



Case No. SCSL-2003-01-T

THE PROSECUTOR OF
THE SPECIAL COURT
V.
CHARLES GHANKAY TAYLOR

MONDAY, 17 NOVEMBER 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 Sidney Thompson

For the Registry:

Ms Rachel Irura
Mr Momodu Tarawallie

For the Prosecution:

Ms Brenda J Hollis
Ms Maja Dimitrova

For the accused Charles Ghankay
Taylor:

Mr Terry Munyard
Mr Morris Anyah
Mr Michael Walker

1 Monday, 17 November 2008

2 [Open session]

3 [The accused present]

4 [Upon commencing at 9.30 a.m.]

09:29:05 5 PRESIDING JUDGE: Good morning. I will take appearances.
6 Ms Hollis?

7 MS HOLLIS: Good morning, Madam President, your Honours,
8 opposing counsel. This morning for the Prosecution are Maja
9 Dimitrova and myself, Brenda J Hollis.

09:29:59 10 PRESIDING JUDGE: Thank you. Mr Anyah, good morning.

11 MR ANYAH: Yes, good morning, Madam President. Good
12 morning, your Honours. Good morning, counsel opposite.
13 Appearing for the Defence this morning is Mr Terry Munyard,
14 myself Morris Anyah and Mr Michael Walker. Thank you, Madam
09:30:20 15 President.

16 PRESIDING JUDGE: Thank you, Mr Anyah. If there are no
17 other matters I remind the witness of his oath. Good morning,
18 Mr Witness.

19 THE WITNESS: Good morning, ma'am.

09:30:27 20 PRESIDING JUDGE: I again remind you this morning as I have
21 done on other mornings that you are still under oath. You are
22 obliged to tell the truth and you should answer questions
23 truthfully. Is this clear?

24 THE WITNESS: Yes, ma'am.

09:30:41 25 WITNESS: AUGUSTINE S MALLAH [On former oath]

26 CROSS-EXAMINATION BY MR ANYAH: [Continued]

27 Q. Good morning, Mr Witness.

28 A. Good morning, sir.

29 Q. On Friday, in the afternoon before we broke for

1 adjournment, we were considering your movements back from Danané
2 to Monrovia. Do you recall that, Mr Witness?

3 A. Yes.

09:31:11

4 Q. Do you recall that I had put a paragraph from your
5 statement of 26 February 2003 to the Office of the Prosecutor
6 which indicated that you had some money on you and that that
7 money was used to make the trip from Danané to Monrovia. Do you
8 recall that?

9 A. Yes. You said that.

09:31:33

10 Q. Now, your response after I read the paragraph - I would be
11 grateful for the assistance of Mr Court Usher. The document will
12 be found at tab 2 of our set of documents, page 54. Your
13 response on Friday, Mr Witness, was that although you had money
14 on you that money was for your upkeep, for your feeding and other
15 items you needed, but not necessarily for transportation. Do you
16 recall telling us that on Friday?

09:31:59

17 A. Yes.

18 Q. How is it that when you gave your statement you made no
19 mention of Jungle coming to assist you at Loguatuo?

09:32:28

20 A. I said it.

21 Q. Well, let's look at the paragraph again. Now, page 54, ERN
22 ending in 7292. It starts at the top:

23 "Q. So Foday Sankoh told Mike Lamin to come and meet him?

24 A. Yeah, at Abidjan.

09:32:59

25 Q. In Abidjan?

26 A. Yeah.

27 Q. And he did that?

28 A. Mike Lamin came out there. He told me. He said we are
29 to prepare tomorrow so we can make a move to Abidjan."

1 Then you go down in your response to the point where you
2 say that Foday Sankoh came across difficulties in Nigeria. Then
3 there is a question:

4 "Q. Okay.

09:33:31 5 A. So from there they arrested he too, Mike Lamin was
6 arrested.

7 Q. Mike Lamin was arrested?

8 A. Yes.

9 Q. By who?

09:33:41 10 A. By the Fayah Musa, Deen-Jalloh with the foreign
11 minister, Ivory Coast foreign minister at that time.

12 Q. Okay.

13 A. Of course. They say they looked suspicious over the
14 movements they are doing so they were there until later.

09:34:02 15 Myself, I moved from Danané because he carry me there and
16 he - at that time he was under arrest, but at that time I
17 was having some money, about 60,000 CFE. That's roughly
18 100 US dollars."

19 We are now over to the next page:

09:34:26 20 "So I tried to find my way back to Monrovia.

21 Q. Okay.

22 A. So when I got to Monrovia I was staying at one of my
23 brother's, my elder brother's who was in Monrovia living
24 there."

09:34:45 25 Mr Witness, there is no mention of this entire sequence of
26 events you told us on Wednesday and Thursday last involving first
27 Musa Cisse receiving money that he gave to CO Brown. Is there
28 any mention of that in what I have just read, Mr Witness?

29 A. No.

1 Q. Is there any mention of CO Brown going missing with the
2 money allegedly sent by Charles Taylor to assist you from the
3 Ivory Coast back to Liberia?

4 A. No.

09:35:22 5 Q. Is there any mention of you coming across five RUF
6 brothers, as you call them, who were with "the NPFL" in Liberia
7 who crossed over towards Loguatu and met you and others in
8 Loguatu? Is there any mention of those five RUF brothers in
9 what I have just read?

09:35:48 10 A. No.

11 Q. Is there any mention of this NPFL Mammy that you met, you
12 call her a rebel mother, and you met her in the border area
13 between Liberia and Sierra Leone? Any mention of that woman?

14 A. No.

09:36:11 15 Q. Is there any mention of CO Jungle arriving and giving you
16 money and putting you in a poda-poda? Is there any mention of
17 that in what I've just read?

18 A. No.

09:36:31 19 Q. Is there any mention of you going to Gbarnga before your
20 arrival in Monrovia?

21 A. No.

22 Q. You stand by your evidence you went to Gbarnga?

23 A. Yes.

09:36:54 24 Q. In one of your pre-trial statements you told the
25 Prosecution that Gbarnga, at that time, was an NPFL base. Do you
26 remember telling them that?

27 A. Yes.

28 Q. And the time we are talking about, you agreed with me on
29 Friday last that this was the time leading up to the Liberian

1 elections in 1997, correct?

2 A. Yes.

3 Q. Indeed you claim to have been in Monrovia at the time of 25
4 May 1997 AFRC coup, true?

09:37:26 5 A. Yes.

6 Q. And on Friday you acknowledged that there was something
7 called the National Patriotic Front party. That is the NPFL
8 party that Charles Taylor was running under its auspices for
9 presidency of Liberia. You agreed with me about that, yes?

09:37:46 10 A. Yes.

11 Q. Now, how many NPFL men, if any, did you see in Gbarnga?

12 A. There were many.

13 Q. Well, my question is how many did you see in Gbarnga?

14 A. I cannot estimate that number, but I saw a lot of NPFL
09:38:17 15 soldiers.

16 Q. Did you see any RUF members in Gbarnga when you claim to
17 have gone there in mid-1997?

18 A. Yes. There was one RUF soldier but he had been with the
19 NPFL. I saw him there. And in fact I was with him before I went
09:38:45 20 to Monrovia.

21 Q. There was one RUF. In all of Gbarnga there was one RUF
22 person, you say. What's that person's name? You told us last
23 week.

24 A. Mohamed Kemokai.

09:39:05 25 Q. And his nickname was what, Cocoa what?

26 A. Cowpopo.

27 Q. Yes, Cowpopo. This was the only RUF person you saw during
28 the entire time you spent in Gbarnga, yes?

29 A. Yes. That is the one I can recall, even though I used to

1 see some former RUF members, because all of us trained together,
2 but I cannot recall their names now because we had separated long
3 ago.

09:39:54 4 Q. Mr Witness, are you aware that at this time in May 1997 the
5 presidential campaign in Liberia was in full swing and that there
6 were 13 political parties?

7 A. Yes.

09:40:35 8 MR ANYAH: Mr Court Usher, could you assist me and display
9 this on the overhead, please. If we could start at the top of
10 the document:

11 Q. Mr Witness, this is the ballot paper for the July 1997
12 presidential elections in Liberia and at the top left-hand corner
13 you see the party acronym or alliance, in the middle you see the
14 photograph of the respective presidential candidates and on the
09:40:58 15 far right is a voter mark column. We then scroll downwards and
16 you see for the Unity Party the current President of Liberia, Her
17 Excellency Ms Johnson-Sirleaf; below her for the ALCOP, All
18 Liberia Coalition Party, is Alhaji Kromah of ULIMO-K, or formerly
19 of ULIMO-K; and right below Alhaji Kromah do you see who is
09:41:30 20 pictured there? Do you see that, Mr Witness?

21 A. Yes.

22 Q. Charles Ghankay Taylor and to his left it says "National
23 Patriotic Party (NPP)". Mr Witness, I put it to you that in May
24 of 1997 there was no longer an NPFL in existence. Do you agree?

09:41:51 25 A. I said the soldiers. Even though NPFL had been transformed
26 into a political party there were NPFL fighters, those who had
27 fought for the NPFL even before it was transformed into a
28 political party, so I referred to this man as an NPFL soldier.

29 Q. Which man do you refer to as an NPFL soldier?

1 A. The man with whom I was; that is Mohamed Kemokai in
2 Gbarnga.

3 Q. So Kemokai was essentially a Sierra Leonean that you say
4 was affiliated with the NPFL. Is that your evidence today?

09:42:43 5 A. Yes, since 1991 he was with NPFL and he rose up to the rank
6 of general within the NPFL.

7 Q. At the time you met him, was he a general in 1997?

8 A. He was an ex-general for the NPFL.

9 Q. Let's consider that for a second. You say he was an NPFL
09:43:14 10 and you say he was a general. I asked you a question now whether
11 he was a general in May 1997. You say he was an ex-general then.
12 If he was an ex-general, how was it he was still a member of the
13 NPFL?

14 A. He told me he was a general within the NPFL and even when
09:43:39 15 we were in Sierra Leone we used to hear about him, that one of
16 our brothers, Mohamed Kemokai, who was Cowpopo, was a general for
17 the NPFL. Even though they had been disarmed before I met him,
18 but even his colleague NPFL soldiers used to still refer to him
19 as general and at that time Charles Taylor only had contested an
09:44:13 20 election. He had not won yet as a president.

21 Q. Mr Witness, you spent, what, about close to a month in
22 Gbarnga, do you think?

23 A. Yes.

24 Q. Where did you stay in Gbarnga?

09:44:30 25 A. I was with a woman. You know the area in Gbarnga where we
26 were I cannot really describe there now, but we were somewhere
27 around - there was a house along Broad Street in Gbarnga. There
28 is Broad Street there, so Mohamed Kemokai had a house right
29 behind Broad Street and that was where I stayed. I don't know

1 that particular area, but I know I was close to Broad Street in
2 Gbarnga.

3 Q. And with whom did you stay? Was it the same Kemokai?

4 A. Yes.

09:45:31 5 Q. Where was Jessica Robertson, the woman with whom you went
6 to the Ivory Coast?

7 A. Well, Jessica Robertson soon after Mike Lamin was arrested
8 in Ivory Coast she flew, I don't know whether it was a helicopter
9 or aeroplane, from Abidjan to Monrovia.

09:46:05 10 Q. She flew from Abidjan to Monrovia. Did she ever meet you
11 at Gbarnga?

12 A. No.

13 Q. Have you ever heard of a place called Melike in Gbarnga?
14 M-E-L-I-K-E?

09:46:24 15 A. No.

16 Q. Did you ever see these people you called NPFL members, or
17 former NPFL members, in the vicinity of a large farm owned by
18 Charles Taylor?

19 A. Well Mohamed Kemokai used to tell me, but I did not go
09:47:00 20 there and nor did I see them there.

21 Q. Are you aware that Charles Taylor has a prominent very,
22 very large farm in all of Gbarnga?

23 A. I said Mohamed Kemokai told me, but I did not go there.

24 Q. You did not go there?

09:47:26 25 A. Not at all.

26 Q. Did Jungle come to meet you in Gbarnga?

27 A. Yes, I saw him there.

28 Q. And when you saw him in Gbarnga, did he give you any money
29 or assistance?

1 A. In Gbarnga, no, he did not give me any money.

2 Q. So Jungle, who gave you money and put you on the poda-poda
3 from Danané to Gbarnga, when he came to Gbarnga and met you he
4 did not give you any assistance. That's your evidence, yes?

09:48:08 5 MS HOLLIS: I am going to object to that. That is
6 misstating the evidence. The witness said he was given the money
7 and put on the poda-poda by Jungle in Loguatu, not in Danané.

8 PRESIDING JUDGE: I think that is correct, Mr Anyah. Could
9 you check your record?

09:48:25 10 MR ANYAH: I have no quarrel with that.

11 PRESIDING JUDGE: Thank you.

12 MR ANYAH: My question is focused on Gbarnga, but I will
13 rephrase it again:

14 Q. Mr Witness, the same Jungle who gave you money and put you
09:48:34 15 on the poda-poda in Loguatu for you to make your way to Gbarnga,
16 he came and met you in Gbarnga and is it your evidence when he
17 met you in Gbarnga he did not give you any assistance?

18 A. No, he did not give me physical cash.

19 Q. Indeed, in your - well, let me ask you this. If he did not
09:49:01 20 give you physical cash, did he give you any kind of assistance in
21 Gbarnga?

22 A. Yes, according to Kemokai he said Jungle gave him rice -
23 food - and that was meant for me and it was Mohamed Kemokai who
24 used to cook for me.

09:49:27 25 Q. Did Jungle tell you in Gbarnga that he was making
26 arrangements for you to go to Monrovia?

27 A. Not Monrovia. He said they were making arrangements for
28 us, the RUF, and me who had crossed who had been there, so they
29 will look for a way so that we can go over to Mosquito.

1 Q. But the fact is he never came through with the assistance
2 at the time you were in Gbarnga, correct?

3 A. Not at all. He just used to say it.

09:50:14

4 Q. And you had to leave Gbarnga, you say, and head for
5 Monrovia, yes?

6 A. Yes.

7 Q. With whom were you at this time, at Kemokai's place in
8 Gbarnga?

9 A. It was only Mohamed Kemokai with whom I was.

09:50:37

10 Q. So you were the only person travelling. Is that fair to
11 say, Mr Witness?

12 A. Although we travelled with some RUF soldiers, but they had
13 been in Gbarnga for a long time and around Gbarnga and they were
14 fighting there. So when we went to Gbarnga they went to their

09:51:06

15 respective areas where they were before we went to Ivory Coast,
16 but Mohamed Kemokai was the only person I knew and he too had
17 known me for a long time and so I was with him.

18 Q. On the way to Monrovia, did you travel alone, Mr Witness?

19 A. Yes, in a vehicle. I entered a vehicle.

09:51:43

20 Q. And where did you get the money from to make it from
21 Gbarnga to Monrovia?

22 A. It was Kemokai who assisted.

23 Q. Now, Mr Witness, when you get to Monrovia you said after a
24 while Mike Lamin met you in Monrovia, yes?

09:52:09

25 A. Yes.

26 Q. And you mentioned you and Mike Lamin going to the Freeport
27 to where the Sierra Leonean contingent of ECOMOG were, yes?

28 A. Yes.

29 Q. And you mentioned Mike Lamin speaking to a colonel, I think

1 you said his name was Hashim. Do you recall telling us about
2 that, Mr Witness?

3 A. He was a captain. The adjutant, Captain Hashim.

09:52:50

4 Q. Yes, Captain Hashim. Captain Hashim is the person who you
5 say facilitated the radio communication between Mike Lamin and
6 Sam Bockarie, yes.

7 A. Yes.

8 Q. This was Monrovia, the same place where you previously you
9 had met Jacob Tarawulu at the ministry of education, yes?

09:53:17

10 A. In that same Monrovia, yes.

11 Q. This was the same Monrovia that Tarawulu had helped
12 facilitate the acquisition of laissez-passers for you, Mike Lamin
13 and someone else, yes?

09:53:48

14 A. Well it was Mike Lamin who led us to have it, but whether
15 it was Jacob Tarawulu or somebody else I don't know because I
16 went there at his house and I was there until we went to Ivory
17 Coast. Whether he was the one who went with Mike Lamin to obtain
18 the laissez-passers, or he was the one who gave him the money to
19 obtain the laissez-passers, I did not know about that.

09:54:19

20 Q. You did not know about that, but you suggested to us that
21 after his meeting with Jacob Tarawulu a laissez-passers was
22 secured or procured. You suggested that to us last week, did you
23 not?

24 A. Yes.

09:54:38

25 Q. Now, Mr Witness, where was CO Jungle when you needed
26 assistance to cross over from Monrovia back into Sierra Leone?
27 Where was CO Jungle at this time?

28 A. Well he was in Gbarnga, but I didn't know his particular
29 location in Gbarnga because when I was going to Monrovia I did

1 not ask for him or for me to tell him that I was going to
2 Monrovia.

3 Q. Have you heard of somebody named Benjamin Yeaten,
4 Mr Witness?

09:55:26 5 A. Yes.

6 Q. Who is Benjamin Yeaten?

7 A. Benjamin Yeaten was a senior man within the NPFL.

8 Q. When you were in Monrovia with Mike Lamin, do you know
9 whether Benjamin Yeaten was in Monrovia at that time?

09:55:59 10 A. That's what I heard.

11 Q. Do you know why Mike Lamin didn't go to Benjamin Yeaten for
12 assistance to get you back from Liberia to Sierra Leone?

13 A. Yes. At that time Mike Lamin had already had access to go,
14 because the Sierra Leonean soldiers were there and they supported
09:56:32 15 the coup. I think Mike Lamin saw it that that was the easiest
16 means for us to get into Sierra Leone, rather than going through
17 Benjamin Yeaten.

18 Q. Mr Witness, why did not Mike Lamin go to Charles Taylor to
19 assist you and him to get back into Sierra Leone?

09:57:00 20 A. Well, we knew the easiest means was to go through the
21 Sierra Leonean soldiers.

22 Q. This is the same Monrovia where you tell us on your way up
23 to the Ivory Coast, through Monrovia, Mike Lamin met with Charles
24 Taylor and received some money, at least on the basis of what he
09:57:28 25 told you. Yes?

26 A. Yes.

27 Q. And yet on your way back, passing through the same Liberia,
28 there is no mention of any meetings with Charles Taylor to assist
29 you in returning to Sierra Leone. Correct?

1 A. Yes.

2 Q. Why didn't Mike Lamin go and use Charles Taylor's radio to
3 call Sierra Leone instead of going to meet Captain Hashim? Why?

09:58:15

4 A. Well, at that time the Sierra Leonean soldiers had had this
5 coup and they had invited the RUF soldiers and we knew that the
6 RUF soldiers and the Sierra Leonean army were all now the same.

7 Q. But on your way going towards the Ivory Coast it is fair to
8 say you were suggesting to us that the RUF and the NPFL were one?

9 A. Yes.

09:58:37

10 Q. And on your way back from the Ivory Coast, through the same
11 Liberia, the RUF are now one with the Sierra Leonean soldiers.
12 Yes?

13 A. Yes. When we were in Monrovia and they had staged the coup
14 they invited the RUF to join them, so at that time I now knew
09:59:07 15 that we were all the same.

16 Q. Mr Witness, it is the case, is it not, that at the time you
17 and Mike Lamin were passing through Monrovia in May of 1997 there
18 was no RUF contingent in Liberia?

19 A. No, no RUF contingent.

09:59:42

20 Q. Yes. Let me read to you what you told the Prosecution.
21 Mr Court Usher, this is in tab 9 at page 3.

22 MS HOLLIS: Could we have the date please, since we don't
23 have tabs.

24 MR ANYAH: Yes. Indeed this is actually in tab 9, page 4.

10:00:03

25 This is the witness's statement from 16 July 2006 as adopted on
26 23 May 2007. The ERN number, for your benefit, is 00032784.

27 Mr Court Usher, it would be next page, 2784:

28 Q. Mr Witness, you acknowledged to the Prosecution that at
29 this particular time, and I am focusing now on paragraph 25 -

1 actually, I am in the wrong page. I am sorry. It should be
2 previous page, 2783, paragraph 18. Thank you, Mr Court Usher.

3 During this interview, 16 July 2006, you spoke about this
4 trip through Monrovia back to Sierra Leone. In paragraph 15, 16,
10:01:26 5 17 and 18 you speak about it. And here we see that you refer to
6 a Rashid. In Court you've told us it's Hashim. Mr Witness, this
7 person at the Sierra Leonean base for ECOMOG in Monrovia, was
8 that Hashim or Rashid?

9 A. It was Hashim. The spelling here is wrong.

10:01:56 10 Q. In any event, in paragraph 18 it says:

11 "The witness stated he knows nothing about a RUF contingent
12 in Liberia, adding that there was only a contingent of SLA
13 peacekeepers in Liberia at the time."

14 You agree with me about the accuracy of that statement,
10:02:18 15 correct?

16 A. Yes, because RUF had not joined the national army and sent
17 to Liberia as a contingent.

18 Q. The fact is there was no RUF contingent, whether with the
19 national army of Sierra Leone or not, in Liberia in May of 1997.
10:02:48 20 Correct?

21 A. Well, as a contingent, but former RUF fighters were there
22 with the NPFL.

23 Q. Now you say former RUF fighters were there with the NPFL?

24 A. Yes.

10:03:10 25 Q. But there was still an RUF in existence at that time, so
26 those people who were there with the NPFL were no longer RUF
27 members. Yes?

28 A. Yes. They were trained as RUF, but they had taken a long
29 time now with the NPFL.

1 Q. That was not my question. To the extent you are right in
2 saying that there were ex-RUF fighters in Liberia at that time,
3 I'm saying to you the fact that they were ex-RUF fighters means
4 that they were no longer members of the RUF. True or false?

10:03:58 5 A. Yes, at that moment.

6 Q. So they could have been there for any reason of their own
7 not related to the RUF. Correct?

8 A. Yes.

9 Q. Now, Mr Witness, you told us of how you made it from
10:04:24 10 Liberia back into Sierra Leone. You spoke of Monrovia, to Lofa
11 Bridge, from Lofa Bridge to a place called Keita, bypassing
12 Vahun, bypassing Voi njama, arriving at the border and then
13 walking across from Keita to Buedu. Do you remember telling us
14 this whole sequence of events?

