



Case No. SCSL-2003-01-T

THE PROSECUTOR OF
THE SPECIAL COURT
V.
CHARLES GHANKAY TAYLOR

WEDNESDAY, 31 MARCH 2010
9.30 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 Sidney Thompson

For the Registry:

Ms Rachel Irura
Ms Zainab Fofanah

For the Prosecution:

Ms Brenda J Hollis
Mr Nicholas Koumjian
Ms Kathryn Howarth
Ms Maja Dimitrova

For the accused Charles Ghankay
Taylor:

Mr Terry Munyard
Mr Morris Anyah

1 Wednesday, 31 March 2010

2 [Open session]

3 [The accused not present]

4 [Upon commencing at 9.30 a.m.]

09:27:20 5 PRESIDING JUDGE: Good morning. We will take appearances
6 first, please.

7 MR KOUMJIAN: Good morning, Madam President. Good morning,
8 your Honours. Good morning, counsel opposite. For the
9 Prosecution this morning, Brenda J Hollis, Kathryn Howarth, Maja
09:31:34 10 Dimitrova and Nicholas Koumjian.

11 MR ANYAH: Good morning, Madam President. Good morning,
12 your Honours. Good morning, counsel opposite. Appearing for the
13 Defence this morning are Terry Munyard and myself, Morris Anyah.

14 Madam President, as your Honours will recall, the reasons
09:31:51 15 why Mr Taylor is not present in Court today we have stated
16 yesterday, and we just reiterate it for purposes of the record.

17 PRESIDING JUDGE: Thank you, Mr Anyah. I do recall the
18 application that you made on behalf of Mr Taylor yesterday
19 requesting that the trial proceeds in his absence today, as he
09:32:11 20 will be observing an important religious holiday.

21 Now, the Prosecution having indicated that they have no
22 objection to that mode of procedure and the Court being satisfied
23 that the accused has waived his right to be present today and
24 that he is duly represented by counsel, I order that the trial
09:32:32 25 does proceed pursuant to Rule 60B of the Rules of Procedure and
26 Evidence.

27 Now, Mr Vincent, good morning.

28 THE WITNESS: Yes, good morning.

29 PRESIDING JUDGE: [Microphone not activated] today under

1 cross-examination, and just to remind you of your oath that you
2 took to tell the truth. You are still bound by that oath today.

3 THE WITNESS: Yes, thank you.

4 PRESIDING JUDGE: Mr Koumjian, please proceed.

09:33:03 5 WITNESS: DCT-215 [On former oath]

6 CROSS-EXAMINATION BY MR KOUMJIAN: [Continued]

7 Q. Good morning, Mr Witness.

8 A. Yes, sir. Good morning.

9 Q. Sir, do you recall yesterday Defence counsel read to you a
09:33:18 10 long section of testimony by Alice Pyne referring to a herbalist
11 who came from Liberia sent by Mr Taylor to mark fighters. Do you
12 recall that testimony being read to you?

13 A. Yes, I remember.

14 Q. And is it correct that you are saying that that testimony
09:33:41 15 was a lie?

16 A. Yes, I am saying it was a lie because it was something I
17 did not know about.

18 Q. Well, are you saying it could have happened and you just
19 don't know about it, or are you saying it was a lie?

09:33:58 20 A. I am saying it's a lie. It's a lie. I don't know about
21 it.

22 Q. I would like to read to you some other testimony regarding
23 that subject, so first I would ask to have the transcript of 5
24 February 2008 put on the screen, page 3165. Sir, I am going to
09:35:13 25 begin reading from the third line. Now, this witness was King
26 Perry Kamara, you know him, correct?

27 A. I know King Perry.

28 Q. He was asked:

29 "Q. Now just before we continue with this line of your

1 evidence, you mentioned a herbalist was sent by Mr Taylor,
2 is that correct?

3 A. Yes, one herbalist came. This herbalist - sorry. Sam
4 Bockarie gave Superman in Buedu and we all travelled and
09:35:49 5 came to Koidu Town. It was this herbalist that was going
6 to inspire us so that we will have no fear of attacking
7 Kono and the various areas I have named. This herbalist
8 was - we were going to use this herbalist to go on a
9 mission that we called Fitti-Fatta mission. This
09:36:10 10 herbalist, after we had come to Kono before the Fitti-Fatta
11 mission --

12 Q. Now before you get on to going back to Kono, how did
13 you know this herbalist came from Mr Taylor?

14 A. Well, the herbalist himself was introduced to us during
09:36:34 15 the meeting. It was from there that I was able to know
16 that he came from Mr Taylor. And he said with all these
17 plans these were the herbalists who were helping him in
18 Liberia. Therefore he sent him to us also so that he will
19 come and work for us.

09:36:54 20 Q. Now who introduced the herbalist to you?

21 A. It was Sam Bockarie. He did all the introductions I
22 have spoken about.

23 Q. And did he explain how exactly the herbalist was going
24 to help you?

09:37:12 25 A. Yes, I can explain the way he explained. This
26 herbalist was brought. He said he was going to carve on
27 our bodies and in that light if he rubs those concoctions
28 on our bodies you will not be in fear of the guns and then
29 you will not be able to be afraid to advance. And if

1 anybody refused to be carved on his body, Sam Bockarie said
2 that person should be killed. And whatsoever that man
3 said, we did it. So all men took off his clothes, even
4 myself sitting here. I had '21' on my first hand
09:37:52 5 here - arm here. I had '21' also on my left arm side and
6 '21' on the other arm, '21' on my back by the right arm
7 side, '21' on the left arm side. That is how each and
8 every one of us was marked.

9 Q. What was used to mark your body?

09:38:14 10 A. He had something black like fire coal. He will rub it
11 on your body and he will use razor blades to pierce your
12 body. That is what he did to all of us."

13 Mr Witness, can you tell us whether or not that is the
14 truth, or a lie?

09:38:39 15 A. This is a complete lie and a statement given by Pyne -
16 according to you, Alice Pyne. It was not only a man, but it
17 included a woman, but here he is now testifying about a man. So
18 I am looking at something very contrary to the first testimony in
19 these few lines.

09:39:11 20 Q. Well, Mr Witness, you recall the woman was translating, not
21 marking the bodies. Do you recall that? Let's move on to
22 another witness, and this is a young man Komba Sumana, who
23 testified on 6 October 2008. He testified about being captured
24 when he was a child, 13 or 14 years old - 13 years old probably
09:39:43 25 when he was captured, trained when he was 14 - trained in a camp
26 near Buedu, and then brought back to Kono. Before he was
27 captured, his sister and his uncle had been killed and the rebels
28 had taken his father and amputated the hands of his father. This
29 is what he said on page 17982, middle of the page, line 15:

1 "Q. Mr Witness, since you mentioned a medicine man, I am
2 going to take you back to Kono. When you were in Kono, was
3 there ever a medicine man there?

4 A. Yes, there was one there too.

09:40:37 5 Q. Was that before you went for training or after you
6 went for training?

7 A. After the training, that was the time that he was
8 there.

9 Q. And what did this medicine man do?

09:40:51 10 A. He used to mark people. He used to make cuts on people
11 saying that bullets - they would not be caught by bullets.
12 It was a kind of juj u."

13 Now, Mr Witness, did you see fighters in Kono who had been
14 marked on their body with razor blades or with sharp objects
09:41:13 15 around the shoulders, around the upper arms, and the back and
16 chest?

17 A. Are you asking me? Okay. What you are saying, I am saying
18 that this particular thing that you are talking about, I am
19 telling you that it is a lie and the mission that you referred to
09:41:42 20 as the Fitti-Fatta mission, I don't know about it. If it was a
21 mission that took place in December 1998, if there was a mission
22 that was called Fitti-Fatta mission, I was not on that particular
23 mission.

24 Q. Well, Mr Witness, we will come back to your knowledge of
09:42:02 25 the attacks on Kono on the Fitti-Fatta mission. I certainly
26 don't want to miss that, but let's complete this subject of
27 marking. There was another witness who testified. Could we have
28 the transcript for 22 March 2010, page 37767?

29 A. Yes.

1 Q. Beginning at line 2, this witness testified:

2 "A. At the initial stage of the war, people used to mark
3 us. But we used to have some other groups to mark us to
4 give us additional protection.

09:43:06 5 Q. Was that at the initial stage or at a later stage that
6 other groups would mark you?

7 A. In 1991 our people used to protect us against bullets.
8 But when the war advanced, there were other people who came
9 to protect us.

09:43:25 10 Q. I'm going to ask you to tell us about it now since we
11 are dealing with this subject, even though you are saying
12 that some of the marking was done at a later stage in the
13 war. Do you understand?

14 A. I'm getting you.

09:43:45 15 Q. We understand that you wanted me to take it in time
16 sequence, but since we are dealing with this question of
17 marking, I will ask you to tell the judges what other
18 people marked you and you can tell them when that happened.
19 Apart from your family members, you said at another stage
20 other groups marked you. Who were those other groups?

21 A. That was in '98. That was in 1998. We had another
22 group that came from Liberia from the ULIMO side. It was
23 Sam Bockarie who brought them for them to mark us in 1998.

09:44:07 24 Q. And was that marking the same kind of marking as 1991
25 or a different kind of marking?

26 A. It was the same method.

27 Q. And just tell us very briefly, where on your body were
28 you marked and what was the nature of the marks?

29 A. They marked me on my chest, my arms, my back. I have

1 everything here.

2 Q. And what kind of marks are they?

3 A. They marked us with razor blades. It's a razor blade
4 mark.

09:45:09 5 Q. And it was just one mark or more one mark in each --

6 A. No.

7 Q. How many marks?

8 A. It's many. It's many. It's many."

9 Sir, when this witness talks about Sam Bockarie bringing
09:45:27 10 someone from Liberia in 1998 to mark the fighters, that was the
11 truth or was it a lie?

12 A. I am telling you, I mean, the stories given are all
13 different. This person is saying from ULIMO and the person is
14 saying from Charles Taylor. Which one should we believe now? It
09:45:52 15 is true that in Sierra Leone we had - yes, go ahead.

16 Q. Mr Witness, the ULIMO side doesn't mean ULIMO. It means
17 where ULIMO came from, which was the Lofa border. Isn't that
18 right? Isn't that where ULIMO came from?

19 A. Yes, ULIMO came from Lofa border, yes.

09:46:12 20 Q. Mr Witness, in 1998, there was no ULIMO. Charles Taylor
21 was elected President and he had former ULIMO in his cabinet.
22 You knew that, correct?

23 A. Yes.

24 Q. So, Mr Witness, my question is about this witness. I am
09:46:27 25 not asking for your analysis of the consistency of the witnesses.
26 The witness I just read to you, did he tell the truth or was it a
27 lie?

28 A. The lying side of it is that I did not see a medicine man
29 or a juju man that Sam Bockarie introduced to me or any other

1 person as being a juj u man or medicine man sent by Mr Taylor. So
2 I am saying it's a lie.

3 Q. Sir, do you know Charles Gebba [phon]?

4 A. Who? Charles Gebba?

09:47:14 5 Q. Yes.

6 A. No. That name sounds strange, Charles Gebba. It sounds
7 very strange to me.

8 Q. N-G-E-B-E-H. I am not very good at pronouncing N-G at the
9 beginning of a word.

09:47:33 10 PRESIDING JUDGE: That would be Ngebeh.

11 THE WITNESS: Oh, Charles Ngebeh. Okay, yes. I know
12 Charles Ngebeh, yes.

13 MR KOUMJIAN:

14 Q. In fact, you are staying now at the same place with him,
09:47:44 15 correct?

16 A. Yes, that is where we are, yes.

17 Q. Mr Witness, this was Charles Ngebeh's testimony that I just
18 read to you. You are saying he was lying to this Court?

19 A. I am telling you that he is saying that - he is saying that
09:48:06 20 Charles Taylor sent a juj u man. It's a lie. It's a lie.

21 Q. Mr Witness, so Charles Ngebeh, the witness before you for
22 the Defence, was lying is what you're saying. Is that correct,
23 Mr Witness?

24 A. Repeat that question, please.

09:48:27 25 Q. That Charles Ngebeh was lying when he said what I read to
26 you, correct?

27 A. Yes. When I said he lied, that means I don't know about
28 it.

29 Q. Mr Witness, you don't speak Mende, do you?

1 A. No, I don't speak Mende.

2 Q. You told us you do not understand Mende, correct?

3 A. No, I don't understand it, nor do I speak it. It's only
4 the Krio that I can understand. I try a little bit in that, but
09:49:05 5 not much.

6 Q. Well, this is what a witness said about you and I would
7 like to now have the transcript from 26 March 2010, 38150. This
8 witness said, beginning at the top, 37429. I am not sure what
9 page I gave. 37429 on 17 March. I apologise. The witness said:

09:50:40 10 "A. John Vincent was the training commandant at Koindu.

11 Q. What nationality is John Vincent?

12 A. John Vincent was from Sierra Leone. I don't know
13 whether he was from Sierra Leone, but I knew him as John
14 Vincent.

09:50:54 15 Q. When you say he was from Sierra Leone and you do not
16 know - are you saying this from personal knowledge or are
17 you only guessing?

18 A. I know John Vincent to be an RUF soldier. We didn't
19 care about tribalism or whether you were from this country
09:51:11 20 or that country, but I knew John Vincent as the training
21 commandant. Whether he was Mende or Kissi or Loko, I did
22 not know about that.

23 Q. Witness, the question is not about tribe; it's about
24 nationality. And you had a number of Liberians whom you
09:51:31 25 remembered that were with you at Naama, correct?

26 A. Whether he was a Liberian or so, I don't know.

27 Q. Apart from Vincent, who else was a trainer?"

28 I am going to skip that and if we could go now to page
29 37431, looking at line 3:

1 "Q. What about John Vincent, what language did you hear
2 him speak?

3 A. I used to also hear him speak Mende as well."

4 Now, Mr Witness, this witness, was he telling the truth or
09:52:20 5 was he lying when this witness told the judges that he heard you
6 speaking Mende?

7 A. This is a complete lie. I don't even understand Mende.

8 It's a complete lie. I am a Liberian and I speak the Gola
9 dialect. I speak a little bit of Vai and the Krio. Because I
09:52:44 10 went to Sierra Leone, that was how I managed to even speak Krio.
11 So this person is lying.

12 Q. Thank you. So this person, DCT-025, lied under oath to
13 these judges about that. Is that correct?

14 A. I am saying it's a lie. I still repeat it, it's a lie.

09:53:04 15 Q. I would like to briefly show you other testimony from a
16 Defence witness, 25 February, page 35775.

17 MR ANYAH: Madam President, I cannot find that page with
18 respect to 25 February 2010.

19 MR KOUMJIAN: Thank you, counsel. March 26 - no, that
09:54:08 20 can't be right. Okay, I will have to come back to this:

21 Q. Let's go to another bit of testimony. 14 September 2009,
22 page 28728. Now, Mr Witness, do you recall that you have told us
23 about fighting with Liberian forces and that in some of your
24 fights against the LURD, and I believe you said in Guinea, the
09:55:22 25 SOD was involved. Is that correct?

26 A. I did not see SOD.

27 Q. Well, what was the SOD?

28 A. I told you that the SOD were a branch of the Liberian
29 National Police. And they were not people who were found on the

1 front line, so I did not see any SOD with us.

2 Q. Sir, was the SOD called the Special Operations Division?

3 Did you know them by that name?

4 A. Yes, I know that name very well, yes.

09:56:23 5 Q. Well, let's go to this transcript that's on the screen from
6 14 September 2009, and testifying is Charles Taylor. The Defence
7 counsel was reading the testimony of a witness to
8 President Taylor, and the witness said:

9 "A. Well, later I understood that SOD was a police branch
09:56:55 10 that was serving directly under Charles Taylor and they
11 were called Special Operations Division.

12 Q. And how did you learn this?

13 A. It was Jungle who told me.

14 Q. Are you aware of a unit called SOD, Mr Taylor?

09:57:17 15 A. No, I'm not aware.

16 Q. Was there such a unit in Liberia after you became
17 President?

18 A. No.

19 Q. Special Operations Division?

09:57:29 20 A. No, not to my knowledge, no. Because the unit serving
21 at the mansion was the SSS, not the SOD. No."

22 Now, Mr Witness, how is it that you and other witnesses
23 know about the Special Operations Division? Can you explain why
24 the President of Liberia claims not to know that there was an
09:57:52 25 SOD, a Special Operations Division?

26 MR ANYAH: I object to the form of the question. How is he
27 supposed to know why Charles Taylor doesn't know something?

28 PRESIDING JUDGE: I think I will allow this question. The
29 witness should answer.

1 THE WITNESS: Yes. You see, in Monrovia - when I got to
2 Monrovia, just as Mr Taylor rightly said, the Executive Mansion
3 was controlled by the Special Security Services and that, of
4 course, I was part of. And from the Special Security Service,
09:58:41 5 you had the ATU, and I told you that the SOD was a police branch.
6 That was directly under the command of the police director, who
7 might have separated those groups and given them names. And I
8 believe that any commander could do that with his forces, because
9 even in my own case, like I said, when I entered Liberia, I
09:59:17 10 became an AFL. But apart from the authorities in our position,
11 we created our own name that we called Jungle Fire and Quick
12 Reaction Force, so we could give names to our forces that the
13 authorities might not know about. Though we were AFL, we gave us
14 our own name, Jungle Fire Quick Reaction Force. So who knows, it
09:59:52 15 could have been the same thing that happened within the police
16 section. But I know that there was SOD, Special Operations
17 Division. It could have been that it was the commander or the
18 director who had some other things to be done somewhere, so he
19 sent those people to go and put situation under control quickly.
10:00:13 20 So he might have given them that particular name. That does not
21 have to be the concern of the President.

22 Q. Mr Witness, you had been out of Liberia until 2001,
23 correct? From 1991 until 2001 you were out of Liberia, correct?

24 A. Yes, I was out of Liberia.

10:00:40 25 Q. And you come back, and you never were a member of the
26 police, correct?

27 A. What do you mean, I can't remember the police? What do you
28 mean?

29 Q. You never were a member of the Liberian police. Is that

1 correct?

2 A. No, no, I was not a member of the Liberian National Police.
3 That is true.

4 Q. But you know more about the names of police units than the
10:01:05 5 President of Liberia apparently, correct?

6 A. I don't know what you are trying to say, but if I went to
7 Monrovia and went to the police headquarters and I saw that group
8 that was called the SOD, they were a part of the same national
9 police, and I have used myself as an example. When I entered
10:01:36 10 Liberia I was AFL, but in our area, we called ourselves Jungle
11 Fire Quick Reaction Force. So does that have to be in
12 consultation with the Defence Minister?

13 Q. Mr Witness, Jungle Fire Quick Reaction Force was a militia;
14 not part of the army, the AFL, correct?

10:02:22 15 A. When we say "militia", we were all part of the Armed Forces
16 of Liberia fighting for the NPP government. So be it militia or
17 AFL, we were all joined together. We had no separate units to
18 say that these are militias and these are that. We were all
19 under the same umbrella, AFL.

10:02:55 20 Q. And that was commanded by, you said, the chief of staff of
21 joint security, or joint security chief of staff, Benjamin
22 Yeaten. He commanded all of these units; is that correct?

23 A. Yes.

24 Q. Mr Witness, who was the head of the army, the AFL? Not the
10:03:17 25 army division; the AFL. Who was the person who had that formal
26 position?

27 MR ANYAH: But when is this? What year is he asking the
28 witness about?

29 MR KOUMJIAN: Thank you:

1 Q. In 2001, witness, when you came back, during the presidency
2 of Charles Taylor in 2001, who was the head of the AFL? Not
3 overall security chief of staff, Benjamin Yeaten. Who was head
4 of the AFL?

10:03:50 5 A. Well, if I could be correct in saying this, I think I heard
6 the name Kpenkpah Y Konah. I think I heard the name, but I am
7 not that certain. I'm not that certain about him. Kpenkpah Y
8 Konah, that was some - maybe, or someone else who served as
9 Defence Minister.

10:04:14 10 Q. Okay. Fair enough. And that's - you're not completely
11 certain because you did not hear that name as much as you heard
12 Benjamin Yeaten, correct?

13 A. Of course, yes, you are right.

14 PRESIDING JUDGE: Could we get a spelling --

10:04:31 15 MR KOUMJIAN: I believe it's on the record --

16 PRESIDING JUDGE: Is it?

17 MR KOUMJIAN: -- previously spelled, yes.

18 PRESIDING JUDGE: Really?

19 MR KOUMJIAN: I believe it --

10:04:36 20 PRESIDING JUDGE: Well, surprise, surprise.

21 MR KOUMJIAN: Yes:

22 Q. Mr Witness, I want to go back a little bit to this practice
23 of juju. Did the RUF do sacrifices?

24 A. I don't know what you mean about sacrifice.

10:05:02 25 Q. [Microphone not activated] understand the word "sacrifice"
26 to mean?

27 A. Oh, well, sacrifice? I mean I do not understand when you
28 talk about sacrifice. I don't know.

29 Q. Well, it's - you don't know that word "sacrifice"?

1 A. Well, to me, I do understand "sacrifice" to be something
2 like you do charity to someone. Maybe you have certain gift, you
3 give it to someone willingly. That is a sacrifice, but I am
4 talking on the religious side, like in Christianity you
10:05:54 5 sacrifice, you know. Like offering. That is how I understand
6 it. But when you talk about sacrifice, I don't know. Maybe you
7 are talking about something else, but that is what I understand
8 about sacrifice.

9 Q. Did the RUF vanguards hold sacrifice ceremonies?

10:06:17 10 A. I don't know what you mean by "sacrifice" here. I do not
11 understand what you mean by "sacrifice" here. We had nobody for
12 us to give gifts to. And if you are talking about maybe an
13 operation in Kono, I don't know. But this is how I understand
14 "sacrifice" to be.

10:06:45 15 Q. Well, did you ever go to a vanguard forum in Kailahun
16 District to attend a sacrifice?

17 A. I went to a vanguard meeting in Kailahun, but not for a
18 sacrifice. And if you want me to explain about that meeting, I
19 will do that again because I had explained here once.

10:07:14 20 Q. I am only asking you about whether you attended a vanguard
21 meeting or forum where there was a sacrifice or was supposed to
22 be a sacrifice. Did you?

23 A. No.

24 Q. Well, then perhaps I may have to use this document.

10:07:43 25 May this document be distributed, your Honours.

