



Case No. SCSL-2003-01-T

THE PROSECUTOR OF
THE SPECIAL COURT
V.
CHARLES GHANKAY TAYLOR

WEDNESDAY, 14 APRIL 2010
9.28 A.M.
TRIAL

TRIAL CHAMBER II

Before the Judges:

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

For Chambers:

Mr Artur Appazov

For the Registry:

Ms Rachel Irura
Ms Zainab Fofanah

For the Prosecution:

Ms Brenda J Hollis
Mr Nicholas Koumjian
Ms Maja Dimitrova

For the accused Charles Ghankay
Taylor:

Mr Courtenay Griffiths QC
Mr Terry Munyard
Ms Logan Hambriek

1 Wednesday, 14 April 2010

2 [Open session]

3 [The accused present]

4 [Upon commencing at 9.28 a.m.]

09:29:11 5 PRESIDING JUDGE: Good morning. We'll take appearances
6 first, please.

7 MR KOUMJIAN: Good morning, Madam President. Good morning
8 your Honours and counsel opposite. For the Prosecution this
9 morning, Brenda J Hollis, Maja Dimitrova, and Nicolas Koumjian.

09:29:32 10 MR GRIFFITHS: Good morning, Madam President, your Honours,
11 counsel opposite. For the Defence today, myself, Courtenay
12 Griffiths, and with me Mr Terry Munyard of counsel.

13 PRESIDING JUDGE: Thank you. There are no preliminary
14 matters. So good morning, Mr Fayia.

09:29:54 15 THE WITNESS: Good morning, your Honour.

16 PRESIDING JUDGE: This morning you continue with your
17 testimony. I would just like to remind you that you took an oath
18 yesterday to tell the truth and you are still bound by that oath.
19 Do you follow?

09:30:08 20 Mr Griffiths, please continue.

21 WITNESS: DCT-306 [On former oath]

22 EXAMINATION-IN-CHIEF BY MR GRIFFITHS: [Cont'd]

23 Q. Mr Fayia, yesterday when we adjourned for the evening you
24 had been telling us about two events in 1992. First of all, an
09:30:25 25 event which bears the title Top 20 and, secondly, an event which
26 bears the title Top 40. Do you recall that?

27 A. Yes, I do.

28 Q. Now, just to recap, Top 20 occurred in or about
29 February/March 1992. Is that right?

1 A. Yes, counsel.

2 Q. And Top 40 occurred in what month in 1992?

3 A. In May 1992.

09:31:10

4 Q. Now, you helpfully told us that in both those incidents,
5 Sierra Leonean members of the RUF were attacked by Liberian
6 members of the RUF. Is that right?

7 A. Yes, counsel.

8 Q. Now, was Top 40 - did that bring an end to this internal
9 conflict?

09:31:30

10 A. Repeat that again.

11 Q. Did Top 40 bring an end to that conflict?

12 A. Top 40 did not bring an end to it at all.

13 Q. So what happened thereafter?

09:31:57

14 A. After the Top 40, we, the civilians, sent a message to
15 Foday Sankoh in Gbarnga telling him that our people are dying and
16 that he may lose our support if he did not come back quickly. He
17 came back, he and Mr Tengbeh came back. He was given the report
18 that was on the ground by us. Then he reported the matter to
19 Mr Taylor, according to him - according to Foday Sankoh. Then
20 Mr Taylor instructed some of his commanders, one Dopoe --

09:32:42

21 Q. Dopoe?

22 A. -- Menkarzon to go into the RUF-held territory in Sierra
23 Leone to make sure that every Liberian that did not belong to the
24 RUF would come back to Liberia. Because, as I said yesterday,
25 there were some stray soldiers that were neither RUF nor NPFL who
26 were among these killers. Then he, Foday Sankoh himself, he told
27 all the RUF Liberians who were not prepared to continue with us
28 to leave. Dopoe Menkarzon came. He came with a truck and some
29 other foot soldiers to carry all the non-RUF Liberians back to

09:33:20

1 Liberia.

2 Then the RUF Liberians who were also in this business of
3 the Top 20 and who decided to stay, like I mentioned yesterday,
4 Isaac Mongru, he decided to stay after appealing to Foday Sankoh
09:34:51 5 that he will never do that kind thing again. But a man like Jim
6 Carway - Jim Carway left. There was a Jim Carway who was a
7 vanguard too. He was an RUF vanguard.

8 Q. Could you spell his name for us, please?

9 A. Normally the Liberians call James Jim, so it is James - I
09:35:13 10 mean James, James Carway.

11 Q. How do you spell the surname?

12 A. Oh, my goodness. I never saw it - that name spelt
13 anywhere. I just used to hear. So I was writing it C-A-R-W-A-Y,
14 Carway, so that I just pronounce it the way they are pronouncing
09:35:39 15 it too.

16 Q. Very well. That's helpful. So if you could continue with
17 your account now, please. So people like him stayed along with
18 Isaac Mongor --

19 A. No, Jim Carway left.

09:35:50 20 Q. He left?

21 A. Yes. Jim Carway, he left. He was not allowed even to
22 stay. He left. So when Dopoe Menkarzon completed his mission,
23 the place became quiet, and that was in fact what we were
24 referring to as the Top Final. The forceful eviction of the
09:36:11 25 non-Liberians who were on our territory there in Sierra Leone was
26 referred to as the Top Final.

27 Q. Now, before I come to ask you about some more details,
28 could you help us with a date - a rough date for when this event
29 called Top 40 took place?

1 A. Top Final took place between June and July.

2 Q. Of which year?

3 A. 1992.

09:36:48

4 PRESIDING JUDGE: And, Mr Witness, you said the forceful
5 eviction of who?

6 THE WITNESS: Of non-Liberians.

7 PRESIDING JUDGE: Thank you.

8 THE WITNESS: Sorry, of non-Sierra Leoneans who were on the
9 Sierra Leone territory. Non-Sierra Leoneans.

09:37:06

10 MR GRIFFITHS:

11 Q. Now, there are one or two details that I would like you to
12 help us with. Now, first of all, when Foday Sankoh was in
13 Liberia in 1992 up until May with Mr Tengbeh, did the RUF in
14 Sierra Leone have any means of communicating with him?

09:37:35

15 A. Yes, they did.

16 Q. What means was that?

17 A. The field radio. They had a radio.

18 Q. So when Top 20 and Top 40 occurred, was Foday Sankoh
19 informed about those events?

09:37:50

20 A. We were in the bush and most of the Sierra Leonean RUF
21 leaders, the combatants, were also in the bush. So I don't know
22 how he was getting - I don't know how he was getting information
23 from us.

24 Q. So can you help us as to whether or not Foday Sankoh was
09:38:09 25 informed about those two events, Top 20 and Top 40?

26 A. Before they could start?

27 Q. No, no.

28 A. When they were going on?

29 Q. When they were going on.

1 A. I'm not sure he was officially informed because I cannot be
2 - I'm not sure he was officially informed.

3 Q. So when in due course it was decided to let him know that
4 he might lose the support of the Sierra Leoneans were he not to
09:38:41 5 return, how was that message communicated to him?

6 A. That message was sent to him through the same field radio.
7 We had some sympathisers. Some were still sympathising with the
8 Sierra Leonean RUF like Nya. There was one fellow called Nya.
9 N-Y-A. Nya was the one who sent the message to Mr Sankoh to say
09:39:14 10 that, in fact, that kind of thing was going on.

11 Q. Now, you've told us that Dope Menkarzon was sent to remove
12 every Liberian not attached to the RUF and the NPFL. Is that
13 right? Is that what you said?

14 A. Every Liberian that was not attached to the RUF.

09:39:47 15 Q. And did he complete that process?

16 A. Yes, he did. He did.

17 Q. So one category of those removed from Sierra Leone were
18 Liberians not attached to the RUF, yes?

19 A. Yes.

09:40:07 20 Q. Now, if I understand what you've told us clearly, there was
21 a second group of Liberians who left. Those were Liberians who
22 were attached to the RUF but had, in effect, become disaffected.
23 Is that right?

24 MR KOU MJIAN: Objection. That's leading and suggestive.
09:40:27 25 The witness hasn't said it. If he had said it clearly, there
26 wouldn't be a need to re-articulate that.

27 PRESIDING JUDGE: Yes, I think you can let the witness
28 explain, Mr Griffiths.

29 MR GRIFFITHS:

1 Q. Were there some Liberians attached to the RUF, like the
2 name you mentioned, Carway, who left?

3 A. Yes, I did.

4 Q. Did you tell us that before?

09:40:50 5 A. Yes, I did. I said Jim Carway left.

6 Q. Thank you. Were there other Liberians attached to the RUF
7 like him who also left?

8 A. No, I don't remember. When he was a commander in Kui va, he
9 was a high profile person, so his leaving was very, very

09:41:18 10 important to all of us.

11 Q. Can you help us as to the numbers, both those attached to
12 the RUF and those not attached to the RUF, who left?

13 A. No, I cannot.

14 Q. And when you say they were forcefully removed, what do you
09:41:45 15 mean by that?

16 A. That means they were - when they were arrested -
17 [indiscernible] were arrested at random and they asked for their
18 documents, those who had documents, if you did not have a
19 document, you were simply tied and thrown into the truck, then
09:42:05 20 taken back to Liberia.

21 Q. Now, what documents are we talking about there?

22 A. We are talking about identification cards.

23 Q. And who was it who conducted the process of arrest?

24 A. He himself. It was Dopoe himself.

09:42:28 25 Q. And were the Sierra Leonean RUF members involved in the
26 process of removal at all?

27 A. That happened very late, because even when Foday Sankoh
28 returned from Gbarnga, the RUF members of the - I mean, the
29 Sierra Leonean members of the RUF were not too sure what was on

1 the ground, so a lot of them were still hiding.

2 Q. Now, do you have any idea who it was who sent Dopoe
3 Menkarzon to remove these Liberians?

4 A. Yes.

09:43:09 5 Q. Who was it?

6 A. It was Charles Taylor.

7 Q. How do you know?

8 A. Foday Sankoh said it. Because when Foday Sankoh came back
9 in May and he received the report of what happened on the ground
09:43:22 10 then he promised us seriously that he was going to send a strong
11 message to Mr Taylor to make arrangements for all the Liberians
12 in Sierra Leone in the RUF-held territory who were not of RUF at
13 all to take them back as long as they were Liberian.

14 Q. Did you ever hear of a radio message from Liberia to that
09:43:57 15 effect?

16 A. No. No, except for the promise Sankoh gave us - verbal
17 promise he gave us, but we saw Dopoe.

18 PRESIDING JUDGE: Could I seek a clarification from the
19 witness? He's been using two phrases interchangeably. One is
09:44:37 20 Top 40 and the other is Top Final. Are they one and the same
21 event?

22 THE WITNESS: No, your Honour. The Top 40 was the one that
23 occurred in May 1992. The Top Final was the one which involved
24 the forceful eviction of all those who perpetrated the killing.

09:45:10 25 MR GRIFFITHS:

26 Q. And when was the Top Final?

27 A. The Top Final happened between June and July 1992.

28 Q. So just to recap: Top 20 is in February/March; Top 40 is
29 in May; Top Final is in June/July?

1 A. Yes.

2 Q. After Top Final in June/July, where was Foday Sankoh
3 thereafter based?

09:45:43

4 A. When the Top Final got completed Foday Sankoh first of all
5 he got settled in Pendembu very briefly. Pendembu, Upper Bambara
6 Chiefdom. After that he came to Giema. Pendembu,
7 P-E-N-D-E-M-B-U. From Pendembu he came to Giema and created a
8 headquarter there.

09:46:19

9 Q. Now help us. Prior to Top Final was Foday Sankoh
10 permanently based in Sierra Leone?

11 A. No. No.

12 Q. Indeed how much time prior to Top Final had Foday Sankoh
13 spent in Sierra Leone?

09:46:36

14 A. He was coming and going. Coming and going. He never took
15 two weeks with us at all. In fact that was what got us worried.

16 Q. Now, after Top Final, who was in overall command of the
17 RUF?

18 A. Foday Sankoh was the overall command - was in overall
19 command of the RUF.

09:47:06

20 Q. Help us with this: To your knowledge, was he taking orders
21 thereafter from anyone?

22 A. Who?

23 Q. Foday Sankoh.

24 A. No. No.

09:47:19

25 Q. Why do you laugh?

26 A. Because he came there as an independent CIC, so I don't
27 expect him to take orders from anybody. Secondly, he came - he
28 said he was relying on Sierra Leoneans he met on the ground and
29 the other resources to run the campaign. So we did not see him

1 take orders from anybody. He was a full-time CIC in his own
2 right, commander-in-chief.

3 Q. Now, what was the position of the RUF in terms of war
4 materials after Top Final?

09:47:56 5 A. The position was as bad as it was before the Top Final.

6 Q. After Top Final did Foday Sankoh go to Liberia to your
7 knowledge?

8 A. After the Top Final Foday Sankoh said he would never go to
9 Liberia again. Never. And he never left again. He never left
09:48:25 10 us again for Liberia. From Giema he went to Kailahun Town. When
11 the - when the RUF combatants - when they attacked Kono in 1992,
12 December 1992, that was the time he went to Kailahun Town.
13 Kailahun is K-A-I-L-A-H-U-N.

14 PRESIDING JUDGE: May I inquire why Foday Sankoh said, if
09:49:04 15 the witness knows - why Foday Sankoh said after Top Final that he
16 would never go to Liberia again.

17 THE WITNESS: Yes. Foday Sankoh vowed never to go to
18 Liberia again according to him because he felt disappointed by
19 everything he told us. He had - according to him, he had relied
09:49:27 20 a lot on Charles Taylor for support but that support did not
21 come. The Liberians were coming again to disturb us. So he said
22 he would never, never go to Liberia again. When he told us we
23 should - we should use our own resources to run the campaign, he
24 is appealing to all of us, all the Sierra Leoneans on the ground,
09:49:51 25 to make sure that we abide by that.

26 MR GRIFFITHS:

27 Q. Now, after Top Final can you just describe for us how
28 matters fared for the RUF up until the end of that year 1992?

29 A. I don't understand the question.

1 Q. What was the position of the RUF in Sierra Leone between
2 the end of Top Final in July 1992 and December 1992?

3 A. The only time we had some - some laughing faces, some
4 happiness on our faces, was when the combatants finally went to
09:50:45 5 Kono. They were able to attack Kono. That was the only time we
6 had some relief. But the place was congested because almost
7 everybody was in Kailahun. The place was really congested.
8 Although we were working - almost everybody was there. There was
9 no ammunition.

09:51:06 10 Q. Were you still supervising agricultural activities during
11 that period?

12 A. Yes, counsel.

13 Q. And was trading still going on over the border with Guinea?

14 A. Yes. That was the time the trading was booming.

09:51:24 15 Q. Let us move now into 1993. What was the position of the
16 RUF in 1993?

17 A. In 1993 - there was crisis in the RUF in 1993. Two sets of
18 crisis. One, there was an internal crisis. Foday Sankoh alleged
19 that our chief contractor Mr Ansu Nemahun --

20 Q. Spelling?

21 A. A-N-S-U N-E-M-A-H-U-N. And one police officer in Freetown,
22 chief police officer in Freetown, Mr Si affa were conniving - that
23 they were conniving to bring about a counter-revolution to oust
24 Foday Sankoh. According to investigations, Ansu Nemahun could go
09:52:52 25 to the crossing point where he did business, Mofindor crossing
26 point where he did business with the Guineans. Then Mr CPO
27 Si affa, chief police officer Si affa --

28 Q. How do you spell Si affa?

29 A. S-I-A-F-F-A. Would cross over to him from Guinea.

1 PRESIDING JUDGE: And the crossing point that you
2 mentioned.

3 THE WITNESS: Yibema - no, sorry, Mofindor crossing point,
4 M-O-F-I-N-D-O-R.

09:53:39 5 MR GRIFFITHS:

6 Q. Yes?

7 A. So this information was leaked out to Foday Sankoh during a
8 trading session at that same crossing point by two women. They
9 quarrelled over salt. Abie Nabieu and Jande.

09:54:04 10 Q. Spelling?

11 A. A-B-I-E N-A-B-I-E-U. And Jande. I don't know Jande's
12 surname but she was Foday Sankoh's concubine. When they
13 quarrelled over the salt, that was when Abie Nabieu said that in
14 fact a counter-revolution was being prepared which Jande knew of.

09:55:02 15 The two of them were arrested. Mosquito, on the orders of
16 Foday Sankoh, set up an investigation machinery in Luawa Yiehun,
17 L-U-A-W-A Y-I-E-H-U-N.

18 MR KOUMJIAN: Your Honour, I'm just concerned a bit about
19 the spelling because I believe that same word has been spelled
09:55:49 20 differently. Giehun, G-I-E-H-U-N. I don't know if the witness
21 could clarify.

22 PRESIDING JUDGE: It's not Giehun. He said Yiehun.

23 THE WITNESS: Yes. In our language - in Mende language
24 when - that name - when you are saying Giehun, you call it as
09:56:07 25 Giehun, but when you attach something else to it you call it
26 Yiehun. So that Luawa there is describing the kind of Giehun we
27 are talking about, because we had a lot of Giehuns in Sierra
28 Leone. So when you attach an adjective to it you call it Yiehun,
29 Y-I-E-H-U-N.

1 PRESIDING JUDGE: Thank you, I appreciate that.

2 MR GRIFFITHS:

3 Q. Continue?

09:56:37

4 A. That was where the investigation - all the investigation
5 was carried out and that was where all the killing was done.

6 Mosquito killed all those who were either suspected or actually
7 found guilty of the crime.

8 Q. Those killed included him?

9 A. Ansu Nemahun himself died, the chief contractor.

09:56:57

10 Q. Anybody else?

11 A. Jande died.

12 Q. Jande, that was Foday Sankoh's concubine?

13 A. Yes.

14 Q. She was executed, was she?

09:57:04

15 A. According to - I was not there. I was in Sandiallu. But
16 according to what we heard, Mosquito and his colleagues, Morris
17 Kallon and others, they put oil in - they put oil in a short drum
18 and put it over fire. It was that bowling oil - oh, my goodness.

19 It was that boiling oil they used to - I mean they put that

09:57:33

20 boiling oil between the legs of the woman - of that woman. That
21 was how the woman died.

