



Case No. SCSL-2003-01-T

THE PROSECUTOR OF
THE SPECIAL COURT
V.
CHARLES GHANKAY TAYLOR

TUESDAY, 16 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 Simon Meisenberg
Ms Carolyn Buff

For the Registry:

Ms Rachel Irura

For the Prosecution:

Ms Brenda J Hollis
Mr Christopher Santora
Ms Maja Dimitrova

For the accused Charles Ghankay
Taylor:

Mr Courtenay Griffiths QC
Mr Terry Munyard
Mr Morris Anyah
Ms Amina Graham

1 Tuesday, 16 September 2008

2 [Open session]

3 [The accused present]

4 [Upon commencing at 9.30 a.m.]

09:25:42 5 PRESIDING JUDGE: Good morning. I note some changes of
6 appearance. Mr Santora?

7 MR SANTORA: Good morning, Madam President, your Honours.
8 Good morning, counsel. Your Honours, for the Prosecution this
9 morning is Brenda Hollis, Maja Dimitrova and myself, Christopher
10 Santora.

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

12 MR GRIFFITHS: Good morning, Madam President, your Honours,
13 counsel opposite. For the Defence today myself, Courtenay
14 Griffiths, my learned friends Mr Terry Munyard, Mr Morris Anyah
09:30:08 15 and we are joined by yet another new face from the Defence team,
16 Ms Amina Graham, barrister at law, member of the Bar of England
17 and Wales. She is a legal intern with our team.

18 PRESIDING JUDGE: Thank you, Mr Griffiths. You certainly
19 are having a lot of personnel and we welcome Ms Graham to the
09:30:31 20 Court. If there are no other matters I will remind the witness
21 of his oath and we will proceed. Yes. Mr Witness, I again
22 remind you that you have taken the oath to tell the truth, the
23 oath continues to be binding upon you and you must answer
24 questions truthfully. Do you understand?

09:30:52 25 THE WITNESS: Yes.

26 PRESIDING JUDGE: Thank you. Please proceed.

27 WITNESS: MOHAMED KABBAH [On former oath]

28 CROSS-EXAMINATION BY MR GRIFFITHS: [Continued]

29 Q. Mr Kabbah, yesterday afternoon when we rose I was asking

1 you about the marriage of the RUF and the AFRC during the junta
2 period and, just to remind you, the last answer you gave me, "Why
3 didn't you go?", that is to Freetown. Your answer was:

4 "I was not sure of the guarantee for me to go to Freetown
09:31:33 5 because entering Freetown is a one-way traffic and I knew it was
6 not going to be a government that will stay, so there was not a
7 day that I decided to move from Kailahun to go and base in
8 Freetown. Normally I came to Kenema, stopped there and
9 returned?"

09:31:52 10 The reference being page 16278. Now, do you recall telling
11 us that yesterday?

12 A. Yes.

13 Q. Now, I want to concentrate in particular upon that phrase
14 you used, "I knew it was not going to be a government that will
09:32:14 15 stay". What did you mean by that?

16 A. What I meant by that, looking at the sort of marriage that
17 was between us and the AFRC, we were previously two enemies and,
18 according to my thoughts, I knew that there must arise power
19 struggle amongst us. And, two, the government of the day then
09:32:59 20 was an elected one. The international community will fight to
21 reinstall - to reinstate that particular government to power.
22 That was why I said that government would not last long.

23 Q. Because it is a fact, is it not, that the relationship
24 between the RUF and the AFRC was always a very shaky one, wasn't
09:33:37 25 it?

26 A. Yes.

27 Q. Both sides distrusted each other?

28 A. Yes.

29 Q. And it wasn't merely that. The members of the AFRC because

1 they were former members of the Sierra Leonean army they
2 considered themselves better than you guerillas in the RUF,
3 didn't they?

4 A. Yes.

09:34:11 5 Q. And the concern you had about the RUF joining up with the
6 AFRC, that was a concern shared by Sam Bockarie, wasn't it?

7 A. It was.

8 Q. And just so that we appreciate that this is a sentiment you
9 have expressed before, I wonder if the witness's attention could
09:34:38 10 be directed to behind divider 2, please, and behind that divider
11 can we please look at paragraph 34 on page small number 8, which
12 is page big number 8 as well in fact. You will see there that it
13 reads:

14 "The witness believes that after the AFRC coup Sam Bockarie
09:35:34 15 made Kenema his headquarters because he was not sure about the
16 new government. He did not want to be in the cabinet. He was
17 also aware that with the new government that was there there was
18 international pressure from all sides condemning it."

19 Now, that is what you told the investigators on 8, 9 and 10
09:36:01 20 October 2007 when you spoke with them and you were there speaking
21 the truth, weren't you?

22 A. Yes.

23 Q. Because, put in a nutshell, it was quite clear to people
24 like yourself and Sam Bockarie that the marriage between the RUF
09:36:25 25 and the AFRC was not a marriage made in heaven, but was rather a
26 union which was doomed from the start. Would you agree?

27 A. What do you mean, because that could mean many things? I
28 don't understand what you are talking. Can you please break it
29 down for me.

1 Q. It was always a very uneasy marriage between the AFRC and
2 the RUF, wasn't it?

3 A. Yes.

09:37:21

4 Q. And the more perceptive members of the RUF, like yourself
5 and Sam Bockarie, knew that that marriage was doomed, didn't you?

6 A. Yes.

7 Q. Now, still dealing with the same topic, can you recall any
8 communication from Liberia ordering the RUF to maintain relations
9 with the AFRC?

09:38:19

10 A. I don't recall that.

11 Q. Does that mean that you don't recall any such
12 communication?

09:38:49

13 A. Yes, because the time Sam Bockarie was in Kenema I was
14 based in Kailahun and the visits that I paid to Kenema was on
15 private business, it was not on an official mission. I only went
16 there once on operation because we had a meeting with
17 Sam Bockarie at his residence. I did not used to operate with
18 him directly. At that time I was based in Kailahun during the
19 AFRC regime.

09:39:10

20 Q. I have asked the question for a specific reason and the
21 reason is this: Can I now invite your attention behind divider
22 1, please, and can we look at page 11 behind that divider. The
23 last paragraph on that page, "Kabbah cannot recall any
24 communications from Liberia ordering the RUF to maintain
25 relations with the AFRC". Do you recall telling the
26 investigators that?

09:40:02

27 A. Yes.

28 Q. And was it the truth?

29 A. Yes, I was not aware of that.

1 Q. And when we go over to page 12 in the same document, the
2 large paragraph beginning just above halfway:

3 "Kabbah does not recall any radio messages from Charles
4 Taylor or any of his people urging the RUF to cooperate with the
09:40:47 5 AFRC or work with the AFRC. Kabbah says the RUF radio station
6 got a transmitted message from Foday Sankoh via Osman Tolo at
7 Base 1, the RUF radio operation set up in Monrovia. Foday Sankoh
8 would have phoned someone in Monrovia (because Sankoh did not
9 have a radio when he was detained in Nigeria but he had a
09:41:19 10 satellite phone, the only satellite phone the RUF had at that
11 time). That message would have been given to Tolo by the person
12 in Monrovia who had been called by Sankoh and then relayed by
13 Tolo to Marvel, the RUF ground or base radio station in Buedu.
14 The message would then have been relayed to all the RUF stations
09:41:46 15 in Sierra Leone. That message from Sankoh was that the RUF
16 should join with the AFRC and that Sam Bockarie should take" -
17 you corrected this in a later interview, "Should take
18 instructions from Johnny Paul Koroma."

19 Now, pause there. Again, do you recall telling that to the
09:42:14 20 investigators?

21 A. Yes.

22 Q. And was it the truth?

23 A. It was the truth.

24 Q. Now, just dealing with one or two details in that, firstly
09:42:29 25 the instruction to the RUF to join up with the AFRC came directly
26 from Foday Sankoh, did it not?

27 A. Yes, it came directly from him.

28 Q. And in effect he directed Sam Bockarie, despite
29 Sam Bockarie's misgivings, to cooperate with Johnny Paul Koroma.

1 Is that right?

2 A. Please repeat that area.

3 Q. Pa Sankoh directed Sam Bockarie to cooperate with Johnny
4 Paul Koroma, didn't he?

09:43:16 5 A. Yes.

6 Q. And Sam Bockarie followed that instruction even though he,
7 Sam Bockarie, wasn't sure about the correctness of working with
8 Johnny Paul Koroma?

9 A. Yes.

09:43:40 10 Q. And another small detail. You will note that in this
11 paragraph you set out the means by which that message was
12 transmitted by Sankoh to Sam Bockarie. You will also note that
13 the message was received in Buedu. Now you were based in Buedu
14 at the time, weren't you?

09:44:13 15 A. Yes.

16 Q. So consequently you would have been in a position to
17 monitor and receive that message based as you were in Buedu, is
18 that right?

19 A. It should be right, but human beings are not engines. And
09:44:44 20 even engines who need time to rest. It was not every time
21 because I was a commander that I should be on the set. No, that
22 was not what obtained.

23 Q. But you accept, don't you, that you were in Buedu at the
24 time if that paragraph is telling the truth?

09:45:05 25 A. Yes, yes, that statement was given by me. It is true.

26 Q. So if we put all of that together, this is right, isn't it:
27 That the instruction to join the AFRC came from Sankoh and nobody
28 else, is that right?

29 A. Yes, it is right. It was Sankoh who gave the order.

1 Q. So help me with this, please. Can we go, please, behind
2 divider 2 and behind divider 2 we should have the transcript of
3 an interview conducted on 8, 9 and 10 October 2007. Now, could
4 we please turn to page 5 in that document, please, and let us
09:46:26 5 now, in light of what you have just told me, look at paragraph
6 17:

7 "The witness confirmed that he did receive a radio message
8 from Sunlight in Monrovia (after the Foday Sankoh Nigeria arrest)
9 stating that the RUF was to team up with the AFRC. Sunlight was
09:46:49 10 the Liberian radio operator for Charles Taylor and based at the
11 Executive Mansion. There was also a letter that was delivered by
12 Jungle that had been written by Charles Taylor, indicating that
13 the RUF should join forces with the AFRC and that they should
14 take their instructions from Charles Taylor."

09:47:14 15 Now, is that right?

16 A. Yes, I would explain this, how it happened. When we
17 received the first message from Tolo, later on Sunlight passed on
18 the same message. Just as I have been saying, the radios,
19 especially the one that Sunlight operated and the one that Tolo
09:48:04 20 too operated, and our radios within the RUF, we used to do joint
21 operations. Any letter or information whatsoever, especially at
22 the time that Pa Sankoh was in jail in Nigeria, we would either
23 get it through Tolo or through Sunlight and the letter that I am
24 referring to was one that came to Sam Bockarie through Jungle
09:48:39 25 after the messages had been received to clearly indicate that
26 that was the instruction that Charles Taylor had received from Pa
27 Sankoh, because the letter was written by Pa Sankoh, but it came
28 through Charles Taylor. The letter only came as a confirmation
29 note, because maybe for it not to just be a message on the air so

1 the letter was written for confirmation purposes, but the letter
2 was written by Pa Sankoh. It came through Charles Taylor.

09:49:32 3 Q. So, if I understand what you're now telling us, there was
4 initially a radio message to the effect that Sam Bockarie could
5 join and later that was confirmed in writing by Pa Sankoh
6 himself, is that right?

7 A. Yes, this is what I am saying. That is the issue. That is
8 why I spoke about how Tolo got the message. In fact, it was from
9 the letter that we knew about how Tolo got the message that the
09:50:02 10 letter had come for us to team up with the AFRC.

11 Q. Now, help me with this: How does a letter written by Pa
12 Sankoh become in this paragraph a letter written by Charles
13 Taylor? How does the one transform itself into the other? Can
14 you help us?

09:50:34 15 A. What I said about the letter was that the letter was sent
16 by Charles Taylor through Jungle.

17 Q. Have a look at paragraph 17 again, please. Do you see in
18 paragraph 17 in plain black and white these words, "Delivered by
19 Jungle that had been written by Charles Taylor". Had the letter
09:51:08 20 been written by Charles Taylor?

21 A. The letter that I saw that was brought by Jungle was not
22 written by Charles Taylor. It was not written by Charles Taylor.
23 The one that I saw was a letter that came from Nigeria, but it
24 came through Charles Taylor because when Jungle came he said Old
09:51:39 25 Man has said he should bring the letter.

26 Q. Can you give us any explanation as to why in October 2007
27 someone recorded you as saying the letter was written by Charles
28 Taylor? Can you help us with that?

29 A. This area, it's complicating.

1 Q. Can I put it differently. Rather than suggesting it is
2 complicated, can I suggest that it's very simple. One of those
3 two propositions has to be wrong. Now, which is wrong? Is it
4 that Sankoh wrote the letter, or is it that Taylor wrote the
09:52:45 5 letter? Which of those two is wrong?

6 A. It was not Taylor who wrote the letter. It was Sankoh who
7 wrote the letter. That's what I'm saying.

8 Q. Consequently then what we see on this page should never
9 have been written, is that right?

09:53:06 10 A. Correct.

11 Q. So I go back to my original question. Can you explain how
12 it is that this comes to be written in an interview attributed to
13 you?

14 A. It could be the area of delivery that could have been
09:53:36 15 mistaken to be writing. The confusion must have come from around
16 there. But what I have been saying from the beginning was that
17 Sankoh gave the orders from the beginning right up to the end.
18 He said we should team up with the AFRC.

19 Q. Now, if we go to the first page of this interview we see
09:54:00 20 that it was an interview conducted with you on 8, 9 and 10
21 October 2007 and present in that interview was one Mohamed
22 Bangura. Do you remember Mr Bangura?

23 A. Yes.

24 Q. He is a lawyer working for the Prosecution, isn't he?

09:54:31 25 A. Yes.

26 Q. And he is a Sierra Leonean by birth, is he not?

27 A. Yes.

28 Q. And were you speaking Krio during the course of this
29 interview?

1 A. It was English.

2 Q. It was English. All the more reason why, wouldn't you
3 agree, there could have been no mistake as to what you had said,
4 so I am going to ask you once again why do we see on this page
09:55:04 5 that Charles Taylor wrote the letter if you knew all along that
6 he hadn't done so? Why does it say that?

7 A. I did not pay attention to that particular area, because if
8 I had seen it I would have effected clarification there, because
9 we have been meeting for two or three times now to clarify these
09:55:35 10 documents, but I didn't see this one.

11 Q. Let me deal with another aspect of this then. Are you
12 saying that Charles Taylor played any role in the RUF joining up
13 with the AFRC?

14 A. Charles Taylor, the only role that I know he played was the
09:56:23 15 time there was a problem between Johnny Paul and Sam Bockarie and
16 he convened a meeting and he resolved that problem between the
17 two. That was during the AFRC regime. That was what I knew that
18 he did.

19 Q. Now that is right, is it not, because --

09:56:56 20 A. Yes.

21 Q. -- if we look back behind divider 1 at page 11 and remind
22 ourselves of what the contents of the last paragraph on that page
23 are:

24 "Kabbah cannot recall any communications from Liberia
09:57:38 25 ordering the RUF to maintain relations with the AFRC per se,
26 although he does recall one incident where Charles Taylor
27 apparently tried to mediate problems between the two factions
28 after the retreat from Freetown. Kabbah says Charles Taylor
29 called Sam Bockarie and Johnny Paul Koroma to Monrovia to settle

1 a dispute between them after Bockarie accused Koroma of hoarding
2 diamonds. Kabbah says that Junglie brought word from Charles
3 Taylor which summoned the two to Monrovia but did not come over
4 the airwaves. Sam Bockarie told that to Kabbah and others before
09:58:31 5 Bockarie left for Liberia. Sam Bockarie often told the radio
6 room personnel like Kabbah about important news or things such as
7 that incident. As well, the radio operators heard or saw
8 messages containing important or confidential information."

9 Putting that together then, firstly, Charles Taylor's only
09:58:59 10 involvement with the RUF and the AFRC so far as that junta period
11 was concerned was to mediate a dispute between Bockarie and
12 Koroma, is that right?

13 A. Yes.

14 Q. And he had no other involvement, did he?

09:59:27 15 A. I did not know about any other involvement during the junta
16 regime.

17 Q. So that the person who directed that marriage was Pa Sankoh
18 and nobody else. That's right, isn't it?

19 A. Yes.

09:59:51 20 Q. Thank you. Can we move on to another topic now, please,
21 and we can put that file away now for the moment. I want to deal
22 with another topic and it's this: During that junta period it's
23 right, isn't it, that an arms embargo was imposed on the junta
24 government?

10:00:36 25 A. Yes.

26 Q. And as a consequence it was difficult for that government
27 to arm itself?

28 A. Yes.

29 Q. And arrangements were made for a major shipment of arms to

1 come into the country in late 1997. Do you recall that?

2 A. Arrangement was made? I was not aware of that, because I
3 was not in Freetown, neither was I in Kenema. I was based in
4 Kailahun. I was not with the commanders any more.

10:01:22 5 Q. Well, I suggest that what I am going to ask you about
6 should have been within your knowledge given your role as a radio
7 operator, because let us just remind ourselves, shall we, as a
8 radio operator part of your task was to monitor traffic across
9 the airwaves, is that right?

10:01:46 10 A. Yes, but during the junta period the boys were doing the
11 job. At that time we too were resting a bit, because it was not
12 a fighting time so it was not the case that we were always on the
13 radio. We were a bit relieved, so I was not always on the set.

14 Q. But help us with this, two things: Firstly --

10:02:09 15 JUDGE SEBUTINDE: Mr Griffiths, excuse me, who are the boys
16 doing what job?

17 THE WITNESS: The operators who were assigned to the
18 stations, they were doing the job mostly.

19 JUDGE SEBUTINDE: Of monitoring?

10:02:27 20 THE WITNESS: Monitoring, yes.

21 MR GRIFFITHS:

22 Q. Now, point number one in that regard: During the junta
23 period there was, was there not, constant radio traffic between
24 AFRC and RUF forces?

10:02:54 25 A. Yes, the operation was together. The AFRC radio operators
26 and the RUF radio operators were in fact working at some stations
27 together. They were doing the same things.

28 Q. So you were operating on the same frequency?

29 A. Yes.

1 Q. So if, for example, the AFRC were organising a major arms
2 shipment to come into the country, RUF operators should have been
3 aware of that from the radio traffic?

4 A. No, that area is a very sensitive one, the one that you are
10:03:44 5 referring to, in terms of military operations. If they are
6 ordering for arms from another country, junior men will not know
7 about that, except if he just saw it accidentally. Those were
8 not things that they will just say like that in the air.

9 Q. Do you know of an airstrip at a place called Magburaka?

10:04:14 10 A. Magburaka? There is an airstrip in Magburaka.

11 Q. Do you know anything about an airlift of arms into
12 Magburaka from Burkina Faso in late 1997?

13 A. I am not aware of that. I am not.

14 Q. You have never heard about that?

10:04:45 15 A. No, no, no, no, no.

16 Q. And after the airline landed, off-loading arms, Alpha Jets
17 attacked the airstrip and destroyed it so that no further
18 shipments could come in. Are you telling us that you as a radio
19 operator never heard anything about that?

10:05:14 20 A. That is what I am saying. I never heard about shipment of
21 arms during the junta period, because I was far off from the
22 commanders at that time.

23 Q. But you were still working for Sam Bockarie, weren't you?

24 A. No, Sam Bockarie was based in Kenema and I was based in
10:05:34 25 Kailahun. I have been saying this over and again. During the
26 junta period I was in Kailahun and Sam Bockarie was in Kenema. I
27 visited Sam Bockarie once. I went there for a meeting with the
28 operators and some other commanders.

29 Q. Very well. Do you know of any other airstrip within Sierra

1 Leone constructed by the RUF?

2 A. Yes, RUF constructed one airfield in Buedu. Near Buedu
3 there was a village there. I don't know the name of the village
4 now. I went to the airfield myself when it was being
10:06:22 5 constructed.

6 Q. What year was that?

7 A. That was 1998 to 9, around that. When we retreated, we
8 were in Buedu. That was the time the construction took place.

9 Q. Was that airfield ever used?

10:07:01 10 A. No, I never witnessed that right up to the time Sam
11 Bockarie left the place, no.

12 Q. And it is right, is it not, that that airfield was
13 constructed so that the RUF could import arms directly from
14 Libya?

10:07:33 15 A. That was what Sam Bockarie used to say so, that our supply
16 would come straight from Libya and it will land there.

17 Q. But none ever arrived via that route?

18 A. I never saw that.

19 Q. Did you ever hear of any arriving via that route?

10:08:05 20 A. By air? No, no, no, no, no.

21 Q. Let's move on to another topic and it's linked to that
22 dispute which you told us Charles Taylor mediated between
23 Bockarie and Koroma. Following the retreat from Freetown in
24 February 1998, serious difficulties arose between the RUF and the
10:08:36 25 AFRC, did they not?

26 A. Yes.

27 Q. During that period the relationship between the two groups
28 completely fractured, didn't it?

29 A. Yes.

1 Q. There was a great deal of distrust on both sides?

2 A. Yes.

3 Q. And that distrust operated on a number of different levels.

4 For one thing, following the retreat from Freetown the balance of

10:09:23 5 power shifted from the former SLA officers like Koroma, to the

6 guerilla fighters like Bockarie, didn't it?

7 A. Yes.

8 Q. Because you had been forced back into the jungle and they

9 didn't have the experience or the techniques to operate in that

10:09:48 10 environment, did they?

11 A. Yes.

12 Q. You're agreeing with me?

13 A. Yes.

14 Q. And so whereas in Freetown the AFRC soldiers were lording

10:10:10 15 it over the RUF, now they were back in the jungle the tables had

16 turned, hadn't they?

17 A. Yes.

18 Q. And the former AFRC did not like that position, did they?

19 A. Yes, they did not like it.

10:10:31 20 Q. They didn't like the idea that they were having to take

21 orders from so-called bush majors and bush colonels. They didn't

22 like it, did they?

23 A. Not at all. They did not like it.

24 Q. And certain individuals, one in particular, SAJ Musa, took

10:10:57 25 particular offence, didn't he?