26 Let me give you one more chance. Mr Witness, let me try
27 something else. Do you recall giving a statement to an RUF
28 investigation in late 1999 where you were under investigation?

29 A. Yes, I was under investigation.

1 Q. And did you recall telling and explaining your role --

2 PRESIDING JUDGE: Yes, Mr Anyah, you are on your feet.

3 MR ANYAH: Yes, Madam President. It might be more
4 appropriate that I be heard outside the presence of the witness,
10:08:35 5 but I will try and keep it in the nature of a legal argument.

6 It appears that what counsel opposite has is some kind of
7 document that it is hoped they would use to impeach the witness's
8 credibility. There are several requests our team has made of the
9 Prosecution regarding Rule 68 materials, and, separate and apart
10:09:00 10 from Rule 68 materials, materials implicating any prior
11 interviews or statements made by Defence witnesses.

12 It would take me a while to find the documentation to this
13 effect, that is, letters we have written to the Prosecution.

14 Recently we have done it in respect of two witnesses - not
10:09:24 15 implicating the current one testifying before your Honours - but
16 there is a history here of us requesting setting certain
17 particularised information. I don't know where the source of
18 this information is. If it came from a search, for example, or
19 if it came from a Prosecution request to the Sierra Leonean
10:09:41 20 authorities, I feel fairly certain that we have made specified
21 requests about such information in their possession previously.

22 Now, to the extent that the Prosecution wishes to use
23 materials that --

24 MR KOU MJIAN: If counsel will allow me --

25 MR ANYAH: May I finish --

26 MR KOU MJIAN: If counsel would allow me --

27 MR ANYAH: No --

28 MR KOU MJIAN: -- I could save a lot of time --

29 MR ANYAH: -- I'm addressing the Court. I am addressing

1 the Court.

2 PRESIDING JUDGE: No, you can't both speak at the same
3 time, please. I only have two ears and one brain. Mr Anyah,
4 please make your point.

10:10:11 5 MR ANYAH: Yes. The point is to the extent that this is
6 information that we have previously requested that under the
7 rules is disclosable to the defense, it would be inappropriate,
8 in our submission, for the Prosecution to just spring it up on us
9 in Court during the cross-examination of this witness.

10:10:24 10 They do indeed have wide latitude with respect to what
11 materials could be used to examine a witness, but if we have
12 requested such materials, in particular, if it implicates
13 materials that they obtained in a particular way from the Sierra
14 Leonean police or some other official apparatus of the Sierra
10:10:43 15 Leonean government, we are entitled to disclosures of those
16 materials, and not in this way, in open Court.

17 PRESIDING JUDGE: Mr Anyah, there are so many "ifs" in
18 there that I am going to have to ask Mr Koumjian if there is a
19 document that he is referring to.

10:11:00 20 MR KOUMJIAN: Yes, your Honour. I am referring to a
21 document which I hoped not to have to use with this witness, but
22 I believe now I might have to. And what I was trying to
23 intervene to say is that this argument is moot. This may be an
24 argument that may take place at other time with another witness.
10:11:21 25 But this document was disclosed March 16, 2007; three years ago.

26 PRESIDING JUDGE: Could you perhaps give us the title of
27 the document?

28 MR KOUMJIAN: I will give you the ERN number, which is
29 00027313.

1 PRESIDING JUDGE: Could we see the document on the Bench
2 before you put it to the witness, please, because if I have to
3 rule on this issue I have to know what document it is we are
4 referring to.

10:11:54 5 MR KOUMJIAN: But as I understood counsel's complaint it
6 was about disclosure and the document was disclosed three years
7 ago.

8 PRESIDING JUDGE: Yes, that is the complaint and if the
9 document was indeed disclosed this is a very simple matter to
10 dispose of. Does Mr Anyah have a copy of this document?

11 MR ANYAH: I do not and I would be grateful to receive one.

12 PRESIDING JUDGE: Do you have an extra copy or not?

13 MR KOUMJIAN: Yes, we have copies for everyone.

14 PRESIDING JUDGE: Now, Mr Anyah, you have seen a copy of
10:12:46 15 this document and the Prosecution insists that this document was
16 disclosed on 16 March 2007. Do you have any reason to insist on
17 your application?

18 MR ANYAH: Madam President, I would ask for time to
19 consider it. The 26th, the date given of disclosure was 16 March
10:13:07 20 2007.

21 PRESIDING JUDGE: Yes.

22 MR ANYAH: Mr Karim Khan was counsel for Mr Taylor then. I
23 was not a member of this Defence team myself at that time, I
24 believe, or I was just coming into the case then. It would be in
10:13:22 25 the interest of justice, I think, if we had a few moments to
26 review the document. I could also then verify from our case
27 manager through an email whether this was indeed disclosed. I
28 have no reason to doubt that it was disclosed, but I would need
29 some time to at least review it, I hope.

1 JUDGE LUSSICK: Mr Anyah, just so I can understand your
2 position, correct me if I am wrong, but you were talking about
3 Rule 68 material. So are you implying that what Mr Koumjian has
4 is exculpatory? And the other question I have is what legal
10:14:01 5 basis do you have for saying that documents used to cross-examine
6 on credit only are disclosable beforehand?

7 MR ANYAH: With respect, thank you Justice Lussick, with
8 respect to your first inquiry, my arguments were not limited
9 solely to Rule 68 materials. I was saying that the various
10:14:20 10 disclosure rules that are to be found within the rules, whether
11 Rule 68, whether Rule 66, in respect of those provisions, at
12 several different times during the course of this case we have
13 made requests, written requests, of the Prosecution for all sorts
14 of documents.

10:14:37 15 JUDGE LUSSICK: You have answered my question. You are not
16 confining your submission to Rule 68. I understand that.

17 MR ANYAH: Exactly. With respect to your second inquiry,
18 the basis for the disclosure of information going to credit, you
19 will recall that I began with the belief that we were entitled to
10:14:58 20 this material. There has not been clear indication from the
21 Prosecution that the use of this material is only as to
22 credibility. We would have to review the entire material to know
23 whether its use is potentially limited for that purpose. Of
24 course, this witness sits differently than was the case with the
10:15:22 25 accused Mr Taylor himself. But nonetheless, to the extent they
26 have a statement they believe is from this witness, in the
27 circumstances I think it would be appropriate with leave of
28 your Honours for us to be given some time to review the document,
29 especially given how long ago it was disclosed and given the fact

1 that it was disclosed to the prior Defence team.

2 JUDGE LUSSICK: I understand your argument. Thank you,
3 Mr Anyah.

4 [Trial Chamber conferred]

10:16:58 5 PRESIDING JUDGE: There are basically three pages of script
6 on this document. Now, in our decision of 30 November, I think,
7 last year we did hold and rule that if a document containing
8 fresh evidence that doesn't go to proof of guilt is sought to be
9 used it need not be disclosed before it's used in court. In this
10:17:41 10 case, Mr Koumjian, I understand that this document is to be used
11 for discrediting purposes and does not contain inculpatory
12 evidence. Am I correct?

13 MR KOUMJIAN: Yes.

14 PRESIDING JUDGE: Or you yourself are not sure?

10:18:01 15 MR KOUMJIAN: No, I am absolutely sure.

16 PRESIDING JUDGE: In addition to that, we are satisfied
17 that this document was disclosed to the Defence, whether this
18 Defence team or the one prior to it. Diligence would require
19 that you avail yourselves of all the documents that your
10:18:22 20 predecessors had in their possession. We have no reason to
21 believe that the document was never disclosed to the Prosecution.
22 It consists of three pages, three pages of script. The rest is a
23 kind of encrypted content that I don't understand. But we do not
24 see the reason why the Prosecution cannot use this document in
10:18:54 25 cross-examination. I think Mr Anyah's request was, what, a few
26 moments to read it?

27 MR ANYAH: Yes, I am almost done. I just need a minute or
28 two.

29 PRESIDING JUDGE: While Mr Anyah is reading the document, I

1 just notice on the transcript I might have misspoken. We have no
2 reason to believe that the document was never disclosed to the
3 Defence. The word "Prosecution" appears. I might have
4 misspoken, but I meant we have no reason to believe that the
10:19:50 5 document was never disclosed to the Defence.

6 I will give Mr Anyah a moment. And you will indicate to us
7 when you are done, Mr Anyah, so that counsel may proceed with his
8 questions. Otherwise he is permitted to use the document.

9 MR ANYAH: I am able to proceed. I am ready.

10:20:14 10 PRESIDING JUDGE: Okay. That settles it then.

11 Mr Koumjian, please proceed.

12 MR KOUMJIAN:

13 Q. Sir, what we appear to have is an original and the legal
14 officer also has photocopies, so perhaps the original could be
10:21:08 15 given to the witness and a copy on the overhead so that the
16 public could follow. Mr Witness, where were you in November
17 1999? Where were you based?

18 A. In November 1999, I recall - November 1999, I recall that I
19 was somewhere around the Pendembu area. Pendembu.

10:21:56 20 Q. [Microphone not activated] district is that?

21 A. That is in the same Kailahun District.

22 Q. Sir, you see the document in front of us. Is that in your
23 handwriting? In front of you, is that in your handwriting?

24 A. No, this is not my handwriting.

10:22:16 25 Q. Do you know what this is?

26 A. I am even doubtful.

27 PRESIDING JUDGE: Mr Witness, do you want a moment to read
28 this document through --

29 THE WITNESS: Yes.

1 PRESIDING JUDGE: -- so that you can answer the questions
2 relating to it.

3 THE WITNESS: Yes, I will appreciate that.

4 PRESIDING JUDGE: Have you finished reading it?

10:26:19 5 THE WITNESS: No. I am coming. I am coming, please.

6 PRESIDING JUDGE: Okay. You will let me know when you are
7 finished, please.

8 THE WITNESS: Yes, I have seen the document.

9 PRESIDING JUDGE: Mr Koumjian, please proceed.

10:28:33 10 MR KOUMJIAN:

11 Q. Sir, can you go to the back of the document, last page,
12 where there is something written on the numbers, the page that's
13 stamped "00027318". Sir, it looks like this with numbers. I
14 think you have it now. Is that your signature?

10:29:15 15 A. Well, this writing is not my handwriting. But I am seeing
16 a signature like my signature, but this is not my handwriting.

17 Q. That was my question. So the signature is yours, correct?

18 A. The signature looks like my signature, so this looks like
19 it was something forged. The reason for which I am saying this
10:29:40 20 is that when I look at the writing, the handwriting is not mine.

21 Q. I am not saying the handwriting is yours. This was written
22 by an investigator who was investigating you for the offence that
23 you were eventually put in jail for. Isn't this correct?

24 A. Yes.

10:30:02 25 Q. Okay. Thank you. Sir, I don't need to go through the
26 whole document, but I would ask you to read the first page and
27 just a bit more. Can you read the first page to us?

28 A. It's saying that the Sierra Leone People's Army, 2nd
29 Brigade - what date am I seeing?

1 Q. [Microphone not activated] say "Kono District"?

2 A. No, but this Kono is not spelt well, but I am seeing
3 something like: "K-O-N District. Name: Colonel John Vincent.
4 Sex: Male, 34 years. Occupation: Soldier RUF. Nationality:

10:31:05 5 Sierra Leonean. Religion: Christian. Date, info: On 14
6 November 1999 I received a message from the radio room about the
7 late brother ceremony which will be held on 15 November 1999 in
8 Kailahun Town. And on the same day, 14 November 1999 ... I,
9 Colonel Vincent, received a message for all the vanguards for a
10:31:46 10 forum which will be held on 15 November 1999 at Buedu Town. Upon
11 the ceremony in Kailahun Town" --

12 PRESIDING JUDGE: "So upon that, I, Colonel Vincent". You
13 have missed out a line.

14 THE WITNESS: "So upon that, I, Colonel Vincent, decided to
10:32:13 15 attend the ceremony at Kailahun Town together with the other
16 brothers (vanguards). Upon our arrival at Kailahun on 15
17 November 1999, the general adjutant, Major Kposowa, explained to
18 us that they have arranged about a forum that was supposed to be
19 held" - "that was supposed to be" - I don't know what - "that was
10:32:43 20 supposed to be held at Buedu" - no - "at Buedu Town, but being
21 that" - I don't know what this person wanted to say here on this
22 line. I am talking about right down here. I don't know what the
23 person wants to say there, but "about the sacrifice and that all
24 will be done on that same day at Kailahun. And so after the
10:33:16 25 sacrifice" --

26 MR KOUMJIAN:

27 Q. Thank you.

28 PRESIDING JUDGE: Why is the witness reading from the
29 overhead instead of the exhibit that he has in front of him? Why

1 are you reading from the computer, when you have the document in
2 front of you?

3 THE WITNESS: Yes, it's because I have eye problem. I
4 don't see clearly, but here the letters are bigger.

10:33:44

5 MR KOUMJIAN:

6 Q. Okay. Mr Witness, that's all that I need you to read. So
7 when they talk about a sacrifice, what are they talking about?

8 A. Okay. Now I understand the type of sacrifice you are
9 trying to talk about. This is a form of memorial service for
10 someone who had been killed or maybe when someone is dead. So
11 that is what they refer to as a sacrifice, something like a
12 memorial service. Even for us Christians, we have that memorial
13 service. So at the native side, they refer to it as sacrifice.

10:34:03

14 Q. What is sacrificed?

10:34:29

15 A. I am telling you it's a memorial service.

16 Q. [Microphone not activated] something killed or someone?

17 A. No. Except maybe for a ritual means, someone wanted to be
18 wicked to kill someone or something else. But as far as I
19 understand it, once - it is for memorial service on the native
20 side. Sometimes they kill chicken or goat or sheep and perform a
21 ceremony for the departed. That I know of.

10:34:59

22 Q. Let's talk about - thank you for making that distinction.
23 Let's talk about the wicked use of a sacrifice that you said was
24 for - I'm trying to get my LiveNote up so I can get your exact
25 answer. You said: Except maybe for a ritual, which means
26 someone wanted to be wicked, so kill someone or something. Were
27 there rituals where humans were sacrificed in order to bring some
28 kind of power to the person or persons doing the sacrifice?

10:35:27

29 PRESIDING JUDGE: You are asking this in what context?

1 THE WITNESS: No, but --

2 PRESIDING JUDGE: Just wait.

3 MR KOU MJIAN: In the RUF --

4 PRESIDING JUDGE: Mr Koumjian, yes, you should state where.

10:36:01 5 In Liberia? In his tribe? What are you asking?

6 MR KOU MJIAN:

7 Q. In the RUF, sir, were there human beings sacrificed as
8 rituals in order to bring some kind of power or success to an
9 individual or to the movement?

10:36:22 10 A. No. I have never heard of that in the RUF, and not a day
11 did that happen to my own knowledge. This sacrifice thing I have
12 mentioned here, I understand it to be something like a memorial
13 service for our brother. Now, we are talking about CPO Saffa
14 here, and I do not even know who is this CPO Saffa. And normally
10:36:50 15 if it's for someone that was dead, it is normally a memorial
16 service.

17 Q. Mr Witness, two people have testified in this trial about
18 the sacrifice of a child belonging to Alice Pyne. Did you ever
19 hear about that?

10:37:10 20 A. Well, it is true that I heard about it. I heard about it.
21 But I was not there, nor did I find out from the person who was
22 accused about this act.

23 Q. What did you hear about it?

24 A. Well, what I heard was that Sam Bockarie did indeed bury
10:37:40 25 the son of Alice Pyne alive, and, of course, that did not go down
26 well with us, the vanguards. But who was there to ask him? And
27 he was the highest in command, so no one could ask him. I heard
28 of it.

29 Q. Mr Witness, you have talked about some of the executions of

1 people like Rashid Mansaray, of John Kargbo, who recruited you,
2 and now we have talked about another example, a ritual sacrifice
3 of a child of two RUF members. Did the RUF command, Sam Bockarie
4 and those in command, keep their power by creating fear among
10:38:27 5 their own men?

6 A. I don't know. You are talking about creating fear amongst
7 their own men? The problem here was that when we heard of this
8 thing, I am telling you that we did not ask him. But all of us,
9 the vanguards - because, you know, when you look at the
10:38:53 10 vanguards, although we are not there or we are in separate
11 places, but we had some distinction because we were Liberians and
12 we went and met them there. Let me say we all went together.

13 They took us with them. So if such a thing happened and people
14 were angry over the idea, because it could have happened to any
10:39:16 15 other person we did not support it, nor did we take action
16 because he was the highest in command. I heard of it and I did
17 not go there. And in fact, they said this was done in secret.
18 That was what I understood.

19 Q. And another example would be the killing of even Foday
10:39:35 20 Sankoh's girlfriend Jande. She was killed in a very horrible
21 manner, wasn't she, in Giehun?

22 A. I was not there, but I heard of it, including some of his
23 bodyguards were also killed. That I heard of, but I was not
24 there.

10:39:53 25 Q. And you yourself were afraid. You were terrorised because
26 you went to Liberia afraid that you were going to be shot in the
27 back on the orders of Issa Sesay. Isn't that right?

28 A. Yes, Issa Sesay.

29 Q. So within the organisation of the RUF, terror was used to

1 keep control. Isn't that right?

2 A. Yes. As you rightly said, people felt they could do bad
3 things at least to keep them in their command positions or maybe
4 make them powerful. I don't know what their reasons were. But
10:40:36 5 for me, I did not really understand why Issa was on my back for
6 me to be killed. Because what happened at this forum that was
7 held, he was there when I addressed the people according to the
8 people here, and I did not say anything bad. All that we
9 discussed, that together with Sam Bockarie we said Corporal

10:41:08 10 Sankoh is our leader and we should respect him and that we should
11 take orders from the man that he has made as his high command.

12 And there were other things that he said that I said that
13 is not even mentioned here. That is, I stated in that meeting
14 that instead of Mr Sankoh residing in Freetown, he should come to
10:41:30 15 Kono, establish a base there, or Kailahun, and then whenever he
16 is called upon to go to Freetown, we will give him armed escort
17 for his own protection. But they went and misinterpreted it,
18 saying that Sam Bockarie wanted to overthrow Sankoh and that I
19 had been made Sam Bockarie's battle group commander. So you see
10:41:52 20 how the thing happened. It was since then that Issa became
21 indifferent to me. And you see even when I was in jail --

22 Q. Thank you, Mr Witness. My question is: You didn't do
23 anything wrong. You have explained what you did. You simply
24 spoke at a forum expressing your views about what the policy of
10:42:11 25 the RUF should be. But you were afraid that someone was going to
26 then shoot you in the back. Now, you had known that this had
27 happened before to people, that when the RUF wanted, or the NPFL
28 - when they wanted to get rid of someone who was popular, they
29 made it look like they died in battle. Isn't that true?

1 A. Please repeat that statement. I mean, the question.

2 Q. You were afraid that the way that you would be killed is
3 that you would be going to the front line, someone would shoot
4 you in the back and then they would say, "Oh, John Vincent died
10:42:56 5 in fighting with LURD." That's what you were afraid of, correct?

6 A. Yes, I was afraid.

7 Q. Because that had happened - you knew that that had happened
8 to other people, correct?

9 A. Yes.

10:43:13 10 Q. Who are some of the people this had happened to?

11 A. I remember a vanguard by the name of Michael Delapo [phon].
12 That happened to him. He was shot at the back. That I know of.
13 And that is what I recall. Although I was not part of that
14 operation, but that was the information I got from them.

10:43:45 15 Q. Thank you.

16 A. And then it also happened to another comrade, one bodyguard
17 of Mr Sankoh, and he was - on that particular operation I was
18 there wherein a boy I did not know for which reason, we attacked
19 an area called Kpai [phon], or something like that, that is in
10:44:15 20 the northern part of Sierra Leone, there was a long bridge. We

21 went and we crossed the bridge and I was head of the group that
22 crossed the bridge. As we crossed, Mr Sankoh's bodyguard was a
23 little bit in front of me because he came and passed in front of
24 me and he was trying to cover me up as an authority on the front
10:44:38 25 line. So a boy just from my back shot at him and he dropped and
26 died, you know. So when I passed, actually I did not know that
27 it was that particular boy that did the firing. I thought it was
28 an enemy bullet that hit the guy. So we went to capture the
29 area. We took the fellow, only to find out that the bullet that

1 hit him was from the back. So it became so difficult for me to
2 get the guy who did the thing.

3 But the way I really got to get him was that immediately it
4 happened, he went and changed the shirt that he wore. So after
10:45:21 5 the attack, when we were all gathered together and we were
6 discussing Mr Sankoh's bodyguard's death, I saw this young man
7 coming closer in a different dress. And I said, "You, when we
8 attack you were in a different dress. Why did you change? How
9 or where did you get the clothes from for you to change?" So

10:45:47 10 upon that, I was also smart, so I told him, "I am going hold you
11 responsible for the death of this young man." And actually when
12 we went into the investigation, we realised that he did it. But
13 he said it was a mistake. And we said - but he did not report
14 himself, so who knows. Had it - it might have been a mission
10:46:09 15 that had been given to him to kill that guy. So it later
16 occurred to us that some of Issa's bodyguards were telling their
17 comrades to kill commanders in front of them.

18 THE INTERPRETER: Your Honours, could the witness be asked
19 to slow down a little.

10:46:29 20 PRESIDING JUDGE: Mr Witness.

21 THE INTERPRETER: Continue from the last point I stopped.

22 PRESIDING JUDGE: You said, "And we said that he did not
23 report himself, so who knows." Please continue from there and
24 repeat your answer.

10:46:49 25 THE WITNESS: Yes. I said after we found out that he did
26 the act, when I arrested him, he said he was afraid, he did not
27 report himself. So I later believed that it could have been
28 someone who sent him to do this particular act. So I too started
29 getting information from commanders that were undertaking

1 operations that Issa's own bodyguards were telling them to keep
2 their brothers on the back because our master have told us to
3 shoot him from the back. And those commanders too when we go on
4 missions, they would tell me, say, "Look, you stay at the back."

10:47:40 5 So when I looked at it, I thought it was getting too much
6 for me. So I was afraid, because from those two instances, that
7 I took those instances to be examples and say this same thing
8 might happen to me one day. So that was the reason why I decided
9 to move away from the RUF.

10:48:02 10 MR KOUMJIAN:

11 Q. Mr Witness, you talked about SAJ Musa. You said he led the
12 attack on Freetown and then you said he died. Do you know how he
13 died?

