to Mosquito. The communication was
16 about ranks.

17 Q. What do you mean it was about ranks?

18 A. Well, he promoted Mosquito, Issa and some other fighters,
19 then he said that Charles Taylor had said Papay said Mosquito
15:31:04 20 should take direct order from him.

21 Q. Mosquito should take direct orders from whom?

22 A. From Charles Taylor.

23 Q. Now you said he said Charles Taylor said Papay said. So
24 who was it telling Mosquito that Charles Taylor had said
15:31:32 25 something from Papay?

26 A. Jungle was the one who sent the communication over the VHF
27 radio to Mosquito. He said it was from Charles Taylor. He said
28 Charles Taylor had told him that he should send the message to
29 Mosquito that Papay had promoted him to force commander and Issa

1 was his deputy and then he promoted other commanders. And Jungle
2 also said that Foday Sankoh had said that Mosquito should take
3 instruction and command from Charles Taylor until he returned
4 from Nigeria.

15:32:13 5 Q. Until who returned from Nigeria?

6 A. Until Foday Sankoh returned from Nigeria, if he would be
7 released.

8 Q. Now to your knowledge, did Sam Bockarie obey that
9 instruction?

15:32:31 10 A. Yes, he obeyed the instruction.

11 Q. Now you have told the Court about Foday Sankoh leaving
12 Sierra Leone in 1996 to go for Abidjan Peace Accord and you have
13 also testified that Foday Sankoh was arrested in 1997. Did you
14 yourself ever see Foday Sankoh again after 1996?

15:33:04 15 A. I did not see Foday Sankoh again from after 1996 to 1999.

16 Q. In 1999 where did you see Foday Sankoh?

17 A. I saw him in Liberia, Monrovia.

18 Q. And do you know why Foday Sankoh was in Monrovia in 1999
19 when you saw him?

15:33:35 20 A. He came from the peace talks, when he returned.

21 Q. Do you know what peace talks he was returning from?

22 A. He said Lome Peace Accord.

23 Q. Now what happened when you saw Foday Sankoh in Monrovia in
24 1999?

15:34:05 25 A. Mosquito sent for me. He said Foday Sankoh had said I
26 should go, because there was an infighting between him and
27 Superman, so Foday Sankoh said I should go to explain about the
28 infighting and some other development that had taken place in his
29 absence.

1 Q. Now you said that Mosquito said that he sent for you and
2 said Foday Sankoh said you should go because there was an
3 infighting between him and Superman. The infighting was between
4 who and Superman?

15:34:42 5 A. Superman, Gibril Massaquoi on the one hand and then
6 Mosquito, Issa, Boston Flomo on the other hand.

7 Q. Now what happened after you were in Monrovia with Foday
8 Sankoh?

9 A. When I was in Monrovia with Foday Sankoh we saw Charles
15:35:08 10 Taylor twice and later he sent me as an advance team to come and
11 see if Freetown was safe because he wanted to fly directly from
12 Monrovia to Freetown, that is in Sierra Leone.

13 Q. When Foday Sankoh saw Charles Taylor twice, this first time
14 Foday Sankoh saw Charles Taylor what happened, if you know?

15:35:37 15 A. The first time he saw Charles Taylor all of us went there
16 and we saw him on the sixth floor mansion office in Monrovia.

17 THE INTERPRETER: Your Honours, can the witness slow down
18 and repeat this.

19 PRESIDING JUDGE: Mr Witness, you have quickened up again
15:36:01 20 and the interpreter needs to keep up with you. Can you go back
21 to your answer where you said, "All of us went there and we saw
22 him on the sixth floor mansion office in Monrovia". Please pick
23 up from there.

24 THE WITNESS: When all of us saw him he thanked Mosquito
15:36:20 25 because he had maintained the RUF until Foday Sankoh's return.
26 He also thanked him for - because he secured Foya and Voinjama
27 from the LURD rebels and he told us not to encourage infighting
28 amongst us.

29 MS HOLLIS:

1 Q. Now when you say he thanked Mosquito, who was it who was
2 thanking Mosquito?

3 A. Charles Taylor thanked Mosquito.

4 Q. Did anything else happen during that meeting, if you know?

15:37:08 5 A. After he had thanked them and advised that we should not
6 encourage infighting amongst us, we should love each other, later
7 on he gave us \$15,000. He gave the money to Mosquito for the
8 guys who had come.