10:04:52 15 A. Yes.

16 Q. Mike Lamin is supposed to have gone with you at each leg of
17 this trip, yes?

18 A. All of us went together, yes.

19 Q. And once you get to the border area of Keita you crossed
10:05:18 20 over into Buedu on foot, correct?

21 A. Yes.

22 Q. And after crossing over into Buedu you went to Kailahun
23 Town, from Kailahun Town you went to Pendembu, from Pendembu you
24 went to Daru and you ended up in Kenema. Correct?

10:05:36 25 A. Yes.

26 MR ANYAH: Mr Court Usher could we display this map of
27 Liberia, please. Thank you. We viewed this map on Friday last.
28 It's a map of Liberia. Mr Court Usher, if I ask you to focus on
29 the western part of Liberia that abuts Sierra Leone:

1 Q. Mr Witness, can you see the map that is displayed before
2 you?

3 A. Yes.

4 Q. You see Monrovia in Montserrado County?

10:06:40 5 A. Yes.

6 Q. And if you trace from Monrovia going west you see
7 Robertsport, do you not?

8 A. Yes.

9 Q. Now, if you go up where it says Lake Piso, and you go up
10 through to Gbarpolu where you have Bopolu, do you see that on the
11 map, Mr Witness?

12 A. Yes.

13 Q. And you go up from Bopolu to Galahun, the north-west?

14 A. Yes.

10:07:34 15 Q. Do you see Galahun, Mr Witness?

16 A. By Lofa, yes

17 Q. Exactly. That whole area, going up from Bopolu to Lofa,
18 Mr Witness, is the region of the Gola forest, yes?

19 A. Yes.

10:07:56 20 Q. That is thick, dense forest, correct?

21 A. Yes.

22 Q. Now, you continue up passed Vahun which you say you
23 bypassed and you see Buedu across the border?

24 A. Yes.

10:08:18 25 Q. You also told us you bypassed Kolahun which is further to
26 the north near Mendekoma, correct?

27 A. Yes.

28 Q. The trip from Monrovia, going up into that direction,
29 bypassing Vahun, going through the Gola forest, all the way to

1 the vicinity of Buedu, that trip takes a minimum of five to seven
2 days, correct?

3 A. Yes, roughly four days and on the fifth we entered.

4 Q. It took you five days. You entered on the fifth. Did this
10:09:00 5 vehicle that drove you to the border area, did it pass through
6 the Gola forest, Mr Witness?

7 A. It was not a vehicle. The vehicle stopped at Keita after
8 Lofa Bridge. Then we walked from Keita right up to Buedu.

9 Q. Well, I recall you saying you walked from Keita up to
10:09:37 10 Buedu. Are you suggesting to us that Keita is before you get to
11 the Gola forest on this map?

12 A. Yes, before approaching the Gola forest.

13 Q. Can you move over to the left, with the assistance - I
14 would be grateful for the assistance of Mr Court Usher to have
10:10:03 15 the witness indicate on the map where Keita is in Liberia.

16 Mr Witness, do you need assistance? Do you see where Monrovia
17 is? Can you tell us how it is, or what part or route you took
18 from Monrovia to the border of Sierra Leone next to Buedu?

19 A. From Monrovia to Bomi Hills and from Bomi Hills to Lofa
10:11:56 20 Bridge.

21 Q. Can you use the pen and put an "X" to where Lofa Bridge you
22 say it is at?

23 A. I can see the writing "Lofa" here.

24 Q. What is the biggest town next to Lofa Bridge, Mr Witness?

10:12:58 25 A. Well, I don't know that big town because when we got to
26 Lofa Bridge we used the bypass going towards the Bopolu area.
27 That village was Keita. It was a small village. That was where
28 the vehicle stopped.

29 Q. Did you just say you went past the Bopolu area? Is that

1 what you just said?

2 A. We did not get to Bopolu. From Lofa Bridge it was that
3 same route that we had used while going to Bopolu. That was the
4 same route we used when we got to Keita and we used another route
10:13:49 5 and we went, but this time we did not cross Lofa. From Keita we
6 used the right - sorry, on the left going towards --

7 Q. Can you see where Bopolu is on that map?

8 A. Yes, I have seen Bopolu. I have seen Tubmanburg.

9 Q. From where Bopolu is next to where you see Tubmanburg all
10:14:24 10 the way straight up towards the Galahun area, all of that is the
11 Gola forest, correct?

12 A. Yes.

13 Q. Did you have to walk through the Gola forest on your way
14 back to Sierra Leone?

10:14:37 15 A. Yes, it was this Gola forest through which we walked.

16 Q. How many people were with you when you supposedly walked
17 through the Gola forest?

18 A. We were more than 100, male and female.

19 Q. And how many days did it take you to cross the Gola forest?

10:15:10 20 A. We spent about four days.

21 Q. Is it your evidence that at that particular time you and
22 the others, including Mike Lamin, were not on any official RUF
23 business as you were travelling?

24 A. No, even though we had it in our minds to go back to Sierra
10:15:43 25 Leone and join the RUF, but at that time you wouldn't say - you
26 wouldn't say I was going to join the RUF because they were now at
27 the time of peace and they didn't want war. At that time we
28 would just say that we were RUF, but we were refugees that were
29 going to Galahun area to link up with our family members.

1 Q. Mr Witness, the truth of the matter is that you were
2 refugees, correct?

3 A. That was what we said.

4 Q. The truth of the matter is that the Sierra Leonean
10:16:33 5 contingent for ECOMOG put you all in trucks in a covert operation
6 and drove you to the Kailahun border, correct?

7 A. No, they stopped at Keita.

8 Q. Have you heard of a crossing point called Gbandiru,
9 G-B-A-N-D-I-R-U?

10:17:05 10 A. Yes, it is by Masanbolahun. That was around where we
11 crossed.

12 Q. That is where you crossed over at Gbandiru crossing point,
13 not Dawa crossing point, correct?

14 A. Yes, it was not Dawa crossing point.

10:17:24 15 Q. And all of this was done by the ECOMOG contingent from
16 Sierra Leone. They were the ones who took you - and I am putting
17 this to you. They took you from Monrovia on trucks all the way
18 to the Gbandiru crossing point, do you agree?

19 A. No, they did not take us in a vehicle right up to Gbandiru
10:17:52 20 crossing point. Mike Lamin spoke to some civilians, he paid
21 them, from the Lofa area, Lofa Bridge, that if they showed us a
22 road, that is a bush path in that forest, up to the point we
23 crossed into Buedu, he would give them whatever they wanted;
24 money and at that time some of them wanted single barrels. He
10:18:20 25 said he would give that to them. They were the ones who showed
26 us the bypass.

27 Q. So you and Mike Lamin, the same Mike Lamin who told you he
28 knew President Charles Taylor on your way through Liberia to the
29 Ivory Coast, the same Mike Lamin who told you he actually met

1 with President Charles Taylor and came out with a 100 dollar
2 bill, now on the way back to Sierra Leone with no CO Jungle to
3 assist you, no Benjamin Yeaten to assist you, no Charles Taylor
4 to assist you, your evidence is Mike Lamin was reduced to begging
10:18:51 5 Liberian civilians to show him the way through the bush. Is that
6 your evidence, Mr Witness?

7 A. Yes, because at that time we were at peace.

8 Q. The issue isn't whether or not you were at peace. The
9 issue is why no assistance from Charles Taylor at that time?
10:19:16 10 Mike Lamin is stranded in Liberia with over 100 refugees, you
11 agree with me they were called. Why no assistance from Charles
12 Taylor? Why beg Liberian civilians to show you the road through
13 the bush?

14 A. Well, I told you. I said that was the time of peace. They
10:19:44 15 were at peace and the kind of people that we were moving with we
16 did not want any government people to know that we were moving
17 from Liberia to Sierra Leone.

18 Q. You did not want any government people to know you were
19 moving from Liberia to Sierra Leone. What government people are
10:20:07 20 you talking about, Mr Witness?

21 A. Like the UN observers who were there and the ones who
22 disarmed us in Bopolu. They were at the camp. Most of these
23 people who had been disarmed at Bopolu, they joined us for us to
24 go back to Sierra Leone.

10:20:43 25 Q. Well what you've just told us is interesting, Mr Witness.
26 You acknowledge that ECOMOG was all over Liberia at that time,
27 yes?

28 A. Yes.

29 Q. You acknowledge that you and the fellow Sierra Leonean RUF

1 who crossed over into Liberia had been completely disarmed in
2 Bopolu, yes?

3 A. Yes.

10:21:13 4 Q. You agree with me that some of the refugees in places like
5 the Samuka refugee camp joined you and Mike Lamin and others to
6 go back into Sierra Leone, correct?

7 A. Yes.

8 Q. You agree with me, do you not, that on the way back to
9 Sierra Leone you did not receive any sort of assistance from
10:21:32 10 Charles Taylor, true?

11 A. No.

12 Q. "No" means what?

13 A. Yes.

14 Q. Let me restate my question. Charles Taylor did not give
10:21:43 15 you and the other Sierra Leonean RUF refugees who were returning
16 back to Sierra Leone from Liberia any form of assistance,
17 correct?

18 A. Yes.

19 PRESIDING JUDGE: Does that mean you are agreeing with
10:22:00 20 counsel?

21 THE WITNESS: Yes, that Charles Taylor did not assist us,
22 not to my knowledge at that time, to go back to Sierra Leone.

23 MR ANYAH:

24 Q. Indeed the so-called refugees - you refugees - had cards
10:22:19 25 issued by the UNHCR to each of you, true or false?

26 A. Well some people had it, but we did not have it.

27 Q. You have heard of UNHCR before, correct?

28 A. Yes, they were the ones giving food supplies and clothing
29 to the ones who were in the camp.

1 Q. Exactly. All of these RUF fighters after being disarmed
2 were reduced to mere refugees in Liberia and later on they left
3 Liberia, correct?

4 A. Yes.

10:23:05 5 Q. Yes. You go to Kenema. You are now at Kenema. If the
6 witness could retake his seat. Thank you, Mr Court Usher.
7 Mr Witness, you are back in Kenema and there is a meeting, you
8 tell us, between Mike Lamin and Sam Bockarie in Kenema, yes?

9 A. Yes.

10:23:40 10 Q. After that meeting, you told us that Mike Lamin and Sam
11 Bockarie both went to Freetown. Do you recall telling us that?

12 A. Yes.

13 Q. Are you sure Sam Bockarie went to Freetown with Mike Lamin?

14 A. Yes.

10:24:08 15 Q. You remember testifying before this Court before in July
16 2005 in the AFRC trial, yes?

17 A. Yes.

18 Q. Do you remember what you told this Court regarding whether
19 or not Sam Bockarie went to Freetown with Mike Lamin after
10:24:27 20 meeting him in Kenema in 1997?

21 A. I recall some, because it has taken a long time now.

22 Q. Well, let me read to you what you told the Court then. For
23 counsel's benefit it's the transcript of 19 July from the Brima
24 et al trial and the relevant pages are pages 33 and 34. If it
10:25:04 25 needs to be displayed, it's in our tab 1 of the AFRC transcript.

26 Starting at page 33 there is a question posed:

27 "Q. At the meeting did Mosquito ask Commander B to do
28 anything in particular."

29 Over to page 34, in the answer:

1 "A. Yes, sir. What he told Commander B, that Commander B
2 should come down to Freetown so they could form a
3 delegation to review the Yamousoukro Peace Accord. From
4 that time, Mosquito provided a vehicle for Commander B
10:26:12 5 which took him straight to Freetown here. But while he
6 was coming, he left me with Mosquito in Kenema. I was with
7 Mosquito.

8 Q. Okay. Mr Witness, if you recall, how long did you stay
9 with Sam Bockarie, also known as Mosquito, in Kenema?

10:26:36 10 A. I was with him from two to three weeks, two weeks
11 roughly, then he went with me to Tongo."

12 Mr Witness - Mr Court Usher, if we were to scroll up a
13 little bit, to the top of the page, we see the relevant answer
14 there. Mr Witness, did you tell this same court on 19 July 2005
10:27:07 15 that Sam Bockarie stayed with you in Kenema while Mike Lamin went
16 to Freetown? Did you tell them that?

17 A. I said I stayed with Mosquito in Kenema. And at that time
18 the Prosecution did not ask me, but the time Mosquito told Mike
19 Lamin to go, if he went along with him. But this trip, they
10:27:43 20 asked me if after Mosquito had told Mike Lamin to go, if Mosquito
21 himself went with him. If I recall that, I said yes. I told the
22 person, I said yes, because at that time I recalled. Through the
23 question that was asked of me I recalled that.

24 Q. Well, let's get some things straightened out, Mr Witness.
10:28:09 25 Was there anything confusing about the question you were asked
26 before this Court on 19 July 2005? The question on the previous
27 page, "At the particular meeting, did Mosquito ask Commander B to
28 do anything in particular?" Then you gave this response we are
29 looking at. Was there anything confusing about that question?

1 A. Yes.

2 Q. What was confusing about it?

3 A. For Mosquito to go with him, that is one thing. Did
4 Mosquito tell Mike Lamin to go, that's another thing. And was
10:28:56 5 there anything that Mosquito told Mike Lamin to do. When I was
6 asked of that I said yes and I explained. But I did not exactly
7 know what they meant. I was confused. After the instruction had
8 been given to him to go to Freetown, that was the confusion to
9 me.

10:29:25 10 Q. Mr Witness, here is what you told us in this Court last
11 Wednesday, 12 November, at page 20137 of Wednesday's transcript.
12 You said, line 16:

13 "A. After Daru we went to Kenema. We met Mosquito and
14 others in Kenema. Mosquito and Mike Lamin spoke to each
10:29:50 15 other and from there they told me to stay in Kenema with
16 Mosquito but he, Mosquito, on that very day, he went to
17 Freetown together with Mike Lamin and they left me in
18 Kenema."

19 You told us last week Mosquito and Mike Lamin left you in
10:30:09 20 Kenema and went to Freetown. We agree on that, correct?

21 A. Yes.

22 Q. The document you are looking at, you told this Court in
23 Freetown on 19 July 2005 that you were left with Mosquito in
24 Kenema while Mike Lamin went to Freetown. Do we agree on that?

10:30:30 25 A. Well, maybe I did not get the question clearly.

26 Q. That is not my question. My question is what you told the
27 Court, not whether you understood the question you were asked.
28 What you told the Court was that Mosquito stayed with you in
29 Kenema while Mike Lamin went to Freetown, correct?

1 A. Yes, they went to Freetown, but Mosquito came back so the
2 two of us were in Kenema. Because Mike left me in the hands of
3 Mosquito. Whether it was the two of them who went or not, I was
4 not asked that question, but what I knew was I was left in the
10:31:16 5 hands of Mosquito in Kenema.

6 Q. Yes. That's the issue at stake. Let's look at what you
7 told the RUF Trial Chamber on 18 November 2005. Madam Court
8 Manager, we have the RUF trial transcripts for everyone's
9 benefit. For counsel's benefit the relevant page is page 57 of
10:31:44 10 the 18 November 2005 transcript. This is your testimony before
11 another court in Freetown, the same year, 2005, 18 November. You
12 were asked the question:

13 "Q. Did you understand the question? The Court would like
14 to know what you meant when you said Mr A left and he
10:32:40 15 left you in Kenema with him.

16 A. I said Commander A left me in Kenema with Mosquito."
17 Mr Witness, you told the RUF Trial Chamber and the AFRC
18 Trial Chamber that Mike Lamin left you in Kenema with Mosquito.
19 Do you agree, Mr Witness?

10:33:05 20 A. Yes.

21 Q. And yet in court you told us that Mosquito went with Mike
22 Lamin to Freetown. Do you agree with that, Mr Witness?

23 A. Yes.

24 Q. There is a difference between the two stories. Would you
10:33:19 25 agree?

26 A. Yes, through the question that was asked of me by the
27 Prosecution.

28 Q. Were you also confused when you spoke to the Prosecution
29 outside court? Shall we look at what you told them about this

1 event outside court. Mr Court Usher, on our original set of
2 documents if we could go to tab 12, page 3.

3 MS HOLLIS: If we could have that date, please.

4 MR ANYAH: Yes, I think it was this month, in November. 30
10:34:03 5 October this year through 2 November and 3 November. That will
6 be page 3, paragraph 20:

7 Q. Mr Witness, a little bit over two weeks ago you spoke with
8 the Prosecution about this issue. You've told the RUF Trial
9 Chamber that Mosquito was in Kenema with you, Mike Lamin went to
10:34:46 10 Freetown. You told the AFRC Trial Chamber, Mike Lamin went to
11 Freetown, Mosquito and you remained behind in Kenema. You spoke
12 with the Prosecution less than two weeks ago or thereabouts and
13 here is what you told them, paragraph 20:

14 "The witness returned with Mike Lamin to Kenema from
10:35:05 15 Liberia in 1997. Sam Bockarie and Mike Lamin then went on to
16 Freetown to arrange for a delegation to go to the Ivory Coast to
17 review the Abidjan Peace Accord. Sam Bockarie then returned to
18 Kenema. The witness did not travel to Freetown with Bockarie and
19 Lamin."

10:35:27 20 Mr Witness, do you agree that there is a difference in your
21 various accounts about this particular episode; whether or not
22 Sam Bockarie went to Freetown during the junta period?

23 A. Yes, there is a difference.

24 Q. Now, if you stayed in Kenema, you went to Tongo from
10:35:55 25 Kenema, yes?

26 A. Yes.

27 Q. And you had been - you were in Tongo during the months of
28 June 1997, July 1997 and August 1997. Correct?

29 A. Yes.

1 Q. During that entire period of time, starting from when you
2 got back into Sierra Leone through the months of June, July and
3 August, you did not know what Mike Lamin was doing in Freetown,
4 did you?

10:36:34 5 A. Yes, but we used to talk over the radio. But I wouldn't
6 know all that he was engaged in doing in Freetown.

7 Q. The fact of the matter is you did not know all that was
8 going on in Freetown during these first three months of the junta
9 period. True or false?

10:36:55 10 A. Yes.

11 Q. "Yes" means you did not know. We agree?

12 A. Yes, I did not know what was going on in Freetown.

13 Q. You were in Tongo at the time mining for diamonds for
14 yourself, yes?

10:37:12 15 A. Yes.

16 Q. So Mike Lamin, who you say you were assigned to, goes off
17 to Freetown to work with the junta government and you are left
18 behind in Kenema and you go to Tongo to mine for diamonds. Were
19 you an RUF member at that time while you were mining for
20 diamonds, Mr Witness?

10:37:33

21 A. Yes.

22 Q. To whom were you assigned or what was the nature of your
23 assignment when you were mining for diamonds for yourself?

24 A. I stayed with Mosquito and I was still a security to Mike
10:37:59 25 Lamin. And even when I went to Tongo, when Mosquito came later
26 and I told him about it he approved of my staying there. And
27 even Mike Lamin, I sent a message to him. I explained to him
28 that I was in Tongo and he approved of my staying there until
29 such a time that he would need me.

1 Q. Yes, but the fact of the matter is for those three months
2 you were performing activities in a private capacity. Yes?

3 A. Yes. I was working together with the command structure
4 that was there. Although I was finding my own living, but I was
10:38:49 5 always there to contribute to anything that had to do with
6 government business that went on there.

7 Q. Mr Witness, you told us you came to Freetown in early
8 September 1997. You recall telling us that?

9 A. Yes.

10:39:20 10 Q. This was during the junta period and you said you again
11 became security for Mike Lamin, yes?

12 A. Yes.

13 Q. You remember being asked about the AFRC command structure
14 and you telling us that Johnny Paul Koroma was at the top and
10:39:43 15 Foday Sankoh was second in command, yes?

16 A. Yes.

17 Q. Now, when you came to Freetown you mentioned a meeting that
18 was held at the Wilberforce Barracks during which one chief of
19 army staff, Kowas, spoke about a certain shipment of arms and
10:40:09 20 ammunition, yes?

21 A. Yes.

22 Q. This Kowas, what was his first name?

23 A. Well, I did not know his actual name.

24 Q. But his name was Kowas, correct?

10:40:31 25 A. Yes.

26 Q. And you say he was chief of army staff, yes?

27 A. Yes.

28 Q. He was chief of army staff of the junta administration,
29 yes?

1 A. Yes.

2 Q. Have you heard of Papa Hassan Bangura, Mr Witness?

3 A. Yes.

4 Q. Have you heard of somebody called Bomb Blast, Mr Witness?

10:41:11 5 A. Yes.

6 Q. Who is Bomb Blast? Can you tell us?

7 A. Well, Bomb Blast was a Sierra Leone soldier and he was a
8 soldier within the AFRC.

9 Q. Have you ever met this fellow named Bomb Blast, Mr Witness?

10:41:46 10 A. No, I do not recall whether I have met with him or not, but
11 I do not recall.

12 Q. Have you ever met with Hassan Papa Bangura, Mr Witness?

13 A. Yes, Papa Bangura.

14 Q. And who is Papa Hassan Bangura?

10:42:11 15 A. He was an AFRC soldier.

16 Q. He was an AFRC soldier. Was he a member of the mere AFRC
17 soldier, or was he a member of the Supreme Council, Mr Witness?

18 A. He was a Supreme Council member.

19 Q. Under what circumstances did you meet with Papa Hassan
10:42:36 20 Bangura? Tell us.

21 A. Well, I saw his name being member of the Supreme Council
22 and he too was present during that meeting.

23 Q. The meeting where Kowas spoke, you tell us?

24 A. Yes.

10:43:03 25 MR ANYAH: Madam Court Manager, could we have two exhibits
26 please. The first one is Prosecution exhibit 104 and also
27 Defence exhibit 30, please. If we could start with Prosecution
28 exhibit 104. If we could display this for the witness on the
29 overhead and in particular I wish to focus on the second page

1 which ends in ERN number 7712. Yes. Mr Court Usher, if we could
2 move it to the right a bit and then zoom in closer so perhaps
3 it's more legible.

4 Q. Mr Witness --

10:45:02 5 A. Yes.