26 A. Yes.

27 Q. And when we come to deal with the invasion of Freetown in

28 January 1999 I will return to him, but for now we are dealing

29 with that period post February 1998 when the junta had been

1 forced out of Freetown. Now, one example of that fracture
2 between the two groups was an accusation made against Johnny Paul
3 Koroma that he was hoarding diamonds, is that right?

4 A. Yes.

10:11:48 5 Q. And Issa Sesay was sent to get those diamonds from him?

6 A. Yes.

7 Q. And during the course of that episode Koroma's wife was
8 raped, wasn't she?

9 A. Yes, that was what I heard. They said she was raped.

10:12:18 10 Q. Who by?

11 A. Those who went to do the raid they said she was raped,
12 because I was not present at the scene.

13 Q. I am not suggesting you were, but you may well have heard
14 and that's why I'm asking. Who did you hear had raped Johnny

10:12:48 15 Paul Koroma's wife?

16 A. I do not recall that, but I heard that she was raped. They
17 said those who conducted the raid raped her, but to say I can
18 recall the name of the particular person who told me that she was
19 raped, no.

10:13:07 20 Q. No, I am not asking you about the particular person who
21 told you. I am asking about the particular person who carried
22 out that heinous act. That's what I'm asking. Who raped her?

23 A. That is what I am saying. I cannot tell that it was a
24 particular person, because I was not present at the scene. For
10:13:38 25 that reason, I cannot tell you exactly who was the individual who
26 did the act.

27 Q. Did you ever hear it said that it was either Mike Lamin, or
28 Issa Sesay, who did that?

29 A. No, it was a rumour that went around that Johnny Paul

1 Koroma's wife was raped and even if the rumour was going around
2 it will be difficult for somebody at that time to tell that it
3 was this or that person. But it was the SLA soldiers who used to
4 say it around and if it was a senior officer who did the raping
10:14:28 5 then it will have been difficult for somebody to just say, "Oh,
6 it was this person". I did not hear about a particular person.

7 Q. But in any event, when those rumours went around that their
8 former leader, the leader of the coup, Johnny Paul Koroma, had
9 been treated in that despicable way, how did the former SLA
10:14:57 10 soldiers feel?

11 A. They felt bad about it. They were not happy about that
12 issue at all. There were so many grumbles going around in the
13 corners.

14 Q. Now, that further served to widen the gap between the two
10:15:25 15 groups, didn't it?

16 A. Yes.

17 Q. And also - and remember we're talking about when, about
18 March/April 1998, aren't we?

19 A. Yes, that was immediately after the retreat from Freetown.

10:15:57 20 Q. Now, diamonds were recovered from Johnny Paul Koroma,
21 weren't they?

22 A. Yes, that is what they said.

23 Q. And was it the talk that it was a large quantity of
24 diamonds?

10:16:21 25 A. That was what they said. They said because during the
26 junta regime they said all the minings that were done in Kono the
27 diamonds were taken to Johnny Paul, so they said they recovered
28 so many diamonds from him.

29 Q. What happened to those diamonds?

1 A. What I later understood about those diamonds was that those
2 diamonds were the diamonds they put together and Sam Bockarie
3 handed them over to Issa to be taken to Monrovia and to be given
4 to Charles Taylor in return for ammunition and on Issa's return
10:17:20 5 he reported that he lost the diamonds. That is what I know about
6 them.

7 Q. So no arms or ammunition were received by the RUF paid for
8 by those diamonds?

9 A. Not at all. We did not see a single ammunition that he
10:17:48 10 brought with him. On his return all he reported to us was that
11 he lost the diamonds.

12 Q. Now, that fact caused a great deal of disgruntlement on the
13 ground amongst the RUF and AFRC fighters, didn't it?

14 A. Yes.

10:18:17 15 Q. There was a suspicion that Issa Sesay had in effect
16 pocketed the diamonds for himself?

17 A. Yes, the grumble was all over the place. People were
18 asking, "How can somebody just take such diamonds along with him
19 and say he lost them?" And people were saying that, "That man
10:18:45 20 might have kept the diamonds for his own pocket, for his own
21 personal use". But nobody believed that actually he lost them.

22 Q. Now, Sam Bockarie had great difficulty in restraining the
23 anger of the rank and file RUF members over that episode, didn't
24 he?

10:19:21 25 A. Yes.

26 Q. Which is why at that meeting that you told us about at the
27 Waterworks Sam Bockarie was at pains to explain to the hundred or
28 so people present what had in fact happened?

29 A. Yes, it was very difficult for him to explain.

1 Q. Because the bottom line is a lot of the soldiers wanted -
2 to put it bluntly, they wanted to lynch Issa Sesay?

3 A. Repeat that question.

10:20:17

4 Q. A lot of the soldiers on the ground wanted to lynch Issa
5 Sesay?

6 A. Yes.

10:20:50

7 Q. Now, I want to pause for a moment now and delve a little
8 deeper into the mentality and emotions of the former SLA soldiers
9 who had retreated from Freetown. Now, as we noted yesterday, the
10 RUF fighters for something like five years between 1992 and 1997
11 had had to live rough in the jungle, hadn't they?

12 A. Yes.

13 Q. The SLA soldiers by comparison had lived a much more
14 cosseted life?

10:21:29

15 A. Yes.

16 Q. And they didn't like being in the jungle, did they?

17 A. Not at all. They did not want to be in the jungle.

10:21:48

18 Q. And they felt a great deal of anger that they, Sierra
19 Leoneans, former members or members of the national army of that
20 country, had been kicked out of their capital by foreigners,
21 Nigerian ECOMOG troops. That's how they felt, wasn't it?

22 A. I cannot tell you their own view that they held at that
23 time. Maybe they felt that way, but actually they were
24 disgruntled at the time we ran into the jungle.

10:22:24

25 Q. But the effect of all of those feelings by the SLA soldiers
26 amongst you was they couldn't wait to get back to Freetown, could
27 they?

28 A. Yes, they were eager to go back to Freetown.

29 Q. And we will flag up a detail now and come back and deal

1 with it in a lot more detail later, but those soldiers who
2 spearheaded the Freetown invasion were the former SLA officers,
3 weren't they?

4 A. Yes, those who led the particular group that entered
10:23:11 5 Freetown were former SLA soldiers.

6 Q. Like SAJ Musa, yes?

7 A. Yes.

8 Q. Like Gullit, yes?

9 A. Yes.

10:23:25 10 Q. And when later after a few days they were kicked out of
11 Freetown, their anger displayed itself in them being responsible
12 for some of the worst destruction in Freetown. That's right,
13 isn't it?

14 A. Yes.

10:23:52 15 Q. Now, as I say, we will come back to that in due course, but
16 I want to deal with another topic now, please. Have you ever
17 been to Monrovia?

18 A. No.

19 Q. Have you ever been to Liberia?

10:24:35 20 A. Yes.

21 Q. So help me, please. Why did you tell us yesterday - and
22 this is page 16164 of the transcript - "I never went to Liberia,
23 but the RUF authorities who used to visit there" --

24 MR SANTORA: Your Honour, I just for --

10:25:02 25 THE WITNESS: No, no, no.

26 MR SANTORA: Could I have a line reference. You just gave
27 me the page.

28 MR GRIFFITHS: Line 11.

29 MR SANTORA: Thank you.

1 THE WITNESS: I was talking about Monrovia and not Liberia.
2 In my statements there is Liberia indicated there. I said I had
3 never been to Monrovia, but I went to Liberia. Those were the
4 statements that I made.

10:25:30

5 MR GRIFFITHS:

6 Q. Now I will be corrected if I am wrong, and I am sure my
7 learned friend has the reference now, at line 11 in yesterday's
8 transcript at page 16164 you said this to these judges:

10:25:54

9 "I never went to Liberia, but the RUF authorities who used
10 to visit there, the operators who used to go there, they
11 were the ones who came and they said the radio that we had
12 assigned in Liberia was at Pa Musa's house. They were
13 based there in Monrovia."

14 Do you remember telling us that?

10:26:15

15 A. Yes, I recall that I said that, but I was referring to
16 Monrovia and not Liberia. I had been to Liberia before, but I
17 had never been to Monrovia.

18 Q. Very well. How many times have you been to Liberia?

10:26:47

19 A. Liberia, the first time I visited there that was during
20 1991. I went to Foya and that was the time the NPFL soldiers
21 used to take us to help them take their loads to Foya and when we
22 retreated from Freetown and came to Buedu I also visited to
23 Liberia as part of a reinforcement. That was when the LURD
24 rebels had crossed from the Guinea side and had entered Kolahun.

10:27:25

25 The Marvel vehicle that had the communication on board,
26 Sam Bockarie loaded armed men on board that and I went with them
27 to Foya. I stopped there and they advanced on Kolahun and later
28 the following morning when they captured Kolahun we went there -
29 I went there together with Issa Sesay and others and when they

1 also captured Voinjama we went there. That was where I stopped
2 and returned to Buedu. Those are the periods that I visited
3 Liberia.

10:28:06 4 Q. So let me ask my question again: How many times did you
5 enter the country of Liberia?

6 A. Liberia, the country, I would say I am unable to tell,
7 because at first at the time of the Top 20 I went to Liberia. I
8 went to Foya with - I carried loads there and this time I'm
9 talking about now we went there on battle. Those are the times I
10 recall that I went to Liberia.

11 Q. So have you been to Liberia many times?

12 A. Three times.

13 Q. Now, can we take that as a final answer; that it is three
14 times that you went to Liberia?

10:29:11 15 A. In Liberia I can say - I'm actually referring to the towns,
16 but talking about Liberia, I used to go to Liberia, I used to go
17 to Foya. That was not once. It was not twice. I used to go to
18 Foya and it is in Liberia. I cannot actually tell how many times
19 I visited there, but I used to go there.

10:29:32 20 Q. During the war, so from 1992 up to the year 2002, how many
21 times did you go to Liberia?

22 A. Repeat the years.

23 Q. Between 1992 and 2002, during those ten years how many
24 times did you go to Liberia?

10:30:09 25 A. I cannot actually tell how many times, because I used to go
26 to Liberia. I used to go there on business. That was where we
27 used to go and get salt and some other items. We used to cross
28 over there. To tell you that I went there so or so number of
29 times, I cannot actually tell you the definite number of times

1 that I went there, but I used to go there.

2 Q. So it wouldn't be possible for you to give anyone a number?

3 A. No, it's impossible. It is impossible because I never used
4 to count how many times I went there and there were times after
10:30:50 5 maybe a week or two we will go there. All I said is that we used
6 to go there.

7 Q. Very well. Can the witness be shown behind divider 1,
8 please, and can we have a look at page 4. Can we look at the
9 last paragraph on that page, please:

10:31:45 10 "Kabbah never went to Liberia himself as part of any supply
11 operation. He only went to Liberia once and that was to
12 fight ULIMO."

13 Is that true?

14 A. Yes, the supply area I never went there. I only went there
10:32:22 15 during a period of battle and the other visits I made there were
16 personal. Those were the times I went to visit the operator who
17 was based in Foya. And even this issue of ULIMO I had clarified.
18 I said they were LURD rebels. That was the time we retreated.
19 They were not ULIMO. They were LURD.

10:32:48 20 Q. When it says, "He only went to Liberia once and that was to
21 fight ULIMO", is that the truth?

22 A. It is not true. It is not true.

23 Q. Go over to page 7 in the same document, please, the second
24 to last paragraph:

10:33:30 25 "Kabbah said that neither Charles Taylor nor Benjamin
26 Yeaten came to Sierra Leone as far as he knew and he only
27 went to Liberia once briefly to fight against ULIMO."
28 That's not true either then, is it?

29 A. You mean the second paragraph?

1 Q. The second to last paragraph. Do you see it? "He only
2 went to Liberia once briefly to fight against ULIMO." That can't
3 be true, can it?

4 A. It is not true. It is not true. I have clarified that
10:34:38 5 area. That was the time of the LURD rebels.

6 Q. So help me, please --

7 JUDGE SEBUTINDE: Mr Griffiths, is he disputing the word
8 ULIMO and he wants to substitute that with LURD? Is that all he
9 is disputing?

10:35:01 10 MR GRIFFITHS: Well, let me clarify that:

11 Q. You will notice in the first reference I gave you at page 4
12 you said you only went once and that was to fight ULIMO. Then
13 when we go to page 7 you say you only went once briefly to fight
14 against ULIMO. Now was it to fight against ULIMO, or was it to
10:35:28 15 fight against LURD?

16 A. It was to fight against the LURD rebels. This was
17 something I had gone over with the lawyer and I had made
18 clarification in that area, but I don't know whether he effected
19 the clarification that I made, but I had made it.

10:35:51 20 Q. So in both instances where it is said you went to fight
21 ULIMO that is wrong?

22 A. It's wrong. It's wrong.

23 Q. Second point: Where it said you only went to Liberia once,
24 that's also wrong?

10:36:11 25 A. That also is wrong.

26 Q. So whoever recorded this statement in this particular
27 regard has made two mistakes?

28 A. Yes, that is a mistake, because I had clarified it.

29 Q. And now, as best you can recall, did you say those things

1 to the interviewer on two occasions in the same interview?

10:37:07 2 A. Yes. These were things that I have said, because by then I
3 was confused a little bit and it was later that I recalled that
4 two groups entered Liberia at that time, ULIMO and LURD, but it
5 was during the period of LURD that I went to Foya and I have made
6 clarification in this area. And I had said that the reason why I
7 went to Liberia and in fact the times I went to Liberia I had
8 referred to Monrovia and I had said it was not actually Liberia.
9 It was the issue of Monrovia. I did not go to Monrovia, but I
10:37:30 10 used to go to Liberia.

11 Q. So, as I understand your answer, when in February 2007 you
12 were being interviewed you were confused between ULIMO and LURD,
13 were you?

14 A. Yes.

10:37:49 15 Q. And you didn't remember at that time that there was another
16 organisation called LURD?

17 A. Not at all, except one other time when we came back from -
18 when I went back to Freetown that we tried to clarify that
19 particular area that it was not ULIMO that I went there for. It
10:38:17 20 was LURD.

21 Q. But in February such was the state of your memory you had
22 forgotten completely about that organisation called LURD?

23 A. Yes.

24 Q. Let's go back to page 7, shall we. Remember that paragraph
10:38:41 25 on page 7 says for the second time that you went to Liberia once
26 briefly to fight against ULIMO. Just over the page, please, to
27 page 8, top of the page: "Kabbah said that he was among the RUF
28 personnel who were sent into Liberia to fight against ULIMO
29 forces." But let's now go to the next paragraph, shall we:

1 "Kabbah says the RUF soldiers (from Makeni, Magburaka,
2 Kono, et cetera) led by Denis Mingo also joined up with Liberian
3 soldiers at the request of Charles Taylor through Benjamin Yeaten
4 to make incursions into Guinea to push back the enemy soldiers
10:39:36 5 known as ..."

6 What word did you use? What is the next word? What is the
7 next word, Mr Kabbah?

8 A. Which one?

9 Q. The one that comes after "to push back the enemy soldiers
10:40:05 10 known as". What is the word?

11 A. LURD.

12 Q. Now, this --

13 A. They referred to them as LURD rebels.

14 Q. Now this is in the interview where you claim you had
10:40:18 15 totally forgotten about LURD, but within the matter of a couple
16 of paragraphs you mention both ULIMO and LURD. What really are
17 you telling us, Mr Kabbah? Are you telling us the truth?

18 A. It is the truth that I am saying. My point here is that
19 this is a very different paragraph that has to do with the LURD,
10:40:50 20 because at the time this went on I had already been aware of it,
21 but the issue of the ULIMO had taken place for quite a long time
22 ago and it was something that took place and I was present when
23 it happened. So it's not a lie. I am not trying to lie.

24 This issue of ULIMO was the one that brought about the
10:41:17 25 problem, because I did not recall at that time, because the first
26 set of rebels that went to Liberia were the ULIMO. It was later
27 that I recalled that it was not ULIMO, but LURD. And at the time
28 we went to the Voinjama, Kolahun areas to fight it was the LURD
29 that we went to fight and not ULIMO and that was the time that

1 Mosqui to Spray entered there.

2 Q. So help us then. How many times did you go to Liberia to
3 fight?

10:41:59

4 A. That was the only time. That was the only time that I went
5 to Liberia to fight.

6 Q. Mr Kabbah, I am going to repeat what you just told me,
7 "That was the only time that I went to Liberia to fight". Now
8 remember you took an oath to tell us the truth, didn't you?

9 A. Yes.

10:42:23

10 Q. Now, is that the truth?

11 A. It is the truth that I am saying. I went to Liberia once
12 to fight there. Just one time.

13 Q. I am going to give you one last opportunity to tell us the
14 truth about this. How many times did you go to Liberia to fight?

10:42:47

15 A. I said once. I went to Liberia once to fight. Just one
16 time.

17 Q. Let's look behind divider 5, shall we. This is an
18 interview conducted with you on 17 and 18 June of this year, so
19 only a couple of months ago. Let's look, shall we, at the last
20 paragraph, three lines down, "Witness was sent on ..." how many
21 occasions in Liberia to fight against the LURD? How many times
22 did you say then?

10:43:20

23 A. Which area?

24 Q. Paragraph 4, "Witness was sent on ..." how many occasions?

10:44:13

25 What does it say, Mr Kabbah? You told us yesterday you could
26 read. What does it say, Mr Kabbah?

27 A. These two areas are a little bit doubtful.

28 Q. No, listen to my question. How many times does it say,
29 Mr Kabbah?

1 A. I said it was once that I went to Liberia, just one time.

2 Q. I know that's what you told us a few minutes ago, but I'm
3 asking you about what it says on this page. How many times does
4 it say on this page, Mr Kabbah?

10:45:06 5 A. It is written there two times.

6 Q. "Witness was sent on two occasions in Liberia in mission
7 with RUF fighters to fight against LURD in Lofa" --

8 A. 1998 and 1999, no, no, no, no.

9 Q. Please don't mutter into the microphone, Mr Kabbah, whilst
10:45:33 10 I am asking my question.

11 PRESIDING JUDGE: Mr Witness, please let counsel finish his
12 question before you comment or reply.

13 MR GRIFFITHS:

14 Q. Mr Kabbah, yet again we have a situation where something
10:45:50 15 supposedly attributed to you in this interview you now deny
16 saying. Why is that?

17 A. This is really confusing to me, because --

18 Q. Because? I'm waiting.

19 A. These two areas, I still insist that I went there to fight
10:47:04 20 only once. I am not even thinking about it otherwise. But the
21 two times that I see, you know, the troops were there, but the
22 statement that we gave at certain points in time, you know, I
23 don't know, the fighting forces went at some other point in time.
24 By then I was not there. I was in Kono with Issa Sesay. But
10:47:41 25 during the period of Sam Bockarie I went there once, but now they
26 have two times here indicated. RUF went there two times to
27 fight, but I was not part of the two trips. I went there only
28 once. And the fighting that is indicated here up to the time
29 Charles Taylor left Liberia I was not there. It was Mortiga and

1 others who were there and that was the second time that people
2 went there, but maybe the way I gave my statement was not the way
3 they wrote it.

10:48:17 4 Q. So whoever took down the statement wrote it down wrongly,
5 did they?

6 A. Yes, it was written wrongly. The RUF went to Liberia two
7 times to fight there, but I took part in one trip. By then - in
8 fact, the one that is here, I was not present, I was in Kono at
9 that time.

10:48:39 10 Q. Well, I am not here to protect Mr Alain Werner, lawyer for
11 the Prosecution, who took down the notes of this statement, but
12 have a look at the handwritten note, please. Madam Court
13 Manager?

14 MR SANTORA: Your Honours, just in response to one comment
10:49:06 15 that counsel just made. There is no indication that Mr Werner
16 took the notes. There is an indication that he is present, but
17 there is no indication that he was the one particularly taking
18 the notes.

19 MR GRIFFITHS: Well, my learned friend is in a better
10:49:20 20 position than me to recognise his colleague's writing, so if he
21 is in a position to say that is not Mr Werner's writing then of
22 course I will withdraw that part of the suggestion.

23 MR SANTORA: Your Honour, I don't think counsel is in a
24 position to say what Mr Werner's writing is, so I don't know.

10:49:44 25 MR GRIFFITHS: I am asking you.

26 PRESIDING JUDGE: He is inviting you to look at it. I have
27 not yet located it.

28 MR SANTORA: I am not in a position either.

29 PRESIDING JUDGE: I see.

1 MR SANTORA: But the comment was that it was Mr Werner's
2 writing. That's the only point I was addressing.

3 MR GRIFFITHS: Very well. Well, I will withdraw that part
4 of the suggestion, but let's have a look at the document in the
10:50:07 5 original form, shall we.

6 PRESIDING JUDGE: Sorry, Mr Griffiths, you may have given
7 us the tab number and I maybe didn't note it.

8 MR GRIFFITHS: No, you don't have this.

9 PRESIDING JUDGE: I see.

10:50:24 10 MR GRIFFITHS: You don't have this because I quite
11 deliberately omitted the handwritten notes for brevity's sake.
12 Do you see there in the middle of the page written down it would
13 appear contemporaneously, "The witness was sent on two occasions
14 in Liberia"? Do you see that?

10:50:55 15 A. Yes, I have seen it, but the way I expressed it was not the
16 way it was written, the expression.

17 Q. So you said one and they wrote two?

18 A. Yes, for me it was once. For the RUF it was twice.

19 Q. But you told them, "I only went there one time" and somehow
10:51:21 20 the scribe managed to write down, "He went twice". That's what
21 you're telling us?

22 A. The expression that I gave, it was not the way that he
23 wrote it, because the expression that I gave is the one that I am
24 repeating. I went to Liberia once and the RUF went there twice.

10:51:50 25 In fact I did not go around the border. I was right away in
26 Kono.

27 Q. But let's try and put all of this together, shall we.

28 Mr Kabbah, do you agree that being in armed conflict is an
29 experience which is likely to stick in someone's mind?

1 A. In an armed conflict that - at times there are things that
2 you can recall and at times there are things that you cannot
3 recall. There are things - there are things that I would not
4 like to recall, so it's not something like an experience for me.

10:52:41 5 Q. But, Mr Kabbah, wouldn't you agree it's common sense that
6 when someone is being shot at it is unlikely to be forgotten?

