



Case No. SCSL-2003-01-T

THE PROSECUTOR OF
THE SPECIAL COURT
V.
CHARLES GHANKAY TAYLOR

TUESDAY, 23 MARCH 2010
9.00 A.M.
TRIAL

TRIAL CHAMBER II

Before the Judges:

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

For Chambers:

Ms Erica Bussey

For the Registry:

Ms Rachel Irura
Ms Zainab Fofanah

For the Prosecution:

Ms Brenda J Hollis
Ms Maja Dimitrova

For the accused Charles Ghankay
Taylor:

Mr Terry Munyard
Mr Silas Chekera

1 Tuesday, 23 March 2010

2 [Open session]

3 [The accused present]

4 [Upon commencing at 9.00 a.m.]

09:01:22 5 PRESIDING JUDGE: Good morning. We'll take appearances,
6 please.

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

09:02:58 10 MR MUNYARD: Good morning, Madam President, your Honours,
11 counsel opposite. For the Defence this morning myself, Terry
12 Munyard, Silas Chekera and also with us is Michael Herz, who is
13 an intern who has been in Court before but this is the first time
14 he's been in Court since being called to the bar by Gray's Inn
09:03:23 15 two weeks ago I think it was.

16 PRESIDING JUDGE: Well, Mr Herz is certainly welcome to the
17 Court. Before witness DCT-146 continues with their testimony,
18 good morning, Mr Ngebeh.

19 THE WITNESS: Yes, good morning, ma'am.

09:03:42 20 PRESIDING JUDGE: Yesterday you took an oath to tell truth
21 and that oath is still binding on you today. Do you understand
22 that?

23 THE WITNESS: Yes, my Lord.

24 WITNESS: DCT-146 [On former oath]

09:03:57 25 MR MUNYARD: May I indicate that apparently the problems
26 with both the recording of what the interpreters were
27 interpreting and indeed some of the beginning parts of my
28 questions arose because I was jumping in too quickly with my
29 questions, and so I'm going to try to take it more slowly today.

1 And if I fall into the same error, I would be grateful to be
2 corrected because apparently that was why some of the words were
3 missing at the beginning of some of the questions I asked. So I
4 would ask anyone not to hesitate to indicate if I'm doing it
5 again.

6 EXAMINATION-IN-CHIEF BY MR MUNYARD: [Cont]

7 Q. Good morning, Mr Ngebeh.

8 A. Yes, good morning, my Lord.

9 Q. We broke off yesterday when you were starting to tell us
09:04:51 10 about some of your - your, the RUF's - involvement in fighting
11 with members of the CDF who you described as Donsos and Kapras.
12 Can you tell us when the RUF were involved in fighting Donsos and
13 Kapras? We're still talking about the year 1994 now.

14 A. Yes, my Lord. 1994.

09:05:27 15 Q. Where was the RUF involved in fighting Donsos and Kapras?

16 A. Kabala district.

17 Q. Was there any particular place in Kabala district where
18 they were involved in fighting those CDF?

19 A. It was in Kabala town itself.

09:05:53 20 Q. And as a result of fighting those CDF forces, did the RUF
21 capture anything by way of arms or ammunition?

22 A. Yes, my Lord.

23 Q. What did they capture?

24 A. Single barrel and some automatic rifles in Kabala.

09:06:24 25 Q. When you say single barrel, what are you talking about?

26 A. The single barrel that is used to hunt in the bush. That
27 was what they were using.

28 Q. And is there another word for a single barrel that is used
29 for hunting in the bush?

1 A. Well, that is what we usually call it in our local
2 language. That's the only name I know for it. I don't know any
3 other name.

09:07:07 4 Q. Now, what happened after that particular episode when the
5 RUF captured single barrels and other items from the CDF? Were
6 you still - you yourself and your group still in the mountains in
7 Kangari Hills?

09:07:38 8 A. Well, the reason that we fought the Kapras was that they
9 attacked us at our base at the International Boko. After that
10 attack we experienced the Donsos as well. We captured single
11 barrel and its cartridges from them. One was captured that day
12 and he told us that they had come from Kabala and he said they
13 were the Donsos. They had come from Kabala and they were the
14 Civil Defence Forces. That was why we attacked their
09:08:09 15 headquarters in Kabala.

16 Q. After that attack on their headquarters in Kabala, did you
17 remain in the Kangari Hills, or did you go anywhere else?

18 A. We were still there in 1994.

09:08:34 19 Q. Did you get involved in any operations later on after the
20 ones you've just been describing with the CDF?

21 A. Operations used to go on around that area, for instance in
22 Matotoka. In that same 1994, we attacked there and we lost one
23 of our commanders, CO Memuna, a lady. She died in 1994 in
24 Matotoka. We attacked Matotoka, but we were unable to take
09:09:04 25 there. We lost a lot of manpower and we retreated in '94.

26 Q. And where did you retreat to?

27 A. We went back to our base, the International Boko.

28 Q. Did you attack any other towns from your base in
29 International Boko in 1994?

1 A. Yes.

2 Q. Would you tell the Court about that, please?

3 A. Yes, my Lord. We went back to Yele. In Yele there were

4 the Donsos. We attacked Yele and were able to capture some

09:09:59 5 materials, single barreled - barrels from the Donsos. On our way

6 coming we encountered a military convoy. It was coming from

7 Matotoka to Yele. They fell into our ambush. We captured GPMG,

8 AK-47, RPG bomb and mortar. It was a single vehicle between Yele

9 and Matotoka. We had to burn down the vehicle and take the

09:10:38 10 weapons and returned to our base. Thank you, my Lord.

11 Q. And do we spell Yele Y-E-L-L-E [sic]? Do you know whether

12 that's the correct spelling?

13 A. Yes.

14 Q. Thank you. Now, where was Foday Sankoh during this time?

09:11:05 15 You're in the Kangari Hills. You're conducting these various

16 operations that you've told us about. Where was the leader?

17 A. In 1994 Pa Sankoh was still in Zogoda.

18 Q. Did you receive any instructions from him as to how you

19 were to carry on the war?

09:11:36 20 A. Yes.

21 Q. What were those instructions?

22 A. In that same 1994 Pa Sankoh instructed CO Mohamed that he

23 has understood that the NPRC was getting arms and ammunition from

24 Rutile. The ship was coming from overseas and basking at Rutile.

09:12:13 25 For that same reason he said we should carry out an attack on

26 Rutile in that same 1994. From there he instructed CO Mohamed,

27 Gibril Massaquoi to attack Mile 91 in that same 1994. The other

28 group was to stay in Kangari Hills for further instructions.

29 Those were the instructions we got from Foday Sankoh in 1994.

1 Yes, my Lord.

2 Q. And was Rutile attacked? And if it was, what happened?

3 A. Yes. CO Mohamed took his troops from Kangari Hills. He
4 collected some men from Bo Jungle. Pa Sankoh sent some men from
09:13:18 5 Zogoda and they met and attacked Rutile. They captured Rutile
6 from the NPRC. They captured a lot of ammunition, weapons,
7 AK-47s, RPG, GPMG, anti-aircraft. A lot of materials in that
8 same 1994. We were going out towards 1995 when this attack was
9 carried out.

09:13:51 10 Q. I'm just asking you at the moment about Rutile. Were you
11 yourself part of that, part of the group that went to Rutile?

12 A. CO Mohamed never took me along. He said because if he had
13 taken me along Pa Sankoh would take me from him, so he left me
14 with Gibri I Massaquoi. He said he would go and take another
09:14:18 15 armourer at Zogoda but I should stay with Gibri I Massaquoi. I
16 did not go.

17 Q. And so where did you stay with Gibri I Massaquoi?

18 A. We were at International Boko.

19 Q. And did Gibri I Massaquoi launch any attacks from there?

09:14:43 20 A. Yes, my Lord.

21 Q. As a result of those attacks, did the RUF obtain any more
22 arms or ammunition?

23 A. We captured ammunition by the attack carried out by Gibri I
24 Massaquoi at Mile 91, December 25, 1994.

09:15:10 25 Q. Just before we leave 1994, can you help us with this: You
26 told us yesterday about an attack on Makali. Do you recall
27 telling the learned judges about that attack yesterday?

28 A. Repeat that question, my Lord.

29 Q. Yesterday you told us about an attack on Makali in 1994 by

1 the RUF as a result of which you obtained more materials. Do you
2 recall telling the judges that yesterday?

3 A. I talked about Matotoka. Matotoka attack. Not Makali.

4 Q. Well, let me try the question in a different way then.

09:16:04 5 A. Yes.

6 Q. Did the RUF attack Makali at all in 1994?

7 A. That was the second attack. After Masingbi it was Makali
8 where we captured single barrel and the vehicle. Yes, Makali.

9 After Masingbi it was Makali. That was the second target in 1994
10 where we captured a lot of materials.

11 Q. Thank you.

12 A. Yes.

13 Q. Did you attack Makali just once in 1994 or more than once?

14 A. The first attack in Makali, we were able to capture it.
09:16:48 15 But the second time around we were unable. Twice. We did it
16 twice.

17 Q. And when was the second time that you attacked Makali?

18 A. The second attack in Makali was when a reinforcement came
19 from Peyama. Who came with this reinforcement? It was CO Papa.
09:17:27 20 When he came he said he wanted to attack Makali. He led the
21 attack but he couldn't succeed. He lost a lot of manpower.

22 Q. Did he also lose any of your weaponry?

23 A. Yes, my Lord.

24 Q. How many weapons did he lose in that attack?

09:17:56 25 A. We lost four AK-47s and one RPG mortar.

26 MR MUNYARD: May I correct a spelling that I gave earlier.
27 I think said, when I was spelling Yele, two Ls. I fear that it
28 may just be one L, although I suspect it won't make any
29 difference:

1 Q. Now, Mr Ngebeh, we've reached December 1994. Were there
2 any other attacks that you can tell us about that the RUF took
3 part in in late 1994, December of that year? Or do we move then
4 into 1995?

09:18:48 5 A. In 1994 we had left Kailahun for Peyama. '94, that's the
6 operation I've told you about. Let's go to '95.

7 Q. You've told us that you were left by Foday Sankoh with
8 Gibri I Massaquoi at Mile 91. Did you stay there or did you go
9 somewhere else?

09:19:15 10 A. Point of correction. It was not Foday Sankoh who left me
11 with Gibri I Massaquoi. CO Mohamed, he left me with CO Gibri I
12 Massaquoi to stay with him so that we can go on that attack
13 December 23 to 25 at Mile 91, December 1994. It was not Pa
14 Sankoh. It was CO Mohamed.

09:19:42 15 Q. Very well. I stand corrected. In any event, you were left
16 with Gibri I Massaquoi at Mile 91 towards the very end of 1994.
17 Where did you go after that?

18 A. After --

19 JUDGE DOHERTY: I understood the attack went to Mile 91 and
09:20:05 20 he remained at International Boko.

21 MR MUNYARD: I think your Honour is right and I'm --

22 THE WITNESS: No. No.

23 MR MUNYARD:

24 Q. Mr Ngebeh, you tell us, please, where were you based and
09:20:21 25 tell us about Mile 91 in December 1994?

26 A. After CO Mohamed had received his order from Foday Sankoh
27 that he should go and attack Rutile, while Gibri I Massaquoi
28 should attack Mile 91, I was at International Boko with Gibri I
29 Massaquoi. CO Mohamed said I should stay with Gibri I Massaquoi

1 in order to attack Mile 91. Since that day I was at
2 International Boko with Gibriil Massaquoi. Gibriil Massaquoi was
3 the commander for Mile 91 for the December attack. All of us
4 went to Mile 91. We left our base on 23 December. We attacked
09:21:16 5 Mile 91, 25 December, on Christmas Day. Thank you.

6 Q. And did you succeed in your attack on Mile 91? Did you
7 capture --

8 A. Yes, my Lord.

9 Q. What were you able to capture at Mile 91?

09:21:43 10 A. We captured arms and ammunition, food. Enough things on
11 that same day. But in that attack we did not even spend up to
12 three hours in that town. You know that from Mile 91 that is the
13 highway that leads to Freetown. It was that route that goes to
14 Bo. That was an important place for the government. They never
09:22:08 15 allowed us to even stay up to three hours in that town. We were
16 attacked on that same day. They dislodged us and the group was
17 divided. The man who was with the communication, he took a
18 different route. I and Gibriil Massaquoi with some group took
19 another route.

09:22:36 20 Q. Can I ask you to pause there for a moment.

21 A. Yes.

22 Q. You've said your group split up. Where did you and Gibriil
23 Massaquoi go to after the attack on Mile 91?

24 A. We were fortunate to take the road that was going. We took
09:22:58 25 the route that was going towards Freetown. The other group used
26 a route that we had used to come and attack Mile 91 going towards
27 International Boko. That was how we were split.

28 Q. So where was the next place that you attacked - the group
29 you were with, I should say?

1 A. Well, then Gibril Massaquoi said he would be unable to go
2 anywhere until he has a signaller. He said we should go in
3 search of his men. We were in the camp for two days. Luckily
4 for us we received the other group who joined us where we had
09:23:42 5 encamped. From that we left to go to Malal. That was on 27
6 December. We left around the Mile 91 area to go to Malal.
7 That's the chiefdom. It's under Mile 91. It is called Malal
8 Chiefdom. That was where we went.

9 Q. I'm going to ask you to pause there for a moment while I
09:24:14 10 give a spelling. My understanding is that it is M-A-L-A-L?

11 A. Yes, sir.

12 Q. Was there something at Malal that you were aiming for?

13 A. Yes, my Lord.

14 Q. What was that place?

09:24:42 15 A. According to Foday Sankoh's instruction we were to be based
16 at the Malal Hill.

17 Q. Did you establish a base at the Malal Hill?

18 A. Yes, my Lord.

19 Q. And from there where did you go?

09:25:15 20 A. Our first target at Malal was Kontobi that was where we
21 attacked. This Kontobi was a small group of soldiers who formed
22 a barracks. They were engaged in agriculture. They had a vast
23 land. That was where they were farming. We understood that
24 soldiers were there. Gibril Massaquoi did not go on that
09:25:51 25 operation. He sent Komba Gbundema to attack Kontobi. Thank you.

26 Q. The spelling of Kontobi is K-O-N-T-O-B-I and Komba Gbundema
27 has been spelled I think many times during the course of the
28 evidence so I won't repeat that.

29 A. Yes.

1 Q. Did Komba Gbundema attack the base at Kontobi?

2 A. Yes.

3 Q. Was that attack by the RUF successful?

4 A. Yes.

09:26:41 5 Q. What did you capture, if anything, in the course of that
6 attack?

7 A. Combat, G3, LAR and ammunition. That was what Komba
8 Gbundema captured at Kontobi at 1994 at the end of December.

9 Q. I can't remember if we had LARs spelled out yesterday. I
09:27:05 10 have a feeling we did, but just help us again. What do you mean
11 by LARs, Mr Ngebeh?

12 A. Light automatic rifle.

13 Q. And by combats, what are you referring to again?

14 A. Komba was the commander to attack Kontobi. That
09:27:37 15 instruction had come from Gibril Massaquoi.

16 Q. I can understand where that misunderstanding has come from.
17 Combats, not Komba Gbundema, I was asking you about. What are
18 combats that you captured?

19 A. Oh, okay. The clothes used by soldiers, that's what we
09:27:58 20 call combats. C-O-M-B-A-T. Yes.

21 Q. You've described the army base there with a lot of farm
22 land. What happened to the soldiers there when the RUF attacked
23 that base?

24 A. They run away.

09:28:21 25 Q. And did the RUF do anything with the base once the soldiers
26 had run away?

27 A. No. They just took their weapons and left the place.

28 PRESIDING JUDGE: Mr Munyard, when the witness said LLAR
29 and ammunition, should we assume that this was one light - what

1 did he call it? One rifle?

2 MR MUNYARD: Light automatic rifle.

3 PRESIDING JUDGE: One?

4 THE WITNESS: Yes.

09:28:57 5 MR MUNYARD: Would your Honour give me an opportunity to
6 [microphone not activated].

7 PRESIDING JUDGE: Just one.

8 MR MUNYARD:

9 Q. Mr Ngebeh, you started to tell us about that and I
09:29:06 10 interrupted you to ask you what an LAR was. How many LARs were
11 captured in the course of that attack?