6 Q. -- the document you are looking at was admitted in this
7 case as an exhibit proffered or given by the Prosecution and
8 received on 5 May 2005. At the top of the page that you are
9 looking at you see where it says "Armed Forces Revolutionary
10 Council with effect from 25th day of May 1997". Do you see that,
11 Mr Witness?

12 A. Yes.

13 Q. And you see at number one "Major Johnny Paul Koroma, also
14 known as Chairman", yes?

10:45:44 15 A. Yes.

16 Q. Do you see Foday Sankoh's name as deputy chairman, yes?

17 A. Yes.

18 Q. And the rest of the names given there - and they total 34.
19 The remaining 32 names are listed by the designation or
20 functional title of member. Do you see that?

10:46:02 21 A. Yes.

22 Q. Can you look through the list and tell me if you see
23 somebody named Kowas, K-O-W-A-S?

24 A. Well maybe that wasn't his real name, because the ones that
10:46:26 25 are here are people's real names, people who are present there,
26 but all the time the name I used to hear him being called was
27 Kowas. That was what all of us knew, because most of the people
28 you see here had some other strange names that people used to
29 call them. But this is a document and it is somebody's actual

1 and full name that should appear there and I do not know
2 everybody's actual and full names. I have told you that before.

3 Q. Are you saying Kowas could possibly be a nickname? Is that
4 what you are suggesting to us, Mr Witness?

10:47:07 5 A. Yes, it is likely to be so.

6 MR ANYAH: Mr Court Usher, can we scroll down to the bottom
7 of the list where it has the date:

8 Q. Mr Witness, do you see at the bottom of the names it says
9 "Dated 3 September 1997"? Do you see that?

10:47:30 10 A. Yes.

11 Q. That coincides with the month in which you tell us you were
12 in Freetown with Mike Lamin, does it not?

13 A. Yes.

14 Q. And the chief of army staff, the person who presided at a
10:47:54 15 meeting at Wilberforce Barracks speaking about receiving arms and
16 ammunition by the name of Kowas, his name is nowhere to be found
17 on that list, true?

18 A. Yes, there is no Kowas name here, but maybe he had his real
19 name that I might not know but I do not see any Kowas name here.

10:48:20 20 MR ANYAH: Can we show Defence Exhibit 30, please:

21 Q. Mr Witness, this is a document from the Truth and
22 Reconciliation Commission of Sierra Leone and in the next page it
23 delineates the High Command or structure of the AFRC leadership,
24 starting at what is on the document page 63 and we will just go
10:49:22 25 through the various pages from page 63. Mr Witness, you see at
26 the top it says "Names of AFRC Leadership"? You see that, yes?

27 A. Yes.

28 Q. And you see the first name given at the bottom where it
29 says "AFRC High Command/Supreme Council"?

1 A. Yes.

2 MR ANYAH: Mr Court Usher, if we could scroll down:

3 Q. Do you see Johnny Paul Koroma and you see Solomon, SAJ
4 Musa, yes?

10:50:06 5 A. Yes.

6 MR ANYAH: Could we go to the next page, please:

7 Q. At the top of the page it gives us some more names. You
8 mentioned SFY Koroma, yes?

9 A. Yes.

10:50:27 10 Q. AK Sesay, yes?

11 A. Yes.

12 Q. And we go downwards and we see Alex Tamba Brima, Gullit,
13 yes?

14 A. Yes.

10:50:41 15 Q. Now, Mr Witness, you notice that in this document the
16 nicknames of these men are displayed on the right-hand corner.
17 Gullit is the nickname for Alex Tamba Brima. You see that, do
18 you not?

19 A. Yes.

10:50:58 20 Q. Shall we go to the next page, please. There is a section
21 on this page in the middle that says "Other prominent leaders
22 within the AFRC faction". Do you see that, Mr Witness?

23 A. Yes.

24 Q. And we scroll downwards and we get to the name Hassan
10:51:30 25 Bangura. You see that, Mr Witness?

26 A. Yes.

27 Q. This is the same Hassan Bangura I just asked you questions
28 about two minutes ago. You recall that?

29 A. Yes.

1 Q. Do you see that Hassan Papa Bangura is one and the same
2 person as Bomb Blast?

3 A. Well, that is what I have seen here. I have not seen his
4 real name before, but that name Bomb Blast I used to hear that.

10:52:08 5 Q. The question is not whether you used to hear about
6 Bomb Blast. You told us a few minutes ago that Hassan Papa
7 Bangura was in the Supreme Council, Bomb Blast was an SLA
8 soldiers and you knew them as different persons?

9 PRESIDING JUDGE: I don't think he said, "I knew them as
10 different persons", Mr Anyah.

11 MR ANYAH: I appreciate that. I withdraw that question.

12 Q. Mr Witness, you suggested to us - well, you did not know
13 Hassan Papa Bangura to answer to the name of Bomb Blast. Do you
14 agree with that?

10:52:40 15 A. No.

16 Q. "No", means what? You agree with me that a few minutes ago
17 you did not tell us or acknowledge knowing that Bangura's
18 nickname was Bomb Blast, correct?

19 A. Yes, I did not know whether Hassan Bangura was called
10:53:00 20 Bomb Blast.

21 Q. Do you see the last name on that list at the bottom,
22 Ibrahim Bah? Do you see that, Mr Witness?

23 A. Yes.

24 Q. You do not know who Ibrahim Bah is, do you?

10:53:26 25 A. No, Ibrahim Bah I did not know him. I did not know that
26 name. The only names that are there that I know are two.
27 Ibrahim Bah? I know Omrie Golley and I knew Steve Bio.

28 Q. In July of this year, 2 and 3 July when you met with the
29 Prosecution, you told them the same thing you've told us in

1 Court. You did not know - indeed your words were, "I am not
2 familiar with the name Ibrahim Bah", and in Court today again you
3 say you are not familiar with that name. Yes, Mr Witness?

4 A. Yes.

10:54:19 5 Q. Several witnesses have come to this Court and have spoken
6 about this fellow, Ibrahim Bah. Are you aware of that,
7 Mr Witness?

8 A. Yes.

9 Q. How are aware of that? Who told you his name has been
10:54:34 10 mentioned in this case?

11 A. You yourself have said it. You said witnesses have come
12 here and I was not present and now you are saying that so many
13 witnesses have come here and spoken about him. It is possible
14 that they might have spoken about him and I would know that
10:54:54 15 because you have said it and his name has been mentioned.

16 Q. My question was not whether or not you were here. My
17 question, if you recall, was whether you were aware of the fact;
18 that is while you were somewhere else did you hear about somebody
19 named Ibrahim Bah being talked about in this case. Do you
10:55:16 20 understand the difference, Mr Witness?

21 A. Except when I might have heard his name, sometimes when we
22 listen to the Special Court programmes over the radio, maybe when
23 somebody is prosecuting and then that person refers to that name,
24 that was how I came to hear about it.

10:55:48 25 Q. So there is a radio programme that conveys evidence that's
26 heard in this Court called the Special Court programme in Sierra
27 Leone. Is there something like that, Mr Witness?

28 A. Oh, yes. Whenever somebody testifies here, the programme
29 will be broadcast in the whole of Sierra Leone over the FM

1 stations. In the Charles Taylor case, his case in particular
2 that he is here in The Hague.

3 Q. And you have heard some of those broadcasts about what is
4 said in court during this trial. Correct?

10:56:38 5 A. Some, yes.

6 Q. Whose evidence have you heard about mentioned over some of
7 these broadcasts?

8 A. I wouldn't know some of the names.

9 Q. Did you hear Abu Keita testifying before this Court,
10:57:05 10 Mr Witness?

11 A. Yes, I heard about Abu Keita. I heard about Zigzag Marzah.
12 I heard about Karmoh Kanneh.

13 PRESIDING JUDGE: Please pause, Mr Witness. The question
14 was not whether you heard about them, but did you hear them
10:57:34 15 testifying? Do you understand the difference?

16 THE WITNESS: Yes, I heard them testifying and they were
17 referring to them by their names in court here.

18 MR ANYAH: Exactly:

19 Q. Abu Keita, Zigzag Marzah, Karmoh Kanneh. Karmoh Kanneh,
10:58:04 20 Mr Eagle, yes?

21 A. Yes.

22 Q. Karmoh Kanneh, a very good friend of yours, yes?

23 A. Yes.

24 Q. Karmoh Kanneh, somebody you would consider to be your
10:58:17 25 brother, true?

26 A. Yes.

27 Q. When Karmoh Kanneh came back to Sierra Leone did you meet
28 him, Mr Witness?

29 A. Well, we did not meet face-to-face. Except maybe I sent

1 greetings to him because he has my telephone number and I had his
2 own telephone number too, but I did not meet with him
3 face-to-face.

4 Q. You say maybe you greeted him, you had his telephone number
10:59:02 5 and he had your telephone number. The question is this,
6 Mr Witness: From the day Karmoh Kanneh left this Court and went
7 back to Sierra Leone have you spoken to him?

8 A. Yes, he called me and he sent greetings to me. At the time
9 he travelled to Kenema and I stayed in Bo.

10:59:31 10 Q. Did you ask him about his evidence before this Court?

11 A. May the Lord forbid. How would I go asking that man about
12 that? I did not send him to come here.

13 Q. I am not asking you whether you sent him to come here. I
14 am speaking of Karmoh Kanneh, the former RUF member you were with
10:59:57 15 at Tongo. The same Karmoh Kanneh you told us boarded a vehicle
16 with Sam Bockarie and with Jungle and headed for Tongo. The same
17 Karmoh Kanneh you told the Prosecution that you know very well.
18 I am asking you if you asked Karmoh Kanneh when he came back to
19 Sierra Leone what his experience was like testifying in The Hague
11:00:21 20 against Charles Taylor. Did you ask him that?

21 A. No.

22 Q. Did you ask Karmoh Kanneh what it was like going overseas
23 to Holland?

24 A. No.

11:00:36 25 Q. At no point in time did you ask him anything in connection
26 with this case. Is that your evidence, Mr Witness?

27 A. No.

28 Q. Do you know of somebody called CO Isaac, also known as
29 Isaac Mongor?

1 A. Yes.

2 Q. Who is Isaac Mongor?

3 A. He was an RUF vanguard.

11:01:12

4 Q. Are aware of Isaac Mongor giving evidence before this
5 Court?

6 A. Well, I wouldn't know that now because it's not always that
7 I listened.

8 Q. Have you heard of somebody named CO Nya?

9 A. CO Nya?

11:01:37

10 Q. Also known as Foday Lansana, CO Nya, N-Y-A?

11 A. Yes, I knew about CO Nya.

12 Q. You told us he was an RUF signaller on Friday, yes?

13 A. Yes.

11:02:02

14 Q. Have you heard that he testified before this Court,
15 Mr Witness?

16 A. I don't know.

17 Q. In any event, let's go back to Ibrahim Bah, the document we
18 were looking at. Are you aware, Mr Witness, that a witness has
19 told this Court of seeing Ibrahim Bah in Abidjan with Mike Lamin?

11:02:37

20 And for the benefit of your Honours and counsel opposite, the
21 relevant page is 2291. Now, a witness came to this Court, said
22 around the time after Mike Lamin was released from detention in
23 Ivory Coast somebody named Ibrahim Bah went there and met with
24 him. Are you aware of that, Mr Witness?

11:03:05

25 PRESIDING JUDGE: Mr Anyah, are you asking if he is aware
26 of the meeting between Bah and Mike Lamin or is he aware of the
27 evidence that was adduced?

28 MR ANYAH:

29 Q. Mr Witness, are you aware of a person named Ibrahim Bah

1 meeting with Mike Lamin after Mike Lamin was released in Abidjan?

2 A. Well, I wouldn't know.

3 Q. Are you aware, Mr Witness, of a person named Ibrahim Bah
4 meeting with Mike Lamin in Freetown at the time you say you were
11:03:49 5 there during the junta period?

6 A. This Ibrahim Bah, I would be doubtful over him.

7 MR ANYAH: And for your Honours and the benefit of counsel
8 opposite the relevant page for the reference to Freetown during
9 the junta period and Ibrahim Bah is page 2308:

11:04:18 10 Q. So in the entire time you were with Mike Lamin, Cockerill
11 Barracks, at no point in time did you see or hear of somebody
12 named Ibrahim Bah?

13 A. I used to hear about him, but I am not familiar to him.

14 Q. Now you say you used to hear about him. The fact is you
11:04:46 15 did not see somebody named Ibrahim Bah meeting with Mike Lamin in
16 Freetown while you were there. Correct?

17 A. No, I did not see that; where the two of them met and that
18 I was present.

19 Q. Indeed, this meeting at Wilberforce Barracks, this meeting
11:05:12 20 you say that was chaired or during which chief of army staff
21 Kowas spoke at, that meeting took place close to October of 1997,
22 yes?

23 A. Yes.

24 Q. And it was shortly after that meeting that somebody named
11:05:33 25 CO Dumbuya was sent to an airfield - rather Major Dumbuya was
26 sent to an airfield to receive a consignment of supplies, yes?

27 A. Yes, they told us that he was there at the Magburaka
28 airfield.

29 Q. Yes, Magburaka. At that time, around that point in time,

1 September/October 1997, you never saw somebody named Ibrahim Bah
2 meeting with Mike Lamin, correct?

3 MS HOLLIS: I have found the page and the reference and I
4 have an objection. Defence counsel is misstating the evidence.

11:06:22 5 At the page in question there is no indication of September in
6 the passage at 2308.

7 MR ANYAH: No, I agree with that. There is indication of
8 September.

9 MS HOLLIS: But the witness --

11:06:38 10 MR ANYAH: Can I - I'm sorry, go ahead.

11 MS HOLLIS: Defence counsel has said a meeting in Freetown
12 during the time this witness says he was in Freetown. He said he
13 was in Freetown as of some time in September. 2308 doesn't make
14 reference to September.

11:06:59 15 MR ANYAH: Madam President, may I have a moment. I have
16 several transcripts I am juggling but --

17 PRESIDING JUDGE: I do note that the question refers to
18 October, a meeting that took place close to October.

19 MR ANYAH: Madam President, I would be happy to provide
11:07:15 20 several other page references and this will establish the point I
21 need to make, that this fellow was said to be in Freetown around
22 October 1997.

23 PRESIDING JUDGE: Do you mean the witness or the --

24 MR ANYAH: Ibrahim Bah. Let me start with page 2701.

11:07:34 25 Indeed I would say it starts at 2070 to 2701. Then I will
26 provide another page, 2314. Those two pages will establish this
27 fellow Ibrahim Bah, was, on the basis of evidence given to this
28 Court, in Freetown at this particular point in time:

29 Q. Now, Mr Witness, have you ever heard that somebody named

1 Ibrahim Bah was the person who arranged or organised the
2 Magburaka arms shipment?

3 A. Well, it might be so, but, for me, all I know - all I knew
4 was that they had made an arrangement for us to receive a
11:08:35 5 consignment at Magburaka, which comprised arms and ammunition.
6 But they did not tell me exactly - or rather I did not know
7 exactly whether it was Mr Ibrahim Bah who made the arrangement.
8 All they told me was that it was - it was that the AFRC
9 government was to receive arms, ammunition and medicine at the
11:09:04 10 Magburaka air strip.

11 MR ANYAH: For everyone's benefit, the page references that
12 contain evidence of Bah organising this shipment are at pages
13 2463 and 2700 through 2701. There is also a reference to this
14 same information at page 2671:

11:09:31 15 Q. Mr Witness, are you aware that this fellow Ibrahim Bah is
16 said to have visited with Mike Lamin in Buedu in 1998?

17 A. Yes, it might be so, but in 1998 it was not all the times
18 that I spent with Mike Lamin in Buedu.

19 MR ANYAH: The reference for that proffer or statement is
11:10:17 20 at page 2366:

21 Q. You are not familiar with the name of Ibrahim Bah and you
22 told us you were with Mike Lamin from 1996 all the way through
23 disarmament?

24 A. Yes.

11:10:38 25 Q. And yet you are not familiar with this name Ibrahim Bah,
26 true?

27 A. No.

28 Q. This Magburaka shipment, you actually did not see any of
29 the arms and ammunition that is said to have been received from

1 Magburaka, did you?

2 A. I did not see it.

3 Q. Indeed, you do not know from where - assuming the story is
4 true - any of these arms or ammunition came from. Correct?

11:11:25 5 A. Yes, I did not know.

6 Q. Yes. Have you ever heard of the name Fonti Kanu,
7 Mr Witness?

8 A. Yes.

9 Q. Where did you hear of Fonti Kanu?

11:11:45 10 A. I heard about Fonti Kanu in Freetown and I also heard about
11 him at the time all of us went to Kailahun District. He wanted
12 to escape to Liberia, but then Issa sent men to go and arrest
13 him. He came and killed him. And we later heard that Issa had
14 killed Fonti Kanu.

11:12:15 15 Q. Did you ever meet Fonti Kanu, Mr Witness?

16 A. At that meeting that we had in Freetown, that was the time
17 I saw him.

18 Q. So Fonti Kanu, you are telling us, was in Freetown around
19 the time of September/October 1997?

11:12:46 20 A. Yes, he was out, but later he came. I saw him there, yes.

21 Q. But you did not see Ibrahim Bah, correct?

22 A. This name Ibrahim Bah is not familiar to me.

23 Q. Mr Witness, you were asked the question on Thursday last
24 about what the term "honourable" meant in the context of the AFRC
11:13:23 25 junta command structure. As you sit there now, do you know what
26 the term "honourable" meant?

27 A. Well, I cannot tell you much about government and how it
28 operates because I have not studied about that.

29 Q. But you were in Freetown during the junta period serving as

1 head of security for Mike Lamin who was said to be a member of
2 the Supreme Council. Correct?

3 A. Yes.

4 Q. Last week before the Chamber you were asked the question
11:14:09 5 what does "honourable" mean and you said at page 20191:

6 "Q. And you said 'Honourable Sammy'. What did
7 'honourable' mean?

8 A. Well, they said all of them were Supreme Council
9 members but, you see, they used to call them honourables so
11:14:35 10 I did not go to the office of an honourable for me to know
11 really how and who an honourable was."

12 Mr Witness, what was your rank at the time you claim to
13 have been in Freetown during the last half of 1997?

14 A. I was by then a captain for the RUF.

11:15:04 15 Q. You were a captain. We will come back to that, because you
16 told us Foday Sankoh promoted you to the rank of staff captain,
17 yes? You remember telling us that, Mr Witness?

18 A. Foday Sankoh promoted me to a captain?

19 MS HOLLIS: Your Honour, my recollection of that evidence
11:15:28 20 is that the witness said that it was Sam Bockarie who said he
21 would be a staff captain.

22 THE WITNESS: Yes.

23 MR ANYAH: It's at page 20187 of the transcript of the
24 13th. At line 25, "Well, at that time I had initially been
11:15:59 25 promoted to a captain level by Foday Sankoh himself before his
26 arrest was effected in Nigeria." That is page 20187, the answer
27 given at line 25: The question was: "Right, so that was your
28 rank, and who promoted you to staff captain?" And the witness
29 said Foday Sankoh himself promoted him to staff captain.

1 MS HOLLIS: If we look at that page that has been cited, he
2 says, 20187, that he had been promoted to captain level by Foday
3 Sankoh himself. Then the question, "You said at this point you
4 were a staff captain. Is that different than a captain?" Then
11:16:51 5 at page 20188 he said, "I mean it was something like a test, kind
6 of, for someone to get a rank, so Mosquito told me that I am now
7 a staff captain."

8 MR ANYAH: For military nomenclature there would be a
9 distinction between staff captain and captain I suppose:

11:17:12 10 Q. Mr Witness, in any event you've told us that now in
11 Freetown you were a captain. I interjected the phrase staff
12 captain. Let's stick with the phrase captain. Foday Sankoh you
13 told us promoted you to the rank of captain, correct?

14 A. Yes.

11:17:27 15 Q. And this is the rank you tell us you had in the late half
16 of 1997, yes?

17 A. Yes.

18 Q. And at that time you did not know what an honourable meant,
19 yes?

11:17:43 20 A. Yes.

21 Q. And as you sit here now you are not particularly sure what
22 the term "honourable" means within the context of the AFRC
23 command structure during the junta period, are you?

24 A. Yes. I used to see their names and against it honourables,
11:18:10 25 but I did not actually know what their responsibilities were,
26 their detailed responsibilities. If it came to maybe the issue
27 of military operations I might have known something about it.

28 Q. Well, there was a witness here who testified on 17 April,
29 he was speaking about Hassan Papa Bangura, somebody you say you

1 know as being a Supreme Council member. This is at page 7860,
2 and the question was:

3 "Q. At the time you started to work with Honourable Hassan
4 Papa Bangura can you tell the Court what was his position?"

11:19:02 5 Later on the answer is given:

6 "A. He was a member of the AFRC council. He was a
7 corporal in the army and they were the ones who overthrew
8 the SLPP government of Ahmad Tejan Kabbah.

9 Q. What do you mean by they were the ones who overthrew
11:19:23 10 the government?"

11 The answer by Alimamy Bobson Sesay in open session was:

12 "A. Well, he was one of the council members, the 17
13 members who overthrew the SLPP government."

14 Another witness came before this Court at page 2321 and
11:19:43 15 they asked that witness this question:

16 "Q. Now, during the junta you were familiar with the term
17 'honourables' ?

18 A. Yes.

19 Q. Who were they?

11:19:55 20 A. They were those 17 junior rank officers of the Sierra
21 Leone Army who staged the coup in May 1997.

22 Q. And what was their status in the junta?

23 A. Well, they were considered honourables and they were
24 all members of the Supreme Council and they performed
11:20:22 25 political function. They were not really part of the army.
26 They did not consider themselves to be part of the army
27 again and they also had oversight responsibilities of some
28 ministries as well as parastatals."

29 Mr Witness, an honourable is one of the 17 junior ranked

1 officers who overthrew President Tejan Kabbah's government, the
2 SLPP government. Have you ever heard that term used in
3 connection with that definition?

4 A. Yes. You know that most of them they said they were
11:21:10 5 Supreme Council members, they were honourables. Although they
6 were not considered as soldiers, but they were almost always
7 present in most of the military meetings.

8 Q. They were almost always present during military meetings.
9 Do you remember telling the Prosecution that people like Issa
11:21:40 10 Sesay and the rest were honourables? Do you remember telling
11 them that, Mr Witness?