7 A. There were some brothers that had died, we did not even
8 think about them. We did not even know their names any more. We
9 did not do those sort of things so as to keep them in our hearts
10 as records. I in particular, I wouldn't like to mention those
11 things any more.

12 Q. So let me just see if I can try and understand this. In
13 February 2002 you say you went once. In June of this year you
14 are recorded as saying you went twice and about ten minutes ago
10:53:33 15 you go back to saying it was just once. Which one of those
16 accounts do you want us to believe?

17 A. I said that I went to Liberia to fight once. I was only
18 sent once as reinforcement when I went as reinforcement at Foya.

19 Q. And you can't assist us - and I will leave the topic after
10:54:10 20 this. You can't assist us as to how it comes about that whoever
21 wrote down this interview in June of this year said twice? You
22 can't explain that to us?

23 A. I said the way I expressed it was not the way it was
24 written by this person. He did not express - he did not write
10:54:33 25 what I expressed.

26 MR GRIFFITHS: Very well. Can I have that sheet back,
27 please? Thank you. Would your Honour give me a moment to find a
28 reference, please?

29 PRESIDING JUDGE: Yes.

1 MR GRIFFITHS:

2 Q. Very well, let's go on and deal with one other matter. Do
3 you remember that yesterday when we were talking about the radios
4 that were seized from you and about your logbooks, do you
10:56:38 5 remember telling us that you had kept them but you were relieved
6 of them by the Sierra Leonean police when they came, arrested
7 you, took all your radios and logbooks. Do you remember telling
8 us that yesterday?

9 A. Yes.

10:57:04 10 Q. Did you give any of your radios to anybody else?

11 A. To the police?

12 THE INTERPRETER: Could counsel go over that question?

13 MR GRIFFITHS:

14 Q. Did you give any radio to anybody else?

10:57:37 15 A. If I gave my radio to any other person apart from the ones
16 in Kono?

17 Q. No, no, my fault. After the war you had a number of radios
18 and logbooks in your possession, didn't you?

19 A. Yes.

10:58:03 20 Q. What happened to them?

21 A. The police came, they arrested me and they searched my room
22 and they took the radios and the books that I had, they took them
23 to the station.

24 Q. Have you ever received them back?

10:58:27 25 A. No.

26 Q. And apart from those radios and books that the police took,
27 did you have any other radios and books in your possession?

28 A. No, no.

29 Q. And did you give any radio to anybody else apart from those

1 that were taken by the police?

2 A. Yes, at the time that I was in Kono I gave one guy - I gave
3 a radio to one man in Kono so that he could sell it when we were
4 disarmed. I gave one man in Kono to sell one radio, because he
10:59:18 5 told me that --

6 MR GRIFFITHS: The interference --

7 PRESIDING JUDGE: I am getting that too. Madam Court
8 Officer, could you please check why we are getting all this
9 crackling.

10:59:34 10 MS IRURA: Your Honour, the AV booth is looking into it.
11 They have sent a technician.

12 PRESIDING JUDGE: Thank you. Are you able to continue,
13 Mr Griffiths?

14 MR GRIFFITHS: I am fine continuing, because I think it has
10:59:45 15 cleared now. At least mine has. I don't know if anybody else is
16 still hearing it.

17 PRESIDING JUDGE: I am not at the moment, but let's see if
18 there is an answer and it comes on again.

19 MR GRIFFITHS:

10:59:59 20 Q. So, just to recap, you had radios in your possession after
21 the war which were seized by the police and there was also a
22 radio that you had whilst you were in Kono that you gave someone
23 to sell for you, is that right?

24 A. Yes, the radio that I gave, I gave it to the person before
11:00:25 25 I was arrested and the balance were taken.

26 MR GRIFFITHS: It's starting again.

27 PRESIDING JUDGE: It seems to be with the interpreters'
28 side of the transmission. Would you ask if they could give us an
29 indication how long it will take to check this problem?

1 MS IRURA: Your Honour, the technician has just gone into
2 the booth and they inform us that they will check what is causing
3 the interference. If it is a major problem they would have to
4 reset the machines during the break.

11:01:10 5 PRESIDING JUDGE: Well, I cannot speculate any more than
6 anybody else can speculate on how long this will take.

7 MR GRIFFITHS: Well, can we see if we can proceed, your
8 Honour?

9 PRESIDING JUDGE: Yes, please do that.

11:01:24 10 MR GRIFFITHS: If it becomes intolerable then we might have
11 to take the break early, can I suggest?

12 PRESIDING JUDGE: Yes, please do so.

13 MR GRIFFITHS:

14 Q. Just to recap, Mr Kabbah, after the war you had a number of
11:01:36 15 radios in your possession, is that right?

16 A. Yes.

17 Q. And they were radios which had come into your possession
18 during your time as a radio operator for the RUF?

19 A. Yes.

11:01:55 20 Q. Can you remember now how many radios you had?

21 A. The ones that are with me at the house which were arrested?

22 Q. No, all of the - all of the radios that you had at the end
23 of the war, how many were there?

24 A. The ones that I had in Kono with me, those were the ones
11:02:26 25 that I can give account of because when they said disarmament
26 some other people said they were to disarm with the radios and at
27 that time everything was in disarray, so we did not have to task
28 anybody to do anything further. So the ones that I had in Kono,
29 these were the ones that I gave. I did not take any radio from

1 any other station and other people left - were left with their
2 old radios in their stations.

3 Q. Fine. So at the end of the war you had the radios from the
4 Kono station in your possession. Do I understand that correctly?

11:03:13 5 A. Yes.

6 Q. And so far as those radios are concerned, one of them you
7 gave to someone to sell for you. Is that correct?

8 A. Yes.

9 Q. The remaining radios were taken from you by the police when
11:03:23 10 they came to arrest you?

11 A. Yes.

12 Q. And that got rid of all of the radios that were in your
13 possession at the end of the war, is that right?

14 A. Yes.

11:03:41 15 Q. And you didn't give any radio to anybody else, is that
16 right?

17 A. When the war ended --

18 THE INTERPRETER: The interpreter is sorry, he cannot get
19 the witness's statement.

11:04:00 20 PRESIDING JUDGE: Mr Interpreter, I didn't hear you
21 clearly. Could you please speak up and repeat what you said.

22 THE INTERPRETER: What the interpreter is saying is that
23 when the button is switched on the interpreter cannot get the
24 witness any more.

11:04:17 25 PRESIDING JUDGE: Do you mean you no longer hearing the
26 witness?

27 THE INTERPRETER: Yes, my Lord.

28 PRESIDING JUDGE: I see.

29 MR GRIFFITHS: My suspicion is that the difficulty we had

1 earlier is with the interpreters, because we only hear that
2 crackling when it is being interpreted and I think they may have
3 disconnected their microphone.

11:04:41 4 JUDGE LUSSICK: I think, Mr Griffiths, you have missed your
5 last two answers. I heard the witness say something that was not
6 interpreted. It was simply interpreted as one word, I think it
7 was "No", but he said a lot more than that.

8 MR GRIFFITHS: Well, your Honour, I think this situation is
9 totally unsatisfactory.

11:04:58 10 PRESIDING JUDGE: Certainly we are not getting a proper
11 record of what the witness is saying and that appears to be a
12 mechanical fault, rather than a fault of either the witness,
13 yourself or the interpreters. In the circumstances, I think the
14 most practical thing would be to take an early adjournment and
11:05:21 15 try and sort this out.

16 MR GRIFFITHS: I agree respectfully, your Honour.

17 PRESIDING JUDGE: Yes, very well. Mr Witness, there is a
18 problem with the machines. The machines are not working properly
19 and we are not hearing your answers properly. Therefore we are
11:05:36 20 going to take a half hour adjournment earlier than usual and we
21 are going to come back at 25 to 12 and we hope the problem will
22 be solved. Please adjourn court to 11.35 a.m.

23 [Break taken at 11.07 a.m.]

24 [Upon resuming at 11.35 a.m.]

11:30:17 25 PRESIDING JUDGE: I have been informed during the
26 adjournment that it was a technical problem to do with wiring and
27 it has now been resolved. However, we will obviously listen and
28 ensure that it is clear. So in the circumstances, Mr Griffiths,
29 as the interpreter did not get some of the witness's answers -

1 Mr Witness, I will ask counsel to ask the questions again.

2 MR GRIFFITHS:

3 Q. We were talking about radios when we adjourned, Mr Kabbah,
4 and I would like to return to that topic, please. Just to recap,
11:35:04 5 if I understand what you were telling us, at the point of
6 disarmament you had a number of radios in your possession in
7 Kono, is that right?

8 A. Yes.

9 Q. You cannot remember how many, is that right?

11:35:27 10 A. Correct.

11 Q. However, what happened to those radios was this: One of
12 them you gave to someone to sell for you, is that correct?

13 A. Correct.

14 Q. And the remaining radios were seized from you by the Sierra
11:35:48 15 Leonean police, is that right?

16 A. Correct.

17 Q. And that was on an occasion when you were arrested, is that
18 right?

19 A. Correct.

11:36:02 20 Q. And as a result of that you no longer had any radios in
21 your possession, is that right?

22 A. Correct.

23 Q. And you didn't give any of the radios you had with you at
24 the end of the war to anybody else, is that right?

11:36:24 25 A. Correct.

26 Q. I am going to ask you one more time. You did not give any
27 RUF radio in your possession to anybody else. Is that correct?

28 A. After disarmament, when they had gathered the other radios,
29 yes, it's correct.

1 Q. It's right, yes?

2 A. Yes.

3 PRESIDING JUDGE: I find that answer ambiguous, "When they
4 had gathered the other radios", particularly in the light of what
11:37:00 5 the witness had said earlier about the disarming with radio.

6 MR GRIFFITHS:

7 Q. So all the radios you had at the end of war, one was given
8 to someone to sell and all of the rest were taken from you by the
9 Sierra Leonean police, is that right?

10 A. It is correct.

11 Q. And you didn't give any radio to anybody else apart from
12 those two instances?

13 A. After disarmament you mean?

14 Q. Yes.

11:37:42 15 A. It's correct. It's correct.

16 JUDGE SEBUTINDE: Mr Griffiths, are you on channel 1 like
17 the rest of us?

18 MR GRIFFITHS: Now I am. I'm sorry:

19 Q. Mr Kabbah, I don't want to be or appear to be unfair to
11:38:04 20 you, so I want to give you every opportunity to consider the
21 answers you have just given me. Have you told me the truth about
22 what happened to the radios?

23 A. Everything that I have told you.

24 Q. Everything you have told me about the radios is the truth,
11:38:29 25 is it?

26 A. I have said the truth.

27 Q. Please look behind divider 6. Let's have a look at
28 paragraph 2 on that page: "The witness ended his involvement in
29 the war in 2002 when he disarmed with his radio set to the

1 Bangladeshi contingent". Is that true?

2 A. During disarmament I disarmed with one radio, because I was
3 not an armed man, so I disarmed with one radio. That was during
4 disarmament. The question is after disarmament what did I do
11:39:54 5 with the radio - with the rest of the radios, because I did not
6 only have one.

7 Q. I was at pains to go through with you what happened with
8 the radios in your possession. Did you tell me on a single
9 occasion that you disarmed with a radio to the Bangladeshi
11:40:15 10 contingent? Did you?

11 A. I did not tell you that. You did not ask me what I
12 disarmed with. You did not ask me that question. If you had
13 asked me I would have told you that I disarmed with that because
14 I am a radio operator.

11:40:31 15 Q. So it's all my fault for not asking the right question?

16 A. Well, yes, if you had asked me I should have answered.

17 Q. So why did you tell me that all of the radios in your
18 possession at the end of the war you sold one and the others were
19 seized from you? Why did you tell me that?

11:40:54 20 MR ANYAH: Objection.

21 PRESIDING JUDGE: Yes, Mr Santora.

22 MR SANTORA: I hesitated, but I do have it on the record
23 here that the witness was referring to after disarmament. The
24 questions that were posed were referring to the time period after
11:41:08 25 disarmament in terms of what happened to the radios.

26 MR GRIFFITHS: My learned friend has certainly not been
27 listening to my questions, because I was at pains to ask about
28 all the radios that were in his possession in Kono.

29 PRESIDING JUDGE: I raised the issue myself, Mr Santora. I

1 said that I found the answer ambiguous, because in a previous
2 answer the witness had said - I am looking at my notes - "The
3 ones in Kono with me, because they said disarmament, some with
4 radios" and that is why I raised the issue and Mr Griffiths did
11:41:47 5 put at least twice to the witness how many radio - about the
6 radios he had and did he disarm to anyone else - excuse me, not
7 disarm. I will rephrase that. How many radios he had and what
8 he did with them. I consider he is entitled to put this
9 question.

11:42:12 10 MR GRIFFITHS:

11 Q. You will see, Mr Kabbah, that this interview with you was
12 on 6 September of this year. Now, first of all why did you not
13 tell me that you had given one of the radios to the Bangladeshi
14 contingent?

11:42:39 15 A. That was disarmament time. The question that you asked me,
16 when - you said when we had disarmed, the radios that I had. The
17 rest of the radios that I had, they were the ones that were taken
18 from me when I was arrested with the documents. I disarmed with
19 one document. We had a lot of radios in the store. Those were
11:43:01 20 the radios that were taken. You did not ask me about that
21 particular question and I wouldn't answer a question that you did
22 not ask me.

23 Q. Very well. But in any event another question on this.
24 When you were telling the Prosecutors a couple of weeks ago on 6
11:43:26 25 September of this year about disarming with a radio to the
26 Bangladeshi contingent, why did you not tell them about the one
27 you had sold and the others that had been seized from you by the
28 Sierra Leonean police?

29 A. I think I should answer questions that are asked of me, but

1 if you did not ask me any question pertaining to something I
2 shouldn't answer.

3 Q. So do I understand that your position is this: Unless I am
4 asked the question I am not going to give relevant information?

11:44:12 5 Is that your position?

6 A. Well, that's not my position, but you and somebody are
7 discussing something and if the person knows that you are
8 discussing something important and he wants to get - elicit
9 information from that particular individual he has to ask that

11:44:31 10 question. I shouldn't be running after you to ask me the
11 question.

12 Q. Very well. Well, I will run after you instead. Let me
13 move to another topic. Please look behind divider 2 and can we
14 look at page 7, please. Paragraph 30 on that page:

11:45:34 15 "The witness believes that the NPFL attacked Sierra Leone
16 because of the ULIMO training going on in Sierra Leone prior to
17 the invasion."

18 Is that true?

19 A. Correct.

11:46:00 20 Q. So dealing with it in a bit more detail, you were aware of
21 ULIMO training camps in Sierra Leone before the NPFL set foot in
22 Sierra Leone?

23 A. Yes, there was a camp in Kenema. There they were training
24 them.

11:46:25 25 Q. Who was training whom?

26 A. The refugees that came, they were the ones that had been
27 searching for their fellow refugees and they had been training
28 them, especially the Mandingos, because they said that it was a
29 tribal war. That's why they were going to fight against them.

1 So they were searching for Mandingo boys to go and train in
2 Kenema.

3 Q. And where were you based at the time?

11:47:03

4 A. At that time I was in Kailahun, but I used to go to Kenema
5 because all along I used to go to Kenema. I used to attend
6 school in Kenema.

7 Q. And tell me, was the Sierra Leonean government and armed
8 forces involved in the training of those Mandingo boys?

11:47:29

9 A. I cannot tell during that time because I did not know
10 anything about arms.

11 Q. But at that time did you see those Liberian refugees who
12 were training as ULIMO fighters, did you see them with arms and
13 ammunition?

11:47:46

14 PRESIDING JUDGE: Mr Griffiths, have we ascertained that
15 the refugees were Liberians?

16 MR GRIFFITHS: Well, let me ask.

17 PRESIDING JUDGE: It may be an implication, but it is not
18 --

19 MR GRIFFITHS:

11:47:57

20 Q. Were the refugees from Liberia?

21 A. Yes, refugees were in Kenema who came from Liberia.

22 Q. And were they also Mandingos?

23 A. The person who was in touch with me for that particular
24 issue was a Mandingo.

11:48:17

25 Q. And they were recruiting Mandingos to fight for ULIMO, were
26 they?

27 A. Yes, they were Mandingos.

28 Q. The man who approached you, did he approach you with a view
29 to you enlisting for ULIMO?

1 A. Yes, he met me. He said they had a programme in which they
2 wanted young men to join, so I asked him. He said it was
3 something concerning fight. Actually I told him that I was
4 sorry.

11:48:57 5 Q. So just so that I am clear about this, you are a Sierra
6 Leonean, aren't you, Mr Kabbah?

7 A. Yes.

8 Q. But you are part Mandingo, is that right?

9 A. Yes, yes, my father was a Mandingo, but I do not speak
11:49:23 10 Mandingo.

11 Q. But in any event, those who were recruiting for ULIMO were
12 not limiting their search for recruits merely to those Mandingos
13 who had come from Liberia. They were also seeking to recruit
14 from amongst Sierra Leonean Mandingos like yourself. Is that
11:49:45 15 right?

16 A. I am a Sierra Leonean Mandingo. When he came he told me
17 that he came from Liberia. I wouldn't be able to specify that it
18 was only Liberian Mandingos when they were looking for manpower.

19 Q. No, no, that is why I asked the question, because they were
11:50:05 20 looking for manpower amongst Mandingos, whether they came from
21 Liberia or whether they came from Sierra Leone. That's right,
22 isn't it?

23 A. Yes, the one that met me, he told me about Mandingos he
24 said because they had been killing their tribe too much in
11:50:27 25 Liberia, so that's why they wanted to go and fight. Their
26 commander was a Mandingo.

27 Q. If I understand what you have told us, and correct me if I
28 am wrong, you first encountered those who invaded Sierra Leone
29 from Liberia in April 1990 - in April 1991, was it?

1 A. Repeat that question. It's not clear.

2 Q. When did you first come in contact with the NPFL/RUF?

3 A. That was in 1991.

4 Q. And it was in April of that year, wasn't it?

11:51:08 5 A. Yes.

6 Q. Can you give me a date as to when you became aware of
7 people recruiting for ULIMO in Kenema?

8 A. At that time it was during Christmas when I went to Kenema.
9 That was the time.

11:51:31 10 Q. So that would have been Christmas, what, 1990?

11 A. Yes.

12 Q. So several months before Liberian troops entered Sierra
13 Leone, already ULIMO was forming on Sierra Leonean soil. That's
14 right, isn't it?

11:52:01 15 A. Yes, at that time they had already started looking for
16 manpower.

17 Q. And when those Liberians entered it was made clear to you,
18 was it not, that once they had assisted the RUF to push back the
19 government fighters they would return back to Liberia? That was
20 made clear to you, wasn't it?

11:52:35 21 A. Yes, they told us that at the base.

22 Q. And I am basing that suggestion on something you told us
23 yesterday at page 16093 of the transcript:

24 "Yes", you said, "the group that they entered with they

11:52:57 25 called them NPFL. It was the NPFL group that was part of them,
26 because it got to a certain time that we later knew that we had
27 RUF, but even there the Liberians were in the majority and the
28 RUF were the people who spoke the Sierra Leonean Krio and it was
29 then at the base that they told us that we had the RUF. They

1 said it was the RUF, the Sierra Leoneans, who came with the war,
2 but they had their brother Liberians who came to assist them so
3 that they will push the government fighters inland and later when
4 they leave the Sierra Leoneans there, they will return back to
5 Liberia."

11:53:50

6 Do you remember telling us that?

7 A. Yes.

8 Q. So can we take it then that right from the outset it was
9 made clear to you that the Liberians had come to Sierra Leone for
10 a specific purpose and not to occupy the country permanently. Do
11 you agree?

11:54:09

12 A. Yes, I agree with that, because that was what they told us.
13 They said they were coming to help and they would return.

14 Q. I want to digress for a moment and ask you about a small

11:54:43

15 detail. Could you turn, please, behind divider 2 and can we look
16 at page 3 please behind that divider, the second paragraph on
17 that page:

18 "The witness had heard of the fighting group Black Ghadafa
19 and believes that they operated in the Pujehun area at the
20 beginning of the war."

11:55:40

21 Is that true?

22 A. Correct.

23 Q. "The fighters who comprised Black Ghadafa" --

24 A. That area - that area is not correct. That Black Ghadafa
25 it is not Black Gaddafi, but Black Ghadafa. It is not Gaddafi,
26 but Black Ghadafa.

11:56:04

27 Q. I was going to ask you that because I totally agree with
28 you, it's not Gaddafi, it's Ghadafa. Now --

29 A. Yes.

1 Q. Now, Black Ghadafa, where did they come from?

2 A. Black Ghadafa, it was the other RUF fighting force which
3 was in Pujehun because you had two fronts. First, when the
4 rebels hit, those that entered Kailahun and those that entered by
11:56:49 5 the Mano River, these were the groups that were referred to as
6 Black Ghadafas.

7 Q. Did Black Ghadafa have anything to do with the NPFL, to
8 your knowledge?

9 A. Yes, when I went to Pujehun I met them and they said that
11:57:15 10 just like the way the NPFL came and helped with the war in
11 Kailahun, they also had the same Liberians among them, but they
12 had repelled them back to Liberia.

13 Q. Now, did it ever come to your knowledge that this group
14 calling themselves Black Ghadafa were a breakaway group from the
11:57:40 15 NPFL who were opposed to Charles Taylor?

16 A. No, I was not aware of that.

17 Q. I want to move on and deal with, Mr Witness, a number of
18 propositions with you and to see whether we agree or disagree
19 about these important things. Firstly, it's right, isn't it,
11:58:24 20 that neither Charles Taylor nor Benjamin Yeaten set foot in
21 Sierra Leone during the war in Sierra Leone?

22 A. For me with my own eyes, those two people I did not see
23 them. I did not see them.

24 Q. I am sorry to trouble you again, Madam Court Manager, but
11:58:57 25 it might be easier if I just reminded you of your own words.

26 Behind divider 1, please, can we go to page 7. Second to bottom
27 paragraph on that page you say this: "Kabbah says that neither
28 Charles Taylor nor Benjamin Yeaten came to Sierra Leone, as far
29 as he knew". Is that the truth?