14 A. No. I was not there. I was not there, but what I heard
10:48:22 15 was that, they said it was through a bomb blast. But whether it
16 was a bomb blast, I don't know. But that was the information I
17 got. And I can't really tell you whether it was truly a
18 bomb blast or that someone shot him. I can't tell. But that was
19 the information I got.

10:48:40 20 Q. And did you hear that he had one hole in the back of his
21 helmet in the back of his head?

22 A. No. I only heard about the blast, the bomb blast.

23 Q. You talked about - you identified a picture and talked
24 about Daniel Tamba, Jungle. You were in the SSS when Daniel
10:49:08 25 Tamba was killed, correct?

26 A. Yes, at that time I was in the SSS.

27 Q. And that was made to look like he died in fighting. He was
28 shot from behind, wasn't he?

29 A. At the time there was Jungle Fire, at that time I was

1 actually not fighting any more. So I was not on that particular
2 mission. But let me make things clear to you. Since the day the
3 LURD forces initially entered Monrovia, that was the first
4 attack. When they crossed over to Duala, when I crossed over to
10:49:53 5 Duala, that was the end of my fighting in the NPP government or
6 with the AFL. And when I went to Congo Town, Benjamin Yeaten
7 picked me up and we came to the Bomi Highway and I told you we
8 stopped at Vincent Town when he said that Roland Duo had pushed
9 the LURD rebels back to Klay. And then when we went back, he did
10:50:21 10 not stay long, he, Benjamin Yeaten, gave me arms and ammunition
11 to take to Ganta.

12 PRESIDING JUDGE: Witness, you were asked a simple question
13 that when Jungle died it was made to look like he died in
14 fighting. He was shot from behind, wasn't he? Now you are not
10:50:42 15 answering that. Why are you telling us all this long story?
16 What does this long story have to do with the question you were
17 asked?

18 THE WITNESS: Okay. I am sorry. It is true I heard that
19 he was shot from the back.

10:50:58 20 MR KOUMJIAN:

21 Q. Did you hear that was by Nyalay?

22 A. Yes, that was what I heard.

23 Q. Nyalay had been RUF, correct?

24 A. Yes.

10:51:12 25 Q. [Microphone not activated] was a bodyguard to
26 Morris Kallon. Is that right?

27 A. Yes, yes.

28 Q. [Microphone not activated] later was in the SSS and a
29 bodyguard to Benjamin Yeaten, correct?

1 A. Nyalay being an SSS? No.

2 Q. Was he a bodyguard to Yeaten?

3 A. Nyalay was a bodyguard to Yeaten, yes.

4 Q. Was he in something called something like the Pamala [phon]
5 Unit?

10:51:50

6 A. No, I have not heard any such name. Since I was there, I
7 did not hear that name.

8 Q. Did Yeaten have other bodyguards who were ex-RUF?

9 A. Yes. As I told you, when I got to town, I met most of the
10 RUF boys who were with, how do they call him, Superman, and -
11 yes, Superman. They were in town there and some of them were
12 with him, Benjamin Yeaten. That is true.

10:52:21

13 Q. Can you recall some of the names or the nicknames of these
14 people that used to be with Superman that were now with Yeaten?

10:52:51

15 A. Yes. I remember one Paul, Paul, but I don't know the last
16 name. He was a Kissi boy. And I remember another fellow whom
17 they used to call, I don't know, Mohamed. I can recall those
18 two, yes.

19 Q. Thank you. Any others that you recall that were RUF,
20 whether they were with Superman or any other part of the RUF, who
21 ended up with Yeaten, besides yourself?

10:53:18

22 A. Yes. I also remember Rashid. Rashid Foday, yes.

23 Q. Okay. Thank you. Now, Mr Witness, instilling fear,
24 discipline through fear, was also something that began in the
25 training camps of the RUF and at Naama. Isn't that correct?

10:53:55

26 A. Well, fear started at Camp Naama. I don't know. I don't
27 understand what you mean.

28 Q. Were people allowed to walk out of Naama to leave the
29 training?

1 A. They were not allowed to leave just like that because the
2 example I will set on myself, because there was a point in time
3 that I left, I went to somewhere, when I came back I was severely
4 punished.

10:54:37 5 Q. And by the way, you have just reminded me of something.

6 You also talked about how some RUF from Crab Hole went to the
7 NPFL side of the base and were beaten up. Is that right?

8 A. Yes. I told you that we were not supposed to leave Crab
9 Hole to go to anywhere else. So if you left and went to the NPFL
10:55:03 10 area, if you came back, you will be punished. But I did not go
11 to the NPFL base. I went to look out for something on my own and
12 when I returned, I was punished too.

13 Q. I am talking about - do you recall telling us about RUF who
14 had - or men from the Crab Hole who had gone to the Liberian side
10:55:27 15 and were beaten or flogged?

16 MR ANYAH: Madam President, I will be grateful to have the
17 page reference for this alleged bit of the witness's evidence,
18 because I don't recall it.

19 PRESIDING JUDGE: Mr Witness, are you able to recall
10:55:51 20 whether you gave evidence like that?

21 THE WITNESS: No, no.

22 PRESIDING JUDGE: Mr Koumjian, then you have to cite the
23 page of the transcript.

24 MR KOUMJIAN: Certainly. May I have the transcript for 25
10:56:38 25 March, page 38003, put on the screen. Perhaps we might, for
26 context, start at the bottom of 38002.

27 Q. I am going to start to read from the bottom of 38002, the
28 last line:

29 "Q. Now, the NPFL persons you referred to who were at

1 Camp Naama, did they on any occasion train with those of
2 you RUF at Crab Hole?

3 A. No. They had their separate training area and we had
4 our separate training area. So we were not even there to
10:57:57 5 cross over to them. If they saw us there they would beat
6 us up. That one, no joke about it."

7 So, Mr Witness, do you recall some of the RUF going to the
8 NPFL area and getting beaten up?

9 A. Oh, yes. As I told you, we were not there to cross over,
10:58:24 10 and I just gave an example that when you asked the question, I
11 said even me too. Sometime back I left, and when I came back I
12 was punished. It was true that if anyone crossed over to the
13 NPFL territory, when you come back you will be beaten up. But I
14 don't recall giving such a statement, but, yes, it did happen.
10:58:46 15 But I don't recall giving statement that someone went to the NPFL
16 training base.

17 Q. Mr Witness, let me read again what you said on line 3:

18 "No. They had their separate training area and we had our
19 separate training area. So we were not even there to cross over
10:59:10 20 to them. If they saw us there they would beat us up. That one,
21 no joke about it."

22 Would the NPFL beat up any RUF found in the NPFL training
23 base?

24 A. The trainees themselves will do that even before the
10:59:30 25 instructors will give them orders.

26 Q. Which trainees are you talking about, the NPFL?

27 A. The NPFL trainees.

28 Q. So NPFL trainees beat them up because they were RUF and
29 didn't belong at that part of the camp; was that your

1 understanding?

2 A. Well, it was because we were RUF.

3 Q. So the NPFL was aware of the RUF being at Crab Hole,
4 correct?

11:00:10 5 A. Yes, they were aware, but they did not know the name at the
6 time, that it was RUF. They only saw us there and I told you
7 that when we got to the base, if you can allow me explain --

8 Q. I think you have answered the question, thank you. Let's
9 go to another transcript of 8 April 2008, page 6825. I want to
11:00:40 10 go back to the topic of fear among trainees, but now regarding
11 the RUF. Sir, I am going to read to you some testimony from a
12 witness. The beginning of the page - about the middle of the
13 page the witness was asked, line 10:

14 "Q. Do you recall who your training instructors were at
11:01:26 15 the National Secondary School?

16 A. One was John B Vincent; two, Ibrahim Dugba; Isaac T
17 Mongor; and one Rambo. There were many other instructors,
18 but those were the prominent ones I can remember."

19 And then there are some spellings. And then we can go to
11:01:58 20 page - go back to page 6822, line 2:

21 "No, sir, we were all civilians.

22 Q. Thank you. Now, were you free to leave when you were
23 brought to this space?

24 A. No. We only moved by the command of the training
11:02:29 25 instructors. Nobody was authorised to move, otherwise you
26 would be killed."

27 Mr Witness, did you laugh at that?

28 A. Yes, because it's a lie.

29 Q. Let's continue to read:

1 "Q. Did you see this happen at all during your stay on the
2 base?

3 A. Yes, it happened at the time we were transferred to the
4 National Secondary School campus training base. It
11:02:57 5 happened as a result of our colleagues, a recruit who took
6 to escaping from the training base, and at one time the
7 instructor said, 'We have learned that a good number of you
8 people are escaping and you have been initiated into our
9 society, so if any of you is caught, we will deal with you
11:03:16 10 accordingly.' And a colleague called Jusu, I can still
11 remember, was caught on the bypass trying to escape, and he
12 was arrested and taken to the field. And one of the
13 instructors called Rambo told us in a muster parade that,
14 'See what we are going to do to your colleague. Because we
11:03:37 15 made this announcement, but it appears you do not want to
16 heed to it.' He was shot in the leg and lay down. His
17 head was cut off. He said, 'This will serve to you as an
18 incentive not to escape.'"

19 Mr Witness, you were at the National Secondary School as
11:03:56 20 one of the instructors, correct?

21 A. I was not only an instructor, but also the commander for
22 the training base. I would first of all clarify something here
23 to you. Ibrahim Dugba was not on that training base. Isaac
24 Mongor was not on that training base. Those are the first two
11:04:24 25 instances. And they talked about somebody being killed by Rambo.
26 Would Rambo kill somebody when the commander is there and the
27 commander would not know about it? So I do not know anything
28 about this particular testimony that was given. Nobody was ever
29 killed on my training base for skipping.

1 Q. Mr Witness, I am putting it to you at that in fact Jusu was
2 killed; you were there; you did know it; and just as you say you
3 are not aware of any killings by the RUF, you are lying about
4 that.

11:05:12 5 A. But I will tell you before any such thing happens, I would
6 have to give a command. From whom did Rambo receive command
7 before doing it? That's what I am telling you. You should have
8 asked the witness who gave Rambo the command.

9 Q. Well, Mr Witness, if you gave the command for that killing,
11:05:36 10 it wouldn't be the only killing you personally were involved in,
11 would it be?

12 A. Repeat the question.

13 Q. You were involved in other killings besides this, weren't
14 you?

11:05:53 15 A. I know nothing of what you are talking about.

16 Q. In Guinea at Madina Wola, W-O-L-L-A-H [sic], you were
17 there, correct?

18 A. Where do they call Madina Wola?

19 Q. In Guinea when you were fighting against LURD.

11:06:18 20 A. I told you about Gueckedou and Nongowa, but when you talk
21 about Madina, that name sounds strange to me. That name sounds
22 strange to me.

23 Q. [Microphone not activated] civilians were massacred,
24 correct?

11:06:34 25 A. Civilians were massacred in crossfire. That was during
26 fighting. That happened. But to say that somebody would hold
27 civilians whilst I am there and allow that person to kill that
28 civilian in my presence, no, it did not happen. My ideology did
29 not tell me that. I would always kill to save a civilian.

1 Q. Mr Witness, what I am suggesting is you yourself killed
2 civilians during that attack.

3 A. I will tell you no.

4 Q. Mr Witness, you fought at Coal Town near Jaiama, Sewafe, in
11:07:19 5 the Kono District, didn't you?

6 A. Say that again?

7 Q. Coal Town. Do you know where Coal Town is in Kono?

8 A. I do not know Coal Town.

9 Q. Do you know Jaiama, J-A-I-A-M-A, Sewafe?

11:07:37 10 A. I know about Sewafe bridge. If that's the name of the town
11 on the bridge, I know about Sewafe bridge.

12 Q. You were there when civilians were captured and accused of
13 collaborating with ECOMOG or conniving with ECOMOG, isn't that
14 true?

11:08:05 15 A. No. Our target at that time was that we were being chased
16 by ECOMOG, so our mission was targeted at ECOMOG and not
17 civilians.

18 Q. You executed about ten civilians there, didn't you; you,
19 John Vincent?

11:08:24 20 A. No, no, no. I told you I was always a protector of
21 civilians. Always a protector of civilians.

22 Q. Mr Witness, I would like to go over with you - because I am
23 not real clear - on what exactly your assignments were. After
24 the intervention when the RUF fled Freetown, you said you went
11:08:59 25 through Makeni in early 1998. Tell us where you went from
26 Makeni - and if you can give us months, please do that - where
27 did you go and what your assignments were?

28 A. I told you - you are talking about 1998. When we retreated
29 from Freetown, we went to Kono. When we had got to Kono, there

1 were Kamajors in Kono behind us. After Freetown had been
2 attacked, after Freetown had been invaded by the intervention
3 force, the Kamajors came and took over Kono in our absence. So
4 before we could enter Kono, Kono had to be cleared. Kono was
11:09:55 5 taken from the Kamajors, and we stayed in Kono until the ECOMOG
6 forces advanced on us, coming to as far as the Kono area. That
7 was when I was taken and sent.

8 Q. Thank you. I am just stopping you because I want to go
9 over this in a little more detail. You said from Makeni you
11:10:19 10 went - the RUF went and took Kono. The RUF, there were various
11 groups that advanced, isn't that true? There was the lead group
12 with Isaac and Superman that led the initial entry and fighting
13 into Kono, and Issa Sesay and JPK were behind them; isn't that
14 true?

11:10:41 15 A. Yes.

16 Q. Which group were you in?

17 A. The group that I was in? We were all in the same group.
18 But I was not in the group that advanced towards Kono because at
19 the time I came from Freetown, I told you that I walked a great
11:11:00 20 distance. When I got to Makeni, they were all moving right away,
21 so I couldn't go with them. A group came ahead of me and later I
22 followed them. If I can recall, the last person that I left with
23 from Makeni to Kono was Rambo.

24 Q. When you left Makeni, do you know where Johnny Paul Koroma
11:11:22 25 was, JPK?

26 A. At that time, when we got to Kono, we heard that they had
27 already crossed with Johnny Paul Koroma into Kailahun District.

28 Q. So you arrived in Kono after it had been taken by Superman
29 and Isaac and the RUF was occupying Koidu Town, correct?

1 A. Yes.

2 Q. Did you participate in the battle where ECOMOG retook Koidu
3 Town?

4 A. The battle where ECOMOG took Koidu Town? When ECOMOG came
11:12:07 5 to take over Kono, I was at the Sewafe Bridge. When we got to
6 Kono and I rested, that was where Morrison Kallon organised men
7 and gave me the manpower to move to the bridge and occupy that
8 bridge. When I was on the Sewafe Bridge when ECOMOG came and
9 flushed us out and I retreated all over to Koidu Town. So I was
11:12:30 10 there when ECOMOG took over Kono.

11 Q. I believe you said you retreated - what I understood from
12 the transcript is you retreated all the way to Koidu Town. Is
13 that what you said?

14 A. Yes. Then I was reassigned to go back to the Sewafe
11:12:52 15 Bridge.

16 Q. You were reporting to who at that time? Who was your
17 immediate commander?

18 A. At that time I was taking instructions from Kallon.

19 Q. So you said you went to - Sewafe Bridge was attacked by
11:13:11 20 ECOMOG, you retreated to Koidu Town which was still held then by
21 the RUF and AFRC, is that what you are saying?

22 A. We retreated, ECOMOG was chasing us until they came and
23 attacked Koidu Town and captured Koidu Town from us. We
24 retreated all the way to Koidu Town. They came again and
11:13:34 25 attacked Koidu Town and they took it from us. This was when we
26 went into the bushes around Koidu Town.

27 Q. Approximately when was this that ECOMOG flushed you out of
28 Koidu Town and you retreated to the bushes?

29 A. I previously said that at that time that we were fighting,

1 to have really kept a record of months and dates was a very
2 difficult problem. But I remember that it was in that year that
3 it happened, but I know that probably --

11:14:21 4 Q. Let me see if I can help you in a way. Do you remember if
5 it was dry season or rainy season when ECOMOG flushed you out of
6 Koidu Town?

7 A. ECOMOG flushed us out of Koidu Town, it was not
8 exactly - yes, it was during rain session. It was raining,
9 sometimes there would be sunshine, sometimes there would be rain,
11:14:45 10 because I can remember when they flushed us out of Koidu Town - I
11 have forgotten the months anyway. That's the thing.

12 Q. Mr Witness, maybe you can help us this way: Do you
13 remember where you were when you heard, if you heard, that Sani
14 Abacha, the President of Nigeria, died? Where were you when you
11:15:10 15 heard that?

16 A. When the President of Nigeria died? Okay. At that time we
17 were setting up our defence around Koidu Town. Our defence team
18 was around Koidu Town. ECOMOG was in Koidu Town and we were at
19 the outskirts of the town. In fact, I was on the front line that
11:15:37 20 day when I heard that information, but I can't recall the month.

21 Q. And that was then just before ECOMOG retook Koidu Town, is
22 that correct, when you say you were on the outskirts?

23 A. ECOMOG took Koidu Town before that happened.

24 Q. Okay. Just while we are on the subject, people talked
11:16:06 25 about that, the death of Abacha, because it was something that
26 the RUF jubilated about. Is that correct?

27 A. That one was true, but that was happening because we
28 thought that it was the pressure behind the ECOMOG forces behind
29 us.

1 Q. And that in fact if Abacha died, he was the leader of the
2 Nigerians, that the Nigerians might leave Sierra Leone or reduce
3 their commitment to fight in Sierra Leone, correct?

11:16:47 4 A. Well, it could be the same because I told you that we were
5 happy because he was the main one that was heading - that he was
6 the one pressurising us with the ECOMOG forces. So when he died,
7 we thought by so doing, the Nigerians would have been reduced
8 from Sierra Leone, yes.

11:17:07 9 Q. Okay. Thank you. So at the time he died you were on the
10 outskirts, ECOMOG was in the town. What's the next fighting that
11 happened that you recall in Koidu in Kono District, and
12 particularly in Koidu Town?

11:17:34 13 A. Well, in Koidu Town, when we were there, while the enemies
14 were there, it was like every day we would go to attack their
15 deployment areas. For instance, where they were deployed, we
16 would attack that position and we would retreat, that was what we
17 were doing, in order to collect supplies from them. When we
18 found out that they were based this way, we would use a bypass
19 and we would attack them and we would run away. That was what we
11:17:53 20 were doing. So it was not any major attacks that we were
21 carrying out.

22 Q. Is this the time that you were based on what you called the
23 Guinea Highway?

24 A. Yes. That's the zoebush area that I am talking about now.

11:18:09 25 Q. Can you tell us which - there were various camps on the
26 Guinea Highway, correct?

27 A. Please repeat.

28 Q. The RUF had various camps or bases on the Guinea Highway,
29 correct?

1 A. Yes, but most of the times I was in the Combat Camp.

2 Q. Who was the commander of the Combat Camp?

3 A. The commander in the Combat Camp was - we had one junior
4 force whom we trained and who was called Big Rebel. Big Rebel.

11:18:55 5 I do not know his real name, but I remember that he was the
6 commander for the front line at that time. Or The Big. That was
7 how he was called. Big Rebel or The Big.

8 Q. At the time you are talking about, Superman was overall
9 commander of the forces in the Kono District, correct?

11:19:21 10 A. Yes. When we initially retreated, yes, he was there. But
11 I do not know what actually happened that he left us and went to
12 the Kabala area.

13 Q. I think you have been asked this before, but I will ask you
14 again. Do you recall the Fitti-Fatta mission?

11:19:45 15 A. I do not know about the Fitti-Fatta mission.

16 Q. Mr Witness, what month did you leave the Kono District?

17 A. If I am not mistaken, I left Kono District around August or
18 September, around that time. When we came from the meeting,
19 Superman was already at the Kabala end. I tried to talk to him
11:20:16 20 so that we could be reunited and I was reported to Sam Bockarie
21 that I was talking to Superman and he was not satisfied, because
22 probably he suspected that I wanted to go and join Superman. So
23 I was changed from Kono to Jojoima.

24 Q. Mr Witness, I think you went beyond the question, but let's
11:20:40 25 deal with some of what you said and try to - we will see if we
26 can determine when you went to - left Kono. Are you saying you
27 left the Kono District at the time you attended the Waterworks
28 meeting that you testified about? Is that when you left the Kono
29 District?

1 A. Yes.

2 Q. At that meeting you met Abu Keita, correct?

3 A. Yes, yes.

4 Q. And, Mr Witness, were you aware of fighting in Monrovia on
11:21:12 5 September 18, 1998?

6 A. I was in Sierra Leone at the time.

7 Q. So Abu Keita was already in Buedu when you arrived for the
8 Waterworks meeting, correct?

9 A. Yes.

11:21:34 10 Q. He was there before you got there, correct?

11 A. When I got there, that was the day that Sam Bockarie
12 introduced him to me, yes.

13 Q. Now, Mr Witness, you talked about Sam Bockarie making a
14 trip to Burkina Faso. When you went to the Waterworks meeting,
11:21:55 15 had Sam Bockarie already returned from Burkina Faso?

16 A. I think Sam Bockarie's trip to Burkina Faso, if I am not
17 mistaken, it was --

18 Q. The question is whether you were --

19 A. No, no, no.

11:22:16 20 Q. [Microphone not activated] excuse me. Sam Bockarie went to
21 Burkina Faso after you had the meeting at Waterworks, is that
22 what you are saying?

23 A. Yes.

24 Q. Okay. That's helpful to us. Mr Witness, you were
11:22:37 25 in - were you in Kono District when Superman went to the north?
26 In other words, you were still in the district when Superman left
27 and went to the north.

28 A. How Superman really went to the north? Up to now I really
29 do not understand.

1 Q. [Microphone not activated] not the question. The question
2 is about where you were when Superman left Kono to go to the
3 north. Do you remember where you were?

4 A. I was in the Kono Jungle when Superman left.

11:23:11 5 Q. Well, then you had been in Kono from the time you arrived
6 in Makeni until Superman left. Is that correct?

7 A. Yes, yes.

8 Q. Mr Witness, you were there when Superman led the
9 unsuccessful attack on Kono where the RUF and the AFRC attacked
11:23:30 10 Kono in a major offensive but were not able to push ECOMOG out.
11 Do you remember that?

12 A. I can remember that mission, but I am saying that we were
13 around that Kono area attacking that position, but we were not
14 able to remove them. I said that.

11:23:51 15 Q. And that was called Fitti-Fatta mission, correct?