12 PRESIDING JUDGE: Ms Hollis, I note you microphone is on.
13 Were you wanting to --

14 MS HOLLIS: No, my apologies.

11:21:56 15 PRESIDING JUDGE: That's quite all right.

16 MR ANYAH: Could we see the document in tab 4 at page 2.
17 For counsel's benefit, this is the witness's interview notes from
18 14, 15, 26 and 28 April 2005 and 7 May 2005. That's tab 4, page
19 2, paragraph 11:

11:22:45 20 Q. Mr Witness, this is what you told the Prosecution in April
21 and May 2005 and you gave the names of some people that you said
22 were honourables. It says:

23 "When I was in Freetown from September to December 1997
24 Mosquito was deputising SFY Koroma who was the chief of defence
11:23:12 25 staff. Honourables were Issa Sesay, Morris Kallon, Mike Lamin,
26 Peter Vandi, Eldred Collins, Gullit, Bazzy and Five-Five."

27 You recall telling the Prosecution this, Mr Witness, when
28 you spoke in 2005, yes?

29 A. Yes, I have forgotten, but they were Supreme Council

1 members.

2 Q. Issa Sesay is not an honourable in the sense that he was
3 not one of the 17 junior ranked SLA officers who overthrew Tejan
4 Kabbah's government, yes?

11:23:57 5 A. Yes, they were Supreme Council members.

6 Q. Mike Lamin isn't an honourable, is he, Mr Witness?

7 A. Yes.

8 Q. "Yes" means he is not an honourable member?

9 A. He was not an honourable member. He was a Supreme Council
11:24:17 10 member.

11 Q. How about Eldred Collins?

12 A. Eldred Collins was a Supreme Council member.

13 Q. Not an honourable?

14 A. He was not an honourable.

11:24:33 15 Q. Is it fair to say that when you referred to these people as
16 honourables you did not know what "honourable" meant in the
17 context of the AFRC command structure?

18 A. No, I had told you that I did not know what "honourable"
19 meant. I did not know the meaning of "honourable" and I did not
11:25:03 20 know much about government issues. I used to see the names like
21 Bazy, he was an honourable, Five-Five was an honourable. So the
22 idea of supreme and/or honourable, I thought that they were one
23 and the same. Because although those ones were honourables, but
24 they too were members of the Supreme Council.

11:25:37 25 Q. You are the same person who told the Prosecution out of
26 Court that you were very close with Foday Sankoh, yes?

27 A. Yes.

28 Q. You are the same person who has told us of your tenure with
29 Mike Lamin, yes?

1 A. Yes.

2 Q. You've also spent significant amounts of time with Sam
3 Bockarie, you tell us, yes?

4 A. Yes.

11:26:12 5 Q. And you were present at Wilberforce Barracks and also in
6 the Cockerill area and you do not know what an honourable is?

7 A. Yes, because I did not have much concerns about government.
8 I was much concerned about the military operations.

9 MR ANYAH: Madam President, I see the time.

11:26:44 10 PRESIDING JUDGE: Yes, we have been alerted that it's time,
11 Mr Anyah.

12 Mr Witness, we are now going to take the mid-morning break.
13 We will be resuming court at 12 o'clock. Please adjourn court
14 until 12.

11:27:02 15 [Break taken at 11.30 a.m.]

16 [Upon resuming at 12.00 p.m.]

17 PRESIDING JUDGE: Ms Hollis, yes, you are on your feet?

18 MS HOLLIS: Thank you, Madam President. The Prosecution
19 has now had the opportunity to review the pages that were cited
11:59:19 20 by Defence counsel in relation to his questions about a meeting
21 between Mike Lamin and Ibrahim Bah in Freetown during the time
22 the witness was in Freetown.

23 In regard to those pages, the Prosecution has already
24 commented on page 2308 which does not give a month or months.
11:59:40 25 Page 2314 relates to the shipment into Magburaka in October.
26 However, on that page the evidence specifically states that
27 Ibrahim Bah came in with that shipment but did not go to
28 Freetown. Page 2671 gives no month or months. Pages 2700 to
29 2701 gives no month or months. So we would renew our objection.

1 MR ANYAH: Madam President, I would have to read each of
2 these pages and I would request a closed session, because I
3 maintain my position that they do convey the month.

12:00:25

4 PRESIDING JUDGE: Why to you require a closed session in
5 order to respond to this objection?

6 MR ANYAH: Because in order to read the relevant pages they
7 were adduced in closed session for the security of other
8 witnesses that testified before your Honours.

12:00:43

9 PRESIDING JUDGE: In these transcripts that have been
10 referred to?

11 MR ANYAH: That is correct, Madam President.

12 PRESIDING JUDGE: Well, in that case let me consult.

13 [Trial Chamber conferred]

12:01:10

14 Counsel, I have in mind that maybe this should be done in
15 the absence of the witness.

16 MR ANYAH: That would be our application. Necessarily,
17 Madam President, he would have to be excused with leave of the
18 Chamber.

19 PRESIDING JUDGE: Ms Hollis?

12:01:22

20 MS HOLLIS: We believe that would be appropriate.

21 PRESIDING JUDGE: Very well. Mr Witness, there is going to
22 be some arguments concerning legal issues that we will hear and
23 you can leave the Court and have some comfort somewhere else.
24 You will be assisted to leave. Please assist the witness to
25 leave. Then we will go into a private session, Madam Court
26 Officer.

12:01:41

27 For purposes of record this private session will deal with
28 evidence adduced in a closed session and is for security of the
29 witnesses referred to in that closed session. Please put at the

1 Court in private session.

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[At this point in the proceedings, a portion of
4 the transcript, pages 20389 to 20393, was
5 extracted and sealed under separate cover, as
6 the proceeding was heard in private session.]

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1 [Open session]

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

3 [In the presence of the witness]

4 PRESIDING JUDGE: Now, Mr Anyah, please proceed.

12:17:13 5 MR ANYAH: Thank you, Madam President:

6 Q. Mr Witness, before the break I had asked you a series of
7 questions regarding a visit by Ibrahim Bah to Freetown around the
8 time when you said you were there. I want to ask you some more
9 questions about that visit. Now, do you agree you were in

12:17:35 10 Freetown in the early part of September 1997, Mr Witness?

11 A. Yes.

12 Q. Are you aware of a hotel in Freetown at that time called
13 the Cape Sierra Hotel?

14 A. Yes.

12:17:58 15 Q. When you got to Freetown, were you aware of somebody named
16 Ibrahim Bah staying at that hotel?

17 A. No, that was not of concern to me. I did not hear that.

18 Q. Are you aware that another witness has come and told this
19 Court that in August of 1997 Ibrahim Bah was in Freetown?

12:18:38 20 A. Yes, he could know about that because it is not everything
21 that I would have known about at that time.

22 Q. Are you aware of the fact - and for everyone's benefit this
23 is at page 2310 - that that witness told the Court Ibrahim Bah
24 spent a considerable time at the Cape Sierra Hotel and that he
12:19:05 25 stayed in Freetown for a couple of weeks at that hotel? Are you

26 aware of this, Mr Witness?

27 A. I don't know.

28 Q. Are you aware of the fact that the time that I speak of,
29 August 1997 into September 1997, the couple of weeks Ibrahim Bah

1 spent --

2 PRESIDING JUDGE: Yes, Ms Hollis?

3 MS HOLLIS: I am going to object. He has got no factual
4 basis for saying when those couple of weeks were. He is basing
12:19:42 5 it on prior testimony. He has got no factual basis for that.

6 MR ANYAH: Madam President, the prior testimony says
7 Ibrahim Bah was in Freetown in August 1997. The prior testimony
8 says Ibrahim Bah spent a considerable amount of time, a couple of
9 weeks there. I can phrase the question saying August/September
12:20:04 10 1997, I propose.

11 PRESIDING JUDGE: Yes, or if the transcript says a couple
12 of weeks from some unspecified date that would be the appropriate
13 thing to put to the witness.

14 MS HOLLIS: And your Honour, I would suggest that it would
12:20:16 15 be appropriate to say possibly into September because nothing
16 this witness who has been referred to said indicated September.

17 PRESIDING JUDGE: For Mr Bah or for the witness, Ms Hollis?

18 MS HOLLIS: For Mr Bah.

19 MR ANYAH: Well, the issue is the witness says he was
12:20:34 20 present in Freetown in early September 1997.

21 PRESIDING JUDGE: Yes, we are not quibbling about that, Mr
22 Anyah. It is getting the prior testimony clearly across to the
23 witness. Please cite it as --

24 MR ANYAH: Thank you, Madam President:

12:20:48 25 Q. Mr Witness, are you aware of Mike Lamin meeting with
26 somebody named Ibrahim Bah in the month of September 1997?

27 A. At the time that I was with Mike Lamin, no.

28 Q. Did you know of Mike Lamin having meetings with anybody at
29 the Cape Sierra Hotel in Freetown at the time you were with him

1 in late 1997?

2 A. Well, once on a while he used to go to the Cape Sierra
3 Hotel, but I did not know whether he was going to meet Ibrahim
4 Bah and I was not going with him. I just felt that he was going
12:21:38 5 to satisfy himself. I would stay at home.

6 Q. In that month of September 1997 was Mike Lamin given an
7 appointment, Mr Witness?

8 A. Yes, they had an office and they said Mike Lamin should
9 take care of that office.

12:22:12 10 Q. Was it in September or thereabouts 1997 that Mike Lamin was
11 appointed a Supreme Council member of the AFRC?

12 A. Yes.

13 Q. Is that the appointment you speak of when you said he was
14 given an office, Mr Witness?

12:22:36 15 A. Yes, within that, after they had made him a Supreme Council
16 member, yes.

17 MR ANYAH: Could we see Prosecution exhibit P-104 again,
18 please. That would be the second page ending with ERN 7712:

19 Q. We have looked at this before. Now, Mr Witness, these are
12:24:02 20 the delineations of the AFRC Supreme Council members and do you
21 see entry number 13, Mr Witness?

22 A. Yes.

23 Q. It says "Colonel Michael Lamin", yes?

24 A. Yes.

12:24:25 25 Q. And if we scroll to the bottom of that page of the listings
26 we see, "Dated this 3rd day of September, 1997". Do you see
27 that, Mr Witness?

28 A. Yes.

29 Q. And if we go back to the top we see that these appointments

1 took effect on 25 May 1997. Do you see that, Mr Witness?

2 A. Yes.

3 Q. Now, another witness has come before this Court - and this
4 is at page 2310 - and that witness says that Mike Lamin and

12:25:06

5 Ibrahim Bah met in Freetown and one of the things that was

6 discussed was Mike Lamin's new appointment. Are you aware of a

7 meeting in Freetown some time after August 1997 when Mike Lamin's

8 new appointment was discussed between him and Ibrahim Bah?

9 A. Well, at that time when he got that new appointment, as he

12:25:48

10 told me, that was the time he came for me, but I was not there at

11 the time that the meeting was held for his new appointment. I

12 didn't know about that.

13 Q. Now, you told us about your nickname, OG. Does that stand

14 for Oscar Golf, Mr Witness?

12:26:17

15 A. Yes, that was what they used to call me. It is a radio

16 code.

17 Q. My question is if OG means Oscar Golf?

18 A. Yes.

19 JUDGE SEBUTINDE: Is that golf as in the game?

12:26:44

20 MR ANYAH: Yes, Justice Sebutinde, G-O-L-F:

21 Q. When you were in Tongo, Mike Lamin visited Tongo, yes?

22 A. Yes.

23 Q. Amara Peleto was there, yes?

24 A. Yes.

12:27:11

25 Q. Major Gweh, G-W-E-H, was there as well, yes?

26 A. Well, at the time that Major Gweh was there it was not the

27 time of Amara Peleto. He was not there.

28 Q. You are saying Gweh and Peleto were never at Tongo at the

29 same time. Is that your evidence, Mr Witness?

1 A. Yes.

2 Q. You are absolutely sure about that?

3 A. Yes, at that time if Amara Peleto was there I did not know
4 about him, but at the time that Gweh was there Amara Peleto was
12:28:08 5 not there.

6 Q. Well, another witness came before this Court and the
7 witness spoke of seeing Amara Peleto, Mike Lamin, yourself and
8 Major Gweh all at the same time in Tongo. Can I read to you what
9 that witness said. The witness said - and for everyone's benefit

12:28:37 10 the relevant page or pages are 2337 through 2338. The witness
11 speaks of speaking to the RUF commander in Tongo and says that
12 Tongo was predominantly controlled by the RUF. The witness says
13 there was one Major Gweh who was there as the commander and you
14 had the securities of Issa Sesay, one Amara Peleto. The witness
12:29:40 15 says - and this is at page 2338 - Gweh was the RUF commander of
16 that area. Gweh was a Sierra Leonean. Amara Peleto was one of
17 the security of Issa Sesay, that he was a Sierra Leonean, and
18 that there was another person there called OG, Oscar Golf, and
19 that OG was a Sierra Leonean.

12:30:17 20 Do you recall being present at Tongo Field in the presence
21 of Mike Lamin, Amara Peleto, Major Gweh at the time you were in
22 Tongo in late 1997?

23 A. Well, in late 1997, no. Major Gweh was a there, but Amara
24 Peleto was not there. That witness was telling lies.

12:30:55 25 Q. So when this witness says Amara Peleto was there when Major
26 Gweh was there and when the witness actually says you were there
27 and Mike Lamin was there, that witness is lying. Is that your
28 evidence?

29 A. Yes, because in 1997 it was AFRC - both AFRC and the RUF

1 were there, so it was not the RUF that was fully in control of
2 Tongo alone. It was only in the year 1999 to 2000 - it was in
3 that time that the RUF was in full control of this area, Tongo,
4 and it was at that time that Peleto was there, but at that time
12:31:44 5 Major Gweh had died.

6 Q. So it would also be incorrect if somebody said in 1998 in
7 Tongo, Major Gweh was there with Amara Peleto, yourself and Mike
8 Lamin, since Major Gweh had died, yes?

9 A. Yes, I was there with Major Gweh, but I was not there with
12:32:12 10 Amara Peleto and at that time it was not Major Gweh that was
11 taking care of Tongo as commander in 1997.

12 Q. Well, let us reconcile the differences between you and this
13 witness. Number one, this witness says Major Gweh was commander
14 - you disagree, correct - in 1997?

12:32:42 15 A. Commander in which sense?

16 Q. The witness's words were that Major Gweh, a Sierra Leonean,
17 at page 2338, he was the RUF commander of that area. Do you
18 disagree with the witness that Gweh was the RUF commander of the
19 Tongo area in late 1997?

12:33:10 20 A. He was there as commander, but he was not the commander of
21 the entire area of Tongo at all. It was Captain Yamao Kati who
22 was commander for all the AFRC and RUF commanders who were there.

23 Q. So you agree with the witness that Gweh was commander, yes,
24 but you disagree about the scope of his authority; whether he
12:33:42 25 commanded beyond Tongo?

26 A. Yeah, he was commander for the RUF and commander assigned
27 there to mine for Mosquito, but he was not commanding the whole
28 RUF and the AFRC soldiers in Tongo.

29 Q. Well, this captain, you call him Yamao Kati, how could a

1 captain be superior to a major who is assigned to the same area?

12:34:47 2 A. In fact we just called Major Gweh - we were just calling
3 him Major Gweh, but at that time in 1997 he was Lieutenant Gweh.
4 So it was at this later time of 1998/'99 before his death that he
5 went up to major. So that name had been on him, but if anybody
6 tells you in 1997 he was - that was a full name for Major Gweh,
7 that's a lie.

8 MR ANYAH: Madam President, just to avoid any dispute about
9 the time period, the page reference I would give for this
12:35:10 10 information starts at 2334 through the pages I have read and, to
11 be on the safe side, I would say through page 2339:

12 Q. Mr Witness, I am going to restate what this other witness
13 says. This witness spoke of the junta period. This witness says
14 that Tongo Field during the junta period was predominantly
12:35:46 15 controlled by RUF, unlike Kono, because Sam Bockarie had captured
16 the place from the militias. Do you agree with that, Mr Witness?

17 A. No, Tongo, in 1997, it was the soldiers who were there.
18 Then later when the coup took place the Kamajors dislodged
19 soldiers from there. So after they had overthrown Kabbah it was
12:36:28 20 Mosquito and others who attacked the Kamajors there. So both the
21 AFRC and the RUF took over.

22 Q. You are saying that during the junta period AFRC and RUF
23 controlled Tongo Field. Do we agree that that's what you're
24 saying?

12:36:51 25 A. Yes.

26 Q. This witness is saying that the RUF predominately
27 controlled Tongo Field, unlike Kono, during the junta period. Do
28 you agree with that, Mr Witness?

29 A. Yes, the RUF population was in the majority, but the

1 command structure at the time, it was the AFRC leaders who were
2 there. The commanders, the AFRC commanders. Like even Karmoh,
3 who is Eagle, he was there but he was deputising Yamao Kati. It
4 was not Major Gweh or any other person who was taking care of the
12:37:43 5 command of Tongo at that moment, no.

6 Q. So, Mr Witness, in your evidence the commanders of the
7 mining operation in Tongo Field during the junta period were -
8 well, let's start in 1997 after the AFRC coup. The commander was
9 Yamao Kati and his deputy was Karmoh Kanneh, also known as Eagle.

12:38:13 10 Is that your evidence?

11 A. Yes.

12 Q. This witness told this Court that the commander there at
13 the time was Major Gweh. Is that witness lying?

14 A. Well, maybe it could be that, but when I entered there it
12:38:36 15 was not Major Gweh who was there as the overall commander because
16 it was Major Gweh who took me there. He should have said that he
17 was the overall commander here, but when I got there he showed me
18 a commander. He said they were taking care of that place so I
19 can't believe that, what that witness said.

12:39:00 20 Q. That witness told this Court that one Amara Peleto was
21 present at Tongo Field at this time. Do you agree that Amara
22 Peleto was present in Tongo Field when Major Gweh was there?

23 A. No, I did not know about Amara Peleto. Even Issa's
24 bodyguards, Mosquito's bodyguards, I knew about Islika, I knew
12:39:33 25 about all the other bodyguards but Amara Peleto was not there.

26 Q. So that witness is lying?

27 A. Yes, yes. About the command structure he was lying.

28 Although Major Gweh was popular, because it was Mosquito who
29 assigned him there for his own personal mining, the commanders

1 respected him more because he had come from Mosquito, but the
2 command structure, if he said it was Major Gweh who took over
3 then, he has told lies.

4 Q. He is lying, yes?

12:40:16 5 A. Yes.

6 Q. Was Amara Peleto one of Issa Sesay's security officers?

7 A. Well, that was what I heard. That in the Kailahun area
8 when they were there he was one of his securities.

9 Q. Did he ever serve as security for Issa Sesay while assigned
12:40:43 10 to Tongo Field, if you know?

11 A. No, I knew Peleto then as a front-line soldier fighting and
12 controlling soldiers in his own positions where he would be
13 assigned.

14 Q. But not in Tongo Field at the time when you were there?

12:41:07 15 A. No. 1997, not at all.

16 Q. When Mike Lamin came to meet you in Tongo Field who did he
17 come with?

18 A. Well, some of his securities whom I saw, because they came
19 with his vehicle. They were the ones I knew.

12:41:40 20 Q. At any time while you were in Tongo Field, Mr Witness, this
21 is late 1997, were you ever there at a time when Mike Lamin was
22 there, Amara Peleto was there and Major Gweh was there?

23 A. I did not see Amara Peleto there. That is where the
24 argument is. I did not know Amara Peleto at that time, even if
12:42:11 25 he was there.

26 Q. It was at this time Mike Lamin took you back to Freetown,
27 yes?

28 A. Yes.

29 Q. And by that time Mike Lamin was already a Supreme Council

1 member, correct?

2 A. Yes.

3 Q. Now, during the junta period, Mr Witness, Foday Sankoh was
4 still in custody in Nigeria, correct?

12:43:00 5 A. Yes.

6 Q. It is the case that there was no communication with Foday
7 Sankoh after he came on the radio and said the RUF should join
8 the AFRC to form the People's Army, correct?

9 A. Yes, they had cut off communication finally when he agreed
12:43:24 10 on that, that the RUF should join the AFRC. Since then they cut
11 off communication finally between them and the RUF.

12 Q. When you say between them and the RUF, you mean between
13 Foday Sankoh and the RUF, correct?

14 A. Yes.

12:43:43 15 Q. And on Friday you agreed with me that Foday Sankoh was
16 arrested in Nigeria some time before the 25 May 1997 coup d'etat,
17 yes?

18 A. Yes.

19 Q. And this radio communication that Foday Sankoh made saying
12:44:06 20 the RUF should join the AFRC, when exactly did that take place,
21 Mr Witness?

22 A. Well, I can't tell the exact month. I can't recall.

23 Q. Did you hear this communication yourself, Mr Witness?

24 A. Yes, I just heard it over the BBC, that the RUF - Foday
12:44:41 25 Sankoh had passed an order. He himself had said that the RUF
26 should join the soldiers who had organised the coup against Tejan
27 Kabbah so that we can form one government, which was the Armed
28 Forces Revolutionary Council, the AFRC.

29 Q. Was it the AFRC or was it the People's Army, Mr Witness?

1 A. Yes, we, the RUF, that was our name. That was what they
2 were calling us, the People's Army. He said we were to become
3 the People's Army, the RUF.

12:45:32 4 Q. Did you hear Foday Sankoh's voice when he said this,
5 Mr Witness?

6 A. Yes, over the BBC. Yes.

7 MR ANYAH: May I have the assistance of Mr Court Usher,
8 please. This is a document from the interview record of the
9 witness of 26 February 2003 and it is in our Defence tab number 2
12:46:09 10 at pages 57 and 58. If we could go down to the bottom of the
11 page:

12 Q. Mr Witness, these are records maintained by the Office of
13 the Prosecutor regarding what you said when they interviewed you
14 on 26 February. There is a question towards the end of the page.

12:47:00 15 Well, let me start from a little bit higher. It says:

16 "Q. But do you know who sent that message, how that
17 message came to be sent?