9 Q. Now you testified there was a second meeting between Foday
15:37:32 10 Sankoh and Charles Taylor. What happened at that meeting, if you
11 know?

12 A. Well, that one I did not enter into Charles Taylor's
13 office. It was only Mosquito and Foday Sankoh who entered the
14 place and later we went downstairs for dinner in the hall,
15:37:55 15 downstairs in the hall, the Mansion Ground.

16 Q. Now you mentioned that this first meeting occurred in the
17 mansion office. What place is this? Can you be more specific?

18 A. It is the Executive Mansion Ground in Monrovia.

19 Q. And you just mentioned that you went downstairs for dinner
15:38:23 20 in the hall, the Mansion Ground. Now when you say Mansion Ground
21 there, where are you talking about?

22 A. It is the Executive Mansion Ground in Liberia where we met
23 Charles Taylor.

24 Q. You also told the Court that Foday Sankoh at some point
15:38:51 25 sent you to Freetown. Can you tell us do you recall when it was
26 that you went to Freetown from Monrovia?

27 A. That was around - I think it was around either October or
28 November. I would not be that exact now. After that meeting
29 they said he was to travel directly from Monrovia so Freetown so

1 he sent me, JR, Daf, to go and find out about the security
2 situation in Freetown.

3 Q. When you went back to Freetown in October/November what
4 year was that?

15:39:35 5 A. It was '99.

6 Q. And how long did you remain in Freetown?

7 A. It did not even take up to two weeks that Foday Sankoh
8 himself arrived.

9 Q. After Foday Sankoh arrived in Freetown, how long did you
15:39:56 10 remain yourself in Freetown?

11 A. I was in Freetown from '99 until 2000, May 8th, when Foday
12 Sankoh's lodge was attacked.

13 Q. During this time that you were in Freetown, where did you
14 lodge?

15:40:19 15 A. We lodged at Spur Road, Foday Sankoh's lodge that was given
16 to him.

17 Q. During the time you were in Freetown at Foday Sankoh's
18 lodge, did you become aware of any incidents involving United
19 Nations peacekeepers?

15:40:40 20 A. I heard a radio message from Makeni that was sent by a
21 radio operator to a colleague radio operator that Morris Kallon,
22 Augustine Gbao and Kailondo had arrested United Nations
23 peacekeepers.

24 Q. Now, where were you when you became aware of this radio
15:41:07 25 message?

26 A. I was in Freetown at the lodge.

27 Q. And you mentioned the names of people that were involved in
28 this incident with the United Nations peacekeepers. Could you
29 tell us those names again, please?

1 A. Morris Kallon, Augustine Gbao and Kailondo.

2 Q. Now you have mentioned a Morris Kallon before. Who was
3 Morris Kallon?

4 A. Morris Kallon was an RUF vanguard.

15:41:56 5 Q. And what did that mean to you, he was an RUF vanguard?

6 A. He was a senior man in the RUF and he was one of the
7 commanders that brought the RUF war into Sierra Leone.

8 Q. You mentioned Augustine Gbao. Who was he?

9 A. He too was an RUF vanguard.

15:42:24 10 Q. Now, Morris Kallon, what was his nationality?

11 A. He is a Sierra Leonean.

12 Q. And Augustine Gbao, what was his nationality?

13 A. He too is a Sierra Leonean.

14 Q. You mentioned a Kailondo. Who was Kailondo?

15:42:47 15 A. Kailondo used to speak Liberian English, but he said he was
16 a Sierra Leonean, but he did not tell us any particular place
17 where he hailed from in Sierra Leone.

18 Q. And do you know where he had trained, if he trained?

19 A. He was trained in Camp Naama, Liberia.

15:43:14 20 Q. What was Foday Sankoh's reaction to the - to this incident
21 with the peacekeepers?

22 A. Immediately he dispatched two commanders, that is Lawrence
23 Womandia and Isaac Mongor.

24 Q. And he dispatched them to go where?

15:43:45 25 A. To go and meet Morris Kallon, Issa and others in Makeni to
26 negotiate the release of the United Nations peacekeepers.

27 Q. Now you said that he was - they were to go and meet Morris
28 Kallon, Issa and others in Makeni. Who is Issa?

29 A. Issa was the commander who was in charge after Mosquito had

1 left. He was in charge in Makeni.

