



Case No. SCSL-2003-01-T

THE PROSECUTOR OF
THE SPECIAL COURT
V.
CHARLES GHANKAY TAYLOR

WEDNESDAY, 3 DECEMBER 2008
9.33 A.M.
TRIAL

TRIAL CHAMBER II

Before the Judges:

Justice Teresa Doherty, Presiding
Justice Richard Lussick
Justice Julia Sebutinde
Justice Al Hadji Malick Sow, Alternate

For Chambers:

Mr William Romans
Ms Carolyn Buff

For the Registry:

Ms Rachel Irura
Mr Momodu Tarawallie

For the Prosecution:

Ms Brenda J Hollis
Mr Christopher Santora
Mr Nicholas Koumjian
Mr Alain Werner
Ms Maja Dimitrova

For the accused Charles Ghankay
Taylor:

Mr Courtenay Griffiths QC
Mr Terry Munyard
Ms Amina Graham

1 Wednesday, 3 December 2008

2 [Open session]

3 [The accused present]

4 [Upon commencing at 9.33 a.m.]

09:33:48 5 PRESIDING JUDGE: Good morning. We'll take appearances,
6 Mr Santora.

7 MR SANTORA: Good morning, Madam President, your Honours.
8 Good morning, counsel opposite. Madam President, for the
9 Prosecution this morning is Brenda J Hollis, Nicholas Koumjian,
09:34:02 10 Alain Werner, Maja Dimitrova and myself Christopher Santora.

11 PRESIDING JUDGE: Thank you. Yes, Mr Munyard.

12 MR MUNYARD: Good morning, Madam President, your Honours,
13 counsel opposite. For the Defence Courtenay Griffiths QC, myself
14 Terry Munyard and Ms Amina Graham.

09:34:20 15 PRESIDING JUDGE: Thank you. If there are no other matters
16 I will remind the witness of his oath.

17 Good morning, Mr Witness.

18 THE WITNESS: Good morning.

19 PRESIDING JUDGE: I remind you again this morning that you
09:34:34 20 are under oath. The oath continues to be binding on you and you
21 must answer questions truthfully. Do you understand?

22 THE WITNESS: Yes.

23 WITNESS: DAUDA ARUNA FORNIE [On former oath]

24 EXAMINATION-IN-CHIEF BY MR SANTORA: [Continued]

09:34:49 25 Q. Good morning, Mr Witness.

26 A. Good morning, Mr Santora.

27 Q. Now again I'm going to sound a little bit repetitive here
28 but I'm going to remind you please, please speak slowly and
29 listen to the question and answer the specific question that

1 you're asked, okay?

2 A. Okay.

3 Q. And please also when you're answering your questions to
4 address the judges.

09:35:19 5 A. Okay.

6 Q. Now before we continue on with what you were testifying to
7 yesterday there's a few matters from what you said yesterday that
8 I would like to attempt to clarify. Just for counsel's reference
9 I'll give you the transcript number prior to the question. The
09:35:39 10 first reference is page 21489, line 17. Mr Witness, yesterday
11 when you were testifying you referred to an individual called
12 Mosquito Spray. Do you remember making a reference to this
13 individual?

14 A. Yes, I spoke about Mosquito Spray yesterday.

09:36:09 15 Q. Just to clarify, who was Mosquito Spray?

16 A. Mosquito Spray - I did not know him in person, I only heard
17 about him, that he was a leader or somebody who led insurgents to
18 fight against the Liberian government led by Mr Taylor.

19 Q. Yesterday also when you were testifying, and this
09:36:47 20 reference, counsel, is 21491, you were testifying about the
21 transport of ammunitions from Monrovia to Buedu and you said that
22 these ammunitions would often be accompanied by three individuals
23 - well, you identified three individuals, you named three
24 individuals including Jungle, Zigzag Marzah and one other
09:37:17 25 Mosquito, Liberian Mosquito, he was in Liberia. Do you remember
26 testifying about that?

27 A. Yes.

28 Q. During the course of that, and this is - you said, and I'm
29 going to repeat your answer and I just want to clarify who you

1 were referring to. You said, "Jungle was a direct security to
2 Benjamin Yeaten and Jungle was also one of the liaisons from the
3 Liberian side. That is between Benjamin Yeaten and Mosquito. Or
4 let me say RUF directly. That is Jungle, Colonel Mosquito, they
09:37:58 5 are all liaisons."

6 When you said that Colonel Mosquito, which Mosquito were
7 you referring to?

8 A. Mosquito was one of Mr Taylor's securities. He was one of
9 Mr Taylor's securities in Liberia.

09:38:24 10 Q. Do you know his real name?

11 A. No.

12 JUDGE SEBUTINDE: In that case, Mr Santora, that sentence
13 that you just quoted, when it says that is between Benjamin
14 Yeaten and Mosquito, which Mosquito is that? There seem to be
09:38:44 15 two Mosquitos in that sentence, yes?

16 MR SANTORA: I understand that. Let me go back to it:

17 Q. The sentence before that, Mr Witness, you said, and here's
18 the reference and I just want to clarify which Mosquito you're
19 referring to, okay? You said "Jungle was a direct security to
09:39:12 20 Benjamin Yeaten and Jungle was also one of the liaisons from the
21 Liberian side, that is between Benjamin and Mosquito." Now which
22 Mosquito are you referring to there?

23 A. When I spoke about Mosquito I meant Sam Bockarie, a late
24 man. Any time I want to refer to the Mosquito in Liberia I will
09:39:33 25 say Liberian Mosquito. There were two Mosquitos. The one was
26 Sam Bockarie. I meant that Jungle was one of the liaisons -
27 sorry, Liberian Mosquito was one of the liaisons between Sam
28 Bockarie and Benjamin Yeaten.

29 JUDGE SEBUTINDE: So Colonel Mosquito was the liaison, was

1 the Liberian Mosquito, yes?

2 THE WITNESS: Yes.

3 MR SANTORA:

09:40:20

4 Q. Now yesterday during the course of questioning you were
5 describing some of your trips to Monrovia and you said on one
6 occasion prior to the Freetown invasion of 6 January 1999, that
7 on one occasion you yourself went with Victor and Yellow Man and
8 Jungle without Sam Bockarie to Monrovia. Do you remember talking
9 about that yesterday?

09:40:45

10 A. Yes.

11 Q. Now it was some follow-up to that particular trip that I
12 never inquired from you yesterday about. Again do you remember
13 when approximately this occurred?

14 A. I said around mid-1998.

09:41:16

15 Q. And what happened on this particular trip? Can you recall
16 what happened? Or what did you do on this particular trip?

17 A. It was a trip that I went on to receive ammunition in
18 Liberia, in Monrovia.

19 Q. Where specifically did you go?

09:41:55

20 A. We received the ammunition from Five-Zero and returned to
21 Liberia. Sorry, returned to Sierra Leone on the same day.

22 Q. Where did you receive this from Five-Zero?

23 A. Behind White Flower.

09:42:32

24 Q. How do you know? Let me withdraw the question. When you
25 say behind White Flower, were you there, were you present when
26 the weapons were received? I'm sorry, I should repeat that.

27 When the ammunitions were received, were you present?

28 A. Yes.

29 Q. Where were you specifically?

1 A. I was on the scene. I was standing right by the van that
2 we went with. We were in the van when Benjamin called - there
3 were some other Liberian securities but I did not know their
4 names. They were the ones who loaded the ammunition into the
09:43:17 5 vehicle and we moved.
6 Q. Did you see them loading ammunition?
7 A. Yes, yes.
8 Q. Can you describe the ammunition? Can you recall what type?
9 A. They were assorted. AK rounds. It was more of AK, GMG
09:43:47 10 rounds and some RPG rockets.
11 Q. And when you went to Monrovia from Buedu by what means did
12 you go to Monrovia?
13 A. We used a vehicle to go.
14 Q. How many vehicles?
09:44:08 15 A. One.
16 Q. And when you were loading the - when the ammunitions were
17 loaded how many vehicles were involved?
18 A. It was only the vehicle that we went with. That was the
19 vehicle that had the ammunition. But apart from that Benjamin's
09:44:36 20 vehicle was parked there and there were some other vehicles, but
21 it was only that vehicle that was involved in the ammunition.
22 Q. And what kind of vehicle? Can you recall what kind of
23 vehicle you were in?
24 A. It was a Hilux, Hilux van.
09:44:57 25 Q. Just one final point. Specifically, can you recall where
26 exactly within the - you said it was at Benjamin Yeaten's house
27 but where specifically did this loading take place, can you
28 recall?
29 A. It was right inside of White Flower. Behind White Flower,

1 not at Benjamin's house. It was at White Flower itself, not
2 Benjamin's house. It was behind White Flower. There is some
3 underground area.

09:45:44 4 JUDGE SEBUTINDE: Mr Santora, did the witness tell us what
5 White Flower is? Did this witness tell us what White Flower is.

6 MR SANTORA: Not this morning I believe, but I can ask
7 again, but I believe it was prior on the record but I will ask
8 again:

9 Q. When you say White Flower what do you mean?

09:46:00 10 A. Mr Taylor's house, where he lived.

11 Q. And just to --

12 A. At the house. That is where we referred to as White
13 Flower.

09:46:15 14 MR MUNYARD: Can I just point out that the witness has not
15 this morning referred to Benjamin Yeaten's house as my learned
16 friend put to him. I can't see it anywhere on the transcript,
17 nor is it in my recollection.

18 JUDGE SEBUTINDE: I think the witness did correct counsel.
19 The witness himself corrected counsel to say it wasn't at
09:46:35 20 Benjamin Yeaten's house.

21 MR MUNYARD: He may well have done.

22 MR SANTORA: He didn't say that and I was basing - I
23 withdraw that. I was basing that on what he said yesterday. In
24 general speaking of all of these trips he did say he would go to
09:46:49 25 that particular location and that's what I was basing that on.

26 But anyway, it's a moot point anyway:

27 Q. Mr Witness, so besides yourself and Yellow Man and Jungle
28 and Victor, did anyone else go along on this trip, do you
29 remember?

1 A. No, I don't recall. That particular trip, I'm not sure.

2 Q. And why were you there?

3 A. It was for communication purposes. A meeting was to be
4 held which we referred to as forum for the commanders, but he
09:47:45 5 could not go on that trip because he used to convey a meeting,
6 just ad hoc meetings that he used to call. He had already
7 invited the commanders, they were on their way, and being that
8 that was an opportunity to get the materials he did not go. He
9 decided to talk to the commanders.

09:48:10 10 Q. Who do you mean he? Just be --

11 A. Sam. Sam Bockarie.

12 Q. So you said you went for communication purposes?

13 A. Yes.

14 Q. Communication purposes in what sense?

09:48:30 15 A. So that if any problem occurred, or whatever information
16 that Mosquito was supposed to get, that is Sam Bockarie, that he
17 was supposed to get in Buedu, I would easily inform him.

18 Q. The next reference, counsel, and the last one before we
19 continue is page 21526 and the specific phrase is located on

09:49:05 20 lines 20 and 21. Mr Witness, yesterday you were talking about
21 Mosquito sending people to areas in Liberia with cash to buy
22 weapons - to buy ammunitions, I'm sorry, from ex-fighters. Do
23 you remember speaking about that yesterday?

24 A. Yes.

09:49:29 25 Q. During the course of your testifying yesterday you said
26 this following sentence and I'm going to ask you to clarify this
27 sentence. You said, "At that time those ammunition had been
28 buried in the bushes and by then nobody actually needed them so
29 they thought they could just sell them and get something out of

1 them."

2 When you said "by then nobody actually needed them" what
3 did you do mean?

4 A. What I meant exactly was that the fighters who had hidden
09:50:06 5 those ammunition, I thought that the ammunition was not useful to
6 them and if they had left it in the bush it would have just
7 rusted.

8 THE INTERPRETER: Your Honours, can the witness repeat and
9 speak slowly.

09:50:25 10 PRESIDING JUDGE: Mr Witness, you're going too fast for the
11 interpreters. Speak slowly, pause at the end of each sentence.
12 Pick up your answer from where you said, "If they had left it in
13 the bush it would have just rusted." Continue from there,
14 please.

09:50:42 15 THE WITNESS: Okay. The ex-fighters themselves who had
16 hidden those ammunition, that was one of the ways that they could
17 benefit from them, that the ex-fighters would have benefitted
18 from the ammunition, and this information came from one of the
19 commanders who was in Vahun, sorry, Voinjama, one of the
09:51:10 20 commanders who was based in Voinjama. He was the one who
21 informed one of the AFL commanders who was based in Voinjama. He
22 was the one who informed Mosquito - I mean General Mosquito, Sam
23 Bockarie, about the said ammunition and he was the one who
24 coordinated it with him together with one Sellay who was a signal
09:51:41 25 commander.

26 MR SANTORA:

27 Q. Who is "he" in this context? You're using the word "he",
28 "he". Who are you referring to?

29 A. Mosquito. Mosquito appointed Sellay to be the foreman

1 because Sellay hailed from that Voinjama area, and at the same
2 time Sellay was an NPFL fighter, and he was used to most of the
3 fighters in that area, so that's why he was made the leader. But
4 seldom Mosquito would send other commanders like Kennedy,
09:52:28 5 sometimes he will send JR. JR was Foday Sankoh's bodyguard. They
6 were different people he will send to go and receive those
7 materials from Vahun or Voinjama or Kolahun area.

8 Q. And finally just to be clear, you said yesterday that you
9 yourself went on one of these trips to Voinjama, just once. Is
09:53:03 10 that correct?

11 A. Yes. I went there once myself in person to collect
12 materials, together with Shabado, Foday and others. I can
13 recall.

14 Q. And you said yesterday that you yourself did not have cash
09:53:30 15 for these materials. Is that correct?

16 A. Yes, I did not transact any cash business but I saw cash.

17 Q. Who did you see cash with?

18 A. With Sam Bockarie at the time when he gave it to Kennedy to
19 go and meet Sellay.

09:53:58 20 Q. Now on your particular trip did you see any cash, your trip
21 to Voinjama?

22 A. No, the trip that I made to Voinjama I did not see any
23 cash. I did not go with any cash personally and I did not see
24 money that was for the ammunition business, besides my personal
09:54:34 25 lunch that was on me.

26 Q. And the group you were with, did they obtain anything?

27 A. Yes. You mean those of us who moved from Buedu to go and
28 receive the materials? Yes, the vehicle that we went with, we
29 brought it back, we were able to get some ammunition. Some of

1 them were in bags, rice bags, empty rice bags, they were put into
2 them and we brought them to Mosqui to.

3 JUDGE SEBUTINDE: Mr Santora, did the witness say besides
4 my personal lunch that was with me?

09:55:12 5 MR SANTORA: That's what I thought he said and I can
6 clarify what he meant.

7 JUDGE LUSSICK: I think it might have been the
8 interpreter's accent. I thought the interpreter said personal
9 launch.

09:55:25 10 MR SANTORA: I will clarify it:

11 Q. Mr Witness, I asked you about whether you saw any cash on
12 your trip to Voinjama and you said no, you did not go with any
13 cash personally and you did not see any money for that, that was
14 for ammunition business besides my personal lunch? Or what did
09:55:48 15 you say? My personal what?

16 A. Personal money that I had with me for lunch. That's what
17 I'm referring to. My personal lunch. But that particular trip,
18 I did not deliver any money to anybody and I did not see anybody
19 receiving money from another.

09:56:22 20 Q. You mentioned somebody named JR?

21 A. Yes.

22 Q. What was JR's nationality?

23 A. He was a Sierra Leonean. He was a Sierra Leonean.

24 Q. And do you know his real name?

09:56:45 25 A. No, I don't recall his full name. JR Vandi, Junior Vandi,
26 but I don't recall his full name. Junior Vandi.

27 Q. Now, Mr Witness, we're going to continue where we left off
28 from yesterday, and when we left off yesterday you had just
29 started telling the Court about your last trip to Monrovia before

1 the 6 January invasion of Freetown, and you said you went
2 approximately you thought early December and you went with
3 Mosquito, Rashid, Pa Rogers and Eddie Kanneh amongst the crew
4 that went on this trip. Do you recall starting to tell the Court
09:57:43 5 about that yesterday?

6 A. Yes.

7 Q. I'd like you to go ahead now and slowly - I'm going to ask
8 you to slowly describe this trip for the Court. Again I'm going
9 to emphasise to you that you take your time when you explain
09:57:59 10 this, okay?

11 A. Yes. I do recall sometime in early December myself, Sam
12 Bockarie, the late SYB Rogers who was the People's War Council
13 chairman, Rashid, Eddie Kanneh, among others, among other people,
14 those of us who travelled to Monrovia. The trip that we made to
09:58:50 15 Monrovia was to escort Sam Bockarie because he, Sam Bockarie, was
16 supposed to travel to Libya, initially what he told us. He, Sam
17 Bockarie, what he told us, he said according to the discussion he
18 had had with Benjamin that he was to go and receive some
19 materials, I mean ammunition. But when we arrived in Liberia the
09:59:25 20 course changed and that particular movement was diverted to
21 Ouagadougou, Burkina Faso. Sam Bockarie, Eddie Kanneh and Pa
22 Rogers went to Burkina Faso, to the best of my knowledge.

23 Q. I'm just going to intervene one moment, Mr Witness. You
24 said that initially you were told by Sam Bockarie that he was
10:00:04 25 supposed to travel to Libya, that he had had a discussion with
26 Benjamin and that he was going to receive some materials and he
27 was supposed to travel to Libya. Is that correct?

28 A. Yes.

29 Q. Where did you learn this? Where were you when you learned

1 this from Sam Bockarie?

2 A. It was in Buedu. I was in Buedu right behind Sam
3 Bockarie's house where his satellite phone was installed, where
4 he used to install his satellite phone, and I met him there. He
10:00:52 5 was sitting by his phone together with some of his bodyguards who
6 were around him and some other people.

7 Q. Now you said then that when we arrived in Liberia the
8 course changed and that particular movement was diverted to
9 Ouagadougou. What do you mean when you say when you arrived in
10:01:13 10 Liberia the course changed?

11 A. Well, instead of Sam Bockarie going to Libya he said the
12 Papay had told him that the ammunition had been brought to
13 Burkina Faso, so he was now to go and receive the ammunition from
14 Burkina Faso.

10:01:41 15 Q. When you say in this context the Papay, who are you
16 referring to?

17 A. CIC Taylor.

18 Q. And just describe sequentially what happened. You said
19 that when you arrived the course changed but then you said, of
10:02:09 20 Sam Bockarie, "He said the Papay had told him that the ammunition
21 had been brought to Burkina Faso." Do you know when this
22 happened?

23 A. Well, it was in December. December 19 --

24 Q. Let me rephrase the question. Do you know when the Papay
10:02:29 25 told Sam Bockarie that the ammunition had been brought to Burkina
26 Faso? When did it happen in terms of the course of your trip?

27 A. It was only after we had reached in Monrovia. That was
28 when I knew about that, that everything --

29 Q. How did you learn about that?

1 A. It was Mosquito who directly told me.

2 JUDGE SEBUTINDE: Mr Santora, the witness was about to tell
3 us which year this December was and he didn't finish.

4 MR SANTORA: I apologise:

10:03:05 5 Q. Again just to - clarify the time frame again?

6 A. 1998.

7 Q. Now go ahead and I won't intervene. Just go ahead and
8 sequentially say what happened. So you arrived in Monrovia and
9 what happened then? Where specifically did you arrive to?

10:03:37 10 A. When we got to Monrovia I was at Benjamin's place
11 throughout the trip waiting for Mosquito. I waited on him in
12 Monrovia and he went and returned. I was in Monrovia at
13 Benjamin's house using Base 1 to collect information from the
14 front lines, because I was coordinating with the front line all
10:04:10 15 of the times, and Mosquito used to call on the phone, on the
16 telephone line, to get information from me directly pertaining to
17 what was going on at the front line and that was the reason why
18 Mosquito travelled with me to go to Monrovia; so he would be
19 getting information.

10:04:39 20 Q. Where was Mosquito calling you on the phone from, do you
21 know?

22 A. From --

23 MR MUNYARD: I may be wrong but I'm not sure that he said
24 Mosquito was calling him. He said Mosquito used to call on the
10:04:55 25 phone, on the telephone line. Yes, he did say to get information
26 from me. I'm sorry, I've missed it.

27 MR SANTORA: It's okay:

28 Q. Do you know where Mosquito was calling you from?

29 A. Yes. Mosquito was calling me from Burkina Faso.

1 Q. And how do you know that?

2 A. He told me. When he arrived, that is Mosquito, he called
3 on the telephone and he spoke with Sunlight and Sunlight called
4 me and I spoke to him directly. He said he had reached his
10:05:40 5 destination. And even before he left he had told me that they
6 were going to Burkina.

7 Q. Now, I just want to clarify again what exactly - how did it
8 happen that the course changed?

9 A. Well, that one is for those in the higher echelons because
10:06:04 10 I don't know exactly why the course was diverted.

11 Q. So when you first arrived in Monrovia where did Sam
12 Bockarie go, when you first arrived?

13 A. When we arrived in Monrovia I was at Benjamin's and Sam
14 Bockarie and Benjamin used to go out. They would go out for the
10:06:32 15 whole day and sometimes when he would return he would tell me
16 that they met with Papay briefly and sometimes - when we were in
17 Monrovia even before he would go out he will not come back to
18 Benjamin for the whole day at times, except the following
19 morning, because we spent up to 72 hours in Monrovia before Sam
10:07:01 20 Bockarie took off for Ouagadougou.

21 Q. When you say we spent up to 72 hours, who spent up to 72
22 hours in Monrovia before taking off to Ouagadougou?

23 A. Myself, Rashid - myself, Rashid, Shabado and some of
24 Mosquito's bodyguards with whom he travelled.

10:07:36 25 Q. Who specifically actually went on the trip with Sam
26 Bockarie, do you know?

27 A. Well, from the RUF side I recall late Pa Rogers and Eddie
28 Kanneh. They were the ones who travelled with Sam Bockarie.

29 JUDGE SEBUTINDE: Is that to Ouagadougou or to Monrovia

1 initially? Travelled to where?

2 MR SANTORA:

3 Q. I'm asking you about the trip that Sam Bockarie took to
4 Ouagadougou. Is that what you're referring to - well, go ahead
10:08:19 5 and say the people that you know travelled to Ouagadougou.