12 A. Ten.

13 Q. Where did you go from there?

14 A. I was not with them, but they came back and met us at the
09:29:29 15 base at Malal Hill.

16 Q. Right. They came back to the base. Did they bring the
17 captured arms and ammunition back to the base to you as the
18 armourer?

19 A. Yes, my Lord. They presented everything to me for them to
09:29:51 20 be checked.

21 Q. And where did they go after that? Where was the next place
22 that the RUF fighters attacked?

23 A. Lunsar.

24 Q. Can you put a time on this now? Where are we? Are we
09:30:13 25 still in very late 1994, or have we gone over into 1995?

26 A. '94 operation is finished. We are now in 1995. January of
27 1995. That was the first month that we attacked Lunsar. 1995.
28 January of 1995.

29 Q. And did you succeed in capturing any materials in that

1 attack on Lunsar?

2 A. Yes, my Lord.

3 Q. How much was captured at Lunsar?

4 A. Well, the ammunition, we captured AK-47s, RPG bombs,
09:31:11 5 mortars, and LMG, which was one, but most of the weapons which we
6 captured, most of the boys did not present all of them to us.
7 But after the mission they would say they had captured 10 or 15.
8 They presented them to Gibriil Massaquoi because in Lunsar all
9 over the town there was soldiers. All over the town there were
09:31:46 10 soldiers, so they had enough arms and ammunition in 1994 - sorry,
11 5 January. Thank you.

12 Q. Do you know where CO Mohamed was at that time, January
13 1995?

14 A. Yes, my Lord.

09:32:08 15 Q. Where was he?

16 A. By then he was still in Rutile.

17 Q. What did the group who had attacked Lunsar do after that
18 attack?

19 A. Well, after that attack the soldiers re-attacked us, so we
09:32:35 20 had to retreat to our base.

21 Q. Is that still the base in the Malal Hills?

22 A. Yes, my Lord.

23 Q. Did the RUF continue to launch attacks from that base?

24 A. Yes, my Lord.

09:32:59 25 Q. Where else did they attack from that base?

26 A. They set an ambush between Lunsar and Feredugu. The
27 Guineans fell in this ambush. We were able to capture one
28 electronic missile. One electronic ground missile and three
29 bombs and enough AK-47 ammunitions and G3 rounds. Thank you.

1 Q. I'm going to give you a spelling of Feredugu.

2 F-E-R-E-D-U-G-U?

3 A. Yes. Three miles from Lunsar.

4 Q. Who were these Guineans that fell into the ambush?

09:34:13 5 A. Yes, my Lord. These Guineans were the ECOMOG troops that
6 had come to assist the Sierra Leone Army.

7 Q. And did you know anything about the electronic missile that
8 you captured from the Guineans? Was it a weapon that you were
9 familiar with at all?

09:34:40 10 A. My Lord, that was my first day of seeing that weapon.
11 There was nobody in the RUF who knew how to operate that
12 electronic ground missile. It was I who only had the experience
13 how to use it. I was the only person who knew how to use it.

14 Q. So what was done with that electronic missile?

09:35:05 15 A. That electronic missile, it is a conventional weapon.

16 THE INTERPRETER: Your Honours, can he kindly repeat. He
17 is using a word that is not very clear to the interpreter.

18 PRESIDING JUDGE: Please pause, Mr Witness. There's a word
19 you used that the interpreter didn't get. Can you repeat your
09:35:25 20 answer, please?

21 THE WITNESS: What is the question?

22 MR MUNYARD:

23 Q. What happened to the electronic missile? What did you do
24 with it?

09:35:40 25 A. We took the weapon with us and left the bomb because we
26 were unable to take it away.

27 Q. Was the bomb the missile that would be used - would be
28 fired by the electronic weapon? When you say bomb, would it
29 be --

1 A. Yes.

2 Q. [Microphone not activated]. So were you able to use the
3 electronic missile without the bomb?

09:36:23

4 A. We never used it in the first place. We left the bomb and
5 took away the weapon.

6 Q. And what did you do with the weapon when you had taken it
7 away?

09:36:44

8 A. We had it for safekeeping. Maybe we will come to town and
9 we will get a vehicle where we will be able to use it. But at
10 that time we were unable to use it. You can only use that weapon
11 when you've got trucks. We kept it as record.

12 Q. Did you - did the RUF obtain anything else in the course of
13 that attack apart from arms and ammunition?

09:37:16

14 A. Yes, we got some Guinean combats. The uniforms used by
15 Guineans, we were able to capture some from the ambush, and some
16 food, medicines. We got those from the ambush.

17 Q. Thank you. Who was the commander of that particular
18 mission?

09:37:40

19 A. That ambush, it was CO Kpointeh, but he is deceased now.
20 He was Gibri I Massaquoi's brother. His deputy was also, but we
21 lost him.

22 Q. Where was the next place that was attacked --

23 PRESIDING JUDGE: Are we going to get a spelling of this
24 person?

09:38:01

25 MR MUNYARD: I'll ask the witness.

26 THE WITNESS: CO Kpointeh. That was the nickname I knew
27 for him. He had a real name, but that was the name we knew for
28 him.

29 MR MUNYARD:

1 Q. Are you able to help us with the spelling of the nickname?

2 A. The pronunciation is Kpointeh. You can take it that way
3 and spell it.

4 MR MUNYARD: Madam President, as a phonetic spelling, it
09:38:34 5 could be G-B-E-N-T-E, but that's the best we can do, I'm afraid.

6 PRESIDING JUDGE: Mr Interpreter, might you know the
7 spelling of this name?

8 THE INTERPRETER: Your Honour, this is the first time I'm
9 hearing of this name as well.

09:38:51 10 PRESIDING JUDGE: We'll take counsel's spelling.

11 MR MUNYARD:

12 Q. Now, you were talking about this attack in the area of
13 Feredugu --

14 THE INTERPRETER: Your Honour, the interpreters from the
09:39:07 15 Krio booth will want to help for the spelling.

16 PRESIDING JUDGE: [Microphone not activated].

17 THE INTERPRETER: K-P-O-I-N-T-E-H.

18 PRESIDING JUDGE: Thank you.

19 MR MUNYARD: That's very helpful, thank you, and it's
09:39:20 20 completely different from what I was offering and I think that
21 that's obviously the more reliable:

22 Q. Mr Ngebeh, after that attack that you've just been telling
23 us about around Feredugu, where was the next place that was
24 attacked?

09:39:42 25 A. After the Feredugu attack, everybody retreated to the Malal
26 Hill. From there Gibril Massaquoi organised another group to set
27 an ambush from Makeni to Lunsar. That was where the ambush was
28 set. It was Tom Nyuma who fell into this ambush. Tom Nyuma was
29 very fortunate on that day because he would have been captured

1 alive by the RUF, but he was blessed, so he escaped. In that
2 same 1995 we were able to capture some materials from that
3 ambush, but his personal vehicle he was able to escape with. But
4 some men - and the other vehicles fell into the ambush. One
09:40:40 5 vehicle suffered in the ambush. We had GMG and all the
6 ammunition for a GMG that was in that vehicle, together with
7 AK-47 and its ammunition. They were in the single vehicle that
8 we captured, but he was able to escape in 1995.

9 Q. We'll come on to him and the spelling of his name in a
09:41:08 10 moment, but what happened to the vehicle?

11 A. We burnt it. It was burnt.

12 Q. And in addition to arms and ammunition, were you able to
13 capture anything else in that particular ambush involving Tom
14 Nyuma?

09:41:37 15 A. The ammunition and combat, because it was a military
16 convoy.

17 Q. Anything in addition to ammunition and combats?

18 A. There were medicines as well.

19 Q. Anything else in addition to medicines?

09:42:07 20 A. Arms. Arms and ammunition, medicines, combat. Those were
21 the things that were in the convoy. It was a military escort.

22 Q. Now, what was Tom Nyuma's position?

23 A. Well, what we heard on the radio was that he was a strong
24 man in the NPRC. They said he was one of the strong men. He was
09:42:34 25 a captain. He was the one who was really giving us hard time.

26 So we were targeting him anywhere he was. He was giving us tough
27 time in 1995.

28 Q. Did he have a position in the government?

29 A. He was a member of the Supreme Council of the NPRC.

1 Q. I believe the spelling of his name is Tom N-Y-U-M-A?

2 A. Correct.

3 Q. And whereabouts was it that his convoy was ambushed?

09:43:34

4 A. It left Makeni heading for Freetown. It was between Lunsar
5 and Makeni. That was where he fell into that ambush in 1995,
6 January.

7 Q. Are you able to help us at all with a village that it was
8 near to, the name of a village that this happened between Lunsar
9 and Makeni?

09:44:04

10 A. Well, it was in that same Feredugu area.

11 Q. What was the next operation that the RUF were involved in?

12 A. From that, Gibril Massaquoi then decided to go and attack
13 Kambia in that same 1995.

09:45:54

14 Q. And where in Kambia? You've told us Gibril Massaquoi
15 wanted to launch an attack in Kambia. Where in Kambia?

16 A. Kambia is a district. When you come from Port Loko you go
17 to Kambia. Kambia is in between Sierra Leone. It's a boundary
18 between - from Pamelap. It is between the boundary. From Kambia
19 you go to the border towards Guinea, that is Pamelap. It's a
20 district.

09:46:29

21 Q. Did he launch an attack in Kambia District?

22 A. Yes, my Lord.

23 Q. And where was attacked in Kambia District?

24 A. The town itself. That is the district headquarters.

09:47:00

25 Q. Is that the town of Kambia you are talking about there?

26 A. Yes, my Lord.

27 Q. What, if anything, was captured in the course of that
28 attack?

29 A. A lot of school children, including seven nuns. They were

1 white people, seven nuns. One was called Sister Agnes. She was
2 among the group that we captured.

3 Q. What happened to those nuns?

4 A. They brought them to Malal Hill.

09:47:49 5 Q. And what happened once these captured nuns had been brought
6 to Malal Hill?

7 A. Pa Sankoh was not happy about it. He even said to him that
8 he had not given him command to capture those people. Why should
9 he bring them to --

09:48:13 10 THE INTERPRETER: Your Honours, can he kindly repeat this
11 part of his testimony.

12 PRESIDING JUDGE: Pause, Mr Witness. Please repeat your
13 answer. The interpreter didn't get what you said.

14 THE WITNESS: Pa Sankoh was never happy when Gibri I
09:48:33 15 Massaquoi captured the seven nuns from Kambia but since he had
16 brought them he gave him order to take care of them, that they
17 should be in safe custody, nobody should treat them badly. That
18 instruction came from Foday Sankoh in Zogoda to Gibri I Massaquoi.

19 MR MUNYARD:

09:48:56 20 Q. What was the reaction of the government to the capture of
21 these nuns?

22 A. Oh, the government was not happy. It was not happy at all.

23 Q. So what did they do?

24 A. Captain Strasser mobilised his troops to rescue those
09:49:25 25 people from us. They formed combined forces. They took some
26 mercenaries to take those people from us. Thank you.

27 Q. And who were the mercenaries that the government brought
28 in?

29 A. The Executive Outcomes and the Gurkhas. They combined.

1 MR MUNYARD: Madam President, I'll spell Gurkhas if I need
2 to but I have a feeling they have been spelled.

3 PRESIDING JUDGE: You can see if it's correct on the
4 record.

09:50:11 5 MR MUNYARD: G-U-R-K-H-A.

6 PRESIDING JUDGE: Thank you.

7 MR MUNYARD:

8 Q. Do you know who the commander of the mercenaries was?

9 A. Yes, my Lord.

09:50:34 10 Q. Who was he?

11 A. Colonel Maxwell. Colonel Maxwell. He was the commander.
12 He was a colonel. I do not know the pronunciation. Maxwell,
13 something like that. He was a white man.

14 Q. Now, was that operation by the government successful?

09:51:09 15 A. They never succeeded. They lost a lot of men, including a
16 captain who was the aide-de-camp to Strasser. He lost his life.
17 A lot of officers lost their lives in that operation. They used
18 helicopter gunships, jets, they used all sorts of sophisticated
19 weapons to get those people but they never succeeded.

09:51:33 20 Q. Where were the government and mercenaries troops based for
21 that attack on your base in the Malal Hills?

22 A. They had come from Mile 91. The village where they settled
23 to attack us in Malal, I do not know the name of that village but
24 it was within that Malal Chiefdom where they were based to attack
09:52:07 25 us at the Malal Hill.

26 Q. You said they didn't succeed in freeing the hostages. Did
27 the RUF capture anything from the government and mercenary
28 forces?

29 A. Yes, my Lord.

1 Q. What was captured from them in that operation?

2 A. We captured, there's one grenade which was like a cream
3 bottle. That was my first time of seeing such a grenade. It was
4 with Colonel Maxwell. It was like blue in colour. When you see
09:52:55 5 it if you do not know that it's a weapon you would think that
6 it's a kind of Vaseline. It was a different grenade. I had
7 never seen it before. That was my first time of seeing that
8 grenade, together with AK-47s, RPG bombs and their mortars,
9 GPMGs. In fact, the soldiers and the mercenaries, all of them

09:53:17 10 who got up that hill, most of them couldn't return because our
11 firing support was very strong. They were unable. Most of them
12 died there including the colonel himself. He lost his life.

13 Q. After that particular episode did you remain in the same
14 base at Malal Hills?

09:53:44 15 A. We changed our location.

16 Q. Where did you go to?

17 A. We went to Malal 2. There were two of these hills there.
18 We had Malal 1 and Malal 2. At first we were at Malal 1, but
19 because they had seen that base if we had stayed there we
09:54:07 20 wouldn't have been safe so we changed our location to Malal 2.

21 Q. And from Malal 2 did you engage in further operations?

22 A. Well, at Malal 2 Foday Sankoh said we should release the
23 nuns at all costs. Foday Sankoh said we should release them at
24 all costs.

09:54:34 25 Q. And so did you?

26 A. Yes. Yes.

27 Q. After the nuns had been released did you stay at Malal 2 or
28 did you go somewhere else?

29 A. No, after we had left them, two days after that we left the

1 location.

2 Q. And where did you go to?

3 A. By then CO Mohamed too had left Rutile heading for Western
4 Area. He gave us instruction to meet - for us to meet at one

09:55:20 5 village. CO Mohamed's convoy from Rutile and our own convoy from
6 the Malal Hill, we met in one village going towards the Western
7 Area. That is Waterloo. Thank you.

8 Q. Do you remember the name of the village that you met in?

9 A. Makoot? I can't recall the name of the village now.

09:56:04 10 Q. And what was decided when you all met together?

11 A. Our mission was to enter Freetown in 1995.

12 Q. When in '95 is this?

13 A. I can say - I can say around May to June. Yes. It was in
14 1995, but the particular month. It was around May to June

09:56:56 15 anyway. That's what I'm thinking about.

16 Q. And so where did you next attack?

17 A. The first attack was at Waterloo.

18 Q. Did you succeed in that attack?

19 A. No.

09:57:22 20 Q. What happened to you in the course of that attack? When I
21 say you, I'm talking about the RUF, not you personally.

22 A. In that attack, because of the helicopter gunship, we - it
23 gave us no chance. The helicopter gunship was over us launching
24 and doing all sorts of things. In that attack we lost men. The

09:57:52 25 best RPG man, that was where we lost him. Even I myself on that
26 day I was injured by the helicopter gunship. Yes. With all of
27 this, we were unable to succeed. They used all sorts of
28 sophisticated weapons against us, armoured cars, war tanks. You
29 know the Guineans were at Waterloo. They used all sorts of

1 forces against us that day. We were not able to make it. We
2 retreated.

3 Q. You've talked about your losses in terms of manpower. Did
4 you lose anything in terms of weapons in the course of the
09:58:44 5 Waterloo operation?

6 A. As we were trying to retreat, we lost some materials
7 because we all were carrying our materials on our head, our
8 ammunition. Our wounded soldiers, wives, all of them were with
9 us. Those who were carrying the weapons as well. We lost some
09:59:10 10 materials as well during that retreat. That was arms and
11 ammunition.

12 Q. Where did you retreat to?

13 A. We went to one small village around --

14 THE INTERPRETER: Your Honours, can the witness kindly
09:59:29 15 repeat the names of the villages.

16 PRESIDING JUDGE: Please pause, Mr Witness. Can you first
17 repeat the names of the villages and then continue with your
18 answer.