2 Q. What was Issa's last name?

3 A. Issa Sesay.

15:44:32

4 Q. Now you said that Issa was in charge after Mosquito had

5 left. What do you mean when you say after Mosquito had left?

6 A. Mosquito had left the RUF and gone to Liberia, so at that
7 time Issa was the immediate commander in Makeni.

8 Q. Now, if you know, what was the result of this mission to
9 negotiate the release of the peacekeepers?

15:45:01

10 A. Well, the result was they accepted to release the
11 peacekeepers. A few of them were released, but not all of them
12 were released until Foday Sankoh's residence was attacked.

13 Q. Mr Witness, you mentioned earlier that you remained in
14 Freetown until 8 May 2000 when Foday Sankoh's lodge was attacked.

15:45:34

15 Can you tell the Court what happened on 8 May?

16 A. Yes.

17 Q. Please do.

18 A. May 8th - in the first place May 7th we were sitting and we
19 saw people coming from the other lodge in Malamah that we had
20 coming to Foday Sankoh's place at Spur Road. They had bundles

15:46:00

21 with them and they asked them what had happened and they said
22 they had seen civilians and armed men going to the house. They

23 said they had gone there to demonstrate and Foday Sankoh said
24 nobody should go anywhere, we should stay in the compound and

15:46:20

25 wait and see. So early in the morning, May 8th, we saw a large

26 crowd coming from Lumley end, coming, singing, some of them

27 hadn't clothes on even, right up to the time some of them got the
28 gate. At this time Foday Sankoh was at Spur Road.

29 At that time the Nigerians who were under the United

1 Nations tried to stop them. When they stopped them they did not
2 want to stop. They continued coming and they gave a warning
3 shot. They shot one shot in the air, not knowing that the
4 protesters who were coming had gun men with them and they too
15:46:58 5 opened fire, so when they opened fire some people were killed and
6 we were able to escape with Foday Sankoh from the compound and we
7 jumped into the bush.

8 Q. Now before we go on, let's go back and clear up a few
9 things here. You said that on 7 May you were sitting and you saw
15:47:16 10 people coming from the other lodge and you gave a location. Can
11 you tell us again where was this other lodge?

12 A. The other lodge was in Malamah. Foday Sankoh bought a
13 house, because at the time that we went to Freetown some people
14 were coming from the war front in Makeni and other places, so
15:47:38 15 Foday Sankoh decided to buy a whole compound in Malamah so those
16 who were coming from those ends he will send them there. So that
17 was where the people first went, the protesters first went, and
18 the people left Malamah and they went to us where we were at Spur
19 Road.

15:47:55 20 Q. So the people who were coming from Malamah, who were these
21 people?

22 A. They too were RUF people.

23 Q. Now you also indicated there were some Nigerians at Foday
24 Sankoh's compound and you said something about someone giving a
15:48:28 25 warning shot. Who was it who fired a warning shot?

26 A. The warning shot was fired by the Nigerians who were there.

27 Q. And they were firing the warning shot to try to do what, if
28 you know?

29 A. They fired a warning shot. They were not firing shots.

1 They just gave one warning shot.

2 Q. And the warning shot was for what purpose, if you know?

3 A. To instill fear in the demonstrators with the hope that
4 they would return after that warning shot.

15:49:17 5 Q. And then after the warning shot who was it who opened fire
6 when some people were killed?

7 A. The demonstrators had gun men, those who were the West Side
8 Boys and the Kamajors, they had mingled with them so when they
9 heard the gunshot they thought it was the RUF who had shot and so
10 they replied. So there was firing between the UNAMSIL soldiers,
11 the Nigerians and the demonstrators.

12 Q. And the people that were there in Foday Sankoh's compound,
13 what did they do when this firing began?

14 A. So we ran to Foday Sankoh where he was. We jumped over the
15:50:12 15 fence with Foday Sankoh and we went with him because we didn't
16 want him to be harmed.

17 Q. And what happened after that?

18 A. After that we went into the bush. We were there talking to
19 Foday Sankoh for us to mobilise to go to Makeni and he said he
15:50:33 20 was not going anywhere because he said he had supporters and he
21 would not risk the lives of those people who were there already.
22 We were there until a bomb blasted nearby us and all of us
23 dispersed.

24 Q. You said you were talking with Foday Sankoh and then you
15:50:55 25 said, "He said he had supporters". Who is it who is saying this?