6 A. The people who went with Sam Bockarie to Ouagadougou were
7 the late SYB Rogers and Eddie Kanneh.

8 Q. And anyone else?

9 A. Those are the two I know of from the RUF. If any other
10:08:37 10 person was there I don't know about that person.

11 Q. And how long were they gone for?

12 A. They spent up to a week. They spent up to a week in
13 Ouagadougou.

14 Q. And during that week where did you stay?

10:08:59 15 A. I stayed in Monrovia at Benjamin Yeaten's house.

16 Q. And you said that you were receiving calls on the phone
17 from Sam Bockarie during the course while he was on this trip to
18 Ouagadougou. How often was that happening?

19 A. He called me about three times from Ouagadougou. About
10:09:24 20 three times.

21 Q. And were there any other discussions aside from what you've
22 already said about reporting the situation?

23 A. Well, during his stay in Ouagadougou, is that what you
24 mean? During his stay in Ouagadougou most of the discussions we
10:09:52 25 had was for me to give him updates from the front lines. If
26 there was any problem I should tell him where there was that
27 problem or where there was no problem. That was the topic of
28 discussion.

29 Q. How were you getting information to send to Sam Bockarie

1 about the front lines at this time?

2 A. I communicated on the RUF radio net every day. Every day I
3 communicated on the RUF radio net. I followed the various
4 activities in the front lines.

10:10:37 5 Q. Now, you said they were gone approximately a week. What
6 happened when they returned? Describe what happened.

7 A. Well I stayed at Benjamin's house right up to the time
8 Mosquito and others returned and, when they returned, he returned
9 at night. On that very night I did not see him and the following
10:11:16 10 day he came to Benjamin's house in the evening. He was sitting
11 in the studio for a short time, that is at Base 1, to get
12 information from me, and he called Issa and the two of them spoke
13 and Mosquito gave me instruction to send a message to the front
14 line to some of the commanders to come and meet him in Buedu - to
10:11:52 15 come and meet him, Mosquito, in Buedu. From there, that very
16 evening we took off together with Mosquito. All of us who had
17 come with Mosquito took off again to go back to Buedu.

18 Q. Okay, before you go on, before you actually left, when the
19 group returned from Ouagadougou who was in the group, do you
10:12:25 20 recall?

21 A. Well at Benjamin's house, where they met me, Mosquito was
22 in a group with Benjamin, Eddie, General Ibrahim.

23 Q. Who is General Ibrahim?

24 A. General Ibrahim, I knew him to be a Gambian who used to
10:13:12 25 help Foday Sankoh coordinate the RUF affairs outside of Sierra
26 Leone since 1996 during the Abidjan accord - even before the
27 Abidjan accord.

28 Q. Do you know why he was present at this particular moment
29 when the group returned from Ouagadougou?

1 A. Well General Ibrahim, because he used to talk to Mosquito
2 before that time on the radio - I mean on the sat phone. General
3 Ibrahim and Mosquito used to talk on the sat phone and most times
4 General Ibrahim coordinated things for the RUF in other areas,
10:14:17 5 sometimes with Charles Taylor, sometimes in Burkina, sometimes in
6 Libya. He was the one who made those trips on behalf of the RUF,
7 most of the trips that he made.

8 Q. When this group returned, when Sam Bockarie returned with
9 Eddie and Pa Rogers, you said that night when Sam Bockarie
10:14:47 10 initially returned you didn't see him until the next day. Is
11 that correct?

12 A. Yes.

13 PRESIDING JUDGE: Mr Santora, did the witness actually say
14 that Pa Rogers returned? I know he said he went but, if you look
10:15:01 15 at the names given at line 15 of page 19, I don't see Pa Rogers
16 in it.

17 MR SANTORA: Again we're on a different font, but I take
18 your representation and I'll clarify it.

19 THE WITNESS: Yes.

10:15:15 20 MR SANTORA:

21 Q. When Sam Bockarie returned with the group and you said you
22 didn't see him that night, but you didn't see him until the next
23 day. Is that correct?

24 A. Yes.

10:15:30 25 Q. Then you said you left Monrovia. Did you leave that same
26 day?

27 A. Yes.

28 Q. After Sam Bockarie arrived at where you were staying and
29 you spoke with him, do you know if he did anything else before

1 Leaving?

2 A. Well, I don't recall any other thing that he did. It was
3 just that when he was at the radio station, that is Base 1, in a
4 casual discussion with Benjamin and Eddie Kanneh, at that time Pa
10:16:12 5 Rogers was not with them. The time that I'm referring to now,
6 this incident in the radio room, Pa Rogers was not with them when
7 they went to Benjamin's place. They were discussing the material
8 - the ammunition - that Mosquito had brought and that the first
9 target to hit was to be Kono and Tongo. Those two were to be the
10:16:43 10 priority, to hit Tongo and Kono.

11 Q. Who was having this discussion?

12 A. Sam Bockarie, Benjamin Yeaten and Eddie Kanneh. The three
13 of them, those I can recall now. The three of them.

14 Q. How do you know that?

10:17:07 15 A. I was - they were sitting in the radio room discussing and
16 I was sitting there close by. I was sitting together with them
17 in the radio room.

18 Q. And where was SYB Rogers, just to be clear, do you know?

19 A. I only saw SYB Rogers at the time we were ready to go back.

10:17:37 20 Q. I want you to now describe the part - sorry, you were going
21 to say something.

22 A. I did not know where he was at the time Mosquito and others
23 got to the office - I mean the house of BY, Benjamin Yeaten. I
24 only saw SYB Rogers at the time we were about to move.

10:18:01 25 Q. Now I want you to describe the departure when you left,
26 okay? Where did you exactly leave from?

27 A. We took off from Benjamin Yeaten's - from Benjamin's house.
28 It was late in the evening, around 7.30 to 8 in the evening, with
29 four vehicles - sorry, two jeeps. On the way from Monrovia we

1 saw two trucks, two big trucks, that is at the outskirts of
2 Monrovia, that was loaded with ammunition of different types and
3 all of us --

10:19:00 4 Q. Before you continue, who was present with you when you left
5 Benjamin Yeaten's house in the two vehicles?

6 A. When we were moving I was there, Sam was there, Rashid was
7 there, Zigzag Marzah was there, Jungle was there and some of Sam
8 Bockarie's securities, all of us who had come with Sam. Like for
9 the securities, we met them on the way with the ammunition. They
10:19:33 10 were ahead.

11 Q. Who was ahead? Who did you meet on the way?

12 A. We met Sam Bockarie's securities, together with Jungle, on
13 the way. That is on the outskirts of Monrovia to go out of
14 Monrovia. That was where we met me.

10:19:55 15 Q. You also made a reference to Zigzag Marzah. Did you meet
16 him, or did he leave with you from Benjamin Yeaten's house?
17 Which one?

18 A. Zigzag was not with us at Benjamin's house, but it was all
19 of us that moved together where they were waiting for us with the
10:20:19 20 ammunition and so we moved together. Zigzag, Jungle and others
21 were with the ammunition and Sam Bockarie's securities, those of
22 whom he had travelled with.

23 Q. Just so we don't lose track, where was Pa Rogers at this
24 time?

10:20:37 25 A. Pa Rogers met us at Benjamin's house before all of us took
26 off. He met us at Benjamin's house before all of us could take
27 off.

28 Q. And you said you met these two trucks on the outskirts of
29 Monrovia. Can you be a little bit more specific? Do you know

1 where more specifically?

2 A. Well, I did not see where they were. I just saw them
3 and --

10:21:22

4 THE INTERPRETER: Your Honours, can the witness repeat
5 this.

6 PRESIDING JUDGE: Mr Witness, the interpreter is not able
7 to keep up with you. Please speak slowly and just pick up where
8 you said, "I saw them". Continue from there.

10:21:47

9 THE WITNESS: Myself, Sam Bockarie and others met the
10 trucks while we were going on the road. That is at the outskirts
11 of Monrovia towards Kakata. Then while we were going, while we
12 were in the vehicle, Sam and others were discussing, and even
13 before that at the time we were moving that was the time Sam
14 Bockarie told me that the trucks were loaded at RIA. That is
15 before we took off from Benjamin's house. I asked him, I said,
16 "Master, where is the material that you went for?", and he said,
17 "They are on the way. They were loaded from the airport". That
18 was what he explained to me, that the trucks were loaded at the
19 Roberts International Airfield, and we continued our journey.

10:22:47

20 MR SANTORA:

21 Q. Now you said you met them with these two trucks, so is it
22 correct that you had four vehicles total? Is that correct? Two
23 vehicles that you left with and then two trucks?

24 A. Yes.

10:23:02

25 Q. Now you went then - where did you go after you met up with
26 the trucks?

27 A. It was in Buedu. We went to Buedu directly.

28 Q. Did Sam Bockarie discuss anything else? Well, first of all
29 where exactly were you within this convoy? Who were you with?

1 PRESIDING JUDGE: Have we actually determined that they
2 went in convoy? For all I know, their jeep could have passed the
3 trucks.

4 MR SANTORA: Okay:

10:23:33 5 Q. How did you proceed from - from the moment when you met up
6 with the trucks, how did you proceed to Buedu?

7 A. I have said it. I said all of us went together. We went
8 in a convoy. All of us went together.

9 Q. Where were you within this convoy?

10:23:51 10 A. Initially from the house at Benjamin Yeaten's I was in the
11 same vehicle as Sam Bockarie, but when we got to where the trucks
12 were I transferred into one of the other vehicles and Zigzag
13 Marzah transferred to Sam Bockarie and they were all in the same
14 vehicle and we continued the journey.

10:24:26 15 Q. Now during the course of your journey from Benjamin
16 Yeaten's house to meet the trucks, did Sam Bockarie discuss
17 anything else?

18 A. You know, I cannot remember everything that we discussed,
19 but one important thing that we discussed in the vehicle was
10:24:50 20 about the ammunition that he had gone for that all of us were
21 expecting. That is what I asked him about. I said, "Master" -
22 that is Mosquito. That was another name that we referred to him
23 casually, "Master". And he told me - he, Mosquito, told me -
24 that the ammunition was on the way. They had loaded them at the
10:25:12 25 Roberts International Airport.

26 Q. Okay. Now, what happened when you arrived back in Buedu?

27 A. When we arrived in Buedu, the commanders that Mosquito had
28 sent a message for we arrived together with some of them almost
29 at the same time. Issa came - no, Issa came after Mosquito had

1 arrived. CO Isaac came, Eagle came and Saddam came. He called
2 the various commanders from the various front lines; that is
3 Mosquito called the commanders. And the ammunition we went with,
4 he distributed them amongst them. He sent some towards Njama
10:26:24 5 area, that is towards Joru. Joru is a road leading towards
6 Kenema, Zimmi and when you get to Joru that is the Njama area
7 there. We had a target there. And the other one is he sent some
8 to Eagle and others in their defensive area. He sent some
9 towards Tongo, that is to attack Tongo, and the heaviest portion
10:26:46 10 was sent to Kono and the Tongo area. Issa was the one who came
11 to receive the materials for Tongo and Kono. And he and Issa
12 together with Akim and others, because Akim and others came with
13 Issa in that meeting, Akim Turay, he was an SLA, they were the
14 ones who strategised that attack. I cannot recall now everybody
10:27:18 15 who was there, but there were other commanders.

16 Q. When you say Issa and Akim strategised, what do you mean?

17 A. It was not only Issa and Akim. It was Issa, Akim, the
18 other commanders who had come with them and Mosquito, as to how
19 they were to carry out the attack on Kono and Tongo without
10:27:39 20 delay. As to how the attacks on Kono and Tongo were to be
21 carried out without delay, and how they should do it to be
22 successful, and that was the strategy that he invited them for to
23 discuss.

24 Q. Where did this discussion occur, do you know?

10:28:05 25 A. I was not with them during the discussions.

26 Q. So how do you know what they discussed?

27 A. Well, when we arrived - before ever we went even I had sent
28 a message to them for a short briefing. When we arrived, the
29 following morning Mosquito was still sending a message. When I

1 went to the radio room I met a message - I saw a message in the
2 book that the other people should hasten up to come for the
3 meeting.

4 Q. You have already described various radio locations in

10:28:38 5 Buedu. Which particular radio room are you referring to here?

6 When you say when you went to the radio room "I saw a message in
7 the book".

8 A. Call sign Bravo Zulu 4. That is Mosquito's radio station.

9 The one opposite Mosquito.

10:29:06 10 Q. So what happened then?

11 A. All the commanders left, the commanders left for their
12 respective areas and from there - you know, because we went with
13 ammunitions and morale booster, like alcohol, you know, morale
14 booster like a lot of alcohol and rice, fuel, and some other

10:29:38 15 necessary stuff, condiments, let me say. Condiments, yeah. All
16 the commanders left for their respective areas of responsibility.

17 Q. Where did these morale boosters come from, do you know?

18 A. The morale boosters were in the vehicles that we went with.

19 Like the jeep in which I was had a lot of alcohol in it, and when

10:30:19 20 we arrived in Buedu Mosquito sent to buy a lot of marijuana and

21 alcoholic drinks called cane juice; locally distilled alcoholic

22 drink. We called it Omolay. And he bought marijuana and

23 cigarettes and some English alcohol that he brought from

24 Monrovia. Those were for the commanders and he distributed it

10:30:56 25 amongst them and all of them left for their respective areas of

26 responsibility.

27 Q. After they left what happened?

28 A. When the commanders left for their respective areas of

29 responsibility Issa organised his men to launch an immediate

1 attack on Kono and some people, like Akim and others, they went
2 towards Tongo. CO Isaac was around the Njama area and there was
3 a kind of general attack I should say in all the front lines in
4 the Kono and Kenema districts. There was an all-out attack.

10:31:56 5 Q. So when this all-out attack started where you were?

6 A. I was in Buedu.

7 Q. Okay. And just to put a time - if you can approximate a
8 time frame as to when this general attack started. Approximately
9 a month and year.

10:32:22 10 A. It was in December. The all-out attack was in December.

11 Roughly, I can say it was around the 15th to the 20th. Sometimes
12 around that actually, that those attacks commenced. It was
13 around 15 to 20 December that those attacks commenced, in 1998.

14 Q. Now after this general attack started did anything else
10:33:17 15 happen in Buedu that you recall around this time?

16 A. Yes. When the general attack started Mosquito was in
17 constant contact with Five-Zero on a daily basis and he was
18 monitoring the front lines to know what was going on and it was
19 that attack that led to the capture of Kono and our men were able
10:33:56 20 to capture Kono up to Makeni when Gullit and others had already
21 gone ahead towards Waterloo area, and it was that attack which
22 went on up to the time for the 6 January when we entered
23 Freetown.

24 Q. Okay. Before 6 January you mentioned Sam Bockarie was in
10:34:25 25 contact with 50. Is that right?

26 A. Yes.

27 Q. Actually, in fairness, you said Five-Zero.

28 A. Yes.

29 Q. Just to be clear, who are you referring to?

1 A. That is Benjamin Yeaten. That was one of his code names.

2 Q. Okay. Describe what you mean when you say constant contact
3 with Five-Zero. What exactly are you talking about? And this is
4 the period that I'm referring to here is after the meeting with
10:35:00 5 the commanders but before the 6 January attack?

6 A. By that I mean that after the fall of Kono Mosquito
7 contacted Benjamin and he informed him about the capture of Kono.
8 I recall that I was in fact the first person who received the
9 message after Kono had fallen to us, and when I went and gave him
10:35:34 10 the message he himself realised that Kono had actually fallen to
11 us, because the fighting in Kono lasted for about two days before
12 Kono fell to us. And after the fall of Kono to us I received a
13 message from Issa and I gave it to Mosquito and Issa told us that
14 Kono was under perfect control and he said in fact the RUF

10:35:57 15 fighters were now proceeding towards Tongo and he said some other
16 fighters like Bai Bureh and others, Bai Bureh, Morris Kallon and
17 others, they were now heading towards the Masingbi area and he
18 said from Kono --

19 PRESIDING JUDGE: Mr Witness, you're going too fast again.
10:36:17 20 Slowly. There's a lot of names that have to be recorded.
21 Continue please, picking up from when you were saying they were
22 heading towards the Masingbi area. And incidentally, you have
23 moved off from the original question and I mentioned this to you
24 yesterday and the day before.

10:36:39 25 MR SANTORA:

26 Q. I'm just asking you about - I'm asking you what was going
27 on. I just asked you about the contact between Sam Bockarie and
28 Benjamin - and 50.

29 A. Well, the content of the message that I received and I took

1 to Mosquito, that caused him to call Benjamin at once, was what I
2 was trying to explain. After the larger part of the Kono
3 District has fallen to us I received this message directly and I
4 gave it to Mosquito and I was there when he decided to call
10:37:17 5 Benjamin. I was standing by him when Mosquito said that he was
6 going to contact Benjamin Yeaten at once and inform him and,
7 indeed, I stood by him when he contacted Benjamin Yeaten on the
8 sat phone and he informed him that Kono was now under our perfect
9 control.

10:37:41 10 Q. Okay. Now you said before, I'm sorry, Madam President, one
11 moment. You said before constant contact and you've only
12 described one message. When you say constant contact, what do
13 you mean?

14 A. That is to say that Benjamin too used to call Mosquito most
10:38:14 15 often and most often it was in fact Benjamin who used to call
16 Mosquito to ask him about the updates from the front line, to ask
17 about how the mission was going on. Sometimes, I can say at
18 least if I spent up to three to four hours with Mosquito on a
19 daily basis, Mosquito must receive a message from Benjamin. And
10:38:42 20 at the time the Kono attack was going on I can say almost
21 Mosquito and - we and Mosquito spent almost the rest of the day
22 together because he did not allow himself far off from the radio
23 at all.

24 Q. Now, between the time you returned back from Monrovia from
10:39:04 25 this last trip up until the 6 January invasion of Freetown, did
26 Sam Bockarie receive any visitors?

27 A. Yes, yes. When we arrived from Monrovia, and even before
28 Issa and others went to their respective front lines, there was
29 one particular night and on that night, around 10 to 11, I had

1 just come from the monitoring station and when I - Tiger by then
2 had just received a message from the front line and he was about
3 to take that message to Mosquito. And we were there when we saw
4 two vehicles enter and when those vehicles entered the vehicle -
10:40:19 5 the vehicle stopped and when the people alighted, the people who
6 were in the vehicle, they went straight to Mosquito. And by
7 then, when I came to give that message to Mosquito, I met
8 Five-Zero sitting together with Mosquito behind Mosquito's house.
9 They were sitting there and they were discussing. And when I got
10:40:38 10 there I gave Mosquito the message and after reading the message
11 he said okay. He said he will attend to the message later. And
12 I heard him and Five-Zero discussing. They were discussing
13 behind the house and I saw that Mosquito and Five-Zero again took
14 a stroll to the front door and they were taking a stroll towards
10:41:03 15 the Dawa Road, he and Five-Zero, and they were discussing when
16 they went along the Dawa Road. And then the vehicles that were
17 brought by Five-Zero followed them along the line and I saw one
18 of Mosquito's bodyguard reverse and came back to ask that the
19 vehicles follow them.

10:41:27 20 PRESIDING JUDGE: Mr Witness, many times have I reminded
21 you this morning and yesterday. Speak slowly and stick to the
22 question asked. Now speak slowly and, as I said before, pause at
23 the end of each sentence. Do you understand?

24 THE WITNESS: Yes.

10:41:49 25 JUDGE SEBUTINDE: Mr Witness, if you see us here trying to
26 signal you to go slowly, when we do this it means slow down. We
27 don't wish to interrupt but we are asking you to slow down, but
28 you keep ignoring us completely.

29 PRESIDING JUDGE: Please proceed, Mr Santora.

1 MR SANTORA:

2 Q. Now, I will just - again I'm going to also remind you,
3 Mr Witness, to try to - actually, if you speak slower, the
4 quicker this whole thing will go so we don't have to go back. So
10:42:21 5 if you can try and remember that the translators are trying to
6 keep up with you, okay?

7 A. Okay, okay.

8 Q. Now you said - you were describing an incident when you saw
9 50 sitting --

10:42:44 10 MR MUNYARD: Five-Zero.

11 MR SANTORA: Yes, I am sorry:

12 Q. You saw Five-Zero sitting together with Mosquito behind
13 Mosquito's house. First of all, who do you mean by Five-Zero?

14 A. It's Benjamin Yeaten.

10:42:59 15 Q. And where exactly were they sitting?

16 A. They were sitting in Mosquito's back yard.

17 Q. And who else was present, if anyone?

18 A. During that trip --

19 Q. Listen to the question. I'm talking about when you were
10:43:29 20 there when you saw Benjamin Yeaten and Sam Bockarie sitting at
21 Sam Bockarie's house, who else - actually sitting in the back
22 yard. Who else was present?

23 A. I saw some Liberian SSS. I saw some people who were in
24 Liberian SSS uniform.

10:44:01 25 Q. When you say "SSS uniform", can you describe what these
26 uniforms looked like?

27 A. It was a blue combat.

28 Q. Now, you were describing that you saw them. What were you
29 doing there?

1 A. I went there to give a message to Sam Bockarie.

2 Q. How long did you remain there for?

3 A. I did not remain there for a long time. Just when I gave
4 him the message he told me, he said, "Okay, I will attend to this
10:44:51 5 message later", and then I went back to the station.

6 Q. Okay. And then you were talking, before you stopped, about
7 seeing Benjamin Yeaten walking. Is that correct?

8 A. Yes, they were walking.

9 Q. Where were you when this was happening?

10:45:18 10 A. I was sitting on the veranda where the station was. I can
11 easily describe the scenario. For instance, here is Mosquito's
12 house across there and we are sitting here in the veranda and
13 when the two of them came outside I saw them taking a stroll
14 towards the Dawa Road. That is the same route that Benjamin and
10:45:47 15 others had used to enter. That is the road going towards the
16 Liberian side. I saw the two of them, they stood there for a
17 long time and they were discussing, and then I saw one of
18 Mosquito's bodyguards reverse. He came back to ask the vehicles
19 that Five-Zero had brought to drive and meet them down there.

10:46:08 20 Q. What happened then?