22 Q. Anybody else killed?

23 A. Abie Nabi eu also was killed.

24 Q. Who?

25 A. Abie Nabi eu.

26 Q. How is that spelled?

27 A. It's already spelt. A-B-I-E, Abie

28 Q. Now, earlier you told us --

29 A. Yeah.

1 Q. Go on.

2 A. More than 350 people died in the whole thing. Even myself,
3 I almost lost my life because there was a - according to the
4 confessions, there was a time when one of the contractors called
09:58:18 5 Fayia Pessima, and CO John Kargbo met one Marabou [phon] who had
6 actually confessed that they met him to prepare camps for them to
7 be able to succeed in the counter-revolution. But when he was
8 pronouncing the name, he said Fayia Musa instead of Fayia
9 Pessima.

10 Q. How do you spell Pessima?

11 A. Pessima is P-E-S-S-I-M-A. His voice was recorded and a
12 cassette sent to Foday Sankoh in Sandiallu. When he listened to
13 the cassette, he sent somebody to go call me from the Yibema
14 crossing point. Somebody told me not to go, but I said, no, I
09:59:25 15 have to, because if I don't, the suspicion is going to be
16 confirmed. I have to go to Foday Sankoh because I know that I
17 stayed here behind this rebel line for my people. I did not stay
18 there for power, to take power from him, and I have never
19 intended at all to do such a thing like that, because I know I'm
09:59:52 20 a civilian, so I'm going.

21 When I went I met him that evening. He played the
22 cassette. I heard the same voice. The man said Fayia Musa. He
23 told me if I heard it. I said, "Yes, but I am very innocent."
24 That's what I told him. I said, "I'm very, very innocent." I
10:00:23 25 don't have a single idea on what they are saying. Then he told
26 me to go home. Secretly he went to a soothsayer, one Mr Sherif.
27 Mr Sherif told him that this other killing spree is intended to
28 kill all the people that he will depend on to run this campaign.
29 So at the end of the day, your capture will be as easy as eating

1 banana. So that's the first thing I'm telling you before we come
2 to Faya Musa's connection with the alleged counter-revolution.
3 He said as far as his own vision tells him, I have no idea. I
4 was not involved in any way. So let him leave me alone. Then he
10:01:38 5 went back home.

6 Q. Who is he?

7 A. Foday Sankoh went back to his room - to his house that we
8 were in Sandiallu. The next morning he called me and told me,
9 "Go and prepare a pass. Prepare a pass, bring it to me, I will
10:01:58 10 sign it myself to say that you are completely innocent and that
11 you should go anywhere you want anytime. Nobody should disturb
12 you." I went back. I prepared the pass. I brought it to him.
13 He signed it. So I continued my work. That was how I survived
14 that. And I know that it was only the grace of God that made me

10:02:23 15 survive it, because a lot of other people were killed just on
16 suspicion.

17 Q. Were any senior members of the RUF killed as a result of
18 that?

19 A. Yes.

10:02:32 20 Q. Such as?

21 A. Rashid Mansaray was killed as a result of that. He was
22 beaten to death by Mosquito and Issa. Kai fa Wai was killed as a
23 result of that. He - they cut off his head.

24 Q. Now, Kai fa Wai, you've mentioned that name before.

10:02:53 25 A. Yes. Kai fa Wai was in the group who captured Kailahun. He
26 was the one who saved me that day. I still remember.

27 Q. So he was killed and decapitated, was he?

28 A. Yeah.

29 Q. Were any other vanguards --

1 A. John Kargbo was killed. One John Kargbo, a vanguard, he
2 was killed. John Kargbo. Richard Honero was killed.

3 Q. Could you give us a spelling of the surname?

10:03:46

4 A. H-O-N-E-R-O, Honero. We don't have alphabets in Mende to
5 spell that word correctly, so it was spelt just so that it can be
6 pronounced. I think it should be Monelo [phon], but we don't
7 have that alphabet in Mende.

8 Q. Now, thank you for that. Now, I just want to clarify one
9 matter. You mentioned that Ansu Nemahun --

10 A. Nemahun.

11 Q. -- Nemahun was a chief contractor. Explain to us what
12 chief contractor means?

10:04:22

13 A. He was the overall boss for all those who negotiated prices
14 at the crossing points for us. Because he was an experienced
15 businessperson - businessman in produce, cocoa and coffee.
16 Already he was a smuggler before the war, so we saw that he will
17 be a very good person for that.

18 Q. Now, this bloodletting following this alleged
19 counter-revolution, can you give us a date for this, like a
20 month?

10:04:47

21 A. Yeah. It didn't happen over a month. It was between
22 January and March.

23 Q. Of which year?

24 A. 1993.

10:04:56

25 Q. Thank you. Now, you explained that 1993 was a period of
26 crisis for the RUF.

27 A. Yes. The other crisis was the - the government organised
28 an operation they called Operation Locate and Destroy. That was
29 the time when Major Gottor was in charge of the Sierra Leone

1 military.

2 Q. Could you spell the name for us?

3 A. Gottor, Momoh Gottor, M-O-M-O-H, Momoh; then G-O-T-T-O-R,
4 Gottor.

10:05:37 5 Q. And what did --

6 PRESIDING JUDGE: The witness said when Momoh Gottor was
7 what?

8 THE WITNESS: He was the chief of staff of the Sierra Leone
9 military at that time, Momoh Gottor.

10:05:56 10 MR GRIFFITHS:

11 Q. And --

12 A. G-O-T-T-O-R, Gottor.

13 Q. Now, the name of the operation is pretty explicit,
14 Operation Locate and Destroy. But can you explain to us what it
10:06:13 15 involved?

16 A. Yes. Operation Locate and Destroy involved locating all
17 RUF positions and destroying whatever was there in terms of the
18 RUF personnel.

19 Q. And was that destruction limited to RUF personnel?

10:06:28 20 A. It was not possible for it to be limited to RUF personnel.
21 Up to 200 civilians died. Even one of the contractors, one of
22 the contractors that was working with me, Lahai Yehow. Lahai
23 Yehow was killed in that thing. He had just escorted people to
24 the crossing point, civilians to a crossing point in Komolu. On
10:07:08 25 their way coming back, the soldiers met them. Two of them were
26 coming, but the one who was known by the soldiers was not there
27 when he was killed. By the time the one who was known by
28 soldiers came, by then he was killed, Lahai Yehow.

29 Q. How do you spell his name, please?

1 A. L-A-H-A-I, Lahai; then Y-E-W-O-H, Yehow. He was a citizen
2 of Giema.

3 Q. And in what part of 1993 did this Operation Locate and
4 Destroy take place?

10:08:01 5 A. That operation started immediately after the - immediately
6 after the - after the killing of the alleged coup plotters. In
7 fact, it did not complete before the Operation Locate and Load
8 started because I remember some of the people, Richard Honero and
9 others, were still in prison when the Operation Locate and
10:08:34 10 Destroy started. So when Foday Sankoh was retreating from
11 Sandiallu in March, he told the - those who were guarding the
12 young men to take them to Koindu because that was the last place
13 now we had. He took them to Koindu - sorry, they took them to
14 Koindu. But on their way to Koindu, because the enemy was
10:09:12 15 pressing them, we heard that they killed all of them, all the
16 vanguards who were held. That was the time Richard Honero and
17 others died.

18 Q. Now, during these - this period --

19 PRESIDING JUDGE: Mr Griffiths, sorry, it's not clear who
10:09:27 20 killed whom.

21 THE WITNESS: When they were - when they were imprisoned,
22 Richard Honero and others, they were being guarded by others -
23 some other vanguards like Mosquito and --

24 PRESIDING JUDGE: Slowly, please. You are running again
10:09:43 25 with your testimony and the transcriber is not getting you
26 clearly. So describe again slowly what you are saying.

27 THE WITNESS: Okay.

28 PRESIDING JUDGE: The question I asked you from your
29 testimony is: Who killed these people including --

1 THE WITNESS: Richard.

2 PRESIDING JUDGE: -- Richard Honero? Who killed them?

3 THE WITNESS: Richard Honero and others were killed by
4 those who were guarding them. They are also their fellow RUF
10:10:11 5 vanguards.

6 MR GRIFFITHS:

7 Q. Thank you for that. Now, in late 1992 going into 1993, did
8 the RUF manage to capture any locations of importance?

9 A. Yes. When things became very, very difficult, when we had
10:10:46 10 just about a chiefdom, that's the Kissi Teng Chiefdom --

11 Q. What do you mean when we had just about --

12 A. Of all the territory we had, we were pushed to just occupy
13 the Kissi Teng Chiefdom. All the other parts of the country was
14 recaptured by the government already. The government soldiers

10:11:15 15 were in Kailahun Town. They were in Giehun. They were also in
16 Gbeorbu, G-B-E-O-R-B-U. So it was like we were surrounded,
17 completely surrounded. Then that was where again Mosquito used
18 his military creativity. One morning - that was at the end of
19 March - sorry, at the end of 1993 now - he said we have to do

10:12:25 20 something for us to be able to get fighting materials to expand
21 the land. So he called his men - we the civilians, he called us
22 and told us we are going to create some space for you. Without
23 believing him we went back to our zoebushes. But later we were
24 told that he organised the young men. He told them we are going

10:13:10 25 to use our Poro society. Poro is a secret society in Sierra
26 Leone that is used to give rite of passage to young men. So he
27 said we are going to use that one to expand the space. According
28 to him he had only one grenade on him. He said we are going to
29 this one grenade. We are going to collect pebbles to get close

1 to Gbeorbu. Then this one grenade, the pebbles and a Poro noise
2 will go all at the same time.

3 Fortunately for them when they got very close to Gbeorbu
4 the soldiers were either asleep or they were not alert. So when
10:14:21 5 they got very close to Gbeorbu he told them as soon as I send the
6 grenade, let the Poro sound go and let the pebbles go on one of
7 the houses of this town. So when they went there, this was
8 exactly what they did. So that the whole thing sounded like a
9 coordinated attack against them. So when the enemies awoke they
10:14:51 10 thought they were surrounded by the RUF. What they did was they
11 just left all the ammunition there, the guns and the bullets, and
12 ran away to Pendembu. That was how Mosquito was able to get
13 fighting materials at that time. They got almost enough
14 materials to expand the territory.

10:15:18 15 When they went to Giema back, because that was the base,
16 they said the next thing is we have to clear Giehun. They went
17 to Giehun. By then they were well equipped. When they went to
18 Giehun they got Giehun, Giehun was very easy. When the troops in
19 Kailahun heard that the Giema had a fallen - sorry, Giehun and
10:15:44 20 Gbeorbu had fallen, they just decided to disappear because
21 there's a road from Kailahun to Gbeorbu - sorry, to Luawa Baoma.
22 That was the road they used to go to Guinea.

23 PRESIDING JUDGE: To where?

24 THE WITNESS: Guinea.

10:16:05 25 PRESIDING JUDGE: No, from Kailahun to where?

26 THE WITNESS: Baoma. Baoma section. So Kailahun fell.
27 Kailahun did not actually fall to us because the soldiers there
28 did not leave anything, they just disappeared. When they heard
29 that Giehun had already fallen, Giehun and Gbeorbu. So that was

1 how at that time Mosquito was able to raise all the fighting
2 materials that they needed.

3 MR GRIFFITHS:

4 Q. And when did this occur?

10:16:38 5 A. This occurred in 1993.

6 Q. What part of 1993?

7 A. It was towards the end of 1993.

8 Q. Now --

9 A. By then Foday Sankoh had already been taken to Zogoda.

10:17:03 10 Q. We'll come back to that in a moment. But before we get
11 there, in 1992 did the RUF ever capture Kono?

12 A. Yes. Yes, they did. In December 1992 they captured Kono.

13 Q. And for how long did they hold Kono?

14 A. Because of looting - because of looting they were not able
10:17:28 15 to stay there for long and government did not spare a moment to
16 make sure that they were back there, because they suspected that
17 if RUF stayed in Kono they were going to get into mining.

18 Q. Two questions. Sorry to interrupt. Firstly, can you give
19 us a time frame as to how long the RUF stayed in Kono, having
10:18:05 20 captured it in December 1992?

21 A. They were there up to January 1993. In fact it was in
22 January that the fighting started. January 1993 the fighting
23 started. So the first one was to take them from Kono back to
24 Kailahun.

10:18:22 25 Q. Now whilst in Kono did the RUF organise any mining in late
26 1992/early 1993?

27 A. Right from day one Foday Sankoh said he would not allow
28 anybody to mine. Mining did not take place at all. Although
29 they were able to get some diamonds from Kono from - you know

1 I like the people left their rice in their rice barns, some people
2 ran away and left diamonds there in Kono. But no mining took
3 place there. Government did not give them time at all to stay
4 there and mine in 1992.

10:18:56 5 Q. And what was Foday Sankoh's attitude towards mining?

6 A. Before the war Foday Sankoh said he was not prepared to
7 mine at all, even though perhaps it was necessary for him to have
8 done that. But he said no, we cannot mine now because if we mine
9 now the tendency for us - he said we cannot mine now because if
10 we do - because if we do, the tendency for us to decide to sell
11 this country - when I say country I mean its mineral resources -
12 to sell this country to non-Sierra Leoneans will be very high.
13 We need these minerals after the war. We need them for
14 development after the war.

10:20:27 15 Q. Go on.

16 A. So from 1991 up until Foday Sankoh left for Abidjan I do
17 not remember at all at any time RUF going into any mining.

18 Q. When did he leave to go to Abidjan, just so that we can get
19 a time frame for the statement you just made?

10:20:55 20 A. He left for Abidjan in March 1996.

21 Q. So between 1991 and March 1996, no diamond mining took
22 place --

23 A. By the RUF.

24 Q. -- by the RUF?

10:21:10 25 A. By the RUF, no.

26 Q. And that, you say, is because Foday Sankoh was opposed to
27 it. Is that right?

28 A. Exactly.

29 Q. Now, the diamonds which were found in Kono in December and

1 early January 1993, those diamonds which had been left behind by
2 people who had fled, what happened to those diamonds in due
3 course?

4 A. Those diamonds were taken to Foday Sankoh in Kailahun.

10:21:52 5 They were taken to Foday Sankoh in Kailahun. And he kept them up
6 until the time we were - up until the time we left to start the
7 peace arrangements in Abidjan. He actually gave those diamonds
8 to one Mrs Isatta Kallon.

9 Q. Could you spell her first name for us?

10:22:31 10 A. I-S-A-T-T-A K-A-L-L-O-N.

11 Q. Why did he give them to her?

12 A. She was our procurement officer. So she gave her the
13 diamonds for our welfare in Cote d'Ivoire.

14 Q. We'll come back to that. Now, when the RUF took Kono in
10:23:02 15 December 1992, did Foday Sankoh make any announcement at that
16 time?

17 A. The announcement I remember Foday Sankoh made was a
18 unilateral ceasefire announcement in April 1992. April. When
19 Strasser, leading the NPRC, overthrew the APC. He said these are
10:23:34 20 our fellow military people, maybe we will deal with them. So he
21 ordered the dissolution - Foday Sankoh ordered the dissolution of
22 all the ambushes for a month while he waited for response from
23 Strasser King.

24 Q. And what was Strasser's response?

10:24:17 25 A. Strasser's response was in the negative.

26 Q. And what effect did Strasser's response have upon the RUF?

27 A. The effect was not good, because we the civilians actually
28 wanted the war to end at that point, because that was the time
29 when the RUF itself was supposed - that was the time when the RUF

1 itself was supposed to know that their major goal had been
2 achieved.

3 Q. In what sense?

10:25:19

4 A. In the sense that they came to depose the APC, the old APC,
5 and the fact that that job had been done in Freetown by Strasser,
6 we the civilians expected RUF to see that as a completion of the
7 job they had come to do, at least the first leg of it.

8 Q. But you say that Strasser's response was in the negative?

9 A. Yes.

10:26:04

10 Q. And apart from being in the negative, did the Strasser
11 government take any practical steps against the RUF?

12 A. Yes, they did. They did.

13 Q. What was that?

10:26:26

14 A. They stepped up their military attacks that I am describing
15 in the - the military attack that I'm describing in 1993. That
16 was Strasser's time.

17 Q. And you mentioned Zogoda. What was Zogoda?

18 A. Zogoda was Foday Sankoh's hiding place in the thick forest
19 of - in the thick Gola Forest of Kenema District.

10:26:54

20 Q. Why had Sankoh taken refuge in the forest at Zogoda?

21 A. Well, when we - all of us were together in Sandiallu,
22 March, April 1993 when the enemy actually pushed us out of the
23 place, Foday Sankoh went as far as Koindu. He actually reached
24 Koindu. Koindu is the last - K-O-I-N-D-U, Koindu - Koindu is the
10:27:35 25 last big town before you can go to Liberia. When he reached
26 there - when he reached Koindu, his commanders - to be very
27 specific, Mosquito and Issa - promised that they with help
28 bulldoze his way to meet Charles Taylor. When they told him
29 that, he vowed that he would rather die in the bush there than

1 ever go to Charles Taylor again. When they said they would take
2 him to Charles Taylor, they said they would bulldoze his way to
3 Charles Taylor, he vowed that he would rather die in the bush
4 there than ever go to Charles Taylor.

10:28:48 5 The only option then, since he was very close to the border
6 where ULIMO was also, the only option was to find - the only
7 option left to them was to find a better hiding place - was to
8 find a better hiding place for Foday Sankoh. This was the reason
9 - this was the reason why Mosquito volunteered with the help -
10:29:38 10 with the help of some boys from the Kenema District, Mosquito
11 volunteered with the help of some boys from Kenema District -
12 K-E-N-E-M-A, Kenema - Kenema District to take Foday Sankoh to the
13 Gola Forest and create Zogoda there. Zogoda was 150 miles from
14 where we were. So they had to walk that distance in the cover of
10:30:29 15 the night. In the day they would camp somewhere. In the night
16 they continued on until they reached.

17 Q. Did you go to Zogoda?

18 A. Yes, I did. I saw Zogoda myself.

19 Q. And was Zogoda the only such settlement set up by the RUF
10:30:53 20 at this time?

21 A. No. When Zogoda was created for Foday Sankoh, his
22 commanders decided to create other settlements that were leading
23 to Zogoda so that those settlements would serve as checkpoints.
24 One of the biggest of these settlements where Mosquito was was
10:31:37 25 Peyamah, P-E-Y-A-M-A-H.