19 THE WITNESS: Around the Songo and Fogbo. Songo and Fogbo,
09:59:48 20 that was within the four miles area. That was where we were
21 based.

22 MR MUNYARD: A spelling of Songo I think is S-O-N-G-O and
23 then Fogbo I think has been spelled correctly - no, I'm seeing
24 two lots of head shaking, so I think it must be wrong. But I'm
10:00:15 25 afraid on that particular village I'm not able to help myself.
26 However, if there are those in Court who have a better knowledge
27 of the spelling of that place, I'm sure that it wouldn't be
28 objectionable even if it were to come from the Bench.

29 PRESIDING JUDGE: Mr Interpreter, can you assist with the

1 spellings, please, or not?

2 THE INTERPRETER: F-0-G-B-0, Fogbo.

3 MR MUNYARD: Thank you very much:

4 Q. Yes, you are now at those places. You are now in that area
10:00:52 5 around those villages where you were based. Did your base have a
6 particular name there that you, the RUF, gave it?

7 A. At this time we hadn't any base in the Western Area that
8 had a name. We had just come there. We were looking for a place
9 where we were to be based permanently. We were still moving
10:01:20 10 around.

11 Q. And so did you make a permanent base in the Western Area?

12 A. Yes.

13 Q. Where was that?

14 A. Makoot. Makoot.

10:01:39 15 Q. M-A-K-O-U-T is the spelling I have. I've no way of knowing
16 whether it's O-U-T or O-O-T. And, again, I suspect that it
17 doesn't really make any difference. So you were based at Makoot.
18 Did your base there have a - was it given a name - a nickname?

19 A. We just said Boko.

10:02:22 20 Q. And what was at that base?

21 A. It's a small hill. It was a small forest. It's up a hill,
22 but the hill was not very high. The forest was not very thick.
23 It was a young bush. That was where we were based. We called it
24 Western Jungle. Western Jungle.

10:02:52 25 Q. From there did the RUF launch any more attacks?

26 A. Yes, sir.

27 Q. And was any arms or ammunition captured in the course of
28 those attacks?

29 A. Yes, sir.

1 Q. What did you capture while you were based there?

2 A. The road from Masiaka to Mile 91, it was in that area that
3 we were searching for arms and ammunition. Pa Sankoh was
4 monitoring that. Pa Sankoh --

10:03:37 5 THE INTERPRETER: Your Honours, can he kindly repeat this
6 area. He is not very clear.

7 PRESIDING JUDGE: Mr Witness, please repeat your answer
8 going a bit more slowly.

9 THE WITNESS: Yes, my Lord. Pa Sankoh was very good in
10:03:52 10 communication. He was monitoring the movement of the soldiers
11 from Mile 91 to Masiaka and he was giving information to
12 CO Mohamed for us to set ambush. It was from those ambushes that
13 we were getting arms and ammunition at that place through
14 Foday Sankoh's communication.

10:04:16 15 MR MUNYARD:

16 Q. Apart from arms and ammunition, did you get anything else
17 that was brought to that base?

18 A. Yes. The foodstuff and everything that we used we used to
19 get from there. Food, materials and everything because it was
10:04:37 20 the highway leading to Freetown and there was the other one going
21 towards Bo. Yes.

22 Q. How did the RUF fighters travel in the - when they were
23 carrying out these attacks?

24 A. We were coming from our base and we come to the highway and
10:05:01 25 set an ambush. We used to walk. We used bypasses behind the
26 enemy and we set the ambush quietly. Thank you.

27 Q. Did you have any vehicles available to you?

28 A. Oh, no, no, no. Where we were it's not pliable by
29 vehicles. It will go up to a point and stop. The rest you would

1 walk slow bush paths. It was not motorable.

2 Q. Did the RUF in that area, even if not at your particular
3 base in the bush, did they have any vehicles?

4 A. Repeat that question once more.

10:05:52 5 Q. You told us that where you were based in the bush it was -
6 it wasn't possible to have vehicles, but did the RUF in the
7 Western Area have vehicles anywhere else?

8 A. That was the only base the RUF had. We had no other base
9 and we had no vehicles in 1995.

10:06:14 10 Q. Right. Was there anything else that was captured by way of
11 weapons or fighting equipment while you were at that base?

12 A. Yes. Yes. We captured a helicopter gunship live. This
13 helicopter gunship, it flew and stopped close to our base to
14 attack us, but we were able to withstand the attack. It was
10:06:54 15 unable to enter our base. As we were chasing them, the pilot who
16 was piloting the helicopter was scared because of the firing
17 power. He was unable to go into the helicopter, so they
18 abandoned it. We captured that helicopter live. It was with us
19 for two days.

10:07:19 20 From there they called me for me to come and inspect the
21 weapons, but I found out that all the weapons that it was using
22 was electronics. Even if we took them out, we wouldn't be able
23 to use them. It cannot be used manually. The GPMG was
24 electronic. The one barrel was electronic. All the weapons that
10:07:44 25 it used was electronics, so we left it and we set it on fire and
26 burnt it down. Later on they brought a helicopter and it was
27 airlifted. They took it along. That's all.

28 Q. You've talked about the highway - this base was near Makoot
29 and you talked about the highway between Freetown and Bo. Did

1 you conduct any operations on the highway?

2 A. Yes. That highway, that was where we used to get
3 everything. Every two weeks we used to go to the highway. In
4 fact, some areas they used to call Foday Sankoh Garage because
10:08:41 5 that area was very bad. That was where we used to set ambushes.
6 We used to get arms, ammunition, food, whatever we wanted to use,
7 that was where we got them from, that highway.

8 Q. Why did you call it Foday Sankoh Garage?

9 A. There was a massive ambush there. The ambush was very
10:09:09 10 terrible. About up to 100 vehicles fell into that ambush. Most
11 of those vehicles were burnt down. These vehicles had come from
12 Freetown heading for Bo. They were escorted by a military convoy
13 and they fell into our ambush. After the ambush, what the RUF
14 had to take they took. We left the vehicles. Some people used
10:09:40 15 to come to loot those properties, so when they came they will
16 loot and burn some property and they will say it was the RUF
17 because we had set the ambush. They would loot and some of the
18 few things in there they would take away. Most of the things
19 that we used we had to carry on our heads, so we left the
10:09:59 20 vehicles there. That was why they called that place Foday Sankoh
21 Garage because if you go there now there are a series of scrap
22 vehicles there because of that ambush. Yes, my Lord.

23 Q. When you talked about people looting properties, what do
24 you mean by properties?

10:10:17 25 A. Mmm, like food. Because whatever vehicles can carry.
26 Food, clothes. The RUF had taken some and left some, so people
27 would come around. Whatever they saw they would take. So it
28 came to a time, some civilians came and lived on that highway.
29 They wouldn't go far away. As soon as there was an ambush and

1 when we leave, they too will come out and take what they would
2 see. That was what was going on on that highway.

3 Q. Now, did you obtain any arms or ammunition from ambushes on
4 that highway at that time?

10:10:56 5 A. Yes, my Lord.

6 Q. [Microphone not activated] in particular that you can
7 recall now?

8 A. Yes, one tactical jeep. This tactical jeep was a small
9 vehicle. Sometimes they would plant a single barrel gun on it.

10:11:15 10 It's an open vehicle used by the military. It was called a
11 tactical jeep. We took it in that ambush together with some arms
12 and ammunition. Any ambush that was successful in that area we
13 would get arms and ammunition, because by then there were no
14 civilian vehicles from Freetown to Bo, only escorted vehicles.

10:11:39 15 It was the military who escorted those vehicles and they used to
16 fall into that ambush. When we overcame them we would get
17 ammunition from them.

18 PRESIDING JUDGE: You are running again with your
19 testimony. Slow down, please.

10:11:55 20 THE INTERPRETER: Your Honours, can he be kindly requested
21 to wait for the Krio interpretation on the other side.

22 PRESIDING JUDGE: Also when you are testifying, Mr Witness,
23 wait for the Krio interpreter to interpret to you before you
24 answer. Even if you think you understand what the lawyer is
10:12:13 25 saying, listen first to the interpreter.

26 MR MUNYARD:

27 Q. Mr Ngebeh, we know that you do understand English quite
28 well, but for your benefit the Court is interpreting all the
29 questions put to you into Krio which is a language you are more

1 familiar with than English. So it's being done for your benefit
2 to ensure that you have accurate understanding of the questions
3 you are being asked. So just take it slowly, please.

4 A. Yes.

10:12:54 5 Q. You mentioned the tactical jeep. Did it have any arms or
6 ammunition in it?

7 A. Yes, there were arms in it. There were arms in it, yes,
8 sir.

9 Q. What arms?

10:13:16 10 A. We captured one anti-aircraft that we called 50 calibre.
11 50 calibre. It's an anti-aircraft weapon. And some arms like
12 automatic rifles. When I say automatic rifles I mean LAR, BAR,
13 G3. These are all automatic rifles.

14 Q. What did you do with the jeep and with the anti-aircraft?

10:13:51 15 A. As an arms specialist for the RUF, I removed the weapon
16 from the tactical jeep. That was my only duty that I carried
17 out. Whichever weapons they captured, they will call me. After
18 we had removed it I understood that they burnt it down.

19 Q. Sorry, burnt down what?

10:14:18 20 A. The vehicle. The tactical jeep.

21 Q. Right. What happened to the anti-aircraft 50 calibre?

22 A. We took it to our base.

23 Q. And were the RUF able to use it?

24 A. Well, we mounted it at our location just in case of any air
10:14:51 25 raid we would use it against the helicopter.

26 Q. Do you know if it was ever used?

27 A. We used it in the Western Jungle. We used it.

28 Q. Were you ever attacked at that base near Makoot?

29 A. Yes.

1 Q. How did you come to be attacked there?

2 A. Well, some civilians were escaping from us. They were the
3 ones who used to pass information on to the soldiers. At one
4 time soldiers came from RDF and they attacked us, but they did
10:15:50 5 not succeed. They attacked us several times. The helicopter
6 used to attack us. The jet used to raid us. They had a
7 helicopter called Radar. It's for demarcation. That used to
8 give us a very tough time.

9 Q. You mentioned RDF. What is the RDF?

10:16:17 10 A. This RDF, it was a military of combined forces. There were
11 STLs in it, SLAs. It's a camp leading from Masiaka towards
12 Waterloo. That was where the camp was located. RDF. They know
13 what RDF means. I don't know. But it stands for a word.

14 MR MUNYARD: Madam President, I don't want to give evidence
10:16:55 15 but I think that those initials have been spelled out before as
16 to what they stand for. I won't say anything at the moment:

17 Q. But can you just tell us when you say there were STLs in it
18 and SLAs, the SLA we know is the Sierra Leone Army. What are the
19 STLs?

10:17:24 20 A. The STLs were Liberians. They were called the STF. I
21 don't know what is STF, but they were Liberians.

22 PRESIDING JUDGE: Mr Interpreter, the witness is not saying
23 STL. You are saying STF. The witness I think is --

24 THE INTERPRETER: STF. Your Honour, I interpret what I
10:17:48 25 hear. First I heard STL and now he is saying STF. STF.

26 MR MUNYARD: Very well:

27 Q. Where is the RDF base?

28 A. All these forces base they called the RDF, the combined
29 forces where they were based, that's the name of the base. It is

1 situated between Masiaka and Waterloo. It was based within that
2 area.

3 Q. How close to the highway is the RDF base?

4 A. It's on the main highway.

10:18:40 5 Q. So the soldiers came from the RDF. They attacked you but
6 they didn't succeed in dislodging you. What happened as a result
7 of that particular attack on your base? Were you able to obtain
8 any arms and ammunition from the soldiers who attacked you?

9 A. Yes.

10:19:02 10 Q. What kind of quantity were you able to obtain then?

11 A. We captured RPG, the RPG bomb itself, and the mortar, LMG,
12 one, and all the magazine. Because the LMG ammunition used to
13 come in magazines. We captured up to five of the magazines. We
14 captured AK-47 and their ammunition. They were in boxes. And

10:19:42 15 some G3 ammunition. That was what we captured from the RDF
16 forces when they attacked us.

17 Q. Did you remain at that base after the attack?

18 A. Well, we were still at that base until Maada Bio overthrew
19 Strasser in 1995. Steven Maada Bio overthrew Strasser. That was
10:20:19 20 in 1995, we were still there.

21 Q. Just tell us this: How was it that you learned that Maada
22 Bio had overthrown Strasser?

23 A. It was over the media.

24 Q. What happened after Maada Bio overthrew Strasser? What
10:20:57 25 happened to you and your base?

26 A. Well, after Maada Bio had overthrown Strasser he opened
27 communication line between him and Foday Sankoh for us to
28 establish peace.

29 Q. Right. And what, if anything, did Foday Sankoh do in order

1 to discuss peace?

2 A. Well, it was in the same 1995 that Maada Bio was able to
3 convince Foday Sankoh when Foday Sankoh accepted for peace
4 discussion, and they decided on where to go and meet. In 1995
10:21:49 5 they started that arrangement and it was after that that the RUF
6 could now move out of the bush. They met the soldiers and they
7 held discussions, so we had such rapports at that time now in
8 1995.

9 Q. Right. Did anything positive come out of those peace talks
10:22:19 10 with Maada Bio?

11 A. While the negotiation was going on in 1995 and '96, it was
12 finally in 1996 that Foday Sankoh accepted to move out of the
13 bush from Zogoda and meet with Maada Bio. And something very
14 important about this thing is before Foday Sankoh left to go, Pa
10:22:48 15 Sankoh had a lady with him called Agnes Deen-Jalloh and
16 Deen-Jalloh was the elder brother of Maada Bio and it was his
17 wife that tried to establish this connection between Pa Sankoh
18 and Maada Bio.

19 THE INTERPRETER: Your Honours, could the witness be asked
10:23:09 20 to slow down.

21 PRESIDING JUDGE: Mr Witness, you are going to have to slow
22 down again and repeat your answer for the interpreter.

23 THE WITNESS: Yes. Sister Agnes Deen-Jalloh was the one
24 who facilitated peace between Foday Sankoh and Maada Bio. Maada
10:23:38 25 Bio was a brother to Sister Agnes and she was responsible for him
26 before. And it was in 1991 that Agnes Deen-Jalloh was captured
27 in Bunumbu. Her husband was a lecturer at the Bunumbu teachers
28 college, Mr Deen-Jalloh, and Agnes was a teacher at a school
29 called BSS.

1 MR MUNYARD:

2 Q. I'm going to stop you there because first of all we're
3 going backwards in time and, secondly, we don't need to go into
4 all this detail for the purposes of my questions. Just help us
10:24:18 5 with this: You've mentioned peace negotiations going on into
6 1996. During 1996 in Sierra Leone was there an election?

7 A. Yes, my lawyer. The area I'm trying to clarify to the
8 Court, I know it's doubtful to you because I have never spoken
9 about it in my statements, but this was one of the most important
10:24:53 10 things that led to the bringing of the Special Court in Sierra
11 Leone, 1995/96. My Lord, if only you can give me chance --

12 PRESIDING JUDGE: Mr Ngebeh, I did ask you yesterday -
13 listen. Stop interrupting. Okay. Just listen. I did ask you
14 yesterday to listen carefully to the questions the lawyer is
10:25:18 15 asking you and to answer precisely the questions that the lawyer
16 is asking you. Not to add in other things. The lawyer knows
17 exactly why he is asking you the questions he is asking you and
18 leaving out other things. Now please be so kind as to restrict
19 your answers to the questions that you have been asked. Is that
10:25:45 20 clear?

21 THE WITNESS: Yes, my Lord.

22 PRESIDING JUDGE: Thank you.

23 MR MUNYARD:

24 Q. Mr Ngebeh, who was elected as a result of that election in
10:25:57 25 1996?

26 A. Yes, my Lord. You now know that Foday Sankoh left Zogoda
27 and gone to Ivory Coast and we are going step by step. Yes.

28 MR MUNYARD: [Microphone not activated]:

29 Q. Foday Sankoh goes to the Ivory Coast, but during 1996

1 you've told us that you know there was an election in Sierra
2 Leone. Who was elected as a result of that election?