1 A. Yes.

2 Q. Thank you. The second proposition is this. You, Mohamed
3 Kabbah, never heard Charles Taylor on the radio?

12:00:14

4 A. The VHF through which we had been talking, I had never
5 heard him there speaking, never.

6 Q. Let's go to page --

7 PRESIDING JUDGE: Just don't forget, please, Mr Griffiths,
8 when you say radio that the BBC we have been told was --

9 MR GRIFFITHS:

12:00:29

10 Q. Okay, let me clarify it. You have never heard Charles
11 Taylor on any RUF radio?

12 A. No.

13 Q. And if we turn to page 6 in that document, the bottom
14 paragraph:

12:01:00

15 "In all his time as an RUF radio operator or signal
16 commander, Kabbah never heard Charles Taylor on the radio.
17 Kabbah heard Benjamin Yeaten on the radio talking on numerous
18 occasions with both Sam Bockarie and Issa Sesay. Kabbah himself
19 never met or even saw Benjamin Yeaten in the flesh."

12:01:32

20 Is that the truth?

21 A. That is the truth.

22 Q. And if we go to page 17 in the same document, you go
23 further and you say this in the bottom paragraph: "To Kabbah's
24 knowledge, Charles Taylor never spoke to Sam Bockarie on the
12:02:13 25 radio". Is that true?

26 A. Yes.

27 Q. For completeness:

28 "Benjamin Yeaten would call on the radio to tell Bockarie
29 to expect a call from Taylor at a particular time on the

1 satellite phone. Yeaten would not refer to Charles Taylor by
2 name; Yeaten would refer to Taylor by the code name 47.
3 Ordinarily Charles Taylor would call Sam Bockarie, not the other
4 way around."

12:02:59 5 And for completeness, and I will ask you one or two
6 questions about this, over the page, please:

7 "Kabbah knows that Sam Bockarie spoke to Charles Taylor
8 during that time. However, because Bockarie would go to Monrovia
9 often to get supplies and to meet with Taylor, Bockarie would
10 tell Kabbah et al that he was going to meet with Dad or the Papay
11 or Father or the Old Man. Sam Bockarie would not normally refer
12 to Charles Taylor by name or say anything like 'the President'.
13 They all knew that Sam Bockarie meant Charles Taylor when
14 Bockarie used terms like Dad or the Papay."

12:03:35 15 Now, there are a number of propositions within that and
16 let's take them in turn. Firstly, you agree Charles Taylor never
17 spoke to Sam Bockarie on the radio, is that right?

18 A. On VHF, that's correct.

19 MR GRIFFITHS: Would your Honours give me a moment?

12:04:12 20 PRESIDING JUDGE: Yes.

21 MR GRIFFITHS:

22 Q. And where you say, "It was Charles Taylor who would call
23 Sam Bockarie, not the other way round", is that also correct?

24 A. The other way round, I meant by phone, correct.

12:04:49 25 Q. So ordinarily - and I want you to concentrate please on the
26 words. "Ordinarily Charles Taylor would call Sam Bockarie, not
27 the other way round". Do you agree with that?

28 A. That question, the way it is posed it's difficult for me to
29 agree with that. Charles Taylor, if he wanted to talk to Sam

1 Bockarie his radio operator Sunlight was the one that would call
2 through the station at Buedu and he would say that the Pa wanted
3 to talk to him. It was not he himself that did the talking. It
4 was the operator. He never came to the radio to talk to us. I
12:05:37 5 will never accept that he had one day spoken to us.

6 Q. I agree entirely with that, that there was never an
7 occasion when Charles Taylor spoke to an RUF operator. That's
8 true, isn't it?

9 A. Yes, through the radio.

12:06:07 10 Q. Through the radio, but what I was getting at was this:
11 It's the direction in which the contact would come and what
12 you're saying here is ordinarily the contact would come from
13 Charles Taylor to Sam Bockarie, not the other way round. Do you
14 follow me now?

12:06:34 15 A. I do follow you, but that area if - if it's like that,
16 well, it was not the way that I expressed it. The only way in
17 which Charles Taylor and Sam Bockarie had been communicating was
18 on phone, it was not on set. Charles Taylor had never come
19 personally to --

12:06:59 20 THE INTERPRETER: Your Honours, would the witness be asked
21 to go slow.

22 PRESIDING JUDGE: Please pause, Mr Witness. You are
23 speaking a little too quickly for the interpreter. I would like
24 you to go back, speak more slowly and pick up your answer where
12:07:14 25 you said, "Charles Taylor had never come personally to --"

26 Continue from there.

27 THE WITNESS: That had never happened. Charles Taylor
28 himself did not come to the radio and call saying, "Please tell
29 Sam Bockarie that I want to talk to him". Anything that he

1 wanted to say either we, the station at Buedu, if it was
2 Sam Bockarie that wanted to talk to Charles Taylor, we were the
3 ones that will call Sunlight and tell him that Sam Bockarie
4 wanted to talk to the Pa at such and such a time so the phone
12:08:09 5 should be on at that particular time. So if it was Charles
6 Taylor who wanted to talk to Sam Bockarie, Sunlight, who was the
7 operator at the mansion, he was the one that would come and tell
8 us at the Buedu station that the Pa wanted to talk to
9 Sam Bockarie. But to say that physically - physically - Charles
12:08:30 10 Taylor would come and hold a mic and I heard his voice over the
11 VHF, I had never heard of that. You see, if I heard his voice
12 that was over the BBC radio.

13 Q. Mr Kabbah, I fully accept everything you have said, but I
14 am asking a very particular question. Now, if I can explain it
12:08:56 15 in this way: If I want to speak to you and I pick up the phone,
16 I pick up the phone and the direction in which the call is going
17 is from me to you. Do you follow me?

18 A. Yes, when one is talking through the phone, yes.

19 Q. Now have a look, please, at the last line on the page to
12:09:24 20 which I have directed your attention, "Ordinarily Charles Taylor
21 would call Sam Bockarie, not other way around". Do you see that?
22 So that the direction in which the calls normally came was from
23 Charles Taylor to Sam Bockarie. Do you agree with that?

24 A. No, no, no, no, not ordinarily. What I was talking
12:10:05 25 ordinarily, they used to discuss through the satellite phone, but
26 in the VHF, no, that had never happened.

27 Q. I still don't think you appreciate what it is I am asking
28 you.

29 PRESIDING JUDGE: As I understand your question,

1 Mr Griffiths, it's regardless of whether it was VHF or satellite
2 phone.

3 MR GRIFFITHS: It is the direction.

4 PRESIDING JUDGE: It's the direction.

12:10:35 5 MR GRIFFITHS: It is who calling whom.

6 PRESIDING JUDGE: Yes. Perhaps the use of the word "the
7 other way round" may be lost in translation, but with respect to
8 Mr Witness he seems to be concentrating on the VHF. You are
9 talking generally.

12:10:53 10 MR GRIFFITHS: It is my fault:

11 Q. I accept, Mr Kabbah, entirely what you say that you never
12 heard Mr Taylor on the radio. I accept that. The conversations
13 would be on the satellite phone, do you agree?

14 A. Yes.

12:11:17 15 Q. And the position would be someone would call up from
16 Monrovia and say, "Tell Sam Bockarie to have his phone on at a
17 particular time because Mr Taylor wants to speak to him". Do you
18 agree?

19 A. Yes.

12:11:38 20 Q. But so far as those calls on the satellite phone are
21 concerned, it was normally Mr Taylor calling Bockarie rather than
22 Bockarie calling Mr Taylor. Do you follow me now?

23 A. No, no, I had made that point clear. It was not only
24 Mr Taylor who had been calling Sam Bockarie. When Sam Bockarie
12:12:05 25 wanted to talk to Mr Taylor he would give us that same message so
26 that we could pass it to Sunlight that he wanted to talk to him
27 at such and such a time and that his phone should be on. It was
28 not only Mr Taylor.

29 Q. So can you help us why that sentence reads in the way it

1 does?

2 A. Which one?

3 Q. The last line to which I have been directing your attention
4 for the last five minutes, "Ordinarily Charles Taylor would call
12:12:47 5 Sam Bockarie, not the other way around". Do you understand the
6 sense of that sentence?

7 A. What I understand from that is when we say "the other way
8 round", if we are on our VHF and Sunlight - "Tell your Pa that
9 our own Pa wants to talk to him the other way", that means that
12:13:16 10 he wants to talk to him on the satellite phone, not on the VHF.
11 Let him make this area clear.

12 Q. Very well. The reason why I have been seeking to underline
13 this is do you accept that Sam Bockarie never had a telephone
14 number for Charles Taylor?

12:13:42 15 A. He had a phone number. He had a phone number, but
16 Sam Bockarie, where he had been communicating was from the
17 uphill. There was no network where his house was, because it was
18 down the hill, so any communication he had we had to pass it or
19 he would say that, "Tell your boss man to put the phone on"
12:14:09 20 because where we were there was no coverage. So it was up at the
21 MP office, there we had coverage. There they would discuss.

22 Q. I will just expand on that for a moment before I leave this
23 point. What you are telling us is this: Because mobile phones,
24 and a satellite phones are a species of mobile phone, operate on
12:14:44 25 radio frequencies in some areas the reception is sometimes
26 unavailable. Is that right?

27 A. What I am saying is like these phones that you have in
28 parts of Kailahun in certain areas there would be no network
29 except if you go to an area where we would be able to get a

1 network. This is what I am trying to express. Where Sam
2 Bockarie's house was and where we had been doing our operation
3 when the radio was there that mobile handset, it did not have any
4 coverage there except if he went up to the hill, there he would
12:15:18 5 be able to get coverage.

6 Q. Mr Kabbah, not just in Kailahun, in this very building you
7 have black spots where you can't get a mobile phone network, so
8 we totally understand that. And so what Mr Bockarie had to do
9 was he had to go up a hill to get - up by the MP station you
12:15:43 10 said, to get coverage, to get the network, yes?

11 A. Yes.

12 Q. And also with those satellite phones you had to use them
13 outside because within a building you didn't get a network?

14 A. Network in a house at times it would be there. It all
12:16:07 15 depends on the weather.

16 Q. But for the most --

17 A. Certain - certain areas like today I would come here and I
18 would go and stand at this place I would not be able to get
19 coverage. Tomorrow I would come to the same place and
12:16:20 20 unexpectedly there would be coverage. So coverage is not
21 something that is stagnant. It's not something that is stagnant.

22 Q. Sam Bockarie would normally use his satellite phone
23 outside?

24 A. Yes, he used to use it outside. You see, we would not
12:16:43 25 spend the night together.

26 Q. Thank you. Now, we are still on this same point that I
27 have been labouing and what I would like you to do is to go,
28 please, now to page 19 in the same document, third paragraph:

29 "Kabbah never saw or heard a conversation between Charles

1 Taylor and Sam Bockarie but there is no doubt in his mind that
2 Bockarie considered himself subordinate to Charles Taylor."

3 Is that true?

4 A. It is true.

12:17:50 5 Q. Listen, think carefully before you answer this question,
6 because I don't want to be unfair to you. Look again at what the
7 paragraph says: "Kabbah", that is you, "never saw or heard a
8 conversation between Charles Taylor and Sam Bockarie." Is that
9 true?

12:18:19 10 A. It is not true. It is not true. It is not true.

11 Q. Why did you tell me a minute ago it was true?

12 A. I did not understand the paragraph well. I did not
13 understand it.

14 Q. What was difficult to comprehend about it?

12:18:41 15 A. The difficulty was I did not go through it when you posed
16 the question, but when I went through it, it isn't true at all.

17 Q. I deliberately went through it slowly to emphasise to you
18 the import of what you were saying in February 2007, "Kabbah
19 never saw or heard". What is so difficult about that?

12:19:18 20 A. The difficulty, you see the communication area and the
21 statement taking had some problems. The way I gave some
22 statement they did not appear in that way. Now in the area that
23 is before me here, it was the conversation between Charles Taylor
24 and Sam Bockarie on the VHF. I did not see that happen. It
12:19:54 25 wasn't through a satellite phone. We were receiving the messages
26 and passed them. To say that I did not see them converse, it
27 never happened through the VHF.

28 Q. Can you explain, please, how in February 2007 this comes to
29 be recorded in that way? Have you any explanation?

1 A. I wouldn't have any explanation because some of us don't
2 understand better English. There are times when somebody wrote
3 down something you accept that it's true. Well, that may not be
4 explained to you in detail, because this is in bulk and this is,
12:20:57 5 according to my explanation - it is in the form of divided
6 explanation. I am talking about a mobile phone and a VHF and if
7 things are put together it is not true.

8 Q. What I am going to suggest to you, you see, Mr Kabbah, is
9 that the penny has finally dropped, because you told this Court
12:21:22 10 yesterday that you were present when Sam Bockarie spoke to
11 Charles Taylor on the satellite phone at the time of the Freetown
12 invasion in January 1999 and that evidence you gave yesterday
13 does not sit comfortably or at all with the proposition that you
14 never saw or heard. That's why you're changing your account now,
12:21:56 15 isn't it?

16 A. They are not the same, I have accepted that. The statement
17 I gave yesterday and the one I have given today are not the same
18 at all, but this particular blend is - there is no clarification
19 as to the statement. I just have to admit that this one is not
12:22:29 20 correct.

21 Q. So help us, please. When - well, let me start again. Did
22 you say to the investigators in February 2007, "I never saw or
23 heard a conversation between Charles Taylor and Sam Bockarie"?
24 Did you say that?

12:22:57 25 A. I said it.

26 Q. When you said it, what did you in fact mean then?

27 A. What I meant at that time, the conversation that occurred
28 through the communication area which was the radio set, that was
29 what I was specifically referring to because there was no mention

1 about a radio or phone. It was in the form of a bundle that was
2 never scattered.

3 Q. I don't understand that. "In the form of a bundle that was
4 never scattered", what does that mean?

12:23:48 5 A. It was not precisely explained to say that this - they were
6 either discussing through the radio or the mobile or the
7 satellite phone. That's what I am trying to say. That area was
8 not clarified. We only left it in the way that they were not
9 conversing.

12:24:09 10 Q. You have told us repeatedly that you provided information
11 based on the questions that were put to you, is that right?

12 A. I gave information? I don't understand that question yet.

13 Q. Do you remember you telling me you didn't - in relation to
14 the radio which you eventually told us you gave to the

12:24:42 15 Bangladeshis, "You didn't ask me that question, that's why I
16 didn't tell you", so consequently the point you were making to me
17 was if you - "I was only giving an account based on the question
18 that was posed to me", is that right?

19 A. Yes, like this, the way you put the question to me and I
12:25:11 20 was referring to the radio operations I have been doing, that was
21 the question I answered. If the questions would have been
22 separated that, "Have you talked through a radio?" I will say
23 yes. "Have you ever seen him speak through a satellite?" I
24 would say yes. But when the question was put to me I only
12:25:30 25 concentrated myself on the radio conversation. That was the only
26 thing.

27 Q. Do you agree that an answer such as that recorded on that
28 page must have followed from a question posed in these terms -
29 and remember you were being here interviewed by Chuck and Chris.

1 Either one of them must have said to you, "Look, Mohamed, have
2 you ever seen or heard Sam Bockarie speaking to Charles Taylor?"
3 And you answered, "No, I have never seen or heard a conversation
4 between Charles Taylor and Sam Bockarie." Now, tell me what was
12:26:19 5 so difficult about a question like that that you didn't
6 understand how to answer it?

7 A. Difficulty? It wasn't a difficulty, but the way the
8 question was put to me and my focus. My actual focus was on the
9 VHF, it wasn't on the satellite phone anyway. That was my focus.
12:26:46 10 That was why I answered that question in that way.

11 Q. And you see there may well be good reason why you answered
12 that question in that way. Turn back to page 12, please. Have a
13 look at this now, second paragraph:

14 "Sam Bockarie would normally go off by himself when he was
12:27:27 15 using the satellite phone. Kabbah could not usually overhear any
16 of the conversations that Bockarie was having. Kabbah says that
17 Bockarie would not normally tell Kabbah who he was talking to on
18 the satellite phone."

19 Did you tell them that as well?

12:27:51 20 A. Yes.

21 Q. And was it the truth?

22 A. I said to them the truth. Here you said usually, not all
23 the time. I and Sam Bockarie after he had communicated, we will
24 not go to him and ask him.

12:28:13 25 Q. No, no, no. Have a look at it again:

26 "Sam Bockarie normally would go off by himself when he was
27 using the satellite phone. Kabbah could not usually overhear any
28 of the conversations that Bockarie was having. Kabbah says that
29 Bockarie would not normally tell Kabbah who he was talking to on

1 the satellite phone."

2 Now, first of all, do you agree that you said that?

3 A. Yes, I said so.

4 Q. And you will note you say this during the course of the
12:28:47 5 interview before you went on to say, "I never saw or heard a
6 conversation", so can you understand now why that second answer,
7 "I never saw or heard" makes sense? Can you understand that?

8 A. I understood that. I did not say "I never". It is stated
9 that, "Kabbah said could not usually". That doesn't mean that I
12:29:23 10 never saw.

11 Q. Because just so that we understand, at an earlier stage in
12 the interview you say, "Bockarie would normally go off and he
13 wouldn't tell me about what he had spoken about". And then no
14 doubt, being curious individuals, the investigators later ask
12:29:45 15 you, "Did you ever see or hear?" And your answer then was no and
16 that is the truth, isn't it?

17 A. Yes, that was what I told him. There were some
18 conversations that he made where we were not present, so I
19 wouldn't say all the conversation he made I was present. Well,
12:30:08 20 if I were to say so it means I was by him all the time, but that
21 was not what obtained.

22 Q. Another proposition, please. You do not recall either
23 hearing or seeing any message from Charles Taylor ordering the
24 RUF to hold Kono, is that right?

12:30:57 25 A. Not a day did I receive such a message.

26 Q. And neither do you recall either hearing or seeing any
27 message from Charles Taylor after the retreat by the AFRC/RUF
28 from Freetown in early 1998, is that true?

29 A. I don't understand the question.

1 Q. It might be easier if I just remind you of your own words.
2 Turn to page 8, please, last paragraph:

3 "Kabbah does not recall hearing or seeing any message from
4 Charles Taylor ordering the RUF to hold Kono after the retreat by
12:32:12 5 the AFRC/RUF from Freetown in early 1998."

6 Is that true?

7 A. It is true.

8 MR GRIFFITHS: Can I have a moment, please, your Honour. I
9 am trying to find a reference.

12:33:26 10 PRESIDING JUDGE: Yes, please do so.

11 MR GRIFFITHS:

12 Q. Yes, sorry, my fault. Can we turn to page 9, please, the
13 next page. Can we look, please, at the third paragraph on that
14 page:

12:33:54 15 "Kabbah does not recall hearing or seeing any radio
16 messages that would have come from Charles Taylor whereby orders
17 were given about operations in Kono or any other aspect of the
18 retreat from Freetown."

19 Is that true?

12:34:18 20 A. Correct.

21 Q. Another proposition. Turn, please, to page 11. The third
22 paragraph on that page, last three lines:

23 "Kabbah does not recall any radio message from Charles
24 Taylor or anyone else instructing people that Sam Bockarie was in
12:35:06 25 charge".

26 Is that true?

27 A. It is true.

28 Q. And so just so that we get the full context of that, let's
29 read the whole paragraph, shall we:

1 "Kabbah says that when Foday Sankoh was detained in Nigeria
2 in March 1997, Sam Bockarie became the person in charge of the
3 RUF. Bockarie was the battlefield commander and in the absence
4 of 'the leader', Bockarie assumed control. Kabbah does not
12:35:46 5 recall any message from Charles Taylor or anyone else instructing
6 people that Sam Bockarie was in charge."

7 You agree with all of that, do you?

8 A. Yes.

9 Q. Thank you. Can we go to page 10, please. The second
12:36:25 10 paragraph on that page and let's start three lines from the top
11 of it:

12 "Kabbah does not recall hearing Sam Bockarie or anyone else
13 referring to instructions or orders from Liberia regarding the
14 planned attacks in late 1998. If there were such instructions,
12:36:57 15 Kabbah believes that they would have been given to Sam Bockarie
16 when he was in Monrovia shortly before that meeting."

17 Do you agree with that?

18 A. Yes, yes.

19 Q. And the planned attacks in late 1998, which attacks were
12:37:22 20 you talking - did you understand the investigators to be talking
21 about?

22 A. The attack the investigation - the investigators were
23 talking about was the attack on Kono when Sam Bockarie brought
24 the ammunition from Monrovia.

12:37:49 25 Q. That is what they were talking about, was it? That is what
26 you understood?

27 A. That was what I understood.

28 Q. Now, let us examine carefully what this paragraph is
29 saying. So you don't recall hearing any instructions or orders,

1 but it was your belief that Bockarie had learned something whilst
2 in Monrovia. That's the sense of that paragraph, isn't it?

3 A. It was a belief and it was something that I assumed,
4 because when he went to Monrovia and when he came during the
12:38:47 5 meeting that was the time he talked about the Kono issue, so we
6 hadn't any message, so when he came he came with the plan, so we
7 believed that it was from there he got it or from any other area.

8 Q. Now taking matters slowly, so what you are telling us is
9 that you were there expressing an opinion, rather than a fact?

12:39:23 10 A. About what?

11 Q. About the belief that there had been discussions in
12 Monrovia, that was an opinion that you had rather than a fact.
13 Is that right?

14 A. Yes, it is correct. I wouldn't say it was from Monrovia he
12:39:41 15 got the information. I was just making that imagination. We
16 would be here, you will go and come and if you say let us do
17 this, maybe where you went it was there you got the idea. That
18 was why I put it in the statement. To say that I said the man
19 got the information or he came with the plan from Monrovia, no.
12:40:05 20 Say for instance if you were together, somebody went elsewhere,
21 then he came and said you should do something together, you may
22 think that it was where the person went and got that information.
23 That was why I said so.

24 Q. Gratefully we deal with evidence in this Court and not
12:40:22 25 imagination, so can I take it then that at that meeting following
26 Bockarie's trip to Monrovia he did not say to you, "I have been
27 told by Charles Taylor that this is the plan". He didn't say
28 that, did he?