21 A. From there, Five-Zero returned to Monrovia - returned to
22 Liberia, let me put it that way.

23 Q. Okay. Now, before you were describing that a general
24 attack started at some point. Was this meeting, or this visit by
10:46:40 25 Benjamin Yeaten that you've described, was this before or after
26 that general attack started?

27 A. The meeting took place before the attack on Kono.

28 Q. Now, do you have any information as to what this meeting
29 was about?

1 A. No, I did not get details of the meeting.

2 Q. Aside from yourself, do you know anyone else that knew
3 about this visit?

4 A. Yes. Other operators knew, like Operator Tiger he was
10:47:29 5 there, and we were there and another operator from Mike November
6 5 called Agama, he too met us there, and then Sam's bodyguards
7 were around. By then the ground was not overcrowded; that is Sam
8 Bockarie's ground, it was not overcrowded. Most people who were
9 around were his bodyguards. Just his bodyguards, they were
10:47:52 10 around. It was at night, so whether there were some other people
11 around I wouldn't have recognised everybody who was around when
12 that said visit took place.

13 Q. And just one final point, about how long was this visit for
14 in terms of time?

10:48:22 15 A. From the moment Benjamin entered up to the time he left, it
16 was about an hour. He did not spend a long time actually. He
17 spent about an hour in Buedu.

18 Q. Now just to be clear, because you've mentioned an
19 individual and you may have already said it and I apologise if
10:48:46 20 it's repeated. You said this individual Tiger. Who is that
21 individual again? Do you know his real name, or her real name?

22 A. It was a radio operator, but I have forgotten the real
23 name. But mostly we used to call the person operator Tiger.
24 That was a code name - a nickname. I have forgotten the real
10:49:11 25 name.

26 Q. Were they male or --

27 A. And then Agama too was a radio operator.

28 Q. And were they male, or female?

29 A. They were male.

1 JUDGE SEBUTINDE: Mr Santora, the expression "Mike November
2 5" I don't think we've heard before, have we?

3 MR SANTORA: We did, although I don't remember the
4 particular context we heard it in. I'm just checking where it
10:49:42 5 came up recently. If you have a reference, I can just clarify.

6 PRESIDING JUDGE: It was referred to yesterday as one of
7 the radio stations.

8 MR SANTORA: Right. I'm just looking for it now. If you
9 want me to clarify the context, I will. Okay, I'll continue:

10:50:08 10 Q. Now, you've made a few references already to an event
11 called the 6 January invasion of Freetown. Do you recall making
12 those references?

13 A. Please say that again.

14 Q. Let me just make it simpler. You've already referred to
10:50:29 15 the 6 January 1999 invasion of Freetown. Where were you
16 specifically on 6 January 1999?

17 A. I was in Buedu.

18 Q. And on that day what were you doing?

19 A. On 6 January 1999, on that particular day I was monitoring
10:51:04 20 constantly. I was doing constant monitoring, Atatti and I,
21 because by then Gbamayaji was not well. At any time Atatti
22 received a message, I would bring the messages from the
23 monitoring station to the transmitting station. When Atatti
24 received messages, I would bring them to the transmitting station
10:51:31 25 to inform the front line commanders about whatsoever thing that
26 we had monitored about their own areas of responsibilities.

27 Q. Okay, well you're referring to a transmitting station.
28 You've made reference to two transmitting stations in Buedu.
29 Which transmitting station are you referring to?

1 A. Mosquito's transmitting station.

2 Q. And just to be clear, you yourself were taking messages
3 from the monitoring station to the transmitting station. Is that
4 correct?

10:52:11 5 A. Yes.

6 Q. And is this the same monitoring station you were referring
7 to earlier, the other day when you were testifying?

8 A. Yes.

9 Q. From your standpoint at the monitoring station and at the
10:52:27 10 transmitting station, describe some of the things that you heard
11 on this particular day, 6 January 1999?

12 A. On that day, 6 January 1999, we monitored so many messages
13 from the ECOMOG forces pertaining air mission requests and also
14 pertaining the advance of our men into the city and how the
10:53:14 15 ECOMOG was to send air raids to various areas within the RUF
16 liberated zones.

17 Q. Okay. Aside from ECOMOG transmissions, describe what else
18 you heard?

19 A. Do you mean on the radio?

10:53:36 20 Q. Yes, yes.

21 A. From the monitoring station, that was what the monitoring
22 station was purposefully there for. That was what we did, to
23 listen to ECOMOG communications, decode those communications and
24 take those decoded messages to the control station, or the
10:54:02 25 transmitting station, where they would send them directly to the
26 people concerned.

27 PRESIDING JUDGE: Mr Witness, listen to what the question
28 was. The question was aside from - apart from - the ECOMOG
29 transmissions what else did you hear?

1 THE WITNESS: Apart from the ECOMOG transmissions, I heard
2 from the transmitting station also about the capture of certain
3 parts of the city, Freetown.

4 MR SANTORA:

10:54:49 5 Q. Just let's stick to the transmitting station, because I
6 think that may make it simpler. What did you hear from the
7 transmitting station on that day, 6 January 1999?

8 A. I saw a message in the message logbook which said that our
9 men had captured the State House.

10:55:25 10 Q. Who are you referring to?

11 A. Our men who were in Freetown, the RUF/AFRC combatants who
12 entered Freetown, and it read that they had captured the State
13 House and certain parts of the city.

14 Q. Who was the message from specifically, do you know?

10:55:49 15 A. Yes, the message was from Gullit and he was Black Jar.
16 That was his code name.

17 Q. Who is Gullit?

18 A. Gullit was one of the bosses in the AFRC. He was one of
19 the bosses in the AFRC, and Gullit was one of the most senior
10:56:22 20 commanders and to be specific he was the one who led the troops
21 that entered Freetown.

22 Q. So who was at the transmitting station with you? Who else
23 was there on this day, 6 January?

24 A. I met all the operators - in fact almost all the operators
10:56:54 25 by then were in the transmitting station. Like Seibatu, Tiger,
26 Tourist. Almost all the operators were in the station on that
27 particular day.

28 Q. Now on that particular day what stations was the
29 transmitting station in Buedu in contact with?

1 A. The transmitting station in Buedu was in contact with the
2 various call signs within the RUF liberated zones. Like
3 Superman, Gullit, Issa, Rambo, Akim and others, Base 1 and so on.

10:57:51 4 Q. Now again I'm confining my question specifically to 6
5 January 1999. You said that the station you were at, the
6 transmitting station, was in contact with Gullit. Describe what
7 you mean by that?

8 A. By that I mean that Gullit was sending direct information
9 to Mosquito's station and Mosquito's station was asking to know
10:58:18 10 about the activities that were going on directly and to know the
11 areas that had been captured and Gullit also from his side was
12 trying to request for more materials and reinforcement from
13 Mosquito, for Mosquito to send more reinforcements and more
14 ammunition for them because he said they had just entered the
10:58:42 15 city and they need more manpower to consolidate the grounds that
16 they had captured and to even make further advances.

17 Q. Now how were these messages being sent? How were they
18 being sent?

19 A. The messages - well, the operators - Gullit had one of the
10:59:16 20 operators with him that I knew, like Elongima and King Perry, the
21 RUF radio operator, was there with him, Alfred Brown another RUF
22 radio operator was there, and some other SLA operators were there
23 with them in Freetown. So whenever Gullit sent a message the
24 operator would write it down and code it and they would send
10:59:37 25 that, and after sending it Mosquito's operators would receive
26 that decoded form and then they would hand that over to Mosquito.
27 So that was how the communications and the operations went on.
28 And seldom Mosquito spoke directly with Gullit on the air
29 regarding issues on the front line.

1 Q. What would Mosqui to speak directly with Gullit - I'm sorry,
2 go ahead. You had something to say.

3 PRESIDING JUDGE: Yes, Mr Witness, you've got your hand up.

4 THE WITNESS: I want to ease myself.

11:00:23 5 PRESIDING JUDGE: Please assist the witness. Mr Santora,
6 if you wish to have a seat.

7 [In the absence of the witness]

8 JUDGE SEBUTINDE: Mr Santora, there was a name of an
9 operator that the witness named. Something like Elongima. If
11:03:09 10 you could clarify that.

11 MR SANTORA: I have it noted right here to clarify that
12 name. There are actually two names that need to be clarified
13 also.

14 MR MUNYARD: Your Honour, I noticed that and I think the
11:03:21 15 correct name is Eluguma but we will no doubt get that from the
16 witness.

17 PRESIDING JUDGE: Thank you, Mr Munyard.

18 [In the presence of the witness]

19 PRESIDING JUDGE: Please proceed, Mr Santora.

11:04:12 20 MR SANTORA:

21 Q. Just before I continue I just want to clarify a few things,
22 Mr Witness. I want to make sure we are picked up correctly by
23 the transcribers. When you were describing, and I have a
24 LiveNote reference here, although it's actually not the same as
11:04:35 25 my LiveNote, but let me just ask the question. You were
26 describing that you monitored many messages from ECOMOG forces
27 pertaining to and did you say - what did you say? Pertaining to
28 some type of requests?

29 A. Air mission requests. That was for the Alpha Jets to go

1 around the RUF liberated zones to carry out bombings.

2 Q. What would happen after you would hear these requests?

3 A. Well, we who were in the monitoring station, when we
4 received - when we monitored such communications we would take
11:05:32 5 them directly to the monitoring station and the monitoring
6 station will send that information directly to where the mission
7 request was going for, or the reinforcement that the enemies were
8 asking for --

9 Q. Mr Witness, earlier you said the monitoring station doesn't
11:05:49 10 send messages, so what do you mean?

11 A. We would take the messages to the transmitting station,
12 that is what I'm trying to explain.

13 Q. And what would happen then after it was taken to the
14 transmitting station?

11:06:04 15 A. After taking it to the transmitting station, the
16 transmitting station was then responsible to making sure that
17 anything that had to do with the ECOMOG troop movement to any
18 location, they were there to ensure that such a message was
19 transmitted to that particular target station. So it was - if it
11:06:33 20 was an air mission request around Pendembu, or areas around that
21 vicinity, they will send that message to that area so that
22 everybody in that area would be red alert.

23 Q. Was there a name --

24 A. Then I want to complete in respect of that, the air mission
11:06:53 25 request. In that case what they did was, in any town where we
26 were each and every radio station had a bell around the radio
27 station. So at any time any station heard about Four-Four-Eight,
28 that is enemy aircraft was coming, or you got a message that the
29 Four-Four-Eight would have to come, the operator who was in the

1 station should go and ring that bell immediately to put everybody
2 - that is to say, the operator should ring that bell immediately
3 to put everybody on red alert in your location, so that was how
4 the messages travelled.

11:07:41 5 Q. Now just two names to clarify, Mr Witness. You made a
6 reference to somebody, a code name for Gullit. Say what you said
7 slowly. The code name for Gullit?

8 A. Black Jar.

9 Q. Can you spell the second word that you said?

11:08:09 10 A. J-A-R.

11 Q. Now you also mentioned somebody - a radio operator that was
12 in Freetown and you called out a name and I just want to make
13 sure it's - I am sorry, I just lost my reference.

14 MR MUNYARD: It's in a section that mentions Alfred Brown
11:08:40 15 and King Perry, if that helps my learned friend.

16 MR SANTORA: Thank you. It should help me:

17 Q. You also said another one of the operators and it says
18 Elongima but who did you say? Say the name slowly.

19 A. Elongima. Elongima. He was an SLA operator. And in Krio
11:09:15 20 that means "I no go lef pan am". That is what it means in Krio.
21 Elongima, "I no go lef pan am".

22 JUDGE SEBUTINDE: Mr Interpreter, why don't you tell us in
23 English. Why are you repeating the Krio meaning? What does it
24 mean in English, if you know?

11:09:41 25 THE INTERPRETER: He will react to whatsoever.

26 JUDGE SEBUTINDE: Please let us have the spelling.

27 MR SANTORA:

28 Q. Can you spell Elongima?

29 A. E-L-O-N-G-I-M-A. That is how I spell it.

1 Q. Now going back to the day of 6 January, you described - you
2 said that Sam Bockarie was in contact with Gullit. You said
3 first of all that he was in contact through radio operators and
4 then you said also directly, seldom directly. Now, speaking of 6
11:10:34 5 January specifically, let's start just with that day, do you
6 remember any of the other - any discussions that occurred between
7 them?

8 A. Do you mean between Sam Bockarie and Gullit?

9 Q. Yes. Let's start with them and then I'll move to the radio
11:11:00 10 operators of each, but just between them directly.

11 A. Okay. I monitored just one dialogue on that day between
12 Gullit and Sam Bockarie, because by then I was juggling between
13 the monitoring and the transmission station because any time I
14 got a message when I went to the transmission station I will read
11:11:35 15 the logbook and see the messages. But there was a dialogue that
16 took place between Mosquito and Gullit when Mosquito was telling
17 Gullit to try to coordinate with Rambo and General Issa
18 concerning manpower, concerning reinforcement, so that Rambo will
19 move faster and meet them in Freetown. That was the portion of
11:12:05 20 the discussion that I met them on.

21 Q. Now, you said earlier that you were often listening to the
22 BBC during the course of the time you were in Buedu. Is that
23 correct?

24 A. Yes.

11:12:25 25 Q. Were you listening to the BBC on 6 January 1999?

26 A. Yes.

27 Q. Do you recall any of the programmes - any of the news you
28 heard from BBC on that day?

29 A. Yes, I recall when - I recall when one of the SLAs entered

1 State House and called the BBC and he said that we - and when I
2 say "we" I mean the RUF/AFRC. He said that, "We have entered
3 Freetown", and that we were in control of the State House and
4 that was just one amongst the others.

11:13:23 5 MR SANTORA: I'd ask now that what is the recording behind
6 tab 15 be played for the courtroom.

7 PRESIDING JUDGE: Madam Court Officer, could you implement
8 that please.

9 MR SANTORA: Just let me verify it to make sure I have the
11:13:44 10 right recording. Yes, it's tab 15 marked otherwise as - actually
11 it says "Track 2" here and it's marked as D0000517, running from
12 333 to 928.

13 PRESIDING JUDGE: Mr Santora, is this another of these CDs
14 that have got more than one piece of information or transmission
11:14:13 15 on them?

16 MR SANTORA: I believe in response - and I was going to
17 address this actually after the adjournment because of what
18 Justice Sebutinde said yesterday - with regard to the particular
19 recording yesterday we did isolate that pursuant to the Court's
11:14:27 20 instruction and I believe we have these all now isolated as
21 separate entities.

22 JUDGE SEBUTINDE: By way of foundation to what we're just
23 about to hear, I'm wondering that you've asked the witness what
24 he heard on the BBC. Are you now going to play a recording of
11:14:48 25 the BBC, or you haven't established whether he recorded what he
26 heard on the BBC?

27 MR SANTORA: I'm not seeking to establish if he recorded it
28 or not, because this is not from any collection of his --

29 JUDGE SEBUTINDE: So that confirms my question. What is

1 the foundation for us listening to this thing that you're about
2 to listen to?

3 MR SANTORA: The foundation is that he has already said
4 that he's listened to BBC repeatedly in the time that he was in
11:15:14 5 Buedu, he said that he listened to the BBC on 6 January on that
6 particular day and the foundation is that he's described some of
7 the contents he heard from that news programme on 6 January 1999.

8 JUDGE SEBUTINDE: So are we about to hear the news
9 programme?

11:15:30 10 MR SANTORA: Well, of course after hearing it I was going
11 to have the witness attest to what he's hearing and what it was
12 and what it is. I of course don't want to say what we're about
13 to hear.

14 PRESIDING JUDGE: Please pause, Mr Santora. Mr Munyard?

11:15:40 15 MR MUNYARD: That is exactly what I was waiting for. This
16 could not be a better example of a leading question in the form
17 of putting a broadcast to a witness and then saying, "Is that
18 what you heard?", instead of establishing from the witness what
19 he says he heard.

11:15:57 20 MR SANTORA: This is a very good example. The very last
21 witness I had this incident occur on, which was TF1-275, it was
22 the Defence's position that the Prosecution had to establish
23 before anything was put to the witness his memory as to what he
24 heard and when and then it was put to the witness. I followed
11:16:21 25 the exact same procedure that was used through TF1-275,
26 establishing that foundation.

27 Now the alternative, which Defence objected to last time at
28 TF1-275, would have been to not lay any foundation in this
29 particular incident, play the recording and then ask the witness

1 about the recording. The Defence cannot have it both ways in
2 this particular instance. They're asking for either to not have
3 any foundation laid, or to have a lot of foundation laid which
4 then they call leading.

11:16:54 5 JUDGE SEBUTINDE: Mr Santora, when the Defence plays for a
6 witness it is to test his credibility. When you play a tape for
7 the witness, you must lay foundation. You are giving evidence.
8 The aims and purposes are different.

9 MR SANTORA: No, I completely concur with that, Justice
11:17:19 10 Sebutinde, but in the Prosecution's submission we have laid more
11 than sufficient foundation at this point with this particular
12 public broadcast to play this to this witness.

13 PRESIDING JUDGE: Allow me to confer.

14 [Trial Chamber conferred]

11:18:34 15 MR MUNYARD: Your Honours, before you reach a final
16 decision may I raise - it is a point of law, a fundamental point
17 of law, and this fundamental point of law is that the burden of
18 proof lies on the Prosecution and therefore they have to take the
19 proper steps in the proper way to obtain this evidence from the
11:18:54 20 witness. The Defence are in a very different position when
21 cross-examining a witness.

22 Secondly, my learned friend says quite wrongly in this
23 instance that the Defence are trying to have it both ways. We're
24 not. There's a difference between putting a recording to a
11:19:10 25 witness in cross-examination and the Prosecution trying to prove
26 something, but the Prosecution in this Court - as I'm sure in all
27 courts throughout the world, domestic and international - is an
28 indivisible body. It is not right - and I will develop this on a
29 later occasion. It's not right for the Prosecution to try to

1 have it both ways, or rather to have it different ways in
2 different trials, and I'm putting down a marker there for future
3 argument as to the evidence that they're leading in this trial as
4 opposed to evidence on the same subject of a contradictory
11:19:51 5 nature.

6 But my first point is that the burden of proof is on them
7 and they therefore have to conduct this examination-in-chief in
8 the proper way and not in a leading way.

9 MR SANTORA: May I just briefly respond, please, since a
11:20:08 10 certain representation was made that was incorrect. The
11 Prosecution did not say that this was equivocating what is done
12 in direct examination to what is done in cross-examination. The
13 reference I was referring to was TF1-275 and it was on the direct
14 examination of that witness where Defence objected to

11:20:31 15 insufficient foundation being laid and made - and their
16 submission was that this type of foundation should be laid before
17 putting a broadcast to the witness. This is exactly the
18 procedure that was followed in this particular instance asking
19 the witness prior to anything being played to him about his
11:20:53 20 knowledge about broadcasts, about his knowledge about broadcasts
21 on this particular day and about the contents of those

22 broadcasts. And when I said Defence was seeking to have it both
23 ways I was referring to their objections within a direct
24 examination, not during the course of a cross-examination, and so
11:21:09 25 my learned colleague's submission about burden of proof I submit
26 is irrelevant. It's moot in this point.

27 JUDGE LUSSICK: Well, Mr Santora, I can't remember what was
28 said in the issue that arose in regard to witness 275. Why don't
29 we just deal with the circumstances of this witness? If you want

1 to go back to witness 275 you'll have to refer us to the
2 transcript and, in fact, we're going to lose a lot of time over
3 that. We're going to have to relitigate any arguments that were
4 put forward and resolved in relation to 275, none of which I can
11:21:47 5 remember, and so you'll pull the trial up if you want us to
6 relitigate that instance. Let's just stick to this witness.

7 Now, what do you say that you have adduced from this
8 witness that enables him to give relevant evidence about the tape
9 that you want to play to the Court?

11:22:18 10 MR SANTORA: The witness has testified that while he was in
11 Buedu from early 1998 to April 1999 he was listening to the BBC
12 and other public broadcasts on an almost daily basis. The
13 witness has also testified that on a particular day, 6 January
14 1999, he was listening to the BBC. Finally the witness has
11:22:36 15 testified to some of the content of those broadcasts that he had
16 heard on the BBC on that particular day, 6 January 1999.

17 JUDGE LUSSICK: And where is the evidence connecting that
18 evidence to what's on the tape?

19 MR SANTORA: Well, what is on the tape - in other words I'm
11:22:59 20 not going to testify from the Bench as to what is on the tape.
21 The contents of the tape will be established through this
22 witness.

23 JUDGE LUSSICK: Well, that's after he's heard it. I'd be
24 able to tell you what's on the tape after I've heard it.

11:23:14 25 MR SANTORA: But, your Honours, I'm not asking him to
26 testify to the content as to the truth or the veracity of this
27 particular broadcast. What this exhibit is being put through
28 this witness for is simply for him to - whether he recognises
29 this as what he heard on 6 January 1999. He either will or he

1 won't recognise it.

2 JUDGE LUSSICK: Well, that's exactly what Mr Munyard is
3 objecting to. You haven't adduced one word from this witness as
4 to what he did hear verbatim and how that's going to relate to
11:23:56 5 something that's on a tape.

6 JUDGE SEBUTINDE: To complement what Justice Lussick has
7 said - and I'm reading from the transcript of the answer of the
8 witness at page 45 and on my font it's line 7. He says, "Yes, I
9 recall when one of the SLAs entered State House and called the
11:24:19 10 BBC and he said we - when I say 'we' I mean the RUF/AFRC. He
11 said that 'We have entered Freetown' and that we are in control
12 of the State House and that was just one amongst others.

13 Now, that is all he's said. Now, when I look at behind tab
14 15 that you have referred us to there is transcripts of about no
11:24:46 15 less than four pages. I don't know how much of that you want to
16 play on the tape, but all that the witness has said is in one
17 sentence, "We have entered State House". Now you want to lead
18 him in relation to the rest of that statement, or is he able to
19 tell us a bit more of what he heard? You haven't asked him. He
11:25:09 20 said that was just one of amongst others. What others, before
21 you lead him by having him listen to the others? What others did
22 he hear, before you tell him?

23 MR SANTORA: Well, we are only seeking - I understand what
24 you're saying, Justice Sebutinde. It is just in terms of how
11:25:35 25 much further to go in terms of - earlier the objection was that
26 these questions by me eliciting this evidence the way I was
27 doing, the objection was that it was leading and so I'm at a loss
28 here --

29 PRESIDING JUDGE: No, it was playing the tape that would be

1 leading.