18 A. From Freetown here, the headquarters, they sent from
19 Johnny Paul Koroma. That time they almost - they have
12:47:20 20 almost elect him as the chairman for the AFRC. So at that
21 time, then they informed, they say Foday Sankoh told them
22 to come and join them so that we can form one government,
23 as People's Army."

24 Pause there. Mr Witness, this paragraph I have just read
12:47:39 25 suggests that it was at the very initial stages following the
26 coup at the time when they had almost elected Johnny Paul Koroma
27 as chairman that Foday Sankoh said the RUF should join the AFRC.
28 Do you agree, Mr Witness, that it was that early following the
29 May 25th 1997 coup?

1 A. Yes, at that time they called upon our people, the RUF
2 brothers, to join them.

3 Q. Now, I want to focus on the last sentence I just read. It
4 says, rather it reads, "They say Foday Sankoh told them to come
12:48:30 5 and join them so that we can form one government, as People's
6 Army." I am asking you whether this request by Foday Sankoh --

7 A. Yes.

8 Q. -- may I finish my question. I am asking you whether this
9 request by Foday Sankoh that you told the Prosecution about was
12:48:49 10 made by Foday Sankoh very shortly after 25 May 1997. Do you
11 agree it was made very soon after 25 May 1997?

12 A. Well, that was what they told me. That was what I heard
13 them say in Freetown.

14 Q. Let's read on:

12:49:13 15 "Q. Yeah.

16 A. So he was in Monrovia now. They called Mike Lamin at
17 the Sierra Leonean contingent, the soldiers there, and they
18 told Mike, said they need to see him there in Freetown.

19 Q. Okay. Did you hear the communication from Foday Sankoh
12:49:35 20 asking or telling the RUF to join with the AFRC? Did you
21 hear that communication?"

22 We are now over to page 58:

23 "A. I don't hear that.

24 Q. You didn't hear that?

12:49:58 25 A. From the commander?

26 Q. Yes. You did not hear that?

27 A. Yeah.

28 Q. Okay.

29 A. I only hear it from commander, from Mike Lamin,

1 Superman, Mosquito.

2 Q. But you did not hear it yourself?

3 A. Myself, that one, no."

4 Mr Witness, you just told us that you yourself heard Foday
12:50:29 5 Sankoh's voice over the BBC. You told the Prosecution out of
6 court in February 2003 that you did not hear that announcement.
7 Which is it? Did you hear it or did you not hear it?

8 A. Well, the announcement was different from this
9 communication that I was thinking about.

12:50:57 10 Q. This communication I just read to you, let me ask you: Do
11 you agree it accurately reflects what you told the Prosecution in
12 February of 2003?

13 A. Yes.

14 Q. Do you agree that this communication speaks about Foday
12:51:13 15 Sankoh telling the RUF to join the AFRC at the time of the junta
16 coup?

17 A. Yes, over our own communication but I did not hear it.
18 That was what the other commanders, whose names I have stated on
19 this paper, told us.

12:51:36 20 Q. That is what they told you. Are you saying that this
21 communication was a separate communication by Foday Sankoh, not
22 the communication Foday Sankoh made over the BBC? Is that what
23 you are suggesting to us, Mr Witness?

24 A. Exactly. That was what I felt.

12:51:58 25 Q. So you are saying to us that Foday Sankoh spoke over the
26 BBC and that Foday Sankoh again, within the RUF's own radio
27 communication, gave a message to you and other RUF fighters to
28 join the junta forces. Is that what you are saying?

29 A. Yes, from what Mosquito told me. Yes. What I heard from

1 them, the commanders, they said the only time that they finally
2 stopped getting communication with Foday Sankoh separately was at
3 the time that he supported the coup.

12:52:51 4 Q. So it would be fair to say then that from after this
5 communication by Foday Sankoh, saying the RUF should join the
6 AFRC, whether it be over the BBC or over RUF radio channels,
7 communication ceased between the RUF and Foday Sankoh while he
8 was detained in Nigeria, yes?

9 A. Ask that question properly.

12:53:23 10 Q. Your answer a few minutes ago, you said:

11 "Yes, from what Mosquito told me, yes. What I heard from
12 them, the commanders, they said the only time that they finally
13 stopped getting communication with Foday Sankoh separately was at
14 the time that he supported the coup."

12:53:45 15 That's what you just told us. My question to you is this:
16 Once Foday Sankoh supported the coup saying the RUF should join
17 the AFRC, from that point onwards during the junta period
18 communications stopped between Foday Sankoh and the RUF
19 commanders, yes?

12:54:03 20 A. Yes.

21 Q. Now, communication stops. Do you recall telling the
22 Prosecution pre-trial that in September of 1997 Foday Sankoh
23 promoted you to captain?

24 A. Yes, when we went to the Ivory Coast even before his arrest
12:54:44 25 he promoted me when I went with Mike Lamin. He sent Eagle and
26 others' promotion as captain at the time they were with Mosquito
27 in Sierra Leone. He had promoted me before his arrest.

28 Q. Well, let's be sure about which rank you are speaking of.
29 I am speaking of your promotion to captain. Did you tell the

1 Prosecution that in September of 1997 you were promoted to
2 captain by Foday Sankoh?

3 A. I said I was almost promoted to captain, yes.

4 MR ANYAH: Could we go to tab --

12:55:32 5 PRESIDING JUDGE: Sorry to interrupt. Mr Witness, when you
6 said, "I was almost promoted to captain", what to you mean
7 "almost"?

8 MR ANYAH: Yes, I hoped to put the document to him.

9 PRESIDING JUDGE: I see. Well, I will not interrupt then.

12:55:46 10 MR ANYAH: Mr Court Usher, it would be tab 4, page 1,
11 paragraph 2. For counsel's benefit the interview dates are given
12 at the top of the page, April and May 2005:

13 Q. In April and May of 2005 when you spoke with the
14 Prosecution you say in paragraph 2:

12:56:21 15 "I was promoted several times. In 1994 I was promoted by
16 Foday Sankoh to second lieutenant. In January 1995 Foday Sankoh
17 promoted me to lieutenant. Around September 1997 I was promoted
18 to captain by Foday Sankoh. At the end of 1998 I was promoted to
19 major by Mosquito. Around November 1999 I was promoted to
12:56:56 20 lieutenant colonel by Issa Sesay."

21 Let's pause there. For purposes right now the relevant
22 part is the sentence, "Around September 1997 I was promoted to
23 captain by Foday Sankoh." Mr Witness, if Foday Sankoh is
24 detained in Nigeria, and you agree he was detained before the
12:57:23 25 AFRC coup in May 1997, how is it that in September 1997 Foday
26 Sankoh is promoting you to captain?

27 A. Well, I forgot the month, but it was in 1997 when we went
28 and met him. It was at that time that he himself promoted me.
29 So if I forgot to say around September, well, I forgot the month.

1 Q. You forgot the month that you were promoted to captain?

2 A. Yes, that was something that had taken a long time and it
3 was not like the document was in my keeping that I had everything
4 that I was looking at.

12:58:18 5 Q. Do you know what you told this Court in July 2005 about
6 your promotion to captain? For counsel's benefit, the transcript
7 of 19 July. Page 12 is the specific page in question now and it
8 really starts from page 11 through 12 and then 13. Do you know
9 what you told this Court about being promoted by Foday Sankoh to
10 captain?

11 A. I can't recall now. It has been a long time. You have it
12 before you, but I don't have it before me.

13 Q. Well, I will read it for you. You told the Court that -
14 and this starts at line 4:

12:59:16 15 "Q. Mr Witness, when did you receive your next promotion?

16 A. 1995.

17 Q. And what was that promotion?

18 A. Full lieutenant, 1995.

19 Q. Who was it who promoted you to full lieutenant?

12:59:37 20 A. Foday Sankoh.

21 Q. And he did that personally?

22 A. He did it himself. He did the promotion.

23 Q. Mr Witness, do you recall when your next promotion was?

24 A. Yes, sir.

12:59:53 25 Q. When was that?

26 A. 1996.

27 Q. What rank were you promoted to?

28 A. I was promoted to a captain.

29 Q. Who promoted you to captain, Mr Witness?

1 A. Foday Sankoh.

2 Q. Did he do that personally?

3 A. He did it himself. He promoted me himself."

4 Were you promoted to captain in 1996 or September 1997,

13:00:22 5 Mr Witness?

6 A. Well, it was not in September 1997 anyway. At the time
7 when Foday Sankoh was in the Ivory Coast, when I went with Mike
8 Lamin to meet him, it was at that time that he promoted me. So
9 if I forgot the dates - I am not perfectly correct in that.

13:00:55 10 Q. And who promoted you to major? Was it Foday Sankoh or was
11 it Sam Bockarie?

12 A. It was Sam Bockarie who promoted me to major.

13 Q. Did that directive come from Foday Sankoh or did it come
14 from Sam Bockarie himself?

13:01:17 15 A. Well, at that time Foday Sankoh was under arrest. It was
16 Sam Bockarie himself.

17 Q. Then why did you tell the Court in Freetown regarding your
18 promotion to major - the question was asked of you:

19 "Q. Who promoted you to major?"

13:01:35 20 A. At that time Foday Sankoh through Mosquito, because he
21 was no longer in the country but he sent the promotion
22 through Mosquito who was in charge of the RUF at that time
23 as the overall commander."

24 Over to the next page, page 13:

13:01:54 25 "Q. So did Mosquito promote you personally?"

26 A. Yes, but Foday Sankoh sent him the promotion and he
27 distributed the promotions."

28 You told this Court in 2005 that while Foday Sankoh was in
29 Nigeria in detention Foday Sankoh ordered that you be promoted to

1 major and Sam Bockarie carried out that order. Do you agree
2 that's what you told this Court in 2005?

13:02:35 3 A. Yes, that was what Mosquito told us; that it was an order
4 from Foday Sankoh. I did not listen to it, but I knew that
5 personally it was Mosquito who promoted me to major.

6 Q. But you told the Court it was Foday Sankoh who gave the
7 order, yes?

8 A. Yeah, that was what Mosquito told me. That was what I told
9 you. That was what I told the Court.

13:02:56 10 Q. Are you trying to distance yourself from suggesting that it
11 came from Foday Sankoh because you have already told us there was
12 no more communication with Foday Sankoh after he told the RUF to
13 join the AFRC junta?

14 A. Yes, because what your commander tells you is what you
13:03:22 15 listen to. Like at the time that Foday Sankoh himself was
16 directly promoting me, I said so that he promoted me. But if
17 someone says I was in charge and this is a directive from Foday
18 Sankoh, the leader is not there but it is his directive, so you
19 have been promoted to major. So that is what I am going say
13:03:48 20 anywhere. That's the truth. I did not listen where Foday Sankoh
21 was saying promote him directly. But Mosquito was the leader for
22 us. If he said it was a directive from Foday Sankoh I was not
23 going to object that it's a lie.

24 Q. Mr Witness, Mosquito was the overall leader at that time of
13:04:17 25 the RUF. We agree on that, yes?

26 A. Yes, on behalf of Foday Sankoh he was there.

27 Q. And it is the case that after Foday Sankoh's arrest
28 Mosquito promoted himself to general, true?

29 A. Yes.

1 Q. This was not something Foday Sankoh did or any other person
2 did. Mosquito himself made himself General Bockarie, correct?

3 A. Well, that was how all of us called him.

13:04:59

4 Q. I am not asking you how you called him. I am asking you
5 whether or not it was he himself who promoted himself to general.
6 Is the answer, "Yes, it was Sam Bockarie who promoted himself to
7 general"?

8 A. Well, yes, because I can say it's him.

9 Q. What was Issa Sesay's rank at this time?

13:05:37

10 A. Well, at that time he was Brigadier Issa.

11 Q. And what was his title beyond being a brigadier within the
12 RUF command structure?

13 A. He was a field commander then during Mosquito's time.

14 Q. Was he the battle group commander, Mr Witness?

13:06:11

15 A. Yeah, battle group commander.

16 Q. He was also the deputy of Sam Bockarie, also known as
17 Mosquito, yes?

18 A. Yes.

13:06:27

19 Q. Sam Bockarie had assumed the position of battlefield
20 commander after promoting himself to general, yes?

21 A. Yes, he said he was the field commander. At that time CO
22 Mohamed had died, who was the field commander.

23 Q. It was Sam Bockarie, was it not, who promoted Issa Sesay to
24 become his deputy, yes?

13:06:53

25 A. Yes.

26 Q. And it was Sam Bockarie who gave Issa Sesay that title of
27 battlefield commander, correct?

28 A. Yes.

29 Q. Mike Lamin at that time did not have a particular

1 assignment because Mosquito was angry with him, true?

2 A. Yes.

3 Q. Why was Mosquito angry with Mike Lamin?

13:07:42

4 A. Well, Mosquito knew that Mike Lamin was senior to him, but
5 he believed that he was a better fighter than Mike Lamin and so
6 he had more contacts within the RUF than in Sierra Leone more
7 than Mike Lamin.

8 Q. The issue is not - I'm sorry, go ahead, Mr Witness. You
9 may complete your answer, Mr Witness.

13:08:13

10 A. So he thought that Mike Lamin would undermine him in his
11 command, so those were the things that made me think that were
12 the problem. In spite of the fact that he had made himself a
13 general, Mike Lamin was not respecting him as a general.

13:09:02

14 Q. Mr Witness, by March 1998, the RUF had established a proper
15 command structure. Do you agree with that?

16 A. By what year?

17 Q. By March of 1998, the RUF had established a proper command
18 structure?

19 A. Yes, they had established that.

13:09:34

20 Q. And that command structure was established by Sam Bockarie,
21 yes?

22 A. Yes.

23 Q. Indeed, CO Rambo was made front line commander, yes?

24 A. Yes, overall, for the RUF. Overall front line commander.

13:10:00

25 Q. And that appointment was made by Sam Bockarie, yes?

26 A. Yes.

27 Q. CO Rambo, Boston Flomo, is that what we are talking about,
28 Mr Witness?

29 A. Yes.

1 Q. This is RUF Rambo, not the same as AFRC Rambo, or SLA
2 Rambo, correct?

3 A. I know; he was an RUF vanguard that you are talking about.
4 I know him. That is him.

13:10:32 5 Q. Yes. Now, what was Morris Kallon's position at this time?

6 A. Well, Morris Kallon, he was to be the deputy battlefield
7 commander.

8 Q. He was appointed, indeed, deputy battlefield commander,
9 correct?

13:11:03 10 A. Yes.

11 Q. And that appointment was done by Sam Bockarie, yes?

12 A. Yes.

13 MR ANYAH: Thank you, Mr Court Usher:

14 Q. Now, during the latter part of the junta period, that is
13:11:31 15 starting in 1998, you had left Tongo Field and you had gone to
16 Kenema, correct?

17 A. Yes.

18 Q. Why did you leave Tongo Field, Mr Witness?

19 A. Well, at that time the Kamajors were attacking there and
13:11:58 20 then from then on what had gone on, that is diamond mining, the
21 implements that I went with, a lot of them had been captured by
22 Kamajors and what I was relying on, the baling machine, to do the
23 mining, had been taken away by Mosquito, so I thought that I had
24 no other reason to stay in Tongo.

13:12:26 25 Q. The baling machine you were using to mine was taken by
26 Sam Bockarie and you were mining diamonds for Mike Lamin, yes?

27 A. Yes.

28 Q. This was December 1997, correct?

29 A. Yes.

1 Q. Did you tell Sam Bockarie that you were mining for Mike
2 Lamin when he took your mining equipment?

3 A. Yes, he himself knew.

4 Q. And he went ahead and took it nonetheless, correct?

13:13:08 5 A. Yes.

6 Q. Did you tell Mike Lamin that this had happened?

7 A. Yes, I told him.

8 Q. And what did Mike Lamin do, if anything?

9 A. Well, he said he was going to ask Mosquito to himself, but he
13:13:29 10 was not happy at all about what Mosquito did to him.

11 Q. Under what circumstances did Mosquito take this machine?
12 He came to Tongo and he just took your machine? Is that how it
13 happened?

14 A. Well, that was what I thought. Whether there was another
13:13:57 15 problem between Mike Lamin and himself I did not know, but he
16 came and requested for the machine. He said they should take it
17 to his own pit. His bodyguards came and took it away.

18 Q. Mike Lamin at this time was a member of the AFRC Supreme
19 Council, yes?

13:14:21 20 A. Yes.

21 Q. Was Sam Bockarie also a member of that council?

22 A. Yes, all of them. That was what they said. Mosquito and
23 all of them should have become Supreme Council members.

24 Q. Not should have, was he or was he not a member - I am
13:14:48 25 referring to Sam Bockarie - of the Supreme Council?

26 A. He was a member.

27 Q. So this was one Supreme Council member taking the baling
28 equipment of another Supreme Council member in Tongo?

29 A. Yes.

1 Q. Now, you go to Kenema and from Kenema you went to Daru,
2 yes?

3 A. Yes.

4 Q. How long did you spend in Kenema, Mr Witness?

13:15:24 5 A. Well, I was there for a month. I can't tell the exact date
6 or the number of days that I spent there, but I was there within
7 a month before ever.

8 Q. Where were you when the ECOMOG intervened in Freetown and
9 dislodged the junta in 1998?

13:16:01 10 A. In Kenema.

11 Q. So you were in Kenema through February 1998, is that fair
12 to say?

13 PRESIDING JUDGE: Mr Anyah, can I clarify what the witness
14 means when he said "I was there within a month forever"?

13:16:17 15 MR ANYAH: Of course, Madam President.

16 PRESIDING JUDGE: Mr Witness, you answered a question asked
17 by counsel and you said about Kenema, "I was there within a month
18 forever". What does "within a month forever" mean?

19 THE WITNESS: No, I said I was within Kenema for a month
13:16:37 20 within that.

21 PRESIDING JUDGE: Thank you. Please proceed, Mr Anyah.

22 MR ANYAH: Madam President, the witness has his hands up.

23 PRESIDING JUDGE: Oh, indeed.

24 THE WITNESS: I want to ease myself.

13:16:50 25 PRESIDING JUDGE: Please assist the witness. Please
26 proceed, Mr Anyah.

27 MR ANYAH: Thank you, Madam President:

28 Q. Mr Witness, you agree with me you were in Kenema through
29 the ECOMOG intervention in Freetown, February 1998, true?

1 A. Yes.

2 Q. In the period from December when you left mining in Tongo,
3 after Sam Bockarie had taken the baling equipment through the
4 ECOMOG intervention, that two month period, were you still

13:20:53 5 assigned to Mike Lamin as a security officer?

6 A. Yes, I was with him as security, but I was not there then,
7 with him in Freetown.

8 Q. Who were you assigned to when you were in Kenema?

9 A. Well, I was just there as a senior officer in Kenema with
10 Mosquito.

11 Q. Did you say you were a senior officer, Mr Witness?

12 A. Yes.

13 Q. Your rank at that time was captain or major? Which was it?

14 A. I was a captain at that time.

13:21:38 15 Q. What was your scope of responsibility as a senior officer?

16 A. Well, at that time I was there with Mosquito. When
17 problems arose at the Bo-Kenema Highway he called upon me,
18 Manawai, so that we could collect the RUF soldiers and talk to
19 them and some AFRC in order for us to go and fight to open up the
20 road. So he said I should be with him in Kenema as senior
21 officer on the ground for any emergency military operation.

13:22:15

22 Q. Was Karmoh Kanneh there in Kenema at the time?

23 A. Yes, he too was there.

24 Q. What was Karmoh Kanneh's assignment at that time,

13:22:46 25 Mr Witness?

26 A. Well, Kanneh had been a deputy commander in Tongo. That
27 was where he was after they had been taken and brought there, so
28 he was there - they were there as senior brigade officers.

29 Q. So Karmoh Kanneh was in Tongo and Tongo is not far from

1 Kenema Town, yes?

2 A. Yes, it's not that far.

3 Q. And he is present with you in Kenema as well as is
4 Sam Bockarie, yes?

13:23:29 5 A. Yes.

6 Q. And you said in Kenema you saw this person named Jungle,
7 true?

8 A. Yes.

9 Q. Was this the same Jungle you saw in Liberia on your way
10 back from the Ivory Coast?

11 A. Yes.

12 Q. What is Jungle's real name, Mr Witness?

13 A. Well, I can't tell you Colonel Jungle's real name. The
14 only name I knew for him was that Jungle name that we used to
15 call him.

16 Q. You do not know his real name. Is that what you're telling
17 us?

18 A. Yes, because I never asked him.

19 Q. And you told us last week, correct me if I am mistaken, I
13:24:32 20 believe on Wednesday the 12th, that when you met Jungle in
21 Loguatu on your way back from the Ivory Coast that was the first
22 time you had ever met this person named Jungle, correct?

23 A. Yes.

24 MR ANYAH: The reference for that for everyone's benefit is
13:25:00 25 at page 20130 on 12 November's transcript:

26 Q. When you met Jungle this time in Kenema, it was less than a
27 year because this was some time in early 1998. Did you and him
28 have any conversation about your previous encounter in Loguatu?

29 A. No, well, I was not that concerned about that any longer.

1 Q. Do you know who sent Jungle to Kenema in 1998?

2 A. Well, what Mosquito told us was that it was Charles Taylor.

3 Q. Had you seen Jungle between the time you last saw him in
4 Loguatu, which was your first sighting of him, and the time you
13:26:11 5 saw him in Kenema?

6 A. What? Ask that question again.

7 Q. Yes, I will rephrase it. At the time you saw Jungle in
8 Kenema in 1998, that was the second time you had seen him ever,
9 correct?

13:26:30 10 A. Yes.

11 Q. So since the summer of 1997, and by summer I mean the time
12 when you were on your way back from the Ivory Coast, through
13 Liberia back into Sierra Leone, from that time period in 1997 up
14 until early 1998 you had not seen Jungle at all, correct?

13:26:56 15 A. Not at all.

16 Q. You never saw him at any time when you were with Mike Lamin
17 in Freetown in the months of September, October or November, did
18 you?

19 A. No, I did not see him.

13:27:14 20 Q. You never saw Jungle at any time when you went to Tongo to
21 mine for diamonds around December 1997, true?

22 A. Yes.

23 Q. "Yes" means you did not see Jungle?

24 A. Yes, I did not see him.

13:27:35 25 Q. And when you saw him in 1998 you told us that Sam Bockarie
26 told you and others that Charles Taylor sent Jungle and you said
27 something about diamonds. What was it about diamonds you said?