29 A. Never. He never told me that.

1 Q. Now, let's stay on that same page, shall we. Count down
2 two more paragraphs:

3 "Kabbah does not recall any message concerning the burning
4 of Freetown after the invasion in January 1999. Kabbah believes
12:41:22 5 that the AFRC people did that on their own, rather than on
6 someone else's instruction."

7 Is that true?

8 A. It was I who gave this statement, but I have been talking
9 about this statement. I gave the statement based on certain
12:41:52 10 references I made yesterday.

11 Q. No, no, no, maybe it's my fault, so let me try again. Did
12 you say what I have just read out to the investigators in
13 February 2007?

14 A. Yes.

12:42:11 15 Q. When you said it, was it the truth?

16 A. No.

17 Q. Was it a lie?

18 A. Yes.

19 Q. So you lied to the investigators, did you?

12:42:39 20 A. On this particular matter, yes.

21 Q. Now, why did you tell that lie?

22 A. I did that for personal security.

23 Q. But if you were concerned about your personal security, why
24 blame the AFRC? There are many former AFRC members who might
12:43:12 25 say, "Look what this Mr Kabbah is saying about me" and thereby
26 put your security at risk, so why say that?

27 A. The time they obtained the statement from me they said
28 everything was confidential and that it will not be exposed to
29 anybody.

1 Q. All the more reason to tell the truth, so why lie about
2 this?

3 A. I said I did this with regards my personal security. The
4 time I came to Freetown, in Freetown if you were with the RUF and
12:44:05 5 you based there and they started saying that we the RUF were the
6 people that came and burnt down this place, according to what I
7 was thinking in my mind that was a very big risk and --

8 Q. But, Mr Kabbah, you weren't even in Freetown at the time.
9 You were miles away in Buedu.

12:44:32 10 MR SANTORA: Objection, your Honour, and I just think it's
11 a confusion point, because is counsel referring to the interview
12 or to the incident?

13 PRESIDING JUDGE: That is the point. I think he is
14 referring to interview or generally --

12:44:48 15 MR GRIFFITHS: I am speaking about at the time of the
16 invasion:

17 Q. At the time of the invasion you were in Buedu, not
18 Freetown. That's right, isn't it?

19 A. Yes.

12:45:05 20 Q. So how could anyone turn round and say, "We are going to
21 charge that Mr Kabbah with burning down things in Freetown", you
22 weren't even there and so why lie about it?

23 A. What you are saying now, I lied because of my personal
24 security. For somebody to be arrested was not only because
12:45:38 25 somebody burnt down Freetown. In fact, my name was already at
26 the immigration, so I wouldn't be there admitting that we were
27 the people that burnt down Freetown, or the RUF, because I was
28 part of the RUF. That was why I tried to disassociate the RUF
29 from that.

1 Q. But let's just see if we can unpack this a little further,
2 can we? Bear this in mind: Remember me being at pains earlier
3 this morning asking you about the emotions felt by the former SLA
4 soldiers and how they were angry at being kicked out of Freetown
12:46:26 5 and how that anger displayed itself in them being responsible for
6 much of the atrocities in Freetown. Do you remember me asking
7 you that this morning?

8 A. Yes.

9 Q. And remember you were agreeing with me that the
10 propositions I was putting to you about their attitude and
11 behaviour was correct. Do you remember that?

12 A. Yes.

13 Q. Do you remember also that you accepted that the group that
14 entered Freetown on 6 January 1999 were predominantly former SLA
12:47:10 15 soldiers led by a former SLA soldier, Gullit? Do you remember
16 agreeing with that?

17 A. Yes.

18 Q. So when in this interview in February 2007 you are saying
19 it was down to the AFRC people you were telling the truth,
12:47:35 20 weren't you?

21 A. It was not the truth that I said.

22 Q. So can we take it then that you took a conscious and
23 deliberate decision to lie to those investigators?

24 A. It wasn't something deliberate. I was just considering it
12:48:11 25 on the issue of personal security, because I was not sure of my
26 situation where I was at that time and during that time things
27 were not that stable within the RUF.

28 Q. I am sorry, but I am not going to accept that as an answer
29 to my question. Let me put it more simply. As the words,

1 "Kabbah believes that the AFRC people did that on their own",
2 just put yourself back in that interview room in February 2007 -
3 as those words were coming out of your mouth, based on what you
4 are telling us now, you knew they were a lie, didn't you?

12:49:00 5 A. Yes.

6 Q. And despite that knowledge you continued to tell that lie,
7 didn't you?

8 A. I did not continue to lie. That particular area I have
9 already admitted.

12:49:15 10 Q. So you allowed those words to come out of your mouth
11 knowing that it was a complete untruth, yes?

12 A. That particular area I said it was a lie.

13 Q. Now, what difficulty are you having with the word
14 "deliberate"? That must have been deliberate, mustn't it?

12:49:53 15 A. Deliberate in which way? I don't understand.

16 Q. That you consciously opened your mouth and said those words
17 knowing that it was a lie. That's what I mean.

18 A. Yes.

19 Q. Thank you. At last.

12:50:17 20 MR SANTORA: Objection. I am going to object because the
21 witness just answered the same exact question and I object to the
22 comment, "At last". If we look at lines 70 on page 76, lines, on
23 mine, 14 through 16, it's very unequivocal, yes. And now the
24 second time again and then I am going to object to counsel's
12:50:44 25 comment, "At last".

26 JUDGE LUSSICK: I think that last answer was to a different
27 question, Mr Santora.

28 MR SANTORA: I accept your Honour's interpretation. I was
29 just looking at where it is - okay, thank you, your Honour.

1 MR GRIFFITHS:

2 Q. Can we move on to something else, please. Yes, can we turn
3 to page 9, the second paragraph on that page:

4 "The first time Kabbah heard of Sam Bockarie going to
12:52:34 5 Monrovia to meet with Charles Taylor was after the retreat by the
6 AFRC/RUF from Freetown in early 1998."

7 Is that true?

8 A. Yes.

9 Q. Because on Friday last, I think, you told us this:

12:53:03 10 "Sam Bockarie at the time he came and based in Buedu, he
11 made his first trip. That was not even up to two weeks time he
12 made his first trip to Monrovia and returned."

13 Is that true?

14 A. Yes.

12:53:20 15 Q. Now, bearing in mind what we see at page 9 of that
16 interview record, it was after the retreat by the AFRC/RUF, so we
17 are talking about after February 1998, aren't we?

18 A. Yes.

19 Q. How long after February 1998?

12:53:54 20 A. I, Sam Bockarie, about three weeks before I left Kailahun
21 to come to Buedu, when I came I was there when he departed for
22 Liberia.

23 Q. Okay. Now, using that as a starting point, so based on
24 what you have told us Bockarie makes his first trip to Liberia
12:54:22 25 round about March time 1998. Is that correct?

26 A. Yes, it would be correct.

27 Q. And we know that Bockarie leaves Sierra Leone to go to
28 Monrovia, never to return, in December 1999. Is that right?

29 A. Correct.

1 Q. So the period over which you're talking about Bockarie
2 making trips to Monrovia cover a period of about, what, 18/19
3 months or so?

4 A. Yes.

12:55:11 5 Q. And during that 18/19 months or so period, how many trips
6 did he make to Monrovia?

7 A. I am unable to say, because he had been going there on
8 several occasions. He had been going there.

9 Q. Are we talking about once a week, once a month, every two
12:55:38 10 months or what?

11 A. It wasn't a schedule to say within this week, that week.
12 Maybe in a month he could go for once or twice. Maybe after one
13 or two months he would go there. It wasn't something that was
14 operated in the form of a schedule to say when he comes after one
12:56:07 15 month he would go. That was not what obtained.

16 Q. Yes, so you can't really help me with that?

17 A. Really I am unable to say exactly.

18 Q. Very well. Now would you agree that the very first time
19 that Issa Sesay went to Monrovia was at the time when
12:56:39 20 negotiations were afoot to free the United Nations hostages?

21 A. No, Issa went there at the time when he went and lost the
22 diamonds. That was the time that I can recall that it was the
23 first time that he went there, when he told us that he had lost
24 the diamonds.

12:57:06 25 Q. Do you recall a time when he went to Monrovia at about the
26 time when some UN peacekeepers had been taken hostage?

27 A. I can recall at that time we were in Kono when he went
28 there. I did not go.

29 Q. But was it at the time when some UN peacekeepers had been

1 taken hostage?

2 A. The first time that the UN peacekeepers were captured, that
3 was ECOMOG. That was ECOMOG. At the time when they were in
4 Kono, when Sam Bockarie had left, that was the time that they
12:57:56 5 were - the peacekeepers were held hostage. At that time
6 Sam Bockarie was not there again.

7 Q. Very well. Well, I am not going to delay over that. Now,
8 do you remember earlier us spending a long time talking about the
9 direction in which the calls went, whether it was from Charles
12:58:29 10 Taylor to Sam Bockarie or the other way round? Whilst we are on
11 that same page, have a look at the top two lines, please:

12 "Kabbah does not recall any messages for Sam Bockarie to call
13 Charles Taylor on the satellite phone." What does that mean?

14 A. I was asked if at all I had ever had a message or received
12:59:14 15 any message from Charles Taylor talking about the operation in
16 Kono. I said I had never monitored that and even on the
17 satellite phone, if he spoke through that I was not there. I did
18 not monitor that. I was not on the satellite phone.

19 Q. Mr Kabbah, what I am trying to do is to put together two
12:59:43 20 things, one of which I spent a great deal of time asking you
21 questions about this morning. Let's just turn briefly again,
22 please, once more to page 17. Can we keep page 9 out, because we
23 will be returning to it. Now, look, the bottom of page 17:

24 "Ordinarily Charles Taylor would call Sam Bockarie, not other way
13:00:37 25 around". Now, let's just go back to page 9: "Kabbah does not
26 recall any messages from Sam Bockarie to call Charles Taylor on
27 the satellite phone". Now --

28 PRESIDING JUDGE: For Sam Bockarie to call Charles Taylor

29 MR GRIFFITHS:

1 Q. "For Sam Bockarie to call Charles Taylor on the satellite
2 phone."

3 PRESIDING JUDGE: It is just that I heard "from" and the
4 record shows "from".

13:01:10 5 MR GRIFFITHS: It should be "for":

6 Q. Now when we put those two things together, what does it add
7 up to? Sam Bockarie is not calling Charles Taylor, ordinarily it
8 is Charles Taylor calling Sam Bockarie. Wouldn't you agree?

9 A. I did not understand the question. Repeat.

13:01:43 10 Q. Let's try once more. The bottom of page 17: "Ordinarily
11 Charles Taylor would call Sam Bockarie, not the other way
12 around". We go to page 9: "Kabbah does not recall any messages
13 for Sam Bockarie to call Charles Taylor on the satellite phone".
14 Now, when you put those two propositions together, what it shows
13:02:24 15 is that the contact is going in one direction from Charles Taylor
16 to Sam Bockarie. That's what it means, doesn't it?

17 A. It isn't that. It isn't that. The first page, 17, when we
18 should turn to I had clarified that area. When we say that the
19 other way, that is on the satellite phone. I do not know, the
13:03:06 20 person who wrote they have made a mistake, but when we talk about
21 the other way in our own communication terms it means it is not
22 on the VHF, it is on the satellite phone. So when we come to
23 this particular area again --

24 Q. Very well, I am not going to spend more time on that.

13:03:26 25 Another proposition. Page 12, please. The last three lines in
26 the third paragraph:

27 "Kabbah does not recall Bockarie talking about crimes
28 against humanity, for example killing of civilians, rape, forced
29 labour, et cetera. Things like that were never talked about on

1 the air as far as Kabbah can recall."

2 Is that true?

3 A. Yes, we used not to talk about that.

4 Q. Let's go to page 18, the third paragraph from the bottom of
13:04:59 5 the page, three lines from the bottom of that paragraph:

6 "Kabbah says that Bockarie and Yeaten did not discuss
7 civilian deaths or complaints of mistreatment of civilians or
8 anything like that. Kabbah says that Yeaten would not give
9 Bockarie any advice or instructions on military strategy,
10 et cetera."

11 Is that true?

12 A. Yes.

13 Q. Don't be too quick to say yes, Mr Kabbah. Take your time,
14 because I don't want you to suggest that you didn't have enough
13:05:54 15 time to understand the question. So just read those three lines
16 to yourself one more time and then I am going to ask you the
17 question. Have you read it again?

18 A. Yes, yes.

19 Q. Well, there are two questions that I want to ask, so let's
13:06:35 20 just take them one at a time, shall we.

21 "Kabbah says that Bockarie and Yeaten did not discuss
22 civilian deaths or complaints of mistreatment of civilians or
23 anything like that."

24 Is that true?

13:06:58 25 A. Yes, it is true.

26 Q. Now, let's have a look at the second half of that
27 paragraph: "Kabbah says that Yeaten would not give Bockarie any
28 advice or instructions on military strategy, et cetera". Is that
29 true? Take your time.

1 A. The advice - the area of advice - it is out, but
2 instruction on military strategy, yes. But the piece of advice
3 he would give them, if something went wrong he would say, "Why
4 shouldn't you do this?" He says it is between them. That is
13:07:53 5 when they were conversing. It was not a direct order that he
6 used to give to him.

7 Q. No, we are not talking about orders here. The words are
8 "advice or instructions" and you say, "Yeaten would not give
9 Bockarie any advice or instructions on military strategy". What
13:08:15 10 did you mean by that?

11 A. Military strategy which I meant, like when Yeaten would
12 tell Sam Bockarie that they should attack such and such an area
13 or he would tell you to go and set an ambush on a particular
14 area, those are the military strategies I am talking about. When
13:08:42 15 it comes to this area of giving a piece of advice, at times if
16 they discussed if at all anyone complained about anything he
17 would advise him, he would just say that, "Why wouldn't you do
18 this", just like a suggestion, but it would come in the form of
19 an advice. It is just like a suggestion that he had been giving
13:08:58 20 to him. If anything was going out of hands or if anything had
21 been happening, you would need a piece of advice.

22 Q. But, Mr Kabbah, why did you tell us yesterday in relation
23 to the Freetown invasion that you recall Benjamin Yeaten telling
24 Sam Bockarie, "Freetown is a big city. You need to send
13:09:26 25 reinforcements". Do you remember telling us that?

26 A. Yes, this is what I am saying.

27 Q. Is that not advice on military strategy?

28 A. I would not accept that is a military strategy, because it
29 was something that had been going on within our rank and file

- 1 that if there was an operation going on and it was difficult they
2 should send reinforcement. I said it. It is just like a
3 conversation which would be between you and an individual. So
4 such and such a thing had happened to me. Fellow wouldn't you do
13:10:08 5 such and such a thing? I am not taking it to be a piece of
6 advice that he had been instructing that man to do it. I am not
7 going to accept it like that. It was just a suggestion, sort of.
8 Q. Let me move on. Another proposition. It's right, isn't
9 it, that you do not recall hearing or seeing messages containing
13:10:49 10 orders or instructions from Charles Taylor, or one of his people,
11 concerning the Freetown invasion? Is that right?
12 A. It's correct.
13 Q. And just so that we appreciate where that comes from, have
14 a look at page 12, please. The last two lines on that page:
13:11:35 15 "Kabbah does not recall hearing or seeing messages
16 containing orders or instructions from Charles Taylor, or one of
17 his people, concerning the Freetown invasion."
18 And that's the truth, isn't it?
19 A. Yes.
13:11:54 20 Q. You never saw or heard about a single message suggesting
21 that Charles Taylor had ordered Sam Bockarie to attack Freetown.
22 That's the true, isn't it?
23 A. Yes.
24 Q. Neither did you at any stage hear anyone say that
13:12:21 25 Sam Bockarie had been given arms by Charles Taylor to attack
26 Freetown. You never heard that, did you?
27 A. No.
28 Q. Indeed you never heard of Charles Taylor discussing any
29 kind of military strategy with Sam Bockarie, did you?

1 A. I never heard about that.

2 Q. I want to move on to another topic, please. Can we turn to
3 page 7 in the same document and the topic we are talking about is
4 satellite phones. Can we look at the third paragraph on that
13:13:32 5 page, please:

6 "The first time Kabbah saw one of the RUF members with a
7 satellite phone was when he saw Foday Sankoh with one just before
8 Sankoh left for the Abidjan peace talks."

9 Pause there. Is that right?

13:13:56 10 A. Yes.

11 Q. So that would have been some time in 1996, am I right?

12 A. 1995, the end of 1995 to '96.

13 Q. Where did Pa Sankoh get that mobile phone from?

14 A. It was one Dr Simbo. He came with that phone for him.

13:14:31 15 Q. From where?

16 A. From Ivory Coast.

17 Q. How do you know that?

18 A. When Dr Simbo came, he met us in Giema when he passed and
19 went with that phone. They had been passing through Giema when
13:14:55 20 they had been coming from Ivory Coast.

21 Q. And help us, please. How did it come about that Dr Simbo
22 gave that phone to Pa Sankoh?

23 A. When he came with it, I saw it. At that time I and
24 Sam Bockarie were all in Giema. By then I'd just arrived newly
13:15:21 25 in Giema. A little bit later we went to Ivory Coast.

26 Q. And was it the case that Pa Sankoh had ordered the phone,
27 or was it the case that --

28 A. Well, that --

29 Q. -- it was being given to him as a gift?

1 A. That I wouldn't be able to tell. He told me that Pa Sankoh
2 was his friend. He, Dr Simbo, told me that.

3 Q. Now Dr Simbo was a Ghanaian, wasn't he?

4 A. Yes.

13:15:58 5 MR GRIFFITHS: And Simbo is spelt as it appears on the
6 transcript, your Honours:

7 Q. And you yourself met Dr Simbo, didn't you?

8 A. Yes, when we went to Ivory Coast we met him.

9 Q. And what was his role in those peace talks in Abidjan?

13:16:30 10 A. Well, when we were there he was one that was directing us
11 since he was based there and he was the one that found a place
12 for the radio through which I had been communicating to Zogoda.
13 That was the time, because I had been communicating only to
14 Zogoda and not to any other station. He used to come and meet Pa
13:16:50 15 Sankoh at Zogoda. At that time he was there.

16 Q. So, effectively, he was a representative for Pa Sankoh in
17 Abidjan?

18 A. I wouldn't say that he was a representative. What Pa
19 Sankoh said was that he was his friend. He said he was a friend
13:17:18 20 of that particular Dr Simbo. That was what he told us.

21 Q. Now, just so that we understand, the idea of providing Pa
22 Sankoh with a satellite phone, that would enable him to get in
23 touch with people whilst he was away in Abidjan, wouldn't it?

24 A. Well, yes.

13:17:48 25 Q. And you recall now, don't you, that up until he went to
26 Abidjan Pa Sankoh had limited access to people like the President
27 of Libya, for example, or the President of Burkina Faso, because
28 he didn't have the communication facilities to get in touch with
29 them. Would you agree?

1 A. At the time he was in Ivory Coast?

2 Q. No, no, no, before he left for Abidjan he didn't have that
3 communication facility, did he?

4 A. Yes, he did not have it.

13:18:37 5 Q. But having a satellite phone in Abidjan would enable him to
6 contact those individuals, wouldn't it?

7 A. Yes. That I will say, yes, because he had it, even though
8 I was not with him. He had it for purposes of communication.

9 Q. Let's go back to page 7:

13:19:03 10 "Kabbah believes that Sam Bockarie got one ...", that's a
11 satellite phone, "... from Monrovia because he says that
12 Sam Bockarie came back from Monrovia once with a satellite phone
13 that he did not have before he went. Kabbah believes that
14 Sam Bockarie would have gotten a satellite phone just before
13:19:30 15 Foday Sankoh came back to Sierra Leone in late 1999 and not long
16 before Sam Bockarie left the country."

17 Is that true?

18 A. Yes.

19 Q. Now bearing in mind that Bockarie leaves Sierra Leone in
13:19:49 20 December 1999, would it be fair to say that he got that satellite
21 phone, what, a matter of weeks before that?

22 A. Not a matter of weeks. Not some weeks. He had a satellite
23 phone for more than two to three months before he even left this
24 country, before he left Sierra Leone.

13:20:15 25 Q. Right, so - and taking it slowly, December 1999 he leaves,
26 he gets the satellite phone two or three months before he leaves
27 and so that takes us to September time/August time 1999, doesn't
28 it?

29 A. I just made a rough estimate. I was not precise over that

1 particular time, but when he went to Monrovia when we had
2 retreated from Freetown he came to Buedu. When he went to
3 Monrovia, that was the time that he came with that particular
4 satellite phone that he had by then.

13:21:03 5 Q. And prior to that the only member of the RUF you had seen
6 with a satellite phone was Pa Sankoh, is that right?

7 A. Correct.

8 Q. Now, Mr Kabbah, I want you to think carefully about your
9 answers. Is that correct?

13:21:32 10 A. Yes, at that time that Pa Sankoh was with us he alone owned
11 a satellite. He alone owned a satellite at the time that he was
12 with us.

13 Q. And the first time you see Bockarie with a satellite phone
14 is months before he leaves for good in December 1999, is that
15 right?

16 A. Yes.

17 Q. So help me, please. The Freetown invasion was 6 January
18 1999, the beginning of the year, and according to you you've told
19 us that you heard Bockarie speaking to Taylor on a satellite
13:22:14 20 phone back then. How could he have when he didn't get the phone
21 until later in the year?

22 A. You see, that was why when I was trying to say that I was
23 not precise over that particular month these were happenings
24 which had taken long and things like those I would never tell a
13:22:40 25 lie about them. I said when we retreated from Freetown we came.
26 The first departure when Sam Bockarie went, that was the time
27 that he came with his satellite. For the month, you see, I
28 cannot count the months, I cannot count the years that had
29 passed, but when he went to Monrovia when he was coming that was

1 the time that he came with his satellite. It was through that
2 satellite that he had been communicating.

3 Q. Have a look at the paragraph again on page 7, "Just before
4 Foday Sankoh came back to Sierra Leone in late 1999 ...",

13:23:25 5 remember Freetown invasion is January 1999, "... and not long
6 before Bockarie left the country". Now, I am going to ask you
7 again. Why are you saying there that that's when Bockarie had
8 the phone when yesterday you were telling us that he had one as
9 early as January 1999? Why?