2 MR MUNYARD: Playing the tape before hearing what the
3 witness recalls. There's nothing wrong with the witness giving
4 his evidence and then the tape being played. That's the second
11:26:06 5 time this week that I've assisted the Prosecution in how to
6 conduct their case and it really is the last time.

7 MR SANTORA: Well, it's not about assisting in this
8 context. The comment is not appropriate.

9 PRESIDING JUDGE: Mr Santora, please do not enter into a
11:26:21 10 dispute in the well of the Court.

11 MR SANTORA: No, I'm sorry, I should address the Bench.
12 Your Honour, the question - I did ask the question as to
13 specifically what he remembers hearing. He mentions a particular
14 point of the content of this broadcast. It is the primary point
11:26:39 15 of the content that the Prosecution is seeking to admit.

16 Now, the broadcast for a lot of reasons should be kept as a
17 whole as one broadcast. We're not going to break up this one
18 broadcast, but the witness has already testified to the content
19 of this broadcast on this day.

11:27:01 20 JUDGE SEBUTINDE: In one sentence. And that confirms what
21 we're telling you, that he must lay more foundation by telling
22 the Court, before he hears the tape, what "amongst others" he
23 heard. What are those other things that he heard. He hasn't
24 said he doesn't remember; you just haven't asked him. Before you
11:27:21 25 make him listen to those others please elicit from him what
26 others he heard.

27 MR SANTORA: Well, just to clarify, it's only one broadcast
28 at this point. I see the time so it's perhaps going to have to
29 wait, but it's only one particular broadcast that we're asking to

1 be played. So I will ask about others at the appropriate moment
2 but --

3 JUDGE SEBUTINDE: Not other broadcasts, other things that
4 he heard in that broadcast.

11:27:53 5 MR SANTORA: Okay.

6 PRESIDING JUDGE: Mr Santora, let us short circuit this
7 dispute and lay more foundation.

8 MR SANTORA:

9 Q. Mr Witness, you talked about a broadcast that you heard on
10 6 January 1999. Can you recall as much as you can about that
11 broadcast?

12 A. To the best of my memory on that particular day there were
13 so many broadcasts that took place about the attack on Freetown
14 by the AFRC/RUF. And even though I wouldn't recall all, I don't
11:28:37 15 really know, but maybe the things that I will have to say here
16 you will have some on the transcript that you are talking about
17 now or maybe on some other players that you might have. But I
18 recall that one of the broadcasts by a journalist that I recall -
19 like I said, one of the AFRC men who broadcast that the AFRC/RUF
11:29:06 20 had taken over State House and the journalists were trying to ask
21 him whether we were using civilians as human shields to be able
22 to enter Freetown and whether we were burning houses and killing
23 people. I recall when the journalist asked him such questions.

24 I think those were some of the things that I listened to on
11:29:35 25 that particular day. Those are some of the things. I wouldn't
26 recall everything actually, but to the best of my memory those
27 are some of the things that I recall.

28 MR SANTORA: Obviously I can't request to have the tape
29 played at this point because of the time so --

1 PRESIDING JUDGE: Yes, we've been alerted that the tape is
2 just about to run out, Mr Santora.

3 Mr Witness, we are now going to take the mid-morning
4 adjournment for 30 minutes. We will be resuming court at 12
11:30:08 5 o'clock. Please adjourn court until 12.

6 [Break taken at 11.30 a.m.]

7 [Upon resuming at 12.00 p.m.]

8 PRESIDING JUDGE: Mr Santora.

9 MR SANTORA: Thank you, Madam President. I now request
12:00:59 10 that the recording behind tab 15 be played for the Court.

11 PRESIDING JUDGE: Please have the tape played, Madam Court
12 Officer.

13 [Audio clip played to the Court]

14 MR SANTORA:

12:07:28 15 Q. Mr Witness, do you recognise that broadcast?

16 A. Yes.

17 Q. Where were you when you heard that broadcast?

18 A. I was in Buedu.

19 Q. And do you recall the day that was broadcast?

12:07:49 20 A. It was on 6 January.

21 Q. And what year?

22 A. 1999.

23 Q. Now, where was Sam Bockarie, if you know, when this
24 broadcast was played?

12:08:06 25 A. Sam Bockarie was in Buedu.

26 Q. Do you know if he was in the vicinity to hear this
27 broadcast as well?

28 MR MUNYARD: Sorry, is my learned friend asking does he
29 know if he heard it? That's all that he is able to say because

1 he can't say whether or not - if the man was in the vicinity,
2 that doesn't necessarily mean that he did hear it.

3 MR SANTORA: I will rephrase.

4 Q. Do you know if Sam Bockarie heard the broadcast?

12:08:50 5 A. Yes.

6 Q. And what, if any, was his reaction?

7 A. When Sam heard the broadcast I did not see him in a bad
8 mood. The only thing I observed, you know, through the
9 discussion that they had together with Rashid and others, was

12:09:23 10 that, you know, he was just grumbling that maybe Gullit and
11 others would want to turn themselves into presidents in Freetown.
12 That was the nagging about. And on the same day it was then that
13 Sam Bockarie and Gullit spoke on the radio for Sam Bockarie to
14 reinforce Gullit and others with manpower and ammunition.

12:10:09 15 Q. Do you know if the communication between Sam Bockarie and
16 Gullit occurred before or after this broadcast?

17 A. Before this broadcast Gullit had already been sending
18 messages that Freetown had fallen and that they were at the State
19 House.

12:10:37 20 MR MUNYARD: Sorry, could we have a time for the broadcast
21 then because I am looking at the document in tab 15 and it has
22 06/01/99 then in brackets 24:13. Now I know 24:13 isn't
23 technically a 24-hour clock style, but I had assumed that 24:13
24 was a reference to a time. 24:13 would have to be in the early
12:11:09 25 hours of the morning, even though that would normally be 00:13.
26 I wonder if the Prosecution could help us, through the witness,
27 as to what time the broadcast was.

28 MR SANTORA: Just to assist my colleague, I don't think
29 24:13 is referring to a time. I think it's a duration.

1 MR MUNYARD: I am sure that's right, but we haven't had 24
2 minutes 13 seconds worth. That's why I wondered what it was
3 about. If we could just find out from the witness what time the
4 broadcast was, if he can now say.

12:11:44 5 MR SANTORA: Again I defer to you, Madam President. It can
6 be asked in cross-examination of course, or if Madam President is
7 inclined to have me ask it now.

8 PRESIDING JUDGE: In the light of the evidence about the
9 telephone conversations between Gullit and Sam Bockarie given by
10 the witness it may be helpful to know where they stand in
11 relation to this broadcast, so if we can determine when he heard
12 this.

13 MR SANTORA:

14 Q. This broadcast, Mr Witness, that you just heard from the
12:12:12 15 BBC, do you remember what time of the day that was, can you
16 recall? To the best of your ability can you recall?

17 A. Well, I can recall that after the conversation between
18 Gullit and Sam Bockarie it did not take up to two hours when this
19 broadcast was made.

12:12:41 20 Q. During the course of the broadcast the interviewee referred
21 to a combined force of the AFRC/RUF. Do you remember that?

22 A. Please say that again.

23 Q. During the course of the broadcast the person that was
24 being interviewed referred to a combined force of the AFRC/RUF.

12:13:05 25 Do you recall hearing that?

26 A. Yes, yes.

27 Q. What was Sam Bockarie's reaction to that, if any, when he
28 heard that on the broadcast?

29 A. Sam did not have any mixed feelings because he already had

1 information, he had information already at hand. Actually there
2 had been some minor problems that had been existing between us
3 and Gullit, that is RUF and the AFRC. That was Sam's concern.
4 That was the only time that he was grumbling. Even before they
12:13:43 5 entered Freetown and even when he received the message in the
6 morning, that was when Sam was saying that. He said maybe Gullit
7 and others would want to - maybe they would change this time
8 around to cooperate if at all they didn't go there to seize
9 power, they wouldn't want to be greedy and take power on their
12:14:07 10 own.

11 And Sam Bockarie assured Gullit that Rambo was very close
12 to him on his way to join him in the city and that Rambo was on
13 his way to join him in the city and at that time late Rambo and
14 others were around the Masiaka area, going towards Freetown.

12:14:38 15 Q. On that broadcast there was an individual named TAB Yaya,
16 former PLO-2. Do you know who that is?

17 A. No, I don't know him in person and I don't know much about
18 him.

19 Q. Now, there is a reference to Pademba Road prisoners. What
12:15:05 20 do you know about Pademba Road prisoners during the 6 January
21 invasion?

22 A. After Gullit and others had captured Freetown, it was the
23 following morning that he sent a message and it was King Perry
24 who transmitted the message that they had released many people
12:15:35 25 from the prisons and that they had released many of the political
26 detainees who were held prisoners, together with some other
27 people. But when they got to Pademba Road they could not see Pa
28 Sankoh, but that they were able to release some other people but
29 they did not see Pa Sankoh. The message was sent to Mosquito.

1 After Mosquito received the message he told Five-Zero, I
2 mean Benjamin, that the men had entered the city but they could
3 not see the Pa, I mean Pa Sankoh, and that they did not know
4 where Pa Sankoh had been taken to. Among the people who were
12:16:24 5 released were like the late ex-President Momoh, Victor Foh and
6 others among other renown Sierra Leone politicians who were in
7 the prisons.

8 And Mosquito informed Benjamin about the people who had
9 been released and he also informed him that they could not see Pa
12:17:00 10 Sankoh in the prisons and he requested for more ammunition so
11 that they will be able to defend the city. He was asking
12 Benjamin to send ammunition for us.

13 Q. Now, you said that Gullit sent a message through King Perry
14 to Sam Bockarie - sent to Mosquito - about the prisoners from
12:17:32 15 Pademba Road. Is that correct?

16 A. Through King Perry. I mean that King Perry was the one who
17 transmitted the message as a radio operator.

18 Q. Then you said that after Mosquito received the message he
19 told Five-Zero, meaning Benjamin, that the men had entered the
12:17:54 20 city but they couldn't see the Pa, meaning Pa Sankoh. About how
21 much time transpired between the time Bockarie received the
22 message from Gullit through King Perry to the time he contacted
23 Benjamin? How much time transpired between?

24 A. It was that very morning just when Sam Bockarie got the
12:18:20 25 message, because at that time, while the 6 January operation was
26 going on, we moved a bit from Sam Bockarie's house. We were no
27 longer seated at Sam Bockarie's house where we used to sit,
28 opposite that house. We went down towards Dawa Road. There was
29 a barri, an old barri, where we used to sit because of air raid

1 because there was frequently air raid by the Alpha Jet. The
2 Alpha Jet used to raid Buedu and other areas.

3 PRESIDING JUDGE: Mr Witness, did you listen to the
4 question? The question was about time.

12:19:08

5 MR SANTORA:

6 Q. Again I will ask you to further describe things as
7 necessary, but just this question here, I am just asking you the
8 time that passed - the time that elapsed from the moment Mosqui to
9 received the message from Gullit through King Perry to the time
10 he contacted Benjamin. You said, "It was that very morning just
11 when Sam Bockarie got the message because at that time" and then
12 you started talking about something else. How much time
13 transpired?

12:19:26

14 A. It was not up to one hour. It was not up to one hour.

12:19:48

15 Q. And how in this particular instance did Sam Bockarie make
16 contact with Benjamin?

17 A. It was through the sat phone.

18 Q. How do you know that?

12:20:10

19 A. All of us were sitting together in the barri where we
20 operated in the radio room.

21 Q. And you have described what he said - some of the things he
22 had said to Benjamin. How do you know some of the things that he
23 said?

12:20:29

24 A. He was sitting in the chair that was not far. If you can
25 allow me I can estimate the size of the barri. It's like from
26 where I am sitting here to the exit at the back of the
27 Prosecution lawyers. That was the size of the barri where he was
28 sitting. The sat phone was - the sat phone was at one edge, one
29 corner of the barri. And we were, that is the radio set was in

1 the other corner of the barri.

2 PRESIDING JUDGE: Counsel has seen the witness's
3 indication. Mr Munyard, have you seen the witness indicate from
4 where he is sitting to the door behind Mr Koumjian?

12:21:12 5 MR MUNYARD: I didn't, but I heard him say it so I am quite
6 happy with that.

7 MR SANTORA: If we can stipulate a distance, that's fine.
8 I just don't know if we have measured this before. I would be
9 happy to stipulate an estimate.

12:21:27 10 PRESIDING JUDGE: Mr Witness, can you estimate the distance
11 you have just referred to?

12 THE WITNESS: Estimate by what means? What do you mean? I
13 don't think I have any professional means to estimate that
14 besides the approximation that I have made, the visual example
15 that I have set.

12:21:45 16 MR SANTORA: It could either stand on the record or we
17 could ask for a stipulation of perhaps 20 metres.

18 PRESIDING JUDGE: I don't think so.

19 MR MUNYARD: Can I, who also has no sense of distance - can
12:22:06 20 I make a suggestion that at some point somebody probably from
21 Court staff using the tape measure just measures the distances
22 between the witness box and various points in the courtroom so
23 that we will have an accurate record for the future of what these
24 distances are and that will save - apart from anything else it
12:22:27 25 will save the Court staff wandering up and down with the tape
26 measure every time it is done. Then we can use it as a template
27 for the future.

28 PRESIDING JUDGE: We will implement that, Mr Munyard, but
29 in the meantime --

1 JUDGE LUSSICK: In the meantime, Mr Santora, for what it's
2 worth I would estimate the distance to be about ten metres, but I
3 would also point out that it's not very helpful evidence of how
4 big that barri was because theoretically it may be ten metres in
12:23:00 5 that direction and it might be 50 metres wide. We just don't
6 know, so really that particular distance from the witness to the
7 door doesn't tell us anything about the size of the barri. It
8 just tells us perhaps the width or the length of the barri.

9 MR SANTORA:

12:23:20 10 Q. Can you just describe the barri that you're referring to,
11 describe it in terms of the dimensions?

12 A. The barri is in a square form, almost the same length and
13 width. The length and the width are almost the same, like the
14 distance I gave to you.

12:23:43 15 JUDGE SEBUTINDE: If I understood the evidence properly,
16 the witness is estimating the distance between where he was
17 sitting at the radio --

18 THE WITNESS: I am sitting here.

19 JUDGE SEBUTINDE: -- and where the satellite phone was on
12:23:54 20 which Bockarie was speaking in order for us to understand how he
21 heard the conversation on the sat phone. That's what he is
22 trying to do, I think.

23 MR SANTORA:

24 Q. How far away were you from where Sam Bockarie was using the
12:24:11 25 satellite phone?

26 A. I was sitting near the radio and he was using the satellite
27 phone. Like after where the last chair is, at the back of the
28 last chair at the edge of this hall. Like where I am sitting
29 now, that is where I was and he was sitting on the other end like

1 at the back of the last chair at the end of this hall.

2 Q. You mean the empty chair at the back?

3 A. Yes, yes, the empty chair at the back. And how I knew also
4 was after he had spoken to Benjamin they spoke for some time.

12:25:01 5 After some time Benjamin came back to Mosquito and called him on
6 the sat phone and he gave him instructions to make sure that he
7 told Gullit and others to dispatch all those big names that he
8 had mentioned, to call for them to be with him in Buedu at the
9 headquarters, that they should not be at the front line. He said
12:25:29 10 that was the instructions from Mr Taylor. And Mosquito told the
11 operator in charge - that was one Mohamed Kabbah, I can recall,
12 and on that very day he was the one on duty and he sent the
13 message. I was there when Mohamed Kabbah encoded the message and
14 sent it to Gullit and others for them to send back those people
12:25:56 15 to the rear for safety.

16 Q. Mr Witness, before I go on - and this goes with
17 Mr Munyard's suggestion - that dimension will be - at some future
18 moment there will be given a distance to the dimension, but for
19 the record he pointed from his seat to the empty seat in the back
12:26:11 20 corner of the Prosecution side of the courtroom.

21 MR MUNYARD: Just to be completely accurate he said, "The
22 back of the chair at the rear of the courtroom".

23 MR SANTORA:

24 Q. Mr Witness, just to be - you said that - first of all, how
12:26:32 25 did you know he was speaking to Benjamin Yeaten? How did you
26 know Mosquito was speaking to Benjamin Yeaten?

27 A. After he called Benjamin and I was sitting at the other
28 extreme edge of the corner, he asked, "Is this Five-Zero?", and
29 he said, "Yes". He explained to him the development at the front

1 lines and when he was talking to him he used to respond, "Yes,
2 sir". When they were discussing, he would respond to him
3 directly, "Yes, sir. Okay, okay, I will do that". And when
4 Mosquito finished he told the operator directly that he had had
12:27:24 5 instructions from Benjamin from above, that is Charles Taylor
6 through Benjamin, that Benjamin had told him that the Pa had said
7 that they should make sure that those people who had been
8 released from Pademba Road should come to Buedu.

9 Q. Mr Witness, when you were giving your last answer you said
12:27:47 10 the following. You said, "After some time Benjamin came back to
11 Mosquito and called him on the sat phone and he gave him
12 instructions to make sure that he told Gullit and others to
13 dispatch all those big names that he had mentioned to call for
14 them to be with him in Buedu". I am going to take that down,
12:28:14 15 because you used a lot of words without calling out names there,
16 okay? First of all, starting with, "After some time Benjamin
17 came back to Mosquito and called him", meaning who?

18 A. And called Benjamin. It was Benjamin who came back on the
19 line, on the telephone line, and called Mosquito. Benjamin
12:28:40 20 called Mosquito back on the sat phone.

21 Q. Then you said, "He gave him instructions to make sure that
22 he told Gullit and others to dispatch all those big names that he
23 had mentioned". When you say, "He gave him instructions", who
24 are you talking about?

12:29:01 25 A. It was Benjamin who sent the instruction to Mosquito for
26 Mosquito to call for the people who had been released by Gullit
27 and others from the Pademba Road Prisons to send all of them to
28 Buedu, including ex-President Momoh.

29 Q. "He told Gullit and others to dispatch all those big names

1 that he had mentioned". What do you mean when you say "all those
2 big names"?

3 A. Yes, all the big names. You know, like there was one Steve
4 Bio among them. Steve Bio, Osho-Williams - Osho-Williams, Victor
12:29:59 5 Foh. You know, really I cannot recall all of the names now, all
6 of the names of the people who were released from Pademba that
7 were named, but there were about 20 prominent people in Sierra
8 Leone who were among the list.

9 Q. And then you said, "To call for them to be with him in
12:30:28 10 Buedu and that they should not be at the front line". Who are
11 you referring to when you say "to call for them"?

12 A. That is the detainees who Gullit and others had released
13 from Pademba.

14 Q. "To be with him in Buedu". Who do you mean "him"?

12:30:51 15 A. To be with Mosquito in Buedu.

16 Q. "That they should not be at the front line". Who is
17 "they"?

18 A. That the released detainees from Pademba Road should not be
19 at the front line.

12:31:10 20 Q. Then you said, "He said that was the instructions from
21 Mr Taylor". Who said that?

22 A. It was Mosquito who said that that was the instruction.

23 Q. Who did he say that to?

24 A. It was the operator to whom he was explaining. Mosquito
12:31:37 25 was now explaining to the operator about his conversation with
26 Mr Benjamin Yeaten.

27 Q. Now then you said that Mohamed Kabbah, who was the
28 operator, sent this message to Gullit. Is that correct?

29 A. Yes, yes.

1 Q. Now just in terms of timing here, what date is this that we
2 are referring to?

3 A. It was around 7 January, I'm sure. It's supposed to be
4 something like that, 7 January in the morning. That was after
12:32:20 5 the Freetown invasion, the following day.

6 Q. Now, do you know if this message was received?

7 A. Yes.

8 Q. How do you know that?

9 A. Gullit and others received the message and acted on the
12:32:41 10 message.

11 Q. Now, I'm going to ask you to just describe generally the
12 frequency of the communications between Sam Bockarie and Gullit
13 during the course of this Freetown operation?

14 A. I can say there was frequent communication at that time.
12:33:07 15 Frequent communication was there. There was a free flow of
16 communication.

17 Q. What do you mean by that? Describe what you mean by
18 frequent?

19 A. That it did not take up to an hour when one of the stations
12:33:24 20 in Freetown did not call to Buedu directly, or Mosquito's station
21 in Buedu did not call one of the stations in Freetown directly to
22 get an update from there. It was constant communication that
23 existed.

24 Q. And what was the content of those communications? What
12:33:45 25 were some of the things - besides the things you mentioned, what
26 did they talk about?

27 A. Well, you mean during the entire stay in Freetown? Okay,
28 then no problem. If it was in respect of the entire stay in
29 Freetown, Gullit sent those people - those politicians - to

1 Makeni. While they were coming one renowned one, Steve Bio, died
2 on the way from one of the bombs. According to a message, he
3 died on the way from an enemy bomb fragment. Then while they
4 were in Freetown for some time, the exact days of which I cannot
12:34:41 5 remember, when the AFRC and RUF spent in Freetown when they were
6 flushed out I cannot recall, but during that period ECOMOG
7 pressurised Gullit to flush - Gullit and others to flush them out
8 of the city. While ECOMOG was pressurising Gullit and others to
9 flush them out of the city, they started retreating towards the
12:35:04 10 east. They started retreating.

11 I can remember on one occasion when I left the monitoring
12 station I monitored a live conversation between Mosquito and
13 Gullit when Mosquito was giving direct instructions to Gullit for
14 Gullit to - for Gullit to tell the men, I mean the RUF and the
12:35:29 15 AFRC combatants, to cause a lot of mayhem in the city. That is
16 like to destroy some important government buildings and to tell
17 people to take their hands off the war and to cause real damage
18 whereby the international community - whereby the international
19 community would show more concern about the RUF until they
12:36:04 20 released Foday Sankoh. He said if it is possible - Mosquito said
21 if it is possible to chop off anybody's arm, he said - no. He
22 said if it is possible to give anybody short sleeves or long
23 sleeves, meaning to amputate anybody, he said that wouldn't be
24 any problem. He said that they should raise alarm. He said
12:36:25 25 Gullit and others should raise alarm to the level of the
26 international community so that they can come in. Maybe that
27 would force the government to peace talks whereby Foday Sankoh
28 would be released.