26 A. Foday Sankoh said his supporters, his civilian supporters
27 were there, because when he came he had lost the RUF - he had
28 transformed it into a political party that was called the RUFF,
29 so his supporters were there.

1 Q. When you say his supporters were there, where were his
2 supporters?

3 A. The supporters were on the ground there at Spur Road.

15:51:39

4 Q. You said that then a bomb blasted near you. Now what
5 happened when the bomb blasted?

6 A. When we went by the bush and the bomb exploded and all of
7 us dispersed, we scattered and everybody was looking for a safe
8 haven now.

9 Q. And what did you do then?

15:52:04

10 A. From there Gibril Massaquoi, myself, Superman, we mobilised
11 ourselves to pave our way to Makeni.

12 Q. And what did you do after that?

13 A. We went into the jungle to come to Makeni.

14 Q. Did you eventually reach Makeni?

15:52:29

15 A. Yes, we were successful.

16 Q. And what happened when you reached Makeni?

17 A. When we got to Makeni, we met Issa, because of the fear as
18 a result of the infighting --

15:52:51

19 THE INTERPRETER: Your Honours, can the witness repeat
20 this.

21 PRESIDING JUDGE: Mr Witness, the interpreter needs you to
22 repeat. Please pick up where you have said, "Because of the fear
23 as a result of the infighting --" Continue from there.

15:53:10

24 THE WITNESS: Because there had been infighting between
25 Superman and Issa, so he thought about that infighting and said
26 if you went there without having anything to say that it was Pa
27 Sankoh who had sent him, Issa would arrest him and imprison him
28 and maybe he would eventually kill him, so he too played a trick
29 and said Pa Sankoh had sent us, he said, "You should be the

1 commander".

2 MS HOLLIS:

3 Q. Who was it who was saying that if you went there without
4 having anything to say that it was Pa Sankoh who had sent him -
15:53:53 5 who is saying this?

6 A. Super.

7 Q. What do you mean when you say Super?

8 A. It was Superman. Superman, Denis Mingo.

9 Q. So then after Superman said this, what happened then?

15:54:15 10 A. So we convened a forum and we appointed Issa as commander
11 and he made his various appointments.

12 Q. What appointments did he make?

13 A. He appointed Denis Mingo as commander for Makeni, taking
14 care of Lunsar Highway, and he appointed Gibriil as the
15:54:42 15 spokesperson and he appointed Morris Kallon as his deputy, and he
16 appointed Kailondo as a commander. He appointed commanders now
17 around him.

18 Q. And just for clarity, when you and the others met with
19 Issa, what did you tell him?

15:55:13 20 A. We told him that the Pa had said that he would not be able
21 to come because he wouldn't want to leave the other people in
22 Freetown and just come like that, so we should come and meet Issa
23 and Issa should take care of the revolution until such a time
24 when all of us will meet together again. And Issa should not
15:55:35 25 disarm to the UN. He should not disarm to anybody. That was
26 what we told him.

27 Q. Now when you told Issa that Foday Sankoh had sent you, and
28 that Issa should take care of the revolution and should not
29 disarm, were you telling Issa what Foday Sankoh had instructed

1 you to tell him?

2 A. Foday Sankoh did not actually instruct us to tell him
3 anything. I told you it was Superman Denis Mingo and Gibriil
4 Massaquoi who sat together and made this plan so that trick would
15:56:32 5 work, because there was infighting between him and Issa. He
6 feared that if he had just come like that without saying he had
7 come from Foday Sankoh maybe Issa would arrest him and imprison
8 him. Maybe he would eventually kill him. So he said, "Well,
9 let's have a plan and say Foday Sankoh has sent us to tell you
15:56:50 10 that you would be in charge of the revolution until he returns".

11 Q. Now after all of you had travelled to Makeni and you talked
12 about different assignments that Issa gave, how long did Issa
13 remain based in Makeni?

14 A. He was in Makeni for two to three days before he went to
15:57:18 15 Kono.

16 Q. And where was it that he went in Kono?

17 A. He was in Koidu Town in Lebanon.

18 MS HOLLIS: Your Honours, that would be L-E-B-A-N-O-N:

19 Q. And, if you know, why did he move his base from Makeni to
15:57:39 20 Koidu Town?

21 A. He said Super should take care of Makeni, Lunsar Highway.
22 Then he moved to Koidu Town.

23 Q. And do you know why he moved to Koidu Town?

24 A. It was mainly to coordinate the mining that was going on
15:58:03 25 there.

26 Q. How long did Issa remain based at Lebanon in Koidu Town?

27 A. He spent a long time there, only that he used to go to
28 Makeni, Kailahun, Pendembu, but he would return. He used to go
29 to those places back and forth.