16 A. You talk about Fitti-Fatta mission, because according
17 to - I do not know if that was the Fitti-Fatta mission. Because
18 Fitti-Fatta mission, we would have taken Kono, because
19 Fitti-Fatta meant that we would have taken - we would have got
11:24:15 20 everything at our disposal. So the mission that took Kono,
21 Makeni, maybe that would be the mission that they refer to as
22 Fitti-Fatta. But how would you go on Fitti-Fatta when you have
23 everything and you are not able to remove your enemies?

24 Q. It was called Fitti-Fatta because you had lots of new
11:24:35 25 ammunition and you had arms, but Superman was still unable to
26 push ECOMOG out. Isn't that true?

27 A. I do not think that was the mission that they called
28 Fitti-Fatta.

29 Q. Bockarie was not happy with Superman because that mission

1 failed. Is that correct?

2 A. Well, I don't know, because I know Superman going to Kabala
3 was a mission that was arranged. It was a mission that was
4 arranged before he went. But how he went and got on that side
11:25:25 5 and he refused to come back, I don't know.

6 Q. Witness, I am not asking you about that because you weren't
7 there. You weren't in the north and I am not asking you about
8 it. So, sir, let me ask you this: How many times in 1998 were
9 you in Buedu?

11:25:47 10 A. 1998? It was only once.

11 Q. So the time you were in Buedu was when you had the
12 Waterworks meeting. Is that right?

13 A. Yes.

14 Q. And to the best of your recollection, that is before Sam
11:26:05 15 Bockarie went to Burkina Faso?

16 A. Yes.

17 Q. How long between the Waterworks meeting and the attack on
18 Makeni - excuse me - between the Waterworks meeting and the
19 attack where Kono was finally taken?

11:26:26 20 A. From the Waterworks meeting to the time Kono was finally
21 taken was - it was in December that Kono was finally taken,
22 almost around Christmas. After Christmas in December 1998, when
23 Kono was taken as far as Makeni.

24 Q. Right. And my question to you was: How long, how many
11:26:53 25 weeks, if you know, or months, before that mission was the
26 meeting at Waterworks that you attended?

27 A. I believe that that meeting may have taken place around
28 August, September, July, some times around that area. I told
29 you, recordkeeping for most of us was a problem. We were not

1 keeping record. But I can give some instances and maybe not the
2 exact time.

3 Q. Okay. If you can give something else that will help you
4 place the date of the Waterworks meeting, go ahead. Tell us what
11:27:46 5 you remember that might help us understand when that - what was
6 going on at the time of the Waterworks meeting.

7 A. The only thing that I know about the Waterworks meeting was
8 that the meeting was called so that we would organise to start an
9 offensive, to start an offensive against the ECOMOG and re-take
11:28:12 10 our captured areas that they had taken from us.

11 Q. Mr Witness, did you hear the term "Operation Free the
12 Leader"? Operation Free the Leader.

13 A. Operation Free the Leader? If I am not mistaken, it was
14 discussed at that meeting that we should fight for our leader to
11:28:45 15 be freed. So maybe you can time it so, because Sam Bockarie told
16 us that we should fight for our leader to be freed. And I
17 remember that upon that advancement, up to January 6, I think it
18 was during that time that I heard that the leader had been freed.
19 So I believe then.

11:29:19 20 Q. And, sir, one last question before the break. Where was
21 the leader when you were planning this operation?

22 A. To be exact, I believe that planning for that operation
23 took place when the leader was in jail either in Nigeria or in
24 Sierra Leone, one of them. But I can't really give you details,
11:29:46 25 but I believe that the leader was in jail.

26 Q. [Microphone not activated] jail in Freetown, correct?

27 A. That's what I am saying. Those two areas, I cannot exactly
28 tell you where he was, but he was in jail at that time.

29 PRESIDING JUDGE: Mr Koumjian, this is an appropriate place

1 to break because the tape has run out. We will break for
2 30 minutes and reconvene at 12 o'clock.

3 [Break taken at 11.30 a.m.]

4 [Upon resuming at 12.02 p.m.]

12:02:48 5 PRESIDING JUDGE: Mr Koumjian, please continue.

6 MR KOUMJIAN: Your Honour, before I resume the
7 cross-examination, there was a document that I showed the witness
8 which was some type of a report, and he identified his signature.
9 I'd ask that that be marked for identification.

12:03:05 10 PRESIDING JUDGE: Is this a relevant document, Mr Koumjian?

11 MR KOUMJIAN: Well, simply that the word "sacrifice"
12 appeared and the witness gave his explanation. I don't need to
13 offer it if your Honours don't need it. The witness read it into
14 the transcript, so I believe it's in the transcript.

12:03:34 15 PRESIDING JUDGE: Because the witness did try to read it,
16 but the manner in which he read it, of course, included mistakes
17 and things like that. I wasn't very sure from the questions you
18 asked him exactly what the document is, et cetera. But if you
19 wish to have it marked, I will mark it. Yes, Mr Anyah?

12:04:04 20 MR ANYAH: Well, only the first page was read by the
21 witness into the record, and a question arose about the last page
22 which was shown to him. So the question I put forth for
23 consideration is is the Prosecution asking that the entire
24 document be marked, or are they asking that selected portions,
12:04:24 25 namely, the first page that was read into the record by the
26 witness and the signature page, be marked?

27 PRESIDING JUDGE: Yes, Mr Koumjian, what are you asking us
28 to do?

29 MR KOUMJIAN: The first and the signature page are

1 sufficient.

2 PRESIDING JUDGE: And how shall I describe this document?
3 What is it?

4 MR KOUMJIAN: The document is a statement by Colonel John
12:05:06 5 Vincent, a recorded - a memorialisation of a statement by Colonel
6 John Vincent. [Indiscernible] the first line of the text
7 "statement in full".

8 PRESIDING JUDGE: Yes, I think it's a memorialisation of a
9 statement by one Colonel John Vincent, and we're taking the first
12:05:37 10 page that's with ERN number 00027313, and the last page with his
11 signature, which is ERN number 00027318, and together those two
12 pages are marked MFI-4. If I may correct that. The last page
13 has what appears to be the witness's signature. He did contest
14 as to whether that really was his signature. So I'll correct
12:06:36 15 myself in that regard.

16 MR ANYAH: Just one more question, Madam President. Are we
17 marking the original, or is it a copy that is being proposed to
18 be marked?

19 PRESIDING JUDGE: I think the original was submitted,
12:06:51 20 right?

21 MR KOUMJIAN: I think that's always the Court's preference,
22 yes.

23 PRESIDING JUDGE: And the original would accord with what
24 I've read? Yes, the original would accord with the numbers that
12:07:09 25 I've given. This is - the original version of those pages is
26 what I have marked MFI-4.

27 MR KOUMJIAN: If the witness could be shown the transcript
28 from 22 March, page 37757:

29 Q. Mr Witness, I'm going to read to you from the testimony of

1 another witness, beginning at line 10 on this page. The witness
2 was asked:

3 "Q. Back to your training, please. You say that Pa Sankoh
4 used to come to talk to you about his ideology. In
12:08:30 5 addition to ideology training, did you have any other kind
6 of training while you were at the base in Pendembu?

7 A. Yes, my Lord. We underwent the halaka. This halaka
8 was one of the hardest trainings."

9 Let me stop there for a moment. Mr Witness, were you in
12:08:56 10 charge of the training base at Pendembu in the early 90s?

11 A. Yes, I was in charge of the training.

12 Q. Do you know - recognise the word "halaka"? Perhaps I'm
13 pronouncing it wrong.

14 A. Yes, I know halaka.

12:09:18 15 Q. I'll continue to read:

16 "This halaka was one of the hardest trainings. We used -
17 sometimes we would crawl whilst they were shooting at us. If you
18 were unfortunate and you are shot, you will die. Sometimes they
19 used live cartridges and sometimes blank cartridges."

12:09:40 20 Is that true, Mr Witness? I'm asking you now.

21 A. No, that is false. When it came to the halaka, there was
22 nothing like shooting in the halaka. Halaka - can I continue?

23 Halaka is where you go through endurance training; that is, you
24 do exercises whereby you will be captured - whereby when you are

12:10:14 25 captured, you will be able to loosen yourself and escape. When

26 they talk about shooting in training, that training is quite

27 different. That is done at the time that the recruits would be

28 passing out, that is, graduating from the training. That's in

29 the form of a wire being tied low, not at the person - I don't

1 know if I could stand up to show an example of the height, or
2 maybe something like a foot from the ground, something like a
3 wire tied. That's done in every military academy. You crawl
4 under that one and you are shot overhead. That would allow you
12:11:12 5 to get used to the sound of the weapon so that in future if you
6 were under heavy firing, you won't panic and you will be able to
7 go through. So there is no firing in halaka. This is not true.
8 Q. Mr Witness, you indicated you would like to stand up and
9 demonstrate the height of the wire, if I understand you
12:11:34 10 correctly. Is that right?

11 A. Yes, but I called the footage - the foot - maybe 1 foot
12 from the ground whereby you would crawl under and go through.

13 Q. Mr Witness, you understand this witness whose testimony I'm
14 reading to you from 22 March testified that they themselves went
12:11:58 15 through training at Pendembu. Are you saying that this testimony
16 about live bullets being fired over their head and some who were
17 unfortunate would die, is that true or is it false?

18 A. It's false.

19 PRESIDING JUDGE: Please pause there, Mr Koumjian.

12:12:18 20 Mr Witness, you just explained to us - when you were explaining
21 halaka - you said that a wire is tied like 1 foot over the ground
22 and the trainees crawl under this wire while something is being
23 shot over their head. What? What is being shot over their head?

24 THE WITNESS: What I'm saying here is that the one that I'm
12:12:44 25 describing here is different from the halaka. In the halaka no
26 weapon is used. It is the barbed wire. That's out of the
27 halaka. That training is different from the halaka. Halaka is
28 whereby you'll run around in a circle, you drop, you crawl and
29 you put your hand behind your back and you crawl. Sometimes they

1 would tie you up and they would ask you to untie yourself. Like
2 if you've gone out and an enemy catches you and you are tied
3 somewhere, you would be able to escape; that is, if your hand is
4 tied behind your back, how you will be able to rub against
12:13:22 5 something until the rope cuts so that you will escape. That's
6 what halaka is about. You will jump over something; you will
7 somersault over something and drop. Just a training for
8 difficulties, that's what halaka is about.

9 PRESIDING JUDGE: Are you saying, Mr Witness, that in
12:13:42 10 halaka they don't use a string where you are required to crawl
11 under?

12 THE WITNESS: No, not in the halaka. The training where
13 firing is done over the recruit is what they call barbed wire.
14 Barbed wire. That's about a foot from the ground. You'll crawl
12:14:09 15 under it whilst the arm is over you firing for you to get used to
16 the bullet sound. The bullet would be flying over your head.

17 PRESIDING JUDGE: And was that a training that the RUF
18 used?

19 THE WITNESS: RUF never did that training in Kailahun
12:14:25 20 District. We, the vanguards, did that training at Crab Hole, but
21 it was never done in the RUF - I mean, in Sierra Leone. But we
22 did it at Crab Hole.

23 PRESIDING JUDGE: Mr Koumjian, please continue.

24 MR KOUMJIAN:

12:14:39 25 Q. Mr Witness, the witness who testified on 22 March goes on
26 and says, speaking about the base at Pendembu:

27 "If anyone escaped from the training, if you are not lucky
28 you will be killed; if you are lucky, you will be punished."

29 Mr Witness, is this true that if anyone tried to escape -

1 that those who tried to escape from the training were either
2 punished or killed?

3 A. No, no. No recruit ever escaped from training at the
4 Pendembu base. Are you saying Pendembu?

12:15:27 5 Q. Yes.

6 A. Well, then you are taking me far off. You see, you are
7 talking about Pendembu. I was not on the Pendembu base. I told
8 you in my statement - now I'm getting it clear now. I came to
9 Kailahun. That was where I was training. And I told you that

12:15:54 10 the base at Pendembu was dissolved during my administration as
11 training commander when I was based in Kailahun. So whatsoever
12 went on at that Pendembu base was not with my approval. I was
13 not there and it was because - not even because of that. Nobody
14 else had any right to create any training base without me knowing

12:16:24 15 and without - with the consultation of the leadership. So even
16 if it were created somewhere, I would make the recommendation to
17 the authorities and they would give me the go ahead for it to go
18 - for it to be created. So I dissolved the base that was
19 created. I'm just seeing the script here. You are talking about
12:16:48 20 Kailahun.

21 Q. Mr Witness, what are the dates when you say you were the
22 overall training commander for the RUF?

23 A. I told you that when we entered in March I was instructed
24 by the second in command, Rashid Mansaray, to establish a
12:17:14 25 training base in Koindu, but before that - before I entered
26 there, I was serving as a ground commander to take care of the
27 ground whilst the other forces went ahead. But he gave me that
28 appointment. So from Koindu I moved to Kailahun around June with
29 the training. From June to August, my assignment was changed at

1 the base and I became a front line soldier.

2 Whilst I was on my way from Koindu going towards Kailahun,
3 I dissolved the base that I met on the way. That was between
4 Koindu to Kailahun, there was another base there called Dia. I
12:18:02 5 dissolved that one. When I got to Kailahun, there was another
6 base established somewhere they called Ahmadiyya school. I
7 dissolved that one too. Pendembu base as well was dissolved
8 because they were not making reports to me. In fact, even if
9 they had made a report to me, that was not the appropriate time
12:18:29 10 for other bases to be established. We were to only have one base
11 at the time.

12 Q. My question to you, sir, was when you were the overall
13 training commander of the RUF? Can you give us the years and, if
14 possible, the months?

12:18:52 15 A. Yes, I am saying it. From March to June, I was overall.
16 Then I was taken from there and I was recalled to be overall
17 trainer to the - at the jungle in Kangari Hills. So I served as
18 trainer twice in the RUF as overall.

19 Q. When you were in Kangari Hills, was that 1993 you first
12:19:28 20 went there, or what year was it?

21 A. Yes, 1993, when we entered Kangari Hills, yes.

22 Q. And how long were you - and when you say you were the
23 overall training commander, are you saying for the entire Sierra
24 Leone RUF you were the overall training commander when you were
12:19:48 25 in Kangari Hills?

26 A. Yes.

27 Q. Until when? How long did you serve in that position?

28 A. I served in that position until the AFRC took over in
29 Sierra Leone.

1 Q. Mr Witness --

2 PRESIDING JUDGE: Mr Koumjian, you asked the witness
3 previously to give us the years and the months. He gave us
4 months. He didn't state the year.

12:20:21 5 MR KOUMJIAN: Thank you:

6 Q. Sir, I think we're going to go back to when you said you
7 entered March to June. Are you speaking about March to June
8 1991?

9 A. Yes, I'm speaking in terms of 1991.

12:20:39 10 Q. And when you went to Kangari Hills, do you know
11 approximately which month or which part of the year in 1993 you
12 went to Kangari Hills?

13 A. We went to Kangari Hills in 1993 and we were based at a
14 particular point, it was in 1994 when I was named as a training
15 commandant again in the same position as overall training
16 commander.

12:21:06 17 PRESIDING JUDGE: And did you state the month of 1994, or
18 you can't recall?

19 THE WITNESS: I am saying 1994 - at the initial stage of
12:21:29 20 1994, and I served in that position until the AFRC called us in
21 town.

22 PRESIDING JUDGE: Mr Koumjian, he was training commandant
23 in 1994, this is the second time, in Kangari Hills. In 1994 he
24 was named as a training commandant and he stayed in the same
12:22:00 25 position as overall training commander. Is that the evidence?

26 THE WITNESS: Yes, yes.

27 MR KOUMJIAN:

28 Q. Up until May 1997 when the AFRC coup took place and the RUF
29 went to Freetown. Is that correct?

1 A. When AFRC called RUF out of the bush.

2 Q. While we're at it and speaking of that period when the RUF
3 was in the jungle, let's review a little bit of the history.

4 When the RUF first entered Sierra Leone, you were able to take

12:22:47 5 towns and even hold towns. You even took Kono for a short time,

6 but you were holding towns in Kailahun and other areas, correct,

7 in 1991 and early 1992? That's true, isn't it?

8 A. Yes, 1991, '92 we were still in Kailahun District. We

9 stayed for a long time there. That's true.

12:23:11 10 Q. It wasn't until about 1993 that the RUF was pushed out by

11 the SLA, pushed out of the towns and had to go base in the

12 jungles, correct?

13 A. Yes.

14 Q. And your method of fighting changed to more of a guerilla

12:23:32 15 warfare, correct?

16 A. Yes.

17 Q. But then from 1997, from the time you went to Freetown with

18 the AFRC, through 1998, through the end of the war, the RUF was

19 able to hold major towns. In fact, even after you were pushed

12:23:55 20 out of Freetown you were able to take Koidu Town and then re-take

21 Koidu Town. You always held on to Kailahun and you were able to

22 hold on to towns and even take Makeni and Kono. Correct?

23 A. Yes.

24 Q. Now, during that period when the RUF first was able to hold

12:24:16 25 towns up to 1993, that was a time that the border with Liberia

26 was open, ULIMO hadn't yet captured Lofa County. Correct?

27 A. Please repeat that question.

28 Q. When the RUF had its early successes, that was before ULIMO

29 took Lofa County and closed - cut off the border to Liberia.

1 Correct?

2 A. Yes, RUF - I mean, let me say ULIMO closed the border
3 because they were behind us and they started attacking us as
4 well.

12:24:57 5 Q. And in that same time, about 1993, the RUF had to go on to
6 jungle warfare, had lost the towns and had to go base in the
7 jungle. Correct?

8 A. Yes.

9 Q. But from 1997, which was the year Charles Taylor was
12:25:16 10 elected President, in the late part of that year, up until the
11 end of the war the RUF was able to carry out major operations and
12 hold major towns such as Makeni and Kono. Isn't that correct?

13 A. Yes.

14 Q. Thank you. I want to go back and talk to you more about
12:25:40 15 what you told us about not knowing about any crimes committed by
16 the RUF. I'd like to read to you some testimony from 8 January
17 2008. I believe it begins on page 690. It's a bit lengthy what
18 I want to read, so there will be some lines I'll skip.

19 Before I begin, Mr Witness, are you aware of operations
12:26:35 20 where as a tactic the RUF did something similar to what you told
21 us you did with LURD late in the war where you went up to the
22 LURD soldiers pretending to be LURD? Did the RUF sometimes
23 pretend to be the government or pretend to be ECOMOG?

24 A. Yes, I heard of that operation and somebody told me that it
12:27:04 25 happened in Makeni, but I was not part of it. But I heard of it,
26 that they pretended that way, yes.

27 Q. Did you also hear about the time in the Northern Jungle, I
28 believe it was Kabala, where Superman had his soldiers pretend to
29 surrender and carry white and then attack when the ECOMOG was

1 deceived by that?

2 A. Yes, that's what I'm talking about. It's the same mission
3 that I'm talking about. I said I understood that it happened in
4 Makeni.

12:27:44 5 Q. I'm going to begin reading from line 8. There is a
6 question - the Prosecutor first explains:

7 "Q. Sorry, yes, Aiah Abu was shot and he was struggling to
8 die and then you moved on?

9 A. Yes.

12:28:06 10 Q. You have just mentioned that you saw people who wore
11 uniform. Where did you see these people that wore
12 uniforms?

13 A. In the first place, Aiah Abu was struggling to die and
14 he finally died. So before we went up to Sunna mosque

12:28:20 15 where they told us to go, it was front of there that I saw
16 the people with my own naked eyes who wore ECOMOG uniforms
17 and with the badges on the uniforms, and it was from that
18 point that we moved a little.

19 Q. Are you talking of the same place between where Aiah
12:28:44 20 Abu was killed and Sunna mosque?

21 A. Yes."

22 Mr Witness, do you know where the Sunna mosque is in Kono
23 District?

24 A. Suman mosque?

12:29:00 25 Q. S-U-N-N-A.

26 A. I don't know about Sunna mosque.

27 Q. And then the witness was asked:

28 "Q. These people who were wearing uniforms and who you saw
29 at the Sunna mosque, who you met at the Sunna mosque, can

1 you describe what sort of uniforms they were wearing?

2 A. The uniforms that they wore were military uniforms and
3 they had an ECOMOG badge by the shoulders and it was
4 clearly indicating they were ECOMOG, so that is the
12:29:32 5 description I can give so far."

6 This, Mr Witness, is happening in Koidu Town. Then there
7 is a question:

8 "Q. So as you approached these people did anything happen?

9 A. Yes.

12:29:47 10

Q. What?

11 A. They had to welcome us.

12 Q. What did they say?

13 A. They said, 'Yes, you are welcome now. Come now. You
14 are welcome.'"

12:29:56 15

And then they witness said:

16 "A. They were trying to tell us that you are welcome, but
17 then automatically I took their intonation, the tone of
18 their language, as Nigerians.

19 Q. After they welcomed you did anyone say anything to
12:30:09 20 them?"

21 And then there is some objection and the witness answered:

22 "A. So the whole group that I was with, that is my fellow
23 civilians with whom I was with, all started cheering. They
24 all started cheering, clapping for the soldiers telling
12:30:24 25 them, 'Thanks to you. We are thanking you all.'"

26 Mr Witness, let me just stop you there. It's true that
27 people throughout Sierra Leone would run to the ECOMOG positions
28 away from the RUF. Isn't that correct?

29 A. Yes, in certain areas it was happening.

1 Q. And then the question:

2 "Q. Did they say anything more than just saying thank you?

3 A. Yes, they said something else. They said, 'Those dogs
4 have come here and burned down our houses.' And they were
12:31:07 5 saying, 'We say thanks to you all. You have saved our
6 lives.' I didn't say anything.

7 Q. Did you do anything at that stage?

8 A. At the time they were talking to us, welcoming us. In
9 my own experience I realised that these people were
12:31:28 10 actually not the people they were referring to, so I took
11 out my documents as a reverend and I showed it to them, and
12 I told them I am a pastor."

13 Then he was asked if anyone said anything:

14 "A. Yes, sir, it was Rambo. He took the document from me.
12:31:51 15 He was looking at the documents and looking at my face and
16 he asked me a question."

17 Mr Witness, you've told us Rambo was one of the commanders
18 in Kono, correct?

19 A. Yes.

12:32:03 20 Q. And when he - the witness was asked the question. "He
21 said, 'You are saying you a pastor, but let me ask you one
22 question: ECOMOG or junta, which one do you support?'" He was
23 asked his response and he said:

24 "Because I had already got my suspicion in mind about them,
12:32:19 25 then I said to them, 'If actually you are ECOMOG, but then at the
26 time the juntas captured me they didn't do anything bad to me at
27 all', so that was my answer to them."