28 A. He said Charles Taylor had said that they should send some
29 diamonds. That Mosquito should send some diamonds for him.

1 Should send some diamonds for him.

2 Q. And all you saw was Mosquito boarding a vehicle with Karmoh
3 Kanneh and Jungle and you say they were heading towards the
4 direction of Tongo? That's what you told us last week, true?

13:28:20 5 A. Yes.

6 Q. You did not actually see any diamonds for Charles Taylor,
7 did you?

8 A. I did not see any. I did not see where diamonds were
9 handed over to Jungle for that reason, but that was what

13:28:37 10 Sam Bockarie told me before ever he left for Tongo.

11 Q. And you are not even sure whether in fact they went to
12 Tongo, are you?

13 A. Yes, because they told me that they were going to Tongo.

14 Q. "Yes" means what? You know that they reached Tongo, is
13:29:00 15 that what you're telling us?

16 A. I was not with them. I can't tell you that. What they
17 told me was that they were going. I did not know whether they
18 went there or did not go there.

19 MR ANYAH: Madam President, I see the time.

13:29:16 20 PRESIDING JUDGE: Yes, indeed. If this is a convenient
21 time, Mr Anyah, we will take the lunchtime adjournment.

22 Mr Witness, we are now going to adjourn for lunchtime. We
23 will be resuming court in one hour at 2.30. Please adjourn court
24 until 2.30.

13:29:31 25 [Lunch break taken at 1.30 p.m.]

26 [Upon resuming at 2.32 p.m.]

27 PRESIDING JUDGE: Please proceed, Mr Anyah.

28 MR ANYAH: Thank you, Madam President:

29 Q. Mr Witness, before the lunch break we were talking about

1 Jungle and when you had seen him for the first time, when next
2 you saw him and I recall that at the break we moved on to this
3 alleged trip that Sam Bockarie took with Jungle and Karmoh Kanneh
4 towards Tongo. Do you recall that, Mr Witness?

14:33:45 5 A. Yes.

6 Q. Now in the two years that you tell us you were in Zogoda
7 between 1994 and 1996 it is correct, is it not, that you did not
8 see this person named Jungle there?

9 A. No, I did not see him there.

14:34:09 10 Q. After you left Kenema you went through Daru and you ended
11 up in Buedu, yes?

12 A. Yes.

13 Q. You returned to Daru, you went to Kenema Town - sorry, to
14 Kailahun Town and then you went to Gandorhun. Well, let me

14:34:41 15 rephrase that. You left Kenema, went to Daru, went to Buedu,
16 went back to Daru, went to Kailahun Town, went back to Daru, went
17 to Gandorhun and went to Kailahun, ending up again in Buedu. Is
18 all of that right, Mr Witness?

19 A. Yes.

14:35:07 20 Q. And in Buedu you stayed there for a while, but then you
21 were sent to Baiima as a fighter, yes?

22 A. Yes.

23 Q. Now later on in that year were you again in Buedu; that is
24 the year 1998?

14:35:34 25 A. Yes.

26 Q. When were you next in Buedu?

27 A. I was there towards the end of 1998. Even though while I
28 was at Baiima I used to visit there frequently, at times up to
29 two weeks or three weeks. At times I will spend three days there

1 when I would visit the place, or two days, and then I would
2 return to Baiima.

3 Q. You spent several months in Baiima, is that fair to say,
4 Mr Witness?

14:36:20 5 A. Yes.

6 Q. Can you tell us in which month in 1998 you first went to
7 Baiima for this assignment as a fighter?

8 A. I have forgotten now.

9 Q. Was it in the beginning part of 1998?

14:36:51 10 A. Yes, it could be that. At that time it was past
11 February/March. We were approaching the rainy season.

12 Q. The rainy season in Sierra Leone starts around April and it
13 ends around September, correct?

14 A. Well we take it from June to December, six months, and then
14:37:31 15 the dry season starts from January. That is the way we take it.

16 Q. Are you sure of that, Mr Witness? Are you sure that the
17 rainy season in Sierra Leone does not begin around April and
18 continue through September?

19 A. Well September is rainy season, but actually what we take
14:38:05 20 is January, February, March, April, May, June. That is the dry
21 season. But from June now, July, August, September, right
22 upwards, that is the rainy season.

23 Q. Okay, are you trying to tell us that you went to Baiima
24 some time around July or thereabouts in 1998?

14:38:28 25 A. Yes, I cannot tell you the month now because I don't
26 remember. Some times around that in 1998.

27 Q. How many months in 1998 did you spend in Baiima?

28 A. I spent some long time there. Two to three months, I can't
29 recall now, but I spent some long time there.

1 Q. Who was your commander in Baiima?

2 A. Karmoh was there in charge, Eagle.

3 Q. And you say when you were in Baiima you frequented Buedu,
4 yes?

14:39:30 5 A. Yes. At times after three weeks, yes.

6 Q. On these trips to Buedu, is that when you saw CO Jungle?

7 A. Yes.

8 Q. And is it on those trips you claim to have seen Jungle
9 bringing arms or ammunition to Buedu?

14:40:03 10 A. Yes.

11 Q. This was in 1998, yes?

12 A. Yes, it was late 1998 in the rainy season.

13 Q. Late 1998. How many times would you say you saw Jungle in
14 Buedu in late 1998?

14:40:28 15 A. I saw Jungle twice even.

16 Q. Just twice?

17 A. Yes, it could be up to three times, but that is what I can
18 recall now. I saw Jungle in late '98 in Buedu twice.

19 Q. You saw him twice, late 1998 in Buedu. Now, if you add
14:41:01 20 that time, twice in late 1998, to the time you saw him in Kenema
21 that you spoke of, with Sam Bockarie and Karmoh Kanneh going
22 towards Tongo, that makes it about three times in 1998 you saw
23 Jungle. Do you agree, Mr Witness?

24 A. Yes.

14:41:26 25 Q. Once in Kenema and twice in Buedu, yes?

26 A. Yes.

27 Q. When you used to see Jungle on these three occasions was he
28 with anybody else, Mr Witness?

29 A. Yes, he was with Mosquito.

1 Q. On the two occasions you saw him in Buedu what, if
2 anything, did you see him bring?

3 A. I saw him bring a vehicle, Hilux, the first time in Buedu
4 and it contained ammunition and it was covered with tarpaulin.

14:42:35 5 Q. Did you see behind the tarpaulin to see what was in the
6 pick-up truck or the Hilux, as you call it?

7 A. I said I was there myself when they were taking out the
8 ammunition and put into Mosquito's store in his compound.

9 Q. It was just ammunition, right? No arms?

14:43:08 10 A. The arms were with him with his securities, but the ones
11 that I saw being taken out of the vehicle and put in there was
12 ammunition; RPG rockets, AK ammunition, GPMG ammunition. I saw
13 that.

14 Q. What you are trying to tell us is that you saw armed men,
14:43:44 15 one being Jungle and his men, moving ammunition. They were not
16 moving arms, yes?

17 A. There was - there were arms there too.

18 Q. All the weapons you just - all the ammunition you just
19 described, RPG rockets, AK ammunition, GPMG ammunition, you're
14:44:17 20 saying in addition to those there were arms that were underneath
21 the tarpaulin, is that what you're telling us, in this Hilux
22 vehicle?

23 A. Yes, apart from the ones they had in their hands as
24 securities, but I saw the ones where the AKs were. AK automatic
14:44:42 25 rifles, I saw that.

26 JUDGE SEBUTINDE: Mr Anyah, I'm still not sure. Like three
27 times over you've asked this question, I still don't think we
28 have an answer.

29 MR ANYAH: I will continue, Justice Sebutinde.

1 JUDGE SEBUTINDE: Was the shipment consisting only of
2 ammunition or was the shipment including arms as well?

3 MR ANYAH: Yes:

4 Q. Mr Witness, you've heard what her Honour Justice Sebutinde
14:45:11 5 has asked. Forgetting the arms that you suggest these men had on
6 their person, the ones they were holding, were there any arms as
7 opposed to ammunition in this shipment when you saw Jungle with
8 this Toyota, with this Hilux vehicle?

9 A. Fine. Yes. Arms and ammunition were in the shipment that
14:45:35 10 were covered.

11 Q. The second time you saw him, forgetting the time with the
12 Hilux, under what circumstances did you see him in Buedu?

13 A. Well, the other time that I saw him, I heard that he
14 brought ammunition. He himself said it. He said he had brought
14:46:01 15 ammunition for us and medicine, but I did not see that and I was
16 not present when it was being off-loaded. But he told me. All
17 of us were sitting together and he said, "I've brought some
18 ammunition for you guys", because that was the way he referred to
19 it.

14:46:25 20 Q. So the second time you did not see what he brought. You
21 based your information on what Jungle told you, yes?

22 A. Yes.

23 Q. Was he with anybody the second time you saw him in Buedu?

24 A. Anybody? What do you mean? Somebody that might have come
14:47:05 25 with him from Liberia or what do you mean?

26 Q. Who was present when you saw him the second time and he was
27 telling you that he had brought supplies to Buedu?

28 A. Even Mosquito himself was present. It was at Mosquito's
29 lodge, his veranda where Mosquito was lodged. It was there.

1 Q. Mr Witness, have you ever heard of somebody named Sallay
2 Duwor, S-A-L-L-A-Y D-U-W-O-R.

3 A. No, this is my first time to hear that name.

14:48:11 4 Q. And before you met Jungle in Loguatuo you had never met him
5 before, we've established that, yes?

6 A. Yes.

7 Q. Well, another witness came before this Court and they had
8 some information to tell us about Jungle, and I want to read some
9 of it to you. For everyone's benefit this is the transcript of -
14:48:28 10 well, I'll just give the page reference. The relevant pages are
11 pages 6913 on to 6914 and on to 6915. Mr Witness, here is what
12 another witness told us in this Court. At page 6913 there was a
13 question posed:

14 "Q. You mentioned also the name of somebody Sallay?

14:49:02 15 A. Sallay Duwor.

16 Q. Can you - your Honours, the answer Sallay S-A-L-L-A-Y,
17 Sallay Duwor - now, who sent Sallay Duwor to Sam Bockarie?
18 You said he was sent to Sam Bockarie at one point?

19 A. He came from Liberia. He was just a Liberian.

14:49:29 20 Q. Yes, but you know, how did he come to Sam Bockarie?

21 A. During the time the ULIMO-K had cut off - they cut off
22 the link between the RUF and the NPFL Sallay Duwor,
23 together with Jungle, were left in a cut-off in the jungle
24 around Foya. So when ECOMOG came to disarm the NPFL and
14:50:02 25 the ULIMO-K fighters, they crossed into Sierra Leone and
26 stayed with Sam Bockarie."

27 Later on in the same page, 6914:

28 "Q. Who assigned him?

29 A. They came to Buedu. You know the NPFL and the RUF had

1 the same command chain. They had that chain of command.

2 Q. So are you able to say then who assigned him
3 specifically?

14:50:42

4 A. This man Jungle was superior to Duwor. He was once the
5 radio operator with them in the jungle. So when they came
6 to Buedu to Sam Bockarie he was assigned to stay with Sam
7 Bockarie to enhance smooth communication with the other
8 side.

14:51:02

9 Q. Now, you have mentioned the name of a man called
10 Jungle. Is that his real name?

11 A. Jungle was a man called Daniel Tamba, alias Jungle."

14:51:25

12 Mr Witness, another witness came before this Court and
13 suggested that at the time ULIMO-K cut off contact or, as the
14 witness uses the phrase, cut off the link between the RUF and the
15 NPFL, Jungle and a fellow named Sallay Duwor were cut off and
16 ended up moving into Sierra Leone and stayed with Sam Bockarie.
17 Now, have you heard of that type of information before, that
18 Jungle crossed over with somebody named Sallay Duwor and was
19 based with Sam Bockarie to enhance smooth communication, as the
20 witness said?

14:51:56

21 A. No, I did not know about that Sallay Duwor. This is my
22 first time. And I spent a long time in Buedu and I knew a lot of
23 the signallers but I never heard the Sallay Duwor name.

14:52:25

24 Q. Did you ever know Jungle to be based in Buedu with Sam
25 Bockarie during the time you frequented Buedu in 1998?

26 A. Jungle used to come and return. He was not permanently
27 based in Buedu, no.

28 Q. Had you known Jungle to have come into Sierra Leone around
29 the time ULIMO-K cut off the border or the link between the RUF

1 and Liberia?

2 A. I wouldn't know, because while we were in Ivory Coast they
3 spoke about Jungle to go and pick us up and I saw Jungle. So I
4 would not believe that, that during the cut off he was in Sierra
14:53:21 5 Leone with Mosquito. If somebody said that maybe that was what
6 the person thought or wanted to say, but what I witnessed is what
7 I am telling the Court.

8 Q. So other than in Kenema early 1998, around February, and
9 these periods in late 1998 in Buedu, those are the only times you
14:53:44 10 saw Jungle. Is that fair to say, Mr Witness?

11 A. Yes. From the time that I was in Kenema, that is in Sierra
12 Leone now, right up to close to the time when Mosquito was at the
13 High Command, I knew about Jungle in Buedu. When he used to come
14 in from Gbarnga he himself used to tell me.

14:54:26 15 Q. You saw him only twice, you say, in the late part of 1998
16 in Buedu. So the times you say he used to tell you would be
17 limited to those two occasions, yes?

18 A. Yes, that was the time. That was the shipment that I saw
19 him bring arms and ammunition to Buedu. Those were the two
14:54:53 20 occasions that I saw him bring arms and ammunition.

21 Q. And it is true, Mr Witness, that in all of 1999, the entire
22 year of 1999, you do not know anything about the movement of
23 Jungle, do you?

24 A. Yes. Since, let me say from the time Mosquito went
14:55:23 25 finally, when he left the RUF and went to Liberia, I did not see
26 Jungle any more.

27 Q. Well, in what year did Mosquito leave to go to Liberia?

28 A. I don't know now if it was 2000 or 1999. I have forgotten
29 a bit now because it has taken a long time.

1 Q. You remember the Lomé Peace Agreement, 7 July 1999, yes?

2 A. Yes.

3 Q. Was it after the Lomé Peace Agreement in that same year
4 that Mosquito went to Liberia?

14:56:19 5 A. It was within the same year, yes.

6 MR ANYAH: May I have the assistance of Mr Court Usher,
7 please. Could we go to tab number 11 at page 16, please.

8 MS HOLLIS: Could we ask the date again, please.

9 MR ANYAH: Yes, I apologise for not giving that reference.

14:57:14 10 It's 2 and 3 July 2008, the statement taken this year, at page
11 16. I'll wait for learned counsel opposite to find the document.

12 MS HOLLIS: I have it, thank you.

13 MR ANYAH:

14 Q. Mr Witness, this document pertains to statements you made
14:58:07 15 to the Office of the Prosecutor during your interview on 2 and 3
16 July this year. Paragraph 56 states, "I am not familiar with the
17 movement of Jungle in 1999 as I was not frequent in Buedu any
18 more during that year." Did you tell the Prosecution that in
19 1999 you were not familiar with the movement of Jungle?

14:58:38 20 A. Yes. Some time in 1999, yes.

21 Q. And do you see in the next paragraph it says:

22 "In 2000 when Issa Sesay was now in charge of the RUF on
23 the ground I received a radio message in Tongo from Morris Kallon
24 ordering [you], Saddam, Victor and one Colonel Rambo to report to
14:59:06 25 Buedu"?

26 Do you see that, Mr Witness?

27 A. Yes.

28 Q. When you spoke with the Prosecution out of court you made a
29 clear distinction between 1999 and 2000 when Issa Sesay had taken

1 over command, do you agree?

2 A. Yes, I made the distinction.

3 Q. When I just asked you about seeing Jungle in 1999 your
4 answer was, "Yes. Some time in 1999, yes". It's a simple

14:59:39 5 question, Mr Witness. You told the Prosecution you did not know
6 much about Jungle's movement in 1999. Your words were you were
7 not familiar with the movement of Jungle. That is correct, yes?

8 A. Yes.

9 Q. So essentially you're talking about Jungle's movements in
15:00:03 10 1998 and it's on those two occasions in late 1998 that you
11 yourself were in Buedu when Jungle was there, yes?

12 A. Yes, I used to meet him there.

13 MR ANYAH: Shall we go to page 13 of the same tab in the
14 same interview of 2 and 3 July. Thank you, Mr Usher, and if you
15:00:25 15 could scroll down to the bottom of that page please:

16 Q. Mr Witness, in the same interview in July 2008, this year,
17 at paragraph 49 it reads:

18 "During 1998 I saw Jungle in Buedu many times. At that
19 time Jungle was still functioning as liaison between
15:01:25 20 Charles Taylor and RUF. On two occasions I saw Jungle coming
21 from Liberia to Buedu without Sam Bockarie and bringing
22 ammunition, AK rounds, GPMG rounds, RPGM rockets. I also saw on
23 about three occasions Jungle coming to Buedu from Monrovia with
24 Sam Bockarie bringing ammunition, medicines and morale boosters.
15:02:10 25 On one of these occasions which was just before the late 1998
26 offensive I saw Sam Bockarie and Jungle coming back with a large
27 consignment of ammunition and manpower. The manpower was
28 comprised of fighters from Liberia who came under the command of
29 Abu Keita who was a former ULIMO commander."

1 Mr Witness, let's consider what you told the Prosecution
2 out of court. If we go back to the previous page, it says you
3 saw Jungle in Buedu many times. You have told us in court now
4 today you saw him in Buedu twice in 1998. Those two are not the
15:02:55 5 same, Mr Witness, are they, seeing Jungle only twice in Buedu in
6 1998 and seeing him many times in Buedu in 1998?

7 PRESIDING JUDGE: Just pause, Mr Witness, please.
8 Ms Hollis?

9 MS HOLLIS: Just for clarity, if we go back to the
15:03:15 10 questioning about that I believe even as it was phrased by
11 Defence counsel it was late 1998 that they talked about and the
12 two times in late 1998.

13 MR ANYAH: Well, I did ask one question - and I recall this
14 - that besides the time in Kenema in February and the two times
15:03:30 15 in late 1998 it would be fair to say that those were the three
16 times he saw Jungle in 1998. I believe I did put that question
17 to the witness. I'm fairly certain of it.

18 PRESIDING JUDGE: There was a question about the end of '98
19 and it was just before the talk about the rainy season. Yes, and
15:03:53 20 I've got an answer, "Yes, once in Kenema and twice in Buedu".

21 MS HOLLIS: Madam President --

22 MR ANYAH: Madam President, I have the question I put to
23 the witness.

24 MS HOLLIS: I was simply going to say that on my screen at
15:04:05 25 101 the question as the Defence counsel has just summarised it or
26 phrased it is found, so it was Kenema and then twice in late 1998
27 and so as Defence counsel has stated.

28 MR ANYAH: So I'm correct, I assume, that it's - that in
29 1998 he did say he saw Jungle on only those three occasions?

1 MS HOLLIS: I have it at 12 to 14 and that's Defence
2 counsel's question as he phrased it, "So other than in Kenema in
3 early 1998 around February and these periods in late 1998 in
4 Buedu, those are the only times you saw Jungle. Is that fair to
15:04:48 5 say?"

6 MR ANYAH: And the witness answered "Yes".

7 MS HOLLIS: So I just wanted to be fair and be clear on the
8 record that indeed it was asked exactly like that.

9 MR ANYAH:

10 Q. Mr Witness, I go back to my question. You told us in court
11 in answer to a question I posed that other than the two times in
12 late 1998 and the one time in early 1998 in Kenema you did not
13 see Jungle again in 1998. Do you recall telling us that?

14 A. In 1999 was what I told you about. What was of concern to
15:05:37 15 me was the time that Mosquito left, but all along when Mosquito
16 was there up to late 1998 when they brought the ammunition and we
17 fought, went to Segbwema, I was not frequent at his place any
18 more until - since Mosquito left I did not see Jungle. Right up
19 to now I've not seen Jungle.

15:06:12 20 Q. Well, I asked you this question twice before and I'll read
21 you some of the questions I asked you before. Your Honours, I'm
22 using a 12 point font and at my page 95, starting at line 11, I
23 asked the question:

24 "Q. Late 1998. How many times would you say you saw
15:06:40 25 Jungle in Buedu in late 1998?

26 A. I saw Jungle twice even.

27 Q. Just twice?

28 A. Yes. It could be up to three times, but that is what
29 I can recall now. I saw Jungle in late 1998 in Buedu

1 twice.

2 Q. You saw him twice late 1998 in Buedu. Now if you add

3 that time twice in late 1998 to the time you saw him in

4 Kenema that you spoke of with Sam Bockarie and Karmoh

15:07:16 5 Kanneh going towards Tongo, that makes it about three times

6 in 1998 you saw Jungle. Do you agree, Mr Witness?

7 A. Yes.

8 Q. Once in Kenema and twice in Buedu, yes?

9 A. Yes."

15:07:35 10 Now, the next question:

11 "Q. When you used to see Jungle on these three occasions

12 was it with anybody else, Mr Witness?

13 A. Yes, he was with Mosquito."

14 Mr Witness, I asked you in those series of questions, in

15:07:47 15 addition to the ones we considered that appear on page 101,

16 whether the total amount of times you saw Jungle in 1998 was

17 approximately three. Do you agree that you answered "Yes" in

18 response to my question?

19 A. Yes, I answered to the question, but the question was a

15:08:20 20 little complicating because I just understood it to be how many

21 times you saw Jungle bring ammunition and arms to Buedu. But I

22 had even told you before that it could even be up to three times,

23 or two, but I actually was more sure of the two times and I told

24 you that it was late 1998.

15:08:48 25 Q. We were considering your statement, paragraph 49, and you

26 see there that you claim to have seen Jungle on two occasions

27 coming without Sam Bockarie and then to have seen him on three

28 occasions coming with Sam Bockarie. That makes it a total of

29 about five occasions in Buedu in 1998. Do you agree that that's

1 what that statement says?

2 A. Yes.

3 Q. Now there is a difference between seeing somebody on about
4 two occasions, or two occasions to three occasions, and seeing
15:09:29 5 somebody on five occasions, yes?