29 Q. Where were you when you heard this communication?

1 A. I was in the radio room. That is the barri - the court
2 barri - that I had described here where the radio was.

3 Q. And you said that you don't remember the exact date. Can
4 you approximate during the course of Freetown [sic] when this
12:37:27 5 was?

6 A. That is what I have said. I cannot remember the exact date
7 that this incident took place. When that particular dialogue
8 took place, I cannot remember the exact date.

9 MR MUNYARD: If we are moving on, can I have clarification
12:37:55 10 about some "he"s in an important passage here? On my font it's
11 page 69. Just after the words "until they released Foday
12 Sankoh", we then have - it's line 3 on page 69 of my font. "He
13 said if it is possible - Mosquito said if it is possible to chop
14 off anybody's arm, he said - no." Who is the "he" who is saying
12:38:28 15 no?

16 THE WITNESS: I cannot recall.

17 MR SANTORA: I was just waiting for Madam President to get
18 the reference there.

19 PRESIDING JUDGE: I have - on mine, Mr Santora, it's around
12:38:45 20 page 69.

21 MR SANTORA: I have the reference too.

22 PRESIDING JUDGE: You have it.

23 MR SANTORA: I actually thought you were looking, sorry.

24 PRESIDING JUDGE: Yes, I did find it and there are a few
12:38:54 25 "he"s there that are unclear.

26 MR SANTORA: I had it and now I've lost it:

27 Q. Mr Witness, you said that - well, you were describing the
28 content of this communication from Sam Bockarie to Gullit during
29 the course of the Freetown operation and you were saying that Sam

1 Bockarie - you were describing the content and you said in the
2 course of your answer:

3 "He said if it was possible - Mosquito said if it is
4 possible to chop off anybody's arm, he said - no. He said if it
12:39:35 5 was possible to give anybody short sleeves or long sleeves,
6 meaning to amputate anybody, he said that wouldn't be any
7 problem."

8 Now, I am going to ask you again that you called out the
9 word "he" several times when you said, "He said if it is possible
12:39:53 10 - Mosquito said if it is possible to chop off anybody's arm"?

11 A. Yes, it was Mosquito who said that. He said if it was
12 possible. That was why I said no. Why I said no, because I
13 wanted to quote exactly what Mosquito said in that dialogue. He
14 said if it were possible to give them short sleeve or long
12:40:14 15 sleeve, that meant that to chop off the people's arms. I mean,
16 those who were - that was one of the slangs that was
17 well-established in the revolution, short sleeve and long sleeve.
18 That is, to chop off people's hands.

19 Q. Further then, the next part of your response says is that
12:40:40 20 he said no. Who are you saying when you said he said no?

21 A. I wanted to quote exactly what Mosquito said. I have
22 repeated that. When I said it I wanted to quote exactly what
23 Mosquito said, because he was speaking on the radio, he was
24 speaking on the radio, and while he was talking on the radio we
12:41:00 25 heard the way we talked to understand each other.

26 PRESIDING JUDGE: Mr Witness, who is the "he" that said -
27 who is it?

28 THE WITNESS: It was Mosquito who said Gullit should give -
29 Gullit and others should give the civilians short sleeves and

1 long sleeves and equally burn down houses including some
2 important government buildings. Like the oil refinery, he passed
3 a direct instruction that if it was possible, if they had the
4 chance, they should set it on fire. That is Gullit and others
12:41:43 5 should set it on fire.

6 JUDGE SEBUTINDE: Mr Witness, nobody has asked you all
7 that. We are just tussling with one sentence, "He said no". As
8 far as I am concerned you were correcting yourself, wanting to
9 quote exactly what I think Mosquito said directly instead of
12:42:03 10 saying, "If it is possible to chop off anybody's arms", you
11 corrected yourself and then you said, "If it was possible to give
12 anybody short sleeves and long sleeves". Is that correct?

13 THE WITNESS: You are right, my Lordship.

14 JUDGE SEBUTINDE: In other words there should not be a full
12:42:33 15 stop after the words "he said no". It should be, "He said - no.
16 He said if it is possible". There shouldn't be a full stop
17 between the word "no" and "he". I think that is what is
18 confusing everybody.

19 MR SANTORA: I think that's right and I was initially
12:42:50 20 confused myself. Thank you, Justice Sebutinde:

21 Q. Now, Mr Witness, you've described communications related to
22 - communications between Sam Bockarie and Gullit and the
23 respective radio operators and you've talked conversations -
24 communications related to the Pademba Road prisoners,
12:43:25 25 communications related to a possible reinforcement and
26 communications now related to orders to - direct instructions to
27 cause - to burn buildings and to also raise the level of
28 awareness of the international community. Do you recall any
29 other communications between Sam Bockarie and Gullit --

1 A. Yes.

2 Q. -- during the course of the Freetown operation?

3 A. Yes. The frequent communication that was between Sam
4 Bockarie and Gullit was in relation to ammunition. That is,
12:44:08 5 Gullit was requesting for ammunition from Sam Bockarie. That
6 caused Sam Bockarie to contact Benjamin Yeaten for him to send
7 some ammunition for us. And Sam Bockarie was unable to go on
8 that trip, so Five-Zero told him if he was unable to go he should
9 send someone to receive some materials. Then Mosquito was really
12:44:40 10 not able to go because he was very busy coordinating the front
11 lines.

12 At that time I, one Yellow Man and Victor, we went again to
13 Monrovia. We went again to Monrovia. In fact, that was just
14 about two days after the Freetown invasion. Two days after the
12:45:13 15 Freetown - after 6 January, sometime around that. That was when
16 we went back to Monrovia to go for some ammunition. We went and
17 entered to Benjamin Yeaten. That is where we were until in the
18 late evening.

19 In the evening, Benjamin Yeaten came back to the house and
12:45:41 20 collected us. He collected us, I and Victor and Yellow Man, and
21 we went with a pick-up and was filled with ammunition, about 25
22 boxes of ammunition, some RPG bombs and some grenades, right at
23 White flower. That was the second time for me to get materials
24 or ammunition directly from White Flower. We collected the
12:46:17 25 ammunition and went - all I can say is it took about 36 hours to
26 go and return.

27 Q. So you said that this occurred approximately two days after
28 6 January?

29 A. Yes.

1 Q. And how long were you gone for in total?

2 A. About 36 hours or so. About 36 hours.

3 Q. And when you returned with this ammunition, what happened
4 to the ammunition, do you know?

12:47:07 5 A. Yes. The ammunition that we reached with, Mosquito -
6 Mosquito dispatched it directly to - he dispatched it directly to
7 Kono. Then, when the ammunition, ammunition got to Kono, Peter
8 Vandi received it in Kono. He contacted Mosquito that he had
9 received the Mosquito and he sent it directly to Issa in Makeni.
12:47:45 10 At that time Issa had gone ahead to Makeni.

11 MR SANTORA:

12 Q. Slow down, Mr Witness, because sometimes when you speak too
13 fast - speak slowly. You just said, "He contacted Mosquito that
14 he had received the Mosquito"?

12:47:57 15 A. It was Peter Vandi who contacted Mosquito that he had
16 received the ammunition that Mosquito had sent. Then Peter Vandi
17 sent the materials directly to Issa, Issa Sesay, in Makeni. Issa
18 Sesay too sent a message that he had received the materials and
19 that he had dispatched it to Rambo and others to Waterloo area
12:48:37 20 and at that time Rambo and others were now very close to
21 Freetown. They were now in the Waterloo area to reinforce - to
22 reinforce the fighting forces, the RUF fighting forces in
23 Freetown.

24 Q. How do you know about where these ammunitions you came with
12:49:04 25 to Buedu - how do you know where they went? How do you know what
26 you've just described? How do you know?

27 A. Everything was in the message logbook.

28 Q. Now, can you approximate how long it took from the time the
29 weapons - I'm sorry, I keep using that phrase. When the

1 ammunitions reached Buedu, how long it took for them to reach
2 Rambo?

3 A. Well, about three days because - about three days.

4 Q. Now, during the course of the January operation what was
12:50:02 5 the function of the monitoring station?

6 A. The monitoring station had the same original function that
7 I had explained here initially; to monitor ECOMOG movements,
8 messages that they he sent, reinforcement, the wounded soldiers,
9 ammunition that the RUF captured from the ECOMOG, when ECOMOG was
12:50:36 10 sending those messages, all of that. Part of those messages were
11 those we monitored. Like the air mission requests.

12 And even in Freetown I can remember that two - I can
13 remember exactly there were two air mission requests which the
14 monitoring station monitored directly from the ECOMOG net which
12:51:08 15 was decoded and I took the message to Bravo Zulu 4. When I got
16 there with the message the operator on duty transmitted that
17 message to Freetown. And that had links about - ECOMOG saying
18 that they suspected that there was a large concentration of
19 AFRC/RUF forces that were close to Tower Hill and Upgun, so the
12:52:05 20 air wing should send an air raid to bomb the RUF positions.

21 Those were the two particular - those two particular areas.
22 And indeed the stations, the two RUF stations that were in those
23 two areas that I have mentioned were fortunate to be on the air
24 and they received - I mean, the two RUF radio stations received
12:52:44 25 the message and they acted upon it. I mean, the RUF fighters
26 were able to circulate it very fast and acted on it so by the
27 time the jet came the fighters - the RUF fighters had already
28 changed their particular location where the air mission request
29 had called for.

1 Q. Where specifically was this - when you said this message
2 that - you took the message to Bravo Zulu 4 and that when you got
3 there with the message the operator on duty transmitted that
4 message to Freetown. Do you recall who specifically the message
12:53:37 5 was transmitted to?

6 A. The two stations. I cannot remember the exact - the right
7 operators who were on duty on that day. I mean, at that hour.
8 Cannot recall now the exact operators who were on duty at that
9 hour at the time that the message went to say that they were the
12:54:06 10 ones who received the message directly from Bravo Zulu 4.

11 Q. Now, earlier you were describing a communication between
12 Sam Bockarie and Gullit where Sam Bockarie told Gullit to raise
13 the level of international awareness and to do a variety of
14 things. Do you recall this message?

12:54:53 15 A. Yes.

16 Q. By the point this message had been transmitted, was this
17 before or after you took your trip to Monrovia that you've
18 described during the course of the January operation?

19 A. If I got you rightly, you are trying to confirm from me if
12:55:17 20 I went - the last trip to Monrovia that I described, if I went
21 and came back before Gullit and Mosquito discussed the bombing -
22 the burning of houses and amputations in Freetown, right? Okay.
23 Well, that was late - the burning down of Freetown was later that
24 that instruction went to Gullit and the other commanders in
12:55:52 25 Freetown. That was, in fact, when ECOMOG had started
26 pressurising Gullit and others when Gullit and others were trying
27 to retreat. It was at that time when even Mosquito had to tell
28 Gullit to withdraw - for Gullit and others to withdraw somehow
29 around the peninsula.

1 Q. Simply, though, was the trip before or after? The trip you
2 took to Monrovia, was it before or after this transmission?

3 A. It was before the transmission.

12:56:44

4 Q. Now, again, earlier you said that you were often listening
5 to the BBC while in Buedu. Is that correct?

6 A. Yes.

7 Q. And you said you were listening to the BBC during the
8 course of the January operation. Is that correct?

9 A. Yes.

12:56:59

10 Q. Were you listening to the BBC after this communication that
11 you've described between Sam Bockarie and Gullit, this
12 communication relating to burning and amputations?

13 A. Yes, yes.

12:57:24

14 Q. Do you recall any broadcasts that you listened to after
15 this message between Sam Bockarie and Gullit? Any particular BBC
16 broadcasts?

12:57:59

17 A. Yes, in various broadcasts - not just once, but on various
18 broadcasts I used to monitor. I used to monitor the BBC, VOA and
19 other stations that the RUF - that the RUF was leaving behind a
20 lot of amputees, a lot of corpses and a lot of houses had been
21 set on fire whilst the RUF was trying to retreat from Freetown.
22 I listened to that. I cannot recite everything now, but there
23 were a lot of broadcasts that I cannot recite off head now
24 really. I cannot recall everything.

12:58:29

25 MR SANTORA: I ask that what is the recording behind tab 17
26 be played for the witness:

27 Q. Mr Witness, I would like you to listen to the following
28 that is being played, okay? Listen to the broadcast.

29 PRESIDING JUDGE: Can you pause, Madam Court Officer. I

1 haven't given a direction.

2 JUDGE SEBUTINDE: Mr Santora, before the witness listens,
3 has he indicated when he listened to this particular tape?

4 MR SANTORA: Well, he doesn't know.

13:00:03 5 JUDGE SEBUTINDE: Or when he listened to the content that
6 he has just given us? A time frame?

7 MR SANTORA: Yes, during the course of the January
8 operation.

9 JUDGE SEBUTINDE: January operation meaning what?

13:00:16 10 MR SANTORA:

11 Q. When I say "January operation", Mr Witness, what do you
12 understand that to mean?

13 A. That was the time when the RUF/AFRC were trying to withdraw
14 from Freetown - when they were retreating from Freetown. Now I
15 13:00:36 can't recall the specific date. I can't remember.

16 Q. I'm not asking for a specific date. I'm just asking for
17 approximately - you said that the operation started on 6 January
18 1999. Is that correct?

19 A. Yes.

13:00:54 20 Q. Then I was asking you about a particular communication when
21 the forces started to retreat. Can you approximate the month and
22 year when that occurred?

23 A. It was in the same January. It was in January 1999.

24 PRESIDING JUDGE: Please play the tape, or the clip I think
13:01:24 25 it is.

26 [Audio clip played to the Court]

27 MR SANTORA:

28 Q. Mr Witness, do you recognise this broadcast?

29 A. Yes.

1 JUDGE SEBUTINDE: Mr Santora, the witness must tell us he
2 recognises it as what?

3 MR SANTORA: That is exactly right.

4 JUDGE SEBUTINDE: He must tell us what he recognises it as.

13:04:12 5 MR SANTORA: That was what my next exact question was:

6 Q. What do you recognise it to be?

7 A. Well, this broadcast I can remember was one of the
8 broadcasts that I recorded. I did a broadcast like this. I
9 recorded it in Buedu for myself.

13:04:32 10 Q. Where was this broadcast? Do you recognise where this
11 broadcast was from?

12 A. That was a reporter from Freetown, that is all I know. He
13 reported on the BBC Focus. At first it was at 3.15, then 5.05 -
14 3.05, 5.05. At first it was around 3.05 Sierra Leone local time
15 and then again at 5.05 it was repeated. It was within one of
16 those times that I recorded this broadcast.

17 Q. Where were you when you heard this broadcast?

18 A. At first I was at the station when I heard this broadcast.

19 Q. Do you know if Sam Bockarie heard this broadcast?

13:05:34 20 A. Yes, he heard.

21 Q. And what was his reaction to this broadcast?

22 A. Well, Sam Bockarie was well pleased over it. He was well
23 pleased. Just that what he was saying was he said, "Well, they
24 have not seen anything yet. That is what we will be on until you
25 receive that Pa". That was Sam Bockarie speaking. He was
26 referring to the Government of Sierra Leone and the civilians
27 too. He said they should go and tell the government to release
28 Pa Sankoh. He said that would cause the international community
29 that, after they would have seen the level of atrocity, the level

1 of atrocity that would cause some concern with them. He said
2 they should do those things so that Freetown could become a ghost
3 town where nothing went on administratively.

13:07:50 4 MR SANTORA: At this point, I would enquire from the Court
5 because previously --

6 THE WITNESS: I --

7 MR SANTORA: One moment, Mr Witness. I ask that perhaps if
8 you want to do this now I can ask that this be marked for
9 identification along with the prior recording. Just as the Court
13:08:05 10 instructed yesterday we had isolated out these recordings on to
11 separate CDs, so I don't know if you prefer that all three - the
12 one from yesterday and these two - now be marked. There are no
13 more recordings to be played and I could request that those be
14 marked at this point.

13:08:26 15 PRESIDING JUDGE: And the separate have been served on the
16 Defence as part of the disclosure, or was this a general
17 disclosure? What is the situation, Mr Munyard?

18 MR MUNYARD: Yes. First of all, these have been served on
19 us. Secondly, Mr Santora says there are no more broadcasts to be
13:08:46 20 played. I am grateful for that information. It doesn't mean
21 that there will be no more broadcasts played to this witness. I
22 am assuming that the Prosecution aren't playing any more.

23 So I think that the sensible thing is for the practical
24 approach that I suggested yesterday, that these three items be
13:09:07 25 isolated from - they are on different CDs and then burned on to
26 one new CD as A, B and C, or 1, 2, 3, unless anybody has a more
27 practical solution than that. I think Ms Hollis might have an
28 idea.

29 MR SANTORA: Well, we are following the Court's

1 instructions. We did separate them as instructed yesterday as
2 MFI, and so we would request at this point that yesterday's
3 recording be marked as MFI-1 and the first recording played today
4 be marked MFI- 2, or whatever the appropriate sequencing is.

13:09:49 5 PRESIDING JUDGE: Yesterday's was MFI-1. After MFI-1 what
6 comes, Madam Court Officer?

7 MS IRURA: Your Honour, it will be MFI-5.

8 PRESIDING JUDGE: The previous tape will be MFI-5. The
9 clip we have just heard will be MFI-6. Please proceed.

13:10:17 10 MR SANTORA: Okay. Thank you, Madam President:

11 Q. Now, Mr Witness, I am just going to ask you a few more
12 questions about the communications you recall between Sam
13 Bockarie and Gullit. Now, you said at some point the group was
14 retreating. Is that correct?

13:10:42 15 A. Yes.

16 Q. Can you describe any communications that you heard during
17 the course of this, aside from what you have already mentioned?

18 A. One of the communications that I can remember was I think
19 when Gullit and others were retreating and Mosquito said they
13:11:26 20 should all come, they should retreat and assemble around the
21 peninsula and that Gullit and others should wait for Rambo and
22 others to join them in order to re-attack Freetown and Gullit
23 suggested that some men should stay there, some troops should
24 stay at the rear - I mean at the front so that everybody should
13:11:50 25 not desert the rear, the combat camp, so that the AFRC and RUF
26 should not retreat together. Mosquito did not accept that.
27 Mosquito accepted that. At the end of February, that was still
28 during the retreat, I can remember at a time when Gullit
29 contacted Mosquito again, that he had received - he had gotten a

1 communication with the ECOMOG about Pa Sankoh, about Pa Sankoh,
2 that Foday Sankoh said he would like to talk to us, the RUF,
3 everybody.

13:12:55 4 Q. Before I ask you about this communication related to
5 Sankoh, just to clarify. You said that a communication you
6 remembered was:

7 "It was a communication that Gullit and others should wait
8 for Rambo and others to join them in order to re-attack Freetown
9 and Gullit suggested that some men should stay there, some troops
13:13:14 10 should stay at the rear - I mean the front, so that everybody
11 should not desert the rear, the combat camp, so that the AFRC/RUF
12 should not retreat together. Mosquito did not accept that.
13 Mosquito accepted that."

14 I am going to ask you to clarify this because you said -
13:13:34 15 let's start from the beginning. What did you mean when you said
16 that Gullit suggested that some men should stay there?

17 A. Gullit suggested that some fighters should stay in
18 Freetown. That everybody should not retreat so that he, Rambo,
19 would have a designated area where they would meet. They should
13:14:08 20 agree on a point, on a meeting point, where Gullit and Rambo
21 would meet and reorganise to re-attack Freetown, and Sam Bockarie
22 accepted Gullit's suggestion.

23 Q. Do you know - do you have any information which men were
24 left? Do you know?

13:14:39 25 A. Yes. The men who stayed were there until even when Gullit
26 and Rambo met and, in fact, some of the men who were going with
27 Rambo, as they were going, Rambo sent some of them - some of them
28 went up to the Calaba Town area, really. While they were trying
29 to re-attack Freetown, they were not able. They were not able to

1 withstand the ECOMOG firepower, so all of them retreated.

2 Q. How do you know that, from your position in Buedu? How do
3 you know that?

4 A. I was reading it from the message books and each time I
13:15:31 5 went to the radio station, sometimes I will be standing there and
6 listening and overhearing these conversations directly.

7 Q. In this particular instance, what conversations were you
8 hearing related to this group that was left behind? Who were you
9 listening to?

13:15:58 10 A. Like when Gullit was talking to Rambo, when Rambo was
11 talking to Issa, when Mosquito was talking directly to Issa or to
12 Rambo or the - or when the operators - the message which the
13 operators were sending.

14 Q. Can you describe the manner, from your observation, in
13:16:28 15 which Gullit was addressing Sam Bockarie? How was he addressing
16 him?

17 A. Gullit was answering Sam Bockarie as, "Yes, sir. Yes, sir.
18 Yes, master", or "Yes, sir", one of the two. That was how he was
19 answering him. And Sam was calling Gullit Black Jar. Sometimes
13:16:52 20 he would make a mistake and call him Gullit. When we cautioned
21 him and wrote the name down and gave it to him so that he won't
22 repeat it he was calling it Black Jar, Black Jar.

23 Q. Now, Mr Witness, you've referred to some other commanders
24 that were involved in this operation. You've called out the
13:17:27 25 names Rambo before and Issa. Can you describe the
26 communications - let me withdraw - let me just simplify this.
27 Aside from Gullit, who within Sierra Leone was Sam Bockarie in
28 communication with during the course of the January operation?

29 A. Within Sierra Leone, Sam Bockarie was communicating with

1 Superman, General Bropleh, General Bropleh, Superman, many
2 operators, many commanders. For now it will be boring if I say I
3 will out all their names.

13:18:28

4 Q. Well, it may not be that - well, why don't you try to call
5 out as many names as you can remember?

6 A. Well, if my memory serves me well right now, I can remember
7 Akim, General Bropleh, Rambo, Superman, Gullit, CO Isaac, Isaac
8 Mongor, Morris Kallon.

13:19:09

9 Q. During the course of the January operation were you able,
10 from your standpoint, to observe who Gullit was in communication
11 with aside from Sam Bockarie who you have already mentioned?

12 A. Yes. Gullit was in communication - in direct communication
13 with Rambo, Superman, Issa, Five-Five, Bravo Zulu 4. I can say
14 almost all the stations within the reach of the RUF.