1 Q. After you arrived in Makeni, did you get any information
2 about Foday Sankoh?

3 A. When we arrived in Makeni, we were made to understand that
4 Foday Sankoh had been arrested. We heard over the BBC that Foday
15:58:52 5 Sankoh had been arrested.

6 Q. Now after you went to Makeni, where were you based?

7 A. Issa told me to be with him as

8 [Redacted]

9 MS HOLLIS: Your Honours, I would ask for a redaction for
15:59:17 10 as an [Redacted]

11 That would be on my screen, I don't know about yours - but page
12 143, line 4, is mine.

13 PRESIDING JUDGE: I think the witness did say that before.
14 Maybe not the same period.

15:59:35 15 MS HOLLIS: [Microphone not activated].

16 PRESIDING JUDGE: Mr Munyard, you have heard the
17 application.

18 MR MUNYARD: It was in the very early stages if I can put
19 it that way and I leave it to the Court to decide.

15:59:51 20 PRESIDING JUDGE: Thank you.

21 [Trial Chamber conferred]

22 We will order a redaction of that particular line, please.

23 MS HOLLIS:

24 Q. Mr Witness, I know it's natural, but I would ask you to be
16:00:10 25 very careful in your answers so that you don't give any
26 information that would identify you specifically?

27 PRESIDING JUDGE: Just for purposes of those members of the
28 public and monitors who may be hearing and listening to what is
29 being said, there was a reference to a particular job done by the

1 witness that should not be repeated or broadcast.

2 MS HOLLIS:

3 Q. Mr Witness, when Issa moved to Lebanon in Koidu Town, where
4 were you based then?

16:00:47 5 A. All of us were based in Lebanon, Koidu Town.

6 Q. Now, Mr Witness, I would like you to think about the year
7 2000 after you had gone to Makeni and then moved on to Lebanon in
8 Koidu Town. To your knowledge, during this period what trips, if
9 any, did Issa take outside Sierra Leone?

16:01:29 10 A. When he arrived in Makeni and I had given Issa this
11 message, he appointed the commanders and later he said Charles
12 Taylor had spoken to him, he had called him and he should take
13 somebody there who --

14 THE INTERPRETER: Your Honours, can the witness make this
16:01:55 15 clear.

16 PRESIDING JUDGE: Pause, Mr Witness, please.

17 Mr Interpreters, make which clear?

18 THE INTERPRETER: He said he should take somebody from
19 Freetown who was there when the Pa was arrested. It's not clear.

16:02:07 20 PRESIDING JUDGE: Mr Witness, the interpreter is not clear
21 what you are saying about he had called him and he should take
22 someone from Freetown. Could you repeat your answer and clarify
23 who you are talking about, please?

24 THE WITNESS: Issa said Charles Taylor had told him that he
16:02:33 25 should go with one person from among the people who were in
26 Freetown when Pa Sankoh was arrested, he should take that person
27 to him in Monrovia in Liberia.

28 MS HOLLIS:

29 Q. Now you said that Issa said Charles Taylor had told him and

1 earlier you said Charles Taylor had spoken with him. Did Issa
2 say in what way Charles Taylor communicated with him?

3 A. Issa used satellite phone and it was through that satellite
4 phone that he used to communicate. I was not present whether he
16:03:11 5 spoke to him or not, but that was what he said.

6 Q. Now after Issa relayed this conversation, what did Issa do?

7 A. So he made a delegation and they went to meet Charles
8 Taylor.

9 Q. And how did they travel to meet Charles Taylor?

16:03:39 10 A. They took a UN vehicle from Koidu Town, they went through
11 Manowa and crossed in Pendembu, went to Kailahun and travelled to
12 Koindu, Foya, and it was from Foya that the chopper came and took
13 him to Monrovia.

14 Q. And, if you know, what kind of chopper took them from Foya
16:04:04 15 to Monrovia?

16 A. The chopper was Weasua.

17 Q. Do you know what Weasua was?

18 A. Weasua was an airline company that was in Liberia during
19 Charles Taylor's time.

16:04:32 20 Q. And what happened when Issa and the delegation arrived in
21 Monrovia?