28 Mr Witness, that was a very clever answer, don't you agree?

29 A. Yes, that answer was very clever, yes.

1 Q. He was then asked:

2 "Q. You mentioned that Rambo was the one who spoke to you.
3 Who was this person called Rambo?

12:32:51

4 A. Rambo, I later knew him as the brigade commander, but
5 he was the one that asked me and he was the one I gave my
6 answer to directly."

7 He was asked if he went anywhere after this and he said:

8 "Well, I had gotten my answer to them. Rambo now said that
9 they should lead us to a particular secluded place, an Igbaleh
10 which was on Kamachende Street."

12:33:16

11 And the witness explained:

12 "Well, from the Sunna mosque to the Igbaleh was about half
13 a mile."

14 He was asked if he saw anything on the way to Igbaleh, and
15 he said:

16 "Yes, whilst we were on our way going I saw corpses on the
17 way. I crossed over them. At first I thought it was a joke, but
18 I started counting the corpses."

19 He was asked, "Up to what number?" And he said:

12:33:46

20 "I counted up to 50, but I later realised that there were
21 more and the circumstances under which we were now, I stopped
22 counting."

23 Next page. Then he said:

12:34:09

24 "When they took us to the Igbaleh, Rocky had to say to us
25 that the SBU rebels must separate us, that they should put the
26 children separately, the women separately and the adult men
27 separately."

28 The witness was then asked who was Rocky? and he said,
29 "Rocky also was a commander."

1 Mr Witness, there was a Rocky CO RUF who was a Liberian,
2 correct?

3 A. Yes, Rocky CO was a Liberian and his real name was Emmanuel
4 Johnson. That was his real name, but he was popularly known as
12:34:43 5 Rambo. That was the popular number that everybody knew him by.

6 Q. Mr Witness, are you sure about the "Johnson" part of the
7 name? It was Emmanuel. Was it Johnson?

8 A. Emmanuel Johnson, that was Rocky CO's name. Emmanuel
9 Johnson. I remember very well.

12:35:11 10 Q. Was he trained --

11 JUDGE DOHERTY: Mr Koumjian, the witness said, "Rocky CO
12 was Liberian, his real name," et cetera, "he was popularly known
13 as Rambo." Who are we talking about?

14 THE WITNESS: Well, that's different - a different thing
12:35:34 15 now. I did not say "Rambo". Rambo is a different person and
16 Rocky is a different person.

17 MR KOUMJIAN: Thank you.

18 Q. Think we're clear on your answer. Rocky is different from
19 Rambo. Was Rocky CO, Emmanuel Johnson, trained at Naama?

12:35:55 20 A. Yes, we were all trained by Mr Sankoh.

21 Q. This witness says he didn't know Rocky's name. And then he
22 was asked after Rocky had ordered that you be separated, did
23 anything happen? And the witness explains:

24 "Yes. That was when he, Rocky, came down and asked, 'Where
12:36:15 25 the is the pastor now? Where is the pastor?' He said that
26 expression thrice. But even when he said it thrice, I was unable
27 to answer because he had asked for something that was called
28 bargege."

29 Mr Witness, you're familiar with - and perhaps my

1 pronunciation is bad, but you're familiar with that word

2 "bargege", which means a machine gun, correct?

3 A. Yes. Bargege, I don't know they call it barjehjeh [phon]

4 or bargege, but I know that they used to call - they had a GPMG

12:36:52 5 or GMG, bargege. It's a heavy gun that used a 30-alibre round.

6 They hung it with a chain like bullets. That was what they used

7 to call bargege. So the Mende boys gave that name to the weapon.

8 Q. Then it goes on and says: "I thought they were going to

9 kill me and when I refused to answer, one of his lieutenants

12:37:24 10 called lieutenant Sylvester Kieh" - and then he was asked to slow

11 down. Next page, he was then asked:

12 "Q. You said one of the rebels ask you whether you were

13 not the one being referred to by Rocky.

14 A. No, sir, that was not it. When Rocky called me three

12:37:49 15 times and asked, 'Where's the pastor now?', three times I

16 did not answer and it was at that time that Sylvester Kieh,

17 one of the rebels, asked me, he said, 'Are you not the one

18 who said you are a pastor?' Then I answered yes."

19 He was asked what happened, and he said:

12:38:04 20 "It was at that time that he, Rocky, told me that I should

21 pray for everybody."

22 There are then some questions about what a bargege meant,

23 and then we go down the page. The next page, please. The

24 witness said:

12:38:29 25 "They brought him a gun that had a stand on the front of

26 it. I describe it as a stand that two sided, one on - each on

27 the ground ... The gun had a long belt that had bullets on it.

28 The boy that brought it wrapped the belt with the bullets all

29 over his body and he passed the gun itself on to Rocky ... That

1 was the time he said that, 'Today those of you who were saying
2 thanks to us and you were saying thanks to ECOMOG, now I want to
3 tell you that we are not ECOMOG. We are the junta rebels, we are
4 here. Here belongs to us. Now I am sending all of you to Tianka
12:39:09 5 (?) But to tell him that we are here and we own here.'" Do you
6 understand that word "Tianka", sir? Mr Witness, I'm talking to
7 you.

8 A. Tianka?

9 Q. Yes.

12:39:22 10 A. I do not understand the word Tianka, no.

11 Q. After he had said this, the witness was asked - the pastor
12 was asked: "After he had said this, did he say anything else to
13 you?" And the pastor answered:

14 "Yes, he called me once again and he said, 'Pastor, you
12:39:40 15 come this way', and he was demonstrating with his head
16 telling me to pass towards the right-hand side. He said
17 that twice. The third time the same Sylvester Kieh said
18 again to me, 'Are you even the person they are talking to?'
19 From that point I became nervous, and I took my steps once
12:39:57 20 and I took the second step. At the time I could make it
21 three times then he fired the gun. I thought he was
22 shooting at me and all the adult men who were around at
23 that time, he shot them all to death.

24 Q. Did anything happen to you yourself?

12:40:12 25 A. I was nervous. I thought when he told me to pass on
26 his right-hand side I was going to be the first one he was
27 going to shoot at ... After he had killed the civilians,
28 who I referred to as my fellow adult men, he gave an
29 instruction that they should be decapitated.

1 Q. Who gave that instruction?

2 A. It was Rocky who gave the orders to the SBUs.

3 Q. Who were these SBUs that you just mentioned?

4 A. Well, what I used to hear, the ones who were referred
12:40:45 5 to as SBUs, they were small boys below the ages of 16, 15,
6 right down. They were small, small boys and those were the
7 ones I saw them called SBUs, SBUs."

8 Mr Witness, did you know of a unit called the SBU unit?

9 A. Yes, I told you I know them.

12:41:12 10 Q. When you were doing the training, were the children, those
11 who were under 15, maybe slightly older, were they divided into
12 SBU units during the training?

13 A. What I am telling you is that the children who were brought
14 by officers of the RUF, they brought these children and they
12:41:43 15 wanted these children to be with them. They brought them and I
16 trained them.

17 PRESIDING JUDGE: Mr Witness, I'm going to stop you. That
18 is not the question you were asked. Mr Koumjian, please ask your
19 question again, and listen carefully to the question.

12:41:58 20 THE WITNESS: I'm listening.

21 MR KOUMJIAN:

22 Q. Mr Witness, when you were training commander, were
23 children, those under 15 and maybe those even slightly older, 15,
24 16, were they divided in the training into SBU units?

12:42:15 25 A. No, the children were not divided.

26 Q. Mr Witness, you had an SBU bodyguard called Komba, didn't
27 you?

28 A. Komba? Komba? Komba? I can't really remember, but I
29 remember Mortiga was with me and he was SBU. I took him from the

1 training myself. Can I continue, please? Because the officers
2 bring boys to be trained so that we would give them back to them.
3 So I looked among them and selected Mortiga, and Mortiga was with
4 me.

12:43:01 5 Q. Mr Witness, Komba is a typical name from the Kono District.
6 I think it means a number, isn't that true? Komba is from Kono?

7 A. Yes, Komba is a Kono name. I know that.

8 Q. Komba, your bodyguard, was captured when he was about 12
9 years old. Isn't that true?

12:43:26 10 A. Komba? I do not really understand this Komba that you are
11 talking about.

12 Q. Let me go back to the document I was reading, to the
13 testimony of the Reverend Tamba Teh. He was asked to describe
14 the clothing of the SBUs and he said:

12:44:03 15 "Q. Yes, they were in civilian clothing. That's what I
16 saw. Some had guns. Some could not even lift their guns
17 up except that they drag the guns on the ground. Some were
18 having cutlasses, machetes.

19 Q. On the instruction of Rocky, did the boys do anything,
12:44:27 20 the SBUs do anything?

21 A. Yes, sir.

22 Q. What did they do?

23 A. They decapitated all of those who were shot by Rocky to
24 death."

12:44:45 25 Mr Witness, you told us you're not aware of any killings of
26 civilians by the RUF. Did you hear about this killing and
27 decapitation of 100 men in Kono District where you were based?

28 A. Well, in Kono it is true that - it is true that I heard of
29 something like that, and I can remember that pastor was brought

1 to our area and he created a church there. But the pastor's
2 name, I don't remember the name he called. I don't know if the
3 name you called is the one, but I've forgotten the name. But I
4 heard that story, yes.

12:45:26 5 Q. Mr Witness, we see on this page that he's asked the name
6 Rocky, and the pastor says Rocky was a Liberian Bassa and his
7 name was Emmanuel Williams. Does that ring a bell to you? Do
8 you think it's Williams rather than Johnson?

9 A. The Rocky that I know was Emmanuel Johnson. Maybe it could
12:45:52 10 be a mistake. We had a William, but the William was William
11 Logan. William Logan. And Rocky CO, I knew him to be Emmanuel
12 Johnson.

13 Q. Mr Witness, did you ever meet this reverend that you just
14 spoke about?

12:46:21 15 A. Yes. I told you that I saw a pastor whom they brought in
16 the jungle around Kono Jungle to us and he lived among us and he
17 created a church there and I rendered some assistance to him, you
18 know, but I have forgotten his name. I rendered assistance to
19 him. I used to help him out with food and other things like
12:46:43 20 that, yes.

21 Q. Do you know, did Sam Bockarie ask him to join the RUF and
22 be the pastor for the RUF?

23 A. I don't know about that. If Sam Bockarie asked him to do
24 that, I don't know. But the one you're talking about, Rocky or
12:47:02 25 Rambo brought, that's the one I knew about. But if Sam Bockarie
26 asked any pastor to be a pastor for the RUF, I do not know. But,
27 indeed, he created a church in the bush, and those of us who used
28 to read the Bible on Sundays, we used to go there and he would
29 preach to us and we would go back to our various hideouts.

1 Q. What did Sam Bockarie - what names or terms did he use when
2 he referred to Charles Taylor?

3 A. No, I don't know. That's above my jurisdiction.

4 Q. Okay. Can we go to page 729 on the same transcript. The
12:48:07 5 reverend goes on - by the way, Mr Witness, did the RUF sometimes
6 call an area in Kailahun "Burkina"?

7 A. Burkina? I knew of Burkina, but I do not know what they
8 used to call like that, but we used to call Kailahun as Kailahun
9 Galehun. But this Burkina, they used to call an area Burkina,
12:48:41 10 but I did not know the specific area. But we used to say
11 Galehun, and when the Mende man says Galehun, that means a grass
12 area. That is how we used to call Kailahun, Galehun.

13 Q. Thank you. Now on page 729, line 5, the reverend says:

14 "A. At the time we met Mosquito. He said I should stand
12:49:04 15 before him. He had so many bodyguards together with some
16 other commanders and he said, 'Gentleman, you said you are
17 a pastor and they have told me you are a pastor. The
18 question I asked you last, if you don't give me the answer
19 today I will kill you and nobody will bury you. The more
12:49:29 20 you are there when you rot the more will be blessed with
21 the glory of God.' So I bowed down by head."

22 He was asked to continue:

23 "A. I bowed down my head and I took my head up again. I
24 said, 'It is not the case that I don't want to join your
12:49:54 25 rebel group, but the idea is the position given to me is
26 too small for me as a man of God.' He asked me, 'What
27 position do you want?' And then I bowed down my head
28 again. I told him I want him to make me a field marshal.
29 He burst out laughing. The whole group around him burst

1 out laughing. They were all laughing in the whole area."

2 Mr Witness, again, this reverend gave a very, very clever
3 answer when he was given the choice by Sam Bockarie to join the
4 RUF or die. He gave a very clever answer when he said he wanted
12:50:33 5 to be a field marshal, don't you agree?

6 A. Yes. I mean, the man was a reverend, his answer was very
7 clever. Probably it was through God's direction that he gave
8 such an answer.

9 Q. You gave a good answer. That's true, sir. And then he
12:50:55 10 said:

11 "A. ... They were all laughing in the whole area. Then he
12 moved from the bench where he was seated and came to the
13 ground, himself Mosquito. Later he was up again and he sat
14 back to his bench and he said, 'No' and all the commanders
12:51:17 15 answered 'Boots shaking' and everyone went into silence.

16 Q. What happened after that?

17 A. And then he turn around and he told all of his
18 commanders that this man indeed we should free him. 'You
19 are saying that I should make you a field marshal when
12:51:40 20 I am not yet a five star general - a one star general,
21 sorry. My boss Ghankay Taylor is not yet a five star
22 general. How can I make you a field marshal?'"

23 Mr Witness, did you hear Sam Bockarie refer to
24 Charles Taylor as his boss?

12:52:06 25 A. No, not to my knowledge.

26 Q. In the RUF, did you call Charles Taylor the CIC?

27 A. How would I call Charles Taylor CIC when Charles Taylor -
28 Charles Taylor was not CIC for the RUF? We had our chief who was
29 Pa Foday Sankoh and he left Sam Bockarie in charge. Sam Bockarie

1 was now the chief on the ground. So when you talk about CIC,
2 you're talking about commander-in-chief. It was not possible for
3 Sam Bockarie to become the commander-in-chief. If he became the
4 commander-in-chief, then that would mean he was the President.

12:52:50 5 Q. Indeed, sir, in January 1999, after the Freetown invasion,
6 in the middle or late January when the ceasefire was being
7 negotiated while the RUF/AFRC was being beaten back from
8 Freetown, do you remember Sam Bockarie being on the radio and him
9 saying that he had gotten the message about the ceasefire, or
12:53:18 10 something, talking about the ceasefire and referring to
11 Charles Taylor as his chief?

12 A. No.

13 Q. Sir, did you take part in the attack on Koidu Town where it
14 was finally taken in December of 1998?

12:53:44 15 A. No.

16 Q. On that attack, the RUF was very well supplied with
17 ammunition and arms, correct?

18 A. I was not there. I was in Jojoima, from what I told you.
19 That operation was like a punishment. They didn't want me to be
12:54:12 20 on that particular mission. I did not know how that particular
21 mission went about. I was in my command as a vanguard commander
22 when I was sent down there under punishment.

23 Q. So, sir, if the answer is you don't know, then that's the
24 right answer.

12:54:32 25 A. No, no.

26 Q. Okay. Let me ask the question just to make sure and then
27 you can answer. Do you know, was the RUF well supplied for this
28 operation to take Koidu Town in 1998? Is the answer you don't
29 know?

1 A. No, I don't know.

2 Q. Thank you. Could the witness be shown P-93. Mr Witness,
3 just to help you understand this document, I'm going to read the
4 top. It says "Restricted Revolutionary United Front of Sierra
12:56:04 5 Leone". It's addressed to Major General Sam Bockarie, chief of
6 defence staff RUF, from Brigadier Issa H Sesay, battlefield
7 commander. Its subject is a comprehensive report dated January -
8 and it appears to be 26 to me, January 20 something 1999. Then,
9 Mr Witness, if we go to the last page - by the way, Mr Witness,
12:56:41 10 Issa Sesay's adjutant was Samuel Jabba, correct?

11 A. Say that again.

12 Q. Issa Sesay's adjutant in 1998, that was Samuel Jabba. Is
13 that correct?

14 A. Samuel Jabba? Yes, I believe so.

12:57:01 15 Q. Now, if we look at this last page, we see the signature and
16 the signature line is adjutant BFC's office. Does it make sense
17 to you that that's battlefield commander's office, which would
18 have been Issa Sesay's position at the time, correct?

19 A. Yes, BFC means battlefield commander. Yes, battlefield
12:57:32 20 command's office.

21 Q. And do you recognise the signature there of Samuel Jabba?

22 A. Well, I do not know whether this is his signature. I can't
23 really tell because his name is not printed under. There is only
24 adjutant BFC's office.

12:57:52 25 Q. Okay, thank you. Let's just look at the first page. It
26 says:

27 "Sir, on 6 December 1998 I left the defence headquarters on
28 your instruction for assignment and mission to attack Koidu, the
29 2nd Brigade RUF Sierra Leone axis.

1 The below enumerated materials and items were then handed
2 over to me for said mission.

3 1. AK rounds - 30 boxes.

4 2. G3 rounds - 16 boxes.

12:58:48 5 3. RPG bombs - 2 and a half boxes."

6 Mr Witness, do you know when Sam Bockarie returned from
7 Burkina Faso, did he come with a truck full of ammunition?

8 A. If it did happen, I told you I was not there. I was at
9 Jojoima when this whole operation was planned.

12:59:16 10 Q. Thank you. And, sir, the amounts that we see listed on
11 this report, the three that I just read, that's a lot of
12 ammunition at this time for the RUF, correct, 30 boxes of AK
13 rounds, 16 boxes of GMG rounds?

14 A. Yes, it's plenty.

12:59:37 15 Q. Now, aside from Bockarie coming from Burkina Faso, did you
16 hear of NPFL or Liberian soldiers bringing weapons and
17 ammunition, particularly bringing new weapons that were
18 distributed to RUF recruits before this attack?

19 A. No.

13:00:03 20 Q. Could I have the testimony, please, for 6 October 2008,
21 page 17937. Mr Witness, I'm reading again from the testimony of
22 Komba Sumana, a witness who testified that as a child he was
23 captured in Kono District and then taken to Kailahun District to
24 a base near Buedu for training before being brought back to Koidu

13:00:50 25 Town. Beginning at line 4, the witness says:

26 "THE WITNESS: At that time I said Mosquito - when we
27 finished the training, Mosquito came again. He assembled
28 all of us. We were lined up. It was not long that two
29 vehicles came. They brought guns. At that time they

1 started distributing the guns. At that time they started
2 distributing the guns. When they finished distributing the
3 guns, then they said those of us who've been trained there
4 we would be going back to Kono to go and clear there. It
13:01:30 5 was - that was what he said at that meeting on that day."

6 The witness explains that was Mosquito who said it. Then
7 he was asked about how they were lined up and he said:

8 "It was more than one line. The adults were in two long
9 lines and the children were in two long lines and the women
13:01:54 10 too. That was how we were standing in the lines.

11 Q. When you say 'the children', what ages are you talking
12 about, and how old were they in comparison to you?

13 A. Well, some were tall. There were some others with whom
14 I had the same height. I did not actually ask about ages.
13:02:18 15 I didn't ask any one of my colleagues for his age.

16 Q. Now you said two vehicles came. Was anyone in the
17 vehicles?

18 A. Yes. Well, soldiers came. They were dressed in
19 uniform. Those who brought the guns, I used to see some
13:02:37 20 who used to come. Those who brought the guns, that was the
21 time I saw them."

22 He was asked to describe how they were dressed. He said:

23 "Well, they had on red caps and combats. They were well
24 dressed and they had a muffler around their necks."

13:02:59 25 And he explains that they had military - he was asked about
26 the red cap and he said, "Yes, military trousers", and then that
27 was corrected to "military caps". That was an interpretation
28 correction.

29 "Q. Did anyone tell you who these soldiers were?

1 A. Yes. There was one rebel who was standing close to me
2 at the time that we were standing in the line, because we
3 met them there, so I asked him - I asked him about the
4 soldiers who had come and he said they were

13:03:30 5 Charles Taylor's soldiers.

6 Q. Did you hear any of the men with the red caps speak?

7 A. Yes.

8 Q. What language did they speak?

9 A. They were speaking Liberian English.

13:03:46 10 Q. Now you said that weapons were distributed. Can you
11 tell us - first can you describe the weapons that were
12 distributed?

13 A. Yes, they brought AKs, RPG bombs, mortar and those guns
14 that had chains, those big guns that had chains, they
13:04:03 15 brought them on that day.

16 Q. Who brought the weapons?

17 A. Well, those soldiers whom I saw were the ones who were
18 in the vehicle. They were the ones who were driving the
19 vehicles when they came.

13:04:23 20 Q. These soldiers that were driving the vehicles, are they
21 the same as the ones you described with the red hats, caps?

22 A. Yes."

23 Mr Witness, did you hear of Liberians coming with weapons
24 to RUF territory in 1998, aside from Jungle that you've already
13:04:47 25 told us about?

26 A. No, I did not hear that. And I continue to say that I was
27 at the Jojoima Jungle. I was in Jojoima when all this operation
28 was planned. It was like I was under punishment, so I was not
29 informed of anything that was going on. I only went to that side

1 when I was arrested after that meeting in Kailahun and I was
2 taken to Kono, where I spent a month in jail before I was
3 released. That was when I went to Makeni. So I do not know
4 anything about this operation, no.

13:05:31 5 Q. Mr Witness, did you ever meet someone named Senegalese - or
6 more than one person by that name, Senegalese?

7 A. Senegalese? Our fighters, the RUF children whom we
8 trained, some of them could use those names Senegalese, Rambo.
9 So if you're talking about meeting somebody called Senegalese,
10 yes, I can tell you.

13:06:07 11 Q. Did you ever, either in Liberia or in Sierra Leone, meet a
12 Liberian that went by the name Senegalese?

13 A. No, no.

14 Q. I'd like to ask you about something you said on 26 March,
13:06:37 15 page 38121, line 24. I'll begin reading from there. You were
16 asked by Defence counsel:

17 "Q. Do you know how it came to be that the border between
18 Liberia and Sierra Leone was closed in December?

19 A. No, I did not actually know why it happened, but that
13:07:36 20 was what I got to understand."

21 Then you said this, Mr Witness, which is what I ask you
22 about. You said, "So that meant that we were now supposed to
23 struggle on our own."