13:23:56 10 A. I said I did not count the month and the time. I did not
11 sit down and try and count months to say such and such a time
12 such a thing happened at such and such a time. That was why I
13 said that I was not precise. Now you are calling three months it
14 would be around that time, so Sam Bockarie the time that he had
13:24:15 15 that phone was after the retreat. That was the time that he had
16 that satellite phone.

17 Q. Which retreat?

18 A. The retreat from Freetown. That is the AFRC retreat from
19 Freetown to Buedu when we came to Buedu, The first departure for
13:24:33 20 Monrovia when he was coming back.

21 Q. What do you understand by the words "not long before"?

22 A. That is to say it is something which did not happen long
23 ago, because I cannot really take time to say that this was the
24 time. You see, I had not been keeping record of anything
13:24:59 25 whatsoever pertaining to the war. You see, I did not sit down
26 and say that, "Okay, today I will come to court and start talking
27 about it", so when I am giving these times, these dates, I would
28 say that, "Just after we came to Buedu, after the Freetown
29 invasion". You see, but you have these things on paper and you

1 can look at them, but I do not have them before me and I don't
2 know the times. The periods and the time has escaped me. It's
3 more than five/six years, so when you are doing something
4 different you wouldn't remember all these things.

13:25:32 5 Q. But help us, please. Why in February 2002 were you
6 associating him obtaining a phone with his departure which we
7 know to be December 1999? Why were you doing that?

8 A. To say that he had a phone when he was going?

9 Q. No, just "not long before". Why were you associating the
13:26:03 10 two?

11 A. Which two? I do not understand that area clearly. Which
12 two areas am I associating?

13 Q. Let me show you: getting a phone and leaving Sierra Leone
14 and there is not long between the two. Why were you making that
13:26:26 15 association back in February 2007? Why?

16 A. I was not sure about the month, or the time, that he had
17 it. What I knew was that he had it before that Freetown
18 invasion. He had it early when we came to Buedu, but to say that
19 I would say that it was this particular month, or when we came
13:26:50 20 one, two, three or the third month, no, I did not count that.

21 Q. So why didn't you say to the investigators then, "I am
22 sorry, I can't remember when he had it, but it was shortly after
23 we retreated from Freetown", which just happened to be the
24 previous year in 1998, "That's when he had it"? Why didn't you
13:27:15 25 say that?

26 A. I forgot. I forgot. It is not everything that had passed
27 one could be able to recall. I forgot.

28 Q. But it is only the second satellite phone a member of the
29 RUF had. How could you forget?

1 A. I would forget because I - from the time that the war
2 finished I did not have anything again to associate in terms of
3 war. Some questions that you are now asking of me today, it's
4 because you are asking me these questions that I am recalling
13:28:00 5 because I had already forgotten all that had happened. I had
6 been praying to God so that I would not even recall what had
7 happened during the war, so that I could get a fresh memory to
8 think about my future. That was what I have been thinking about.
9 I did not even want to know about that again.

13:28:19 10 Q. The truth of the matter is, Mr Kabbah, you lied yesterday
11 when you told this Court that you heard Bockarie and Charles
12 Taylor speaking on a satellite phone at the time of the Freetown
13 invasion. That is the real truth, isn't it?

14 A. I did not lie. It was true. They spoke together. Sam
13:28:44 15 Bockarie had that satellite phone before the Freetown invasion.
16 He had it.

17 MR GRIFFITHS: Would that be a convenient point, your
18 Honour?

19 PRESIDING JUDGE: Indeed, Mr Griffiths. Mr Witness, we
13:28:54 20 have now come to the usual time for our lunchtime adjournment.
21 We are going to break for one hour and resume court at 2.30.
22 Please adjourn court until 2.30.

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

24 [Upon resuming at 2.30 p.m.]

14:29:58 25 PRESIDING JUDGE: Please proceed, Mr Griffiths.

26 MR GRIFFITHS:

27 Q. We were talking about satellite phones before we adjourned
28 and I was drawing your attention to a passage on page 7 and we
29 were talking about that sentence in the last paragraph, "Foday

1 Sankoh came ..." - no, perhaps I should read the whole sentence:

2 "Sam Bockarie came back from Monrovia once with a satellite
3 phone that he did not have before he went. Kabbah believes that
4 Sam Bockarie would have gotten a satellite phone just before
14:31:18 5 Foday Sankoh came back to Sierra Leone in late 1999 and not long
6 before Sam Bockarie left the country."

7 I'm going to ask you one final question on that topic and
8 it's this. How many satellite phones did you see in the
9 possession of Sam Bockarie?

14:31:48 10 A. Sam Bockarie, that was the satellite phone that I saw with
11 him, the one that he brought from Monrovia.

12 Q. Let me try again. How many satellite phones did you see in
13 the possession of Sam Bockarie?

14 A. It was that mobile satellite phone, that one.

14:32:08 15 Q. So is the answer to my question, "I only ever saw Sam
16 Bockarie with one satellite phone"?

17 A. Yes.

18 Q. Thank you. Then let's continue on that page, please:

19 "Kabbah says that Sam Bockarie did not leave the satellite
14:32:30 20 phone for Issa Sesay but Issa Sesay obtained one. Kabbah says
21 that Issa Sesay had a satellite phone before Kabbah went to Kono
22 to work for him but Kabbah does not know how or where Sesay got
23 that satellite phone. Kabbah says that Issa Sesay eventually
24 acquired a second satellite phone when RUF troops captured one in
14:32:57 25 Makeni or somewhere later on."

26 Is that true?

27 A. Yes.

28 Q. Now the satellite phone that Sam Bockarie had, do you know
29 where he got it from?

1 A. When he went to Monrovia when he was returning he brought
2 that one, the one that I knew he had. It was one mobile
3 satellite handset.

4 Q. Do you know if someone gave it to him?

14:33:41 5 A. He brought it. He came with it. He did not tell me who
6 gave it to him, but I saw it with him.

7 Q. Did Charles Taylor give it to him?

8 A. He did not tell me that.

9 Q. But you told us that Sam Bockarie was a braggard, so help
14:34:11 10 us. Did he tell you that?

11 A. That what?

12 Q. Did he tell you that Charles Taylor gave it to him?

13 A. He did not tell me that. That's what I am saying.

14 Q. Very well. Now, is it the case that communications between
14:34:38 15 Sam Bockarie and Benjamin Yeaten and Charles Taylor was done
16 secretly?

17 A. For Charles Taylor's, yes. For Benjamin Yeaten, no. For
18 him when they were discussing we would be present.

19 Q. Now when you say, "For Charles Taylor, yes", what do you
14:35:06 20 mean?

21 A. What I mean is that they spoke on satellite phone that we
22 took to be a kind of private discussion because when Sam Bockarie
23 would be talking we would hear it, but when the other person
24 would be talking we would not hear that because we were not
14:35:30 25 standing close to him.

26 Q. So putting it in plain language, you haven't got a clue
27 what Charles Taylor may have said to Sam Bockarie on a mobile
28 phone?

29 A. No.

1 Q. And equally was there not a degree of confidentiality about
2 discussions between Bockarie and Benjamin Yeaten?

3 A. No.

4 Q. Let's go to page 18, shall we, third paragraph:

14:36:43 5 "When Sam Bockarie was talking on the radio to Benjamin
6 Yeaten he would not normally have anyone else in the radio room
7 besides the one or two operators on duty, his bodyguards and any
8 senior officers who might be around, such as Mike Lamin or Issa
9 Sesay."

14:37:01 10 Is that true?

11 A. Yes.

12 Q. And that's true, is it not, because as you acknowledged in
13 a later interview with the investigators within the RUF
14 communications was a --

14:37:24 15 MR SANTORA: I just would ask for a reference, your Honour.
16 It's a later interview? I'm not sure if that's what counsel
17 said.

18 MR GRIFFITHS: It is a later interview and I'll come to it
19 in due course.

14:37:36 20 MR SANTORA: I believe he was going to quote from the
21 interview and I was just asking for a reference.

22 MR GRIFFITHS: I will draw the witness's attention to it in
23 due course. I'm asking a general question for now:

14:37:55 24 Q. Was it the case that within the RUF communications was a
25 very sensitive thing?

26 A. Yes.

27 Q. There were not many people permitted to be around the radio
28 room, was there?

29 A. Yes.

1 Q. In fact, the radio room was for the most part a restricted
2 area?

3 A. Yes.

4 JUDGE SEBUTINDE: Mr Griffiths, two questions ago, "There
14:38:27 5 were not many people permitted to be around the radio room, was
6 there?" "Yes."

7 MR GRIFFITHS: All right, very well.

8 PRESIDING JUDGE: Just before you go into that double
9 negative, if you look at the previous couple of questions there
14:38:44 10 is equally an ambiguous "No". "It's not true ..." - no, just
11 earlier, "And equally was there not a degree of confidentiality
12 in discussions between Bockarie and Benjamin Yeaten?" "No."
13 Does that mean "Yes"?

14 MR GRIFFITHS: I'm trying to locate the passage, your
14:39:16 15 Honour.

16 PRESIDING JUDGE: I am sorry, Mr Griffiths.

17 MR GRIFFITHS: No problem.

18 PRESIDING JUDGE: On my font it's page 96 at line 8/9.

19 MR GRIFFITHS: Okay:

14:39:35 20 Q. When Benjamin Yeaten and Sam Bockarie were speaking, only a
21 limited number of individuals might be privy to that
22 conversation, would you agree?

23 A. Yes.

24 Q. Because only limited access was allowed to radio
14:40:03 25 communications, is that right?

26 A. You're correct.

27 Q. Because within the RUF radio communications were treated
28 extremely sensitively?

29 A. Yes.

1 Q. Which is why Sam Bockarie took such a dim view of you when
2 you lost a radio logbook?

3 A. Yes.

14:40:49

4 Q. And so within the RUF only a limited number of individuals
5 would have access to - would have access to radio communications,
6 would you agree?

7 A. Correct.

8 Q. Now not only that, but is it true that there was a secret
9 frequency used for communications with Charles Taylor?

14:41:36

10 A. No, even if it went on I was not aware.

11 MR GRIFFITHS: I've just completely lost my reference.

12 Would your Honour allow me a moment?

13 PRESIDING JUDGE: Yes, indeed.

14 MR GRIFFITHS: Yes:

14:42:32

15 Q. Could we please go behind divider 3. No, I'm sorry, it's
16 behind divider 4. Can we have a look, please, at paragraph 5,
17 "witness states that messages came from Charles Taylor over a
18 secret frequency to the control room in Buedu ...", is that
19 right?

14:43:25

20 A. Yes.

21 Q. What was that secret frequency?

22 A. Apart from the national that we had, we had some other
23 frequencies that we let Sunlight to know because there were some
24 pieces of information that he would want to pass on to us and we
14:43:49 25 didn't want other stations to monitor that. So we gave him one
26 frequency, so if at all he had any piece of information for us or
27 message he would use that frequency to pass it on to us.

28 Q. Why did you tell me a moment ago you weren't aware of it?

29 A. About secret frequency?

1 Q. Yes. A moment ago I asked you this question:

2 "Q. Is it true that there was a secret frequency used for
3 communications with Charles Taylor?"

4 A. No, even if it went on I was not aware."

14:44:29 5 Why did you tell me that?

6 A. You said Charles Taylor. You did not say Sunlight. It was
7 not Charles Taylor who communicated. It was Sunlight who
8 communicated. That is what I am saying. It was not
9 Charles Taylor who spoke. It was Sunlight who spoke when he got
14:44:43 10 the message, not Charles Taylor.

11 Q. Look at paragraph 5. Do you see any reference to Sunlight
12 there? The reference is to Charles Taylor, "Witness states that
13 messages came from Charles Taylor over a secret frequency". Do
14 you see that?

14:45:02 15 A. It would come from Charles Taylor through a secret
16 frequency from Sunlight. It was Sunlight who directly gave it to
17 us. It was not Charles Taylor. Sunlight. "... received from
18 Sunlight".

19 Q. Very well. And on this matter as well it was only the
14:45:33 20 control station which was permitted to communicate with Sunlight,
21 is that right?

22 A. Yes, it was only the control station that should talk, but
23 other stations spoke with him as well.

24 THE INTERPRETER: Your Honours, can the witness repeat
14:45:49 25 this.

26 PRESIDING JUDGE: Mr Witness, the interpreter - you're
27 going a little too quickly for the interpreter. Please repeat
28 your answer picking up where you said, "But other stations spoke
29 with him as well". Please continue from there.

1 THE WITNESS: Other stations would leave the national and
2 they would talk with them, because we and Sunlight were not using
3 the same national frequency. When he would want to talk to us he
4 would come there and, if we also wanted to talk to him, we would
14:46:25 5 go to their own national. That was how we got him.

6 MR GRIFFITHS: Very well. I'd like now, please, to direct
7 the witness's attention to behind divider 8 please:

8 Q. Now, Mr Witness, have a look please at that document. Do
9 you recognise it?

14:47:22 10 A. This one in front of me, I don't recognise this.

11 Q. Open the first page. Taking it in stages, first of all
12 what does this document look like to you?

13 A. Like an operator had written this message.

14 Q. Does it look like a radio operator's logbook to you?

14:48:45 15 A. This is a photocopy. It's not a logbook. It's a photocopy
16 that I am seeing.

17 Q. I'm grateful for your correction. Does it look like a
18 photocopy of a logbook?

19 A. Yes, the first one that I have seen it looks like the
14:49:06 20 photocopy.

21 Q. Of a logbook?

22 A. Yes, yes.

23 Q. Now, the reason why I'm asking you about this logbook is
24 this. This Court has been told that this is a logbook which
14:49:25 25 relates to a radio station in Buedu and, as you can see, it's in
26 late 1999. Now you would have been in Buedu at that time,
27 wouldn't you?

28 A. Yes, I was in Buedu at that time.

29 Q. Now that's the reason why I'm asking you about this

1 logbook, you see, because at that time there were a limited
2 number of radio operators operating from the RUF station in
3 Buedu, would you agree?

4 A. Yes.

14:50:05 5 Q. How many?

6 A. The station did not have any fixed or permanent operators.
7 At times when any senior operator would come, he or she would
8 operate with us. Like this message that is in front of me now,
9 the person who wrote this was not an assigned operator in that
10 station.

14:50:32

11 Q. How do you know that?

12 A. I was there. This was an operator who was with Pa Sankoh.
13 After they came, that operator stayed in Buedu.

14 Q. What's that person's name?

14:50:53

15 A. It is Dauda Forni e, Daf.

16 Q. So this is a logbook maintained by Daf, is it?

17 A. It could be correct, because for logbooks when I was
18 leaving for Kono I left it at the station in Kailahun - maybe
19 this is the one - but after disarmament I did not know how things
20 went along.

14:51:32

21 Q. Help me. Before we look at some of these messages, help me
22 with this. Was a logbook the personal property of a particular
23 radio operator?

24 A. No.

14:51:51

25 Q. If I understand correctly the procedure, there would be a
26 logbook in the radio room and as messages came in whoever was the
27 radio operator would write down the message in that same logbook
28 sequentially, would you agree?

29 A. Yes.

1 Q. So it means that more than one operator would write in the
2 same logbook, is that true?

3 A. Correct.

14:52:36

4 Q. Now by way of example this first message that we're looking
5 at, which has a number 3 in the bottom right-hand corner, are you
6 telling me that this looks like an entry made by Daf?

7 A. Yes.

8 Q. And is it - why are you able to identify it as an entry
9 made by Daf?

14:52:59

10 A. It is the signature that I have seen. It is his signature.

11 Q. I wonder if --

12 THE INTERPRETER: Your Honours, can counsel kindly wait for
13 interpretation.

14 MR GRIFFITHS: I am sorry:

14:53:14

15 Q. Now just so that we're clear about it, I wonder if you
16 would mind indicating on the projector what we're talking about
17 as the signature. I'd like us to identify it correctly, please.
18 Could you just move over please, Mr Witness, for a moment to this
19 chair and just indicate on the overhead projector what it is
20 you're saying is the signature? Just point it out to us, please.
21 Thank you very much. I think we can all see that. Thank you
22 very much, Mr Kabbah. You can sit back down.

14:53:38

23 JUDGE SEBUTINDE: Mr Griffiths, I'm just wondering is this
24 a document already in evidence?

14:54:14

25 MR GRIFFITHS: Defence exhibit 3. It was introduced
26 through TF1-360, cross-examined by Mr Andrew Cayley in February
27 of this year.

28 PRESIDING JUDGE: For purposes of record, I should note
29 that the witness has indicated a signature at the right side of

1 the page 3.

2 MR GRIFFITHS:

3 Q. Now just so that we can all understand the structure of
4 this document, looking at the top of that page we see, "To:

14:54:58 5 Smile". Smile was Pa Sankoh, wasn't he?

6 A. Correct.

7 Q. "And Lieutenant Colonel JP Koroma". Now we know who that
8 is, don't we? Johnny Paul Koroma, is that right?

9 A. Yes.

14:55:19 10 Q. Through Concord. Who is Concord?

11 A. It was Sam Bockarie.

12 Q. Concord is Sam Bockarie?

13 A. Correct.

14 Q. And it is from Colonel Issa [sic], yes?

14:55:37 15 PRESIDING JUDGE: Is it not Isaac?

16 THE WITNESS: Correct.

17 MR GRIFFITHS: No, sorry, my fault, Colonel Isaac. Your
18 Honour is perfectly correct:

19 Q. It's Colonel Isaac, okay. And to the right we see a date,
14:55:53 20 23 September 1999. Now, let's just take things slowly because
21 we're trying to take on board a lot of detail here. It's a
22 message from a Colonel Isaac to Pa Sankoh, is that right?

23 A. Yes.

24 Q. And it's also going to Johnny Paul Koroma, is that right?

14:56:26 25 A. Correct.

26 Q. And it's going through, is this right, Johnny - it's going
27 through Sam Bockarie's radio station?

28 A. Correct.

29 Q. So somebody sitting at a radio in Buedu is contacting Pa

1 Sankoh and Johnny Paul Koroma, is that right?

2 A. He was not contacting him directly. This message, the way
3 it came, it was from Colonel Isaac and went to Concord in Buedu,
4 so when Sam Bockarie would have received it and read it he would
14:57:26 5 have sent this message to Pa Sankoh and Johnny Paul.

6 Q. Now look at the date, 23 September 1999. Now this would
7 have been a couple of months after the Lomé Peace Agreement,
8 wouldn't it?

9 A. Correct.

14:57:54 10 Q. And when we look at the second paragraph we see these
11 words:

12 "Sir, I called Lieutenant Colonel JP Koroma's attention to
13 the present situation as we do not need any confrontation by now
14 in order to maintain the present peace agreement for the nation.

14:58:22 15 We hope we'll all remain peaceful."

16 Yes? Do you understand that?

17 A. Yes.

18 Q. And so this is a message being sent to the leader of the
19 RUF expressing the view that on the ground people were doing
14:58:50 20 their best to maintain the peace agreement signed in Lomé in
21 July?

22 A. Yes.

23 Q. Now given what you've told us about monitoring you would
24 have heard this message, wouldn't you, or might have?

14:59:12 25 A. Well the way I have seen the message, no, I can't recall
26 this kind of message coming in.

27 Q. Now that we understand the structure of these messages, can
28 we go over the page, please. Now what we see here is this - are
29 we looking at page 4 in the bottom right-hand corner? It's

1 double sided. We see four messages - two messages on that page
2 from Mike Lamin, don't we? Do we?

3 A. I have seen two, yes.

4 Q. And it would appear from the signature that it's the same
15:00:17 5 operator who has signed?

6 A. Yes.

7 Q. So it's Daf?

8 A. Yes, it's Daf.

9 Q. Now we can see what the second of those two - how the

15:00:40 10 second of those two messages read. It's from Mike Lamin and it's
11 for the information of Concord, which is Bockarie, yes?

12 A. Yes.

13 Q. And Mike Lamin is complaining that the ECOMOG headquarters
14 in Freetown have instructed their men at Kenema not to allow him

15:01:05 15 to pass with 30 of his securities to Buedu, is that right? Is
16 that the gist of that message?

17 A. This is not to go to Buedu. It was to go to Freetown. It
18 was the time he was going to Freetown to meet with Pa Sankoh. He
19 was taking Pa Sankoh's securities along with him. At that time
15:01:46 20 Pa Sankoh was in Freetown.

21 Q. Okay, so Lamin was trying to take some securities to
22 Freetown to greet Sankoh, yes? Is that right?

23 A. They were going there on an assignment, not to greet him.
24 They were to be with him as bodyguards when he was in Freetown.

15:02:16 25 Q. Very well. Now in relation to this message, there are some
26 additional details to which we should have regard. Just below
27 the signature we see a time 15.59. Is that the time of the
28 transmission of the message?

29 A. Yes, the time if it was a received message that was the

1 time, but the time that it was sent that was the time he put
2 there.

3 Q. Now you will see to the right of the signature the numbers
4 08/10/99. What does that signify?

15:03:13 5 A. That is the date.

6 Q. So it is the 10th - is it the 8th of October 1999, then?

7 A. Correct.

8 Q. Right. And we can see, can we not, if we look at the date
9 of the previous message that these messages are being entered in
10 the log sequentially? They are, aren't they?

15:03:34

11 A. Yes, from the message that you can see this shows that he
12 was taking the securities with him. On his way he was hindered,
13 so it was on the 7th, and so on the 8th this message was sent the
14 very day that he was leaving, or when he was on his way going, or
15 whether he had returned to give this particular report.

15:04:05

16 JUDGE SEBUTINDE: Mr Griffiths, I'm not sure that
17 sequentially has been interpreted.

18 MR GRIFFITHS: I don't think it has, your Honour. I was
19 coming back to it.

15:04:25

20 JUDGE SEBUTINDE: Perhaps you could ask it in a simpler
21 fashion.

22 MR GRIFFITHS:

23 Q. Do you see that the date on the message at the top of the
24 page is 7 October, yes?

15:04:41

25 A. Yes, it is the 7th. That is what is written.

26 Q. And the date on the second message is the 8th and then, if
27 we go to page 5, the dates on these two messages are 9 and 11
28 October respectively. Do you agree?

29 A. The 7th, 8th and the 9th, yes, they are in respective

1 order.