13:19:50

15 Q. Now, do you know --

16 JUDGE SEBUTINDE: Mr Santora, this name Rambo, could we
17 have some light shed on which Rambo this is?

18 MR SANTORA: Yes, Justice Sebutinde:

13:20:08

19 Q. You've called out the name Rambo as one of the people that
20 was in communication with Sam Bockarie. Who are you referring to
21 when you say Rambo?

13:20:39

22 A. Rambo, if my - I think if my memory serves me well, that
23 his real name was Bustin [phon] - something like Bustin Flomo.
24 Bustin Flomo was a vanguard from Liberia. He was a Liberian
25 vanguard. It was Rambo who led the attack on Kono. He led the
26 attack on Kono, that which advanced up to Makeni. He, Rambo, was
27 the one who advanced up to Masiaka. It was Rambo who joined
28 Gullit and others in Freetown, to re-attack Freetown. He joined
29 Gullit and others as reinforcement as ordered by Mosquito to

1 re-attack Freetown. Then later he, Rambo, died. He did not
2 survive.

3 Q. How do you know that Rambo joined Gullit to re-attack
4 Freetown?

13:21:44 5 A. There was direct communication. There was direct
6 communication, the sending message - the two of them were
7 coordinating - the two radio stations were coordinating whereby
8 Rambo's radio station and Gullit's radio station were
9 coordinating. And all other radio stations within RUF's reach I
13:22:14 10 monitored them, including Bravo Zulu 4. Including Bravo Zulu 4.
11 And I was monitoring - I was monitoring all conversations.
12 Everything.

13 Q. And finally on this point, you've described some of the
14 content of the communications that were occurring between Gullit
13:22:43 15 and some of the other commanders. Can you describe specifically
16 what was the content of the communication between Gullit and
17 Rambo? Do you know what they were talking about?

18 A. It was how they were to meet. The communication that was
19 between Gullit and Rambo was in relation to how the two forces
13:23:10 20 were to meet, because Rambo was a reinforcement going to join
21 Gullit and the other people in Freetown.

22 Q. You also said that Gullit was in communication with Issa.
23 Just to be clear, who are you referring to when you are referring
24 to when you say Issa?

13:23:28 25 A. Issa Sesay, who was the field commander at that time for
26 the RUF.

27 Q. Do you know the content of their communications; the
28 communications between Gullit and Issa?

29 A. I can say almost - at that time that I am talking about

1 almost every communication with Gullit and the other commanders
2 that were in Freetown with us was really based on how to
3 recapture Freetown. That was what the communication was about.

13:24:19

4 Q. And from your standpoint, from your observation, how
5 frequent was the communication between Gullit and these
6 commanders that you've mentioned?

13:24:47

7 A. It was often, really. Often. Sometimes - because when the
8 operation was going on everybody was eager. Everybody was eager.
9 So the stations - any station could call the other station. The
10 other stations could call. Issa's station, Superman's station,
11 they used to call the other stations in Freetown, Gullit and
12 others, to know how the situation was going, particularly when
13 the - when ECOMOG started pressurising them and when Gullit and
14 others started retreating - when ECOMOG pressurised them and they

13:25:11

15 started retreating. I can say from the date that Gullit and
16 others entered Freetown, before ever Gullit and others had
17 entered Freetown there had been constant communication. I cannot
18 estimate the number now. Maybe - sometimes maybe within an hour
19 one station could contact the other station, sometimes two or
20 three times within an hour, and so I cannot give an estimate at
21 all of how many times per day one station used to call. Like
22 sometimes if one station - one station, sorry, today for example
23 when they were coordinating with Gullit they used to communicate
24 often really. I cannot confirm that.

13:25:33

25 Q. Now, during the course of yesterday's testimony you made a
26 reference to an individual called SAJ Musa. Do you recall making
27 a reference to him?

13:25:53

28 MR MUNYARD: I wonder before we go on to that we can just
29 clarify what is meant by "Like sometimes if one station - one

1 station, sorry, today for example when they were coordinating
2 with Gullit they used to communicate often really. I cannot
3 confirm that". Well, on the one hand he is saying something
4 happened and then he immediately follows that by saying, "I
13:26:29 5 cannot confirm that". It's a contradiction, it seems to me. I
6 am loathe to interrupt again, but he has only just said that.
7 It's like earlier when he was saying Mosquito agreed and then
8 didn't agree. We need to know what he means.

9 PRESIDING JUDGE: Mr Santora, either you can clarify the
13:26:54 10 point, or it can be dealt with in cross-examination.

11 MR SANTORA: I will clarify the point, Madam President:
12 Q. Mr Witness, you said - just in terms of your last response,
13 I want you to listen closely to what you said and explain it.
14 You said, "Like sometimes if one station - one station, sorry,
13:27:11 15 today for example when they were coordinating with Gullit they
16 used to communicate often really. I cannot confirm that". Is
17 that what you said?

18 A. Yes. You asked me how many times exactly and what I said
19 that I cannot confirm was the exact number of times that I'm
13:27:32 20 referring to. That is what I'm referring to, that I cannot
21 confirm how many times exactly such contacts went on, but I tried
22 again to establish the fact that the communication was frequent.

23 MR MUNYARD: Thank you.

24 MR SANTORA:

13:27:52 25 Q. Now, Mr Witness, yesterday you made a reference to an
26 individual called SAJ Musa. Do you remember making a reference
27 to this individual?

28 A. Yes.

29 Q. Do you know where he was during the course of this 6

1 January invasion?

2 A. At that time SAJ Musa had died. He died before 6 January.

3 Q. How do you know that?

4 A. It was a direct message from King Perry to Mosquito.

13:28:31 5 Q. Were you present when this message came, if you can recall?

6 A. No, I cannot remember, but I read the message directly. I
7 read it.

8 Q. Now, Mr Witness, you also - and I am a little bit loathe to
9 do this because it's a completely new area, but I can just start
10 and then we can see how far we get.

11 PRESIDING JUDGE: Very well, Mr Santora. We have about two
12 minutes left.

13 MR SANTORA:

14 Q. Mr Witness, you said - well aside during the course of the
13:29:24 15 January operation, you've talked about some of the communications
16 that Sam Bockarie had within Sierra Leone. Was he in
17 communication with anyone outside of Sierra Leone?

18 A. Yes.

19 Q. Who?

13:29:42 20 A. Mosquito was in constant contact with Benjamin Yeaten in
21 Liberia.

22 Q. When you say "constant contact", what do you mean?

23 A. It did not take up to more than six hours without the two
24 people talking. At least they used to talk - they used to talk
13:30:16 25 for at least two to three times a day through the sat phone.

26 They used to talk at least two to three times a day through the
27 sat phone most often.

28 Q. How do you know that?

29 A. Sometimes, most times in fact, I - we would be together in

1 the same room sitting together, because at that time Mosquito
2 used to spend most of his time in the radio room. That was where
3 he was with his sat phone. Then when - even when his battery is
4 out, if it is not charged, he will switch it off so when Benjamin
13:31:06 5 wanted to talk to him sometimes he will tell Sunlight to contact
6 Bravo Zulu 4 so that Bravo Zulu 4 will tell Mosquito to switch on
7 his sat phone so that they can talk. Then sometimes, inversely,
8 Mosquito would tell Benjamin Yeaten to call him on the sat phone
9 to discuss whatever they wanted to discuss.

13:31:31 10 PRESIDING JUDGE: Mr Santora, that takes up to the lunch
11 break.

12 MR SANTORA: Understood.

13 PRESIDING JUDGE: In fact, I think slightly beyond it.

14 Mr Witness, we are now going to take the lunch break. We will be
13:31:43 15 resuming court at 2.30. Please adjourn court until 2.30.

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

17 [Upon resuming at 2.30 p.m.]

18 PRESIDING JUDGE: Mr Santora, I note a change of
19 appearance.

14:30:56 20 MR SANTORA: Yes, Nicholas Koumjian has left the
21 Prosecution bench.

22 PRESIDING JUDGE: Thank you. Please proceed.

23 MR SANTORA: Thank you, Madam President:

24 Q. Good afternoon, Mr Witness.

14:31:07 25 A. Good afternoon.

26 Q. Again just a quick reminder please, please, try to speak
27 slowly when you are explaining something and to address the
28 judges when you are speaking, okay?

29 A. I will try to keep up with that.

1 Q. Now, before the break you were describing some of the
2 communications that occurred between Sam Bockarie and Gullit and
3 just for counsel's benefit I am referring back to a LiveNote
4 reference here on mine as 83, lines 22 to 25. During the course
14:31:51 5 of your responses you were speaking of a communication related to
6 Foday Sankoh. Do you recall that?

7 A. Yes.

8 Q. You specifically said this: You said, "At the end of
9 February that was still during the retreat I can remember at a
14:32:18 10 time when Gullit contacted Mosqui to again that he had received -
11 he had gotten a communication with the ECOMOG about Pa Sankoh,
12 about Pa Sankoh, that Foday Sankoh said he would like to talk to
13 us, the RUF, everybody." Do you remember saying that?

14 A. Yes.

14:32:41 15 Q. Now when you said, "He had gotten a communication with the
16 ECOMOG about Pa Sankoh", who do you mean when you say "He had
17 gotten a communication with the ECOMOG"? Who is "he"?

18 A. Black Jar, that is Gullit.

19 Q. And what specifically happened?

14:33:10 20 A. At that time Gullit and others had almost completed the
21 retreat from Freetown. Gullit and others were around the
22 Waterloo area. That was some time around February now, when this
23 really started. When on one morning Gullit contacted Log - that
24 is Sam Bockarie - to say that he had established contact with the
14:33:57 25 ECOMOG through one of the handsets which he, Gullit, and others
26 captured in Freetown. And he said Pa Sankoh has told - that Pa
27 Sankoh has told Gullit, Gullit and others, to ceasefire and
28 Gullit said Pa Sankoh told him to tell Mosqui to the same thing.

29 Q. Now, the next reference is just a clarification. It is

1 actually from yesterday's transcript and it is page 21485. Now,
2 Mr Witness, yesterday when you were testifying you were asked why
3 Mr Taylor was referred to as "our former leader". Do you
4 remember that?

14:35:00 5 A. Yes.

6 Q. In the course of your answer you were describing discussion
7 about a ceasefire and specifically you said - and this is
8 starting at line 22 - "And that besides Mosquito I said Issa, no
9 Mosquito, consulted Mr Taylor about certain things that he wanted
10 to do because for Mosquito to even accept a ceasefire because
11 there was a point in time when Foday Sankoh called from Freetown
12 and talked about the ceasefire, he consulted with him before he
13 accepted the ceasefire." What ceasefire are you referring to?

14 A. I can make that explicit in respect of where you asked me.
14:35:58 15 When Gullit contacted Mosquito, when Gullit revealed the message
16 to Mosquito about the ceasefire, Mosquito told Gullit that he,
17 Mosquito, won't believe what Gullit has said, that if at all Pa
18 Sankoh wanted us to ceasefire we would hear about it. We would
19 hear from him directly. And besides that Pa Sankoh won't be in
14:36:32 20 Freetown. Pa Sankoh won't be in Freetown and we ceasefire at

21 all. That same communication stopped. The following day - the
22 following day again, I think, one morning, I think one other
23 morning, Gullit contacted Mosquito again and told him and gave
24 him time, but I cannot remember the time that he gave, that he
14:37:12 25 stated that Pa Sankoh would be on the line through the VHF radio
26 to talk to Mosquito and the other commanders.

27 Gullit said Pa Sankoh said all stations were to be switched
28 on at that time that he had shown and that very day, later in the
29 day, Pa Sankoh came up and we received a contact from one of the

1 ECOMOG stations. I did not know where the station was where the
2 speaker was speaking from directly. And they told us that Pa
3 Sankoh was at the station and was ready to talk to Mosquito and
4 all the commanders.

14:38:26 5 Q. Approximately what time period was this ceasefire that you
6 are referring to - the ceasefire discussion?

7 MR MUNYARD: Well, he is referring to a ceasefire, not a
8 ceasefire discussion; those are two very different things. The
9 question that Mr Santora asked, which we don't seem to be getting
14:38:45 10 an answer to, was - and I quote - he ended quoting from the
11 witness's evidence yesterday, "He consulted with him before he
12 accepted the ceasefire", question to the witness: "What
13 ceasefire are you referring to?" We have now embarked on a very
14 long answer about a discussion about a ceasefire, but we still
14:39:12 15 aren't anywhere near getting an answer to the very simple
16 question that my learned friend posed to the witness.

17 MR SANTORA: Well, just quickly in response, counsel is
18 submitting that the question referring to ceasefire discussion is
19 improper and yet counsel himself just referred to foundation
14:39:32 20 about a ceasefire discussion and so I am not actually sure what
21 the nature of the objection is.

22 PRESIDING JUDGE: The question was - and I was trying to
23 carefully follow the answer - "What ceasefire are you referring
24 to?" And what we have got is a long answer about stations and
14:39:52 25 communications, but we haven't got an answer to the question
26 "What ceasefire are you referring to?" And inasmuch as there is
27 an objection to the failure to answer that question, I agree, and
28 I still would like to know what ceasefire the witness is
29 referring to.

1 MR SANTORA: Thank you, Madam President.

2 PRESIDING JUDGE: I must say I have somewhat struggled with
3 the answer.

4 MR SANTORA:

14:40:17 5 Q. Mr Witness, just answer the question specifically. What
6 ceasefire were you referring to?

7 A. I am talking about a temporal - a temporal ceasefire which
8 Foday Sankoh suggested to Mosquito and the RUF and the AFRC, so
9 that around February - around February, really.

14:40:57 10 Q. What year?

11 A. 1999, so that the ceasefire, if at all it held, that would
12 give chance to organise peace talks which Mosquito had demanded.

13 Q. Thank you, Mr Witness. Now, before the break you were -
14 you said that Sam Bockarie and Benjamin Yeaten were in

14:41:35 15 communication during the January operation two to three times a
16 day approximately. Do you remember saying that?

17 A. Yes.

18 Q. What was the content of those communications? What were
19 they about?

14:41:48 20 A. Well, communication --

21 THE INTERPRETER: Your Honours, can he kindly repeat his
22 answer clearly.

23 PRESIDING JUDGE: Mr Witness, the interpreter did not hear
24 you clearly. Please continue your answer from where you said,

14:42:07 25 "Well, the communications". Continue from there, please.

26 THE WITNESS: The communication was based around arms and
27 ammunition, food, supplies, fuel, consultation, reports.

28 MR SANTORA:

29 Q. When you say consultation, what do you mean?

1 A. Sometimes Mosquito would contact Benjamin to consult him on
2 some decisions before ever he took them.

3 Q. And when you say reports, what do you mean?

14:43:12

4 A. That was to give Benjamin updates about the situation from
5 Sierra Leone.

6 Q. Now, yesterday - actually the day before - you said that
7 you remained in Buedu until April '99. Do you remember saying
8 that?

9 A. Yes.

14:43:29

10 Q. Where did you go then?

11 A. To Lomé, Togo.

12 Q. Why were you going to Lomé?

13 A. For peace talks. Family meeting, family consultation
14 meeting with the leader and also peace negotiation.

14:43:59

15 Q. Was anybody else with you in Lomé?

16 A. Yes.

17 Q. Who else went to Lomé?

14:44:34

18 A. To the best of my knowledge, we who took off from Buedu for
19 Lomé, it was a 14 man delegation from Buedu which comprised
20 myself, the head of the delegation was the late SYB Rogers, the
21 People's War Council chairman and later that was transformed by
22 Foday Sankoh - it was transformed by Foday Sankoh as the peace
23 council chairman. Mr Mike Lamin was there, one Lawrence Womandia
24 was there, Leather Boot was there, one Alex, an SLA, was there,
14:45:12 25 one Jalloh, an SLA was there, one Junior Vandj, an SLA, was
26 there, one - wrong, wrong. Junior Vandj was Foday Sankoh's
27 bodyguard, to correct myself. He was there. One Morie Gibba was
28 there and then one Rashid - one Rashid was there; he was Foday
29 Sankoh's bodyguard. So far that is what I can remember.

1 Q. Why did you go?

2 A. Well, we went for two phases of the meeting. Number 1 --

3 Q. Let me withdraw the question. Why did you yourself - why
4 were you going?

14:46:14 5 A. I went purposefully for communication - I went for
6 communication purposes. That was to inform Mosquito and the
7 entire RUF about the daily deliberations; that is what was going
8 on on the peace table from the talks. Then also to pass on
9 messages to Foday Sankoh from the various front lines through
14:46:50 10 Mosquito directly.

11 Q. And how long did you remain in Lomé?

12 A. Well, in all, I was in Lomé from April 1999 to - up to I
13 think some time in November 1999, but while in Lomé after the
14 Lomé Peace Accord I was not only based in Lomé any longer. I was
14:47:25 15 travelling with Foday Sankoh here and there, but when we went to
16 Lomé and we were coming back, from there we went to some other
17 place and came back to Lomé.

18 Q. And just to clarify, you mentioned an individual Leather
19 Boot. Do you know if he had any other name?

14:47:48 20 A. I do not want to guess at his name. His name has escaped
21 me a little. I really know his name, but it has escaped my mind
22 somehow.

23 Q. Now, you said you went there for communication. Did you
24 work on communication? Did you operate a communications system
14:48:05 25 while you were in Lomé?

26 A. Yes.

27 Q. What kind of communication system was that?

28 A. VHF radio.

29 Q. And did you maintain a logbook for these communications?

1 A. Yes.

2 MR SANTORA: I would ask the witness be shown what is
3 behind tab 4 - the document behind tab 4.

14:49:05

4 JUDGE SEBUTINDE: Mr Santora, did the witness describe the
5 logbook that he had?

6 MR SANTORA: In terms of physical description?

7 JUDGE SEBUTINDE: Yes, a physical description and content,
8 before we go showing him what you want to show him.

9 MR SANTORA:

14:49:20

10 Q. You said that you maintained a logbook while you were in
11 Lomé. Is that correct?

12 A. Yes.

13 Q. Do you recall what this logbook looked like?

14:49:39

14 A. It was - of course it was not just a single logbook that I
15 had in Lomé. I had up to three. I used up to three logbooks --

16 THE INTERPRETER: Your Honours, can he repeat his answer.

17 PRESIDING JUDGE: Mr Witness, the interpreter did not hear
18 part of your answer. Please go back to where you said "I used up
19 to three logbooks" and continue from there.

14:49:59

20 THE WITNESS: I will do that. I had up to three logbooks
21 in Lomé. Just that I can't - I can't tell you the exact colour
22 of the various covers, but on every logbook, in every logbook
23 messages that went in and out, most of the messages were signed.

24 I used to sign, though there were some when the Pa does not sign
25 he will just give, but most of them he used to sign them.

14:50:38

26 MR SANTORA:

27 Q. The logbook or logbooks that you maintained at Lomé, did
28 you yourself put your signature in any of those logbooks?

29 A. Yes, I used to sign every message that I received and timed

1 them. The time that I received the message I will sign it and
2 date it. That was what I used to do.

3 Q. And generally, what was the contents of these logbooks?

14:51:21

4 A. The logbook contained messages from Foday Sankoh to
5 Mosquito, from Mosquito to Foday Sankoh, sometimes from Foday
6 Sankoh to Superman, sometimes from Superman to Foday Sankoh,
7 sometimes from Gibril to Foday Sankoh, from Foday Sankoh from
8 different - because Foday Sankoh had started dealing with various
9 commanders and so I really - I can't cite a particular message
10 that this was it.

14:51:44

11 Q. And when these messages would be sent were they using their
12 names, or were they using, as you referred to before, code names?

13 A. Well, they were using code names, but when I was writing
14 the messages sometimes I will decode them and sometimes I will
15 not decode the message. It will just stay like that and write.
16 Sometimes it is the code name that I will enter into the logbook.
17 For example, from Scorpion to Lion, something like that.

14:52:07

18 Sometimes that was how I wrote it. And Lion was used to
19 understand - he used to understand most of the code names, so
20 really I didn't need to decode them for him.

14:52:27

21 MR SANTORA: At this point I would request that the
22 document be shown to the witness.

23 PRESIDING JUDGE: Yes, please show it to the witness.

24 MR SANTORA:

14:52:41

25 Q. Mr Witness, I would like you to take a look and take a
26 moment to examine this document. Just take a moment to peruse
27 it.

28 A. Yes.

29 Q. Mr Witness, do you recognise this book?

1 A. Yes.

2 Q. What is it?

3 A. Well, this is one of the message books which I - this is my
4 handwriting. I used to write these messages and presented them
14:54:12 5 to Foday Sankoh. This is one of the message books that I used at
6 call sign Vision 1.

7 Q. When you say call sign Vision 1, what are you referring to?

8 A. That is in Lomé, Togo.

9 Q. Now, can you turn to page - it's ERN 00008639 which is

14:54:57 10 really the first page of contents. Now, Mr Witness, do you see
11 the signature at the end of those two messages?

12 A. Yes.

13 Q. Do you recognise that signature?

14 A. Yes.

14:55:13 15 Q. Whose signature is it?

16 A. It is my signature.

17 Q. Now, on the same page in the second message there is a
18 reference to somebody - the message on the line where it says
19 "To" and the third person there "Black Jah", who is that?

14:55:44 20 A. That is Gullit.

21 Q. And the message originates from the Lion. Who is the Lion?

22 A. That's Foday Sankoh.

23 Q. Now there is also a line that says "Info" and it says
24 "Log". Who is Log?

14:56:01 25 A. That is the late Sam Bockarie.

26 Q. Now, can you please turn to page 0008641. The second full
27 message down which says, "From the Lion to Equaliser,
28 Brigadier Mani, Black Jah and Gaffa", and then it says, "Through
29 Planet". Who is Planet, do you know?

1 A. Planet was Mosquito's other code name. This is another
2 code name for Mosquito.

3 Q. And there are other individuals there. What is Gaffa?

14:57:15

4 A. Not Daffa, Gaffa. It is G-A-F-F-A, Gaffa. That's Gibri
5 Massaquoi's code name.

6 Q. And then the individual - there is one called Equaliser.
7 Do you know who that is?

8 A. That is Superman. That is Superman. That is Denis Mingo.

14:57:58

9 Q. Can you turn to page 00008657 of this book. The first
10 message up there is from Planet to somebody Timing Bomb. Who is
11 Timing Bomb?