24 So, Mr Witness, why did the closure of the border with
13:07:55 25 Liberia mean to you that now the RUF would have to struggle on
26 its own?

27 A. What I meant here was that I told you that we had two
28 brothers: One of the RUF commanders, Sam Kollah; and another
29 Jungle who used to visit Buedu. Those two people used to help us

1 at least to get some ammunition. So if the border was closed,
2 then these men would not have had the opportunity to do any other
3 thing for us to get any of these ammunition. That meant that we
4 had to struggle. When I said "on our own", that is by setting
13:08:56 5 ambushes to get weapons from the enemies. That was what I meant
6 when I said that.

7 Q. So prior to the border being closed the RUF was able to
8 obtain its supplies, its weapons and ammunition, from Liberia;
9 correct?

13:09:15 10 A. You said RUF was getting ammunition and weapons from
11 Liberia? Not exactly so. But at least Jungle, like I told you,
12 had a dual citizenship in Liberia and Sierra Leone. Whenever he
13 came there, I did not know how the negotiations went on, but he
14 used to come with something once at a time. Sam Kolleh too was
13:09:45 15 also someone who had business links with a lady who used to go to
16 Guinea and return. So these were some of the ways that we used
17 to get ammunition.

18 Q. Well, sir, the closing of the border to Liberia would not
19 affect anyone going to Guinea because the RUF had a border with
13:10:07 20 Guinea, correct?

21 A. Yes. But what usually happened was that if you are coming
22 from Sierra Leone, you had to use some part of the Liberian
23 border for you to get to the Guinea border. So that was how the
24 situation was like. There is an area around the border. You
13:10:32 25 have to get into Liberia before going to the Guinea border,
26 because the main area we had there was at Nongowa, and there was
27 a ferry there. So that area was always fortified by armed men,
28 and this deal was being done in secret.

29 Q. It was impossible to get through the Guinean border because

1 the Guinean government was stopping the RUF from using that as a
2 supply route, but it was possible to go through the Liberian
3 border in 1998 prior to this closure, correct?

4 A. Yes.

13:11:14 5 Q. Mr Witness, have you heard of the Scorpion Unit?

6 A. I have never heard of any Scorpion Unit.

7 Q. You talked about meeting Abu Keita at the Waterworks
8 meeting, correct?

9 A. Yes.

13:11:36 10 Q. And you said he came with a group of fighters, correct?

11 A. Yes.

12 Q. [Microphone not activated] you were told. You didn't
13 actually see the fighters. Is that correct?

14 A. No, I didn't see them, but that was what I was told.

13:11:52 15 Q. Were you ever involved in any fighting assignments with Abu
16 Keita?

17 A. Fighting - you mean assignment with Abu Keita?

18 Q. Yes. Were you ever assigned to - given the same area under
19 the same command, you and Abu Keita?

13:12:16 20 A. Yes, Abu Keita and I took assignment together. That is,
21 when I was released from prison in Makeni, Abu Keita and I were
22 always together. We had assignment together. But not fighting
23 assignment.

24 Q. Did you go to Guinea with Abu Keita on that assignment?

13:12:40 25 Was he part of that operation?

26 A. The Gueckedou and, how do you call it, the Nongowa
27 operation?

28 Q. Yes, sir.

29 A. Well, I can't remember seeing Keita there.

1 Q. Sir, you said that Abu Keita - that Sam Bockarie said that
2 Keita was now part of the vanguards. Is that right?

3 A. Please repeat.

4 Q. Do you recall telling us that Sam Bockarie, he wanted you
13:13:15 5 to know that Abu Keita was now part of the vanguards?

6 A. Yes, that was what he said to me.

7 Q. Now, you said that Abu Keita was running from
8 Charles Taylor's - afraid he was going to be killed by
9 Charles Taylor's forces. Is that right?

13:13:38 10 A. Yes. That was the information I got, yes.

11 Q. Mr Witness, Abu Keita was a Mandingo, correct?

12 A. Yes.

13 Q. You've told us the Mandingos had many links to Guinea,
14 correct?

13:13:57 15 A. Yes.

16 Q. He also had been a former ULIMO commander, correct?

17 A. Yes.

18 Q. Well, wouldn't it make sense, if Abu Keita was running away
19 from Charles Taylor, he would go to Guinea, or he would go to the
13:14:14 20 join the enemies of the RUF; the ECOMOG or the Loyal army of
21 Sierra Leone?

22 A. It could be, but that is where I met him.

23 Q. Mr Witness, why would Sam Bockarie trust a former ULIMO who
24 said that Charles Taylor was trying to kill him? He would not
13:14:40 25 trust such a person. Isn't that correct?

26 PRESIDING JUDGE: Mr Anyah?

27 MR ANYAH: I'm objecting to the form of the question. How
28 is the witness in a position to know why Sam Bockarie would trust
29 or not trust somebody?

1 PRESIDING JUDGE: Mr Koumjian, a lot of this --

2 MR ANYAH: It is not a fair question.

3 PRESIDING JUDGE: A lot of the questions that Mr Koumjian
4 is now asking are quite, how should I put it - you are asking the
13:15:10 5 witness to speculate. They're hypothetical questions. Please
6 rephrase them.

7 MR KOUMJIAN:

8 Q. Mr Witness, how many years did you know Sam Bockarie? You
9 knew him since Camp Naama, correct, until --

13:15:30 10 A. Yes.

11 Q. [Overlapping speakers]. Correct?

12 A. Yes, Sam Bockarie and I were trained together. I don't
13 know how to answer how I knew him. We were trained together, so
14 I knew him from day one of the RUF.

13:15:46 15 Q. He was your commander for most of that time. He was the
16 leading military commander of the RUF, correct?

17 A. Yes.

18 Q. You got to know him well in all those years. Isn't that
19 true?

13:16:09 20 A. I don't know how to answer this question. I knew Sam
21 Bockarie from the day of our training. So knowing him well, I do
22 not know what you mean. Do you mean knowing him by his tricks or
23 something like that?

24 Q. Well, that also. You would know what his tricks were, what
13:16:30 25 were the ways that Sam Bockarie operated. You knew his
26 strategies and you knew his attitudes towards people, correct?

27 A. Well, I won't be able to tell you that. You see, a
28 military commander will never expose all his techniques and talk
29 to all of his men, most especially wherein Rambo had told him

1 that somebody whom he had declared as enemy was communicating
2 with him, that is Superman. So he had no trust in disclosing any
3 secret to me. I continue to say this. So I wouldn't be able to
4 know his mind.

13:17:16 5 Q. Well, you knew his mind - that's a very good example. Sam
6 Bockarie heard from Rambo that you had talked on the radio to
7 Superman and he put you in jail, he detained you, correct?

8 A. I did not really go to jail for that particular offence.
9 My assignment was changed and I was taken to Jojoima, so it was
10 like a punishment. Taking me from where the actual operation was
11 to take place to somewhere where I had to strain. It was some
12 kind of a punishment. I continue to say this.

13 Q. Mr Witness, before this Waterworks meeting where Sam
14 Bockarie announced the plans to attack you said first Kono and
15 then Makeni, do you recall telling us that?

16 A. Yes, he told us at that meeting that it was now time for us
17 to organise and retake our areas that had been captured from us
18 by the ECOMOG forces.

19 Q. And then the plan was, succeeding in those missions, to go
13:18:35 20 on to Freetown to free the leader, correct?

21 A. Well, I will tell you yes because that was the whole
22 operational plan but I was not part of it. I continue to say
23 this. You ask me one question over and over. I don't know.

24 Q. Mr Witness, before this meeting where Sam Bockarie called
13:19:01 25 the commanders to Waterworks and announced this plan for such a
26 major offensive, taking back not just Kono but going on to Makeni
27 and even farther, the RUF had been out of ammunition before that
28 meeting, correct?

29 A. Well, yes, RUF had been out of ammunition but I told you

1 that we had a strategy that we used in terms of ambushes on
2 ECOMOG territories and picking up small small ammunition from
3 them. That was our usual beginning of operations before going to
4 - before going on major operations we used to set ambushes.

13:19:50 5 Q. Mr Witness, in the document we just looked at, the report
6 to Bockarie from Issa Sesay, it's apparent that when Issa Sesay
7 was sent on that mission the RUF had plenty ammunition. So
8 something had changed. You would agree with that, correct?

9 A. Yes, I agree with you but that was not - I was not there
13:20:14 10 when this change was made. I was not there in that operation. I
11 mean, in that particular thing that you said had changed I was
12 not there.

13 Q. Now, Mr Witness, we understand you say that you did not
14 take part in any of that offensive. Is that correct? That's
13:20:38 15 your testimony? You didn't attack Kono, you didn't go to Makeni?

16 A. No, I did not go there.

17 Q. You stayed in --

18 A. Jojoi ma.

19 Q. -- Jojoi ma throughout January - December '98 and January
13:20:58 20 '99. Is that your testimony?

21 A. Yes, that is what I said, up to the time that I was put in
22 jail in 1999 where the statement that you just gave me to look at
23 was made before I was released.

24 Q. But, Mr Witness, you know that the RUF after taking Makeni
13:21:23 25 made an attempt to attack Freetown. Correct?

26 A. Yes, I got that information, yes, indeed.

27 Q. In fact they attacked on two different axes, they attacked
28 two different ways to go to Freetown, correct?

29 A. I don't know what you mean about two different ways. All I

1 knew was that the RUF was on their way going to Freetown when
2 they heard that SAJ Musa had attacked Freetown, so RUF did not
3 get to Freetown.

13:22:06

4 Q. They stopped at Masiaka but they attacked two places in
5 Freetown. Is that right?

6 A. I am telling you I was not there. I was not there.

7 Q. They made an attempt to get to Freetown on the highway but
8 they did not get through. Is that correct?

13:22:28

9 A. Yes, they made an attempt on the highway, that's what I'm
10 saying, but they did not enter Freetown.

11 Q. Let's just review what you said on direct. If we could
12 have the transcript for 26 March, page 38132.

13:23:11

13 PRESIDING JUDGE: Mr Koumjian, the witness said at page 96,
14 line 20 - he's explaining they heard that SAJ Musa had attacked
15 Freetown so RUF did - did he say did get to Freetown or did not
16 get to Freetown? What was it that the witness said?

17 THE WITNESS: They did not. They did not get to Freetown.
18 It is true that they attempted to go to Freetown but they did not
19 get to Freetown.

13:23:31

20 PRESIDING JUDGE: Thank you.

21 MR KOUMJIAN:

22 Q. Mr Witness, at line 10 you gave an answer similar to what
23 you're saying but there's a slight difference I want to ask you
24 about. You were asked:

13:23:56

25 "Q. Was the RUF heading towards Freetown from Makeni when
26 SAJ Musa was already in Freetown?

27 A. Yes. They made an attempt on the highway, but they did
28 not go through. If I am not mistaken, I think they stopped
29 somewhere around Masiaka, but they did not reach. They

1 stopped at Masiaka at the time they attacked two places in
2 Freetown. That is what I know and that is what I recall.
3 I was not there, like I said. At that time I was still in
4 Jojoi ma."

13:24:26 5 So, you heard that RUF attacked two places in Freetown,
6 trying to get into the city, correct?

7 A. When you talk about two places in Freetown then you are
8 talking about within Freetown itself. But I told you that RUF
9 was on the highway to go to Freetown but did not get to Freetown.
13:24:52 10 I continue to say this. They did not get to Freetown.

11 Q. Thank you. And we're talking about Freetown the city,
12 correct?

13 A. Yes, I'm talking about Freetown the city, yes.

14 Q. You spent a lot of time in Sierra Leone but it's true,
13:25:10 15 isn't it, that some Liberians refer to the country of Sierra
16 Leone as Freetown. They just call it Freetown. Correct?

17 A. Please repeat that question.

18 Q. Some people in Liberia, when they say Freetown they just
19 mean the country of Sierra Leone, correct?

13:25:33 20 A. Yes, that's true. Even up to now it's happening. When
21 they see somebody coming from Sierra Leone they say he has come
22 from Freetown. They don't care which part of Sierra Leone you
23 had come from. They say you are a Freetown man. When they are
24 coming on the other side they will say, "I'm going to Freetown."

13:25:53 25 Q. I think we just have a few minutes before the break so I
26 want to ask you, Mr Witness, about one different area. Do you
27 remember telling us that before you left Sierra Leone you met Sam
28 Bockarie and Joseph Brown?

29 A. Before I left Sierra Leone you mean? I am saying that

1 before my arrest Sam Bockarie and Joseph Brown met me and they
2 told me that they had heard that Mr Sankoh had passed an order to
3 arrest Sam Bockarie.

13:26:49

4 THE INTERPRETER: Your Honours, can he kindly repeat very
5 slowly.

6 PRESIDING JUDGE: Please pause, Mr Witness. The
7 interpreter didn't get you. Repeat your answer from where you
8 say, "They told me that they had heard that Mr Sankoh had passed
9 on an order to arrest Sam Bockarie." Now continue from there.

13:27:09

10 THE WITNESS: Yes, they told me that they had heard
11 Mr Sankoh has passed an order to arrest Sam Bockarie because of
12 the meeting that we had in Kailahun. So I myself would be
13 arrested if I do not go - if I am arrested I would either be
14 killed or be punished and I stated that I did not do anything and
15 I was not going anywhere. That was how I was arrested.

13:27:26

16 MR KOU MJIAN:

17 Q. And who was Joseph Brown?

18 A. Joseph Brown was a G4 for the RUF.

19 Q. And this time you're talking about when you met him and Sam
20 Bockarie, do I understand correctly that would have been after
21 the Lome Accord in 1999, after Sankoh in fact had returned to
22 Sierra Leone at the end of '99. It would have been in '99 or
23 2000?

13:27:45

24 A. That time that I'm talking about was the time that Sam
25 Bockarie finally left Sierra Leone.

13:28:09

26 Q. Okay. So it would have been the end of 1999. Does that
27 sound correct?

28 A. Yes.

29 MR KOU MJIAN: I'd like to refer to something that another

1 witness said but it's in private session but I'll just give the
2 cites and I don't know, if your Honours wish we could ask the
3 Court Officer to print the transcripts but that would be page
4 37222 from 12 March and 37518 from 18 March.

13:28:52 5 PRESIDING JUDGE: I think what would be best in view of the
6 time is that the Court Manager could prepare these texts during
7 the break and we could pick it up from here after the luncheon
8 break. We will adjourn until 2.30.

9 [Lunch break taken at 1.29 p.m.]

14:29:54 10 [Upon resuming at 2.30 p.m.]

11 PRESIDING JUDGE: Good afternoon.

12 MR ANYAH: Madam President, may the record reflect that the
13 Defence bar has been joined by Ms Haydee Dijkstal, who is an
14 intern or legal assistant with our office, Madam President.

14:31:07 15 PRESIDING JUDGE: I'm sorry, I didn't get the name but the
16 legal intern is welcome to the Court.

17 MR ANYAH: Haydee Dijkstal.

18 PRESIDING JUDGE: Ms Haydee is welcome to the Court.

19 Mr Koumjian, please continue.

14:31:28 20 MR KOUMJIAN: Your Honour, just before the break I asked
21 that some private session transcript be distributed to the
22 parties. I haven't gotten a copy myself.

23 PRESIDING JUDGE: We have two pages, one of which is the
24 open session and one the private session.

14:31:49 25 MR KOUMJIAN: I think neither one needs to be displayed and
26 I can proceed, but before I do I would like to announce a change
27 at the bar for the Prosecution. Ms Kathryn Howarth has left us
28 this afternoon.

29 PRESIDING JUDGE: That is noted. Thank you.

1 MR KOUMJIAN:

2 Q. Sir, you told us about seeing Joseph Brown just before Sam
3 Bockarie left in 1999, the former G4 Joseph Brown. A witness has
4 come to this Court and sworn under oath that Joseph Brown left
14:32:32 5 Sierra Leone in 1996 and never returned. Obviously one of you is
6 not telling the truth. Who is lying, Mr Witness: You or the
7 other witness who said Joseph Brown left in 1996 and never
8 returned?

9 A. The witness who told you that Joseph Brown left in 1996 and
14:33:03 10 did not return is a liar.

11 Q. Are you sure you saw Joseph Brown the G4 in 1999?

12 A. Yes.

13 Q. Thank you. Earlier I was looking for a reference to
14 testimony and I believe I have it now. And that is 23 February,
14:33:30 15 I gave the wrong date, page 35775. If that transcript could be
16 shown on the screen. I'm going to go towards the bottom of the
17 page and read to you where the witness was asked on line 24:

18 "Q. Let's go through one this one-by-one. Isaac Mongor,
19 to your knowledge, between 1990 and 1991 was he a member of
14:34:31 20 the NPFL?

21 A. No, I'm not aware of him being a member of the NPFL."

22 Mr Witness, you know that Isaac Mongor was a member of the
23 NPFL on June 4, 1990, when the NPFL invaded Bong Mines, correct?

24 A. Yes.

14:34:54 25 Q. So when this witness testified that he, Mongor, was not to
26 this witness's knowledge a member he was wrong. Isaac Mongor was
27 a member of the NPFL in 1990?

28 A. Yes, he along with the NPFL forces entered Bong Mines when
29 Bong Mines was captured and, like I said, he was the one who came

1 to me and asked me about my tribe.

2 Q. Now I want to ask you about some testimony you gave.

3 Excuse me, there is one other item. Just before the break you
4 were explaining sometimes in Liberia people say Freetown to mean

14:35:42 5 Sierra Leone. Correct?

6 A. Yes.

7 Q. I would like the transcript for 29 September 2009, page
8 29822 displayed, please. Mr Witness, this is the testimony of
9 Charles Taylor. The Defence counsel was reviewing with him the

14:36:22 10 testimony of Zigzag Marzah, and at the top of the page we see the

11 Defence counsel ask this question on line 2:

12 "Q. Is it correct, Mr Taylor, that in Liberian English
13 Sierra Leone is referred to as Freetown?

14 A. No, that's not true. Except you're telling that - then
15 who controlled Liberia? A bunch of idiots? It takes an
16 idiot like Marzah to talk this nonsense. The whole
17 educated population of Liberia, we talk about Liberian
18 English we mean street Freetown. That's his capacity, not
19 the rest of Liberia. The question itself is preposterous."

14:37:10 20 Mr Witness, in fact contrary to what Mr Taylor answered no,
21 the answer to the question which was, "Mr Taylor, in Liberian
22 English Sierra Leone is referred to as Freetown", in fact it is
23 often referred to - the country of Sierra Leone is often called
24 Freetown by the people of Liberia, correct?

14:37:34 25 A. Yes, I said. Maybe he had not heard that, but I usually
26 hear people call the whole of Sierra Leone "Freetown". Whenever
27 they were going to do business there, they will say, "I'm going
28 to Freetown, I'm going to buy goods there." Because we have
29 people who go in and out to do trade, because most of them do not

1 know perhaps about that. So they just take the name and give it
2 to the whole of Sierra Leone, but probably Mr Taylor had not
3 heard that before.

14:38:14 4 PRESIDING JUDGE: But, Mr Koumjian, to be fair to the
5 witness, and probably even to Mr Taylor, the proposal that you
6 are now putting to the witness and the answer he is giving
7 relates to what people generally say in Liberia in whatever
8 language. The question that was put to Mr Taylor was whether in
9 Liberian English Sierra Leone is referred to as Freetown. That
14:38:40 10 is the issue that Mr Taylor addressed.

11 MR KOUMJIAN: Exactly.

12 PRESIDING JUDGE: You see? But to me they are two
13 different things. For people to commonly refer to one place as
14 another is one thing. For a place to be called by a different
14:38:56 15 name in a given language is quite a different thing. And for me
16 I don't think that either the witness or Mr Taylor are talking
17 about the same thing, really, to be fair to this witness. I
18 don't see a contradiction there. It's just two parallels.

19 MR KOUMJIAN: I believe the record is clear and we can move
14:39:22 20 on:

21 Q. Mr Witness, you talked about something I want to ask you
22 about and that is at page - 26 March, page 38154. Just to go
23 back for one moment, sir, to what we were just talking about.
24 Mr Witness, do you believe that all those in Liberia who refer to
14:40:06 25 the country of Sierra Leone as Freetown are idiots?

26 MR ANYAH: Objection.

27 PRESIDING JUDGE: Mr Anyah.

28 MR ANYAH: Yes, it calls for the witness's personal opinion
29 about something and the witness of course can give that opinion,

1 but the form of the question meaning that the witness is now
2 called upon to discern whether the use of word "idiot", and I
3 think this is the implication, as used in Mr Taylor's evidence
4 appropriately reflects these categories of persons in Liberia,
14:40:50 5 it's improper. You are asking the witness to confirm an insult
6 essentially on the record. What is the relevance and what is the
7 purpose of such line of inquiry?

8 PRESIDING JUDGE: Mr Koumjian, we are still on this
9 question of what people in Liberia generally say or have we moved
14:41:10 10 away from that?

11 MR KOUMJIAN: No, it's clearly on the same topic and the
12 issue is is Mr Taylor fair when he said - commenting upon the
13 testimony of another witness - basically that only an idiot would
14 call the country of Sierra Leone "Freetown". This witness is
14:41:29 15 Liberian and I'm asking him based on all the people he knows who
16 he has been saying call Sierra Leone "Freetown", are they all
17 idiots?

18 PRESIDING JUDGE: You are asking this witness if he
19 believes.

14:41:51 20 MR KOUMJIAN: Your Honour, I'm happy to move on. I think
21 I'm spending more time than the point is worth. If we could have
22 the transcript, please, for 26 March, page 38154 displayed. I'm
23 going to read from the bottom three lines:

24 Q. This is what you said, sir, a few days ago. You were
14:42:22 25 talking about being at the border of Liberia in about December
26 2000 and you said:

27 "But as God could have it, there were some commanders or
28 some people among both groups, that is, the RUF and the NPP, who
29 were able to recognise each other. That stopped the attack

1 against each other."

2 Do you remember talking about that, that basically some RUF
3 and Liberian government soldiers almost started to fire at each
4 other but they recognised each other?

14:43:07 5 A. Yes, I said that.

6 Q. Mr Witness, how did they recognise each other?

7 A. Well, recognising each other in the sense that we had
8 Liberians within the RUF and there were also Liberian brothers
9 who were AFL in the NPP government. So when we got to the border
10 there were some of the soldiers of the NPP government or the AFL
11 and the RUF who knew one another. So from a distance they were
12 able to recognise one another. So that was how we all of us
13 joined to take up the operation together.