26 Q. Can you name any other settlements set up at this time?

27 A. There was another settlement on the way going to Kono in a
28 deserted town called Gandorhun.

29 Q. Spell it.

1 A. G-A-N-D-O-R-H-U-N.

2 Q. Who set that up?

3 A. I don't remember again the commander who set that one up,
4 but it was on the same road to go to Zogoda.

10:32:24 5 Q. Any others?

6 A. There were zoebushes, hiding places for almost everybody.
7 Everybody had their own hiding places in the bush because we had
8 no town to stay in. We were all in the bushes.

9 Q. Now --

10:32:44 10 MR KOUMJIAN: Excuse me, before we leave the topic, the
11 witness testified about a conversation between Mosquito, Issa
12 Sesay and Foday Sankoh about bulldozing to Charles Taylor. It
13 would be helpful to know whether the witness was present or what
14 the basis of his testimony is.

10:33:02 15 PRESIDING JUDGE: Yes, I think so. Mr Griffiths.

16 MR GRIFFITHS:

17 Q. Were you present?

18 A. No, I was not present.

19 Q. How do you know?

10:33:09 20 A. He told us.

21 Q. Who told you?

22 A. Mosquito himself said it.

23 Q. When?

24 A. [Microphone not activated].

10:33:15 25 Q. When did he tell you?

26 A. He did not tell us anything until they actually took the
27 man to Zogoda. When he came back to Giema, he said, "I have
28 succeeded to hide our leader." That was how he told us. But
29 those are military matters. They could not tell us before

1 implementing them.

2 PRESIDING JUDGE: Also, Mr Witness, could you give us a
3 time indication on when this Zogoda was set up.

4 THE WITNESS: Yes. Zogoda was set up before January 1994.

10:33:51 5 Before January 1994, Zogoda was there now.

6 MR GRIFFITHS:

7 Q. Now, at the time of the establishment of Zogoda, Peyamah
8 and the other zoebushes --

9 A. Peyamah.

10:34:05 10 Q. Peyamah. What was the - what kind of condition was the RUF
11 in?

12 A. Before?

13 Q. No, at that time.

14 A. The RUF was not in any good condition at all.

10:34:20 15 Q. And at this time, Mr Fayia, what was your attitude
16 regarding this supposed friend which Foday Sankoh told you about
17 when he first arrived?

18 A. That was the time when - not I alone. That was the time
19 when we, all of us, we the Sierra Leoneans who were there, that
10:34:46 20 was the time we actually lost confidence in Foday Sankoh.

21 Q. Why?

22 A. Because we said he lied to us. We said he lied to us. If
23 he did not - if what he was saying was the truth, Charles Taylor
24 was going to help us. But we told him he was lying to us. And,
10:35:10 25 in fact, we told him, the only way we can continue to have
26 confidence in him, for him to come and stay with us, so let him
27 don't leave again.

28 PRESIDING JUDGE: When you say he should "come and stay
29 with us", who do you mean?

1 THE WITNESS: We are talking about Foday Sankoh. That was
2 after the Top Finals.

3 MR GRIFFITHS:

4 Q. Now, did Sankoh himself say anything about Charles Taylor
10:35:43 5 at this time, given the condition of the RUF?

6 A. Yeah. In March. When we are leaving the Sandiallu in
7 March.

8 Q. March of which year?

9 A. 1993, when we were leaving Sandiallu. I actually saw him,
10:36:01 10 Foday Sankoh, taking his clothes from the hangars, putting them
11 in his bag. I saw him cry. I said why. He said he has been
12 disappointed.

13 Q. Who?

14 A. He said he was disappointed. He Foday Sankoh said he had
10:36:15 15 been disappointed by the man he was calling his friend, Charles
16 Taylor. And I actually saw hate in him for Charles Taylor at
17 that time. Although by that time I had never, never seen him. I
18 saw hate in him for Charles Taylor at that time. So that was, in
19 fact, the reason why when those young men told him, "Why can't we
10:36:38 20 try Liberia," he said, "No, let me die here rather than go to
21 Liberia."

22 Q. Now, at this time in 1993, was the Strasser government
23 waging the war against the RUF alone or were they receiving
24 assistance from any foreign governments?

10:37:03 25 A. Yes, Guinea. Guinea was there. ECOMOG was there by then.
26 ECOWAS commission for - I mean, ECOWAS group, monitoring group,
27 ECOMOG was there.

28 Q. Now --

29 A. It was mainly the Guinean contingent, according to what we

1 were hearing from those who were going to the battlefield.

2 Q. And how did the Guineans behave when they came to Sierra
3 Leone?

4 A. I was not at the battlefield, so it's difficult for me to
10:37:38 5 tell how they were behaving. But we know our people were dying.
6 Civilians were dying.

7 Q. And was it only the issue of dying civilians which got back
8 to you, or were they doing any other things?

9 A. The other thing that we learnt happened in the places they
10:38:04 10 captured - I mean, the mix, because I cannot tell whether it was
11 the Guineans who did it or not. It was a mix. They were
12 de-roofing the houses and taking the zinc to Guinea. They were
13 also planting marijuana. When they broke a house, they planted
14 marijuana in the soil there, because most of our houses are mud
10:38:31 15 houses. The soil is very good. If you water it very well, the
16 soil is very good for marijuana. So they introduced marijuana in
17 Kailahun District. They de-roofed the houses and took the zinc
18 to Guinea. Even some brick houses, cement brick houses were -
19 they were dismembered and the bricks taken to Guinea on sale.

10:39:03 20 Q. Now, does the name - you've mentioned the name ULIMO
21 before. In 1993, were you aware of ULIMO's presence?

22 A. Yes, I was. I was. In fact, that was the reason why those
23 young men - when Issa and Mosquito were suggesting to
24 Foday Sankoh to go to Liberia, they used the word bulldoze,
10:39:28 25 because ULIMO was always at the border - was already at the
26 border there.

27 Q. Now, can you help us as to a time when ULIMO established
28 themselves at the border?

29 A. By the time that attack was launched, ULIMO was already

1 there.

2 Q. Which attack?

3 A. The Operation Locate and Destroy, ULIMO was already at the
4 border.

10:40:03 5 Q. And Operation Locate and Destroy was when? Remind us.

6 A. March 1993.

7 Q. So by March 1993, ULIMO had already established themselves
8 at the border?

9 A. Yeah, they were there.

10:40:18 10 Q. What was your understanding as to who had formed ULIMO?

11 A. ULIMO was they say united Liberians - I mean, ULIMO was
12 formed by Liberians. That's what we used to hear.

13 Q. So by the time Zogoda is established, ULIMO already
14 controlled the border. Is that right?

10:40:48 15 A. Yes, indeed. Indeed. The Liberian-Sierra Leone border in
16 Kailahun District.

17 Q. So, effectively, would this be fair: The RUF was
18 sandwiched in between ULIMO and the Sierra Leone government
19 forces and their allies, the Guineans and ECOMOG?

10:41:08 20 A. Exactly.

21 Q. And from when did that situation of being sandwiched
22 obtain?

23 A. Repeat that again.

24 Q. When - from when was it that the RUF were sandwiched
10:41:27 25 between ULIMO and the government forces and its allies?

26 A. I think the whole of March - sorry. The whole of 1993.

27 Q. Throughout the whole of 1993?

28 A. Yeah.

29 Q. Let's move now to 1994. What's happening in 1994? Where

1 were you based?

2 A. I was based in Giema. By then Foday Sankoh had told us
3 myself and Mr Deen-Jalloh to leave the Kangama zoebushes, then to
4 come to Giema to be there with Issa Sesay. So I and Deen-Jalloh
10:42:04 5 were there.

6 Q. Was farming continuing under RUF control at this time?

7 A. Yes.

8 Q. Or supervision at this?

9 A. Yes. Even myself, I had a farm that year.

10:42:26 10 Q. Was the farming being conducted by the RUF sufficient to
11 feed everyone in RUF areas in 1994?

12 A. If the rice - if that rice was harvested, yes, there was
13 sufficient. Because that was the time when everybody got
14 involved, including the commandos.

10:42:52 15 Q. Was there any problem with food supply in 1994?

16 A. Yeah, 1994 was the worst year. It was the year of
17 starvation in the RUF. That was the time when people could chew
18 palm kernels and drink water to sleep. That was the time when
19 people- for them to have banana - green bananas. For them to
10:43:19 20 have green bananas, it was just by stroke of luck. That was the
21 time when some people actually died of starvation.

22 Q. How many people died of starvation at this time?

23 A. It's difficult for me to put a number on that but it was
24 huge.

10:43:33 25 Q. It was huge?

26 A. Yes, it was. A lot of people died.

27 Q. Are we talking about more than 100?

28 A. More than 100 people died, yes, of starvation.

29 Q. Now, at this time what was the leadership situation like

1 within the RUF?

2 A. Well, Foday Sankoh was in charge. He was the - he was
3 actually the high command and he had the battle group commander.

4 Q. Who was that?

10:44:15 5 A. The battle group commander at that time - the battle group
6 commander at that time was Mohamed Tarawalli.

7 Q. Now, what about people like Mosquito at this time in 1994?

8 A. No, Mosquito was not a battle group commander. He was not.
9 He was just a strong fighter at that time.

10:44:37 10 Q. Now, in 1994, apart from the farming activities which
11 you've told us about, were you yourself involved in organising
12 any other thing - any other project?

13 A. Yes. I went to the radio as soon as we arrived from
14 Kangama in February 1994. I told Foday Sankoh that we needed to
10:45:24 15 have - I mean on the radio - that we needed to have a programme
16 that will involve civilians. A programme that will involve
17 civilians that will give them the opportunity to work. He told
18 me to go ahead to organise it. That was the time I organised the
19 Organisation for the Survival of Mankind. I said, "Before we
10:45:47 20 leave this bush for the town tomorrow, we need to have a
21 humanitarian programme." I said, "Because politics - you need a
22 vehicle that takes you to the people. We need a humanitarian
23 programme that will take us to the grassroots, so let us start
24 that here now." So I organised the Organisation for the Survival
10:46:19 25 of Mankind, OSM.

26 One of the responsibilities of the OSM was to make sure
27 that civilians received humanitarian aid from international
28 organisations like ICRC. The other was to make sure that
29 prisoners of war were properly treated and handed over to the

1 international community on demand. It was the OSM that worked
2 with ICRC and Mr Addai-Sebo to hand over two seamen, one
3 Mr Medvedev, I don't know the first name, and one Jawara who were
4 captured in Sulima.

5 Q. In where?

6 A. Sulima in the southern province. S-U-L-I-M-A.

7 Q. And Medvedev?

8 A. Was a Russian.

9 Q. How do you spell his name?

10:48:07 10 A. M-E-D-V-E-D-E-V.

11 Q. And Jawara?

12 A. J-A-W-A-R-A.

13 Q. How had they been captured?

14 A. I don't know how they were captured but they were sent to
10:48:31 15 us by Foday Sankoh to Giema.

16 Q. To Giema?

17 A. Yes. I prepared a pass for them.

18 Q. To do what?

19 A. For OSM to hand them over to ICRC at the crossing point in
10:48:58 20 Koindu. That was not the business crossing point; they created
21 another crossing point for that particular project.

22 Q. Did OSM work for the release of any other captives?

23 A. Yes, we did. Also with the support of ICRC - sorry, with
24 the support of Addai-Sebo and ICRC we are able to hand over some
10:49:25 25 British miners. I remember one particular name, Calum Morray.

26 He was one of them. We handed them over to the ICRC.

27 Q. Before you go any further, hold the thought. Could you
28 spell that name for us?

29 A. C-A-L-U-M.

- 1 Q. And the surname?
- 2 A. M-O-R-R-A-Y.
- 3 Q. And they were British miners?
- 4 A. Yes, they were miners.
- 10:49:58 5 Q. Where had they been captured?
- 6 A. They were captured in the south in the Moyamba District, in
- 7 the mining area called Sieromco. Sieromco is a company.
- 8 Q. And just give me the name of the area again, please?
- 9 A. Sieromco.
- 10:50:17 10 Q. That's the name of the company, but in what area?
- 11 A. Usually we just used to call the place Sierra Rutile.
- 12 Q. So they were captured in Sierra Rutile?
- 13 A. Yes, but it's in Moyamba District.
- 14 Q. And Moyamba is spelt?
- 10:50:33 15 A. M-O-Y-A-M-B-A.
- 16 Q. So OSM arranged for their release?
- 17 A. Yes.
- 18 Q. Anybody else?
- 19 A. No.
- 10:51:12 20 Q. So that's 1994. Now frankly, Mr Fayia, by this stage what
- 21 were your thoughts about the possibility of success for this
- 22 revolution which Sankoh had launched?
- 23 A. The possibility for success was slim because - it was
- 24 really slim. I saw it. Because here is a case where no support
- 10:51:47 25 was coming from anywhere. The natural resources were not mined
- 26 at all, we are just - the fighting was just going on, relying
- 27 purely, purely on what the boys would get in military ambushes.
- 28 Q. So as one of the educated members of the RUF leadership,
- 29 was any thought given as to a way out of this situation --

1 A. Yes.

2 Q. -- in 1994?

3 A. Yes. I will go back to 1993, late 1993, when we were in
4 Kangama. That was the first time I saw Addai-Sebo. He came to
10:52:51 5 our territory, he said he was a journalist. He said he came to
6 see Foday Sankoh. Issa organised for him to go to Zogoda to see
7 Foday Sankoh. We saw him with his cameras and everything. They
8 took him to Foday Sankoh for about two weeks. He came back and
9 crossed the river to go back to where he came from. He had
10:53:32 10 actually come from England but he was working for International
11 Alert, a London-based NGO that is specialised in conflict
12 prevention, where it is not prevented, in its management and,
13 eventually, its resolution.

14 Q. And so did you meet him?

10:54:34 15 A. Yes, Addai-Sebo, I met him - that was the first time I met
16 him but when he met us initially he said he was a journalist. He
17 didn't actually tell us that he had come to represent the
18 secretary-general of International Alert.

19 Q. Did you see him again thereafter?

10:54:54 20 A. Yes. When he went back to England he came back again.

21 Q. When did he come back?

22 A. He came back now when we were in Giema in 1994.

23 Q. And did you speak to him then?

24 A. Yes, I did. That was the time he disclosed his identity
10:55:10 25 because when he saw Foday Sankoh he took photographs of him, he
26 took photographs of him and he gave him some interviews. When he
27 was coming he brought a magazine that was bearing Foday Sankoh's
28 picture and some of the statements Foday Sankoh had made. Then
29 that was the time he disclosed his identity to us as an envoy of

1 the International Alert - envoy of the secretary-general of
2 International Alert. By then the secretary-general was Dr Kumar
3 Rupesinghe, K-U-M-A-R R-U-P-E-S-I-N-G-H-E. I think he is a Sri
4 Lankan.

5 PRESIDING JUDGE: Could you spell the surname again,
6 please.

7 THE WITNESS: R-U-P-E-S-I-N-G-H-E.

8 MR GRIFFITHS:

9 Q. And you mentioned that he was a Sri Lankan?

10:56:44 10 A. Yes, he is. I don't know whether he is still there but he
11 was the secretary-general by then.

12 Q. Now did Dr Sebo say what his purpose was when he returned?

13 A. Yes.

14 Q. And what did he say that was?

10:56:53 15 A. Yes. He said his boss had sent him to undertake - to start
16 the project they had designed to undertake. They had a project
17 to start looking for solutions to the Sierra Leone conflict
18 through dialogue, and that he had come to see and to assess the
19 possibility of Foday Sankoh sending out a delegation to meet the
10:58:12 20 international community. Those were his words.

21 Q. And did he say that to you?

22 A. Yes, he said that to me. A lot of the time I and he were
23 together.

24 Q. Where?

10:58:35 25 A. In Giema. Whenever I came to Giema I was with him.

26 Q. Now, this return visit, can you give us a date for it in
27 1994?

28 A. It was about January, February 1994.

29 Q. 1994?

1 A. Yes. It was very early 1994.

2 Q. And, as you've told us, that's when he told you that he
3 worked for International Alert and you had that conversation,
4 yes?

10:59:03 5 A. Yeah.

6 Q. Did he come back after that?

7 A. Yes. He came back after that to collect the first batch of
8 the RUF external delegation, when Foday Sankoh had actually
9 agreed to send people out.

10:59:20 10 Q. Now, who was - who were the members of that first batch of
11 the external delegation?

12 A. Mr Ibrahim Hassan Deen-Jalloh.

13 Q. Yes.

14 A. H-A-S-S-A-N.

10:59:45 15 Q. Who else?

16 A. The Deen-Jalloh is a double-barrelled name. D-E-E-N, Deen,
17 then hyphen Jalloh. Hassan Deen-Jalloh. Madam Isatta Kallon.

18 Q. Pause. Is that the Isatta Kallon who you mentioned earlier
19 in relation to the diamonds?

11:00:09 20 A. Yes. She was always in all the trips. She was always
21 there.

22 Q. Who else was in that first batch?

23 A. His wife, Mrs Agnes Deen-Jalloh.

24 Q. So that's Mr Ibrahim Deen-Jalloh's wife?

11:00:24 25 A. Yeah.

26 Q. Who else?

27 A. Captain Philip Sylvester Palmer.

28 Q. And why was Captain Sylvester Palmer going?

29 A. According to Foday Sankoh, every external delegation needed

1 a military attache to it, so Palmer was going with Deen-Jalloh as
2 a military attache.

3 Q. Was Deen-Jalloh a military person?

4 A. No. No.

11:00:57 5 Q. What about his wife?

6 A. His wife was not.

7 Q. What about Isatta Kallon?

8 A. Isatta Kallon was not.

9 Q. So Captain Philip Sylvester Palmer was the military attache
11:01:12 10 sent with that first group?

11 A. Yes, indeed.

12 Q. Now, you say that they went with Dr --

13 A. There was another person. There was one Alhaji Brima
14 Kamara.

11:01:22 15 Q. Alhaji?

16 A. Brima Kamara.

17 Q. Now, you said that they went with Dr Sebo. Is that right?

18 A. Yes. Dr Sebo was there.

19 Q. From where did they leave?

11:01:37 20 A. They left from our zone.

21 Q. Which zone?

22 A. The Kailahun - from Kailahun.

23 Q. And went to where?

24 A. They went to Cote d'Ivoire through Guinea.

11:01:52 25 Q. What was the route that they took through Guinea?