2 Q. Right. And if we go through the book we will see that all
3 the other entries follow the same order and that would be normal
4 within the RUF, wouldn't it?

15:05:32 5 A. Yes, every day any message somebody got you would put the
6 date and even the time that you either sent the message, or you
7 received the message. That was the normal routine, except if
8 somebody did not do it.

9 Q. Can we look at page 6 now, please. I want to look at the
15:06:11 10 second message on that page dated 15 October 1999. Now it's to
11 Concord and so it's to Sam Bockarie, is that right?

12 A. Yes.

13 Q. But it's also for the information of Pa Sankoh, Smile, is
14 that right?

15:06:36 15 A. It's right.

16 Q. Who is it from?

17 A. It is from Issa Sesay; that is he was the one we called
18 Triple Sierra.

19 Q. Triple Sierra. And look what it says:

15:07:02 20 "Sir, I suggest that the first thing you are to inform the
21 leader is that the materials captured from the Guineans should be
22 the first thing to hand over. According to information the AK
23 rounds is more than 50 boxes, more than 35 boxes of RPG bombs and
24 more than 35 boxes of grenades with many weapons. Best regards.

15:07:30 25 14 October 1999."

26 Now, Mr Kabbah, would you agree that's a lot of ammunition,
27 isn't it.

28 A. Yes.

29 Q. Now, can you recall an instance when the RUF captured such

1 a large quantity of ammunition from the Guineans?

15:08:14 2 A. Yes. That was the time Superman and others were in the
3 north, so we hadn't much of a cordial operation because they used
4 to capture ammunition and so they said they were going to defend
5 their own area so there was some conflict. And even the message
6 can indicate that what Issa was trying to say; it's just like if
7 you got an information about something that had occurred, but the
8 people did not want to report to you, the high command. So -
9 because if it was anything that they were to report a message
15:08:37 10 would have gone to the effect that we had captured such and such
11 a thing, because that was what we used to do initially. If any
12 fighting force captured materials they would report that to the
13 high command, but they at that time used to capture materials and
14 they did not give report about it. So when the information
15:08:57 15 leaked that was why Issa sent this report.

16 Q. Now, do you have any idea what happened to this large
17 quantity of ammunition?

18 A. I don't have an idea because I was not with them. I was
19 far away from them, because at that time they were around the
15:09:25 20 Kabala end and we were in Buedu and so I don't know what they did
21 because they said they were fighting and the enemies were
22 fighting against them, so maybe they used it during that time. I
23 wouldn't tell.

24 Q. Now moving on, you helpfully told me yesterday that there
15:09:44 25 came a time when Colonel - when CO Nya fell out of favour with
26 Bockarie and Bockarie stopped him from sending messages and
27 communicating. Do you remember that?

28 A. Yes.

29 Q. Do you have any idea when that was?

1 A. This was during the time that there was that conflict
2 between Superman and Sam Bockarie, because he said he was his
3 Liberian brother. That was why he was giving false information
4 about him to Pa Sankoh. That was why he banned him from
15:10:35 5 operating.

6 Q. Can you give us a year?

7 A. No.

8 Q. Was it '99 or '98, can you help us?

9 A. I don't recall, because at that time we were in Buedu. It
15:10:56 10 was during the time that we were in Buedu. Because if I said now
11 it was in '98 or '99 maybe that would be the wrong year, but it
12 was the time that we were in Buedu. They were in the northern
13 jungle.

14 Q. The reason why I ask is this. If we go over to page 9,
15:11:11 15 please. Now remember the date here is 21 October - the bottom
16 entry on that page, 21 October 1999. Do you see who has sent
17 that message? "From" and who is it from?

18 A. From Colonel Nya.

19 Q. To whom?

15:12:03 20 A. To Pa Sankoh.

21 Q. And look at the contents of it: "Sir, I am in possession
22 of one Land Cruiser which is planted with one Codan set". What's
23 that, a Codan set?

24 A. That is the communication set that was planted in the
15:12:27 25 vehicle, the brand. The name that was written on the
26 communication set is Codan.

27 Q. "And the same was not commandeered by me but a bodyguard
28 commander of Superman. Equally so, Superman is also in
29 possession of two NGO vehicles, one Land Cruiser in which he has

1 planted BMG ..."

2 What's that?

3 A. That is British Mortar Gun.

4 Q. "... and one other from Catholic mission presently

15:13:09 5 controlled by his secretary.

6 Moreover, it's very necessary if any handovering is to be
7 done as nearly all senior officers at this end are in possession
8 of NGO vehicles. Superman reported to me, he ordered me to allow
9 him to use the vehicle which I have refused to do so. More to
10 say but upon seen you face to face."

15:13:37

11 Can we tell where that message was sent from? Can you tell
12 which station sent it?

13 A. This station, this one has escaped my memory. I cannot
14 recall now, but the message was from CO Nya, yes.

15:14:36

15 Q. Now let's go over to page 11, please, bearing in mind as we
16 do so that this is the period after the signing of the Lomé Peace
17 Accord. Page 11, second message on that page, "To: Survival
18 Information Black Moses." Who is Survival?

19 A. Issa.

15:15:14

20 Q. So Survival is another code for Issa Sesay?

21 A. Yes.

22 Q. And Black Moses?

23 A. Pa Sankoh.

24 Q. And it's from Superman, yes? It's from Superman, is that
25 right?

15:15:45

26 A. Correct.

27 Q. Now, you see underneath it says "SITREP". That stands for
28 situation report, doesn't it?

29 A. Yes.

1 Q. And is this the form that a situation report would take,
2 sent by a commander at the front line to another officer?

3 A. Yes, situation reports we used to write them in different
4 ways. Like this, the way - the formula he has used is one of the
15:16:26 5 formulas we used. The one Daff wrote, that's another formula.
6 If you wanted to send a message you would say "Sitrep". There
7 was no problem with that.

8 Q. Now, look what it says, "Situation report as from 1600
9 hours on 25 October to 1600 hours on 26 October. One SLA ...",
15:17:04 10 and SLA is what?

11 A. He was numbering it number 1. That is paragraph 1.

12 Q. Okay. So, "SLA of large number ...", what does that mean?

13 A. That is SLAs were many.

14 Q. And SLA stands for what?

15:17:28 15 A. Sierra Leone Army.

16 Q. "... attacked my location. Attack was successfully
17 repelled." Now according to this it looks as if, doesn't it, the
18 Sierra Leonean Army was acting in breach of the Lomé Peace
19 Accord, doesn't it?

15:17:50 20 A. Yes.

21 Q. And was that your experience during this time, that this
22 would often happen?

23 A. When the attack took place?

24 Q. Did these kind of attacks by the Sierra Leonean army on RUF
15:18:15 25 positions continue despite the Lomé Peace Accord?

26 A. The attacks ceased, but after they had held those people
27 hostage was the time the attacks started, but that was contrary
28 to the accord. But contrary to the accord the Kamajors continued
29 attacking our positions, but after the arrest of the UN

1 peacekeepers was when the SLAs started attacking.

2 Q. Now you will notice in this report that Superman notes the
3 following, "Civilian casualty, two KIA ..." That stands for
4 killed in action, doesn't it?

15:19:20 5 A. Yes.

6 Q. "... and 15 houses were maliciously burned down by the
7 invading TPS." What does TPS stand for?

8 A. Troops. That is the troops that came.

9 Q. So as a result of this attack by the Sierra Leonean army,
15:19:45 10 15 houses were burnt down and two civilians were killed in
11 action?

12 A. No, not civilians. We heard - are you referring to
13 paragraph 2, "Casualty - own troops"? Own troops.

14 Q. I was looking at a few lines below that. Do you see a line
15:20:13 15 beginning, "Civilian casualty"?

16 A. Yes, yes, I have seen it now.

17 Q. That's where I'm directing your attention, "Civilian
18 casualty - two and 15 houses were maliciously burnt down." Do
19 you see that?

15:20:31 20 A. Yes.

21 Q. Help me, please. Was it normal practice for a commander to
22 report on the number of civilians who were killed?

23 A. That had not been in place. It was only like we were on
24 the ground where civilians too were, if you the soldier killed
15:21:01 25 that civilian and that zone was declared a free zone and there
26 was no enemy attack and you killed that civilian that report
27 would be sent, but - or during battles some commanders reported,
28 but it was not always that they reported situations like those.

29 Q. That's all I want to ask you about that document and I'm

1 grateful for your assistance because it gives us an idea as to
2 how the document operates. I want now to move on to another
3 topic, please. Yesterday, during the course of your evidence, do
4 you remember telling us that Sam Bockarie was subordinate to
15:22:13 5 Benjamin Yeaten?

6 A. Yes, in one sense. Benjamin Yeaten was a Special Force,
7 according to what I know, and Sam Bockarie was a trainee from
8 Liberia. So he was superior to Sam Bockarie, but on the other
9 hand Sam Bockarie, the way he felt and the things that he said
15:22:50 10 while we were with him, he did not want to take order from him
11 because he himself said he was commanding a whole revolution.

12 Q. Let us just remind ourselves, shall we, of what it was that
13 you told us yesterday, because I want to see if you still stand
14 by this or whether you want to change it. Question on page

15:23:17 15 16174:

16 "Q. Mr Witness, when I asked you about the communication
17 between Sam Bockarie and Benjamin Yeaten you said that it's
18 just like, for example, when you and your subordinates we
19 would be doing something while you would be giving
15:23:31 20 instructions. What were you referring to when you said
21 '... just like, for example, when you and your
22 subordinates'?"

23 And you said:

24 "A. In that area let me clarify it. Benjamin Yeaten was
15:23:42 25 senior to Sam Bockarie. That's what I meant directly."

26 And then you were asked this question:

27 Q. But when you said you and your subordinates, who were
28 you referring to?

29 A. Benjamin Yeaten was the 'you' and the subordinate was

1 Sam Bockarie."

2 Now, I just want to clarify that a little in light of other
3 things which you have said in the past. Can we go behind divider
4 1, please. Let's look at the fourth paragraph in that page

15:24:47 5 together:

6 "Kabbah does recall seeing a radio message from Benjamin
7 Yeaten recorded in the logbook that Johnny Paul Koroma should be
8 taken to safety in Kangama, in Kailahun District. Kabbah says
9 that Sam Bockarie did not 'take orders' from Benjamin Yeaten
10 because Bockarie would have seen Benjamin Yeaten as 'inferior' in
11 rank."

15:25:13

12 I'm going to read out the rest of the paragraph before
13 anyone complains, but let me just pause there for a moment. Is
14 that the way that Sam Bockarie thought?

15:25:32

15 A. Yes.

16 Q. So in one sense he felt that Yeaten was inferior to him?

17 A. He did not take him to be his senior. Just like the way he
18 was thinking because he thought that he was a whole - he was a
19 leader in his own right, so Benjamin Yeaten was not senior to
20 him.

15:26:03

21 Q. And just to put it in context:

22 "However, a message like the one from Benjamin Yeaten
23 referred to would have been followed by Sam Bockarie [and others]
24 because it 'had to have come from Charles Taylor'. Even though
25 such a message would not refer to Charles Taylor, Kabbah said
26 that it was understood in the RUF that if it came from Benjamin
27 Yeaten it had to have come from Charles Taylor."

15:26:26

28 And was that the thinking?

29 A. Yes.

1 Q. And so so long as Benjamin Yeaten said anything everyone
2 assumed without any evidence that it must have come from
3 Charles Taylor, is that the position?

4 A. Yes, because they said he was his right-hand man and so
15:27:04 5 whatever he said he must have discussed that with the Pa.

6 Q. But there was no evidence to support it. It's just what
7 people assumed, is that the case?

8 A. Yes.

9 Q. Thank you. Now, I want to ask you about another topic and
15:27:31 10 it's this. Jungle was a Liberian, wasn't he?

11 A. Yes.

12 Q. Now there came a time, did there not, when Jungle and a
13 group of Liberians because of the incursion by ULIMO into Liberia
14 became isolated in Sierra Leone?

15:28:09 15 A. From 2000 - from 1992 to 2000 - from 1992 to 1997, yes,
16 they hadn't dealings.

17 Q. Because what had happened was Jungle had become cut off
18 from Liberia and he was effectively thereafter fighting with the
19 RUF, wasn't he?

15:28:42 20 A. Jungle - Jungle was there with their remnant renegades, not
21 with the RUF. They were together with Fayia. They were in the
22 bush in their own separate jungle. He was with General Fayia,
23 the one who was in charge of Foya at that time.

24 Q. But he effectively became a part of the RUF, didn't he?

15:29:18 25 A. Yes, he used to come to us the time Fayia wanted us to go
26 to Monrovia.

27 Q. The reason I am asking you about this is this. Yesterday
28 when you were giving evidence you said this:

29 "A. Jungle even at the time of the intervention while our

1 men were in Freetown he used to come, yes.

2 Q. Explain what you mean by that.

3 A. Jungle, I would say he too was now part of the RUF."

4 Page 16165 and at line 24 on that page:

15:29:56 5 "A. Yes, I said that man was now part of the RUF."

6 And that's the case, isn't it? Jungle effectively became a
7 member of the RUF, didn't he?

8 A. That's what I said, because he was with us. He would move
9 to go to Monrovia and he would return. That was it. He would go
10 back and forth.

15:30:19

11 Q. In fact, wasn't Jungle in Abidjan?

12 A. That --

13 Q. Think about it. You yourself were in Abidjan for the peace
14 talks, so help me. Jungle was there with Pa Sankoh, wasn't he?

15:31:11

15 A. I don't recall that. I don't recall it.

16 Q. But in the same way that Jungle effectively became a member
17 of the RUF there were other Liberians who fell into the same
18 category, wasn't there, who effectively came over and became RUF
19 members? That's right, isn't it?

15:31:45

20 A. Yes, some Liberians became RUF members. All of us were
21 within Sierra Leone now. But about Jungle, when we retreated he
22 and Sam Bockarie used to make the Liberian trips mostly.

23 Q. Because let's just examine it in a little more detail.

24 Another prominent Liberian who became an RUF member was Superman,
25 isn't that right?

15:32:18

26 A. It's correct. About Superman, they told us that he was an
27 RUF vanguard. They said he was trained at the RUF base. So for
28 him from the beginning he was with us up to the end, up to the
29 time he died.

1 Q. But he was a Liberian, wasn't he?

2 A. Yes, he was a Liberian.

3 Q. Let's look at another example. CO Nya was originally an
4 NPFL radio operator because - but he became a member of the RUF,
15:33:00 5 didn't he?

6 A. Yes.

7 Q. Can you tell us of a few more instances of Liberians,
8 former NPFL officers and soldiers, who became RUF members?

9 A. Yes.

15:33:22 10 Q. Just give us a few names.

11 A. CO Rambo, who was called Flomo. CO Isaac. We had CO
12 Martin George, CO Kolo Moriba. I think I will stop there for
13 now.

14 Q. Well, I'm most grateful for your assistance. Madam
15:33:56 15 President, do I need to assist with spelling in respect of any of
16 these?

17 PRESIDING JUDGE: I think they've all been spelt. I notice
18 CO Kolo Moriba. Is that Colonel Moriba, or is that a forename?

19 MR GRIFFITHS: Let me ask the witness:

15:34:15 20 Q. Mr Kabbah, is it Colonel Moriba?

21 A. Kolo. Kolo Moriba. That was his nickname, Kolo Moriba.

22 Q. Can you spell Kolo for us? Just try.

23 A. That was a nickname. It could be spelt by anybody, but the
24 way I spell Kolo is K-O-L-O, Kolo, M-O-R-I-B-A. Kolo Moriba.

15:34:49 25 Q. As in Kolo Touré who plays centre back for Arsenal,
26 K-O-L-O, yes? I see you are mystified, Madam President.

27 PRESIDING JUDGE: It's not hurling, I don't think.

28 MR GRIFFITHS:

29 Q. So that's Colonel - CO Kolo Moriba. Now, the point that

1 I'm - there's another example, isn't there? There was also a
2 force called the STF which was made up of former ULIMO fighters.
3 That's right, isn't it?

4 A. Yes.

15:35:37 5 Q. And in fact those STF members figured quite prominently in
6 the invasion in Freetown in January 1999, didn't they?

7 A. Yes, they were all there.

8 Q. And in fact they also figured prominently in the robbery of
9 a bank in Koidu, didn't they?

15:36:13 10 A. The Koidu robbery, it was a general action. I cannot
11 specifically say it is this set of people, or that set of people.
12 Nobody will say that it was just the STF that did it. We only
13 heard that the troops went and robbed the bank and they were all
14 there and I was not part of the group at that time.

15:36:36 15 Q. Very well. I'm not going to quibble over that, but the
16 point I'm seeking to make is this and I ask whether you agree
17 with me. The issue of nationality, whether you came from Liberia
18 or Sierra Leone, at one level it wasn't important within the RUF,
19 was it?

15:37:12 20 A. Yes, according to the leader.

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

22 A. Yes, I agree with what you said. The leader told us that
23 we were not fighting a tribal war.

24 Q. And in some instances where people in the media were
15:37:32 25 saying, "Charles Taylor has sent troops into Sierra Leone", often
26 times it was RUF members who just happened to come from Liberia.
27 You'd agree with that, wouldn't you?

28 A. Repeat that question once again. Let me get the contents
29 clearly.

1 Q. Sometimes during the war in Sierra Leone when there were
2 media reports on the radio and in the newspaper that
3 Charles Taylor has sent soldiers into Liberia - soldiers into
4 Sierra Leone, often times that was because there were some
15:38:22 5 Liberians who had chosen to fight with the RUF, would you agree?

6 A. Yes, Liberians were there and so if they said Liberians
7 were amongst us they were not lying. They were amongst us.

8 Q. But it didn't mean that Charles Taylor had sent them, did
9 it?

15:38:46 10 A. He sent them. It is just like when you have a child that -
11 a child that is not guided well. If you send that child on a
12 mission, sometimes they will go and do something that you did not
13 actually send them to do. Those are the type of children. They
14 were wayward soldiers.

15:39:12 15 Q. I totally agree with that. People like Jungle, who decided
16 it was much more fun to stick with the RUF than go home, you'd
17 agree, wouldn't you, a wayward child?

18 A. Yes, if your father sends you to do something when he says
19 "Come back" you should come back, but if you refuse to come back
15:39:39 20 then you are wayward.

21 Q. Thank you. I'm going to move on to another topic. Would
22 you agree that effective mining within the RUF in Kono did not
23 start until almost the end of 1998?

24 A. Yes, yes.

15:40:28 25 Q. And I tell you why I ask, because when we look behind
26 divider 1 at page 10, the second to last paragraph on that page:
27 "Kabbah saw diamond mining operations in Kono, as well as
28 in Tongo. 'Effective mining', which means round the clock
29 mining, started after the complete capture of Kono in late 1998.

1 Kabbah saw mining in 1999 and it was happening all over the Koidu
2 Town area. Kabbah is aware that the RUF had implemented the 'two
3 pile' system of mining, where the miners keep 50% of their gravel
4 for themselves and 50% was the 'government pile', which meant it
15:41:49 5 went to the RUF. Kabbah says that all the diamonds the RUF
6 obtained went to the leader of the RUF, whoever that was at the
7 time."

8 Is that true?

9 A. Yes.

15:42:07 10 Q. And I recall you telling us that that system operated up
11 until the time that Issa Sesay took over the leadership of the
12 RUF.

13 A. Correct.

14 Q. And then things changed, is that right?

15:42:36 15 A. It was Issa Sesay who was in charge. He was the commander
16 within the mining scheme up to the time the disarmament took
17 place. No other changes took place.

18 Q. And it was Issa who got rid of Kennedy and replaced him
19 with Peleto, is that right?

15:43:14 20 A. He replaced him with whom?

21 Q. Peleto.

22 A. Correct.

23 Q. Now can we look, please, at another passage within this
24 interview where you talk about mining. Yes, can we go, please,
15:43:41 25 to page 21. No, I'm sorry, my fault. Let's start at page 20.
26 Let's start from the second to last paragraph on that page:

27 "Kabbah says there was not much mining by the RUF in Kono
28 District until they recaptured Koidu Town in late 1998. Issa
29 Sesay was the one who brought the diamonds from there to Sam

1 Bockarie during the year 1999.

2 As indicated earlier, Kabbah knew Eddie Kanneh as a former
3 AFRC who became a very close associate of Sam Bockarie. Kanneh
4 lived in Buedu in 1998 and 1999 and he travelled frequently with
15:45:03 5 Sam Bockarie, including sometimes to Liberia. Kabbah does not
6 recall Kanneh going to Liberia by himself very often. Kabbah is
7 only aware of Kanneh going to Liberia about three or four times
8 in total. Kabbah never saw Kanneh take anything to Liberia.
9 Kabbah never heard others say that Kanneh took anything to
15:45:32 10 Liberia. The one incident that Kabbah does recall concerning
11 Eddie Kanneh is the one where Kanneh was supposed to collect the
12 money from two white guys, one of whom was called Michel, who
13 were selling the diamonds for the RUF and then Kanneh was to give
14 the money to 'FOC' to take back to Sierra Leone."

15:45:53 15 Pause there. Now Eddie Kanneh, was he a Sierra Leonean?

16 A. Yes.

17 Q. When you say he was a former AFRC, do you mean that he had
18 been a member of the Sierra Leonean army?

19 A. Yes.

15:46:15 20 Q. And can you recall now the circumstances in which he became
21 close to Sam Bockarie?

22 A. Yes, during the junta period he was the resident minister
23 east and the headquarters was Kenema. That was where he got used
24 and close to Sam Bockarie. And after ECOMOG pushed the junta out
15:46:49 25 of power he went to Buedu and he became a close friend of Sam
26 Bockarie. Although he was lodged in his own house, but in the
27 morning he would come to Sam Bockarie and he would be there with
28 him.

29 Q. And did he become something of an agent for Sam Bockarie?

1 A. Eddie Kanneh, for me because we were all based on the
2 ground there I cannot say he was made an agent. All I know is
3 that at any time Sam Bockarie was going to Monrovia he went with
4 him and on his return he came back with him and I know that he -
15:47:47 5 they were best of friends, so most times when he went he went
6 with him.