22 A. They took them to a guesthouse in Congo Town and that was
23 the guesthouse the RUF was using in Congo Town.

24 Q. This guesthouse that the RUF was using, do you know who
16:05:04 25 worked at that guesthouse?

26 A. Yes.

27 Q. Who worked there?

28 A. We had Rashid Foday who was a Black Guard. He was put
29 there by Pa Sankoh. There was Memuna Deen. She was a radio

1 operator and her husband, Tolo, who was Osman Kamara.

2 Q. Now you said Tolo, Osman Kamara. Is that the same person?

3 A. Yes, his name was Osman Kamara and his nickname was Tolo.

4 Q. And what was Tolo's job, if you know, at this guesthouse?

16:05:55 5 A. He too was an operator.

6 Q. What kind of an operator?

7 A. A radio operator.

8 Q. So what happened after Issa and the delegation went to the
9 guesthouse?

16:06:17 10 A. From there at night around 10 to 11 o'clock Benjamin

11 Yeaten, who was the national security director, came and drove
12 them to the Mansion Ground to meet with Charles Taylor.

13 Q. And again for clarity, when you speak of the Mansion Ground
14 what location are you talking about?

16:06:39 15 A. Executive Mansion Ground where Charles Taylor was.

16 Q. And what happened then?

17 A. From there he took them to the sixth floor in one of the
18 waiting rooms to meet with Charles Taylor.

19 Q. And what happened at that meeting?

16:07:06 20 A. From there Charles Taylor came and he sat with them, he
21 greeted and they all greeted back and he asked what had occurred
22 in Freetown, who was the right person that came from there.

23 Q. And what happened after that?

24 A. And the person who had come from there got up and he asked
16:07:31 25 him that why had his brother been arrested, that was Foday
26 Sankoh, and the person explained to him that it was because of -
27 it was because the UN officials were arrested. That's what made
28 the pro-government officials to attack Foday Sankoh's lodge on
29 May 8th.

1 Q. What happened after that exchange?

2 A. Thereafter he asked if they knew about any British MI LOBs
3 that were arrested in some part of Sierra Leone and the same
4 person replied, said yes, that he knew about a British MI LOBs,
16:08:18 5 but he had been handed over to the Indian UNAMSIL contingent who
6 were in Kailahun.

7 PRESIDING JUDGE: Ms Hollis, the word I heard the witness
8 use was MI LOPs. I think I know what it means but for purposes of
9 record we had better get it done properly.

16:08:39 10 MS HOLLIS: Yes, Madam President:

11 Q. Mr Witness, you used the term MI LOPs or MI LOBs. What do
12 you mean?

13 A. That is military advisor, those who were working under
14 UNAMSIL in Sierra Leone.

16:08:59 15 Q. So then what happened after Charles Taylor was told that
16 this person had been handed over to the Indians?

17 A. So he said that, "You have done a great mistake. You have
18 made a great mistake. You would have held on to that man and use
19 him as a" --

16:09:28 20 THE INTERPRETER: Your Honours, can the witness slow down
21 and repeat this please.

22 PRESIDING JUDGE: Mr Witness, you are going too fast for
23 the interpreters. Please go back to your answer where you have
24 said, "You should have held on to that man and use him as--"

16:09:42 25 Continue from there.

26 THE WITNESS: He would have been used as a bargain chip -
27 as a bargaining chip for Foday Sankoh to be released, because he
28 said he saw the way the man was received at the airport in
29 England. He said he was received with flowers at the airport.

1 MS HOLLIS:

2 Q. Now, Mr Witness, who was it who said, "You have done a
3 great mistake" and that this person could be a bargaining chip?
4 Who was saying that?

16:10:35 5 A. Charles Taylor was saying this.

6 Q. And who was it who was saying that he saw the way the man
7 was received at the airport in England? Who was saying this?

8 A. It was Charles Taylor who said he saw the way the man was
9 received. He said he saw that on the CNN, the way the man was
16:11:00 10 received with flowers in England.

11 Q. And then what happened after Charles Taylor said these
12 things?

13 A. And he said, "Okay, that one is past now. It's gone". And
14 he advised that Issa should take care of the ground. He should
16:11:23 15 maintain the ground until Foday Sankoh returned. And he said
16 Foday Sankoh was too old for him to be arrested severally. He
17 was arrested in Sierra Leone, later in Nigeria, now again in
18 Sierra Leone, that the man was too stubborn. The man was too
19 stubborn. Issa said the UNAMSIL and other pro-government forces
16:11:57 20 were still attacking him, but he hadn't materials and so he told
21 him to appoint one person to go with Joe Tuah.