26 A. When they left Kailahun, they went to - they went to Dia in
27 the Kissi Kama Chiefdom. There is a crossing point there. That
28 was where they crossed to Guinea. And we had a Guinean there who
29 was helping, one Mohamed Barrie, Fulaby tribe. He was there

1 helping. When they crossed, he received them and then took them
2 to Nongowa.

3 Q. And from there?

4 A. From there they go to Gueckedou.

11:02:42 5 Q. And from there?

6 A. From there they go to the border.

7 Q. Which border?

8 A. The Guinea-Ivory Coast border to go to Danane.

9 Q. And then go to Danane?

11:02:52 10 A. Yeah.

11 Q. Now, we don't have a map in front of us, but the most
12 direct route to Danane from Kailahun is through Liberia. Why
13 didn't they go through Liberia?

14 A. It was when we really decided not to have much to do with
11:03:10 15 him - I mean, to do with Liberia, because - we decided not to
16 have much to do with Liberia, really, at that time. Secondly,
17 ULIMO was still there at the border - at the Liberian-Sierra
18 Leone border.

19 Q. The final matter I want to ask is this: This initial
11:03:39 20 batch, when did they leave to go to Danane?

21 A. Yes. They left somewhere around December 1994.

22 Q. Now, it follows, given that you say there was a first
23 batch, that there were other batches. Who was in the next batch
24 to go?

11:04:05 25 A. When Mr Deen-Jalloh actually left, after the first radio
26 interview in which he could not pronounce his full name as
27 Ibrahim Hassan Deen-Jalloh as I have said, Foday Sankoh said
28 then, "It looked like this man is hiding his identity. And if
29 so, then Sierra Leoneans are going to find it difficult."

1 Q. Which man was hiding his identity?

2 A. Ibrahim Hassan Deen-Jalloh.

3 Q. Right.

4 A. In his first radio interview with the BBC, he said he was
11:04:55 5 Ibrahim Jalloh, which according to Foday Sankoh was not enough of
6 an identity to prove to Sierra Leoneans that in fact the conflict
7 was a purely civil conflict. Because Deen-Jalloh was a
8 well-known teacher in Sierra Leone.

9 Q. Was a well-known what?

11:06:01 10 A. Teacher. He was a teacher in Sierra Leone. Foday Sankoh's
11 thinking was that if he announced his full name, a lot of Sierra
12 Leoneans were going to testify to the indigenous nature of the
13 RUF leadership. So he told me to follow. Maybe there will be a
14 difference.

11:07:15 15 Q. Now, pause there for a minute. That first batch that left
16 in December 1994, did all members of the group successfully reach
17 Danane without incident?

18 A. No.

19 Q. What happened to them?

11:07:34 20 A. The programme was poorly managed by Madam Isatta Kallon.

21 Q. It was what?

22 A. Poorly managed by Madam Isatta Kallon.

23 Q. Yes?

24 A. When they got to Gueckedou, there was - information went
11:07:52 25 around that there were some RUF members in Gueckedou. This
26 matter was reported to the police and police officers came and
27 arrested Alhaji Mohamed Kamara and Captain Philip Palmer and took
28 them away. Palmer was held there until early July 1995.

29 Q. So Palmer was held in custody in Guinea from December '94

1 until early July 1995?

2 A. Yes.

3 Q. What about the other chap?

4 A. Alhaji Kamara? He was a Guinean. They left him.

11:08:52 5 Q. Now, you told us that Foday Sankoh told you to follow. So
6 did you?

7 A. Yes, I did.

8 Q. When?

9 A. That was in June.

11:09:02 10 Q. Of which year?

11 A. 1995.

12 Q. Did you travel alone?

13 A. No. I travelled with Morris Kallon as the military attache
14 to my own team.

11:09:21 15 Q. By what route did you travel?

16 A. We travelled by the same road. The Kissi Kama road in Dia.

17 Q. Crossed into Guinea?

18 A. Yes, crossed into Guinea.

19 Q. Then to Gueckedou, then to Danane?

11:09:45 20 A. Yeah.

21 Q. And your trip, did that pass without incident?

22 A. Exactly. Nobody was arrested.

23 Q. And you went with Morris Kallon?

24 A. I went with Morris Kallon and one radio operator.

11:10:00 25 Q. Who was the radio operator?

26 A. Philip Sannoh.

27 Q. How do you spell the surname?

28 A. S-A-N-N-O-H.

29 Q. Were there any further additions to this group in Danane?

1 A. Yes.

2 Q. Who were they?

3 A. Dr Mohamed Barrie joined us later on.

4 Q. Anybody else?

11:10:35 5 A. There was one Mr Kono Manyi, but Kono Manyi was in the
6 first batch. I forgot to say it. Mr Kono Manyi was in the first
7 batch.

8 Q. Could you help us with a spelling?

9 A. Kono Manyi, K-O-N-O, M-A-N-Y-I.

11:10:58 10 PRESIDING JUDGE: Do we have the spelling of Dr Mohamed
11 Barrie?

12 MR GRIFFITHS: I think it's one which is already on the
13 record, your Honour.

14 THE WITNESS: B-A-R-R-I-E. It's Barrie.

11:11:12 15 PRESIDING JUDGE: Thank you.

16 MR GRIFFITHS:

17 Q. Now, when you travelled with Morris Kallon, did Dr Sebo,
18 the Ghanaian travel with you?

19 A. No, he was not with us. Only Isatta Kallon was there.

11:11:35 20 Q. Now, did --

21 PRESIDING JUDGE: This Dr Sebo was a Ghanaian or a Guinean?

22 THE WITNESS: He is a Ghanaian. He is still alive.

23 MR GRIFFITHS:

24 Q. And what's his ethnic group?

11:11:48 25 A. He's an Asante, a Kumasi.

26 Q. What kind of assistance did Dr Sebo provide for your trip,
27 if any?

28 A. No, he did not provide any assistance. He was just there
29 with us.

1 Q. So what happens when you arrive in Danane? Who meets you?

2 A. Right. That was the time we sought assistance from Dr
3 Sebo, when we arrived in Danane. He introduced us to one Al haji
4 Fofana, because that was where we were for the first few days
11:12:34 5 before --

6 Q. Who is "we"?

7 A. I and Philip Sannoh and Morris Kallon.

8 Q. And then what happened?

9 A. Then we were taken to a residence that had been taken for
11:12:56 10 us at Houphouetville. There's a settlement in Danane called
11 Houphouetville.

12 Q. How do you spell that?

13 A. H-O-U - that's the name after the former President of Cote
14 d'Ivoire.

11:13:13 15 Q. Houphouet-Boigny?

16 A. H-O-U-P-H-O-U-E-T-V-I-L-L-E.

17 Q. Yes. And who had provided that accommodation?

18 A. Isatta Kallon paid for it.

19 Q. Using what?

11:13:42 20 A. Using the diamonds she had taken from Mr Sankoh.

21 Q. And how was the value of those diamonds realised?

22 A. I don't know. I was only receiving allowances from her.
23 She was doing the disbursement and everything.

24 Q. Do you know to whom she sold the diamonds?

11:14:03 25 A. Yeah, that one I do.

26 Q. To whom did she sell the diamonds?

27 A. Al haji. There was another Al haji - yeah, the same Al haji
28 Fofana who gave her the first accommodation when we arrived, he
29 was a diamond dealer and a Mauritanian. So he took us to his

1 colleagues in town. He was a black Mauritanian. He took us to
2 some other Mauritanians around. He said, "In case I'm not here
3 you can do business with these people." So Isatta Kallon was
4 selling the diamonds to them.

11:14:44 5 Q. Okay. Now, the members of the earlier group who had left
6 in December 1994, did you link up with them on your arrival?

7 A. Yes.

8 Q. Where were they based within Danane?

9 A. They were in Belleville. Mr Danger [phon] was in
11:15:12 10 Belleville.

11 Q. How do you spell that?

12 A. B-E-L-L-E, it's a French word, then V-I-L-L-E.

13 Q. Now your purpose in going to the Ivory Coast with the
14 others was to do what?

11:15:40 15 A. When we were met by Addai-Sebo he told us that everybody
16 feels it was time for us to let the world know our agenda. That
17 it was time for us to let Sierra Leoneans know that indeed that
18 campaign was run by Sierra Leoneans and that we have an agenda.
19 So it was important for us to go out and make contacts with the
11:16:44 20 international community so that in the event - so that in the

21 event of dialogue with the government we also would have who we
22 would talk to. So the reason why we left Cote d'Ivoire - sorry,
23 we left Sierra Leone to go to Cote d'Ivoire was to establish
24 ourselves - was to establish our RUF there politically, so that
11:17:45 25 our agenda could be understood by our compatriots and by the
26 international community.

27 Q. And when you got to Danane how did you set about seeking to
28 implement that idea?

29 A. That is the time we understood exactly the kind of position

1 Charles Taylor took for RUF from day one. We understood at that
2 time very clearly that he was not in position to give us any
3 support militarily. But when it would come to peace talks, when
4 we come to dialogue, then we will see that he is a friend. When
11:19:23 5 we arrived in Danane, Addai-Sebo introduced us to Mr Musa Cisse
6 who was the chief of protocol in Danane.

7 Q. For whom?

8 A. For Mr Taylor. He introduced us as friends. Then Mr Musa
9 Cisse made arrangements for us to see the prefect.

11:20:09 10 Q. Spell that word for us?

11 A. The prefect, P-R-E-F-E-C-T.

12 Q. For those of us who don't know, what's the role of the
13 prefect?

14 A. The prefect is like a commissioner.

11:20:25 15 Q. Commissioner for what?

16 A. For Danane.

17 Q. Okay. And so Musa Cisse arranged for you to meet the
18 commissioner. Why?

19 A. Musa Cisse and Addai-Sebo arranged for us to meet the
11:20:39 20 commissioner to explain ourselves to him.

21 Q. And what did you tell him?

22 A. We told him we were out there to look for political support
23 to implement - sorry, to start the peace process in Sierra Leone.

24 We told him that we had understood that it was time for us to

11:21:07 25 talk to people. We told him that it was time for us to establish
26 ourselves politically. So we were there seeking their support.

27 We told him we want to put aside the military aspect of our
28 agenda. We want to seek the diplomatic and the political aspect
29 of it. So we are there to seek their support. And because they

1 saw Musa Cisse behind us, the prefect wasted in time to send for
2 the police commissioner in Danane at that time, one Mr Koffi.

3 Mr Koffi came. They introduced us to him. He spoke to us.

4 Q. Can I just interrupt you for a moment?

11:22:14 5 A. Yes.

6 Q. Who is "us"?

7 A. Myself, the external delegation.

8 Q. And just tell me at this time who comprised the external
9 delegation at the time you are meeting with the commissioner and
10 the chief of police?

11:22:30

11 A. Myself Faya Musa, Mr Ibrahim Hassan Deen-Jalloh, his wife
12 Mrs Agnes Deen-Jalloh, Philip Sannoh, the radio operator, my own
13 radio operator, Stephen Kamanda.

14 Q. Who is he?

11:23:04 15 A. He was also a radio operator.

16 Q. For whom?

17 A. He was supposed to be the radio operator with Palmer.

18 Q. Was Palmer there at these meetings?

19 A. Yes, Palmer had come.

11:23:16 20 Q. By this time?

21 A. Palmer had come, yes. The time we met the prefect, Palmer
22 had come. That was in July.

23 Q. Now, having met these individuals, how did things progress
24 thereafter?

11:23:38 25 A. Yes, they made - the police officer Mr Koffi was instructed
26 by the prefect to go see our residence where we are at
27 Houphouetville. He actually went there, he saw our place and he
28 told us, "In case of anything you run to me." That was what he
29 said. He said, "A friend of a friend is a friend too. So since

1 Musa Cisse has introduced you to us, you are accepted. In case
2 of any problem, you see us. The only thing we advise, you are
3 not supposed to cause problem. You are supposed to follow the
4 agenda you have come to pursue." They made arrangements for us
11:24:34 5 to have ID cards, carte de sejour, resident permit. They call it
6 carte de sejour.

7 Q. Could you spell that for us?

8 A. C-A-R-T-E D-E S-E-J-O-U-R with the French acute. Carte de
9 sejour, resident permit.

11:25:10 10 Q. And then?

11 A. So the next thing that Musa Cisse did for us was to help us
12 with communication. He allowed us to use his own radio set to
13 start communicating with Foday Sankoh.

14 Q. Where was that radio set based?

11:25:48 15 A. At his house in Belleville.

16 Q. And how far was his residence from where you and the others
17 were staying?

18 A. It was far. It was almost from one point of Danane to the
19 other. It was up to a mile.

11:26:03 20 Q. And a little bit more detail, please. How regularly would
21 you use that radio to communicate?

22 A. About twice a week.

23 Q. And with whom would you communicate?

24 A. We were communicating with Sankoh.

11:26:24 25 Q. Did you use the radio to communicate with Charles Taylor?

26 A. No.

27 Q. Did you at any time use that radio to communicate with
28 Charles Taylor?

29 A. No.

1 Q. Was that radio provided by Charles Taylor to Musa Cisse for
2 your use?

3 A. We were not able to establish that. But because he was his
4 chief of protocol, we know that he informed him of our arrival in
11:26:59 5 Danane and that he informed him of the assistance he was giving.
6 So when we did not hear any objection, we said maybe now we see
7 what Charles Taylor had decided to do for us. If he can allow
8 his chief of protocol to be so hospitable to us it means he was
9 only prepared to give Foday Sankoh political support, not
11:27:23 10 military.

11 Q. What I'm getting at, Mr Fayia, is this: As far as you were
12 led to understand was that radio set set up in Musa Cisse's
13 house?

14 A. Yes, it was.

11:27:40 15 Q. Let me finish. Exclusively for your use, or was it the
16 case that you were being given a favour by Musa Cisse. Do you
17 follow me?

18 A. It was a favour. It was a favour. In fact that was why we
19 were only using it not every day. We were given twice a week to
11:28:02 20 go there. It was a pure favour.

21 Q. Now, was Dr Sebo working with you at this time?

22 A. Yeah, Dr Sebo was still working with us to set the stage
23 for the peace arrangements. He introduced us to the Ivorian
24 Foreign Ministry, who was - who later on became the chief moral
11:28:31 25 guarantor for the Abidjan Peace Accord.

26 Q. And who was the Foreign Minister?

27 A. Essy Amara.

28 Q. Give us a spelling, please?

29 A. E-S-S-Y A-M-A-R-A.

1 Q. Did you meet with Mr Amara?

2 A. Yes, we did.

3 Q. As a group?

4 A. We met him as a group, yes.

11:28:55 5 Q. On one or more than one occasion?

6 A. On more than one occasion.

7 PRESIDING JUDGE: Mr Griffiths, the witness mentioned
8 something that could not be discerned on the transcript, and I
9 didn't hear it either. Who later became the chief something.

11:29:14 10 Q. The chief guarantor for --

11 A. The moral guarantor for the Abidjan Peace Accord.

12 PRESIDING JUDGE: The what guarantor?

13 THE WITNESS: Moral guarantor - M-O-R-A-L - for the Abidjan
14 Peace Accord and also the chief negotiator. That was Mr Essay

11:29:37 15 Amara.

16 MR GRIFFITHS:

17 Q. Now --

18 A. But Essay Amara was working on behalf of his President.

19 Q. Who was the President?

11:29:54 20 A. Henri Konan Bedie.

21 Q. Henri?

22 A. Konan Bedie. H-E-N-R-I.

23 Q. Second name?

24 A. Konan, K-O-N-A-N.

25 Q. Surname?

26 A. B-E-D-I-E with French accents.

27 Q. Acute?

28 A. Acute.

29 MR GRIFFITHS: On that acute note, would that be an

1 appropriate time?

2 PRESIDING JUDGE: Yes, that would be an appropriate time to
3 break. We will break for half an hour and resume at 12 o'clock.

4 [Break taken at 11.30 a.m.]

11:59:04 5 [Upon resuming at 11.59 a.m.]

6 PRESIDING JUDGE: Mr Griffiths, please continue.

7 MR GRIFFITHS: Can I note for the record that Mr Taylor is
8 not in Court, and I have no idea why that is the case.

9 PRESIDING JUDGE: It could be that --

11:59:21 10 MR GRIFFITHS: We are early.

11 PRESIDING JUDGE: Yes, it could be that we are a moment
12 early. But I am sure - there he comes. Please continue.

13 MR GRIFFITHS:

14 Q. Mr Faya, just before the short adjournment you were
11:59:47 15 telling us about how you came to be introduced to the Ivorian
16 Foreign Minister Amara Essy. Do you remember that?

17 A. Yes.

18 Q. Having been introduced to him, did he provide you with any
19 assistance?

12:00:15 20 A. Yes, he did.

21 Q. Such as?

22 A. He consulted with the President - after telling us that he
23 had actually giving us temporary recognition, he consulted with
24 the President to make arrangements for our accommodation in terms
12:00:37 25 of rent. So they started giving us something for our rent.

26 PRESIDING JUDGE: You said giving you what recognition?

27 THE WITNESS: Money.

28 PRESIDING JUDGE: Giving you what recognition? You said a
29 word.

1 THE WITNESS: Political, yes. We told him we were there to
2 establish ourselves as a political group and that we came to see
3 how we can start seeing the international community for --

12:01:05

4 PRESIDING JUDGE: The word you used, was it "temporary"
5 recognition? Or what did you say?

6 THE WITNESS: It was temporary until. He said it was going
7 to be temporary until --

8 MR GRIFFITHS:

9 Q. Until what?

12:01:19

10 A. He said it was going to be temporary until he got further
11 proofs from us on sending our comment out to establish ourselves
12 as a political group and to start politics.

13 Q. So help us with this: Can you give us a month, a rough
14 date, when you met with the Foreign Minister following your

12:02:04

15 arrival?

16 A. Yeah. We met the Foreign Minister towards the end of 1995.

17 Q. Towards the end of 1995?

18 A. Yeah.

12:02:21

19 Q. And he having provided the finance to pay for your
20 accommodation, for how long did he continue to provide that - or
21 the government of Ivoire?

22 A. I don't know exactly. Because at the end of the day, the
23 United Nations came in and everything was going through the
24 government of Cote d'Ivoire. So I don't know who was doing what
12:02:43 25 at that time in terms of that payment.

26 Q. Now, apart from making these contacts, Mr Fayia, what was
27 the day-to-day practicalities of the project upon which you had
28 embarked? What were you and your colleagues actually doing on a
29 day-to-day basis?