14 Q. Now, Mr Witness, first of all, do you recall the names of
14:44:05 15 any of those Liberian soldiers that were recognised?

16 A. Well --

17 Q. [Microphone not activated] because "Liberian" might be
18 ambiguous because there were Liberians in the RUF. I mean
19 soldiers on the side of the Liberian government. Can you recall
14:44:25 20 the names of any of those that were recognised?

21 A. Yes, I told you that someone like Joe Kwame, like I told
22 you, and we had a man, who is late now, his alias was Next to
23 God, and Next to God was recognised by Matthew Barbue because
24 they were of the same ethnic group. So those were some who
14:44:57 25 recognised one another.

26 Q. What ethnic group was that that Matthew Barbue was?

27 A. Matthew Barbue is a Gbandi.

28 Q. Now, Mr Witness, LURD forces were also Liberians, correct?

29 A. Yes, they were mixed.

1 Q. How - let's start with Joe Kwame. How did you recognise,
2 you RUF brothers, how did you recognise him as a brother of
3 yours, as someone that you shouldn't be fighting against?

4 A. The recognition I'm talking about here is that, as we were
14:45:49 5 moving towards a target and you see an opponent force coming, you
6 will recognise an enemy of yours and someone who is not enemy to
7 you, so that is very simple. Because the RUF and the AFL
8 soldiers who met, they were not common enemies to one another,
9 and the enemy that we were all looking for were the LURD and the
14:46:20 10 Kamajors. So if you saw a Kamajor coming towards you, the RUF,
11 then you'll be able to know that this is a Kamajor, and if the
12 AFL too saw a LURD soldier coming towards them, they will know
13 that this is LURD because they all had different appearances in
14 their dresses. Because like the Kamajors were using their
14:46:42 15 country clothes and you will see the kind of hats that they had
16 on their heads with the things that they carry, so you will be
17 able to know that these were Kamajors.

18 Q. Mr Witness, the LURD forces dressed just like the Liberian
19 forces. They generally were in T-shirts or combat pants,
14:47:04 20 perhaps. There was nothing to distinguish them from their dress
21 from the Liberian government forces, was there? That's how you
22 were able to approach LURD and pretend to be a member of them
23 later, correct?

24 A. I am telling you, yes, they are Liberians and they dress
14:47:30 25 like Liberians, but listen to the explanation I give to you. The
26 LURD forces were mixed with the Kamajors and we the RUF were
27 fighting against the Kamajors and the LURD forces and Kamajors
28 were together. So to meet these forces, if we had seen Kamajors
29 amongst them, we would have considered them enemies and attacked

1 them, but we did not see Kamajors amongst them. So you see.

2 Q. You said that Joe Kwame was, as you pronounced it,
3 recognised. Joe Kwame, was he recognised by RUF fighters because
4 they had mixed with him previously in perhaps Foya or someplace
14:48:10 5 like that?

6 A. Usually, yes, I can say that, because when the border was
7 open, people who were assigned at the border, they will go across
8 to the Liberian side and come back to Sierra Leone. So - and
9 those who were on the Liberian side, too, they will come back to
14:48:31 10 the Sierra Leone side and go back to Liberia. And I told you
11 that on that border they had interrelationships there, because a
12 family from Liberia will have a family on the Sierra Leone side.
13 And in Sierra Leone side too, they have families on the Foya
14 side, that is the Liberian side. They will go there and see
14:48:51 15 them.

16 Q. Thank you.

17 PRESIDING JUDGE: Mr Witness, I'm going to ask you to
18 testify slowly, okay? You've so far ignored any sign I give you.
19 When you are talking and I do this it means please slow down your
14:49:06 20 speed of talking. I don't need to talk all the time to tell
21 thank you to slow down.

22 THE WITNESS: Okay. Thank you, ma'am. I understand.

23 MR KOUMJIAN:

24 Q. Sir, I want to go back to the December 1998, January 1999 -
14:49:25 25 particularly January 1999 RUF operations, and I would ask that
26 the witness be shown P-149. Sir, we see that this document, just
27 to familiarise yourself with it a little bit, the title is
28 "Revolutionary United Front of Sierra Leone, RUF/SL, second INF
29 brigade headquarters, Bombali District, revolution intelligent

1 office" and there is a date "21/1/99". It's addressed to BFC
2 Brigadier IH Sesay from the overall intelligent officer commander
3 and Black Guard adjutant and it's entitled "a report". Then if
4 you turn the page - if you look at the second page, we see the
14:51:18 5 signatures. First we see Lieutenant Raymond Kartewu, Black Guard
6 adjutant. Did you know, sir, Raymond Kartewu?

7 A. I'm not familiar with that name.

8 Q. And then it is approved by major - it looks like Christ. A
9 Mannah, overall IO commander. Are you familiar with a
14:51:57 10 Major Mannah?

11 A. I'm not familiar with that name.

12 Q. It's addressed - again, going to the front, to the first
13 page - to the BFC, IH Sesay. That's Issa Sesay at this time in
14 January 1999, correct?

14:52:12 15 A. Yes, I am seeing the date.

16 Q. Issa Sesay was the BFC in January 1999, correct?

17 A. Yes.

18 Q. I'm going to read to you some of this report:

19 "Upon hearing the confirm report that the Strike Force
14:52:32 20 commander Brigadier Goodial entered Freetown with his troops,
21 Colonel Boston Flomo (alias Verndam) was instructed to meet with
22 him with his troops, date 05 January 1999. We launched a serious
23 attack on Masiaka around 5.55 in the morning. The enemies were
24 not able to withstand or confront us."

14:53:05 25 Now, sir, isn't it true, you've told us, that the RUF was
26 able to take Masiaka as part of this offensive in the beginning
27 of 1999? After taking Makeni, they moved on to Masiaka, correct?

28 A. Masiaka operation, yes, indeed, I heard that. But I told
29 you that I was not part of this particular operation, so I'm

1 unable to give any detailed information about this particular
2 mission. I was not on this particular mission, and I told you
3 that I was undergoing punishment. So I cannot give you any
4 information about this particular mission.

14:53:54 5 Q. Thank you, sir. I appreciate your being honest about what
6 you - that you weren't there and don't know everything. I recall
7 you were asked questions on direct examination about the invasion
8 of Freetown, so I want to just go over this document with you in
9 a bit more detail. We look at the date of 7 January. 7 January
14:54:19 10 1999, 0300 hours. "We launched attack on their position at
11 Peninsular Secondary School Waterloo." Did you hear, Mr Witness,
12 about an attack on Waterloo?

13 A. Yes, that was on BBC. I listened to that on the radio,
14 BBC.

14:54:44 15 Q. Let's go to 8 January, 1999:
16 "1300 hours, we attacked them again in the noon. 1500
17 hours, heavy and thick enemy convoy, left from Port Loko
18 bombarding whilst the alpha jet was flying over as special
19 escort."

14:55:05 20 Mr Witness, when the RUF refers to Alpha Jets that's
21 referring to the Nigerian jets that were your enemies, correct?

22 A. Yes. Yes.

23 Q. And the Alpha Jets were a serious problem for the RUF.
24 They were a difficult force to reckon with, correct?

14:55:32 25 A. Yes, you are correct.

26 Q. Sir, can you explain what a 448 is?

27 A. 4488?

28 Q. 448. Do you know that code?

29 A. Yes. 448, I recall at the time they had brokered a

1 ceasefire in Makeni when the jet bomber used to fly over coming,
2 they used to pass that message to us, that 448 is in the air. So
3 anywhere RUF members were at the time, you will find your way to
4 a hiding place.

14:56:14 5 Q. Thank you. Let's continue on that 8 January:

6 "1545 hours, the convoy including the deployed enemies that
7 were at Waterloo, evacuated Waterloo back towards Port Loko axes.
8 We embarrassed them and with the panic in them, because we tried
9 them everywhere they left behind some logistics, 120 millimetre
10 mortar gun, 40 barrel missile with some assorted rounds of AK
11 rounds, G3, GMG, calibre bombs, indeed the capturing of
12 surrendered soldiers is eminent also at Waterloo and more
13 Benguema. We do capture materials almost every day."

14 Then let's go to 9 January:

14:57:10 15 "9 January 99 we deployed at Hastings. We discovered
16 enemies at Jui and Kosso Town. Earlier on their number was not
17 much, from this said date on to now we every day attack the guys
18 but the air raid is desperate on and we attacked Jui and Kosso
19 Town, however the helicopter which landed every day at the point
20 had reinforced the enemies with both armament and manpower."

21 Then let's look at 15 January date on the next page:

22 "15 January 1999. It was agreed that the men in Freetown
23 and the men at our point were to do joint operations on Jui and
24 Kosso Town. The Freetown men scheduled to attack Jui and we to
25 attack Kosso Town. That night we attacked Kosso Town, clear the
26 enemies, but the Freetown men never turn up, therefore the
27 enemies with the support of the Alpha Jet drove us from Kosso
28 town.

29 18 January, the Guinean troops from Port Loko entered

1 vehemently at Waterloo with sporadic shelling and firing. In
2 fact two Alpha Jets escorted the troops consisting of five war
3 tanks, two armoured cars, one 40-barrel missile and series of AA
4 one barrel and twin barrels. They occupied Waterloo from that
14:58:46 5 evening on to the morning around 300."

6 Sir, when you told us that you had heard about attempts by
7 the RUF to get to Freetown where the AFRC leaders were with their
8 men with the other men, is this report consistent with what you
9 heard, that the RUF was trying to get to Freetown and was stopped
14:59:16 10 at Hastings?

11 A. Well, the information I got was that the RUF stopped at
12 Waterloo. It is only now that I am seeing that the RUF went to
13 Hastings and if you are talking about Hastings, I do not know
14 Freetown that much, I don't know the location of Hastings. If
14:59:35 15 you are talking about Waterloo, I know Waterloo close to
16 Freetown. I can tell you about Waterloo.

17 Q. I'm going to ask in a moment for the witness to be shown
18 P-28. I'm done with this document. Mr Witness, while that
19 document is being produced, I want to ask you a little bit about
15:00:06 20 pronunciations in Liberia. Is it correct that Liberians when
21 they pronounce words sometimes - and tell me if you don't
22 understand what I mean - do not pronounce the final consonant?
23 So a name like Joe Tate would sound like Joe Tay [phon]?

24 A. You mean what? Joe Tay? Are you talking about a name Joe
15:00:37 25 Tay?

26 Q. Sir, I'm really just talking about how Liberians pronounce
27 words. How common people in Liberia pronounce words. Is it
28 correct that Liberians often drop the pronunciation of
29 consonants? Do you know what a consonant is, sir?

1 A. Yes, I know. I know.

2 Q. At the end of a name. So for example, your name Vincent,
3 some Liberians it would sound more like Vincen [phon]. Isn't
4 that right?

15:01:12 5 A. Yes, you are correct. And that's almost how it has been
6 coming.

7 Q. Thank you. So if we could look at P-28. Sir, this is a
8 document, just to familiarise you with it a bit, it's entitled
9 "Operation order" dated 20 January 2001. It says:

15:02:04 10 "This is published for the information and guidance of all
11 concerned effective today's date. All revolutionary forces from
12 reaction force is here commanded by Brigadier General Mark Gwon."

13 Sir, did you know Mark Gwon?

14 A. I know Mark Gwon, yes.

15:02:30 15 Q. And would you describe him in 2001 as a member of the
16 Liberian army or the AFL?

17 A. Yes, Mark Gwon was a member of the AFL, yes.

18 Q. It then states: "All revolutionary brothers Dragon Forces
19 is here commanded by Major General Matthew Barbue." You know
15:02:58 20 Matthew Barbue, correct?

21 A. I know Matthew Barbue.

22 Q. And Matthew Barbue was a Liberian trained at Camp Naama and
23 Crab Hole with the RUF, correct?

24 A. Yes, you are correct.

15:03:18 25 Q. And let's talk for a quick moment about ranks. In Liberia,
26 you explained that you could have two ranks simultaneously. So
27 you, for example, were a captain in the SSS at the same time that
28 in the field you were a colonel, correct?

29 A. Yes, that was how it worked.

1 Q. Thank you. Now, this says:

2 "Operation order number 1, combat forces operation code No
3 Taking Side. Operation commander Major General Matthew Barbue,
4 deputy commander Brigadier General Mark Gwon."

15:04:03 5 Matthew Barbue was RUF and Mark Gwon had been former NPFL,
6 correct?

7 A. Yes, Mark Gwon was former NPFL, yes, and AFL.

8 Q. So we see on this operation an RUF commander being
9 deputised by an AFL commander, correct?

15:04:29 10 A. I'm seeing it.

11 Q. Then reading on: "Revolutionary brothers behind enemy
12 line, forces name Scorpion Unit is here commanded by Major
13 General Keita." Sir, the Scorpion was a symbol of the NPFL. It
14 was on their flag, correct?

15:04:57 15 A. I don't know what you are talking about.

16 Q. Do you know what the flag of the NPFL looked like?

17 A. No.

18 Q. Fair enough. And then it says, "Deputy commander Scorpion
19 Unit Brigadier General Alpha Omaiselaki." Do you know someone
15:05:19 20 named Alpha Omaiselaki?

21 A. No.

22 Q. "Chief of operations Colonel Abraham Jallah." Did you know
23 a Jallah in Liberia?

24 A. No.

15:05:37 25 Q. Then it says, "Inspector general for operations, Colonel
26 Joe Kwamin" with an N on the end. You talked about Joe Kwame.
27 You also told us that Liberians often drop the pronunciation of
28 the final consonant. Do you believe, sir, that this is the same
29 Joe Kwame that you talked about?

1 A. I know Joe Kwame, but the spelling of the name here, I
2 don't know if it's correct but I know Joe Kwame very well.

3 Q. Sir, let's go down to the signatures. Do you recognise the
4 signature of Issa Sesay?

15:06:31 5 A. Yes, I am seeing here General Issa Sesay and his signed
6 signature here.

7 Q. Have you seen the signature of General Yeaten, Benjamin
8 Yeaten?

9 A. Yes, I have seen Benjamin Yeaten's signature, yes.

15:06:52 10 Q. And perhaps my question wasn't clear. Other than looking
11 at this document, are you familiar with Benjamin Yeaten's
12 signature?

13 A. I know his signature, but the way I see this one, it looks
14 like someone was just circling, circling something, so.

15:07:20 15 Q. Sir, going up the page to number 3 in the same - you don't
16 have to move the document. Number 13, we see that Saah Quee is
17 crossed out for Operation Military Police and written in is
18 Colonel Mohamed Kamukai. Did you know Mohamed Kamukai?

19 A. Mohamed Kamukai? The Mohamed Kamukai name is sounding
15:07:55 20 strange to me.

21 Q. Thank you. I have finished with this document. When you
22 went on the operation to attack Gueckedou, the RUF was fighting
23 together with the AFL, correct?

24 A. Yes. That I told you, yes.

15:08:36 25 Q. And it's correct that you said that Issa Sesay instructed
26 Matthew Barbue that whatever plan comes from Joe Kwame, all of
27 you should work together to accomplish that. Correct?

28 A. Yes, I said that.

29 Q. I would like for the witness to be shown P-681. It's a

1 document used by the Defence. While that's being prepared,
2 Mr Witness, you said that when you left Sierra Leone and went to
3 Liberia in Vahun you saw Peanut Butter and Benjamin Yeaten,
4 correct?

15:09:31 5 A. Yes.

6 Q. Peanut Butter is Adolphus Dolo, is that correct, that's his
7 true name?

8 A. Yes, that's his real name, yes.

9 Q. You also saw there Zigzag Marzah in Vahun, correct?

15:09:46 10 A. Yes.

11 Q. And what was he doing in Vahun?

12 A. I saw Zigzag Marzah and at that time he was a bodyguard to
13 Benjamin Yeaten. That was the condition in which I saw him in
14 Vahun.

15:10:07 15 Q. My question was what was he doing? What did you see him
16 doing when you saw him?

17 A. Oh, that is what I'm saying. I saw him serving as
18 bodyguard to Benjamin Yeaten. He was serving as bodyguard.

19 Q. By the way, Mr Witness, did you follow the testimony of
20 Charles Taylor when he testified in this case?

15:10:27 21 A. No, not exactly.

22 Q. Well, how about - I understand you say "not exactly". What
23 do you mean by that?

24 A. No, what I mean by saying "not exactly" is that it was only
25 some times when we listen to radio that we would hear some things
26 and it would not be too long, it was only very brief and we did
27 not pick up everything. So that is why I'm saying not exactly.

15:10:50

28 MR KOU MJIAN: Excuse me, I see that the document I asked is
29 - I made a mistake in calling a number. I meant MFI-1. Instead

1 of P-68I, it should be MFI-1. It's my fault:

2 Q. Mr Witness, did you know John Jabati?

3 A. John Jabati, no.

15:12:05

4 Q. If we can just briefly display this MFI-1. The person you
5 identified as Matthew Barbue, take another look. That's not
6 Matthew Barbue, is it?

7 A. To me that person looks like Matthew Barbue, except if you
8 are telling me that he's not Matthew Barbue, but to me the face
9 looks like Matthew Barbue.

15:12:23

10 Q. It's an RUF by the name of John Jabati, isn't it? Do you
11 know that or you don't. You said you don't know John Jabati?

12 A. No.

13 Q. Do you recognise the location where the photograph was
14 taken?

15:12:44

15 A. I do not know this location. Not at all. Because it looks
16 like they are inside a house somewhere in a kitchen. Because I
17 can see something like where they normally have the kitchen sink,
18 but I don't know exactly, but that is how the place looks like.

15:13:20

19 Q. Thank you. I've finished with that document. You talked
20 about seeing Peanut Butter and Benjamin Yeaten in Vahun and
21 Zigzag Marzah. I would now like to read to you from testimony of
22 12 March 2008, page 5922. I'm going to start reading from the
23 bottom of page 5922. Sir, this is from the testimony of Zigzag
24 Marzah. He testified:

15:14:27

25 "You see, in Kammantahun I was based in Vahun and later
26 when Superman, Abu Keita, that was when Ben sent for them in
27 Vahun and he said that the forces that were in Kolahun, to go
28 through their defensive was very difficult. So he said I should
29 go and base at Kammantahun. So I left Vahun and I went to base

1 in Kammantahun to face Popolahun. That was where Superman, Abu
2 Keita, went to me and then we left and went to battle against the
3 LURD in Popolahun, but to my surprise there was one Peanut
4 Butter, commonly known as Adolphus Dolo. Ben left Vahun on that
15:15:21 5 very day we went to attack Popolahun. Peanut Butter take the
6 route from Popolahun to enter. I took the straight line with
7 those men for us to enter, but on our return I left Peanut Butter
8 and others behind and I went ahead because most of the Gissi and
9 the Gbani were used to me and the women then I had was a Gbani
15:15:50 10 and Gissi, so most times they used to take their rescues at my CP
11 and I was hunting for my wife's family from Kolahun. So, most of
12 these civilians will always come to my CP and if I had anything,
13 I used to share with them. So Ben went there along with his
14 bodyguards and they started executing the people at our rear."

15:16:17 15 Then there's some interruption for interpretation, and the
16 witness goes on:

17 "So, when I was based in Kammantahun, most of the Gbandi
18 and the Foya always sought refuge at my CP because I married
19 someone from among them, one of their daughters. So when we
15:16:39 20 left, Abu Keita, Superman, when we left and went to attack
21 Popolahun to break their defences, we went there at two different
22 times. Ben started asking me, 'How is Superman's operation?' I
23 said, 'Oh, Chief, Superman, actually he is fighting well. I have
24 not seen any problem with him. Today at the battle we were at
15:16:58 25 the main road and I have not seen any strange things with him.'
26 And he said, 'Be careful.' The third day Ben went there. He
27 went behind us at Kammantahun. He - over 80 or more people, he
28 started executing all of them. Some of them he did not execute
29 with a knife or with a gun. He took rusty iron steel rod from

1 broken houses. He passed it through their stomach and it came
2 out from the other end, from their bellies, from this end to the
3 other end. Sometimes he will line up four/five human beings and
4 they will hit them with the stick on their heads. So, I left - I
15:17:38 5 was at the front line when I heard."

6 Mr Witness, you confirm that both Benjamin Yeaten and
7 Adolphus Dolo were in Vahun fighting LURD, correct?

8 A. Yes, that is what I told you, but this statement here is
9 completely incorrect.

15:18:07 10 Please, I want to ease myself. Let me go first, and when I
11 come back, then we will continue from there, please.

12 PRESIDING JUDGE: Madam Court Attendant, kindly show the
13 witness out.

14 [Witness leaves courtroom]

15:21:15 15 [Witness returns to courtroom]

16 THE WITNESS: Thank you.

17 MR KOUMJIAN:

18 Q. Sir, you testified that when you returned to Liberia you
19 were put in command of up to 200 men; is that correct?

15:21:47 20 A. Yes.

21 Q. And in the AFL you were given the rank of colonel, correct?

22 A. Yes.

23 Q. Which was - colonel was the highest rank you had achieved
24 in the RUF also, correct?

15:22:06 25 A. Yes.

26 Q. And how was it, sir, that you come to Liberia in 2001,
27 almost ten years after leaving, and you were given a rank of
28 colonel in the Liberian army? Who made that decision?

29 A. Well, I told you that that command structure was just at

1 the front line and it was a period of war when I got there, and
2 in that they wanted me to stay there and not for me to go. That
3 was how I was recommended for me to be given that role to stay in
4 Vahun and to undertake the operations against the LURD forces.

15:23:00 5 Q. You not only were given this significant rank of colonel in
6 the AFL, but I think you said in 2002 you were made a part of the
7 SSS, correct?

8 A. Yes, I became part of the SSS when I had an accident - a
9 car accident and I got my right arm fractured. The bone end got
15:23:30 10 cracked and I went to town. And after getting treatment, I
11 actually did not want to come back. So they only did that to
12 encourage me so that I would come back to the front line.

13 Q. Mr Witness, would you agree that the SSS, whose
14 responsibility included protection of the President,
15:23:54 15 President Taylor, that those who were admitted to the SSS had to
16 be among the most trusted soldiers in Liberia?

17 A. Well, say that again. I know, yes, it is true that the SSS
18 were there to protect the President. That is true. But the last
19 part of your question I did not understand.