7 Q. Now in that passage to which I've drawn your attention at
8 the top of page 21 you see that you say, "He travelled frequently
9 with Sam Bockarie including sometimes to Liberia." Now, help me.
15:48:12 10 Did he travel with Sam Bockarie to any other country apart from
11 Liberia?

12 A. I knew that they used to go to Liberia, but I don't know
13 about any other country that they went to. I only knew that they
14 used to go to Liberia.

15:48:36 15 Q. And then you go on to say:
16 "The one incident that Kabbah does recall concerning Eddie
17 Kanneh is the one where Kanneh was supposed to collect the money
18 from two white guys, one of whom was called Michel, who were
19 selling the diamonds for the RUF and then Kanneh was to give the
15:49:02 20 money to 'FOC' to take back."

21 Now, let's just take that slowly please. Issa gave Eddie
22 Kanneh a huge packet of diamonds to sell, didn't he?

23 A. Yes.

24 Q. And the two white men were supposed to carry out the sale?

15:49:44 25 A. They were supposed to go and sell the diamonds, but they
26 were to take them to Charles Taylor as per instruction given to
27 Eddie Kanneh by Issa because he told us that they were from
28 France and so they were supposed to meet the Pa, they show him
29 and then Eddie was supposed to wait.

1 Q. Now that you've mentioned Charles Taylor for the first time
2 in that connection, let me go into it in a bit more detail. Go
3 back to page 6, third paragraph from the bottom of the page:

4 "Kabbah remembers Eddie Kanneh, whom Kabbah described as a
15:50:46 5 'former AFRC', coming with two white men to Kono to collect
6 diamonds from Issa Sesay. Kabbah saw them take a huge package of
7 diamonds. Kanneh and the two white men were to take the diamonds
8 to Monrovia and after the white guys sold the diamonds Kanneh was
9 supposed to get the money and turn it over to Fomba (aka 'FOC').

15:51:20 10 Eddie Kanneh never delivered the money and Kabbah says that
11 Kanneh was not seen again. Kabbah remembers that 'FOC' sent a
12 message to Kono that Kanneh had apparently left Liberia."

13 Pause there. What's missing from that account of what went
14 on given what you're telling us now? Do you understand my
15:52:01 15 question?

16 A. No, no.

17 Q. Well, let me try again. Let me put it more simply. Is
18 there any mention in that paragraph of Charles Taylor being
19 involved?

15:52:15 20 A. No, in my presence the instruction given did not work.

21 Q. No, my question is very simple. Why, given what you're
22 telling us now, is there no mention of Charles Taylor in that
23 paragraph?

24 A. I did not recall to make mention of him at the time I was
15:52:58 25 giving my statement.

26 Q. Mr Kabbah, who did you think the OTP investigators were
27 interested in in 2007 when they were interviewing you if it
28 wasn't Charles Taylor? So how did you forget to mention him?
29 Take your time.

1 A. I did not recall. I did not recall and the investigators
2 too did not draw my attention to that, but the instruction given
3 they did not work according to it.

15:54:03 4 Q. Well, it's not for the investigators to draw your attention
5 to it. It's for you, the evidence giver, to provide them with
6 the information and so why didn't you?

7 A. The people I saw at the scene were the people that I made
8 mention of during the investigation.

15:54:34 9 Q. Now let's look at it slowly and logically, shall we? Two
10 white men come to Kono, correct?

11 A. Yes.

12 Q. They accompany Eddie Kanneh, is that right?

13 A. Yes, not just Eddie Kanneh. They were many in number that
14 came.

15:54:54 15 Q. But in any event Issa Sesay gives to Eddie Kanneh a large
16 packet of diamonds, correct?

17 A. Yes.

18 Q. Kanneh is to go with the white men to sell those diamonds,
19 correct?

15:55:17 20 A. Correct.

21 Q. And they were not supposed to sell them to Charles Taylor,
22 were they?

23 A. It could be correct because the instruction was that when
24 they went they should go to Charles Taylor and show them to him,

15:55:44 25 but those two white men came purposefully to buy. They came,
26 they said they buy diamonds, but that they were supposed to take
27 the diamonds to him because he was now the father over us for him
28 to see them.

29 Q. Let's take it slowly. Remember we're talking about a

1 business transaction here. "A" gives diamonds to "B" to sell to
2 somebody else and the money is supposed to be given to FOC to
3 bring back to Issa Sesay, do you agree?

15:56:30

4 A. I did not understand that area. I do not just want to
5 agree.

6 Q. Issa Sesay gives diamonds to Eddie Kanneh to sell to two
7 white men. When Kanneh gets the money, he is supposed to give it
8 to FOC to bring back to Issa Sesay. That was the plan, wasn't
9 it? That was the plan, wasn't it?

15:56:53

10 A. Yes.

11 Q. So, help me. Why do they need to go and show them to
12 Charles Taylor?

15:57:21

13 A. To serve as evidence at the end, because in the absence of
14 Sankoh it was Charles Taylor that we regarded as our father and
15 that was a transaction business. It involved money and Eddie
16 Kanneh was there with us. That was why Issa gave him the
17 instruction that when he took it there he should show them to
18 him. So he said those people, he joined them so that when they
19 take the diamonds to Liberia before selling it they should show
20 them to him first.

15:57:45

21 Q. So the idea wasn't to give it to Charles Taylor so
22 Charles Taylor could put it in his own pocket. It was just so
23 that he could see what was being sold, is that right?

24 A. Yes.

15:58:03

25 Q. So why couldn't Issa Sesay himself say to Pa Sankoh, "Guess
26 what, Pa. This is what I gave to Eddie Kanneh to sell for you"?
27 Why couldn't Issa do that? Why did it have to go to
28 Charles Taylor?

29 A. The time this happened, at that time Sam Bockarie had left

1 and by then Pa Sankoh was under arrest. That was not the time Pa
2 Sankoh was with us. He was now under arrest.

3 Q. Well, so what? What's the significance of the fact that he
4 was under arrest?

15:59:03 5 A. That who was under arrest?

6 Q. That Pa Sankoh, you just told us. What difference did that
7 make? Why did it have to be shown to Mr Taylor, please?

8 A. I said all throughout Mr Taylor was the father for the
9 movement. Pa Sankoh told us he was his own brother, so whatever
10 went on if Pa Sankoh was not present he was supposed to know. So
11 even at the time he came from Togo he passed through Liberia
12 before he entered the RUF controlled zones, so it was as a result
13 of that.

14 Q. I'll move on. Let's go back to page 21. Now, remember at
15 the page I've just shown you've already spoken about the deal and
16 not mentioned Charles Taylor. Let's go now to page 21 and five
17 lines from the top of that page:

18 "The one incident that Kabbah does recall concerning Eddie
19 Kanneh is the one where Kanneh was supposed to collect the money
16:00:43 20 from two white guys, one of whom was called Michel, who were
21 selling the diamonds for the RUF and then Kanneh was to give the
22 money to 'FOC' to take back to Sierra Leone."

23 Again, let me ask you what's missing from those sentences?

24 A. There is nothing missing there.

16:01:02 25 Q. What about the President of Liberia called Charles Taylor?
26 Why is he not mentioned there?

27 A. We did not make mention of that.

28 Q. Why not? Why not?

29 A. The diamonds were not going to him directly. That was the

1 reason why I did not make mention of him. But let's take it this
2 way. It is like when somebody was a big man and they should go
3 and show that person so that at the end of the day if there is a
4 problem he will serve as a witness. So that was why they were
16:01:49 5 supposed to go and show it to him, but they were not meant to go
6 directly to him.

7 Q. Well, precisely, when somebody was a big man. In light of
8 the investigation you knew you were involved in, who was the
9 biggest man but Charles Taylor? So why not mention him?

16:02:16 10 A. I said they were not meant to be taken to him for sale.
11 Those men came to buy the diamonds. That was why I did not make
12 mention of him. If they had said, "You should take the diamonds
13 to the Pa for safekeeping", I would have said that, "The diamonds
14 were taken to him for safekeeping, but those two white men came
16:02:39 15 to buy".

16 MR GRIFFITHS: Would your Honours give me a moment?

17 PRESIDING JUDGE: Yes.

18 MR GRIFFITHS:

19 Q. Yes, page 21, please. We're still there. On that same
16:03:14 20 page miss the next paragraph and move on:

21 "The same two white guys who were brokering diamonds for
22 Eddie Kanneh that Kabbah described were also in Buedu to see Sam
23 Bockarie once."

24 Pause there. What do you understand by the word
16:03:35 25 "brokering"?

26 A. Sam Bockarie is Mosquito.

27 Q. I wasn't referring to brokering as a verb of the name
28 Bockarie. I was referring to brokering as it appears in that
29 sentence, "The same two white guys who were brokering diamonds

1 for Eddie Kanneh." What do you understand by the word
2 "brokering"?

3 A. I do not understand that English. I have never come across
4 it.

16:04:21 5 Q. You've never come across that word before?

6 A. No, no, no, no.

7 Q. Interesting that, given that this is in an interview with
8 you conducted on 2 February 2007. And if we go behind divider 2
9 we'll see that in the October of that year you went through that
10 statement line by line over three days and corrected things and
11 yet nowhere in that interview, which stretches to some ten typed
12 pages, do you say, "I don't know what that word 'brokering'
13 means. Please change it". Why not?

14 A. No, I did not do that. I did not do that.

16:05:16 15 Q. Why not? I know you didn't, that's why I'm asking.

16 A. I did not know and I did not ask really.

17 Q. They were dealing in diamonds for Sam Bockarie, weren't
18 they?

19 A. I saw them in Buedu once when they visited Sam Bockarie at
16:05:53 20 the time we were there.

21 Q. When?

22 A. After we had retreated from Freetown, after the junta.

23 Q. Was this before or after diamonds were taken from Johnny
24 Paul Koroma, which we've already talked about?

16:06:20 25 A. It was after. It was after, because that episode took
26 place before Sam Bockarie went to Monrovia and when he went there
27 that was the time he came with them.

28 Q. Now, let us just pause and take care in analysing this.
29 Remember the sequence of events after February 1998 is as

1 follows: the junta is kicked out of Freetown in February and
2 they retreat to the bush, whilst a few weeks after the retreat
3 there is a major falling out between Sam Bockarie and Johnny Paul
4 Koroma which results in Johnny Paul Koroma being relieved of a
16:07:18 5 lot of diamonds and his wife raped. Is that right?

6 A. The diamonds that you are talking about, those were the
7 diamonds given to Issa that he took with him and he said they got
8 missing. Those are the diamonds from Johnny Paul. Those were
9 the ones Issa lost. When - and the time the white men came Issa
16:07:51 10 was in Kono. By then, they had just captured Kono. That was the
11 time the two white men came and by then Sam Bockarie was still in
12 command. He and the white men travelled to Kono. They met Issa
13 there.

14 Q. And so these white men arrive in Kono after Issa lost those
16:08:14 15 diamonds supposedly in Monrovia. That's correct, isn't it?
16 That's what you're telling us?

17 A. Yes.

18 Q. Now Issa had taken the diamonds to Monrovia to sell in
19 order to purchase arms for the RUF, is that right?

16:08:37 20 A. Yes, it was to purchase ammunition that he took the
21 diamonds for.

22 Q. Now, given that he came back saying he'd lost the diamonds,
23 no ammunitions were purchased as a result of that particular
24 deal. That's right, isn't it?

16:09:05 25 A. Correct.

26 Q. And it's after that deal collapses that you see white
27 Lebanese diamond merchants meeting with Bockarie in Buedu, is
28 that right?

29 A. Yes, at that time, the time I am referring to here, at the

1 time Issa went and lost the diamonds Sam Bockarie went and
2 brought ammunitions and they captured Kono and by then they had
3 started the mining there. Issa was now in Kono and that was the
4 time the two white men came and he travelled with them to Kono.

16:09:53 5 They met Issa there.

6 Q. No, Kono was captured late 1998, wasn't it?

7 A. Yes.

8 Q. The Johnny Paul Koroma diamonds went missing earlier in the
9 year, didn't they?

16:10:15 10 A. Yes.

11 Q. And the white men appeared some time in 1998, didn't they?

12 A. Yes, it was late 1998. What I am talking about is that
13 when Issa went and lost the diamonds everything became stiff for
14 us. We did not used to get ammunition, save that we used to get

16:10:47 15 one or two boxes from Jungle that he used to bring, and it was
16 not until the time they had resumed minings in the Kono area that
17 they got some diamonds and Sam Bockarie went and brought some
18 ammunition and after he brought the ammunition we fully captured
19 Kono and that was the time the white men came and met Sam
16:11:06 20 Bockarie before they went there.

21 We had captured Kono before the two white men came to Buedu
22 and met Sam Bockarie there. All of them travelled that
23 particular day and they went. When they went to Kono they met
24 Issa there and after which they returned and when they came and
16:11:26 25 went that was the time we were - he came and arrested us for the
26 message logbook that got missing. Kono had been captured by
27 then.

28 Q. The point that I want to ask you about is this: The
29 arrival of a large shipment of arms was at or about the same time

1 that Lebanese diamond merchants suddenly appear in Buedu. That's
2 right, isn't it? Take your time.

3 A. The coming of those men, I had said that Kono had already
4 been captured by then and Sam Bockarie had brought those
16:12:24 5 materials and we had captured Kono by then that the white men
6 came. Kono was captured and he did not stay long when those
7 white men came.

8 Q. But both events were towards the back end of 1998. That's
9 right, isn't it?

16:12:49 10 A. Which two events?

11 Q. The two white men arriving and a large shipment of arms,
12 the largest shipment the RUF had ever seen, both events happened
13 round about the back end of 1998. That's right, isn't it?

14 A. Yes, that was the ammunition that I am still talking about
16:13:14 15 that we used to capture Kono.

16 Q. Back to page 21, please:

17 "The same two white guys who were brokering diamonds for
18 Eddie Kanneh that Kabbah described were also in Buedu to see Sam
19 Bockarie once. The first time Kabbah saw those two white guys,
16:13:46 20 they were in Buedu with Bockarie and Jungle when they came back
21 from Monrovia in September or October 1999."

22 Is that right? Take your time.

23 A. These were the two white guys that I have been talking
24 about, but this time the month is a little bit confusing. I am
16:14:37 25 not very certain about the month. That is why I have based it on
26 the incidents that took place, because maybe some of the months
27 that I have been talking about, some might fall before or after,
28 but it was the incidents that I tried to recall more.

29 Q. Now you see the difficulty you're in now, don't you.

1 September or October would be before Kono was captured, wouldn't
2 it?

3 A. Yes, that is the whole reason why I am still talking --

4 PRESIDING JUDGE: Pause, Mr Witness. Yes, Mr Santora.

16:15:20 5 MR SANTORA: I'm objecting if counsel is referring to
6 September or October without giving a year after just having
7 referred to a statement that does give a year with the exact
8 words "September or October". The question is misleading.
9 Counsel did not give a year. He just said "September or October"
16:15:39 10 and previous to that had referred to a passage at tab 1, page 21.

11 MR GRIFFITHS: I can short-circuit this. My learned friend
12 is absolutely right.

13 PRESIDING JUDGE: Very well.

14 MR GRIFFITHS:

16:16:11 15 Q. I'm still pursuing this point and just so that we get the
16 chronology right, Kono is captured late 1998, yes?

17 A. I cannot tell now actually. The time Kono was captured I
18 cannot actually tell the exact time, but it could be in 1998 or a
19 month after. I cannot be exact about that.

16:17:05 20 Q. Page 10, second to last paragraph. Let us just remind
21 ourselves what you told the investigators in 2007:

22 "Kabbah saw diamond mining operations in Kono as well as in
23 Tongo. Effective mining, which means round the clock mining,
24 started after the complete capture of Kono in late 1998."

16:17:51 25 All right? You remember telling the investigators that?

26 A. Yes.

27 Q. And was it the truth?

28 A. The year - the year is a little bit doubtful. That 1998 or
29 1999, it is about the year.

1 Q. Which year do you say the RUF captured Kono then? Did you
2 hear my question?

3 A. I heard your question.

4 Q. So why haven't you answered it?

16:19:01 5 A. I am thinking over the year. I'm thinking over the year,
6 because this 1998, I am thinking about the end of 1998 to '99
7 that Kono was captured. That is what my mind is still telling
8 me.

9 Q. And that's precisely what you told the Prosecutors back in
16:19:29 10 February 2007 at page 10, so it looks right, doesn't it?

11 A. That was how I took it to be. I took it that that was
12 correct. The time had actually escaped me, but I just estimated
13 that it could have been between that end of '98 to '99.

14 Q. Good. Now let's go back to page 21. So that when in that
16:20:13 15 second to last paragraph you say:

16 "The first time Kabbah saw those white guys they were in
17 Buedu with Bockarie and Jungle when they came back from Monrovia
18 in September or October 1999."

19 Now it follows, doesn't it, that the RUF would have been in
16:20:41 20 control of Kono mining round the clock for something like nine
21 months by the time the two white men arrive. Would you agree?

22 A. The time the two white men came, that was when Kono had
23 just been captured, like for about one month, that was the time
24 the white men came together with Jungle and when they came that
16:21:26 25 was the time Sam Bockarie took them to Kono to meet with Issa.

26 Q. So help us, why were you telling the investigators here
27 that they arrived in September/October 1999 which would be a good
28 nine months after Kono had been captured? Why were you telling
29 them that?

1 A. I was not exact about it. I was not very confident about
2 those times that the incidents took place. They were not things
3 I recorded that they this was the time those people came. I just
4 assumed some of these months. But to say it was a date that I
16:22:23 5 had to hand that I wrote it somewhere that so and so thing
6 happened that time or that time, no, that was not the case. I
7 only assumed that such and such happened at that time particular
8 time. So I was not exact about the month that those people came,
9 but those people came at the time Sam Bockarie was in charge.

16:22:44 10 Q. Now I am pursuing this and I will continue to pursue it
11 because it's important. If, as this paragraph suggests, the
12 white men came in September/October 1999, nine months or so after
13 the RUF controlled Kono, by that date the RUF would have diamonds
14 to sell, wouldn't they?

16:23:23 15 A. Yes.

16 Q. And help us, please, the largest shipment of ammunition
17 received by the RUF came in late 1999, didn't it? Sorry, my
18 fault. Late 19 - was it late 1998 you say you saw the ten
19 wheeler truck, or '99?

16:23:54 20 A. I have - I am still talking about this area. I cannot be
21 concretely specifically about either of those two years. I only
22 recall the incidents that took place, but I have been confused
23 with regards the years. So if I tell you that it is this year or
24 that year I will be telling lies. So I did not take records of
16:24:23 25 them. I don't have them on documents, you have them on documents
26 so you can recall that it was this year or that year. It is
27 something I am drawing from off my head.

28 Q. Yes, I have them on documents, but documents recording what
29 you said to investigators. That's why I'm asking you about it.

1 Let's just finish this passage on page 21, shall we, because we
2 may not have time to complete the point:

3 "... in September or October 1999. They waited in Buedu
4 while Bockarie went to Kono to meet Issa Sesay and bring back
16:25:10 5 diamonds a day later. Kabbah heard from others that Bockarie
6 gave diamonds to the two white guys, but Kabbah never saw the
7 transaction himself.

8 The other time Kabbah saw these two white guys they were
9 with Eddie Kanneh, Issa Sesay and Zigzag Marzah and that would
16:25:33 10 have been around March 2000. Kabbah saw them in Small Lebanon at
11 Issa Sesay's house. Kabbah saw a large number of diamonds,
12 enough to fill a large coffee cup, given by Issa Sesay to Eddie
13 Kanneh. From there Eddie Kanneh and the two white guys went back
14 to Liberia. Kabbah thinks the white men went to France but they
16:26:08 15 were Lebanese or Lebanese looking people who spoke Krio. Kabbah
16 says one was called Michel. Kabbah heard that these guys were in
17 Freetown previously, but after the AFRC coup they fled to
18 France."

19 Now, this is the third occasion in this interview that
16:26:33 20 you're being asked about this Eddie Kanneh incident and once
21 again what's missing from that account?

22 A. About Eddie Kanneh, is that what you mean?

23 Q. Yes, the Eddie Kanneh account. We've gone through it twice
24 already and so I thought maybe you understood the point by now.

16:27:06 25 Is there any mention of Charles Taylor?

26 A. No.

27 Q. So this is the third occasion you're relating this story
28 about Eddie Kanneh and diamonds and money not being handed back
29 and lo and behold on none of those occasions do you mention

1 Charles Taylor. Why is that?

2 A. Those were the ones who came. It was not Charles Taylor
3 who came. That was the reason why I made mention of them. Those
4 whom I saw were those I made mention of.

16:27:49 5 Q. Well you've already agreed with me that Charles Taylor
6 never set foot in Sierra Leone to your knowledge and so of course
7 there'd be no need for you to mention him in that context, but
8 why didn't you say, "And Eddie Kanneh was told 'Take the diamonds
9 and show them to the Pa before you sell them'"? Why didn't you
16:28:13 10 say that? You've had three opportunities now and on none of
11 those occasions have you said it. Why not?

12 A. This was not anything that I regarded important, because to
13 go and say, "Yes, it might be important for the sake of
14 evidence", but the diamonds were not directed to him to be taken
16:28:47 15 directly to him and so that was the reason why I did not make
16 mention of him.

17 MR GRIFFITHS: Would that be a convenient point, your
18 Honour?

19 PRESIDING JUDGE: Indeed, Mr Griffiths, we've been alerted
16:28:59 20 that the tape has just about run out.

21 Mr Witness, it's now 4.30 and as usual we are going to
22 adjourn until tomorrow morning at half past 9. Again I remind
23 you that you are under oath and whilst you are under oath you are
24 not to discuss your evidence with anyone else. Do you
16:29:19 25 understand?

26 THE WITNESS: Yes, my Lord.

27 PRESIDING JUDGE: Please adjourn court until 9.30 tomorrow
28 morning.

29 [Whereupon the hearing adjourned at 4.30 p.m.]

1 to be reconvened on Wednesday, 17 September
2 2008 at 9.30 a.m.]
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I N D E X

WITNESSES FOR THE PROSECUTION:

MOHAMED KABBAH 16281

CROSS-EXAMINATION BY MR GRIFFITHS 16281