1 A. We were collecting information from the battlefield and
2 disseminating it through the BBC and RFI and VOA to the rest of
3 the world.

4 Q. Okay. So that's the BBC. RFI is what?

12:03:23 5 A. Radio France International.

6 Q. And VOA?

7 A. Voice of America.

8 Q. And how regularly would you hold such press conferences?

9 A. It was not a press conference as such. We are organising
12:03:42 10 the radio interviews through the BBC bush house.

11 Q. And, of course, you were being updated as to events on the
12 battlefield, were you, through the radio at Musa Cisse's house,
13 yes?

14 A. Yes, for some time before Foday Sankoh came out.

12:04:11 15 Q. We will come on to Foday Sankoh's arrival in a moment. Did
16 Musa Cisse have a radio operator?

17 A. Musa Cisse have a radio operator called Cassell.

18 Q. How do you spell that?

19 A. C-A-S-S-E-L-L.

12:04:35 20 Q. Did you yourself speak these international radio stations?

21 A. Yes, I did.

22 Q. In fact, at this time, Mr Fayia, did you have a particular
23 role within the external delegation?

24 A. Yes. That was the time I started working as the public
12:04:56 25 relations officer for the organisation - for the movement.

26 Q. And who appointed you as the public relations officer for
27 the movement?

28 A. Foday Sankoh did that.

29 Q. And how was that appointment communicated to you?

1 A. They used the same radio to get the communication. It was
2 not written. He just told me as soon as you arrive, take over
3 from Mr Deen-Jalloh as public relations officer.

4 Q. Now, at this stage you are involved in disseminating
12:05:38 5 information, but have you in fact embarked upon any kind of peace
6 negotiations?

7 A. Yes.

8 Q. And help us. Just talk us through, if you would, how that
9 began and how it developed.

12:05:58 10 A. As soon as Palmer came - in fact, there was a point I
11 wanted to clarify there, the timetable, Palmer's coming and so
12 on. I don't know whether I would be permitted to do that.

13 Q. Yes, you can. Please do.

14 A. Okay. The time we were - because Palmer arrived in -
12:06:20 15 Palmer, he arrived early July 1995. By then we had been
16 introduced to the perfect and police commissioner. What they
17 told us was whenever any other person follows you people, you
18 come and introduce the person to us. Then we will add him on the
19 list we have of you here.

12:06:44 20 Q. So when you initially met the perfect, was Palmer there?

21 A. No.

22 Q. When you met the chief of police, was Palmer there?

23 A. No.

24 Q. So Palmer arrived after those events, did he?

12:07:01 25 A. Yes.

26 Q. And when he arrived, was he introduced, as you were told
27 to, to these individuals?

28 A. That was exactly what we did.

29 Q. And did he too receive a residency permit?

1 A. Yes.

2 Q. Now, we were talking about how the peace talks developed
3 before we diverted. Help us with that, please.

12:07:32

4 A. First of all, the ground was prepared. We were prepared
5 for the peace talks.

6 Q. Who by?

7 A. By Addai-Sebo, by Mr Amara Essy. Even Charles Taylor took
8 part in this, our preparation, for the peace talks.

9 Q. And what did those preparation involved?

12:07:51

10 A. One, as for Charles Taylor, what he did was he invited us
11 to Gbarnga to meet him there, I and Palmer. As soon as Palmer
12 came back in July, he invited us to go there. When we told Foday
13 Sankoh, Foday Sankoh said, no, we should not go there at all. We
14 said but we have to see if there is a second phase to this man.
15 We are not going to continue to reject him outright. Let us see
16 if there is a second face to him. You told us in the bush that
17 he was your friend. We did not see anything. Now he is inviting
18 us to go meet him as your external delegation, so we are
19 appealing to you to allow us to go there. So I and Palmer went
20 there.

12:08:42

21 Q. Now, pause. Help us with this: First of all, by what
22 means was this invitation from Charles Taylor communicated to
23 you?

24 A. He sent a message to Cassell to give it to us.

12:09:03

25 Q. Cassell being the radio operator whom you mentioned
26 earlier?

27 A. Yeah.

28 Q. Yes. And so you decided to go, and by what means did you
29 travel to Gbarnga?

1 A. We took a car to the border and we crossed. By then he had
2 sent a team to come and collect us. I don't remember the name of
3 the officer who came to collect us, but it was the officer who
4 accommodated us when we got there.

12:09:41 5 Q. So what happened when you got to Gbarnga?

6 A. When we got to Gbarnga for us to see him, it was a very
7 difficult thing. We were actually announced that we were there,
8 but for us to see him, we were able to see - we only saw him for
9 ten minutes one time.

12:10:01 10 Q. Now, let's just develop that, shall we. First of all, when
11 was it that you arrived in Gbarnga? Can you give us a month?

12 A. Yes. It was the first week in July.

13 Q. Of which year?

14 A. 1995.

12:10:18 15 Q. Secondly, how long did you stay in Gbarnga?

16 A. We stayed there up until the start of August.

17 Q. So you were there for about a three-week period; is that
18 fair?

19 A. Yes, exactly.

12:10:30 20 Q. And during that three-week period, on how many occasions
21 did you meet Charles Taylor?

22 A. We met him once - sorry, twice. When we were announced,
23 after four days he invited us to go see him. The other time when
24 our food got finished, we went to tell him that our food got
12:10:49 25 finished. Then he instructed General Jackson to give a script to
26 Palmer to go collect food for us.

27 Q. Now, in the first meeting - which, if I understand your
28 testimony, lasted for ten minutes or so - what did you talk
29 about?

1 A. We told him we were there on the ground on his invitation.
2 Then he said, "Okay, I will talk to you guys later on, but how is
3 the brother?" We said, "He is okay."

4 Q. Which brother?

12:11:24 5 A. Foday Sankoh.

6 Q. So what did you say?

7 A. We told him, "He is okay."

8 Q. And what was his response?

9 A. He just smiled.

12:11:34 10 Q. And what else did you talk about?

11 A. That was really all that day and that moment. He still did
12 not disclose to us what he actually called us for.

13 Q. Did you in due course learn why he had called you?

14 A. Yes.

12:11:52 15 Q. From whom did you learn that?

16 A. No, we did not learn it in Liberia. It was when in August
17 he was going to start - he was going on peace talks in Accra --

18 Q. When who was going on peace talks?

19 A. Charles Taylor was going on peace talks in Accra. He said,
12:12:11 20 "You have to follow this convoy." So all of us went to Accra
21 from Gbarnga. We went to Danane to Man. There was where we
22 boarded a plane to take us to Accra.

23 Q. Pause there, because we are in danger of getting confused
24 now.

12:12:30 25 A. We are not.

26 Q. In August Charles Taylor is getting ready to go to Accra
27 for peace talks; is that what you are telling us?

28 A. Yes.

29 Q. And you accompanied him to Accra for those talks; is that

1 right?

2 A. Well, we don't know whether it was for the talks. It was
3 only when we got there that he told us that he wanted us to see
4 the international community to start meetings of people of the
12:12:57 5 international community to see how it - because he said he has
6 started his own peace talks. He wanted us to get ourselves
7 prepared for negotiation, so he wanted us to see how people move
8 around when they are talking peace.

9 Q. Now, let's get a few more details about that. First of
12:13:16 10 all, just describe again for us the route you took to get to
11 Accra starting first of all, where did you travel from?

12 A. We travelled from Gbarnga.

13 Q. So is it right that you and Palmer, having travelled from
14 Cote d'Ivoire to Gbarnga, you then leave from Gbarnga to go to
12:13:40 15 Accra?

16 A. Yes.

17 Q. Without first going back to Cote d'Ivoire?

18 A. No.

19 Q. And help us, from Gbarnga you travelled to where?

12:13:51 20 A. From Gbarnga we came to the Liberia-Sierra Leone border.
21 Then we came to Danane. From Danane we went to Man.

22 Q. How do you spell that?

23 A. M-A-N.

24 Q. And then?

12:14:07 25 A. From Man we boarded the flight which took us to Accra in
26 Ghana.

27 Q. Now help us, from the RUF side, who went to Accra?

28 A. I and Palmer. Just the two of us went.

29 Q. You get to Accra. First of all, how long do you stay

1 there?

2 A. We were there for about two weeks.

3 Q. Doing what?

4 A. We were just there around. He actually don't give us any
12:14:40 5 specific thing to do. We were just there around. What he said
6 at the end of day was that - because when we went there, we and
7 his boys we were all in the same - all of us were treated the
8 same way. The allowance he gave them, the protocol gave us our
9 own allowance to stay there, to stay in the hotel. All of us
12:15:01 10 were there. And when we went there, it was during the second
11 week that he called us to say that in fact - because we were not
12 too sure what he had actually called us for, because he did not
13 say anything up until the end of the first week. So we told --

14 Q. And then what did he say?

12:15:22 15 A. So we told the protocol to go tell him that we want to see
16 him. The protocol told him. So that day he invited us. We went
17 and met him. He said, "Gentlemen, you have come out here to
18 market the RUF. You have come you up here to let your voice be
19 heard by the international community. In fact, you need even
12:15:51 20 Sierra Leone to know what you are all about. But that has to
21 start from somewhere and you have to get yourselves prepared
22 emotionally for it. So that is the only reason why I have
23 brought you around here, to be around to see how people were
24 moving around." He did not even invite us to any of their peace
12:16:11 25 talks, if there was any at all. So it was like he took us only
26 on a sight seeing at the end of the day. That's was how I
27 concluded.

28 Q. So at the end of that sight seeing trip as you style it,
29 what happened to you and Palmer?

1 A. He took us back to Danane.

2 Q. And before you went back to Danane, did you speak to
3 Mr Taylor again?

4 A. No, we saw him only once.

12:16:47 5 Q. Were you dropped off at Danane or did you return to
6 Gbarnga?

7 A. No, we were dropped off at Danane.

8 Q. And did they continue on into Liberia and back to Gbarnga?

9 A. Yes, they did.

12:17:01 10 Q. Did you make any further trips to Gbarnga thereafter?

11 A. No, that was the first and last trip we ever made since we
12 were in Ivory Coast.

13 Q. Now, you have mentioned this in the context of movements
14 towards peace talks. So that was Mr Taylor's contribution?

12:17:23 15 A. That was his first contribution.

16 Q. So what else was being done?

17 A. By us?

18 Q. By anybody.

19 A. Okay. There was an arrangement by Dr Sebo for us to see
12:17:51 20 Mr Omrie Golley and Ambrose Ganda. Omrie Golley and Ambrose
21 Ganda are Sierra Leoneans who are based in London. Both of them
22 are lawyers. Omrie Golley is a businessman. O-M-R-I-E
23 G-O-L-L-E-Y.

24 Q. Second name?

12:18:16 25 A. Ambrose Ganda. He is dead now. Late Ambrose Ganda.
26 G-A-N-D-A.

27 Q. First name?

28 A. A-M-B-R-O-S-E.

29 MR KOUMJIAN: Excuse me, your Honours. Before we move off

1 the topic I was hoping counsel could assist us in getting a date
2 this sight seeing trip that the witness just mentioned.

3 MR GRIFFITHS: I think he gave it already. It was August
4 1995.

12:18:49 5 MR KOUMJIAN: If so, then I withdraw that, but I don't
6 recall that.

7 PRESIDING JUDGE: The stay in Gbarnga prior to this trip
8 was from end of July to August.

9 THE WITNESS: No, it was in the first week of July to the
12:19:07 10 start of August.

11 PRESIDING JUDGE: And your trip to Accra was when?

12 THE WITNESS: First week in August to the third week.

13 PRESIDING JUDGE: Of August?

14 THE WITNESS: Yes.

12:19:20 15 PRESIDING JUDGE: Thank you.

16 MR GRIFFITHS:

17 Q. Now, you were telling us that you were introduced by
18 Dr Sebo to Mr Omrie Golley and Ambrose Ganda for what reason?

19 A. Just to fulfil one of the reasons why we were out
12:19:45 20 partially, because we needed to see Sierra Leoneans who were
21 really not part of the RUF to tell them what the RUF stood for,
22 what the RUF was fighting for and so on. So Ambrose Ganda and
23 Omrie Golley came over from London. They saw us. We explained
24 to them what we were out for and that we needed their support for
12:20:16 25 the peace process. That was where Omrie Golley said, he said if
26 Foday Sankoh comes out, he said he may be able on his own to make
27 arrangements for Foday Sankoh and President Kabbah to have a
28 meeting in --

29 Q. Who was able to do that?

1 A. He said he would do it.

2 Q. Who?

3 A. Omrie Golley.

4 Q. Thank you.

12:20:41 5 A. He said if Foday Sankoh came out he would all on his own
6 support a kick-start of the peace process, but it had to be done
7 in Switzerland between Foday Sankoh and President Kabbah.

8 Q. Did such a meeting occur in Switzerland?

9 A. No, it did not take place at all. It did not.

12:21:09 10 Q. Why not?

11 A. Well, I am sure he - because, one, he did not make a
12 follow-up. Secondly, it was going to be difficult for it to
13 happen because the Ivorians had already taken up the project.

14 Q. So you have dealt with the contribution of Charles Taylor.

12:21:28 15 Now you have dealt with Omrie Golley and Ambrose Ganda. What
16 other steps were being taken to kick-start peace talks?

17 A. The kick-start of the peace talks, the next thing was for
18 me to go to Foday Sankoh first of all to start talking to him
19 from where we were that the ground had been prepared for the

12:21:56 20 peace talks and that the Ivorians are being led by the
21 international community - no, sorry, that the international
22 community is being led by Ivorians to support the peace process.

23 The international community is being led by Ivorians to support
24 the peace process, the Ivorian government.

12:22:17 25 Q. So did you go to speak to Foday Sankoh?

26 A. Yes. When we heard various offers from people like -
27 Blaise Compaore too, he said if Sankoh came and he was not sure
28 where to hold the - he said he was prepared to host the talks if
29 Sankoh was hesitating. Blaise Compaore was one of those who gave

1 those assurances. So when we heard those assurances from various
2 quarters including the Cote d'Ivoire, the Ivorians and Blaise
3 Compaore, we decided to see him. So I was appointed by the
4 delegation to see him.

12:23:04 5 Q. To see who?

6 A. Foday Sankoh at Zogoda.

7 Q. Did you go to see him?

8 A. Yes.

9 Q. When?

12:23:14 10 A. In January 1996.

11 Q. Now, let us just pause for a moment, please. The last
12 event of note you have told us about is the trip to Accra with
13 Charles Taylor in August 1995. Is that correct?

14 A. Exactly.

12:23:38 15 Q. What happens or what is done by the external delegation
16 between August 1995 and January 1996 when you leave to go to
17 Zogoda?

18 A. In December 1995, we launched a book that we entitled
19 "Footpaths to Democracy" at the Ivorian Foreign Ministry.

12:24:07 20 Q. Who launched the book?

21 A. I did the pronouncements.

22 Q. Who wrote the book?

23 A. The RUF, myself, Mr Ibrahim Deen-Jalloh and Philip Palmer
24 wrote the book under the guidance of International Alert
12:24:34 25 represented by Dr Addai-Sebo.

26 Q. Where was the book printed?

27 A. The book was printed in Ivory Coast.

28 Q. Who paid for the printing?

29 A. We paid for the printing ourselves.

1 Q. Where did you get the money from?

2 A. When we came, as I had said, we came with some money, some
3 diamonds. The money was still with us. Some was still with us.
4 We paid 1 million francs CFA to have it printed.

12:25:24 5 Q. Thank you. Could the witness please be shown exhibit

6 D-336. Now, Mr Fayia, this document will be displayed on the
7 screen in front of you, okay?

8 A. It's there already.

9 Q. Is this the book that you produced with your colleagues?

12:26:30 10 A. Yes.

11 Q. We see it's entitled "Footpaths to Democracy, Towards a New
12 Sierra Leone, Volume One". Taking things in stages. First of
13 all, why the title "Footpaths to Democracy"?

14 A. That was to depict the self-reliant nature of the campaign.

12:27:01 15 Q. Which campaign?

16 A. The RUF struggle for a new Sierra Leone.

17 Q. Self-reliant, by that what do you mean?

18 A. We meant by that - sorry, what we meant by that was that we
19 were using what we had in the midst of poverty and everything to
12:27:28 20 run the campaign.

21 Q. Now, what was the purpose of this publication?

22 A. One, to explain to the international community that RUF was
23 fighting to address fundamental causes, including poverty and
24 illiteracy in the country. Two, to remind Sierra Leoneans of the
12:28:28 25 kind of status that we had been reduced to.

26 Q. By whom?

27 A. By the then APC regime. The old APC regime. For a whole
28 generation; 25 years, to be specific.

29 Q. Yes?

1 A. Then to explain the objectives, the ideas and ideals of the
2 RUF, to the international community and to Sierra Leoneans.

3 Q. Now, going back to the frontispiece of this publication, we
4 see below the words "Towards a new Sierra Leone" that this is

12:29:38 5 volume 1. Was there ever a volume 2?

6 A. No. We intended to do a volume 2, but we did not do it
7 until we got scattered.

8 Q. Let us --

9 A. Volume 2 was going to be done after the - if we had
12:29:55 10 succeeded, volume 2 was going to be done.

11 Q. Now, let us now go, please - if we look at the top of each
12 page, there is a number beginning "0000". Could we go to the
13 page bearing the number "9702". Now, we see there the
14 publication date "1995". Now, help us: When in 1995, remind us,

12:30:32 15 was this published? Which month?

16 A. It was published in November 1995. Because it was launched
17 in December just before I left for Zogoda.

18 Q. Let's now go to the page bearing the number "9704". Now,
19 we see there a quote from Frantz Fanon, and we also see third
12:31:27 20 and final - second and final paragraph, quotes from Foday Saybana
21 Sankoh. Now, was Sankoh in the Ivory Coast when this document
22 was written?

23 A. No.

24 Q. How did you get these quotes?

12:31:46 25 A. This quote was taken - I told you earlier on that
26 Addai-Sebo, who actually guided this writing, had met him in 1993
27 and he had interviewed him and taken - collected some information
28 from him. So he added those there.

29 Q. Now, whilst we are on that page, let us look at the third

1 paragraph.

2 "In furtherance of sustainable peace, we call on the UN
3 Security Council to place a universal arms embargo, including the
4 importation and use of land mines, on Sierra Leone forthwith."

12:32:25 5 Whose idea was that?