15:24:19 20 Q. Thank you. Those who were admitted into this unit that
21 protected the President were the people that were most trusted;
22 would you agree with that?

23 A. You mean the SS who were put into the AFL? Is that what
24 you mean?

15:24:44 25 Q. No, I mean anyone who got into the SSS. In order to be
26 admitted into the SSS, you had to be trusted; would you agree?

27 A. Oh, yes. Yes.

28 Q. And what was it about you, who had been away from Liberia
29 for ten years fighting with the RUF, that caused Benjamin Yeaten

1 or whoever made the decision to believe that you were so
2 trustworthy?

3 A. Well, when someone is trusted, you as an individual or a
4 human being, you'll look at the person and you see how that
15:25:37 5 person operates with you and you will get the confidence that
6 this person can be trusted and therefore I can put him to this or
7 that position. That was how it happened. And it was after I had
8 the accident when I went --

9 THE INTERPRETER: Your Honours, could the witness be asked
15:25:57 10 to slow down.

11 PRESIDING JUDGE: Mr Witness, the interpreter can't keep up
12 with you. Please slow down and repeat from where you said "and
13 it was after the accident". Continue from there.

14 THE WITNESS: I said it was after the accident that I had
15:26:15 15 when I went to Monrovia and I undertook treatment, that was when
16 I was given the appointment in the SSS. I was enlisted in the
17 SSS.

18 MR KOUJIAN: Could the witness please be shown document
19 D-186:

15:27:09 20 Q. Mr Witness, it is your testimony that you left Sierra Leone
21 in '91 and never came back until 2001; that Benjamin Yeaten
22 couldn't have known you during those ten years, correct?

23 A. No, he was not going to know me anyway.

24 Q. And --

15:27:30 25 JUDGE DOHERTY: Mr Koumjian, are you sure it's he left
26 Sierra Leone in '91?

27 MR KOUJIAN: Sorry if I said that:

28 Q. You left for Sierra Leone - to Sierra Leone in 1991.

29 A. Yes, maybe.

1 Q. Thank you. Sir, and you've also told us, when you were
2 returned to Liberia, as we've just gone through, you were not
3 arrested. You were put into the army as a colonel, correct?

4 A. Yes.

15:27:58 5 Q. I would like to go over with you this letter. It's a
6 Defence document in this case. It's a letter from Charles Taylor
7 to the President of Sierra Leone, Tejan Kabbah. We see it is
8 dated February 22, 1999. I'll just read the first sentence:

9 "I present my compliments and, in consideration of our
15:28:36 10 mutual desire to find a common and personal (sic) solution to the
11 problems besetting the peace and security in our sub-region,
12 hasten to seize this opportunity to bring to your urgent
13 attention the 1986 Non-Aggression and Security Cooperation Treaty
14 between the member states of the Mano River Union which, inter
15:29:05 15 alia, obliges them in principle and substance to be their
16 brother's keeper and to cooperate in mutual security interest of
17 each other."

18 Mr Witness, before I go on, Tejan Kabbah was the President
19 that you and the RUF were fighting to unseat from the time of his
15:29:31 20 election in 1996 until you left Liberia. Would you agree with
21 that - excuse me, left Sierra Leone.

22 A. Yes.

23 Q. I'm going to go to the third paragraph. President Taylor
24 writes:

15:29:53 25 "According to Article IX, the establishment of a Joint
26 Security Liaison Committee consisting of three representatives
27 from each high contracting party, shall have the responsibility
28 to liaise on the subject of fugitive criminals, dissidents as
29 well as subversive activities of citizens of their respective

1 countries in the territory of each other, exchange information,
2 investigate reports affecting the security of the high
3 contracting parties with a view to maintaining the desired
4 peaceful coexistence."

15:30:42 5 Mr Witness, from 1991 until 2000, you were a Liberian
6 citizen in Sierra Leone supporting an armed insurrection against
7 the Government of Sierra Leone, correct?

8 A. I was a Liberian in Sierra Leone, but I went there because
9 someone who was a citizen and who held a higher position took me
15:31:14 10 there. I did not go on my own. He took me there. If it was
11 just up to me, I had no business in Sierra Leone.

12 Q. Sir, the group you went with that you were a member of
13 until 2000, the RUF, its goal was to replace the government and
14 to take power in Sierra Leone, correct? That was the revolution
15:31:40 15 of Foday Sankoh, correct?

16 A. Yes, you are correct.

17 Q. This is what President - we see it's signed. This is a
18 Defence exhibit, it's not signed but we see the signature line
19 Dankpannah Dr Charles Ghankay Taylor what he writes on the second
15:32:03 20 page in the second full paragraph, what he told President Kabbah
21 is:

22 "Moreover, my government is prepared to act immediately to
23 arrest and keep in custody, pending prosecution or extradition,
24 any and all persons or dissidents found in violation of the
15:32:22 25 non-aggression and security cooperation treaty and of the penal
26 code of Liberia relative to mercenaries."

27 Mr Witness, you were not arrested by any of Charles
28 Taylor's forces, were you?

29 A. No, I was not arrested.

1 Q. You knew that there were many other former RUF, both
2 Liberian and Sierra Leone, in Liberia. You met them there. You
3 saw them there. Correct?

4 A. Yes, but I told you not Liberians now but the boys who were
15:33:03 5 with Superman. Like I told you, I saw some of them there. And
6 some of the boys with Morrison Kallon, I saw them of them there
7 like this Martin boy. Most of them were with Morris Kallon.

8 Q. In February 1999 when Charles Taylor wrote this letter the
9 RUF had offices in Monrovia provided by Charles Taylor, isn't
15:33:28 10 that true?

11 A. Say that again, please.

12 Q. Mr Witness, were you made aware that Charles Taylor
13 provided what they called a guesthouse, offices with
14 communication equipment and a place to stay, for the RUF in
15:33:47 15 Monrovia in 1998?

16 A. Yes, I know that he provided a guesthouse during the
17 administration of Mosquito, Sam Bockarie. I believe that, yes.

18 Q. And he didn't in fact close that guesthouse until Sam
19 Bockarie was officially expelled by the Government of Liberia to
15:34:18 20 the Ivory Coast. I believe it was - well, it was certainly after
21 2001. Correct?

22 A. As a matter of fact, when I got to Liberia, Sam Bockarie
23 was not there and it was Superman who was there at that time that
24 I went there, so --

15:34:45 25 Q. Sorry, go ahead. Did you finish, sir?

26 A. Yes, I'm finished.

27 Q. And Superman was one of the top military commanders of the
28 RUF and in fact a Liberian citizen, correct?

29 A. Yes.

1 Q. When Foday Sankoh was arrested following the May 8 incident
2 in Freetown, Superman became the effective number two of the RUF,
3 second to Issa Sesay, correct?

4 A. I never knew that Superman ever became second to Issa
15:35:25 5 Sesay. The person that I knew became second to Issa Sesay was
6 Morrison Kallon, but not Superman. Maybe it happened, but I
7 don't know.

8 Q. So, Mr Witness, in this letter to President Kabbah, when
9 Charles Taylor promised to act immediately to arrest and keep in
15:35:49 10 custody these dissidents from Sierra Leone which was a member of
11 that treaty, or any of the other member countries, that was a
12 promise he didn't keep, correct?

13 A. Yes, according to the document, the promise was not kept
14 because I have seen the document here.

15:36:14 15 Q. Thank you. I am done with this document. Mr Witness, I
16 want to ask you a bit about your assignment with the SSS. You
17 said you were given an assignment and then sent back to the front
18 line, but you did not tell the men that you were commanding that
19 you were SSS. Is that correct?

15:36:38 20 A. No, I did not tell him because the reason here was that I
21 had an accident and I went to town. You see, the SSS is an area
22 wherein anybody in Liberia, be you a military personnel or any
23 other person, would want to be there. Because it was a unit that
24 took care of the President and his other officials. So everybody
15:37:12 25 wanted to be in there. So if you were on the front line and you
26 go there and get that appointment and then when you come back to
27 the front line you declare to them that you are an SS personnel,
28 you'll be putting yourself in jeopardy because it was an
29 appointment that everyone - everybody was jealous over. So if

1 you went and did that, you might be harmed by anybody who wanted
2 to go there and they could not go there but now you are there.
3 So when I came back, that was the reason why I did not tell them
4 that. So I operated with them as AFL. So when I go to Monrovia
15:37:51 5 I'm SSS. When I come to the front line I'm AFL. I wouldn't tell
6 them that.

7 Q. One of the reasons people would be jealous was because the
8 SSS was much better paid than the AFL, correct?

9 A. Yes, in a way.

15:38:08 10 Q. Did you get paid when you were a member of the AFL?

11 A. When I was member of the AFL I was hardly paid because
12 there was no money at that time.

13 Q. Were you paid anything when you were a member of the AFL?

14 A. Well, I cannot call that pay because it was during war. So
15:38:34 15 we were just given things like compensation for us to be
16 courageous in running the mission.

17 Q. Please explain what you mean.

18 A. I said not that it was a real pay. It was something like
19 compensation to encourage us at the front line so that the
15:38:56 20 mission gets over.

21 Q. Did you receive any Liberian dollars as an AFL member?

22 A. Yes.

23 Q. Would you get a certain amount per month?

24 A. At times I received 2,000 or 3,000, you know, it was not
15:39:20 25 specific.

26 Q. And at that time was the exchange rate between Liberian
27 dollars and US dollars about 50 to 1?

28 A. At times it will go up. At times it will come to 45, at
29 times 50. So let's just say that was how it was at that time.

1 It was not fixed.

2 Q. When you were a member of the SSS, how did you get paid?

3 A. You mean the way I used to get my pay? When I went to town
4 I will get my pay there, but my pay never used to come to the
15:40:07 5 front line.

6 Q. How did you get paid when you were a member of the SSS?

7 Who gave you the money?

8 A. We had a paymaster who will go to the Mansion Ground and
9 that was where we used to get our salary. So if you are on the

15:40:30 10 front line, you stay on front line for two or three months, they
11 will keep your salary for up to that time and when you come
12 you'll go to the Mansion Ground and you will receive it. The
13 paymaster used to go to the Mansion Ground and there we'll
14 receive our pay.

15:40:45 15 Q. Do you know who at the master ground would hand out the
16 money? Excuse me, the Mansion Ground. First to be clear, you
17 mean the Executive Mansion Ground, correct?

18 A. Yes, the Executive Mansion Ground. Yes, you are correct.

19 Q. Do you know who used to hand out the money at the Executive
15:41:09 20 Mansion Ground?

21 A. There was a young man who was working at the Ministry of
22 Finance called Victor. He used to take the salary to the Mansion
23 Ground and pay us there. Not that they used to give the money to
24 someone who works at the Mansion Ground. He was only guarded by
15:41:29 25 officers at the Mansion Ground while he was paying. That is what
26 I mean.

27 Q. Did you ever receive money from Kadiatu Diarra?

28 A. No? Kadiatu, no. Kadiatu was the paymaster for the ATU.

29 Q. Did you know of any other SSS who received money from

1 Kadiatu?

2 A. No, not to my knowledge.

3 Q. Sir, the SSS also had an intelligence function, correct?

15:42:14

4 A. When you talk about intelligence function, what do you
5 mean, please?

6 Q. Well, what I mean is it had an intelligence branch that was
7 part of the SSS that was responsible for obtaining information,
8 correct?

9 A. Yes.

15:42:29

10 Q. And one of the ways the SSS did that was by putting people
11 into different units where they weren't - where they were
12 undercover. People didn't know that they were SSS and they would
13 report to Benjamin Yeaten or to their bosses in the intelligence
14 section, correct?

15:42:50

15 A. Yes.

16 Q. In the RUF, there was a somewhat similar system that people
17 like Sam Bockarie and Issa Sesay would send bodyguards or others
18 into other people's units like Superman's to report back to them
19 on what was going on, correct?

15:43:09

20 A. Yes. Yes, those were intelligence officers, yes. Mostly
21 you had what they called - I don't know - the IDU or the IO.
22 They were intelligence officers who were on the front line.

23 Q. Sir, when you were sent from the SSS back to a front line
24 unit, was part of your responsibility to report to Benjamin
15:43:39 25 Yeaten or someone else in the SSS at the headquarters about what
26 was going on at the front line?

27 A. All I had to do at that time was - my report was going
28 directly to Benjamin Yeaten. I had no other person to take my
29 report to at the Executive Mansion, no.

1 Q. I'm just reviewing my notes. I think, other than a closed
2 session, I don't believe I have anything else. Excuse me, I do.
3 I would like the witness to look at some photographs. Could the
4 witness be shown P-153A, B and C. We have provided fresh copies
15:44:58 5 to Court Management if the witness needs to mark them, but I'm
6 not sure that will be necessary. I think in the interests of
7 time I will try to avoid that.

8 PRESIDING JUDGE: Mr Koumjian, what we have on the overhead
9 now is 153A.

15:45:47 10 MR KOUMJIAN: Yes:

11 Q. Sir, do you recognise anyone in this photograph?

12 A. I recognise, but the person's face is turned, but when I
13 look at the person, it's like Benjamin Yeaten and at the back it
14 looks like Daniel Tamba, that is, Jungle.

15:46:14 15 Q. Thank you very much. Let's go to the second photograph.

16 PRESIDING JUDGE: Mr Koumjian, what is he referring to?
17 How many people have their heads turned in this photograph?

18 MR KOUMJIAN: Let's go back:

19 Q. Mr Witness, the person you recognise as Benjamin Yeaten, is
15:46:29 20 that the person in the foreground, in the front of the photograph
21 with a weapon in his hand wearing a red shirt with a vest over
22 top?

23 A. Yes, I said the face is turned, but he appears like
24 Benjamin Yeaten. The man with the red T-shirt, the arm and the
15:46:52 25 army suspender on him.

26 Q. Behind him, looking at the photograph to the left of his
27 helmet, there's a person in a blue shirt with a vest facing the
28 camera. Is that the person you recognise as Daniel Tamba,
29 Jungle?

1 A. Yes.

2 Q. Thank you. Let's go to B. Sir, do you recognise anyone in
3 this photograph?

4 A. I recognise Daniel Tamba.

15:47:33 5 Q. And is he the person in the centre in the blue African --

6 A. With the blue long gown.

7 Q. Thank you. Do you recognise the man in white?

8 A. No.

9 Q. Thank you. If we could show you C then, please. Do you
15:48:03 10 recognise the man depicted in this photograph?

11 A. No, not at all.

12 Q. Thank you. Now, there's some photographs in the documents
13 that were distributed. There's a couple of photographs I would
14 like to show the witness. First behind tab 8. I realise the
15:49:33 15 quality is not very good, but, sir, do you recognise any of the
16 people on or around this vehicle?

17 A. No, no, not at all. The whole photo is blurred. It's
18 dark, so I can't make out anybody there.

19 Q. Does this appear to you to be a pick-up truck with a gun
15:49:54 20 mounted in the back?

21 A. Yes, that is how it looks like.

22 Q. Would you call --

23 PRESIDING JUDGE: Mr Koumjian, would it be better if the
24 witness actually looked at the photo instead of the screen?

15:50:08 25 Mr Witness, kindly move to the photograph itself. Let the
26 witness move to the overhead.

27 MR KOUMJIAN:

28 Q. Sir, is the gun that you see in the back of the pick-up
29 truck, is this something that would be called a BZT?

1 A. Yes, BZT. Yes, BZT, yes.

2 Q. Do you see Nyalay in this photograph?

3 A. I can't make up anyone on this photograph.

4 Q. If the witness - keep your seat - could be shown the
15:51:15 5 document behind tab 10 - tab 9, the last document.

6 Your Honour, while that's being done, perhaps the
7 photograph - the witness did not recognise anyone, but the
8 photograph of the vehicle with what appeared to be a BZT gun, the
9 witness recognised it, if that could be given an MFI number.

10 PRESIDING JUDGE: The photograph with the ERN number
15:52:14 11 P0000673 is marked MFI-5.

12 MR KOU MJIAN:

13 Q. Sir, in this next document there's a series of photographs,
14 but I want to just look at the one - I'm going to ask you about
15:52:44 15 the one on the top left that shows three individuals standing.
16 Do you recognise those three individuals or any of them?

17 A. Well, I recognise Mr Sankoh.

18 Q. Did you know Jack the Rebel in Liberia?

19 A. No.

15:53:19 20 MR KOU MJIAN: Thank you. I don't need to have that marked.

21 PRESIDING JUDGE: Mr Koumjian, when the witness says, "I
22 recognise Mr Sankoh amongst three people," what does that mean?

23 THE WITNESS: Yes, can I --

24 PRESIDING JUDGE: [Microphone not activated] the point.
15:53:41 25 You didn't ask him to describe.

26 MR KOU MJIAN: No, I didn't think there was an issue:

27 Q. Sir, which one - point to which one is Foday Sankoh.

28 A. This is Mr Sankoh in the middle.

29 MR KOU MJIAN: Thank you. And the rest of my

1 cross-examination, your Honours, I need to do in private session.

2 PRESIDING JUDGE: The reason being, for the record.

3 MR KOUMJIAN: Yes. This is to deal with matters the
4 Defence raised in the private session direct examination and the

15:54:20 5 portion of the direct examination that was in private session.

6 PRESIDING JUDGE: For the protection of --

7 MR KOUMJIAN: Now that your Honour has directed my
8 attention to that, perhaps there's a bit of it I can do out - in
9 open session before we go into closed. But when I do go into

15:54:36 10 closed, it will be for the same reasons the Defence gave, for the
11 protection of other witnesses - other persons:

12 Q. Sir, we're still in open session. How did you come, sir,
13 to be a witness for the Defence? How were you first contacted?

14 A. Well, I became a witness because I was home one day when I

15:55:26 15 started listening to - the first person's statement that I
16 actually heard over the radio was Alice Pyne. So I was home when
17 I listened to her, and from there, there was another general from
18 Liberia, a former Mandingo ethnic group. He testified. And the
19 next I heard was Abu Keita.

15:55:53 20 So from there I met one of our brothers, Sam Kolleh, and I
21 told him that, "Oh, people are going there to say things that you
22 and I know that things different, so it would be good that we
23 find means to get connected with the team that is doing that."

24 So, fortunately for me, it was at first Sam Kolleh. I don't know
15:56:28 25 how he did it, but he directed me to meet one of our brothers
26 right around the Sinkor area there by the name of --

27 THE INTERPRETER: Your Honours, could the witness be asked
28 to repeat the name of that person.

29 PRESIDING JUDGE: Pause, Mr Witness. Could you repeat the

1 name of the person that you named - the person or an area.

2 Something area.

3 THE WITNESS: I said around the Sinkor area.

4 MR KOUMJIAN:

15:57:02 5 Q. Sir, you said you met a brother there. Who was that?

6 A. Gus. Gus. His name is spelled G-U-S. So that was how I
7 came to get in contact with the Defence team.

8 Q. Who is Gus?

9 A. Gus works with the Defence team in Monrovia.

15:57:31 10 Q. What nationality is he?

11 A. Gus is a Liberian.

12 Q. You don't recall his last name?

13 A. No. No, that is the only name I know.

14 Q. Where did you meet Gus?

15:57:50 15 A. I met Gus when Sam Kolleh directed me to Sinkor and I went
16 there. It was in that same Sinkor area.

17 Q. Was it an office?

18 A. No. I at first met him at his house.

19 Q. When was this? Can you tell us what the - what year it
15:58:18 20 was, what month it was?

21 A. It was around the month of April 2009.

22 Q. Now, you said that the first testimony you heard was
23 Alice Pyne, and then you said you heard a former ULIMO general.
24 Was that Varmuyan Sherif that you heard second?

15:58:44 25 A. Yes. Yes, Varmuyan Sherif, yes. And from that I also
26 heard Abu Keita.

27 Q. So you first heard Alice Pyne, then Varmuyan Sherif, then
28 Abu Keita, and then you talked to Sam Kolleh. Is that the
29 correct order?

1 A. Yes, that was what I did.

2 Q. Now, after you met Gus at Gus's house, what happened next?

3 A. Gus made me understand that a team will be going to
4 Monrovia. So the next person I got to know apart from Gus was a
15:59:27 5 Sierra Leonean brother called AB. It is just the AB name that I
6 know. He too lives right around the Sinkor area there.

7 Q. Where did you meet AB? At his house also?

8 A. Yes, I met AB at his house and from there we were taken to
9 where - how do they call the place? We went to the place where
15:59:56 10 Silas and Logan were lodged. That was where we were --

11 Q. You don't have to name --

12 A. Okay, okay.

13 Q. So you went to meet certain lawyers that worked for the
14 Defence that you know as Silas and Logan. Is that correct?

16:00:10 15 A. Yes. Yes.

16 Q. And that was in Monrovia?

17 A. Yes. Yes.

18 Q. Did they take a statement from you?

19 A. Yes. Yes.

16:00:20 20 Q. Only answer my question. Don't go any further. Did you
21 bring anything with you when you went to see Silas and Logan?
22 Just say yes or no.

23 A. Bring something like what?

24 MR KOUNJIAN: I think I'll do the rest in private session,
16:00:42 25 your Honours. For the reasons previously stated, I believe it to
26 be necessary.

27 PRESIDING JUDGE: For the members of the public watching
28 the proceedings, we need to go into a brief private session
29 whereby you'll not be able to hear what is going on in Court but

1 you'll be able to see, to look into the well of the Court. This
2 is for the protection of other witnesses who have testified here
3 without their identity being disclosed. And so we need to
4 continue protecting their identity because the questions being
16:01:21 5 asked of this witness may well disclose those persons'
6 identities. So, Madam Court Officer, please arrange a private
7 session.

8 [At this point in the proceedings, a portion of
9 the transcript, pages 38458 to 38471, was
10 extracted and sealed under separate cover, as
11 the proceeding was heard in private session.]

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1 [Open session]

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

3 PRESIDING JUDGE: Mr Witness, we've come to the end of the
4 day but we still require your presence tomorrow to continue your
16:32:01 5 testimony. Unfortunately we've not been able to conclude it as
6 we thought we would. So just to remind you of the standing order
7 of the Court that you are not to discuss your testimony. We will
8 adjourn to tomorrow at 9.30.

9 [Whereupon the hearing adjourned at 4.32 p.m.
16:32:20 10 to be reconvened on Thursday, 1 April 2010 at
11 9.30 a.m.]

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I N D E X

WITNESSES FOR THE DEFENCE:

DCT-215	38340
CROSS-EXAMINATION BY MR KOUMJIAN	38340