6 A. Yes, it's true, but I had been seeing Jungle, Mosquito from
7 the time he was - Mosquito was in Buedu, up to that time, so now
8 I have recalled.

9 Q. Now you have recalled. Are you suggesting that you saw
15:10:00 10 Jungle in 1999 in Buedu? Is that what you're suggesting to us?

11 A. You know, until the time Mosquito left. I don't recall the
12 date now, but it was right up to the time Mosquito left I used to
13 hear about him.

14 Q. Well, there is a difference between hearing about somebody
15:10:27 15 and seeing somebody. I have put paragraph 56 to you where you
16 said categorically and clearly that you did not know about his
17 movements in 1999. Are you trying to take that back, Mr Witness?

18 A. I am not taking it back, because since Mosquito left in
19 1999 I have not seen him and so I'm not changing it.

15:10:52 20 Q. Well, the issue is this: Mosquito leaves Sierra Leone in
21 late 1999, either 14 or 15 December 1999. I am putting to you
22 that you told the Prosecution that in all of 1999 you were not
23 familiar with the movements of Jungle. Do you agree with that,
24 Mr Witness?

15:11:20 25 A. Yes, I mentioned 1999, but I wouldn't have said the entire
26 1999.

27 Q. So this paragraph 56 should read "I am not familiar with
28 the movement of Jungle in some part of 1999", and not just in
29 1999 as it says?

1 A. No.

2 Q. "No" means what, Mr Witness?

3 A. I know that it was from 1999 that Jungle finally left the
4 RUF and since then I did not hear about him. But it was in some
15:12:07 5 months in 1999. The only thing is that I would not be that sure
6 now of the exact month that he left in 1999. That is the only
7 problem now that I have.

8 Q. Well, let's get this clearly. Are you telling us that -
9 and I heard you correctly - that Jungle left the RUF in 1999?

15:12:38 10 A. Yes, from 1999 now I have not been hearing about him. I
11 have not been hearing about him. Some time in 1999.

12 Q. And you not seen him since then, yes?

13 A. Up until now.

14 Q. Now, what I read to you in paragraph 49 about what you saw
15:13:07 15 Jungle bringing to Buedu, did you hear me read anything about
16 arms as included in those supplies?

17 A. Yes, you read it.

18 Q. What are the arms? Let's take them one at a time, the
19 items. Paragraph 49. Jungle coming from Liberia to Buedu --

15:13:44 20 A. Can you please put it up. Put it up a bit. Okay.

21 Q. It says Jungle coming from Liberia to Buedu without Sam
22 Bockarie and bringing ammunition. Now, are AK rounds arms or
23 ammunition? Which one are they?

24 A. It was ammunition.

15:14:10 25 Q. GPMG rounds, they are ammunition as well, yes?

26 A. Yes.

27 Q. RPG rockets, those are ammunition and not arms, yes?

28 A. Yes.

29 Q. Now, next sentence: "I also saw on about three occasions

1 Jungle coming to Buedu from Monrovia with Sam Bockarie bringing
2 ammunition, medicines and morale boosters." Now medicines are
3 obviously not arms, you will agree, Mr Witness?

4 A. Yes.

15:14:55 5 Q. Morale boosters are not arms, yes?

6 A. Yes.

7 Q. And when you go further and you say you saw Bockarie and
8 Jungle coming back with a large consignment of ammunition and
9 manpower, you're still talking about ammunition, are you not?

15:15:17 10 A. Yes.

11 Q. So you never mentioned to the Prosecution during this
12 interview, in the context of Jungle bringing supplies to Buedu in
13 1998, that he was bringing arms, did you?

14 A. Yes, but - yes. Although even the reinforcement that they
15:15:48 15 brought, they were in arms, but I did not talk about arms
16 relating to them. It is correct, because I have taken an oath
17 now.

18 Q. Mr Witness, what exactly are you saying? Are you saying
19 that the Prosecution failed to write down that you told them that
15:16:09 20 Jungle brought arms to Buedu on these occasions? Is that what
21 you're saying?

22 A. No, what I told them is what they wrote.

23 Q. And what you told them did not include arms, did it?

24 A. Yes.

15:16:33 25 Q. "Yes" means it did not include arms, you agree with me?

26 A. Yes.

27 Q. Have you heard of somebody named Sampson or Junior?

28 A. Well, I only knew the Sampson that we had in the RUF. I
29 didn't know about any other Sampson.

1 Q. Yes. Another witness has come to this Court and said that
2 when Jungle would make trips to Buedu - and this is at page
3 15682 - I would also cite page 15607. Likewise, I would cite
4 page 15664 and 15638. Mr Witness, another witness has come here
15:17:58 5 and said that somebody named Junior and somebody named Sampson
6 were usually with Jungle when they would see him come to Buedu
7 with supplies. Did you ever see somebody named Junior or Sampson
8 with Jungle on the occasions when you claim to have seen Jungle
9 in Buedu?

15:18:35 10 A. Well, I used to see people with Jungle but I did not know
11 their names.

12 Q. You did not know their names?

13 A. Yes.

14 Q. Did you see Jungle with the same people you saw him on the
15:18:49 15 first occasion when he came with the Hilux on the second occasion
16 when you did not see the ammunition? Was he with the same
17 people, Mr Witness?

18 A. Yes.

19 Q. But you do not know the names of those people, correct?

15:19:10 20 A. Not at all. Yes, sir.

21 Q. And you do not agree with the proposition that Jungle had
22 been assigned to stay with Sam Bockarie in Buedu around the time
23 ULIMO-K cut off the link between the RUF and Liberia?

24 A. No, I don't know about that, so I wouldn't agree on it.

15:19:46 25 Q. Mr Witness, are you aware of the fact that starting in
26 December 1998, up until 2 October 1999, Charles Taylor closed the
27 border between Liberia and Sierra Leone?

28 A. That was what we heard.

29 Q. On 20 May this year, and for your Honours' benefit that's

1 at page 10314, 20 May 2008, the former President of Liberia Moses
2 Blah was here - yes, Madam President, the witness has his hand
3 up.

4 THE WITNESS: I want to ease myself.

15:20:40 5 PRESIDING JUDGE: Yes, Mr Witness. Yes, please assist the
6 witness to go.

7 [In the absence of the witness]

8 JUDGE SEBUTINDE: Mr Anyah, what was that page number you
9 just cited?

15:21:15 10 MR ANYAH: Yes, Justice Sebutinde, the page number is
11 10314. It's the transcript of 20 May 2008.

12 [In the presence of the witness]

13 PRESIDING JUDGE: Yes, please proceed.

14 MR ANYAH:

15:24:55 15 Q. Mr Witness, I was reading to you the evidence of the former
16 President of Liberia, Moses Blah. This was given on 20 May of
17 this year. At page 10314 President Blah said and confirmed that
18 in December 1998, up until 2 October 1999, that President Taylor
19 closed the border between Liberia and Sierra Leone. Were you
15:25:26 20 aware of that fact, Mr Witness?

21 A. Yes, yes, I did.

22 Q. And indeed, before we had the short break just a few
23 minutes ago, you said something to the effect that that was what
24 you heard, correct?

15:25:47 25 A. Yes.

26 JUDGE SEBUTINDE: Did the witness say yes, he said it?

27 MR ANYAH: I think he suggested that - well, I can ask him,
28 Justice Sebutinde.

29 JUDGE SEBUTINDE: The question you asked is was he aware

1 that President Blah testified thus and thus and the witness - I
2 thought I heard him say yes, he said it.

3 MR ANYAH: I understood him to say that but in reference to
4 me saying it. I got the impression he was saying you,

15:26:19 5 Mr Counsel, have said it. But I can clarify, Justice Sebutinde:

6 Q. Mr Witness, the answer we have on the LiveNote transcript
7 does not reflect what you said. When I asked you if you were
8 aware of what President Blah said in this Court what was your
9 response, Mr Witness?

15:26:39 10 A. Well, I knew they said he came, but I did not know what he
11 said.

12 Q. By "he" you're referring to President Moses Blah, correct?

13 A. Yes, I'm referring to Moses Blah.

14 Q. I go back to my original question. Forgetting President
15:27:14 15 Blah, were you aware of the fact the Liberian and Sierra Leonean
16 border was closed by President Taylor from late - or from
17 December 1998 through 2 October 1999?

18 A. That was what we heard. That was what I heard myself.

19 Q. Yes. And are you suggesting to us that around this time
15:27:40 20 Mosquito and Jungle were moving ammunition between Liberia and
21 Sierra Leone?

22 A. Yes. President Taylor closed the border but not for RUF
23 fighters. We still used to cross the border and we went into
24 their zone with arms. We used to go to Foya and at that time he
15:28:07 25 was the President. We were never arrested. We saw some of his
26 soldiers like the other Mosquito, they were NPFL soldiers, they
27 were government soldiers. They used to cross the border across
28 to us. So he closed the border, yes, he did but not for the RUF.

29 Q. So you're saying that there was an exception for the RUF.

1 RUF could cross the border but for everyone else the border was
2 closed. Is that what you're suggesting to us?

3 A. Yes.

4 Q. How many times did you cross the border during this period
15:29:02 5 of time, December 1998 into October 1999? You yourself, how many
6 times did you go to Liberia?

7 A. Well, I used to cross for up to two or three times I went
8 to Foya airfield and returned and they closed the border - the
9 ULIMO fought - the LURD rebels fought. And we and Mosquito, we
15:29:38 10 crossed over and we fought. We went right up to Kolahun together
11 with the NPFL soldiers. So we were not stopped because the
12 border was closed because the enemies were there and because
13 you've crossed over you are under arrest or you've broken the
14 law, no, that was not it.

15:30:06 15 Q. In one of your statements you talk about going to Foya to a
16 helicopter pad, yes?

17 A. Yes, Foya airfield. We used to go there. A helicopter
18 would come from Monrovia and land there and we would take
19 Mosquito from there and go with him to Monrovia and at that time
15:30:32 20 the border was still closed, we heard about it, but we still used
21 to cross over.

22 Q. Mr Witness, are you aware of the fact that it was the
23 closure of the Liberian-Sierra Leonean border by President Taylor
24 that forced the RUF to engage in the Lomé peace talks of 1999?

15:31:12 25 A. I don't understand that question properly.

26 Q. Yes. I'm asking you whether you are aware of the fact that
27 it was this decision by President Taylor to close the border that
28 put pressure on the RUF to go for peace talks in Lomé in July
29 1999?

1 A. Well, I did not know if it was for us. I did not know
2 about that. What I thought to myself was because there were
3 border raids from Guinea into Liberia disturbing his government,
4 so I thought to myself that that was the reason why he closed the
15:32:13 5 borders, but that was not to force the RUF or it was not any
6 tactics for the RUF to go on the Lomé Peace Accord.

7 Q. Let me read what President Blah said. I'm still at the
8 same page, page 10314, the question:

9 "Q. Do you recall that in December 1998 also as part of
15:32:45 10 this process President Taylor closed the border with Sierra
11 Leone?

12 A. Yes, I remember.

13 Q. And do you recall that that border remained closed up
14 until 2 October 1999 as a measure to put pressure on the
15:33:03 15 RUF to begin discussions that would lead to peace? Do you
16 remember that?

17 A. Yes, I remember that.

18 Q. And do you recall that that 2 October date corresponds
19 with the date in 1999 when Foday Sankoh and Johnny Paul
15:33:29 20 Koroma left Monrovia together for Freetown to join the
21 government of President Kabbah in order to implement the
22 Lomé agreement? Do you remember that?

23 A. I remember that."

24 Now, Mr Witness, are you aware of the fact that the border
15:33:52 25 between Liberia and Sierra Leone was only opened after the time
26 Johnny Paul Koroma and Foday Sankoh had met with Charles Taylor
27 in Monrovia on 2 October 1999 to consolidate a peaceful
28 resolution to the Sierra Leone conflict?

29 A. Yes, to the international people, yes, but within the NPFL

1 and the RUF the border was open. But for the international
2 people, yes, I knew about that.

3 Q. The border was open but I propose to you it was open to
4 only civilians and not combatants in this period of time between
15:34:52 5 December 1999 and October 1999. Sorry, I rephrase that. The
6 border was closed to everybody that was a combatant and open to
7 only civilians during this period from December 1998 up until 2
8 October 1999. Do you agree with that, Mr Witness?

9 A. Yes. He will say that in Monrovia and people will hear
15:35:33 10 that. Even myself, I heard it. But I saw his soldiers come
11 across to us and the RUF fighters used to cross over to Liberia
12 and nobody was arrested. So it would be difficult for me to say
13 for sure that was correct.

14 Q. So when President Blah suggests to this Court that the
15:36:02 15 closing of the border was in part to put pressure on the RUF to
16 make peace, is that a lie?

17 A. No. Maybe that was what Charles Taylor told him and he was
18 his vice-president, so I cannot deny him. But what I saw and
19 what I did is what I am telling you about.

15:36:31 20 Q. Are you aware of Foday Sankoh and Johnny Paul Koroma
21 meeting in Monrovia in October of 1999 for peace talks being
22 mediated by President Taylor?

23 A. Yes, for the Lomé Peace Accord. I know about it. Even the
24 time we were to receive Foday Sankoh after the Lomé Accord, it
15:36:58 25 was from Monrovia. It was from Monrovia that he and Johnny Paul
26 went to Freetown. It was later that he came to Buedu.

27 Q. And they were in Monrovia for President Taylor to mediate
28 peace between the two men, Johnny Paul Koroma and Foday Sankoh.
29 Do you agree with that, Mr Witness?

1 A. Yes, because even the international community wanted
2 Charles Taylor to mediate between them because they knew that the
3 RUF and the Charles Taylor government were almost the same and
4 Charles Taylor had had a long relationship with them and he was
15:37:42 5 the only one capable of brokering a peace between them.

6 Q. Are you aware of the fact that Charles Taylor was given
7 those responsibilities by ECOWAS, the Economic Community of West
8 African States?

9 A. Yes.

15:37:59 10 Q. Are you aware of the fact that other West African state
11 emissaries, as in people that were government representatives of
12 ECOWAS countries, played a role as well in the peace process and
13 it was not only Charles Taylor?

14 A. Yes, all of them played roles, but it was the head, that
15:38:25 15 was Charles Taylor, he was the one everybody looked up to because
16 he was the only one who everybody was looking up to for peace to
17 prevail to resolve that problem.

18 Q. Well, other West African leaders were involved in this
19 peace process just as Charles Taylor was. Do you agree,
15:38:45 20 Mr Witness?

21 A. Yes.

22 MR ANYAH: Madam Court Officer, can we have Defence exhibit
23 22, please.

24 MS IRURA: We would require some time to locate the
15:39:22 25 document as we had no prior notice.

26 MR ANYAH: Okay, I appreciate that.

27 PRESIDING JUDGE: Do you have a copy yourself, Mr Anyah?
28 What is the document?

29 MR ANYAH: It's a Sierra Leone News Archives document from

1 September 1999 and I do have a highlighted copy only and I do not
2 wish to display this copy.

3 PRESIDING JUDGE: Would it suffice to read from it?

4 MR ANYAH: Yes.

15:39:51 5 MS HOLLIS: Madam President, I believe we have an unmarked
6 copy.

7 PRESIDING JUDGE: That would be most helpful, Ms Hollis.
8 You said D-22, yes?

9 MR ANYAH: Yes, that is correct:

15:40:39 10 Q. Mr Witness, this is a document from the news archives, a
11 web page on the internet that gives summaries of daily events
12 going back several years and this is from 30 September 1999. It
13 reads:

14 "RUF Leader Corporal Foday Sankoh and former AFRC chairman
15:41:07 15 Lieutenant Colonel Johnny Paul Koroma met in Monrovia for the
16 first time on Thursday and held more than three hours of
17 reconciliation talks mediated by Liberian President
18 Charles Taylor. The two rebel leaders told reporters afterwards
19 that they had ironed out their differences but did not elaborate.
15:41:35 20 I am satisfied. Everything is fine now, Koroma told reporters.
21 Sankoh, who emerged from the meeting accompanied by a group of
22 senior RUF commanders, said the rebels' grievances against the
23 RUF were 'mere opinion and misinformation'."

24 Now if you go downwards on the same page it says that:

15:42:04 25 "Prior to the talks Taylor told the rebel leaders he had
26 been in contact with the ECOWAS, the United Nations and the OAU
27 to ensure that all parties to the Sierra Leone conflict were
28 included in the government and to make sure that as you prepare
29 to go to Freetown they are part of the process, that they are

1 present that they accompany you to Freetown. Taylor said he had
2 contacted Togolese President Gnassingbe Eyadema, the current
3 ECOWAS chairman, to finalise the arrangement for their return
4 home. Liberian information minister Joe Mulbah told reporters
15:42:58 5 Wednesday night that Sankoh and Koroma would fly to Freetown on
6 Friday and will be escorted by some officials of the Liberian
7 government."

8 Now, Mr Witness, do you see that this document conveys the
9 actions of Charles Taylor as involving a wider circle of people
15:43:17 10 and organisations including the United Nations, the OAU and
11 ECOWAS?

12 A. Yes.

13 Q. Did you hear me read about President Taylor contacting
14 Togolese President Gnassingbe Eyadema?

15:43:42 15 A. Yes.

16 Q. All of this as conveyed by this report was official and
17 there was nothing hidden about it, would you agree with that,
18 Mr Witness, that this gives the perception that nothing was
19 secret about all of this?

15:44:05 20 A. Yes.

21 Q. And you agree with me that Foday Sankoh and Johnny Paul
22 Koroma left together from Monrovia and arrived together in
23 Freetown in October 1999?

24 A. Yes.

15:44:30 25 Q. Have you heard of somebody named Zigzag Marzah, Mr Witness?

26 A. Yes.

27 Q. It is fair to say that it is not until some time after 1999
28 you heard of this person Zigzag Marzah, correct?

29 A. Yes, in 1999.

1 Q. Before that you had not heard not once of Zigzag Marzah.
2 That's fair to say?

3 A. Yes.

4 Q. Earlier today you told us you heard that Zigzag Marzah had
15:45:11 5 testified before this Court earlier this year, correct?

6 A. Yes.

7 Q. Did you hear any part of his testimony before this Court?

8 A. Yes.

9 Q. Did you watch any part of his testimony, as in see it over
15:45:38 10 a computer or a video of some sort?

11 A. Yes.

12 Q. How much of it did you listen to? A whole day, two days?
13 How many hours did you listen to it?

14 A. No, for just few seconds. It was not up to an hour in
15:45:59 15 fact. Just few seconds.

16 Q. Do you recall what you heard him saying in this Court?

17 A. Well, I just heard him talk about Mosquito's killing when I
18 was concerned about when he said he did it.

19 Q. Why were you concerned, Mr Witness?

15:46:33 20 A. Well, Mosquito had been a commander for all of us and he
21 was out and everybody at that time was concerned about his issue
22 and some civilians even had said by then that it was not Mosquito
23 that was killed, so if anybody had come forth and confessed that
24 he himself killed Mosquito then those of us who were there were
15:47:09 25 concerned to actually know whether it was the truth or not.

26 Q. Do you believe Zigzag Marzah was telling the truth about
27 how Sam Bockarie, alias Mosquito, was killed?

28 MS HOLLIS: I'm going to object to that. Defence counsel
29 is asking for this witness basically to speak to the credit of

1 another witness.

2 PRESIDING JUDGE: Yes.

3 MR ANYAH: Well, I can rephrase it but I think he can say
4 if he has other information.

15:47:34 5 PRESIDING JUDGE: Yes, but you're asking him for an
6 opinion.

7 MR ANYAH: Okay, I'll rephrase it:

8 Q. Mr Witness, what Zigzag Marzah told this Court about the
9 death of Sam Bockarie, was he, as far as you know, saying
10 information that was truthful?
15:47:46

11 MS HOLLIS: Your Honour, he's not asking him about
12 information. Again he's asking credit of the witness.

13 MR ANYAH: Well, I'll rephrase the question again:

14 Q. Mr Witness, what did you hear Zigzag Marzah say about the
15 death of Sam Bockarie?
15:48:02

16 A. Well, he said it was Charles Taylor who sent him to go and
17 kill him.

18 Q. Did you hear him say anything about how Sam Bockarie was
19 killed? What was used to kill him?

15:48:26 20 A. Well, I did not listen to that area because for me, as long
21 as he had confessed that he was the one who killed him, and that
22 it was an order given to him by Charles Taylor, we had forgotten
23 about that and we knew finally that the man was dead and that he
24 died through orders given by Charles Taylor.

15:48:52 25 Q. And that was very upsetting to you to hear that, yes?

26 A. Yes.

27 Q. Was that the first time you heard about how Sam Bockarie
28 was killed?

29 A. Yes, it was the right time that I heard about it, because

1 although we heard before that Sam Bockarie had been killed, but
2 we did not actually know who killed him and how he was killed.
3 But we had heard before that Sam Bockarie was dead and that they
4 brought him to Freetown and that it was broadcast and everything,
15:49:54 5 all of this sort. We heard it.

6 Q. As you sit here now, do you believe it was Charles Taylor
7 who ordered the death of Sam Bockarie?

8 A. Well, if somebody came up and confessed that he did it -
9 because I did not believe and I did not want to believe in fact,
15:50:17 10 because I knew about the relationship that was existing between
11 Charles Taylor and Mosquito, but if someone came up and confessed
12 that I did it and it was so and so person who sent me to go and
13 do it, and he was there he did it, so I had a cause to believe.
14 And in this type of court, if somebody came and testified about
15:50:49 15 something, then it means it happened that way, so I believe what
16 he said.

17 Q. So when somebody comes here and takes an oath and testifies
18 and says something happened some way it must have happened that
19 way, is that what you're trying to tell us, Mr Witness?

15:51:11 20 A. Well, as for me, I believe what I know or maybe if
21 something somebody ordered me to do I would come here to say the
22 truth. So likewise the other person, if the person came here and
23 took an oath and said something, I think I should believe.