6 A. The People's War and Peace Council.

7 Q. Now, when you say to impose such an arms embargo on Sierra
8 Leone forthwith, did that include the RUF?

9 A. Yes. Because we did not need an embargo.

12:32:48 10 Q. Why do you laugh?

11 A. We did not need that, because we were not buying arms from
12 any official. We are smuggling through the Guinean border, so we
13 did not need an embargo.

14 Q. Let's go over the page, shall we. 705. We see the RUF/

12:33:12 15 Sierra Leone anthem. Who wrote that?

16 A. When I saw the - because there was a book. When we were
17 doing this book, they gave us a reference - Sankoh gave us a
18 reference. They called it the basic document of the RUF. That
19 was where we saw this one, and we asked Palmer who did it. He
12:33:34 20 said it was one of the vanguards, one OK George. OK George did
21 this one. But OK George died in - died in Kailahun long ago.

22 Q. OK George did what?

23 A. He wrote this anthem, this RUF/SL anthem.

24 Q. Now, you mentioned the basic document of the RUF, yes?

12:33:55 25 A. Yes, I did.

26 Q. What is that?

27 A. That was the first position document that they prepared,
28 those who organised the RUF.

29 Q. Who prepared it?

1 A. It was prepared by OK George and others. The others, I
2 don't know.

3 Q. And was this a document that you had to hand when you wrote
4 Footpaths to Democracy?

12:34:21 5 A. This is part - yes, part of the references we had.

6 Q. Have you retained a copy of that basic document?

7 A. No.

8 Q. Let's go over the page to page 9707, please. Now, we see
9 on that page that the foreword commences with a quote taken from
10 basic document of the RUF/SL:

12:34:51

11 "We can no longer leave the destiny of our country in the
12 hands of a generation of crooked politicians and military
13 adventurers. It is our right and duty to change the present
14 political system in the name of national salvation and

12:35:12

15 liberation. This task is the historical responsibility of every
16 patriot. We must be prepared to struggle until the decadent,
17 backyard and oppressive regime is thrown into the dustbin of
18 history. We call for a national democratic revolution involving
19 the total mobilisation of all progressive forces."

12:35:40

20 What did you mean by "a democratic revolution"?

21 A. First of all, I must say sorry for the spelling of the word
22 "forward". It's actually supposed to be F-0-R-E-W-0-R-D. That
23 was our own mistake there. Coming to the democratic revolution.
24 By "democratic revolution", when we were writing we had at the
25 back of our minds a revolution that would first of all be managed
26 democratically.

12:36:07

27 Q. What about - sorry. Go ahead.

28 A. Yes. And then a community of Sierra Leoneans that would be
29 ruled democratically.

1 Q. And what did you mean by "the mobilisation of all
2 progressive forces"?

3 A. That one we meant by - what we meant by that one was
4 basically to create an alliance to involve every Sierra Leonean
12:36:58 5 who was - every Sierra Leonean who was interested in the progress
6 of Sierra Leone, including students --

7 Q. Go on?

8 A. Including students, women, and the labour groups of Sierra
9 Leone. We had a labour congress.

12:37:28 10 Q. Now, was it the intention of the RUF to terrorise the
11 civilian population of Sierra Leone? Why do you laugh? That's
12 the allegation in this case. It is suggested that the RUF is a
13 terrorist organisation. So help me: Was that your intention?

14 A. It is difficult to imagine that we would sit down and put
12:37:53 15 this kind of thing on paper and at the same time have something
16 exactly different to do. It was not the intention at all to
17 terrorise any Sierra Leonean. The intention of the RUF - we who
18 were in it - the intention of the RUF was to create a liberation
19 - total liberation from poverty, illiteracy and disease, as it is
12:38:18 20 in other parts of the world. The management of the war itself
21 may have been poor. A lot of mistakes were made. But that was
22 not the intention of the RUF.

23 Q. Let us go back to the text, shall we:

24 "We entered Sierra Leone through Liberia and enjoyed the
12:38:38 25 sympathy of Sierra Leonean migrant workers."

26 "Sierra Leonean migrant workers", what are you referring
27 to?

28 A. This is - I was referring to two groups. We are referring
29 to first of all the Sierra Leonean vanguards. Because when today

1 Sankoh was talking us - because that word refers to him. That
2 word refers to - that word "we" refers to Foday Sankoh and the
3 other Special Forces, these young men CO Mohamed and Rashid
4 Mansaray, that word there was we were referring to them, those
12:39:30 5 who came as Special Forces who go through the training from
6 Libya. They told us when they came to Liberia they were able to
7 meet Sierra Leoneans there like Palmer, who had actually gone
8 there to seek fortune.

9 Q. Gone where?

12:39:45 10 A. Gone to Liberia to seek fortune. They were the ones who
11 joined them to organise the army of vanguards that entered Sierra
12 Leone. The other group of migrant workers that we are referring
13 to in this thing is the source of the support for the base.
14 Foday Sankoh and others were telling us that they were getting
12:40:16 15 their support - when they were being trained at Naama, that the
16 young men were getting their support from one Mr Daniel Kallon,
17 who was working for the - he was working for Harbel rubber
18 plantation there. He and his wife Isatta Kallon were supporting
19 the base.

12:40:38 20 Q. Is that the same Isatta Kallon with the diamonds?

21 A. In fact, that is why Isatta Kallon was treated the way
22 Foday Sankoh used to treat her. He said since she started
23 supporting the RUF from the training base in Camp Naama, let her
24 be given that position. Let her be the treasurer and procurement
12:41:03 25 director for the external delegation. So that is the other group
26 of migrant workers - economic migrants in Liberia that we were
27 referring to, the group which supported and the group which came
28 to constitute the army of vanguards.

29 Q. Thank you.

1 "This generation of Sierra Leoneans who have had to migrate
2 to make a living in Liberia are now referred to as mercenaries
3 and bandits."

4 Who was referring to them as mercenaries and bandits?

12:41:43 5 A. This is the - it was the government of the day, I mean the
6 old APC which was doing that, and this was the thing I took to
7 start talking to Foday Sankoh myself. When I entered - before I
8 entered Zogoda, I met this young man, Mosquito. I met him at his
9 home location. I told him, I say, "I am here. I am here to let
12:42:11 10 you know that when you sent us, we have met people, we have
11 spoken with people and we have got - and we got the possibility
12 of having people to hear us. So I want to warn you that there
13 will be no better time for us all to say that we have won this
14 campaign than now, when the international community, when Sierra
12:42:54 15 Leoneans want us to go out and talk." I said, "Because when this
16 campaign started, you and we who are with you, we are all
17 referred to as bandits, we are all referred to as liars and
18 thieves. In fact they said nobody can ever see Foday Sankoh.
19 But today, here is the same human community saying that we are
12:43:30 20 citizens of Sierra Leone and that we are a force to reckon with
21 and that we are being cordially invited at round table talks to
22 sort ourselves out as citizens." I said, "There is no better
23 time than this, this is the best time for us to capture the moral
24 high ground." Because I told him that we needed Sierra Leoneans
12:44:08 25 to understand us, we needed the international community to
26 understand us before we can do anything. Because when you have a
27 project, you have to implement it in phases. I said, "I beg you,
28 let us consider the first phase complete. Let us consider the
29 second phase to be started."

1 So Mosquito thanked me for meeting them. All he told me
2 was, "While we are with you, you just go to the Papay" - all of
3 them used to call him Papay. They said, "You go to the Papay.
4 Whatever he says, we are with you people."

12:44:54 5 Q. Who was called the Papay?

6 A. Foday Sankoh was called by all of them the Papay, to show
7 their loyalty to him.

8 Q. Now let's go back to this document, shall we:

9 "... mercenaries and bandits by the Freetown-based junta.

12:45:10 10 The military junta has also used this fact to gain support from
11 Guinea, Nigeria, Ghana, the US and Britain in its avowed policy
12 of war to rid Sierra Leone of 'alien rebels'."

13 Did you regard the United States and Britain as enemies of
14 the RUF, or opposed to the RUF?

12:45:32 15 A. Never. In the first place, we even extended

16 [Indiscernible] an invitation to the United States and Great
17 Britain to do more through the UN Security Council to ensure a
18 peaceful resolution of this conflict, because the United Nations
19 organisation is the idea of Theodore Roosevelt of the

12:46:08 20 United States and Winston Churchill of Great Britain after the
21 Second World War. So that today Great Britain and America,
22 whether anybody likes it or not, UN is their brainchild, so that
23 the responsibility to implement every aspect of UN charter lies
24 on their shoulders. So that anyone who cries today for peace

12:46:43 25 must talk to them first, must recognise their role first, must
26 embrace their role first. So that is why we wrote this book and
27 invited their participation with unmixed blessings.

28 Q. Thank you. Going back to the document:

29 "We do not deny the fact that some of those who volunteered

1 to join our cause were veterans of the Liberian civil war, but
2 the majority were of Sierra Leonean parentage. However, this
3 minor 'alien' involvement in our just and human cause was
4 curtailed as early as May 1992."

12:47:28 5 What is that meant to portray?

6 A. That was meant to portray the end of the Top 40, because
7 Sankoh actually sent the message to have the Liberians who
8 conducted the Top 20 and Top 40 out of Sierra Leone by Sankoh.
9 When he came from Gbarnga in May, at the end - sorry, at the end
10 of May because the Top 40 happened in May.

12:48:09

11 Q. So when you refer to alien involvement, who are you talking
12 about?

13 A. We are talking about the those who were - because like
14 Isaac Mongru was a military person in Samuel Doe's government.

12:48:27

15 He was a military person in Samuel Doe's government. So when he
16 came back to join the RUF, he is one of those who were involved
17 in the Liberian conflict who became part of RUF.

18 Q. "In May 1992 when it became a nightmarish experience for
19 our civil population." The nightmare, what are you referring to?

12:48:55

20 A. We are referring to the experiences of Top 20 and Top 40.

21 Q. "Ever since we have fought self-reliant war depending
22 mainly on what we capture from the troops of the rebel National
23 Provisional Ruling Council (NPRC), of the regimes of Nigeria,
24 Guinea and Ghana ..."

12:49:16

25 And the regimes of Nigeria, Guinea and Ghana, what are you
26 referring to there?

27 A. Why we are referring to them?

28 Q. Yes.

29 A. We are referring to them because too were as illegitimate

1 when it comes to real democracy as the NPRC was. But they were
2 military - all of them were military takeovers.

3 Q. All of what were military takeovers?

4 A. Nigeria and Ghana - sorry, Nigeria and Guinea. Even Ghana,
12:49:52 5 by then it was ruled by Jerry Rawlings.

6 Q. What are we talking about here? What are you talking about
7 here?

8 A. I am talking about military commanders who were taking
9 power in these countries who had transformed themselves into
12:50:18 10 political leaders that we would prefer to refer to as mufti
11 Presidents. They are the ones I am referring to.

12 Q. Mufti, how do you spell that?

13 A. M-U-F-T-I.

14 Q. Mufti?

12:50:36 15 A. Yes.

16 Q. Now, lets just do a little tour here, shall we. Ghana, who
17 was the President of Ghana at this time?

18 A. Jerry John Rawlings was the President of Ghana at that time
19 and he was the chairman of ECOWAS.

12:50:54 20 Q. How had he gained power in Ghana?

21 A. Initially he gained power by the use of the gun. He
22 carried out a coup d'etat.

23 Q. And what was he before he became President?

24 A. He was a flight lieutenant.

12:51:11 25 Q. So he was a military person, was he?

26 A. Indeed.

27 Q. Now, at this time who was the President of Nigeria?

28 A. Sani Abacha was the President of Nigeria.

29 Q. What had he been before he became President, Sani Abacha?

1 A. He was a military commander. Babangida was the President
2 when - by the time we wrote this book Babangida was the
3 President.

4 Q. And Guinea, who was the President of Guinea at this time?

12:51:41 5 A. The President of Guinea at that time was General Conte,
6 Lansana Conte.

7 Q. And again what had he been in an earlier life?

8 A. He was a general in the Guinean army.

9 Q. And help us, what about Burkina Faso at this time, who was
12:52:00 10 the President?

11 A. The President of Burkina Faso at that time was Blaise
12 Compaore.

13 Q. What had he been in an earlier life?

14 A. He was in the Burkinabe army too.

12:52:10 15 Q. Let's go to Gambia, who was the President of Gambia at this
16 time?

17 A. The Gambian President was Yahya Jammeh.

18 Q. And what had he been in an earlier life?

19 A. He was a military person and he was in the ECOMOG in
12:52:26 20 Liberia. It was from Liberia that he went to take over the --

21 Q. Now, help me, Mr Fayia, at this time in West Africa, were
22 there any leaders who had been democratically elected, civilians?

23 A. At that time? Yes, there was a democratically elected
24 civilian, Houphouet-Boigny of Cote d'Ivoire.

12:52:52 25 Q. Was he the only one?

26 A. No. At that time Houphouet-Boigny of Cote d'Ivoire and the
27 President of Senegal was also a civilian.

28 Q. And tell me, who were the main contributors to ECOMOG?

29 A. The main contractors to the ECOMOG were all the military

1 Leaders in West Africa, post military leaders in West Africa.

2 Q. And during this period, where was ECOMOG deployed?

3 A. ECOMOG was deployed in Sierra Leone and - no, in Liberia.
4 By the time ECOMOG was deployed in Liberia.

12:53:50 5 Q. And they had been deployed in Liberia because there was a
6 civilian revolution against a military dictator, yes?

7 A. Yeah.

8 Q. Another military dictator, just like the ones who
9 contributed the troops to ECOMOG, right?

12:54:04 10 A. Uh-huh.

11 Q. Let's go back to the text:

12 "... regimes in Nigeria, Guinea and Ghana and of the United
13 Liberation Movement for Democracy in Liberia (ULIMO).

14 The RUF/SL is surrounded on all sides by hostile forces.

12:54:24 15 To the north and west, Guinea exercises a stranglehold on the
16 common border. To the east and south, the Liberian counties of
17 Lofa, Bomi and Grand Cape Mount, sharing a common border with
18 Sierra Leone, have been controlled by ECOMOG by way of ULIMO."

19 What do you mean by that? "Controlled by ECOMOG by way of
12:54:48 20 ULIMO", what do you mean by that?

21 A. That means we understood that the ULIMO that was actually
22 at those borders was working for ECOMOG.

23 Q. Thank you:

24 "The sea and airspace are patrolled by ECOMOG. With the
12:55:10 25 situation as it is, how do we get supplies from the National
26 Patriotic Front of Liberia (NPFL) or, for that matter, from
27 anywhere else? The NPFL could not have lost those three
28 strategic counties if it had sufficient arms to spare."

29 What do you mean by that?

- 1 A. What we meant by that is that if in the first place the
2 NPFL had enough arms to give us, they were not going to lose
3 those strategic areas to an enemy because they would have used
4 them to keep - instead of giving us, they would have used what
12:55:57 5 they had to keep those territories to themselves.
- 6 Q. Which territories?
- 7 A. The ones we had mentioned in our document.
- 8 Q. Which ones?
- 9 A. The Lofa County and the Maryland County.
- 12:56:09 10 Q. Now, help me --
- 11 A. Sorry, Cape Mount County.
- 12 Q. -- how important is Lofa as a county in Liberia to your
13 knowledge?
- 14 A. Liberia - sorry, Lofa County is still referred to as the
12:56:26 15 bread basket of that country.
- 16 Q. And does Sierra Leone have a similar bread basket?
- 17 A. Yes.
- 18 Q. Where is that?
- 19 A. Kailahun. Kailahun. Kailahun District.
- 12:56:39 20 Q. Let's go back to this text:
- 21 "Therefore, the theory and accusations that we receive
22 weapons and ammunition from Libya by way of Burkina Faso and the
23 NPFL, and at the same time being a conduit for the supply of
24 materials to the NPFL, are nonsense. These are calculated lies
12:57:02 25 to justify the pursuit of a policy of military option by the
26 Freetown-based military junta against our entreaties for peace
27 through dialogue. It is an insult to every patriotic Sierra
28 Leonean for the 'Libya card' to be played to confuse, as well as
29 betray, the genuine democratic and equal opportunity demands of

1 our people.

2 In respect of the above, we, hereby, challenge the US and
3 Britain to support and see to the implementation and monitoring
4 of our call for the UN Security Council to place a universal arms
12:57:45 5 embargo on Sierra Leone, forthwith. We are tired of being
6 demonised only to prolong the civil war which, left to
7 themselves, the African people of Sierra Leone are capable of
8 resolving through an enlightened process of dialogue. And for
9 this process of dialogue to be successful, it has to be entirely
12:58:10 10 owned by the people as a vehicle for their empowerment.

11 It has become quite clear now, even in Freetown, that the
12 NPRC was 'introduced' to hijack the revolution and betray the
13 cause of the uprising against a rotten plantation system which
14 impoverished Sierra Leone while at the same time enriched its
12:58:38 15 slave masters."

16 Did you contribute to the writing of all of that?

17 A. Yes, I did.

18 Q. Let's go over the page. Having quoted from the RUF/SL
19 anthem, which we observe at the beginning of this document, we
12:59:01 20 see on page 10 of this document, second line:

21 "It is this rallying call that is being set to song as the
22 RUF anthem which journalists are jailed for, for publishing and
23 distributing this motivating anthem in Freetown."

24 Which journalists were arrested or jailed for publishing
12:59:28 25 that anthem?

26 A. Oh, history. There was a time when Fofana announced the
27 imprisonment of a journalist for doing this job, but I don't
28 remember the name of the journalist.

29 Q. So which government was in power when a journalist was

1 detained and jailed for publishing the RUF anthem?

2 A. That was the - which journalist?

3 Q. No. Which government was in power?

4 A. The NPRC.

13:00:11 5 Q. And where was this journalist jailed? Was it in Freetown?

6 A. In Freetown.

7 Q. "What is clear is that the patriotic and
8 democratically-minded Africans of Sierra Leone are waging a
9 successful guerilla warfare using their feet and brains,
10 footpaths and bypasses to surprise, disarm and totally
11 disorganise the offensive operations of the rebel NPRC."

13:00:35

12 Let's go to the bottom paragraph:

13 "We continue to be demonised by those who benefit by doing
14 so. As Pan-Africanists, we are proud of our self-reliant
15 struggle."