22 THE INTERPRETER: Your Honours, the interpreter wants to
23 the make a correction.

24 PRESIDING JUDGE: Please pause, Mr Witness. Yes,
16:12:12 25 Mr Interpreter.

26 THE INTERPRETER: One of the places the witness said
27 Charles Taylor said Foday was arrested was Ghana. Ghana, Sierra
28 Leone and Nigeria. Ghana is the addition, your Honour.

29 PRESIDING JUDGE: Thank you, Mr Interpreter. Mr Witness,

1 please continue your answer.

2 MS HOLLIS:

16:12:40

3 Q. Mr Witness, before you do that, let's go back and clear up
4 some things. You said that he told him to appoint one person to
5 go with Joe Tuah. Who told who to appoint one person to go with
6 Joe Tuah?

7 A. Charles Taylor told Issa to appoint one person to go with
8 Joe Tuah.

16:13:01

9 Q. And just so we are perfectly clear for the record, you've
10 been talking - we've been talking about Issa. Issa, what is
11 Issa's last name, this Issa you have been talking about?

12 A. Issa Sesay.

13 Q. Who was Joe Tuah?

16:13:27

14 A. Joe Tuah, I knew him and I saw him with Charles Taylor in
15 Monrovia that night when they went there.

16 Q. Who is Joe Tuah?

17 A. Joe Tuah was a Liberian whom I knew that was with Charles
18 Taylor.

16:14:01

19 Q. Now you said that a person was to go with Joe Tuah. Where
20 were they to go?

21 A. They were to go to Belle Fassama to receive materials so
22 they will be able to take that.

16:14:24

23 PRESIDING JUDGE: Ms Hollis, I'm sorry to interrupt but we
24 have just been alerted that the tape has only a few minutes to
25 go. As you know we started a little earlier because of the early
26 adjournment. Perhaps it would be appropriate to have that tape
27 changed now, so if you wish to have a seat for a few moments.

28 MS HOLLIS: Thank you, Madam President.

29 PRESIDING JUDGE: What is the situation?

1 MS IRURA: Your Honour, they are still changing the tape.

2 There is no indication of how much longer.

3 Your Honour, the new tape is in place.

4 PRESIDING JUDGE: Thank you. Ms Hollis, please proceed.

16:19:22 5 MS HOLLIS: Thank you, Madam President:

6 Q. Mr Witness, before we had to pause for this technical
7 exercise you were saying that Issa was to appoint someone to go
8 with Joe Tuah and that they were to go to Belle Fassama to
9 receive materials. Where was Belle Fassama?

16:19:52 10 A. Belle Fassama was in - was between Gbarnga and Zorzor.

11 Q. Go ahead, please.

12 A. But it is under Zorzor.

13 Q. What do you mean under Zorzor?

14 A. The people who were there, they were working there under
16:20:22 15 the commander that was in Zorzor.

16 Q. And what were these materials that they were to get from
17 Belle Fassama?

18 A. It was for Issa to take them.

19 Q. And what kind of materials are you talking about?

16:20:43 20 A. AK-47 rounds, GT - G3 rounds, RPG rockets and some rifles.

21 Q. So after Charles Taylor told Issa to appoint someone to go
22 with Joe Tuah, what happened then?

23 A. So Issa appointed somebody and the person joined Joe Tuah
24 and all of them went.

16:21:11 25 Q. And where did they go?

26 A. They went to Fassama, Belle Fassama.

27 Q. How did they travel there?

28 A. They travelled from Monrovia direct to Gbarnga and Zorzor
29 and from Zorzor they went to Belle Fassama.

1 Q. And what kind of transportation did they use?

2 A. When he was going he used a Hilux, but when he received the
3 materials they were put into a truck and they brought them.

16:21:54

4 Q. Now when you say when he was going he used a Hilux, who are
5 you talking about?

6 A. When Joe Tuah and the person who was appointed were going
7 they used a Hilux from Monrovia, but when they received the
8 materials when they were coming back the materials were put into
9 a truck to be brought to Monrovia.