3 A. After Pa Sankoh asked Maada Bio to leave the country to the
4 civilians, he was supposed to conduct an election. Maada Bio
10:26:58 5 left Cote d'Ivoire in 1996. He went back to Freetown and he told
6 Foday Sankoh that - Foday Sankoh told him to hand over to
7 civilian rule and he accepted. So when they came they went for
8 Bintumani I, Bintumani II.

9 PRESIDING JUDGE: Pause. Were are you running with your
10:27:18 10 testimony? And with whom are you losing your temper? You seem
11 to have lost your temper.

12 THE WITNESS: No, my Lord.

13 PRESIDING JUDGE: Calm down and slow down and answer the
14 questions asked precisely.

10:27:43 15 MR MUNYARD:

16 Q. Just tell the judges who was elected in 1996.

17 A. It was President Kabbah.

18 Q. Thank you. Had a peace agreement already been reached and
19 finalised by the time President Kabbah was elected, or were peace
10:28:05 20 negotiations still going on when he was elected?

21 A. He did not work on the agreement that was signed between
22 Maada Bio and Pa Sankoh. He decided to form the Kamajor group
23 against the RUF and the SLA. So this is the reason why I was
24 talking about this. All the Special Court that came to Sierra
10:28:31 25 Leone, it was as a result of this reason, because he failed to
26 take - go according to the agreement signed between Maada Bio and
27 Pa Sankoh.

28 Q. Mr Ngebeh, did peace talks carry on --

29 A. Yes, my Lord.

1 Q. -- after President Kabbah was elected, peace talks between
2 his government and Foday Sankoh for the RUF?

3 A. We had already signed for ceasefire. So whilst the peace
4 talk was going on, we --

10:29:11 5 THE INTERPRETER: Your Honours, could the witness please be
6 asked to repeat that last bit.

7 PRESIDING JUDGE: Please pause. You are going too fast
8 again. You said while the peace talks were going on, what
9 happened? Continue on from there.

10:29:24 10 THE WITNESS: After Maada Bio had signed for the ceasefire
11 and peace and we had ceased fire against the national army, the
12 RUF and the national army were experiencing the ceasefire. But
13 after the election, when Tejan Kabbah became President of the
14 country, what did they do? The agreement that had been signed
10:29:49 15 between Foday Sankoh and Maada Bio about the peace was changed.
16 They decided to give single barrels to civilians. Whilst the
17 ceasefire was going on, the Kamajors started attacking us in
18 1996. That led to our losing of so many lives in Zogoda.

19 MR MUNYARD:

10:30:05 20 Q. Mr Ngebeh, stop there, please.

21 A. I'm getting you, my Lord.

22 PRESIDING JUDGE: Mr Ngebeh, can I ask you, why are you
23 answering things you've not been asked? You are making life
24 difficult for everybody who is trying to speak over you and you
10:30:22 25 are taking answers in directions that the lawyer is not asking
26 you. Can you please make an effort to listen to the questions
27 that you are asked and to confine your answers to the questions
28 asked. We cannot listen to the entire story. You are not the
29 only witness who has been in the court. There have been other

1 witnesses who have come and told their part of the story. So
2 please, out of respect for the lawyer and for everybody in the
3 court, just keep calm and answer the questions asked and go
4 slowly.

10:31:00 5 MR MUNYARD:

6 Q. I just want you to say yes or no to this question: After
7 President Kabbah was elected, was Foday Sankoh still in Abidjan
8 discussing peace arrangements with the new government? Yes or
9 no?

10:31:18 10 A. Yes.

11 Q. Where were you at that stage?

12 A. I was at Zogoda with CO Mohamed.

13 Q. And when had you gone to Zogoda with CO Mohamed?

14 A. At the time Pa Sankoh was leaving to go on the peace talks,
10:31:44 15 he instructed CO Mohamed to go and take over the RUF as the
16 second leader. That was the reason why CO Mohamed took me to
17 Zogoda. I was with him in '96.

18 Q. Thank you.

19 A. Thank you.

10:31:57 20 Q. You've mentioned several times that the RUF had agreed a
21 ceasefire with Maada Bio. Once you had agreed that ceasefire
22 with Maada Bio, did the RUF itself make any attacks anywhere in
23 Sierra Leone?

24 A. We were on the defensive. We did not conduct any attacks.

10:32:40 25 It's good like this. Yes.

26 Q. You say you were on the defensive. Did anybody attack you
27 while the peace talks were carrying on?

28 A. Yes, my Lord.

29 Q. Who was that who attacked the RUF?

1 A. Kamajors, 1996.

2 Q. Where did the Kamajors first attack the RUF after the
3 signing of the ceasefire?

4 A. At the Koribundu Jungle. It was dissolved.

10:33:27 5 Q. What happened to the fighters who had been at the Koribundu
6 Jungle?

7 A. Some ran to International Boko and some came to us at
8 Zogoda.

9 Q. And were the RUF able to hold on to the base at
10:33:52 10 International Boko?

11 A. Yes. Our brothers were still there, 1996.

12 Q. Now, you've told us that you had gone with CO Mohamed to
13 Zogoda. Can you give us any rough estimation of when it was you
14 arrived in Zogoda?

10:34:19 15 A. It was after the departure of Foday Sankoh. The month he
16 left, it was that same month that we entered Zogoda and he took
17 over as the RUF leader, the second leader. I can't recall the
18 exact month, but it was that same month that Pa Sankoh departed
19 for Ivory Coast that we went there and he took over.

10:34:45 20 Q. [Microphone not activated] that?

21 A. 1996.

22 Q. Thank you. And did you remain at Zogoda?

23 A. We used to trip to Bandawor, areas like Zundumi [phon], all
24 the areas that were around us, we used to patrol those areas. We
10:35:13 25 would go to Bandawor, Zundumi. Zogoda was a very big place, a
26 big place that Pa Sankoh had established. Yes.

27 Q. How long did you stay based at Zogoda?

28 A. I cannot guess the month that we entered Zogoda, but I can
29 tell you the exact day that we left Zogoda, after the Kamajors

1 had finally pushed us. It was on November 12, 1996. November
2 12, 1996. That was the time we finally left Zogoda.

3 Q. And although you've already mentioned it, just tell us what
4 happened to cause you to leave Zogoda on that date.

10:36:17 5 A. It was as a result of the persistent attacks from the
6 Kamajors and we were on ceasefire. We were not ready to attack,
7 and it was as a result of the attacks that we decided to leave.
8 We had arms, but we did not have enough ammunition. In fact, we
9 had run short of ammunitions. We had weapons with us, but no
10:36:37 10 ammunition.

11 Q. Who was in charge of the Kamajors, as far as you were
12 aware?

13 A. Well, according to news that was filtering in --

14 THE INTERPRETER: Your Honours, could the witness be asked
10:36:53 15 to repeat that name.

16 PRESIDING JUDGE: Can you please repeat the name you just
17 gave and continue your evidence.

18 THE WITNESS: Chief Hinga Norman.

19 MR MUNYARD:

10:37:05 20 Q. And what was his position in Sierra Leone at that time?

21 A. Well, we heard at that time that he was the Deputy Defence
22 Minister under the President Kabbah government.

23 Q. Now, what was Foday Sankoh doing on November 12, 1996, and
24 where was he?

10:37:35 25 A. He was still in the Ivory Coast.

26 Q. Doing what?

27 A. He was still on the same peace mission. He was trying to
28 bring Pa Kabbah on board so that they will respect the ceasefire
29 and then they will stop attacking our positions, that is, the

1 Kamajors.

2 Q. You say that you left Zogoda on that day. Did anybody
3 remain behind in Zogoda, or was the RUF base then completely
4 emptied?

10:38:18 5 A. On 12 November, that particular base was finally deserted
6 and it was deserted by the Kamajors November 1996.

7 Q. Where did you go to from Zogoda?

8 A. After we had crossed the highway and we jumped over the
9 roads to the other side, we passed the night in a small bush on
10:38:54 10 our way to Kailahun District. That should be around the Kenema
11 District. And we went to a small bush, that was on the 12th, and
12 we passed the night there. And 13 November, that was the
13 following morning, we went to Basala and Basala was a small
14 village.

10:39:20 15 Q. Pause there for a moment. B-A-S-A-L-A. Why were you going
16 to Kailahun District?

17 A. Zogoda had fallen, so we have nowhere else to go to but to
18 go back to Kailahun so that we'll decide what to do next, because
19 we did not have anything to fight with. We never had ammunition,
10:39:57 20 so we were all trying to move out off from the streets.

21 Q. Who was in Kailahun?

22 A. At that time Sam Bockarie was the commander in Kailahun
23 alias Mosquito, 1996.

24 Q. Was Zino with you when you left Zogoda on 12 November?

10:40:23 25 A. Yes, my Lord.

26 Q. Was he going with you to Kailahun where Sam Bockarie was
27 the commander?

28 A. That was what we expected to do, for us all to go to
29 Kailahun. But unfortunately for us, it was at Basala that Zino

1 finally disappeared from the RUF after --

2 THE INTERPRETER: Your Honours, could the witness be asked
3 to repeat that last bit and slow down.

4 PRESIDING JUDGE: Mr Witness, you said that unluckily for
10:40:59 5 you, can you continue from there?

6 THE WITNESS: Unfortunately for us, unfortunately for us,
7 we lost CO Mohamed, Zino.

8 MR MUNYARD:

9 Q. Was Zino planning to go to Kailahun where Sam Bockarie was
10:41:18 10 the commander?

11 A. Yes. He had a plan, but he had some reservation in mind
12 again because he knew who was Sam because he feared him. And it
13 was as a result of that that Zogoda fell to the Kamajors, because
14 Sam Bockarie had in mind to kill him and he had missed him so
10:41:44 15 many times, so he did not just want to go like that.

16 Q. First of all you said that he had some reservations. Zino
17 had some reservations and Sam Bockarie had in mind to kill him.
18 How did Zino know that Sam Bockarie had in mind to kill him?

19 A. We'll go back to 1992 in that case. In 1992 --

10:42:24 20 Q. Just tell us in one sentence, please, how it was that in
21 November 1996 Zino was worried that Sam Bockarie was going to
22 kill him if he went to Kailahun. Just in one sentence,
23 Mr Ngebeh?

24 A. In 1992 at Sorokoro Bendu Sam Bockarie arrested CO Mohamed,
10:42:53 25 stripped him naked and tied him up. That was in 1992 Sorokoro
26 Bendu. That was the reason why he was afraid.

27 PRESIDING JUDGE: You are asked to slow down. You are
28 asked to slow down. Mr Witness, I'm going to ask you to repeat
29 your answer.

1 THE WITNESS: Yes, ma'am.

2 PRESIDING JUDGE: Repeat your answer. In 1992 at Sorokoro
3 Bendu what happened, slowly?

4 THE WITNESS: Yes, my Lord. In 1992 to 1993 at Sorokoro
10:43:31 5 Bendu Sam Bockarie arrested CO Mohamed and told him that he had
6 betrayed. He said they were the ones who made us to retreat from
7 Kailahun District. So as a result he said he wanted to kill him.
8 It was Pa Sankoh who pleaded on his behalf. So for that reason
9 he always feared Sam Bockarie. Thank you.

10:43:53 10 MR MUNYARD:

11 Q. Thank you very much. Did you know what Sam Bockarie's
12 opinion was of the peace talks that Foday Sankoh was still
13 conducting in Abidjan?

14 A. Sam Bockarie's idea was that he wanted to be President in
10:44:18 15 that country, he wanted to be leader. Even the peace that Pa
16 Sankoh was negotiating, Sam Bockarie had his own hidden agenda.
17 Yes, thank you.

18 Q. And at that point who was the deputy to Foday Sankoh on the
19 ground in Sierra Leone?

10:44:41 20 A. Well, after CO Mohamed who was the former deputy to
21 Foday Sankoh whom we lost at Basala, I had to find my way --

22 Q. Pause there, please. I didn't make it entirely clear. I'm
23 talking about before you lose Zino, CO Mohamed, who was the
24 number two to Foday Sankoh?

10:45:14 25 A. CO Mohamed was the number two man. He was second in
26 command.

27 Q. Do you know what Sam Bockarie's attitude to Zino being the
28 number two was?

29 A. Repeat that question once more.

1 Q. How did Sam Bockarie feel about CO Mohamed being the number
2 two to Foday Sankoh?

3 A. Yes, my Lord. Sam Bockarie knew that CO Mohamed, since he
4 was the second in command, should CO Mohamed be moved from that
10:46:04 5 position, he was going to automatically take over. So that was
6 the reason why he feared him and CO Mohamed was conscious of
7 that.

8 Q. In any event, you told us that you lost CO Mohamed at that
9 point. You were just telling us what happened at Basala when I
10:46:30 10 asked you those questions about Sam Bockarie's opinions. Tell us
11 what did happen at Basala?

12 A. On 13 November at Basala Kamajors attacked us. We had our
13 children with us, our wives, some of our wounded soldiers that we
14 had moved with from Zogoda and some of our materials. It was at
10:47:02 15 that point that we lost everything. That was where we lost CO
16 Mohamed. So everybody tried now to save his own head whether you
17 could make it to get to Kailahun or not. It was then that I
18 alone took my own route.

19 Q. And did you eventually get to Kailahun?

10:47:22 20 A. Yes.

21 Q. How did you manage to get there?

22 A. Through the jungle. I was walking in the jungle.

23 Q. [Microphone not activated] dressed on your journey from
24 Basala to Kailahun?

10:47:46 25 A. I disguised myself.

26 Q. In what way?

27 A. I used civilian clothing and I never used to travel during
28 the day. I used to travel at night.

29 Q. Now, when you got there, how was your health?

1 A. It was very bad with me because it had taken two weeks
2 without eating. I had taken two weeks without eating. I was
3 seriously sick. My body pulled down.

10:48:33

4 Q. And so did you get any medical treatment when you got to
5 Kailahun?

6 A. Yes.

7 Q. Where in Kailahun did you get medical treatment?

8 A. Buedu.

10:48:53

9 Q. At that time, late 1996, did the RUF have any hospitals or
10 medical centres in Kailahun?

11 A. Yes.

12 Q. And where was it that you got your medical treatment?

13 A. Buedu.

10:49:14

14 Q. How long were you being treated for your condition once you
15 arrived there?

16 A. I was under medical for three weeks.

17 Q. And did you recover by the end of that three weeks?

18 A. Yes, my Lord.

19 Q. And what happened to you after that?

10:49:37

20 A. I joined Sam Bockarie.

21 Q. In what role?

22 A. The same position I held as overall armourer commander.

23 Q. Did the RUF have any arms and ammunition stored there in
24 Buedu?

10:50:01

25 A. Yes, my Lord.

26 Q. Where were the stores?

27 A. We had two areas. There was one area going towards the
28 Liberian route. That was where my own office was, there the G4
29 and the armourers. That was where we had our own ammo dump. And

1 Sam Bockarie had his own personal ammo dump at his house where he
2 was based.

3 Q. When you say there was an area going towards the Liberian
4 route, can you be a little bit more specific? Are you talking
10:50:47 5 about somewhere in the town or outside of the town?

6 A. Yes. If we had a map of Buedu in here I would be able to
7 describe where I mean. In Buedu Town there are two routes - I
8 can say almost three routes. There is one route where Sam
9 Bockarie resided, it also goes towards Liberia. But the one I'm
10:51:14 10 talking about is the main road going straight towards Liberia.

11 That is at the outskirts of the town. But it's also part of the
12 town. But as you move from our house the ammo dump is very close
13 to there. That was where we were based. That is still in Buedu.

14 Q. What quantity of arms and ammunition did the RUF have there
10:51:41 15 in Buedu?

16 A. At that time we had some artillery weapons and some
17 materials. We had things like twin barrels, 102 mortar gun. We
18 did not have enough AK-47 material and RPG bombs but we had heavy
19 weapon materials, a lot of them. Because for those we did not
10:52:14 20 often use them, so we had them. But we were short of AK-47
21 ammunition, RPG bombs and GPMG ammunition. We did not have
22 enough of those. Yes, my Lord.

23 Q. Where were you getting these arms and ammunition from at
24 this stage?

10:52:35 25 A. Yes, my Lord. Before the falling of Zogoda in the hands of
26 the Kamajors in 1996, Sam Bockarie had been in Buedu and he had
27 established a relationship with ULIMO. It was by then that the
28 ULIMO were conducting disarmament in Liberia in 1996, '97. He
29 had established friendship with them around Foya. And he used to

1 get ammunition from Foya. Sam Bockarie used to get ammunition
2 from Foya and the Guinea side.