13:00:58

16 What do you understand by the phrase "Pan-Africanism"?

17 A. Pan-Africanism is a belief in total freedom of the African,
18 economically and socially.

19 Q. Now, we go on:

13:01:18

20 "Initially we fought a semi-conventional war relying on
21 vehicles for mobility. This method proved fatal against the
22 combined firepower of Nigeria, Guinea and Ghana. By late 1993 we
23 had been forced to beat a hasty retreat as successful
24 infiltration almost destroyed our ranks. We were pushed to the
25 border with Liberia. Frankly, we were beaten and were on the run
26 but our pride and deep sense of calling would not let us face the
27 disgrace of crossing into Liberia as refugees or prisoners of
28 war. We dispersed into smaller units, whatever remained of our
29 fighting forces. The civilians were advised to abandon the towns

13:01:48

1 and cities, which they did. We destroyed all our vehicles and
2 heavy weapons that would retard our progress as well as expose
3 our locations. We now relied on light weapons and on our feet,
4 brains and knowledge of the countryside. We moved deeper into
13:02:32 5 the comforting bosom of our Mother Earth - the forest."

6 Last paragraph:

7 "We have created settlements we call zoebushes."

8 Based on those passages which I have referred to, Mr Fayia,
9 what would you say were the important stages in the revolution in
13:03:01 10 which you engaged in Sierra Leone? Because you mention there,
11 "Initially we fought a semi-conventional war ..." For what
12 period did you fight such a semi-conventional war?

13 A. It was a very short period, because there was a - when the
14 war started, the young men were able to get - through ambushes,
13:03:31 15 they were able to get vehicles from the government soldiers and
16 the heavy weaponry. But because of space problem, we actually
17 didn't have space. We actually don't have space up until the
18 time the government decided to launch Operation Locate and
19 Destroy. So they advised themselves to destroy the heavy weapons
13:03:58 20 they had and the vehicles so everybody can jump into the bush.
21 And this destruction took place in 1993, the destruction of heavy
22 weaponry.

23 Q. And the next phase is what?

24 A. The next phase of our revolution, you mean?

13:04:12 25 Q. Yes, please.

26 A. The next phase of the revolution is supposed to be the
27 negotiation aspect of it, which we initiated in Cote d'Ivoire,
28 the negotiation to reach a peaceful settlement.

29 Q. Can we go over the page to page 9712, please, middle

1 paragraph:

2 "We have learned the value of treating captives and
3 prisoners of war with utmost civility."

4 What are you referring to there?

13:05:00 5 A. "We have learnt" - okay. We know that when people
6 captured, like the people I referred to in my initial
7 presentation, Jawara, Medvedev and the people at the - and the
8 people from Rutile, we know that when - we knew from the start
9 that when such people are handled, the best thing to do if we
13:05:28 10 want to succeed as a movement - a professional movement is to
11 treat them with maximum care. You treat them according to
12 international law. You treat them like human beings. You give
13 them all the respect that they deserve. Also even the military
14 prisoners of war, the soldiers who crossed over who surrendered
13:05:51 15 to the RUF, that is why we don't mention - when we are talking
16 about prisoners of war, we normally did not mention them, the
17 Sierra Leoneans - the Sierra Leoneans who surrendered to RUF, we
18 don't mention them because we almost - we immediately
19 incorporated them into the RUF fighting ranks. People like -
13:06:14 20 there was a man, his nickname - people like Mr Blue. There was
21 an elderly man who was captured at the front. They gave him a
22 nickname, Mr Blue. I remember him very well. He was one of
23 those who was incorporated like that.

24 Q. Now, it continues:

13:06:31 25 "Our ranks keep swelling daily. We have no need to
26 conscript by force."

27 Did the RUF conscript by force, Mr Fayia?

28 A. That is what I am saying. We always encouraged people to
29 be part of us. We gave the message out to young men, we gave the

1 message out to young women to be part of us, but nobody was
2 actually forced to be part of the RUF.

3 Q. Because it continues:

4 "Forced conscription is an inferior method which tends to
13:07:08 5 pose security risks in the long run. Those forcibly conscripted,
6 when they manage to escape, lead enemy troops back to locations
7 they are familiar with."

8 Was that a reality for the RUF?

9 A. We saw it as a reality. It did not happen, but it we saw
13:07:30 10 it as a reality.

11 Q. "We do exercise limited martial rule in our liberated
12 zone." What's that mean?

13 A. When the RUF combatants came, they told us that they had
14 rules that they would like to follow and - like rape. When you
13:07:53 15 rape, you are punished militarily; when you steal, you are
16 punished militarily and so on. So at least I know that one
17 person was killed for rape. One person was killed for rape.
18 One - in fact, he was a Liberian. He was killed for rape in
19 Bandajuma Sinneh.

13:08:16 20 Q. Spell that, please.

21 A. He was killed by Superman in Bandajuma Sinneh when he raped
22 a pregnant woman.

23 Q. Spell the name of the town.

24 A. B-A-N-D-A-J-U-M-A S-I-N-N-E-H.

13:08:40 25 Q. So that's what you are referring to there. Okay. Let's
26 move on. Over the page, page 9713, second half of the first
27 paragraph:

28 "In respect of this awakening, there has emerged the Jungle
29 United Christian Council and the Jungle United Muslim Council.

1 The different divisions in Islam and Christianity respectively
2 worship under one roof and under the guidance of a chief imam or
3 priest or a church mother."

4 Is that true?

13:09:14 5 A. Yes. When the OSM was organised, one of the leaders in the
6 OSM, Mr Gaskin Amara, suggested the idea of having a united
7 Christian community in the bush there. When that one happened,
8 the Muslims also came together and had a joint united Muslim
9 community.

13:09:45 10 Q. Now, let's go to page 9715. Are you there?

11 A. Yeah.

12 Q. Six lines from the top:

13 "The importation of the 'apartheid dogs of war', Executive
14 Outcomes, to strengthen the chosen policy of war by the rebel
13:10:16 15 NPRC is a case in point. What irks the population most is the
16 fact that these mercenaries are businessmen to the boot and they
17 are mining away the non-renewable resources of diamonds. If they
18 came to fight the RUF/SL that would not bothered the population,
19 because they know that the 'apartheid dogs of war' will be
13:10:42 20 handled the same way as the Gurkhas were disgraced to a man on
21 the battlefield."

22 What are we talking about there?

23 A. We are talking about - basically about the Executive
24 Outcomes. Executives Outcomes is a military - sorry, is a
13:11:00 25 mercenary business group in South Africa who were hired by the
26 NPRC to come and help them fight the RUF on two conditions: One,
27 to pay them cash, worth more than US\$6 million on top of mining
28 concession in Sierra Leone in Kono. This particularly was
29 mentioned because although there were a lot of mistakes, there

1 were a lot of other surprises. Like, Foday Sankoh himself did
2 not keep to the Abidjan Peace Accord. He had actually said no
3 mining - no mining until the conflict is over so that our country
4 will remain a virgin until we have the power to see how we can
13:11:53 5 distribute the wealth to the people. But for them as citizens of
6 the country to have invited a mercenary group to fight us,
7 knowing pretty well that we are all brothers, was regarded as a
8 strategy to continue to destroy the country.

9 PRESIDING JUDGE: Mr Griffiths, how does the witness know
13:12:30 10 these details of the \$6 million and the mining concession? Could
11 we establish that, please?

12 MR GRIFFITHS:

13 Q. You are being asked, Mr Fayia, how do you come to know that
14 Executive Outcomes were paid US\$6 million and were also given
13:12:51 15 mining concessions?

16 A. I did not say 6 million. I said about \$6 million. That
17 information, the figure is not exact, but extensive research was
18 done on the conduct of the war in Sierra Leone concerning the
19 coming of the Executive Outcomes. We got that information from
13:13:09 20 International Alert.

21 Q. Next paragraph:

22 "We have every reason to mistrust military juntas and
23 particularly those who are waging war against us even if they
24 have mutated into mufti Presidents. How they came to power and
13:13:30 25 how they have managed their countries are a matter for their own
26 people."

27 Now, you have already explained what you mean by that,
28 haven't you?

29 A. Yes.

1 Q. These military leaders who had gained power through coups,
2 transformed themselves into Presidents and who were in fact the
3 backbone and the voice behind ECOMOG, yes?

4 A. Uh-huh.

13:13:55 5 Q. Over the page:

6 "In this respect we find it so reasonable to make simple
7 demand that all foreign troops including military and
8 intelligence advisers and trainers leave the soil of Sierra Leone
9 to give the required space for Sierra Leoneans to settle their
10 own conflict.

13:14:17

11 As a practical demonstration of our commitment to peace we
12 call for a universal arms embargo to be placed on Sierra Leone
13 forthwith."

14 Over the page, please. That photograph at the top,
15 indistinct, yes, but who do we see in that photograph?

13:14:42

16 A. I remember the faces. The faces are those of the people
17 that were captured at the mining place in Sierra Rutile in
18 Moyamba District. I think this was Calum Morray if I am not
19 mistaken, the one on the right.

13:15:09

20 Q. So these were the British miners who were captured and
21 later released through the work of Dr Sebo and OSM, yes?

22 A. Yes, sir. Foday Sankoh is the one in the middle.

23 Q. Last paragraph on that page: "In this respect, our
24 unilateral declaration of ceasefire announced in April 1992."

13:15:34

25 What was that?

26 A. When the soldiers - when the NPRC took over under Strasser
27 King, Foday Sankoh said, "Now that the part of the job that we
28 came to do has been accomplished by our brothers, which looks
29 like they are waiting for us, all we need to do is to declare a

1 unilateral ceasefire." He ordered the boys to dissolve all the
2 ambushes. He said, "Let us wait for them, let us wait for our
3 brothers and see if they can come." So he dissolved all the
4 ambushes. He told them, "Stop fighting now. The war is almost
13:16:13 5 over because your brothers have completed the job over there."
6 He did not know that Strasser was not in for that kind of thing,
7 although he had his own tricks at the back of his mind, he, Foday
8 Sankoh.

9 Q. Over the page, please, and I am hoping that we can get
13:16:32 10 through the rest of this document swiftly. Second paragraph:

11 "We are fighting for a new Sierra Leone, a new Sierra Leone
12 of freedom, justice and equal opportunity for all. We are
13 fighting for democracy and by 'democracy' we mean equal
14 opportunity and access to power to create wealth through free
13:16:57 15 trade, commerce, agriculture, industry, science and technology.
16 Wealth cannot be created without power. Power cannot be achieved
17 without struggle. All that is required" - skipping a few lines -
18 "to restore the dignity, prestige and power of the African as an
19 equal competitor in the world stage." Over the page. "We are
13:17:23 20 fighting for democracy." Jump a few lines. "We are fighting to
21 restore our culture of democracy." Jump then. "We are fighting
22 to destroy the colonial heritage that continues to make the
23 African ashamed of ourselves to the extent of denying ourselves
24 our own sense of spirituality, worship and collective sense of
13:17:53 25 responsibility and purpose."

26 Tell me, were those the guiding ideals of the RUF?

27 A. Indeed, they were.

28 Q. Mr Fayia, when you and the other members of the external
29 delegation penned this document, were you seeking to mislead the

1 world about your true purpose when in fact the reality was you
2 were just merely a terrorist organisation? Were you seeking to
3 mislead here?

13:18:33 4 A. It was very unfortunate that things turned out to be the
5 way they turned out to be because - but no means were we seeking
6 to mislead the international community, to mislead Sierra
7 Leoneans, to mislead other friends of the world. In fact that is
8 the reason why some of us, including myself, when we saw that
9 Foday Sankoh had lost interest in the peace process of 1996,
13:18:59 10 after the Abidjan Peace Accord, some of us decided to pack our
11 bags to leave, some of us decided to strip him of the leadership.

12 Q. We'll come to that, but let us just conclude this document,
13 please. Let us go to page 9722, which is a new chapter, "Why the
14 armed struggle?" If we go over the page now to the next page,
13:19:31 15 the last three lines on that page:

16 "It is experience that has taught the suffering Africans of
17 Sierra Leone that power lies in the gun and whoever controls the
18 guns controls the means of suppression and the means to steal the
19 wealth of the country. And the only way to stop this corruption
13:20:02 20 of power is for the people to take up arms in order to take back
21 their power and use this power to create wealth for themselves
22 and generations to come by reconstructing a new African society
23 in Sierra Leone consistent with the highest ideals of our
24 glorious past and the challenges of the modern world we live in."

13:20:28 25 Question: Why the resort to the gun, Mr Fayia?

26 A. In Sierra Leone, during the old APC regime, which was very
27 oppressive, which was very undemocratic, in fact there was a time
28 when we were under a one-party system. The SLPP we hear of today
29 was dead and buried. No other party could contest. If you did

1 not belong to the APC, there was no way you would succeed as a
2 human being in Sierra Leone in those days. Although the lesson
3 has been learnt now. Because President Siaka Stevens decided to
4 keep himself in power by increasing the number of security
13:21:35 5 personnel around him. He decided to keep himself in power by
6 intimidating people who wanted to contest using freedom.

7 I remember, for the entire time he ruled, the people of
8 Luawa of Kailahun central, they always had a member of
9 parliament, MP, not beyond that, because by then Kailahun was
13:22:18 10 known as the stronghold of SLPP. Although today it is really not
11 like that. Siaka Stevens was using these Cuban-trained young
12 men, he used to call them SSD, the special security unit - sorry,
13 division. They were the ones he was using to rig elections. He
14 also had or paid a blind eye to all of his henchmen in politics
13:23:09 15 who used thugs to muzzle other politicians who wanted to bring in
16 new ideas.

17 Q. Now, pause for a moment, please. Perhaps we can deal with
18 this matter shortly. Did the RUF consider that peaceful
19 democratic change could be brought to Sierra Leone, or was it the
13:23:35 20 view that it was only through taking up arms that such change
21 could be brought about?

22 A. That is where I am coming. When people suffer from this
23 for a long time, there were a lot of strikes. There was an
24 anti-government demonstration by students in 1977 which sent a
13:23:59 25 lot of our young brothers and sisters to Liberia. 1977. The
26 labour union of Sierra Leone went on demonstration. That one was
27 brought down. All these were civil demonstrations. Teachers
28 went on sit down strike. Those ones did not work.

29 So the only option that we saw was first of all to see that

1 the military gadgetry, which Siaka Stevens put in place to keep
2 him in power, was to be brought down as the first phase of the
3 implementation process of the RUF agenda. That is why when the
4 1992 coup took place, Foday Sankoh considered it, although it was
13:25:14 5 rather ironical, he considered it as an accomplishment.

6 Q. Pause there. Can we, in light of that, go to page 9727,
7 please? Do you have it?

8 A. Yeah.

9 Q. "In effect Freetown was Sierra Leone and has always been
13:25:41 10 Sierra Leone, like Monrovia was Liberia and Port-au-Prince was
11 Haiti.

12 How did the RUF/SL react to the coup d'etat later to be led
13 by ECOMOG/Liberia war veteran, Captain Valentine Strasser King?

14 The leader, Foday Saybana Sankoh, called a public meeting of the
13:26:00 15 chiefs, elders, religious leaders and citizenry of Kailahun

16 District. This is what ensued. Sankoh told them that he brought
17 the war to remove the rotten APC system and now that the APC had
18 been removed by their own brothers in arms peace must be sought
19 and the war brought to an end to pave way for national

13:26:26 20 reconciliation, reconstruction and development. Sankoh frankly
21 told the gathering of his mistrust of coup-makers and military
22 rulers but he was willing to stretch an olive arm for peace,
23 development and progress if the gathering advised him to do so.

24 The chiefs and elders asked for three days to think over matters.

13:26:49 25 They gathered again to listen to the chiefs and elders.

26 They said they promised and offered him support to wage a
27 liberation war and also to rebuild the country after victory and
28 peace. Their conviction remained the same and if he felt that it
29 was time for peace, he had their support, and if he felt the

1 liberation war should continue, he had their support. Sankoh,
2 after reflection, told the gathering that it was time for peace
3 and with their blessing he would approach the coup leaders and
4 ask for peace talks backed by a unilateral declaration of
13:27:28 5 ceasefire.

6 Sankoh communicated the offer of the olive branch and peace
7 by radio to the young soldiers and some senior officers who knew
8 him personally. They reacted positively and particularly to the
9 unilateral declaration of ceasefire. We proposed a
13:27:48 10 representative and sovereign national conference of all Sierra
11 Leoneans at a mutually accessible location to present a way
12 forward for the bringing into being of a new Sierra Leone.

13 The coup-makers promised to get back to us. The next thing
14 we heard over the air was what amounted to summoned visits to the
13:28:10 15 military rulers of Ghana and Nigeria, JJ Rawlings and IB
16 Babangida respectively. They returned to Freetown and without
17 coming back to the RUF/SL announced a continuation of the APC
18 policy of war. Assured of sponsorship, the young coup leaders
19 opted for a military solution and made the defeat and
13:28:37 20 extermination of the RUF/SL as their priority. It is said that
21 birds of the same feathers flock together. It is sad that West
22 Africa was under the boots of military dictators at that
23 historical period and the NPRC chose to go the way of all
24 dictators."

13:29:02 25 And let's jump forward to page 9732, please, second
26 paragraph:

27 "By lending recognition to the NPRC military junta, in a
28 civil war situation, ECOWAS, dominated by the military rulers,
29 set a pattern for the OAU and UN to follow without critical

1 examination of the consequences."

2 Now, those passages which I have read, Mr Fayia, do they
3 accurately reflect what happened in April 1992?

4 A. Yeah.

13:29:45 5 Q. That Sankoh was willing to talk peace with Strasser but
6 that military junta was not interested. Is that right?

7 A. At that time it was not possible for me to read Sankoh's
8 mind, so I - all of us believed that what he was saying - what he
9 was saying to us was what he would stand over to go by. It was
10 only later, later in 1997, that we knew that he misled us, that
11 he misled us in writing this one. Because if we knew that he was
12 not in for peace, we were with not going to write this kind of
13 thing as part of an RUF position statement.

14 Q. We will come to that. But can we put that document away
13:30:33 15 now, please.

16 PRESIDING JUDGE: Mr Griffiths, I have my eye on the time.

17 MR GRIFFITHS: This is as good a time as any.

18 PRESIDING JUDGE: Right. We will take our one hour break
19 and reconvene at 2.30.

13:30:54 20 [Lunch break taken at 1.30 p.m.]

21 [Upon resuming at 2.30 p.m.]