12 A. That is Superman. That is his other code name. As I had
13 always told you that code names change very often really.
14 Superman, this is one of his code names.

14:58:35

15 Q. Now, in the second message there in the content of it,
16 which is a message from Smile to Planet, it says:

17 "By my directive Timing Bomb is to delay the handing over
18 and taking over" - something - "Sparrow and you should call me
19 through the other system".

14:59:04

20 Who was Sparrow, do you know?

21 A. From. That is from what has been abbreviated, from, "FM".
22 Sparrow is Morris Kallon.

23 MR SANTORA: I ask that this book be marked for
24 identification.

14:59:32

25 PRESIDING JUDGE: Mr Santora, I haven't counted how many
26 pages. This one tab is one book, is it?

27 MR SANTORA: Yes, Madam President. I was told it is 92
28 pages.

29 PRESIDING JUDGE: Can I see the original, please, Mr Court

1 Usher.

2 MR MUNYARD: And, after your Honours, may I see it?

3 PRESIDING JUDGE: Yes, in fact, Mr Court Usher, please show
4 it to counsel for the Prosecution, counsel for the Defence and
15:00:10 5 then the Bench.

6 MR SANTORA: Your Honour, I apologise for not making that
7 request. That's my fault.

8 I omitted one and so it can perhaps be shown to the witness
9 again. I omitted one question in relation to it, so if you could
15:02:07 10 show the witness again. It was the same page, 0008657.

11 I have just been alerted, Madam President, that the copy we
12 have may not exactly be the same amount of pages as the original,
13 because I think the actual sleeve itself may be copied. So the
14 original may be slightly different in terms of total page number.

15:02:35 15 MR MUNYARD: The sleeves are stamped with an ERN number, so
16 they ought to be the same number as the 92 pages.

17 PRESIDING JUDGE: It will be this actual document rather
18 than these copies that will be marked. So proceed with your
19 question, Mr Santora.

15:02:53 20 MR SANTORA: Thank you, Madam President. Again, can he be
21 directed to turn to page 0008657:

22 Q. Mr Witness, just look at that page, 0008657, and the
23 message you were just describing, it says, "From Smile". Who is
24 Smile, do you know?

15:03:16 25 A. Yes, that is one of the code names for Foday Sankoh.

26 MR SANTORA: At this point I would ask that the document be
27 marked for identification.

28 MR MUNYARD: Can I ask a question that may be obvious. We
29 have seen the signatures, they come below a passage in block

1 capitals in each case. Can we just confirm who wrote the block
2 capitals?

3 PRESIDING JUDGE: I am just looking at my notes,
4 Mr Munyard. He did say, "I signed", but I don't think he
15:04:13 5 actually said who wrote it prior to the signature, Mr Santora,
6 unless you can correct me.

7 MR SANTORA: Well, my recollection is that he identified
8 the handwriting in the book as his.

9 PRESIDING JUDGE: Well, if that's on the record then it's
15:04:26 10 on the record.

11 JUDGE SEBUTINDE: Yes, to be precise, at page 102, line 15,
12 where Mr Santora asked the witness, "What is it? Do you
13 recognise this book? What is it?" The witness said, "Well, this
14 is one of my message books which I - this is my handwriting. I
15:05:06 15 used to write these messages and presented them to Foday Sankoh."
16 That is what he said.

17 MR MUNYARD: Thank you.

18 MR SANTORA: Thank you, Justice Sebutinde:

19 Q. Now, can you just briefly describe what you observed about
15:05:28 20 the Lomé negotiations?

21 PRESIDING JUDGE: Could you pause a moment, Mr Santora,
22 because the Bench are looking at this document.

23 MR SANTORA: I am sorry, I apologise, I hadn't noticed
24 that.

15:05:43 25 PRESIDING JUDGE: I haven't actually - we haven't actually
26 dealt with your application.

27 MR SANTORA: I understand. I apologise.

28 PRESIDING JUDGE: This document is a book with a front
29 cover saying "Supra" and two inner blank front covers identified

1 by the witness as a notebook kept by himself and signed by
2 himself. It contains messages and I understand, although I
3 haven't counted, it is a total of 92 pages including cover
4 sheets. It becomes MFI-7.

15:08:23 5 MR SANTORA: If there is any doubt we will check on the
6 page number count and if there is any disparity I will make a
7 record of it so that it is corrected.

8 PRESIDING JUDGE: I would be grateful.

9 MR SANTORA: Thank you, Madam President.

15:08:46 10 PRESIDING JUDGE: Please continue, Mr Santora.

11 MR SANTORA:

12 Q. Now, Mr Witness, when you were in Lomé where exactly did
13 you stay?

14 A. Throughout my stay in Lomé I was staying in a Hotel Deux
15:08:59 15 Fevrier from April to November.

16 Q. Can you state the name of the hotel again just for the
17 record?

18 A. Hotel Deux Fevrier, it is a French word Deux Fevrier. In
19 English it means 2 February.

15:09:24 20 MR SANTORA: I am just going to verify the French spelling.
21 It is D-E-U-X and the second word F-E-V-R-I-E-R:

22 Q. Now you said you stayed there until approximately November
23 '99?

24 PRESIDING JUDGE: No, he only said November in his last
15:09:57 25 answer.

26 MR SANTORA: I apologise:

27 Q. How long - you said you stayed there until November?

28 A. Yes, some time around that - around early November, really.
29 Around that. Late August to early November. That is when I took

1 off. That is when we left. Late October. I mean late October
2 to early November. That is when we left Lomé, between October to
3 early November really, 1999.

4 Q. Now, after you left Lomé where did you go?

15:10:48 5 A. From Lomé, I used to leave Lomé to go somewhere else and
6 return. Like after 7 July - after the 7 July peace accord,
7 because after the signing of the accord on 7 July I went with Pa
8 Sankoh to Algeria to the OA summit for about three days and
9 returned to Lomé. And then I undertook another trip with Pa
15:11:21 10 Sankoh to Libya - to Libya - for about five days, for about five
11 days and I returned to Lomé. From Lomé we took off - I mean I
12 took off with Foday Sankoh, I, Foday Sankoh and General Ibrahim,
13 the three of us were the last people who stayed in Lomé among the
14 entire delegation that there was. We went through Burkina Faso,

15:11:58 15 Ouagadougou and spent 72 hours there. From there we went to the
16 Ivory Coast, we spent up to two or more weeks there, something
17 like that. From there we went to Monrovia. In Monrovia too we
18 spent too some days there. From Monrovia we went to Freetown.

19 Q. When you went to Monrovia this time on your way back to
15:12:26 20 Freetown, where did you stay in Monrovia?

21 A. At one house which was - we were lodged in one house in
22 Monrovia and that particular house that was where, when we were
23 going to Lomé that was where we stopped. We stopped there to
24 rest for some hours, then we went. That house was known as the
15:13:00 25 RUF guesthouse, but I can't describe the right location of the
26 house because I do not understand Monrovia that much really.

27 Q. Mr Witness, then you said you arrived in Freetown?

28 A. Yes.

29 Q. And from Freetown did you go anywhere?

1 A. Yes, from Freetown I and Pa Sankoh went to Buedu. He first
2 visited - Pa Sankoh's first visit was Kailahun District after he
3 had been released from prison.

15:14:07 4 Q. So can you approximate when in terms of month and year when
5 you arrived in Buedu after initially leaving. I know earlier you
6 said it was around April 1999?

7 A. I went back to Buedu some time around December. Either
8 December or around November to December. I can't remember the
9 exact, but it was late December - late 1999 let me say. Late
15:14:35 10 1999 I went back to Buedu. I can't remember - I can't tell you
11 all of the dates off head, anyway.

12 Q. And what was happening in Buedu at this time when you
13 returned in late 1999?

14 A. When we got to Buedu, Pa Sankoh had a meeting with most of
15:15:05 15 the commanders who were there on the ground. Most of the
16 commanders, because commanders had come from many parts of Sierra
17 Leone to welcome him in Buedu, including Issa, Kallon, Mosquito,
18 many commanders were there. I can't remember all of them anyway,
19 because I, in particular when I got to Buedu, I had very little
15:15:38 20 to do around Foday Sankoh. I now had helpers, helpers on the
21 radio, and so that was an opportunity for me to rest after I had
22 operated for almost - for that length of time alone in one
23 station, I was operating it alone day and night, so that was an
24 opportunity for me to rest, so I did not have too much time with
15:16:04 25 that now.

26 Q. Now, you said that Mosquito at this point was still in
27 Buedu. Is that correct?

28 A. Yes, yes.

29 Q. Did he remain in Buedu?

1 A. Mosquito was in Buedu until late December. Until late
2 December, I am sure.

3 Q. Of what year?

4 A. 1999. 1999.

15:16:39 5 Q. And then what happened to Mosquito?

6 A. There was a misunderstanding between Mosquito and Foday
7 Sankoh pertaining the cease - pertaining the symbolic disarmament
8 or no symbolic disarmament which led Mosquito to go to Liberia
9 when he finally wrote a resignation letter from the RUF and left
10 it and he went to Liberia.

11 Q. What do you mean when you say symbolic disarmament?

12 A. That was to show a sign of willingness that the RUF was
13 ready to disarm at that time in the Kailahun District and that
14 would have - should have taken place in Segbwema. Segbwema.

15:17:51 15 That is a town on the main highway between Daru and Kenema.
16 Segbwema is in the Kailahun District.

17 Q. Now, was anything happening to you when Sam Bockarie left?

18 A. Yes. When those things - when the misunderstanding between
19 him and Pa Sankoh was there, Pa Sankoh tried to --

15:18:24 20 THE INTERPRETER: Your Honours, can the witness kindly
21 repeat his answer slowly.

22 PRESIDING JUDGE: Mr Witness, the interpreter is trying to
23 keep up with you. Could you please pick up your answer where you
24 said "Pa Sankoh tried to" pick up from there.

15:18:43 25 THE WITNESS: Okay. Mosquito, after the misunderstanding
26 that had erupted between him and Pa Sankoh at the time that Pa
27 Sankoh said Mosquito should organise in Segbwema to show some
28 willingness to disarm, Mosquito was trying to organise his own
29 men. He was trying to organise his own men. He refused to

1 adhere to what Foday Sankoh had said. In fact, he went on to
2 give instructions to Momoh Rogers, who was assigned to Segbwema,
3 for them to cut off the road, like destroy any of the bridges or
4 dig holes - to dig deep holes on the road so that ECOMOG would
15:19:44 5 not be able to access the road. From there Mosquito also
6 organised men really almost across the Moa, from around Kui va
7 area, or let me say from around Mobai area, up to Pendembu -
8 towards Pendembu.

9 MR SANTORA:

15:20:10 10 Q. I am going to intervene, and I am sorry to cut you off, but
11 I am just specifically asking about you. When Sam Bockarie left,
12 what was happening? Was anything happening to you?

13 A. Yes. Well, Mosquito when he was going he left me in a
14 prison. He left me in a dungeon. He - that was a pit that was
15:20:36 15 about 24 deep. 24 feet deep. It was a pit that we referred to
16 as a dungeon in Buedu. That was where Mosquito left me and some
17 other brothers.

18 Q. And just where was this pit in Buedu? I am sorry, actually
19 I think you said - yes, I am sorry. There was a pit. Where was
15:21:05 20 this pit in Buedu?

21 A. The particular pit that he put me in was the MP - the RUF
22 Military Police headquarters on the main road that led to Koindu
23 in the centre of the town.

24 Q. And can you briefly describe why he put you in this pit?

15:21:32 25 A. Yes, as I was explaining it pertained - pertaining to --

26 THE INTERPRETER: Your Honours, can he kindly reif Pete his
27 answer more clearly.

28 PRESIDING JUDGE: Mr Witness, the interpreters cannot hear
29 you clearly. Please repeat your answer slowly where you said,

1 "It pertained to" and continue.

2 THE WITNESS: Yes, like I was explaining when he stopped
3 me, where I stopped, what I was saying, that Mosquito was
4 mobilising his own force. He was trying to mobilise his own
15:22:17 5 force independent of the RUF. That Foday Sankoh was talking to
6 him and he was not listening to him, Issa was trying to advise
7 him on the radio and he was not listening and they were
8 exchanging words between themselves. Mosquito was sending people
9 to attack part of RUF areas.

15:22:34 10 Then I tried to advise Mosquito. I said, "Mosquito, we
11 went I to Lomé". Besides that there was one radio in Buedu which
12 was Radio Freedom, a frequency modulation radio, which was Radio
13 Freedom. On Radio Freedom Mosquito was allowing other people - I
14 mean the stringers who were on the radio, the DJs were saying a
15:23:03 15 lot of things against the Lomé Peace Accord so that the stringers
16 can say a lot of things against the Lomé Peace Accord. That was
17 what I heard and I went and told Mosquito that Master - I took
18 the radio to him and I said, "Master, listen to these discussions
19 that are going on on this radio. I don't think" --

15:23:24 20 MR MUNYARD: Can the witness slow down a little, please.

21 PRESIDING JUDGE: Mr Witness, you are really speeding up to
22 the speed of a train.

23 THE WITNESS: I will try to adjust. I will try to adjust.
24 The broadcasts that were going on on Radio Freedom, I took my
15:23:48 25 radio to which I was listening to the broadcasts and went and met
26 Mosquito. In fact, that night he was sitting with Colonel
27 Jungle. Mosquito and Colonel Jungle were sitting together. Then
28 when I told Mosquito, I said - because these things that are in
29 the - that were in the Lomé Peace Accord, I can say 75 per cent

1 were in favour of the RUF from what I saw in the document,
2 really. So RUF had a great advantage to make use of the Lomé
3 Peace Accord if it had stayed like that. Mosquito said in fact
4 we - it was because we had connived. "Like me, they have bought
15:24:40 5 a mansion for me in Freetown". He said a lot of things about
6 that.

7 It was not long, he still continued and I decided to write
8 a letter in coordination with one Junior Vandi whom I spoke about
9 that all of us went to Lomé. He was Lion's bodyguard. We wrote
15:24:58 10 the letter and gave it to one of Foday Sankoh's bodyguards for
11 him to take it to Freetown directly to Foday Sankoh. The guy's
12 name was Kaliko. That was the only name I knew for him, Kaliko,
13 K-A-L-I-K-O. That was the only name I knew for him.

14 Kaliko went and exposed the letter to different people in
15:25:28 15 Kailahun, that is Kailahun Town, wherein Mosquito one of his
16 bodyguards - some of his bodyguards were in Kailahun to whom the
17 information had leaked. They immediately arrested Kaliko, put
18 him on the motorbike and took him to Mosquito with the letter.
19 They met - I mean, the bodyguards who took Kaliko with the
15:26:05 20 letter, they met Junior Vandi on the ground and Satellite and
21 others and they arrested them.

22 That night I was not at home. I was not at the office
23 during that night. I was at my house. I was at my house when I
24 got the information, when I heard rumours that Mosquito had taken
15:26:31 25 the letter which I and JR wrote to Freetown. I escaped that
26 night from Buedu together with one of my friends with whom we
27 were moving up and down together, that is T-Boy. He accompanied
28 me and we went through - we went through - we went through the
29 Liberian border and we went to Vahun. I went straight to Vahun

1 in Liberia. I did not go towards Kailahun or Pendembu area,
2 because they had a lot of agents there. I just decided to cross
3 directly into Liberia because I thought I would feel safer there,
4 because I said Mosquito would not use all his veto on me there.

15:27:21 5 Q. Mr Witness, I just want to get back to the main question.
6 I know you are describing what led up to it, but what brought you
7 ended up in the pit? How did you end up in the pit? I know you
8 are describing events that led up to it.

9 A. Well, Mosquito - I was arrested. I arrived in Vahun to
15:27:45 10 send - when I got to Vahun I sent a message to Foday Sankoh in
11 Freetown. I mean I sent a message to Foday Sankoh in Freetown.
12 Then Foday Sankoh - that's the radio station that was in Vahun
13 that I used to transmit the message to Foday Sankoh about the
14 type of attitude that Mosquito had developed, that he had even
15:28:08 15 arrested Junior Vandi and others.

16 PRESIDING JUDGE: Mr Witness, didn't you hear counsel
17 asking you to say why - how you come to be in the pit? What
18 brought you to end up in the pit? Please explain. You are
19 telling us about what happened in Liberia.

15:28:24 20 MR SANTORA: I can maybe help.

21 THE WITNESS: Well, it was from Liberia that I was arrested
22 and put in the pit. That's what I'm saying. It was in Liberia,
23 Vahun. That was where I was when Mosquito sent an instruction to
24 the commander who was there - the commander who was there was one
15:28:42 25 Captain Tengbeh. Captain Tengbeh arrested me and he provided me
26 with two armed men to escort me back into Sierra Leone.

27 As I was entering Sierra Leone at that time Mosquito had
28 sent a vehicle to pick me up from the border to take me to Buedu.
29 From there he tortured me, he manhandled me and put me in jail.

1 It was in that jail that I was until Mosquito went, the dungeon.

2 MR MUNYARD: Can we have a person attached to the "he" who
3 manhandled him and put him in jail and tortured him?

4 THE WITNESS: Mosquito, Sam Bockarie.

15:29:32

5 MR SANTORA:

6 Q. You just made a reference to a Captain Tengbeh. Who was
7 he?

8 A. He was an AFL captain and Captain Tengbeh was the commander
9 in Vahun.

15:29:48

10 Q. Now, after Sam Bockarie left Buedu --

11 JUDGE SEBUTINDE: Do we have a spelling for Tengbeh?

12 MR SANTORA: I believe it has been spelled on the record
13 before and it is the same exact spelling that appears on the
14 LiveNote now, I am informed. I can ask the witness for his own

15:30:08

15 spelling:

16 Q. Do you know how to spell his name?

17 A. I spell it as T-E-N-G-B-E-H, Tengbeh.

18 Q. Okay. Now, after Sam Bockarie left Buedu what happened in
19 terms of the RUF command structure?

15:30:41

20 A. Well, when Mosquito left us finally, Pa Sankoh appointed
21 Issa as head of the military - head of the military, yes.

22 Pa Sankoh appointed Issa as head of the military wing. Then it
23 was Issa who was head of the military in the command structure.
24 Then Superman was the battle group.

15:31:26

25 Q. Now, just answer the question briefly. How long then from
26 this point did you remain in Buedu?

27 A. Well, I did not stay in Buedu for too long. In fact, by
28 Christmas I had moved and I spent a Christmas somewhere around
29 the Kailahun area. I did not stay long in Buedu. The new year

1 did not meet me in Buedu; it met me in Kailahun.

2 Q. And when the end of the war arrived in Sierra Leone, where
3 were you?

4 JUDGE SEBUTINDE: Sorry, Christmas of which year?

15:32:09 5 MR SANTORA: I'm sorry:

6 Q. You said that you did not stay long in Buedu. The new year
7 - you said that you spent Christmas somewhere around the Kailahun
8 area, you did not stay long in Buedu. When you say Christmas,
9 what year are you referring to?

15:32:29 10 A. That was - the year 2000 met me in Kailahun Town.

11 Q. So at the end of 1999, Christmas 1999, where were you?

12 A. I spent that in Kailahun.

13 Q. Now when the war ended in Sierra Leone, where were you?

14 A. At the time the war ended, I was in Pendembu.

15:33:05 15 MR SANTORA: Now I would ask that the witness be shown the
16 photograph behind tab 8 and I believe there is an original and a
17 copy with the Court.

18 MR MUNYARD: Madam President, on my map of Sierra Leone
19 that I have regularly used from the internet and keep on my
15:33:46 20 desktop here there are two Pendembus marked and this is only a
21 map of relatively large towns. Can we just for the sake of
22 absolute clarity establish which Pendembu the witness is talking
23 about?

24 PRESIDING JUDGE: Yes.

15:34:02 25 MR SANTORA:

26 Q. Just before we start looking at this document, or this
27 photo, Mr Witness, you said that you were living in Pendembu -
28 you were residing in Pendembu when the end of the war came in
29 Sierra Leone. When you say Pendembu, what chiefdom are you

1 referring to?

2 A. That is the Upper Bambara Chiefdom, Kailahun District.

3 MR SANTORA: Now I would ask that the witness be shown the
4 photograph behind tab 8:

15:34:58 5 Q. Mr Witness, are you looking at the original? Just look at
6 the original and take a moment. Do you recognise the individuals
7 in that photograph?

8 A. Yes, I recognise most of the faces that are clear here
9 directly.

15:35:19 10 Q. Okay, I am going to ask you to mark the ones you recognise.

11 A. Yes, from the left --

12 MR SANTORA: Can I enquire from the Bench, because I know I
13 haven't been here for a while doing a photograph. Has it been
14 the practice where the witness will go up and mark on the screen,
15:35:47 15 or - I don't know if he's going to make a mark.

16 PRESIDING JUDGE: We have actually been marking on the
17 photograph.

18 MR SANTORA: On the photograph itself?

19 PRESIDING JUDGE: And then subsequently it is displayed on
15:35:56 20 the screen.

21 MR SANTORA: On the copy though, right?

22 PRESIDING JUDGE: We have only got a copy. I can see from
23 here. That is what I am looking at and that is what I am talking
24 about. You did say there was an original, but we haven't seen an
15:36:11 25 original yet.

26 MR MUNYARD: He has got the originals there, I believe.

27 PRESIDING JUDGE: Has he? I can see now that the original
28 has been put on the screen. The original should not be marked.

29 MR SANTORA: I guess - and I should have said this before.

1 I guess I should offer that the original be shown first to
2 Defence counsel.

3 JUDGE SEBUTINDE: Mr Santora, perhaps for the record you
4 could cite the ERN number for the photograph.

15:37:09 5 MR SANTORA: It is actually a P number, but it is
6 P00001160.

7 MR MUNYARD: I am sorry to hold things up slightly.
8 Whoever has put an exhibit number on this photograph has managed
9 to plant the exhibit number sticker right across a word that has
10 been written on the back of the photograph, and I am not going to
11 delay things now, but I wonder if at the end of the Court day I
12 could have it again to look at it?