3 Q. Who was it who actually went to get these materials from
4 ULIMO?

10:53:29 5 A. It was Sam Bockarie himself who went with some officers.
6 He did the negotiation with the ULIMO.

7 Q. When he had done the negotiations did he also bring back
8 materials, or was that left with somebody else to do?

9 A. It was he himself who travelled with them and brought them
10:53:59 10 to Buedu, he and the officers who normally went on the patrol in
11 1996.

12 Q. Now you mentioned that Sam Bockarie used to get ammunition
13 from Foya and the Guinea side. I'm going to deal with the Guinea
14 side in a moment. But staying with Foya at the moment, who is it
10:54:18 15 that he is getting materials from in Foya?

16 A. The ULIMO commander who was based in Foya. I don't know
17 his name, but he was ULIMO. Because after their negotiation had
18 been established they too used to visit Buedu, but they were
19 ULIMO. It was from ULIMO that he obtained those arms. That was
10:54:44 20 in 1996.

21 Q. When did you first arrive in Buedu? Do you remember the
22 date now?

23 A. I crossed the Moa River on 2 December 1996. That same week
24 I was moved to Buedu. That was within the same December that I'm
10:55:13 25 talking about.

26 Q. And then you had medical treatment you told us for three
27 weeks, so that would bring us to almost the end of December 1996?

28 A. Yes, my Lord. Yes, my Lord.

29 Q. You've talked about Sam Bockarie dealing with ULIMO and

1 some ULIMO commanders visiting Buedu. Did you see those ULIMO
2 commanders visiting Buedu?

3 A. Yes, my Lord.

4 Q. So what year was that?

10:55:50 5 A. 1996.

6 Q. Were you having medical treatment then, or had you
7 recovered?

8 A. By then I was still in the hospital. I recovered in
9 January.

10:56:10 10 Q. Did you see any commanders from ULIMO in January or any
11 other time in 1997?

12 A. I used to see them, but I did not have much dealings with
13 them.

14 Q. So did you see them in 1997?

10:56:34 15 A. Yes.

16 Q. Do you know how it was that Sam Bockarie was paying for
17 these materials from ULIMO?

18 A. It was a barter system that we embarked on, goods,
19 sometimes money, but mostly it was exchange for goods. We will
10:57:01 20 give them single barrels, then they give us ammunition.

21 Sometimes we give them - we give them --

22 THE INTERPRETER: Your Honours, the last thing that the
23 witness referred to did not come out clearly to the interpreter.

24 PRESIDING JUDGE: Mr Witness, repeat the last part of your
10:57:16 25 answer after you said, "Sometimes we give them single barrels",
26 and then we didn't hear what you said after that.

27 THE WITNESS: Single barrels and goods. Solar. It's solar
28 system. Because they wanted solar system and they wanted single
29 barrels. When we were going to them, they said nobody should

1 carry AKs with them - automatic weapons with them. So we used to
2 go with single barrels, we give it to them, and then they give us
3 - they give us the ammunition. There were no laws against single
4 barrels at that time and they wanted them.

10:57:52

5 MR MUNYARD:

6 Q. You've mentioned money on occasions being passed over in
7 exchange for materials. Did you yourself ever go on any of these
8 missions to purchase materials from ULIMO?

9 A. Yes, Sam Bockarie and I went there once.

10:58:17

10 Q. And what did he use on that occasion to purchase materials?

11 A. He told me that all the scrap single barrels that were in
12 the ammo dump, I should repair them. So those were the single
13 barrels that we went with to do the exchange at the time I went
14 with him.

10:58:42

15 Q. Do you know if he took any money on that occasion in
16 addition to the single barrels?

17 A. Yes, he had money. He had dollars. US dollars. He had
18 it.

19 Q. What was the state of the materials that you got from
20 ULIMO? What condition were they in?

10:59:01

21 A. All the material that we obtained from ULIMO, I repaired
22 them. Most of the arms were rusted. The ammunition too were
23 rusted. They were hidden under the ground. I will go and clean
24 them up. I serviced them before we were able to use them. They
25 were rusty.

10:59:24

26 PRESIDING JUDGE: Mr Munyard, the witness stated that they
27 would take the single barrels and in exchange get ammunition.
28 That is what we have on the record. You are asking him about the
29 condition of the arms.

1 MR MUNYARD: Yes.

2 PRESIDING JUDGE: He didn't say anything about arms or what
3 type of arms.

10:59:49

4 MR MUNYARD: I was referring back to a much earlier
5 question that I asked and I'll clarify it, if I may.

6 Q. Did you obtain ammunition only from ULIMO, or did you
7 obtain weapons also?

8 A. We used to get arms also. At any time we bought
9 ammunition, we must have the arms.

11:00:11

10 Q. And the ammunition was for what kind of weapons?

11 A. AK-47, G3, GMG, and RPG. Those were the ammunition that we
12 needed at that time from ULIMO.

13 MR MUNYARD: I'm going to go on to Guinea next, and I see
14 the time, Madam President.

11:00:39

15 PRESIDING JUDGE: It is still not clear what kind of
16 weapons they exchanged - they bartered. The ammunition is clear,
17 but the weapons we don't know. Perhaps you could look at that
18 after the break.

19 MR MUNYARD: We will.

11:00:56

20 PRESIDING JUDGE: We will now adjourn for a short break
21 until 11.30.

22 [Break taken at 11.00 a.m.]

23 [Upon resuming at 11.30 a.m.]

24 PRESIDING JUDGE: Mr Munyard, please continue.

11:31:45

25 MR MUNYARD:

26 Q. Mr Ngebeh, you have told us that you got weapons from
27 ULIMO. What sort of weapons were they?

28 A. Yes, my Lord. We used to get AK-47s, RPG mortars, GMG,
29 LAR, BAR. Those were the weapons we used to get from the ULIMO.

1 Light automatic rifle ammunitions.

2 Q. Were all of these weapons in need of cleaning up, as you
3 have described, or were some of them already in a position where
4 they could be used?

11:32:50 5 A. Some were damaged. I had to repair them.

6 Q. Some were damaged, so does it follow that some were in
7 working order once you got them?

8 A. Yes, my Lord.

9 Q. Now, that is arms and ammunition from ULIMO. You mentioned
11:33:16 10 Guinea earlier on before the break. What, if anything, did you
11 get from the Guinea side?

12 A. Yes, my Lord.

13 Q. What, if anything, did you get from the Guinea side?

14 A. We only got ammunition from Guinea.

11:33:47 15 Q. And what kind of ammunition was it?

16 A. AK-47 ammunition, G3 ammunition, RPG bomb and GMG rounds.
17 Those were the ammunition we used to get from Guinea.

18 Q. And how did you pay for that material from Guinea?

19 A. We used to harvest cocoa and sell. Cocoa and coffee. We
11:34:33 20 used to take that to Guinea.

21 Q. Did you actually go into Guinea to get these materials?

22 A. No.

23 Q. [Microphone not activated]?

24 A. We used to stop at the riverside. There is a river between
11:34:53 25 us and Guinea in Kailahun. That was where we used to stop.

26 Q. And who was it who was exchanging this ammunition for the
27 items that you passed over to them?

28 A. Sam Bockarie organised a special group that was responsible
29 for that.

1 PRESIDING JUDGE: I don't think that answers the question,
2 but then the way you put your question is also not very clear.

3 MR MUNYARD: I am trying not to lead.

4 PRESIDING JUDGE: The question is from whom did they
11:35:40 5 purchase these things.

6 MR MUNYARD:

7 Q. The people who came from the Guinea side with this
8 ammunition, who were they?

9 A. They were Guinean soldiers.

11:35:55 10 Q. Thank you. You mentioned that Sam Bockarie organised a
11 special group responsible for it. Did you ever go to the
12 waterside to purchase materials from Guinean soldiers?

13 A. I never went there to buy ammunition, but I used to go
14 there to see - I used to go with them but I did not go to buy all
11:36:24 15 by myself.

16 Q. When you went with them, did you see the soldiers from
17 Guinea who were bringing the materials for your people?

18 A. Yes, my Lord.

19 Q. Were you present when the barter, the exchange, took place?

11:36:49 20 A. Yes, my Lord.

21 Q. Now, by this time, are we into 1997?

22 A. Yes, my Lord.

23 Q. Did you receive any instructions from Foday Sankoh about
24 receiving weapons from any particular place?

11:37:31 25 A. What year?

26 Q. In '97.

27 A. No, sir.

28 Q. Were you in Buedu throughout 1997 or did you go anywhere
29 else?

1 THE INTERPRETER: Your Honours, can he kindly repeat his
2 answer.

3 PRESIDING JUDGE: Please repeat your answer.

4 THE WITNESS: I moved from Buedu in 1997.

11:38:02

5 MR MUNYARD:

6 Q. Yes. Where to?

7 A. I went to Giema.

8 Q. And when did you go to Giema in 1997?

9 A. Around February to March.

11:38:28

10 Q. And did you then stay in Giema or did you go back at all to
11 Buedu?

12 A. I used to go to Buedu and come back to Giema. That was
13 what I used to do. When I spent some few days - some few weeks
14 in Giema I would return to Buedu.

11:38:54

15 Q. And where was Foday Sankoh all this time?

16 A. By then we had heard that they had arrested Foday Sankoh in
17 Nigeria.

18 Q. Was he able, despite being arrested, to communicate still
19 with the RUF in Sierra Leone?

11:39:28

20 A. No.

21 Q. At Buedu was there any airport or airstrip?

22 A. Yes, my Lord.

23 Q. Do you know when that airstrip was constructed?

24 A. It was from '95 to '96.

11:40:13

25 Q. And do you know why it was constructed?

26 A. Yes, my Lord.

27 Q. Yes. Would you like to tell us why it was constructed?

28 A. Yes, my Lord. Sam Bockarie it was who said we should
29 construct the airfield. He said he had had a contract from

1 outside for arms and ammunition. He said he had had a contract
2 to receive arms and ammunition.

3 Q. Receive arms and ammunition from where?

4 A. From Libya.

11:41:01 5 Q. And did he tell you who had arranged for this shipment to
6 come from Libya?

7 A. I never - repeat that question. The interpreter, repeat
8 that question.

9 MR MUNYARD: If the interpreter wants me to repeat it
11:41:26 10 again, I am happy to do so.

11 THE INTERPRETER: No, I'm okay.

12 THE WITNESS: No.

13 MR MUNYARD:

14 Q. So you didn't know from Sam Bockarie who had arranged for
11:41:34 15 the shipment from Libya?

16 A. No, sir.

17 Q. But he told you that you should - he told you that they
18 should construct the airport there?

19 A. We ourselves constructed it. I myself worked there. I
11:41:54 20 myself worked on that airfield.

21 Q. When was that that you worked on it?

22 A. When I left Zogoda after I had recovered. December.

23 Q. We know that you recovered - you were three weeks in
24 treatment --

11:42:15 25 A. Yes.

26 Q. -- to the end of December 1996. How long did you work on
27 the airstrip?

28 A. Yes. Well, in '97 when I was in Buedu with Sam Bockarie, I
29 used to go there. '97.

1 Q. In '97.

2 A. Before I could go to Giema, around January, February. It
3 was that exercise that I was on, January, February.

11:42:52

4 Q. Thank you. And do you know if any materials ever did
5 arrive from Libya at the airstrip in Buedu?

6 A. Never.

7 PRESIDING JUDGE: What does that mean?

8 MR MUNYARD: Well, I asked a question, "Do you know if any
9 materials ever did arrive from Libya at the airstrip in Buedu?"

11:43:20

10 "Never", I take it to mean no, none ever did arrive.

11 PRESIDING JUDGE: Why don't you clarify what that answer
12 means, please.

13 MR MUNYARD: Well, Madam President, if you want me to I
14 will.

15 PRESIDING JUDGE: I do.

16 MR MUNYARD:

17 Q. When you say "never" --

18 A. From --

11:43:38

19 PRESIDING JUDGE: One person speaks at a time. Mr Munyard,
20 please clarify.

21 MR MUNYARD:

22 Q. Did any materials come from Libya to that airstrip in Buedu
23 that you were working on the construction of in January 1997; yes
24 or no?

11:43:58

25 A. No, sir. No.

26 Q. You then went to Giema --

27 A. Yes.

28 Q. -- as you have told us.

29 A. Yes.

1 Q. Were the RUF involved in any fighting during this early
2 part of 1997?

3 A. We were on a defensive.

11:44:34

4 Q. Yes, but were you being attacked and did you have to defend
5 yourselves at any time in the early part of 1997?

6 A. You are correct, sir.

7 Q. And who was attacking the RUF then?

8 A. It was the Kamajors.

11:44:55

9 Q. Were you ever being attacked by the Sierra Leone Army,
10 soldiers from that force during early 1997?

11 A. No.

12 Q. Where were you on 25 May 1997, Mr Ngebeh?

13 A. I was in Giema.

14 Q. What was happening to you in Giema on that day?

11:45:27

15 A. On that day, the Kamajors had just attacked us from Giema.
16 They attacked us on the 22nd, on the 24th, on the 25th. That
17 particular day we repelled the attack. We were fighting with the
18 Kamajors.

19 Q. And did you hear any news on that particular day?

11:45:55

20 A. Yes, my Lord.

21 Q. What did you hear?

22 A. They said Pa Kabbah had been overthrown.

23 Q. Overthrown by who?

24 A. By the soldiers.

11:46:12

25 Q. Did they say why Pa Kabbah had been overthrown by the
26 soldiers?

27 A. Yes.

28 Q. What was the reason that you heard?

29 A. They said Pa Kabbah had disbanded the military in Sierra

1 Leone. That was why they had overthrown him.

2 Q. Was that on 25 May that you heard that, or a later date?

3 A. That same day we heard it over the SLBS radio. They
4 broadcast it.

11:46:56 5 Q. What happened the next day?

6 A. We heard Foday Sankoh. He recorded his voice and that was
7 played over the SLBS.

8 Q. The Sierra Leone Broadcasting Service?

9 A. You are right, sir. Yes.

11:47:18 10 Q. What was it that Foday Sankoh was saying when you heard his
11 voice on the SLBS?

12 A. He said the war was over in Sierra Leone. He said he was
13 instructing Sam Bockarie so that all RUF could come out of the
14 bush and join the AFRC in Freetown for everlasting peace. That
11:47:46 15 was the statement made by Pa Sankoh over the radio. Yes.

16 Q. What was the reaction on hearing Pa Sankoh saying that?

17 A. Oh, we were happy because we had been almost exhausted by
18 the Kamajors. We had given up. We were very happy. Everybody
19 was happy. They were dancing and singing, saying that the war
11:48:21 20 was over in Sierra Leone.

21 Q. Did you stay in Giema?

22 A. No.

23 Q. Where did you go?

24 A. From there, Sam Bockarie organised officers to go. I was
11:48:41 25 in that convoy. We left Giema and went to Pendembu. When we
26 arrived at Pendembu, people welcomed us, the civilians. They
27 were very happy. From Pendembu, we went to Daru barracks.

28 Q. [Microphone not activated] Daru barracks?

29 A. There was a heavy jubilation. Everyone was happy. Those

1 who had lost their families for so many years, found their
2 brothers and sisters. There was jubilation in the Daru barracks,
3 all over the town. Some people wanted to see who the Sam
4 Bockarie was. They never knew him. They were only hearing his
11:49:34 5 name over the BBC. Everybody was eager to know who this Sam
6 Bockarie was. Yes, my Lord.

7 Q. Where did you go after Daru?

8 A. We went to Kenema.

9 Q. How was the reaction there?

11:49:53 10 A. The same jubilation was there. Everybody was happy to see
11 Sam Bockarie - to see the RUF.

12 Q. And from Kenema, where did you go?

13 A. We went to Bo.

14 Q. What happened when you got to Bo?

11:50:15 15 A. There was that same jubilation. Everybody was out on the
16 streets in order to see who the Sam Bockarie was, what the RUF
17 was. There was jubilation all over the town.

18 Q. Was Sam Bockarie with you?

19 A. He was my commander.

11:50:38 20 Q. Yes. Was he with you when you went on this journey that
21 took to you Pendembu, Daru, Kenema and then Bo?