24 Q. This same Zigzag Marzah we are talking about, Mr Witness,
15:51:40 25 he was here. Besides talking about Charles Taylor, here is what
26 Zigzag Marzah had to say about how many times he crossed over
27 from Liberia to Sierra Leone with arms and ammunition. For
28 everyone's benefit I will be citing two references. The first
29 one at page 6072 on 13 March 2008 and the second one at page

1 6080, 13 March 2008. Now, Zigzag Marzah was asked this question,
2 page 6072:

3 "Q. I am going to move on. Yesterday you told us this,
4 'After ULIMO disarmed I made many trips to Sierra Leone at
15:52:59 5 the time Mosquito was there up to the time that Sesay was
6 in charge'. Is that true?

7 A. Yes, yes."

8 Referring to Zigzag Marzah's answer on the previous day.

9 "Q. 'I made 20 to 40 trips'. Is that true?"

15:53:27 10 Over to next page, 6073, 13 March 2008, Zigzag Marzah
11 answers:

12 "A. More than that, yes.

13 Q. So it would be fair to say then that your arms carrying
14 trips to Sierra Leone began in about 1996?

15:53:47 15 A. Repeat the question, Mr Lawyer.

16 Q. Would it be fair to say that you only began
17 transferring arms to Sierra Leone in 1996?

18 A. I started transporting arms when ULIMO was in Lofa and
19 when the Government of Sierra Leone took over and that was
15:54:06 20 the time I started passing through Yekepa. That was what I
21 said and I said at that time Tiagen Wantee was the
22 ambassador."

23 Mr Witness, Zigzag Marzah admitted, on page 6072, that
24 after ULIMO disarmed he made more than 40 trips to Sierra Leone.
15:54:43 25 Now, you told us, you agreed that it was only some time in 1999
26 or 2000 that you first heard about Zigzag Marzah. Is that fair
27 to say, Mr Witness?

28 A. Yes, I heard about him, but I had not seen him before. I
29 would not want to lie. Zigzag Marzah, at the time he used to

1 come, not all RUF fighters knew him, not all RUF fighters used to
2 see him at the time he used to bring the arms and ammunition. He
3 was only concerned about the High Command like Mosquito, his
4 securities or the radio operators who were with them. It was not
15:55:35 5 something that all the RUF needed to know about, that Zigzag
6 Marzah was bringing ammunition, because enemies sometimes might
7 capture any RUF fighter on the front line and they would want to
8 know where you are getting your ammunition from or from whom, so
9 the high command did not actually expose some of those things to
15:56:05 10 fighters that much.

11 Q. Indeed, out of court you told the Prosecution it was when
12 you were ordered to go to Mendekoma, this was in 2000, yes?
13 Let's stop there. It was in 2000 you were ordered to go to
14 Mendekoma, correct?

15:56:26 15 A. Yes.

16 Q. And for the benefit of counsel opposite this is the
17 interview notes from 2 and 3 July of this year, at page 16
18 through 17. You told the Prosecution, I will read paragraph 60:

19 "We were ordered to go to Mendekoma with two squads of RUF
15:56:51 20 fighters led by four commanders; Saddam, Victor, Kailondo and
21 myself. After passing Mendekoma I saw a Liberian commander
22 called Zigzag Marzah. Some RUF fighters told me that Zigzag
23 Marzah was one of Charles Taylor's commanders and was a bad man
24 who ate human beings."

15:57:23 25 Now when you spoke with the Prosecution out of court this
26 past July is that what you told them, Mr Witness?

27 A. Yes.

28 Q. The first time you saw this fellow Zigzag Marzah was in the
29 year 2000, yes?

1 A. Yes, for me. For me to recognise him actually as Zigzag
2 Marzah.

3 Q. And yet Zigzag Marzah says he has been crossing over to
4 Sierra Leone since the time of ULIMO 20 to 40 times, or even more
15:58:03 5 than that, and at no other time before 2000 did you see him?

6 A. Yes, he used to cross over, but I was not that concerned
7 and I did not know him that much and not all Liberian soldiers
8 crossed over, that I would go there to find out who was this or
9 who was that. I used to see most of them cross over there, but
15:58:36 10 the one that I used to go close to that I will sit with him and
11 discuss, that was the ones I was concerned about.

12 Q. Have you heard of somebody named Senegalese, Mr Witness?

13 A. Yes.

14 Q. Have you seen Senegalese before?

15:59:03 15 A. Yes, I saw Senegalese at the time we crossed to Bopolu, I
16 saw him in Zuani and from the time we went to Ivory Coast and
17 returned we met him in Monrovia and we left him there and Mike
18 Lamin, I and others, we left and later he himself went, at the
19 time Mike Lamin was in Freetown, he went to Kenema. And I paid
15:59:39 20 his transport fare from Freetown to go to Mike Lamin and others.

21 Q. You paid his transport fare from Freetown to go to Mike
22 Lamin and others. Where were Mike Lamin and others?

23 A. I said from Kenema to Freetown, to Mike Lamin and others.

24 Q. Who was Senegalese, Mr Witness?

16:00:09 25 A. Well, Senegalese was a ULIMO man, a ULIMO-K soldier.

26 Q. And he had no money to make his way from Kenema to
27 Freetown, true?

28 A. Well, maybe he had but I helped him. I assisted him. I
29 did not ask him to know whether he had transport fare. When he

1 got there he knew me through Mike Lamin and I gave him lodging,
2 we slept together, and the following morning I gave him transport
3 fare to go to Freetown to Mike and others.

4 Q. How much money did you give him, Mr Witness?

16:00:58 5 A. At that time the money - it was 10,000.

6 Q. And what year did this take place, Mr Witness?

7 JUDGE SEBUTINDE: Mr Interpreter, did the witness name a
8 currency? 10,000 what?

9 THE INTERPRETER: Your Honour, Leones.

16:01:20 10 MR ANYAH:

11 Q. Mr Witness, was it 10,000 Leones?

12 A. Yes.

13 Q. And in what year was this?

14 A. That was in 1997.

16:01:37 15 Q. Were you in Kenema in 1997, Mr Witness?

16 A. Yes. At that time the coup had taken place, the soldiers
17 had overthrown Tejan Kabbah. That was the time that man entered
18 Freetown, the Senegalese that you are talking about.

19 Q. Was he in Kenema with you when Sam Bockarie and Mike Lamin
16:02:10 20 had their meeting?

21 A. No, Senegalese was not there. At that time Senegalese just
22 spent a night and by then Mike Lamin had gone ahead to Freetown,
23 he and Mosquito. In fact, Senegalese did not know much about
24 Mosquito, to say he was closer to Mosquito or whether in fact he
16:02:42 25 knew him, it was because of Mike Lamin that Senegalese went to
26 Sierra Leone.

27 Q. Yes, what was his nationality? Which country was he from,
28 Mr Witness?

29 A. He was a Liberian.

1 Q. And you just told us he did not have much to do with Sam
2 Bockarie, correct?

3 A. Yes.

4 Q. Former ULIMO fighter, yes?

16:03:11 5 A. Yes.

6 Q. You never saw this Senegalese bring any arms or ammunition
7 to Sierra Leone, correct?

8 A. No, I did not see Senegalese bring arms and ammunition.

9 Maybe it happened later, but I did not know anyway. I do not
16:03:44 10 even want to lie about that.

11 Q. Okay, that's fair enough. Mr Witness, the external
12 delegation of the RUF, the people you met in the Ivory Coast,
13 Dr Barrie, Deen-Jalloh, Philip Palmer, Fayah Musa, did you ever
14 see them again after you left the Ivory Coast in 1997?

16:04:14 15 A. Yes.

16 Q. Where did you see them again?

17 A. I saw them in Buedu. I met them there. They had been
18 arrested by Mosquito. He arrested Philip Palmer, Deen-Jalloh. I
19 saw some of them, yes.

16:04:38 20 Q. Are you familiar with a woman named Monica Pearson?

21 A. Yes, very well.

22 Q. How did you become familiar with her?

23 A. Well, Monica had been with us since 1991. I saw her around
24 the Pujehun area. By then she was a vanguard for the RUF, but
16:05:10 25 she was a Liberian woman. Her nationality was Liberian.

26 Q. In the Ivory Coast, in the company of the external
27 delegation, Deen-Jalloh, Dr Barrie, Fayah Musa and Philip Palmer
28 was there a woman, Mr Witness?

29 A. The external - repeat that once more.

1 Q. Yes. When you went to the Ivory Coast you saw Philip
2 Palmer, Deen-Jalloh, Fayah Musa and Dr Barrie. Was there a woman
3 amongst their group?

4 A. Well, no, the woman who was amongst them was Old Ma
16:06:12 5 Gbessay. That is the one I know about.

6 Q. What was the woman's name?

7 A. We used to call her Old Ma Gbessay. She was Foday Sankoh's
8 girlfriend.

9 JUDGE SEBUTINDE: Is that Old Ma Gbessay?

16:06:34 10 MR ANYAH: I think that's what he said, but I can clarify
11 it:

12 Q. Mr Witness, you've heard the question by Justice Sebutinde.
13 The name, is it Old Ma Gbessay? O-L-D M-A for ma and Gbessay
14 G-B-E-S-S-A-Y?

16:06:56 15 A. Yes, Old Ma. That is a Liberian name, but in Sierra Leone
16 we can say Madam Gbessay. But through the Liberian language that
17 we had been used to by then, that was why we used to call her Old
18 Ma. It's like madam. That is what the Liberian people call Old
19 Ma.

16:07:20 20 Q. Now, Mr Witness, I want to go back to your time in Kenema
21 and talk about this episode you told us about some civilians
22 associated with Kamajors being killed. We haven't covered that
23 so let's talk about it. You told us of a time in Kenema, this
24 was when you were in Kenema in February 1998. Actually, you were
16:07:51 25 going from Daru to Buedu passing through Kailahun Town. This was
26 in Kailahun Town, yes, Mr Witness?

27 A. Yes.

28 Q. Yes, Kailahun Town and not Kenema. And were you going to
29 Buedu through Daru?

1 A. Yes. When we moved from Daru you go to Pendembu, Kailahun
2 before you proceed to Buedu.

3 Q. And you were in the company of Mosquito and you went to
4 Kailahun Town where you said 65 persons were in a cell, yes?

16:08:45 5 A. Yes.

6 Q. Were those Kamajors or were those civilians?

7 A. Well, at the time we were moving to go there Mosquito said
8 that some civilians had surrendered to him and that he had sent
9 them to Kailahun. But when we got there Augustine Gbao told us
10 that he had conducted the investigation and that the people were
11 Kamajors. But I did not see arms with them.

16:09:11 10

12 Q. So Gbao says they were Kamajors. There was an MP adjutant
13 you told us who was named Joe Fatoma, correct?

14 A. Yes.

16:09:38 15 Q. Is it Joe Fatoma or is it Joe Vandí? Which one is it?

16 A. Well, it was actually Joe Fatoma that I heard.

17 Q. Because, you see, you told the RUF Trial Chamber when you
18 testified about this event it was somebody named Joe Vandí and
19 for counsel's benefit I will give the reference. It's on the
20 transcript of the RUF case for 21 November in the year 2005,

16:10:14 20 pages 41 through 42. You told us in court that it was Joe

21 Fatoma. This appears in the transcript from Thursday last, 13
22 November, at page 20178. Joe Vandí. Now, if we look at the RUF
23 transcript, transcript of 21 November 2005, pages 41 and 42,

16:11:05 25 there you refer to this commander as being Joe Vandí. So which
26 is it, Joe Vandí or is it Joe Fatoma, Mr Witness?

27 A. Well, it's Joe Fatoma.

28 Q. What you told the Court in Freetown during the RUF trial
29 was a mistake. It was Joe Fatoma, not Joe Vandí, correct?

1 A. Yes, if I had said Joe Vandi then that was a mistake.
2 Maybe it was after I had sat for a long time talking maybe I had
3 a brain infarct, but it's Joe Fatoma.

4 Q. In any event, you told us in court that Sam Bockarie
16:11:59 5 ordered Joe Fatoma to open the cell and that Sam Bockarie asked
6 for five of the prisoners to be brought out and that he shot
7 three of them near a junction. Do you remember telling us that -
8 well, it was a roundabout at the junction. Do you remember
9 telling us that last Thursday, Mr Witness?

16:12:26 10 A. Yes.

11 Q. Now, when you spoke with the Prosecution out of court -
12 this is at tab 6, page 1, paragraph 3.

13 MS HOLLIS: Could we have the date?

14 MR ANYAH: Yes, the date is 16, 20 and 23 June 2005 and the
16:12:56 15 ERN number is 00017454. I'm just pausing so that counsel
16 opposite can find the reference.

17 MS HOLLIS: I have it, thank you.

18 MR ANYAH:

19 Q. At paragraph 3, Mr Witness, here is what you told the
16:13:24 20 Prosecution about this event when you spoke with them in June of
21 2005:

22 "I witnessed the killing of at least ten Kamajors in
23 Kailahun Town. At the time of the AFRC coup about 65 Kamajors
24 surrendered themselves to the RUF and were imprisoned in
16:13:46 25 Kailahun. Around June or July 1998 I witnessed how a group of at
26 least ten Kamajors were executed in Kailahun. Mosquito first
27 shot one of the prisoners to death. After him Issa Sesay also
28 shot one prisoner. Both of them used pistols. This was an order
29 for the bodyguards and SBUs who then killed the rest of the

1 Kamajors. Augustine Gbao was also there, but he didn't kill
2 anyone himself. After the execution Tom Sandy, the MP commander,
3 told me that these were the last Kamajors to be executed and that
4 the other Kamajors had been killed during the days before."

16:14:45 5 Pause there. A number of questions arise, Mr Witness, and
6 there is another interview where you speak about this, but let's
7 consider this first. Was Issa Sesay present when this event
8 happened?

9 A. Issa was not there.

16:15:09 10 Q. So when this says Issa Sesay was there it's a lie, true?

11 A. Yes, because it was an incident that I myself took part in,
12 I was present, so I --

13 THE INTERPRETER: Your Honours, could the witness be asked
14 to repeat that area. He did not come very clearly to the
16:15:36 15 interpreter.

16 PRESIDING JUDGE: Please pause, Mr Witness, because the
17 interpreter has not heard you clearly. Please repeat your answer
18 and pick up where you said, "I was present so I --" Continue
19 from there.

16:15:50 20 THE WITNESS: I myself sitting here I was involved in that
21 killing, so I only thought if I had said the truth I would have
22 been involved, or I might have been arrested for that reason, and
23 so I did not say something more of the truth about those
24 killings. I did not explain exactly who passed the order and who
16:16:24 25 killed. All of these things that I said that Issa contributed is
26 a lie. He was not even present.

27 MR ANYAH:

28 Q. Tom Sandy was also not present, correct?

29 A. Tom Sandy was present. He was an MP also.

1 Q. Are you absolutely sure that Tom Sandy was there?

2 A. Yes, Tom Sandy was in Kailahun, but I did not see him
3 amongst the population because the population was heavy, but I
4 did not see him actually at that moment.

16:17:07 5 Q. But you're saying after the execution he was there and he
6 spoke to you?

7 A. What? You said Tom Sandy what?

8 Q. Well, let me read it. The paragraph is pretty clear. It
9 says, "Tom Sandy, the MP commander, told me that these were the
16:17:32 10 last Kamajors to be executed." That suggests Tom Sandy was there
11 afterwards and told you that these were the last Kamajors to be
12 executed. Do you agree that's what it says?

13 A. No, Tom was there, but I did not see him. I did not even
14 have any discussion with him.

16:17:56 15 Q. So this part of this paragraph is a lie. Tom Sandy and you
16 did not have any discussions, correct?

17 A. Yes, that was why later when I knew that I corrected it
18 with the Prosecution.

19 MR ANYAH: Well, let's look at that next interview on tab
16:18:21 20 7. The date for that interview is the same 2005, but this is in
21 October of 2005, a few months after June 2005. This would be tab
22 7, page 3:

23 Q. Mr Witness, page 3 of tab 7, paragraph 7, towards the
24 middle part of the page. It reads:

16:19:20 25 "Gbao was present when Joe Fatoma said that. Mosquito and
26 I stayed about one hour and then left. I saw the bodies. Most
27 of them were near the bank of the river. Some heads had been cut
28 off and put on sticks at the entrance of the town."

29 Then you say this:

1 "An earlier statement where I said that these people were
2 killed in June or July 1998 and Issa Sesay and Tom Sandy were
3 present is not true. I told a different version in the earlier
4 statement because I was not prepared to admit to my role in the
16:20:11 5 killing. I was worried what might happen to me. Sesay and Sandy
6 were not present and the killing of these people happened a short
7 time after the AFRC/RUF troops were pushed out of Freetown."

8 Did you tell the Prosecution this, Mr Witness?

9 A. Yes.

16:20:36 10 Q. This was about three months - you have June, July, August,
11 September, October, about four months after your first account
12 that placed Issa Sesay and Tom Sandy there, correct?

13 A. Yes.

14 Q. When you gave your first account to the Prosecution in June
16:20:58 15 of 2005 - and I'm referring to our chronology of meetings with
16 the Office of the Prosecutor - that interview between 16 June and
17 23 June was your tenth meeting with the Office of the Prosecutor.
18 Are you aware of that, Mr Witness?

19 A. Yes.

16:21:25 20 Q. And you are telling us that as of that time, June of 2005,
21 you were concerned about admitting that you took part in these
22 killings?

23 A. Yes.

24 Q. Now there is an important point that should be made,
16:21:48 25 Mr Witness. You see where you discuss these killings in your
26 pre-trial statement, did you mention this Liberian officer that
27 you told us about in court? On 13 November when you testified,
28 did you mention that a Liberian officer and his bodyguards were
29 present when these killings occurred in your out of court

1 statement in June and October 2005?

2 A. No.

3 Q. Yes, you told us in court at page 20179 - well, it starts
4 at 20178 - that:

16:22:30 5 "At that time I saw a Liberian officer who was now with
6 Mosquito. We met him in Kailahun. But whilst that operation was
7 going on, that is the killing, I saw the officer with Mosquito
8 and I asked Foday and others, I said, 'Who is this man?' But he
9 replied that he was one of the Liberian commanders. He was
16:22:54 10 actually in a camouflage together with three of his bodyguards.
11 He did not take part in the killings. I did not see him shoot,
12 but he was with Mosquito there. And after the killing had
13 commenced and within ten to 15 minutes I saw Mosquito and them
14 board a vehicle and they headed for Buedu."

16:23:15 15 In your pre-trial interviews we've just considered nowhere
16 do you mention the presence of this Liberian officer, do you,
17 Mr Witness?

18 A. No.

19 Q. That was something that you forgot, is that fair to say?

16:23:37 20 A. Well, the question - in the question that came from the
21 Prosecution they did not ask me about any foreign persons on that
22 particular occasion. They were only concerned about who passed
23 the orders and who carried out the execution.

24 Q. And that is why - because they did not ask you, and I think
16:24:11 25 your words were they did not ask you about foreign persons, that
26 is why you did not mention the presence of this Liberian officer
27 when you spoke with them twice in 2005 about this episode. Is
28 that your evidence, Mr Witness?

29 A. Yes.

1 Q. How many of these 65 prisoners were killed?

2 A. Well in my presence the ones that were killed were up to
3 45, but later when Mosquito and I returned from Buedu Joe Fatoma
4 told us that they killed all of them.

16:25:07 5 Q. It was Joe Fatoma who told you that they killed all of
6 them, yes?

7 A. Yes, he said, "Mission accomplished", and Mosquito - the
8 order that Mosquito gave was to kill all of them.

9 Q. Mr Witness, these persons were Kamajors and not civilians,
16:25:33 10 true or false?

11 A. Well, that was what they told us. They said they were
12 Kamajors and those were the words of the investigator, Augustine
13 Gbao. But Mosquito had said some civilians, but Augustine Gbao
14 said that most of them were Kamajors. In fact, he said all of
16:26:02 15 them were Kamajors.

16 Q. It is a fact, is it not, Mr Witness, that many Kamajors
17 used to fight in civilian clothing, correct?

18 A. Yes, mostly.

19 Q. And if we go to tab 9, page 4, this is from the interview
16:26:30 20 of 16 July 2006, the ERN number ending in 2784, we see what you
21 say about whether these persons were civilians or Kamajors.

22 Paragraph 25:

23 "The witness stated that when the Kamajors came to attack
24 they had people with them who were not in uniform and not armed,
16:27:02 25 so he referred to them as civilians. So when some of these
26 people got killed he referred to them as civilians. It was the
27 AFRC and RUF that killed the civilians."

28 Paragraph 26:

29 "The witness stated that what he meant when he said the

1 civilians were killed because they know about arms is because
2 they were always among armed Kamajors and could use weapons if
3 needed."

16:27:41 4 Mr Witness, these were associates of the Kamajors who were
5 with armed Kamajors who themselves would often dress in civilian
6 clothing. Do you agree to all of that?

7 A. Yes, most of the civilians were with Kamajors, so it was
8 difficult to distinguish who the Kamajor was or who the civilian
9 was. But if I saw someone and that person did not have arms then
16:28:19 10 I would consider that person to be a civilian. But if I saw
11 somebody not in uniforms but carrying arms then I would consider
12 that person to be a Kamajor.

13 Q. But Kamajors were often with persons who were not armed but
14 those persons could use arms as well, correct?

16:28:48 15 A. Yes, sometimes that was what people say. I did not see
16 them, but that was what people said. But they said civilians
17 were with Kamajors and if - when possible they themselves used
18 arms.

19 MR ANYAH: Madam President, I see the time.

16:29:07 20 PRESIDING JUDGE: Thank you. If it's convenient now,
21 Mr Anyah, we will adjourn.

22 MR ANYAH: Yes, thank you.

23 PRESIDING JUDGE: Mr Witness, we're going to finish court
24 for today. We will be resuming court tomorrow again at 9.30.

16:29:18 25 Again I remind you, as I've done before, that you are not to
26 discuss your evidence with any other person whilst you're under
27 oath. Do you understand?

28 THE WITNESS: Yes, ma'am.

29 PRESIDING JUDGE: Very well. Please adjourn court until

1 9.30 tomorrow.

2 [Whereupon the hearing adjourned at 4.30 p.m.
3 to be reconvened on Tuesday, 18 November 2008
4 at 9.30 a.m.]

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WITNESSES FOR THE PROSECUTION:

AUGUSTINE S MALLAH 20340

CROSS-EXAMINATION BY MR ANYAH 20340