13 MR SANTORA: I would ask to see it briefly as well.

14 PRESIDING JUDGE: Mr Santora, please proceed.

15:40:23 15 MR SANTORA:

16 Q. Mr Witness, do you see the photograph in front of you?

17 A. Yes.

18 Q. Okay. Can you go ahead and mark the individuals that you
19 recognise? Well, first of all point out the individuals you
20 recognise?

21 A. Well, although there is one that is - one person that is
22 blurred, but the person that is in front of me here --

23 MR SANTORA: I think the witness should probably stand up
24 so everyone in the court can see where he is pointing to.

15:41:03 25 PRESIDING JUDGE: Mr Witness, if you can move down towards
26 that screen and then using a pen or something point to the
27 individuals you are naming.

28 MR SANTORA: Just again, and I apologise but I would like
29 to enquire from the Bench, the Prosecution is only going to seek

1 to have marked the copy of this photo and we have the original
2 here available for inspection and so it is appropriate that the
3 witness just uses the copy at this point? That is what will be
4 marked on and that is what will be marked for identification.

15:42:23 5 The original is not going to be marked for identification and it
6 perhaps is easier if he is pointing at the one - if he is
7 pointing at the copy, if that is the one he is going to be
8 marking on, perhaps that is the one he should use to point?

9 PRESIDING JUDGE: Before I ask for a reply on that, what is
15:42:40 10 the reason that you are not going to be exhibiting or seeking to
11 tender as an exhibit --

12 MR SANTORA: Because I am asking the witness to make
13 markings on the particular photograph and so, in other words, I
14 don't - I am not asking the witness to mark the original. The
15:42:59 15 original is simply available for inspection.

16 PRESIDING JUDGE: Do you mean therefore that the original
17 will not be tendered in the court? It will be taken away, or in
18 some other way --

19 MR SANTORA: That is correct. That is correct.

15:43:11 20 PRESIDING JUDGE: And that is my question: Why are you
21 doing that when we have the original here in the court?

22 MR SANTORA: Because I am requesting the witness to mark on
23 the actual photo.

24 PRESIDING JUDGE: Well, we can mark the copy, but it still
15:43:28 25 does not alleviate or overcome my question as to why you are
26 taking the original away.

27 MR SANTORA: Well, then, perhaps it could just be submitted
28 as an A - marked as an A and B, if that is preferable.

29 PRESIDING JUDGE: That is my initial inclination, but I

1 will of course hear from the Defence in due course if it is to be
2 tendered.

3 JUDGE SEBUTINDE: Yes, Mr Santora, at this stage you are
4 asking the witness to identify persons, but at the back of this
15:44:02 5 photograph, which he has already had an opportunity to look at,
6 are names of persons in the photograph.

7 MR SANTORA: The witness was not supposed to be shown the
8 back of the photograph and there was no instruction from the
9 Bench to do so - from this side to do so.

10 JUDGE SEBUTINDE: I saw him flip the photograph. There was
11 no instruction for him not to.

12 MR MUNYARD: It might be instructive to enquire whose the
13 handwriting is on the back, because that may indicate just how
14 much he has studied the photograph in advance.

15:44:34 15 MR SANTORA: Well, Madam President --

16 PRESIDING JUDGE: Let us identify the persons first and --

17 MR SANTORA: Madam President, if the witness did - if
18 inadvertently he was shown the back the witness will testify to
19 the people in this photograph and it will be a matter of either
15:44:49 20 cross-examination or his credibility as to whether or not it was
21 suggestive or not, but I am just enquiring particularly for the
22 marking, if it is preferring --

23 PRESIDING JUDGE: Please mark the copy.

24 MR SANTORA: Okay:

15:45:26 25 Q. Mr Witness, do you recognise the individuals in that
26 photograph?

27 A. Yes.

28 Q. Can you point and identify them?

29 A. Yes.

1 MR SANTORA: If the witness can be given - okay, he has a
2 pen:

3 Q. Just go ahead and point out the individuals you recognise
4 in that photograph.

15:45:49 5 A. Like the first person sitting here is myself. This is
6 myself. The second person is Josephine Tengbeh; she was Foday
7 Sankoh's girlfriend. The third person sitting here is Daniel
8 Kallon, Pa Kallon; he was an advisor to Foday Sankoh. And the
9 person sitting close to him, that I recognise by the side view,
15:46:20 10 is Leather Boot. Leather Boot. And if you go on the upper part
11 of the photograph, when I talk about on top of Josephine Tengbeh
12 is Alimamy Paolo Bangura and the person after Paolo Bangura at
13 the extreme top right is Mike Lamin.

14 Q. I would ask that you go ahead and before I ask you, do you
15:46:52 15 know where this photograph was taken?

16 A. Yes, in Lomé.

17 Q. And do you know where specifically in Lomé?

18 A. This was in one of the conference halls in Lomé in front of
19 the hotel. It was part of the hotel conference hall.

15:47:24 20 MR SANTORA: Now can the witness mark:

21 Q. You have identified several individuals. Can you go ahead
22 and mark on that copy of the photograph the individuals you
23 identified and using a - by writing out their names and putting
24 an arrow to each respective individual?

15:47:43 25 A. I will try.

26 Q. And just try to write small because I know you have
27 identified several individuals. And just to be clear, there is -
28 you marked one as "M Lamin"?

29 A. That is Mike Lamin.

1 Q. Is it feasible to just try to put the first name. Now, can
2 you go ahead and sign this document?

3 A. Yes.

4 Q. Can you go ahead and put today's date, which is 3 December?

15:50:29 5 JUDGE SEBUTINDE: Mr Santora, you did ask - you asked the
6 witness where the photograph was taken, but you haven't asked him
7 when or what occasion this was.

8 MR SANTORA: Okay, I will.

9 JUDGE SEBUTINDE: That would be helpful to know:

15:50:45 10 Q. Now, Mr Witness, this photograph that you see, do you know
11 what occasion this was?

12 A. Well, this - I had so many snapshots with these people, but
13 I expect that this was during the open session of the Lomé Peace
14 Accord, around that time.

15:51:10 15 Q. Can you approximately state when that was?

16 A. This must have been during one of the meetings held in the
17 conference hall. I do not recall exactly, but this was in one of
18 the conference halls, but I do not recall the exact date anyway.
19 Now I do not recall. So far that is all I can say about these

15:51:39 20 photos, because it has taken a long time without setting eyes on
21 these photos. The only thing I am able to recall everybody
22 there, to recognise everybody there.

23 Q. Was this photograph taken prior to the signing of the Lomé
24 Accord, do you know?

15:51:59 25 A. Yes.

26 Q. Okay, and it was taken after - well, that is fine.

27 A. Before.

28 MR SANTORA: At this point the Prosecution would request
29 that this be marked for identification.

1 PRESIDING JUDGE: Well, I understand there will be two
2 documents; there will be an original and a copy as marked by the
3 witness. The original will be MFI-8 - the copy with names as
4 identified by the witness and signed and dated by the witness
15:52:36 5 will be MFI-8B and the original will be MFI-8A.

6 MR SANTORA: Madam President, there is one more photograph,
7 so it's probably practical that the witness remains at the
8 screen, Mr Court Attendant.

9 PRESIDING JUDGE: Mr Court Usher, there is another
15:53:00 10 photograph so --

11 MR SANTORA: So it may make sense just for him to stay
12 where he was. Thank you. Now, I would at this point ask that
13 the witness - well, first of all, before I show the witness
14 anything, I would like the Defence to be shown the original
15:53:28 15 pertaining to tab 13. Just to the Defence and to myself and not
16 to the witness at this point. Can I also examine the original?

17 MR MUNYARD: As it is being passed over to my learned
18 friend I make the same point again. There is a sticker over some
19 handwriting and I would like time after the Court has risen to
15:55:14 20 peel off the sticker and see what the handwriting is.

21 MR SANTORA: At this point I would ask that just the copy
22 that is behind tab 1 be shown to the witness, not the originals.
23 In our submission it is not necessary.

24 PRESIDING JUDGE: Indeed. Please show the copy, thank you.

15:57:48 25 JUDGE SEBUTINDE: Mr Santora, the P number?

26 MR SANTORA: I'm sorry, the P number on the copy of this
27 photograph is P0001163:

28 Q. Mr Witness, can you take a moment to look at the copy of
29 the photograph in front of you.

1 A. Yes.

2 Q. Do you recognise any of the individuals in that photograph?

3 A. Yes.

4 Q. Can you point out who you recognise in that photograph,
15:58:21 5 starting from the left?

6 A. This is Junior Vandi, Foday Sankoh's bodyguard that I was
7 talking about. This is Josephine Tengbeh, Pa Sankoh's
8 girlfriend. The person standing behind Josephine is General
9 Ibrahim and this is Foday Sankoh. This is Foday Sankoh. And the
15:58:55 10 person behind Foday Sankoh was one of the civil society members
11 who was there present at the peace talk from Sierra Leone. One
12 of the civil society members. This is one Frances Foyoh. She
13 was a Sierra Leonean representative that travelled from Spain to
14 go on the Lomé peace talks. And I am standing just behind
15:59:19 15 Frances, Frances Foyoh. It might be Frances or Princess Foyoh or
16 something like that. I do not actually recall it on top of my
17 head, but it should be either Frances or Princess. And the
18 person right at the back there, the last person there behind me,
19 is Alimamy Paolo Bangura.

15:59:43 20 Q. Do you know where this picture was taken?

21 A. In Lomé, hotel Deux Fevrier.

22 Q. And do you know approximately when this picture was taken?
23 Again, I am just asking you approximately when? Approximately
24 when?

16:00:17 25 A. It was during the Lomé Peace Accord, before the signing of
26 the peace accord.

27 Q. And do you know the occasion for this - what was the
28 occasion for this photograph?

29 A. This picture - this picture was taken during I think the

1 short session. But I had more than 200 snapshots and I had them
2 in Lomé and most of them Pa Sankoh himself was in it, and most of
3 these people that you see they were on those pictures, but except
4 I think - I think well before I will be able to come up with
16:01:29 5 something specific about the real occasion or location in the
6 case of this picture.

7 Q. Now again, as you did previously, can you go ahead and mark
8 the individuals that you recognise in this photograph. And again
9 just try and write small and legibly and, if you need to, use a
16:01:59 10 circle to circle around the head of the particular individual and
11 draw an arrow outward if it helps you.

12 JUDGE SEBUTINDE: Mr Santora, Frances Foyoh needs to be
13 spelt properly.

14 THE WITNESS: I spelt it Miss Foyoh, because I had already
16:05:11 15 stated that I had forgotten the first name. It might be that
16 Frances or Princess. That one escaped me, so I have already
17 stated that before. That is the reason why I do not want to be
18 specific.

19 JUDGE SEBUTINDE: Mr Witness, I was not referring to you.
16:05:29 20 I am referring to the transcript.

21 MR SANTORA: The transcript, not the photograph, okay. I
22 am just going to find the reference:

23 Q. How did you spell Foyoh, Mr Witness? Why don't you finish
24 marking. Now, Mr Witness, how do you spell Foyoh?

16:06:39 25 A. F-O-Y-O-H. That is how I spell it.

26 Q. Now, Mr Witness, I would ask that you sign this copy of
27 this photograph and then again put the date?

28 A. The 3rd, am I right?

29 Q. Yes.

1 PRESIDING JUDGE: Yes, you are.

2 MR SANTORA: I would ask that this be marked for
3 identification and again with the A and B - I am sorry to
4 interrupt, but just I guess there is a B and an A. A with the
16:07:29 5 original.

6 PRESIDING JUDGE: That is a one page document, a
7 photograph, a copy of which is marked and signed and dated by the
8 witness identifying persons shown therein. The original is
9 MFI-9A and the copy as marked by the witness is MFI-9B.

10 MR SANTORA: It can be taken away from the witness now and
11 he can return.

12 PRESIDING JUDGE: Mr Witness, if you would go back to your
13 original seat now, please.

14 THE WITNESS: Thank you. I want to ease myself. I want to
16:08:42 15 ease myself.

16 PRESIDING JUDGE: Please assist the witness. Mr Santora,
17 if you wish to have a seat. Mr Santora, please proceed.

18 MR SANTORA: Thank you, Madam President: At this point the
19 Prosecution has no further questions for this witness and tenders
16:12:39 20 the witness.

21 PRESIDING JUDGE: Thank you, Mr Santora. Mr Munyard, I
22 understand that you have carriage of this witness?

23 MR MUNYARD: That is correct, Madam President. Bearing in
24 mind the time, I propose in the short time that is left today
16:12:55 25 just tying up some of the most recent loose ends and it would
26 seem appropriate for me to go straight to the question of the
27 photographs so I am going to ask Mr Court Attendant to take those
28 two photographs back to the witness, please.

29 CROSS-EXAMINATION BY MR MUNYARD:

1 Q. Now, Mr Fornie, you have produced these photographs. You
2 are in both of them. It follows, does it, therefore, that you
3 didn't take these photographs?

4 A. Please repeat your question.

16:13:51 5 Q. You are in both of the photographs that we have just been
6 looking at, correct?

7 A. Yes, I am in both.

8 Q. Does it follow, therefore, you were not the person who took
9 the photographs?

16:14:13 10 A. I did not get clearly what you meant by that because --

11 PRESIDING JUDGE: It is not hard.

12 MR MUNYARD: I will put it - well, it clearly is hard, with
13 respect, Madam President. I will put it in another way:

14 Q. You were not the photographer, were you?

16:14:28 15 A. Yes, I am not the photographer.

16 Q. Thank you. Where did you get those photographs from?

17 A. Those photos, while we were in Lomé at any time we
18 assembled somewhere, like during the meetings, immediately when
19 we were coming outside, there were photographers around who were
16:14:58 20 businessmen - business people - they took shots of us and they
21 made sure that they made it very decent when we were gathered
22 together and sometimes we too asked them to give us snapshots and
23 sometimes we ourselves would call on the photographers to come
24 and give us snapshots and this particular picture I paid for it.

16:15:19 25 Q. I am going to stop you. I simply wanted to find out where
26 you got them from. We know you got them from local photographers
27 who were earning their living by taking photographs of people at
28 the hotel and so on, yes?

29 A. Yes.

1 Q. Thank you. And have you kept those photographs ever since?

2 A. Yes.

3 Q. And when did you produce them to the Prosecution?

16:16:03

4 A. I produced some of these pictures in 2006/2007, because I
5 did not produce the photographs just at one point in time.

6 Q. Do you know when you gave the Prosecution these two
7 photographs that we have seen today?

16:16:25

8 A. Well, it is the time duration that I have told you. Like I
9 told you, I do not recall the exact months, but it was within
10 those years I have told you about.

11 Q. When you gave them to the Prosecution, was there anything
12 written on the back of the photographs?

13 A. Yes. They asked me about the people who were in the
14 photographs, for me to write their names.

16:16:52

15 Q. So that is when that writing came to be on the back of the
16 photographs, namely, the time when you were handing them over to
17 the Prosecution investigators, yes?

16:17:17

18 A. Well, I do not know which one amongst the writings exactly
19 that you are talking about, because I have not yet seen the
20 writings. If I saw them, I will tell you that these are the
21 writings that I am aware of on these photographs.

22 Q. Have a look now then, please. Take the first photograph,
23 which is MFI-8, I think.

24 PRESIDING JUDGE: It will be MFI-8A, if it is the original.

16:17:41

25 MR MUNYARD: Yes, thank you, Madam President:

26 Q. Have a look at that one - yes, it is that one. The
27 original, yes please. Take it out of the envelope and have a
28 look at the back of it. Now, is there some handwriting on the
29 back of that photograph?

1 A. Yes.

2 Q. Right. And whose is the handwriting?

3 A. This was one of the investigators from the OTP, from the
4 Office of the Prosecution; one of the investigators.

16:18:26 5 Q. So it is not your handwriting at all, is that what you are
6 saying?

7 A. Yes, it is not my handwriting.

8 Q. Right. And have you signed it anywhere on the back?

9 A. I do not recall signing this picture at the back.

16:18:47 10 Q. Right. There is a sticker put on the back with a number on
11 it in red and underneath that sticker something is written. I
12 don't know if you can see - make out at all that something is
13 written under the sticker. Can you detect that?

14 A. Maybe if I saw it I will be able to detect it.

16:19:12 15 Q. Well, we can't read it through the sticker. Could I just
16 have the photograph for a moment, please, so I can ask you a
17 question about it. We don't have a copy of the back
18 unfortunately and so I have only just seen that today. Thank
19 you. Now, the person - if you look at the front of the

16:20:10 20 photograph - the person on the far right-hand side of the
21 photograph in a blue suit at the front, you have identified him
22 as - well, you tell us who that is?

23 A. That is Leather Boot.

24 Q. Thank you. What is Leather Boot's real name?

16:20:41 25 A. Leather Boot's real name has actually escaped - skipped my
26 mind. It has escaped me. It should be something Kamara, but it
27 has escaped my mind. I am unable to recall his full name.

28 Q. Can you tell us now if you recall being able to - if you
29 remember being able to recall his full name when you gave that

1 photograph to the Prosecution?

2 A. I do not recall that.

3 Q. And just so that we can be clear, in the second photograph
4 - and I would like you now to be shown the original of the second
16:21:32 5 photograph, which will be MFI-9A - I am sorry, I am going to have
6 to look at it first again to see the handwriting before I ask you
7 the question. Now, if you have a look at the front of that
8 photograph, the second photograph, Leather Boot appears again
9 there, doesn't he?

16:22:38 10 A. No.

11 Q. Oh, are you quite sure about that?

12 A. Yes.

13 MR MUNYARD: Would your Honours give me just a moment while
14 I go back in the transcript?

16:23:18 15 Q. Yes, General Ibrahim. Does he appear in that photograph?

16 PRESIDING JUDGE: Which one, Mr Munyard?

17 MR MUNYARD: I am just asking if General Ibrahim appears in
18 - this is the second of the photographs.

19 PRESIDING JUDGE: The second one.

16:23:40 20 MR MUNYARD:

21 Q. Did you get my question, Mr Fornie?

22 A. Please say again.

23 Q. Certainly. Does someone called General Ibrahim appear in
24 that second photograph?

16:23:47 25 A. Yes.

26 Q. And General Ibrahim is who?

27 A. General Ibrahim was one of - he was one of the liaison
28 officers for the RUF.

29 Q. Was he also known as Leather Boot?

1 A. Pardon?

2 Q. Was he also known as Leather Boot?

3 A. No.

4 Q. Have you ever told anybody that General Ibrahim was also
16:24:26 5 known as Leather Boot?

6 A. No.

7 Q. Is Ibrahim - sorry, is Mr Kamara also known as Leather
8 Boot, is his first name Ibrahim?

9 A. Repeat that again.

16:24:45 10 Q. I might repeat everything at this rate. Is Leather Boot's
11 first name Ibrahim? You told us his last name was Kamara. Is
12 his first name Ibrahim?

13 A. No, I am not sure that Leather Boot's first name is
14 Ibrahim.

16:25:07 15 Q. Is it Idriisa?

16 A. Something like that. It should be Idriisa Kamara,
17 something like that.

18 Q. All right. Now on those photographs, where somebody has
19 written down who is in the pictures, they have written down the
16:25:27 20 names of the individuals as you have identified them to the
21 investigator. Is that correct?

22 A. Yes, I had identified these photos to the investigators.

23 Q. And you identified them to the investigators on the date
24 that the investigator has written down the names of the people in
16:25:54 25 the photos and signed and dated the information that he has
26 written on the back of the photograph. Is that right?

27 A. Do you mean I signed at the back of this photograph?

28 Q. No, I mean that the person who has written down who is in
29 the photographs, as your instruction, has signed and dated the

1 occasion on which you have identified the people in the
2 photographs and he has written them - their names on the back,
3 correct?

16:26:38 4 A. Yes, the person wrote the names on the back, but now you
5 are talking about signature and that is what I am not too sure
6 about; whether I actually signed on the back of the picture.

7 Q. Don't worry now about the signature, but there is a date on
8 both photographs, isn't there, written down alongside or
9 underneath the identity of the people in the pictures?

16:27:02 10 A. Now --

11 Q. Just have a look, please, and tell us what the date is. It
12 is on the back of that photograph and then you can have a look at
13 the other one.

14 A. This is 1 October.

16:27:33 15 Q. Thank you. And the next one, please? I am trying to get
16 this done in about 30 seconds.

17 JUDGE SEBUTINDE: There is a year. There is a year.

18 MR MUNYARD: Your Honour is quite right. We have only got
19 the day and the month so far:

16:27:46 20 Q. 1 October which year?

21 A. 2007.

22 Q. And what about the - is that on both photographs, that
23 date?

24 A. Yes.

16:28:02 25 Q. Right. So, can we take it that you gave the Prosecution -
26 the OTP investigator - those photographs on 1 October 2007?

27 A. Well, it is 1 October 2007 that the Prosecution asked me to
28 identify these photographs.

29 Q. Yes, is that the day that you gave them these photographs?

1 A. I do not recall whether this particular picture was given
2 to them on that day, because this particular photograph I sent
3 them, by then there was nothing written on them, and so it was
4 later that the investigators called me to go to Freetown to go
16:29:08 5 and identify some of the photographs that they had with them in
6 Freetown, because I had sent them without any names written on
7 their backs.

8 PRESIDING JUDGE: Mr Munyard, we will have to pursue this
9 line of questioning tomorrow as we have been alerted the tape has
16:29:23 10 run out and we are over time.

11 MR MUNYARD: I think all of our minds will be a bit fresher
12 and hopefully we will be a bit quicker in the morning.

13 PRESIDING JUDGE: Mr Witness, it is now our normal time to
14 finish for day and we will resume in court tomorrow at 9.30. I
16:29:41 15 again remind you that you are under oath and you must not discuss
16 your evidence with any other person while under oath. Do you
17 understand?

18 THE WITNESS: Okay.

19 PRESIDING JUDGE: Please adjourn court until 9.30 tomorrow
16:29:54 20 morning.

21 [Whereupon the hearing adjourned at 4.30 p.m.
22 to be reconvened on Thursday, 4 December 2008
23 at 9.30 a.m.]

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I N D E X

WITNESSES FOR THE PROSECUTION:

DAUDA ARUNA FORNIE	21532
EXAMINATION-IN-CHIEF BY MR SANTORA	21532
CROSS-EXAMINATION BY MR MUNYARD	21642