22 A. Yes.

23 Q. Thank you. What was the RUF's attitude to the Kamajors at
24 this time?

11:51:07 25 A. It was not positive. Revenge started. There was vengeance
26 in 1997 because Zogoda had fallen into the hands of the Kamajors,
27 so many brothers had died. When we came into the town and heard
28 that news, revenge started.

29 Q. In which town?

1 A. Sam Bockarie started the journey from Kenema. He started
2 reacting.

3 Q. What do you mean by "He started reacting"?

11:51:55

4 A. He was not happy. He started giving commands that he was
5 not supposed to give. Like, in Tongo he took Kamajors out of
6 Tongo and he set up Operation Pay Yourself. That particular
7 command was not good for Sam Bockarie as a leader.

8 Q. When do you say he set up Operation Pay Yourself?

11:52:28

9 A. After we had gone to Freetown, Johnny Paul Koroma handed
10 over. He has explained about the government to him, and he found
11 out that he cannot stay in Freetown. He decided to come to
12 Kenema in order to get are rid of Kamajors in Tongo. While this
13 was going on, Kamajors were still --

11:52:52

14 Q. Now, Mr Ngebeh, you have gone slightly ahead. We will come
15 to Operation Pay Yourself in due course, but at the moment we had
16 only reached Bo. You are saying that Sam Bockarie was with you.

17 A. Yes.

18 Q. Who was the leader on the ground of the RUF by now?

11:53:16

19 A. It was still Sam Bockarie. They had appointed Sam Bockarie
20 from 1 January '97. When we knew that CO Mohamed was no more
21 alive, they appointed him as leader of the RUF. January.

22 Q. What was your view of Sam Bockarie's leadership of the RUF?

23 A. It was one of the worst regimes so far. It was no good.

11:53:59

24 Q. How long did you stay in Bo on this journey that you were
25 on shortly after Foday Sankoh had said you should join the coup?

26 A. We passed the night in Bo once, and the following day we
27 left to go to Freetown.

28 Q. And when you got to Freetown, what happened?

29 A. Well, he met with Johnny Paul Koroma, Gborie, and all the

1 members who had overthrown Pa Kabbah. He met with them. From
2 there he presented us to Johnny Paul Koroma and said, "These are
3 our own people whom I have brought to town, my officers." He
4 showed us to JP.

11:54:55 5 Q. Who is "he" there? Who presented you to Johnny Paul?

6 A. Sam Bockarie.

7 Q. Who is JP, Mr Ngebeh?

8 A. JP Kromah.

9 Q. And JP stands for what?

11:56:04 10 A. I don't know that now. I just used to hear JP Kromah,

11 leader of the AFRC. I do not know what JP stands for.

12 Q. A minute ago you referred to Johnny Paul Koroma. Is that
13 the same person or a different person?

14 A. The same person.

11:56:30 15 Q. At this stage had you been - you and the RUF, had you been
16 paid any kind of wage or salary in 1997 before the coup?

17 A. Before the coup we were not paid, but after the coup, we
18 used to receive allowances.

19 Q. And who did you get the allowances from?

11:57:01 20 A. From Johnny Paul Koroma.

21 Q. Did your particular role change or not after the RUF had
22 joined the AFRC?

23 A. No. I was still the armourer commander.

24 Q. You stay in Freetown or did you go somewhere else?

11:57:38 25 A. We moved from Freetown.

26 Q. To where?

27 A. Back to Kenema.

28 Q. Why did you go back to Kenema?

29 A. They said the Kamajors had blocked the road from Bo to

1 Kenema, so they called Sam Bockarie to go and re-open the road.

2 So I travelled with him.

3 Q. And how long after the coup was that that you and Sam
4 Bockarie went back to Kenema?

11:58:26 5 A. When we got to Freetown, we did not even spend - let me say
6 we did not even spend three weeks in Freetown when we got the
7 news.

8 Q. And did you move as soon as you got the news?

9 A. Yes.

11:58:49 10 Q. And were you able to clear the highway?

11 A. Yes.

12 Q. Where was that?

13 A. From Kenema to Bo.

14 Q. Did you go to any particular part of Kenema, Kenema
11:59:15 15 District?

16 A. Yes, my Lord.

17 Q. Where was that?

18 A. Tongo.

19 Q. What was happening at Tongo?

11:59:27 20 A. They said Kamajors were based in Tongo and they were
21 harassing families of soldiers, so we should go there and get rid
22 of them in 1997. That was what took us to Tongo.

23 Q. Was there mining going on in Tongo at that time?

24 A. By then, when the Kamajors were there, I can't say much
12:00:05 25 about that.

26 Q. Well, what did you and your fighters do in relation to the
27 Kamajors, in Tongo I'm talking about?

28 A. We dislodged them from there.

29 Q. After you had dislodged them from there, were people mining

1 in Tongo?

2 A. Yes, my Lord.

3 Q. Are you able to help us with when this was?

4 A. That was around June, around June, around May - from

12:01:02 5 May - from May to June. From May to June, anyway. Around that.

6 Q. Well, you told us where you were on 25 May when you heard
7 news of the coup and from there you moved over a short period of
8 time to Freetown.

9 A. Okay. No, no. May 25, June in Kenema - June to July. It

12:01:35 10 was in the rainy season that we entered Tongo. It was in the
11 rainy season. I do not know the time now, but it was raining at
12 that time.

13 Q. I didn't actually ask you when you say you cleared the
14 Kamajors, in the course of clearing the Kamajors did you capture
12:01:56 15 anything from them?

16 A. There were some SSDs, some single barrels and some SSD
17 personnel. The SSDs who were there surrendered to us including
18 all their weapons. They were with us.

19 Q. And the SSDs are who?

12:02:19 20 A. They are the Sierra Leone police.

21 Q. So what weapons did you get from them when they surrendered
22 to you?

23 A. They had LAR and RPG. Just that.

24 Q. Did you get anything other than those weapons when you
12:02:51 25 cleared the Kamajors away?

26 A. Except - those are the materials, even the men and their
27 weapons. We did not disarm them. They surrendered to us. The
28 single barrels - we got the single barrels from the Kamajors but
29 the single barrels did not material - they were not important to

1 us, sorry.

2 Q. Did you get anything other than materials? Anything else?

3 A. Yes, foodstuff. We had foodstuff. There was enough
4 foodstuff in Tongo. Clothes, everything. Everything that people
12:03:38 5 can use.

6 Q. [Microphone not activated] to Kenema District and Tongo at
7 that time?

8 A. By fighting. From Mano Junction.

9 Q. By what means did you move, is what I meant? Were you on
12:04:05 10 foot, were you in vehicles, or any other method of travel?

11 A. We used vehicles. We used vehicles and we were well
12 equipped. We had weapons, arms and ammunitions. We had our AA,
13 our twin barrel and grenade launchers. We are were well
14 equipped. We travelled in vehicles.

12:04:35 15 Q. Were these your own vehicles or anybody else's vehicles?

16 A. The vehicles that had been issued to Johnny Paul Koroma, he
17 gave him five vehicles.

18 Q. Did you ever get any vehicles from any other source?

19 A. Yes. Some men were looting vehicles. Apart from those
12:05:12 20 Johnny Paul Koroma had given, people used - many used to loot
21 vehicles.

22 Q. Loot vehicles from who?

23 A. From government personnel, civilians, anywhere.

24 Q. Did you ever get any vehicles from any of the people that
12:05:35 25 you were fighting against?

26 A. The Kamajors?

27 Q. Kamajors or anybody else.

28 A. Yes. Yes. We had two busses. These two busses were
29 government busses, but they were with the Kamajors. We were able

1 to take those vehicles from them, between Kenema and Bo, Blama.
2 Government busses.

3 Q. What was the reaction of the local people when you cleared
4 the Kamajors from the highway?

12:06:20 5 A. Well, the look on people, they were happy, but on the other
6 hand, they were not happy because they knew that when the
7 Kamajors blocked the highway it was not for civilians, but for
8 us, for the AFRC, for any RUF personnel. It was for us. They
9 used to go through. Or anybody who had anything to do with the
12:06:45 10 AFRC would not be allowed to go through. But the ordinary
11 civilians had access to go through the highway. Their reaction,
12 they pretended to us to be happy, but they were not happy because
13 they were in favour of the Kamajors.

14 Q. [Microphone not activated] they, when you say they --

12:07:05 15 A. The civilians. The civil populace. They were in favour.
16 The civilians.

17 Q. [Microphone not activated] where did you first stay when
18 you were in Kenema District?

19 A. In Kenema we were first based in Kenema Town.

12:07:26 20 PRESIDING JUDGE: Mr Munyard, you asked me to remind you
21 when you are jumping ahead of yourself and I am trying.

22 MR MUNYARD:

23 Q. The you first stayed in Kenema Town and where did you go
24 after Kenema Town?

12:07:46 25 A. To Tongo.

26 Q. Why were you going to Tongo?

27 A. To dislodge the Kamajors from there.

28 Q. And did you dislodge them?

29 A. Yes.

1 Q. And how long did that take?

2 A. Just a day's patrol. From Kenema we entered straight into
3 Tongo that same day.

4 Q. What did the Kamajors do when you entered Tongo?

12:08:32 5 A. They left the town and went into the bush. Some stayed
6 behind and disguised themselves as ordinary civilians.

7 Q. Was there any other group in the town that was opposed to
8 you?

9 A. The SS - even the SSDs who surrendered to us were not in
12:09:03 10 favour of us.

11 Q. And then how long did you stay in Tongo?

12 A. We were in Tongo until AFRC left power.

13 Q. When you first entered Tongo, what was Sam Bockarie's
14 reaction?

12:09:30 15 A. Sam Bockarie's reaction was not good. He said after we had
16 taken over Tongo for 72 hours there should be Operation Pay
17 Yourself. He said within 72 hours whatever a soldier had was for
18 him. That was the command he passed in Tongo.

19 PRESIDING JUDGE: "He" means who?

12:10:00 20 THE WITNESS: Sam Bockarie, Mosquito.

21 MR MUNYARD:

22 Q. He gave an order --

23 A. Yes.

24 Q. -- that for 72 hours --

12:10:24 25 A. Yes.

26 Q. -- that this Operation Pay Yourself would be in effect,
27 yes?

28 A. Yes.

29 PRESIDING JUDGE: Ms Hollis.

1 MS HOLLIS: I do have an objection to that
2 characterisation. As I read the response of the witness, it is
3 ambivalent, but it should be the witness who explains. Because
4 as I look at page 76 in my LiveNote, the question about "When you
12:10:52 5 first entered Tongo, what was Sam Bockarie's reaction?" and then
6 the answer was, "Not good. He said after we had taken over Tongo
7 for 72 hours there should be Operation Pay Yourself." Then he
8 goes on to say, "He said within 72 hours whatever a soldier had
9 was for him. That was the command he passed in Tongo." So I
12:11:21 10 object to Defence counsel's characterisation, because it is only
11 one of possible explanations for that answer.

12 PRESIDING JUDGE: [Microphone not activated]. There are
13 several ambiguities in the witness's answer that he gave.
14 Several. Now, you can clarify from the witness without
12:11:51 15 characterising the evidence yourself.

16 MR MUNYARD: I think what my learned friend is complaining
17 about, in effect, is that I am leading.

18 PRESIDING JUDGE: Yes.

19 MR MUNYARD: And you know I have been at pains so far not
12:12:02 20 to lead. I agree that the answers are not altogether clear, and
21 so I will therefore try to clarify them. I will take the witness
22 back through that evidence and see how we can clarify what he
23 means. In fact, I will start again on that, because it's
24 probably the simplest way of seeking clarification.

12:12:30 25 Q. Mr Ngebeh, you said that Sam Bockarie's reaction was not a
26 good reaction when you first entered Tongo.

27 A. Yes. Yes.

28 Q. What did Sam Bockarie say to the RUF when they first
29 entered Tongo on this occasion?

1 A. The first day that we attacked Tongo we captured Tongo, and
2 he said he has given us 72 hours for Operation Pay Yourself.
3 That was the day we entered Tongo. It was on that day that he
4 gave the command. In 72 hours, whatever a soldier got was his.
12:13:11 5 After 72 hours, if you are caught looting you will be executed.
6 That was the order he gave.

7 PRESIDING JUDGE: First ambiguity: Whatever a soldier got
8 was whose?

9 MR MUNYARD: Yes, I'm dealing with that now, yes, if I may:

12:13:29 10 Q. It was on that day - I am quoting to you what you have just
11 said. "It was on that day that he gave the command. In 72
12 hours, whatever a soldier got was his." Who do you mean by "his"
13 when you say, "In 72 hours whatever a soldier got was his"?

14 A. The AFRC and the RUF. Whatever you looted within 72 hours
12:14:06 15 was yours. He meant the AFRC and the RUF.

16 Q. Whatever you looted within 72 hours was yours. Who was he
17 talking to when he said it was "yours"?

18 A. Sam Bockarie was saying this directly to the AFRC and the
19 RUF.

12:14:29 20 Q. To the fighters?

21 A. Yes. Yes.

22 Q. And so what were the fighter allowed to do during the first
23 72 hours?

24 A. Repeat that statement.

12:14:53 25 Q. What were the fighters allowed to do during the first 72
26 hours?

27 A. He said Operation Pay Yourself. Operation Pay Yourself.

28 Q. We know what the name of the operation was because you have
29 told us already. What did it mean that the fighters from the

1 AFRC and the RUF could do during that first 72 hours?

2 A. What Sam Bockarie meant when he gave that command was that
3 he knew that after 72 hours, whoever was found looting would be
4 executed, but within 72 hours he would not take any report.

12:15:43 5 Whatever you got was yours. But after that, nobody should loot
6 any more.

7 Q. [Microphone not activated] only talking about the first 72
8 hours. "Within" - and I am now quoting you: "Within 72 hours
9 whatever you got was yours"; is that correct?

12:16:04 10 A. Yes.

11 Q. So if a member of the AFRC or a member of the RUF looted
12 goods from somebody during the first 72 hours, was that person
13 entitled to keep them under this order of Sam Bockarie's?

14 A. The question is too long. Please divide it.

12:16:32 15 PRESIDING JUDGE: Mr Munyard, don't you think the witness
16 has explained clearly what he meant?

17 MR MUNYARD: I do, frankly --

18 PRESIDING JUDGE: Then what are you now doing?

19 MR MUNYARD: I am trying to head off any potential for any
12:16:44 20 further misunderstanding. But if we are all clear, then I am
21 very happy to move on.

22 PRESIDING JUDGE: I think that you sometimes complicate a
23 very simple piece of testimony by asking long, convoluted
24 questions that obviously the witness is not understanding.

12:17:03 25 MR MUNYARD: Your Honour, with respect, I thought the
26 answers were clear quite a long time ago, but the Bench did not
27 and that's why I've been pursuing it. I am going to leave it now
28 and move on. I hope we can now move on to the next stage:

29 Q. You said you stayed in Togo until the AFRC were

1 overthrown. Was mining going on in Togo whilst you were there?

2 A. Yes, my Lord.

3 Q. Who was doing the mining?

12:18:40

4 A. Everybody was mining for diamonds; the AFRC, the RUF, even
5 the civilians whom we met there. Everybody was engaged in
6 mining.

7 Q. Were you engaged in mining?

8 A. Yes, I myself was mining. I had men who were mining for
9 me.

12:19:02

10 Q. I'm sorry, I should have asked you one question - one final
11 question on the first 72 hours. Did you yourself do any looting
12 during that 72 hours?

13 A. No.

12:19:27

14 Q. What did you think of Sam Bockarie's instruction that
15 people could loot for 72 hours?

16 A. As a leader, he was not supposed to say that. That was a
17 bad command.

18 Q. Now, you have told us that you had people mining for you.
19 Did you go to the mining areas yourself during the period of time
12:19:55 20 that you were in Togo?

21 A. I used to go there, yes.

22 Q. Did you ever see anybody being forced to mine in the Togo
23 area?

24 A. Yes, they used to force civilians to mine.

12:20:13

25 Q. And how did they force them to mine?

26 A. They used to take them as manpower. When you come, you
27 will carry gravel and they were carrying the sand at the time.
28 When you carry ten bags, sometimes they will allow you to take
29 one bag for yourself. At the time that I was in Togo, that is

1 how I saw them using civilians to mine for diamonds. The gravel
2 that was in Tongo, that was what we used to take to wash and to
3 get diamonds from.