16:22:13

10 Q. And what size truck were the materials put into?

11 A. It was an eight-tyred truck.

12 JUDGE SEBUTINDE: Ms Hollis, sorry to interrupt, but I am
13 just wondering about the type of evidence that this witness is
14 giving. Is this direct evidence? Is this stuff that is within

16:22:37

15 his knowledge?

16 MS HOLLIS: Good question, your Honour, and I have
17 structured this so that at the end we can go back into private
18 and give details about how he knows all these things.

19 JUDGE SEBUTINDE: I understand, thank you.

16:22:52

20 MS HOLLIS:

21 Q. Now, Mr Witness, can you tell us the quantity of materials
22 that were retrieved from Belle Fassama?

23 A. The materials were many, but I wouldn't tell the exact
24 quantity now but it was much.

16:23:29

25 Q. Now you indicated that this eight-tyred truck took these
26 materials back to Monrovia. What happened once the materials
27 arrived back in Monrovia?

28 A. When they went with it, the person who Issa appointed was
29 left on the ground. He stayed there and from there Joe Tuah

1 proceeded to the Mansion Ground with the truck.

2 Q. And when you say this person appointed by Issa was left on
3 the ground, what do you mean? Where were they left?

16:24:18

4 A. At the lodge in Congo Town, the lodge that was there for
5 the RUF.

6 Q. And you said Joe Tuah went to Mansion Ground with the
7 truck. Again, what do you mean by Mansion Ground?

8 A. The Executive Mansion Ground where Charles Taylor was.

9 Q. And what happened after this?

16:24:41

10 A. From there the next morning when they were taken from the
11 Weasua airport - they took them to the Weasua airport and they
12 met the materials had already been loaded in the chopper and they
13 went to Foya.

16:25:05

14 Q. And what kind of chopper was this that went from Monrovia
15 to Foya?

16 A. Weasua.

17 Q. And what happened once the materials arrived in Foya?

16:25:30

18 A. They were off-loaded and some were taken to Sierra Leone,
19 to Kono, Koidu Town where Issa was based, and some were stored in
20 Foya. And later they came for the remaining and it was divided.
21 Some stayed in Foya that was used there and the remaining was
22 taken to Kono again.

23 Q. Where was it in Foya that this other material was stored?

16:25:58

24 A. They had a ground there that was called Tamba Taylor
25 Ground. There was a chief called Tamba Taylor who was in Foya.
26 His house was what was used as the ground.

27 Q. Now the material that was taken back to Sierra Leone in
28 this instance, how was that material used in Sierra Leone?

29 A. They used it to fight against the Kamajors and the

1 pro-government forces that were chasing Superman and others,
2 firstly from Freetown to Makeni. So they used them against the
3 Kamajors and those pro-government forces.

16:26:49 4 Q. Now, to your knowledge, after this trip to Monrovia to talk
5 about Foday Sankoh's arrest, did Issa Sesay go back outside of
6 Sierra Leone? Did he take any other trips outside of Sierra
7 Leone in 2000?

8 A. Yes.

16:27:14 9 MS HOLLIS: Your Honours, I am moving to another trip. I
10 don't know how long you wish to remain here today, but --

11 PRESIDING JUDGE: Ms Hollis, there is only a few minutes to
12 go, I think two by my calculation, so it might be appropriate in
13 the circumstances to start a new topic tomorrow and we could
14 adjourn now and I will remind the witness of his oath. That will
16:27:36 15 take us up to closing time.

16 MS HOLLIS: Thank you, Madam President.

17 PRESIDING JUDGE: Mr Witness, we are going to adjourn for
18 the day. This is our usual time to adjourn. We will be starting
19 court again tomorrow at 9.30. Now that you have taken the oath
16:27:50 20 you should not discuss your evidence with any other person until
21 all your evidence is finished. Do you understand?

22 THE WITNESS: Yes, I do.

23 PRESIDING JUDGE: Very well. Please adjourn court until
24 9.30 tomorrow.

16:28:06 25 [Whereupon the hearing adjourned at 4.28 p.m.
26 to be reconvened on Tuesday, 2 September 2008
27 at 9.30 a.m.]

28

29

I N D E X

WITNESSES FOR THE PROSECUTION:

TF1-367	15006
CROSS-EXAMINATION BY MR GRIFFITHS	15006
RE-EXAMINATION BY MR KOUMJIAN	15065
TF1-338	15081

EXHIBITS:

Exhibit P-166 admitted	15077
Exhibit D-57A to C admitted	15079