12:20:56 4 Q. Yes. What I asked you was how did they force civilians to
5 mine? What did they do to make the civilians do the mining
6 against their will?

7 A. When you tell somebody to go and work for and that person
8 is not happy, he's not that fast. Even if that person does
9 that --

12:21:22 10 THE INTERPRETER: Your Honours, can he kindly repeat this
11 area slowly.

12 PRESIDING JUDGE: Yes, Mr Witness, you have to repeat your
13 answer. You were going very fast and the interpreter didn't get
14 you. Explain again what you mean again by mining against their
15 will.

12:21:35 16 THE WITNESS: They would take them from their houses and
17 they will bring them to the field. They will carry the gravel
18 against their will, but there was no way out. They had to do it
19 because it was a military government.

12:21:52 20 MR MUNYARD:

21 Q. Pause there, please. Who is "they" who would take them
22 from their houses and bring them to the field?

23 A. The AFRC and the RUF. They were the ones who did this
24 thing.

12:22:08 25 Q. And how did they make sure that the civilians would come
26 with them and do the mining?

27 A. It was the soldiers who would go to look out for the
28 civilians. The soldiers, the AFRC and the RUF, they would go in
29 search of the civilians. They would go to look out for manpower.

1 That is how they used to get them.

2 Q. And how would they make sure that the civilians did what
3 they wanted?

4 A. They monitored them.

12:22:52 5 Q. What if a civilian said, "I don't want to come and mine for
6 you"? What would the soldiers then do?

7 A. If you are unlucky, they would kill you. If you are lucky,
8 they would beat you up. That's the advice. They would take you
9 by force. That was the options that they gave.

12:23:20 10 Q. Now, you have told us that you were still the armourer
11 commander. Were you still receiving arms there from any
12 particular source?

13 A. When we came to town, all the ammunition that the AFRC had,
14 they handed over to Sam Bockarie. That was the ammunition we
12:23:48 15 were using. We used to get supplies from Freetown, from Johnny
16 Paul Koroma. We had no other source to get ammunition. The one
17 that was with the Sierra Leone Army, that is what we were using
18 at that time.

19 Q. Was there any fighting going on during this period of time
12:24:06 20 between the junta forces, the combined forces of AFRC and RUF,
21 and any other fighters?

22 A. It was only the AFRC and the RUF that were together. After
23 we had taken Tongo, there was no fighting in Tongo. I moved to
24 Freetown. Sam Bockarie went to Kenema, and that was where he was
12:24:34 25 staying.

26 Q. Why did you move to Freetown?

27 A. That was where my family was. My wife and child were in
28 Freetown.

29 Q. How long did you stay in Freetown?

1 A. Well, that was where I took assignment in Waterloo,
2 Hastings. I was sleeping in Waterloo, but I was in Hastings.
3 That was where I took up assignment. I used to go Freetown and
4 coming back, but I was permanently staying in Waterloo.

12:25:13 5 Q. Any particular place in Waterloo?

6 A. Lumpa.

7 Q. And what was it that you were doing when you were based
8 there?

9 A. That was where I was passing the night and in the morning I
12:25:34 10 will go back to Hastings. I will be for the entire day in
11 Hastings and in the evening I will come and sleep with my family
12 in Waterloo.

13 Q. [Microphone not activated] work were you doing in Hastings?

14 A. I was still the armourer.

12:25:50 15 Q. Yes, but what did that involve you doing on a day-to-day
16 basis?

17 A. Well, that was my assignment area. That was where I was
18 meant to stay. Because we had soldiers there, the AFRC and the
19 RUF. I had an assignment there. The ECOMOG were in Jui. I used
12:26:18 20 to go there to inspect the weapons every morning.

21 Q. You used to go where to inspect weapons?

22 A. Hastings. Hastings.

23 Q. Did you go anywhere else to inspect?

24 THE INTERPRETER: Your Honours, could the witness be asked
12:26:36 25 to wait for the interpretation first before he continues.

26 PRESIDING JUDGE: Mr Witness, it seems you are not waiting
27 for the interpretation. When you do that you then speak over
28 each other and what you are saying cannot be recorded. Can you
29 please wait for the interpreter before you answer. I think it's

1 best, Mr Munyard, if you repeat that last question:

2 MR MUNYARD: Yes, before I do, Jui is J-U-I:

3 Q. Did you go anywhere other than Hastings to inspect weapons
4 when you were based in the Hastings area?

12:27:23 5 A. Yes.

6 Q. Where?

7 A. Benguema.

8 Q. Were you inspecting weapons only or were you doing anything
9 to the weapons at Benguema?

12:27:40 10 A. In Benguema I went there to repair.

11 Q. Did you go to any other places apart from Benguema to
12 inspect weapons when you were based back down there?

13 A. I used to do the inspection of weapons in Hastings. In
14 Benguema I went there to repair weapons. I used to go to
15 Cockerill, Juba, because RUF was everywhere. But my own
16 assignment area was Hastings. That was where I was based.

12:28:11 17 Q. [Microphone not activated] did you go to Cockerill?

18 A. In Cockerill, that was where our office was. We had an
19 office in Cockerill.

12:28:39 20 Q. Did you inspect any weapons in Cockerill?

21 A. Yes.

22 Q. Any particular kind of weapons?

23 A. Yes.

24 Q. What were they?

12:28:58 25 A. There was one weapon that the NPRC ordered for. It was an
26 electronic weapon. It uses current. But this weapon had been
27 kept for a long time. When I came, they showed it to me and
28 asked me if I knew about it and I said let them bring it out to
29 me for me to observe it. They brought that weapon. They brought

1 it outside in Cockerill. Then I tested it. Then I told them
2 that the magnator [phon] is finished. I told them that it uses a
3 yearly magnator. The year that they manufactured it up to that
4 time has expired. It won't work any longer.

12:29:49 5 THE INTERPRETER: Your Honours, he used the last word, it
6 is something I didn't get that clearly.

7 PRESIDING JUDGE: Mr Witness, can you repeat what you said
8 at the end.

9 THE WITNESS: It's a missile. It's a missile. Magnator
12:30:03 10 missile. Magnator weapon.

11 MR MUNYARD: I think we will have to live with magnator
12 weapon at the moment spelled phonetically:

13 Q. Can you tell us do you know where this weapon come from,
14 what country?

12:30:20 15 A. From how I saw it, it looked like a Russian weapon because
16 it had a Russian language written on it.

17 Q. Now, back to Hastings, please. Was there any sort of
18 airfield at Hastings or near Hastings?

19 A. Yes.

12:30:44 20 Q. And who controlled that - was it an airport or airfield,
21 and who controlled it?

22 A. The airfield?

23 Q. And who controlled it?

24 A. The AFRC and the RUF.

12:31:09 25 Q. And who used that airfield?

26 A. The only group that used it at that time was ECOMOG.

27 Q. You said it was controlled by the AFRC and RUF. Were you
28 involved in fighting ECOMOG at this time?

29 A. At the initial stages, when we had entered in Hastings, we

1 were not fighting against them anyway, at the initial stages. We
2 were friendly.

3 Q. And did you ever have any dealings with any kind of
4 aircraft at that airfield?

12:32:13 5 A. We hadn't any aircraft.

6 Q. Did you yourself ever go to that airfield in connection
7 with any kind of aircraft?

8 A. Yes. I went there once when the Nigerian - when one of
9 their helicopters landed. Our men arrested it. It had arms,
10 ammunition and manpower. All of them were arrested. At that
11 time I went there. I was there when the helicopter was arrested.

12 Q. Did you see what was on board that helicopter?

13 A. Yes.

14 Q. Would you like to tell us what that was?

12:33:04 15 A. There was ammunition in it, food, whatever these Nigerians
16 who were staying at Jui needed was in there. So many weapons and
17 manpower. They were all arrested.

18 Q. What happened to the Nigerians themselves?

19 A. Well, they called Johnny Paul Koroma, they told JP that
12:33:42 20 those men who had come, they were reinforcements, they had
21 brought food, but they had been arrested at Hastings. So JP gave
22 a command that all of them should be released together with their
23 weapons. Then we released them. That was why Sam Bockarie left
24 the town, alleging that Johnny Paul has sold them out. How could
12:34:05 25 these men have brought all of these weapons and they be released.
26 He said Freetown was not safe any longer. That day he had just
27 come from Kenema. Then he returned.

28 Q. You say Sam Bockarie left the town. Which town?

29 A. He had come from Kenema to Freetown and they met this

1 problem because they monitored our station when we said we had
2 captured Nigerians. When he came, he said they shouldn't release
3 those men. JP said we should release them because we were
4 fighting for peace.

12:34:45 5 Q. Mr Ngebeh, you have told us that already. You have said
6 that Sam Bockarie left the town. Which town did Sam Bockarie
7 leave?

8 A. He had left Kenema and came to Freetown when he heard that
9 we had arrested the Nigerians at Hastings.

12:35:09 10 Q. Very well.

11 THE WITNESS: Yes, my Lord.

12 PRESIDING JUDGE: Yes, Mr Ngebeh?

13 THE WITNESS: I am tired.

14 MR MUNYARD: Can I just point out to the witness there is
12:35:34 15 not very much longer to go, Madam President. And he won't have
16 any sense, I imagine, of where we are in terms of the court day
17 because he has got no sight of the clock, but there is less than
18 half an hour. In fact there is about 25 minutes to go.

19 PRESIDING JUDGE: There is an hour to go.

12:35:53 20 MR MUNYARD: There's an hour. I'm sorry, yes. These court
21 times have confused me completely. Well, I will leave it to you.

22 PRESIDING JUDGE: Mr Witness, would a ten-minute break do
23 good for you? Because we still have one hour left to go to the
24 end of today's proceedings. We are not sitting in the afternoon.

12:36:34 25 It's just one hour left to go, but we could have a ten-minute
26 break. Would that be sufficient for you?

27 THE WITNESS: Yes, my Lord.

28 PRESIDING JUDGE: It's now 12.35. We will reconvene at 10
29 to 1.

1 [Break taken at 12.35 p.m.]

2 [Upon resuming at 12.50 p.m.]

3 PRESIDING JUDGE: Mr Munyard, please continue.

4 MR MUNYARD: Thank you, your Honour:

12:51:50 5 Q. Mr Ngebeh, are you rested sufficiently for us to carry on
6 for a little while? It won't be very much longer before we
7 finish for the day.

8 A. Yes, my Lord.

9 Q. Thank you. You were telling us that Sam Bockarie left the
12:52:11 10 town. He came from Kenema to Freetown. The Nigerians and all
11 that they had with them were allowed to go by Johnny Paul. What
12 was Sam Bockarie's reaction? What did he think of Johnny Paul's
13 decision to let the Nigerians go?

14 A. He was not happy. He said for that reason he has sold our
12:52:41 15 lives. AFRC has sold out the lives of the RUF. That was the
16 statement made by Sam Bockarie.

17 Q. Was there any time during the period of the junta when the
18 AFRC and the RUF fell out with one another?

19 A. Yes. They had a clash in Freetown.

12:53:20 20 Q. Are you able to tell us anything about that clash?

21 A. Yes, my Lord.

22 Q. What was that clash?

23 A. They went to loot at one embassy, the AFRC and the RUF.

24 Q. And what was the nature of the clash between the RUF and
12:53:53 25 the AFRC?

26 A. Well, after that looting JP ordered that all those who were
27 involved in that looting should be put in a cell, including Issa
28 Sesay. He was among the group. This did not go down well with
29 Sam Bockarie. He said if any RUF personnel had done something

1 bad, before acting on anything he should be told. From there --

2 Q. Sorry, who should be told?

3 A. Sam Bockarie. From there, he went to the cell and released
4 Issa Sesay and left Gibril Massaquoi in there. That was the
12:55:03 5 first clash that we got with the AFRC when we were in Freetown.

6 Thank you.

7 Q. Were there any other clashes, either in Freetown or in any
8 other part of the country, between the two groups AFRC and RUF?

9 A. Yes.

12:55:22 10 Q. Can you give us any other examples?

11 A. Yes. In Kono.

12 Q. Tell us what happened in Kono.

13 A. Between Superman and Honourable Adams.

14 Q. [Microphone not activated] clash?

12:55:54 15 A. Honourable Adams was not respecting the RUF authorities.

16 He said he was an Honourable. He used to disgrace and molest RUF
17 officers. This did not go down well with Superman.

18 Q. Which group did Honourable Adams belong to?

19 A. He was with the soldiers, the Sierra Leone Army.

12:56:28 20 Q. What did he do when you say he used to disgrace and molest
21 RUF officers? What did he do to those RUF officers?

22 A. If he found you - for instance, there was a place in Koidu
23 where all the authorities used to sleep, the AFRC and RUF. When
24 you came, they took a compound in Koidu Town. Honourable Adams
12:57:09 25 met an RUF officer in that house. He asked him out, saying he
26 was not fit to sleep in that place. That did not go down well
27 with Superman. He said, "Why should he be molested?"

28 Q. Can you give us any other examples in any part of the
29 country of discord between the AFRC and the RUF?

1 A. What I have told you about Kono and Freetown, that was what
2 I witnessed and saw. There were other clashes, but that was what
3 I saw.

4 Q. You have told us about mining in Tongo, and you said the
12:58:03 5 RUF and the AFRC were mining in Tongo. Were they cooperating
6 well in Tongo, or was there any discord between the two groups in
7 Tongo?

8 A. Initially when we entered into Tongo there was cordial
9 relationship between the AFRC and the RUF. There was not
12:58:29 10 cordiality initially when we entered Tongo.

11 Q. What about later on?

12 A. Later, after I had left, I heard that there was a problem
13 between them. They said there was a problem between the AFRC and
14 the RUF in Tongo, but at that time I had left. I was not there
12:58:48 15 any longer, but we used to hear the information.

16 Q. Did the AFRC recognised the ranks of yourselves in the RUF?

17 A. They said it was a bush rank. They did not respect it.

18 Q. And how did the RUF fighters feel about that?

19 A. That was what created the problem between us and them. We
12:59:25 20 were not happy. We said they were provoking us.

21 Q. Did the RUF have the same access to arms and ammunition as
22 the AFRC during the period of the junta?

23 A. No. It was the AFRC that was in control of everything.

24 They just used to give us, but we did not have access to them
12:59:59 25 like they had it.

26 Q. Now, we have been talking about discord between the two
27 parties to the junta. Was there any discord between the junta
28 and other forces in the country?

29 A. Even the soldiers were split. They too were split, the

1 national army. There were some who were loyal to Pa Kabbah, and
2 there were others who were loyal to Johnny Paul Koroma. There
3 was that division.

13:00:42 4 Q. You told us about how you cooperated with ECOMOG initially
5 at Hastings when you were based there. Did that cooperation
6 continue throughout the whole time of the junta, or did that
7 break down at any time?

8 A. There was a problem later.

9 Q. And what happened when there was a problem later?

13:01:07 10 A. When the RUF was travelling and if you were in a civilian
11 vehicle, they would put you down and search you. If you had a
12 weapon, they would take it away from you. They would disarm you.
13 That was what they used to do to us. Even if you were travelling
14 alone, they would arrest you and put you in a cell. That was the
13:01:33 15 problem that arose between us and the ECOMOG in Jui. It came to
16 a time that we had to walking around with an escort before going
17 through Jui. That was the problem, my Lord.

18 Q. Where were you when the junta was overthrown?

19 A. I was in Hastings.

13:02:00 20 Q. And what happened to you then on the day of the - or the
21 beginning of the overthrow?

22 A. Well, I was in Hastings and I retreated to Waterloo. That
23 morning I was go to go to Freetown, but through God's grace I
24 couldn't. If I had gone, all of us would have stayed in

13:02:27 25 Freetown. I was unable to go, so I stayed in Hastings. When
26 they opened up the road, I retreated to Waterloo. Yes, my Lord.

27 Q. Did you take anything with you on that retreat?

28 A. Yes, my Lord.

29 Q. What did you take?

1 A. I had a vehicle and my ammunition and weapons that I was
2 using and those that I had in store. I put them in the vehicle
3 and I brought them to Waterloo.

4 Q. Did you stay at Waterloo, or did you go to somewhere else?

13:03:12 5 A. I left there, sir.

6 Q. And you went where?

7 A. Masiaka.

8 Q. Who were you with on this part of the journey?

9 A. I was with Issa Sesay, Superman, Brigadier Mani. All the
13:03:41 10 top AFRC authorities that we were in Freetown with, we were all
11 in Masiaka. But I was not with any permanent officer at that
12 time. I was all by myself because we were retreating at the
13 time.

14 Q. Can you give us the names of any of the other top AFRC
13:04:01 15 authorities who were there with you?

16 A. Yes. SAJ Musa, Brigadier Mani, Johnny Paul Koroma, Issa
17 Sesay, and others.

18 Q. Was the group that you were with at that stage, was it an
19 equal number of RUF and AFRC, or was one group larger than the
13:04:54 20 other?

21 A. The AFRC were more than us because most of our manpower
22 were in Bo and Kenema, but when we were in Freetown we were not
23 many. Their number was greater than us, the AFRC.

24 Q. And what happened when you got to Masiaka?

13:05:17 25 A. The ECOMOG jet started raiding us in Masiaka together with
26 the helicopter gunship. That was what troubled me and I decided
27 that that place was not safe for me, so I left together with my
28 family.

29 Q. And where did you go to then?

1 A. I went to Makeni.

2 Q. Did you stay in Makeni?

3 A. No.

4 Q. When you first went to Makeni, what part of Makeni did you
13:05:57 5 go to?

6 A. I stayed at Teko Road. From there I came to Kabala
7 Highway, the road leading to Kabala. That was where I finally
8 stayed before pulling out of Makeni.

9 Q. A spelling for Teko, what I have is T-E-K-O. Is there any
13:06:34 10 particular place in Teko or on Teko Road that you went to?

11 A. Teko Road is a road leading to the barracks in Makeni.

12 Q. Did you go to the barracks?

13 A. Yes. All of us who had come from Freetown, everybody used
14 to go there with - to go there for weapons, arms and ammunition
13:07:05 15 because there were a lot of ammunition there.

16 Q. And so did you get arms and ammunition when you went there
17 on that occasion?

18 A. Yes.

19 Q. Just you or others getting arms and ammunition?

13:07:28 20 A. All of the AFRC members, all of us, the officers who had
21 retreated from Freetown, everybody went there to get arms and
22 ammunition because we were loath to leave them there for them not
23 to be taken by the ECOMOG, so we went there and took a lot of
24 them.

13:07:48 25 Q. To where did you go after Teko barracks?

26 A. Kabala.

27 Q. Did you stay in Kabala?

28 A. No, I left Kabala.

29 Q. And where did you go? Where did you next stay after you

1 had left Teko barracks in Makeni?

2 A. That's Kabala.

3 Q. All right. How long did you stay in Kabala?

4 A. Just few weeks - few days. It was not even up to a week.

13:08:39 5 Q. Were you under attack in Kabala or not?

6 A. When I was there I was not attacked. I just went away with
7 my children. But they attacked Kabala later on, but I was not
8 attacked there.

9 Q. So where did you go after those few days or few weeks in
10 Kabala?

11 A. I went to Mansofinia.

12 Q. Is that somewhere where you stayed?

13 A. I just stayed there for some time. I left there.

14 MR MUNYARD: Mansofinia, Madam President, we know has been
13:09:38 15 spel t --

16 PRESIDING JUDGE: I don't think that's what the witness
17 said. Mr Witness, what is the name that you said?

18 THE WITNESS: Mansofinia.

19 MR MUNYARD: Yes, it was:

13:09:55 20 Q. When you say you stayed there for some time, can you help
21 us for how long? Are we talking days or weeks there?

22 A. It was weeks.

23 Q. And in what district is Mansofinia?

24 A. It was under Kabala district.

13:10:21 25 Q. And after you left there, where did you go to?

26 A. Kurubonla.

27 Q. During this time, when you are moving from place to place,
28 are you being attacked or not?

29 A. No.

1 Q. So why were you moving from one place to another?

2 A. I was trying to go to Kono where most of my brothers were.

3 Q. Did you eventually get to Kono?

4 A. Yes, my Lord.

13:11:15 5 Q. Are you able to recall now when that was?

6 A. I think it was somewhere in 1998. It was in 1998 because
7 we have completed '97. We are now in '98.

8 Q. Can you help us with when in 1998 you got to Kono after you
9 had retreated from Hastings?

13:11:52 10 A. I can't tell you the date.

11 Q. Was it the dry season, the rainy season, or was it after
12 the rainy season?

13 A. It was in the - it was during the dry season.

14 Q. So you finally get to Kono. And what happens when you get
15 there?

13:12:13

16 A. Well, I met Superman in Kono. They said they met Kamajors
17 in Kono and they attacked them and dislodged them from Kono.
18 There were a lot of RUF personnel in Kono when I went there.

19 Q. Were there any AFRC personnel there when you went there?

13:12:42 20 A. Yes. They too were there.

21 Q. Now, you have told us Superman said that they had dislodged
22 the Kamajors. Did that mean that Kono was safe for you or not?

23 A. Well, when I knew that the men were there, Kono was safe
24 for me because Superman had dislodged them from there. There
13:13:12 25 were no enemies there. Kono was safe then.

26 Q. Were you attacked at all while you were in Kono?

27 A. Yes.

28 Q. By whom?

29 A. ECOMOG jets.

1 Q. And what did the ECOMOG jets do?

2 A. It was dropping cluster bombs.

3 Q. Where were they dropping cluster bombs?

13:13:55

4 A. Those areas where AFRC lodged, the houses where AFRC people
5 lodged. That was where the bombs were dropped.

6 Q. Is this in a town, a village or what?

7 A. In the main Koidu Town, the town itself. That was where
8 the bombs were dropped. That is Koidu.

13:14:19

9 Q. And were these bombs only landing on AFRC lodging houses or
10 were they landing on other places as well?

11 A. They were landing at different locations. Some places
12 where civilians were, it landed there. And some where AFRC were.
13 They were launching at every place in Kono.

13:14:45

14 Q. And so what did you all decide to do as a result of being
15 bombed by the Alpha Jets?

16 A. I decided to take all my family from around me to the bush.

17 Q. And where did you go? To what part?

18 A. I sent them to the Guinea Highway.

19 Q. Did you go with them?

13:15:15

20 A. I just left them there and came back to Koidu because of
21 the jets raid.

22 Q. Did you continue to stay in Koidu or did you move to some
23 other place?

24 A. We left Koidu --

13:15:42

25 THE INTERPRETER: Your Honours, can he kindly be requested
26 to remove his arm from under his chin. He is not very clear.

27 PRESIDING JUDGE: [Microphone not activated] if you take
28 your arm away, you can speak more clearly. Repeat your answer,
29 please. We are almost there. Only 15 minutes left. Please

1 repeat your answer. The question was did you continue to stay in
2 Koidu or did you move to some other place?

3 THE WITNESS: I left Koidu Town. When ECOMOG and the SLAs,
4 who were now part of Pa Kabbah's government, combined to attack
13:16:29 5 us in Kono, that was why I left there.

6 MR MUNYARD:

7 Q. Where did you go to when you left there?

8 A. Where I had left my wife, that is the Guinea Highway. That
9 was where we retreated.

13:16:47 10 Q. Was it just you and your family there or were there other
11 people from the RUF or AFRC in that area?

12 A. Everybody retreated to that area, the AFRC and the RUF.
13 Even the civilians who were part of the AFRC, that was where all
14 of us retreated.

13:17:12 15 Q. Did you have any arms and ammunition with you when you
16 retreated to that place?

17 A. Yes.

18 Q. Where had you got that material from, those arms and
19 ammunition?

13:17:34 20 A. The ammunition that we had retreated with from Freetown,
21 from Teko barracks as well. That was the ammunition that was
22 with us.

23 Q. Had you used any of that on the way, on the journey?

24 A. From Koidu to Guinea Highway, there was no enemy around
13:17:58 25 that area. It was only Kono that we based. That was a safe area
26 for us. We did not fight against anybody.

27 Q. And so what did you do with the materials that you had
28 brought with you to this place on the Guinea Highway?

29 A. We stayed there and reorganised ourselves. At first we

1 were in the defensive, we did not attack initially at the Guinea
2 Highway. We organised the AFRC and the RUF as to how to operate
3 as brothers, that we should forget about all the grudges that had
4 existed in Freetown, so we were in the defensive. Yes, my Lord.

13:18:44 5 Q. What did you do with the arms and ammunition that you'd all
6 brought?

7 A. We brought the ammunition. Those which we were to use were
8 in our possession and those which we were not to use, we created
9 an ammo dump at the Guinea highway; the one-barreled, the
13:19:05 10 armoured car, there is a weapon that looks like an armoured car.
11 It's a shaker. It uses missiles. We brought it. The twin,
12 barrels, we dismantled some and packed them. It was only one
13 that we planted to protect us. So we created an ammo dump and
14 dumped them there at the Guinea highway. Thank you.

13:19:33 15 Q. What was the shaker missile used for?

16 A. We kept it initially because it was an electronic weapon.
17 It's a conventional weapon. It was owned by the Nigerians. We
18 kept it. We hid it somewhere in the bush. We used leaves to
19 cover it up.

13:20:00 20 Q. Were you ever able to use that particular weapon?

21 A. Yes. It was that weapon that we used to re-attack Kono.

22 Q. And when did you re-attack Kono?

23 A. That was in December 1998.

24 Q. What time of year do you say it was when you got to this
13:20:34 25 camp on the Guinea highway where you established your ammunition
26 dump and so on?

27 A. Well, just think about it. We retreated in the dry season
28 until we got to Kono to the Guinea highway. It was almost in the
29 dry season. You just imagine now from that time that we got

1 there, from the dry season. We were there for some time before
2 we re-attacked Kono. We were there for some time. Thank you.

3 Q. We were there for some time. Can you give us a rough idea
4 of how long that "some time" is?

13:21:22 5 A. Well, I can say we spent nearly five months - nearly five
6 months before we re-attacked Kono.

7 Q. Where was Sam Bockarie at this time?

8 A. He was in Buedu.

9 Q. Did you get any instructions from Sam Bockarie while you
13:21:52 10 were at this camp?

11 A. Yes, my Lord.

12 Q. Tell us what the instructions were that you got from him.

13 A. He was talking with Superman. He talked with Superman,
14 Issa, Rambo, and he told our brothers that everything should be
13:22:21 15 ended; that is, the grudges that were between the AFRC and the
16 RUF, he said now we should turn to a new page of the war. From
17 there he called Superman, that they should meet him in Buedu.
18 They went and they came back. After that, some groups left us to
19 go to Kurubonla to join SAJ Musa's group. They said those people
13:22:51 20 should not be there alone. Wherever the AFRC was, the RUF should
21 be there. If you were --

22 THE INTERPRETER: Your Honours, can he kindly repeat
23 slowly.

24 PRESIDING JUDGE: Please pause, Mr Witness. Repeat your
13:23:06 25 answer. The interpreter didn't get it you. Repeat it, please.

26 THE WITNESS: Sam Bockarie said wherever an RUF person was
27 as commander, the deputy should be an AFRC. Wherever an AFRC
28 person was a commander, his deputy should be an RUF. He said we
29 should work as brothers. All the problems which we had in

1 Freetown should be forgotten. We should open a new phase because
2 this was a new jungle. That was the kind of instruction we got
3 from Sam Bockarie at the Guinea highway. He said we should be
4 united.

13:23:44 5 MR MUNYARD:

6 Q. Were you united?

7 A. No.

8 Q. Tell us first of all about the group who you say went to
9 Kurubonla. Who were they?

13:24:04 10 A. This group that went to Kurubonla, it was Superman and some
11 AFRC and RUF, but Superman was the commander. They went to
12 Kurubonla.

13 Q. And were the AFRC and RUF in that group in equal numbers,
14 or was one group bigger than the other?

13:24:37 15 A. The AFRC were in the majority to the RUF.

16 Q. At that time was Superman willing to take orders from Sam
17 Bockarie?

18 A. No.

19 Q. You have said that Sam Bockarie said that where there was
13:25:00 20 an RUF commander the deputy should be an AFRC, and the other way
21 around. How did the AFRC react to being told that they should be
22 deputies to RUF commanders?

23 A. Well, this was why the AFRC left and went to Kurubonla to
24 join SAJ Musa. They said they should not be controlled like
13:25:31 25 that. Only a few of them left with us - stayed with us, but all
26 the authorities went to Kurubonla. They were not happy about
27 that - that instruction.

28 Q. And which group did Superman belong to?

29 A. Superman was RUF. But because Sam Bockarie was against him

1 and that they did not like him, when he came he joined the
2 soldiers and the soldiers liked him. He spent all his time with
3 the AFRC, but he was an RUF.

4 Q. Did you yourself go to Kurubonla?

13:26:16 5 A. No.

6 PRESIDING JUDGE: Mr Munyard, has the witness told us who
7 SAJ Musa was in this whole scenario?

8 MR MUNYARD: I'm not sure. I will find out:

9 Q. Mr Ngebeh, you heard Madam President's question. Would you
13:26:39 10 tell the Court who SAJ Musa was?

11 A. Well, after the coup, this man left and joined the AFRC.
12 When we pulled out from Kurubonla, he was in control. He was the
13 one who was in control of the - all the AFRCs in Kurubonla, but
14 in the government I did not know the appointment that was given
13:27:09 15 to him.

16 Q. [Microphone not activated] please. You said after the coup
17 this man left and joined the AFRC. Who is "this man", first of
18 all?

19 A. SAJ Musa.

13:27:22 20 Q. What was it that he left?

21 A. I did not know why he left to join the AFRC. I did not
22 know his plan. I just heard that SAJ Musa had come to join the
23 AFRC.

24 Q. When you say "after the coup", what time are you talking
13:27:46 25 about?

26 A. After the AFRC had overthrown Pa Kabbah, he then came.

27 Q. And I think you are saying you are not sure where he came
28 from, but do you know whether or not he had any military
29 training?

1 A. When?

2 Q. By the time he joined the AFRC, had SAJ Musa, to your
3 knowledge, been trained as a soldier?

4 A. Yes. He was a former soldier. He was a former NPRC
13:28:31 5 member. He was a former soldier. He was an authority in the
6 NPRC. He was a captain.

7 Q. And the NPRC you told us were the people who overthrew -
8 well, the people who came to - the military who came to power in
9 the - earlier in the 1990s. You told us about that yesterday.

13:28:59 10 Do you know what his position was in the NPRC?

11 A. He was a Supreme Council member.

12 Q. Right.

13 PRESIDING JUDGE: In the NPRC or the AFRC?

14 MR MUNYARD: NPRC.

13:29:21 15 THE WITNESS: NPRC.

16 MR MUNYARD:

17 Q. [Microphone not activated] the leader of the NPRC?

18 A. Captain Strasser.

19 Q. So he is somebody who had previously been on the Supreme
13:29:36 20 Council of the military rulers, the NPRC. After the AFRC coup,
21 he comes and joins the AFRC?

22 A. Yes, my Lord.

23 Q. After the junta is thrown out from Freetown, who was the
24 most senior member of the AFRC when you were all retreating from
13:30:05 25 Freetown?

26 A. Yes. We had Brigadier Mani and SAJ Musa himself, but it
27 was SAJ Musa was in control of all the AFRC soldiers. Pa Mani
28 was there too, but since he was an old man, he was just an
29 ordinary adviser to SAJ Musa. It was SAJ Musa who was in control

1 of the AFRC when we retreated.

2 PRESIDING JUDGE: [Microphone not activated].

3 THE WITNESS: Pa Brigadier Mani. We used to call him Pa,
4 Brigadier Mani. He was an adviser, at the time that we

13:31:05 5 retreated, to SAJ.

6 PRESIDING JUDGE: Mr Munyard, we have come to the end of
7 the tape and the time.

8 MR MUNYARD: So I see.

9 PRESIDING JUDGE: And the witness will be happy to know
13:31:15 10 that we are going to adjourn for the day. Just to remind you,
11 Mr Witness, that you are not to discuss your evidence because you
12 are not yet finished.

13 The proceedings are adjourned to tomorrow at 9 o'clock.

14 [Whereupon the hearing adjourned at 1.30 p.m.
13:31:43 15 to be reconvened on Wednesday, 24 March 2010 at
16 9.00 a.m.]

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I N D E X

WITNESSES FOR THE DEFENCE:

DCT-146	37806
EXAMINATION-IN-CHIEF BY MR MUNYARD	37807