22 PRESIDING JUDGE: Good afternoon. Mr Griffiths, please
23 continue.

24 MR GRIFFITHS: Can I first of all announce a change in
14:31:23 25 representation. Mr Munyard is no longer with us and we've been
26 joined by Ms Logan Hambri ck:

27 Q. Mr Witness, Mr Fayia, before the luncheon adjournment we
28 were looking at that publication "Footpaths to Democracy", yes?

29 A. Yeah.

1 Q. And you explained to us how it was prepared in November and
2 then was launched in December 1995. Is that right?

3 A. Yeah.

4 Q. Is that right?

14:31:57 5 A. Yes.

6 Q. Where was the launching ceremony held?

7 A. The launching ceremony was held at the Ivorian Foreign
8 Ministry.

9 Q. Who was present at the launch?

14:32:11 10 A. The Ivorian Foreign Minister by then, Mr Essy Amara, was
11 there. The Director of Cabinet, Mr Abdulai Abdallah, was there.

12 Q. Abdulai Abdallah?

13 A. Yes. A-B-D-U-L-A-I, Abdulai.

14 Q. Abdallah?

14:32:35 15 A. A-B-D-A-L-L-A-H.

16 Q. Who else was there?

17 A. Dr Addai-Sebo was there.

18 Q. Yes?

19 A. Ms Adjoa Coleman was there.

14:32:56 20 Q. Ms who?

21 A. Adjoa Coleman was there, the OAU representative.

22 Q. Could you spell her name for us, please?

23 A. A-D-J-O-A, Adjoa.

24 Q. And the surname?

14:33:13 25 A. Coleman, C-O-L-E-M-A-N.

26 Q. Thank you. Was there a representative from the United
27 Nations there?

28 A. No. The United Nations representative, Mr Dinka, was
29 supposed to be there, but he said he had a meeting in - he said

1 he was going out to a meeting I think in Uganda or so, so he was
2 not able to attend the meeting. But I had met with him at Hotel
3 Ivoire that afternoon before we went.

4 PRESIDING JUDGE: Mr Griffiths, this OAU representative
14:33:47 5 presumably to Ivory Coast.

6 THE WITNESS: No.

7 PRESIDING JUDGE: Where?

8 THE WITNESS: She was the OAU representative of a special
9 envoy to the OAU Secretary-General. By then it was Salim Ahmed
14:34:02 10 Salim on the Sierra Leone peace talks.

11 MR GRIFFITHS:

12 Q. And that last name, the OAU Secretary-General?

13 A. Salim Ahmed Salim. S-A-L-I-M. I think A-H-M-E-D, Ahmed,
14 and then Salim again.

14:34:33 15 Q. Now, were you present at that launch, Mr Fayia?

16 A. Yes, I was.

17 Q. Did you speak at the launch?

18 A. Yes, I did.

19 Q. And what did you say?

14:34:50 20 A. First of all, I would like to mention who else was there.

21 The Deputy Minister of Defence of - the Deputy Minister of
22 Foreign Affairs was there, Mr - they used to call him Ambassador
23 Tarawalli - Ambassador Traore, T-R-A-O-R-E. The Deputy Foreign
24 Affairs by then, Ambassador Traore. T-R-A-O-R-E, with an acute.

14:35:30 25 PRESIDING JUDGE: It's not Tarawalli?

26 THE WITNESS: No. French, they don't write it that way.
27 They say Traore, T-R-A-O-R-E. The A has an acute on top of it.

28 MR GRIFFITHS:

29 Q. Who else was present?

1 A. Those are the ones I remember.

2 Q. Very well. What did you say at that launch?

3 A. At that launch I addressed them first of all by starting
4 with a thank you to the Ivorian government for finding it

14:36:08 5 necessary to give us accommodation in Cote d'Ivoire and then for
6 finding it necessary to give us a caring ear to listen to what we
7 had to tell them concerning the RUF.

8 Q. Then?

9 A. Then I went ahead to explain to them the fundamental causes
14:36:57 10 of the conflict in Sierra Leone.

11 Q. And then?

12 A. Then I asked them that we were putting our views on paper -
13 sorry, that we had put our views on paper in order to make

14 history so that posterity - Sierra Leonean children that are yet
14:37:41 15 to be born would be able to understand why the war was fought,
16 although the conduct of it was characterised by a number of
17 mistakes.

18 Q. Now, you've used that word "mistakes" before. What are you
19 referring to?

14:38:20 20 A. I'm referring to the activities of Foday Sankoh himself.

21 Q. Okay. Carry on.

22 A. Then I pronounced the book officially launched.

23 Q. Did you go on to distribute copies of the book?

24 A. Yes, I did. I distributed copies to those who were there.

14:38:47 25 Q. Was the book distributed to a wider audience than those
26 present?

27 A. Unfortunately no at that point.

28 Q. Now, at the conclusion of the launch, what did you do
29 thereafter?

- 1 A. What we wanted to do to have the distributed to a wider
2 audience was to send it to Freetown. But we understood that -
3 although it was not confirmed, we understood that people were
4 being punished in Freetown for having it, so we decided to keep
14:39:22 5 the books with us.
- 6 Q. Those in Freetown - this information that came to you that
7 people were being punished in Freetown for having the book, how
8 did people in Sierra Leone get hold of copies of the book?
- 9 A. The books were with us up until when Foday Sankoh came to
14:39:45 10 Freetown. So he was able to bring - according to what I gathered
11 later on, he was able to bring to a carton of the books to
12 Freetown. Secondly, the ones that we sent to the RUF-held
13 territory were the ones that first entered Freetown.
- 14 Q. Now, pause there. Let's get a time scale for this. When
14:40:17 15 did copies enter RUF territory?
- 16 A. As soon as they were published.
- 17 Q. In December 1995?
- 18 A. Yeah.
- 19 Q. You got copies into RUF-held territory?
- 14:40:32 20 A. Not exactly in December. When I was going to see Foday
21 Sankoh for - in Zogoda, that was when I took his own copies to
22 him.
- 23 Q. Right, that's what I'm coming to. So there came a time,
24 did there, after the launch of Footpaths, when you went from
14:40:51 25 Ivory Coast to Zogoda?
- 26 A. Yes.
- 27 Q. First of all, when did you do that?
- 28 A. I went in January 1996.
- 29 Q. Why did you go?

1 A. I went to start persuading Foday Sankoh to come out of the
2 bush for peace talks.

3 Q. Now help us, who had suggested to you that Sankoh should
4 leave the bush to go to Cote d'Ivoire for peace talks?

5 A. Several people suggested that to us. Addai-Sebo was the
6 first person, as I said, initially. When he met us in the bush
7 in 1993, he was the first person to suggest that to us. Then he
8 went ahead to make - to prepare the ground for that - for us. So
9 I would say it was the International Alert who initiated - who

14:42:03 10 started telling us about the essence of taking our message to the
11 Sierra Leonean community in the diaspora, to the Sierra Leoneans
12 in Sierra Leone, and to the international community. Other
13 friends like Blaise Compaore and the Ivorian government also
14 advised that it was necessary for Foday Sankoh to come outside

14:42:31 15 for talks. The Ivorians promised sponsoring everything from
16 going to collect him, to ensuring the security of Foday Sankoh in
17 Cote d'Ivoire up until when the peace accord would be signed.

18 Q. Now, I'm going to come back to your trip to Zogoda in a
19 moment, but at or about the time that "Footpaths to Democracy"
14:43:13 20 was launched, did you see Charles Taylor?

21 A. I'm sorry, I did not mention that point initially before we
22 went for break. But yes, when we - when the launch was over - or
23 when the launch was being done, by that day Charles Taylor was in
24 Abidjan, and he was there with Counsellor Gallawole and others.

14:43:42 25 Q. With who?

26 A. Counsellor Gallawole.

27 Q. How do you spell that name?

28 A. Well, if I spell it phonetically, maybe that will help all
29 of us.

1 Q. Yes, please.

2 A. Okay, G-A-L-L-A-W-O-L-E.

3 Q. And who is he?

4 A. He is a lawyer. When we finished the launch --

14:44:15 5 Q. The launch of "Footpaths to Democracy"?

6 A. Yes. Yes, Addai-Sebo, according to him, he said he was
7 going to inform Taylor that we were in town - we're in Abidjan
8 launching our book. He informed him, and later he came back to
9 tell us that Mr Taylor wanted to see us now that the first leg of

14:44:36 10 the peace process has been achieved. We went to the place there.

11 I was there, Dr Mohamed Barrie was there, Mrs Deen-Jalloh was
12 there, Mr Deen-Jalloh himself was there. When we went --

13 Q. To which place?

14 A. Hotel Ivoire.

14:44:58 15 Q. The hotel?

16 A. Hotel Ivoire.

17 Q. As in Cote d'Ivoire?

18 A. Yes.

19 Q. Yes, and did you meet Mr Taylor?

14:45:06 20 A. Yeah, we saw him, but it was not a meeting. We saw him.

21 We saw him. We entered his room. He said congratulations.

22 Because by then he was very busy and the place was very crowded.

23 He said congratulations gentlemen, I've heard that you have

24 started - the first leg of the peace process has started. At

14:45:31 25 least when you market yourself that is an important start. That

26 is a very good start. That is a very good place for you to

27 start. Because first of all, you have done very well by making

28 your views known, by making your objectives known, so you have

29 done very well. Then he told General Jackson, his bodyguard, to

1 give us 10 million CFA for our maintenance in Abidjan - sorry, in
2 Ivory Coast.

3 Q. Ten million what?

4 A. Ten million franc CFA. By then 45,000 CFA was about \$100.

14:46:14 5 He said this is to support you while you run after the peace
6 process. It was that money that we used up until when Foday
7 Sankoh came from the bush.

8 Q. Now, let's go back to your trip to Zogoda. So you're going
9 to Zogoda in January 1996 to persuade Foday Sankoh to come to the
10 Ivory Coast for peace talks. Is that right?

11 A. Yes.

12 Q. How did you get to Zogoda?

13 A. Before I went to Zogoda, in fact there is a friend who had
14 got lost for a long time, Mike Lamin. And --

14:47:11 15 Q. I was coming to that in a moment, but can we just take
16 things in stages. I will ask you in a moment if you travelled to
17 Zogoda with anyone?

18 A. Yes, I did.

19 Q. But before that, did you travel to Zogoda with someone?

14:47:26 20 A. Yes, I did. With two people.

21 Q. Who were the two individuals with whom you travelled to
22 Zogoda?

23 A. I travelled with Mike Lamin, one of the vanguards who had
24 disappeared from the RUF.

14:47:39 25 Q. And the second person?

26 A. Massaquoi, his bodyguard.

27 Q. What Massaquoi?

28 A. I don't remember his first name, but up to now he's in
29 Liberia.

1 Q. Now, let's get how you got there out of the way, and we'll
2 come back to Mike Lamin. How did you travel from Cote d'Ivoire
3 to Zogoda?

14:48:16

4 A. From Danane we went to Lola. That is the last town to get
5 from Guinea to Ivory Coast.

6 Q. And what's the name of - how do you spell that name?

7 A. L-O-L-A.

8 Q. And then where did you go?

9 A. Then we went to Gueckedou.

14:48:32

10 Q. Yes?

11 A. It was from Gueckedou that we went to the refugee camp -
12 the Sierra Leone refugee camp in Guinea, the one that was close
13 to the border. I don't know the name of the town.

14 Q. And then?

14:48:52

15 A. When we went there, we went to one of our crossing points
16 where a young man called Sheku Joe was there and was waiting for
17 us. He had spoken to the securities there to us have ferried
18 across on our side of the border, and that was in Yibema. We
19 crossed at the Yibema crossing point. The first village we met
20 was Yibema itself. Then we came to Mamutu [phon], where I was
21 born - the small village in the Mano Sewalu section I was born.
22 I have mentioned Mano Sewalu before.

23 Q. Yes, you have.

14:49:27

24 A. Yes, I have. I want you to know that Mamutu is the actual
25 village where I was born in the Mano Sewalu section.

26 Q. And from thence?

27 A. From there we proceeded to Zogoda together, the three of
28 us.

29 Q. Now, having set out all of that, let's go back to Mike

1 Lamin. How did you come to be travelling from Cote d'Ivoire to
2 Zogoda with Mike Lamin?

3 A. Mike Lamin met me in Danane and introduced himself as an
4 RUF vanguard. Of course, I did not know him.

14:50:23 5 Q. Had you ever set eyes on him before?

6 A. No, I never knew him before.

7 Q. And when was it that this meeting - this first meeting for
8 you took place with Mike Lamin?

9 A. The very first - the very week I was to travel. The very
14:50:40 10 week I was to travel to meet Mr Sankoh was the very week he met
11 me. So I told him --

12 Q. Now, let's take things slowly. How did you come to meet
13 him?

14 A. He went to my house.

14:50:55 15 Q. He came to your house?

16 A. He went to my house in Danane, yes.

17 Q. And do you know how he came to know where you were living?

18 A. Yes.

19 Q. How was that?

14:51:03 20 A. The story from him was a bit long, because by then Issa
21 Sesay was with us. He had come for treatment to Cote d'Ivoire.
22 He had hernia. He had come for treatment. And according to him,
23 he had actually met Issa Sesay. He had met Issa Sesay in Guinea,
24 where he told him that he too had left - he was trying to hide
14:51:31 25 his identity with - his identity from the man.

26 Q. From which man?

27 A. From Mike Lamin. He told him he too had left the movement
28 for a long time; he was on his own. That was what Mike Lamin
29 told me Issa told him that day. So - but he said: But me, I

1 want to get back to Foday Sankoh. That was what he said, he
2 Mike. So when Issa - Issa disappeared from him and he actually -
3 because he had money to pay for his way to come. Later I saw -
4 Mike Lamin, according to him, he came to Danane and started
14:52:05 5 asking people for the RUF people. So he was taken to my house.
6 He was taken to my house by a boy called Ballah.

7 Q. Spelling?

8 A. B-A-L-L-A-H. So he was taken to my house by a boy called
9 Ballah. He introduced himself to me as Mike Lamin, first of all
14:52:31 10 by name, and then he went ahead to introduce himself to me as a
11 vanguard of the RUF, and he indicated his interest to go to see
12 Foday Sankoh. He also told me he had left the RUF since 1991,
13 when he was threatened with death after he killed a Liberian
14 rapist, according to him, a commando too. That was how he was

14:53:00 15 able to escape. Then I promised taking him to Zogoda to Foday
16 Sankoh. Then his bodyguard also said he would like to join the
17 trip - join us on the trip. We decided to travel together in the
18 first week of January 1996.

19 Q. Now help me: When you got to Zogoda, how was Mike Lamin
14:53:37 20 received by the RUF?

21 A. He was received with great suspicion because he had left
22 the movement for a very, very long time, since 1991, and since
23 they did not know - that was demonstrated to him by Issa when
24 they met in Guinea. So the same behaviour Issa put up to him in
14:54:00 25 Guinea was the same thing that continued when he got in too. So,
26 in fact, when we arrived at that moment Foday Sankoh did not even
27 see him.

28 Q. Did not even see who?

29 A. Did not see - Foday Sankoh did not see Mike Lamin. He just

1 told the boy to take Mike Lamin straight to another location in
2 the north.

3 Q. Which location was that?

14:54:27

4 A. There was a location in the north, I don't remember the
5 name, but there was a location in the north where CO Mohamed was.
6 So that even if he saw him, it was quite later in my absence, but
7 the day we arrived was the very day he told his bodyguards to
8 take Mike Lamin to that location.

14:54:51

9 Q. So, now, let's come to the purpose of your trip to Zogoda.
10 Did you speak to Sankoh about coming out of the bush and going to
11 Cote d'Ivoire?

12 A. Yes, I did.

13 Q. What was his reaction?

14:55:11

14 A. His reaction was positive. His reaction appeared positive
15 to me because he accepted coming out, but he said he wasn't too
16 sure of his - he said he wasn't too sure of his security, so how
17 was that going to be arranged? I said, "But the Ivorian Foreign
18 Ministry has offered to send a very strong representation to
19 collect you in the person of Mr Essy Amara himself, the Foreign
20 Minister, and then of course the ICRC country director for Sierra
21 Leone, Mr Primo Kunare [phon], was to bring him to your location
22 to collect you by helicopter." And I went ahead to - as I

14:55:36

23 started, I went ahead to tell him the essence of actually coming
24 out to be seen by the international community, to be seen by
25 Sierra Leoneans who were not with the RUF so that the word
26 "enigma", because they said he was an enigmatic leader, so that
27 that particular phrase would be erased from the minds of people
28 about him, so that he would have an opportunity to explain to the
29 people of Sierra Leone and to the international community who he

14:56:06

1 was, what his agenda was for the people of Sierra Leone, what his
2 dreams were for the people of Sierra Leone, et cetera, et cetera.

3 I also told him that he needed nothing - he needed nothing
4 more than the support of the international community. He needed
14:56:46 5 nothing more than the understanding and acceptance of the people
6 of Sierra Leone of what his agenda was through the RUF.

7 I also told him that it was time for him to count himself a
8 victor because at that particular point in time he had been
9 considered as a citizen of Sierra Leone, as a true citizen of
14:57:17 10 Sierra Leone that is worthy of a roundtable talk with other
11 Sierra Leonean leaders. So it was an opportunity that he was not
12 supposed to abandon at all. It was an opportunity that he was
13 supposed to see as a lifetime opportunity. It was an opportunity
14 that he was supposed to see as a golden opportunity. It was an
14:57:44 15 opportunity that he was supposed to see as the very first leg of
16 the campaign he had come to launch, the campaign to free Sierra
17 Leone. So he told me he accepted.

18 Q. So did you then return to the Ivory Coast?

19 A. Yes. I returned to the Ivory Coast after one week.

14:58:13 20 Q. And when you returned to the Ivory Coast, did you go via
21 the same route?

22 A. Yes, I went by the same route.

23 Q. And did you return by yourself?

24 A. Yes, I did. I did return by myself, except the security
14:58:26 25 which they provided for me to - they provided security for me to
26 take me to the crossing point and --

27 Q. Who is Dr Barrie?

28 A. Dr Mohamed Barrie joined us - I mean, he's a Sierra
29 Leonean, sorry. He joined us on the delegation.

1 Q. He joined you on the delegation to the Cote d'Ivoire?

2 A. Yes. He was also an external delegation member.

3 Q. Yes. Now, help us, how had he come to be amongst the RUF,
4 Dr Barrie?

14:58:56 5 A. Dr Barrie was with - he was a medical doctor working for
6 the Sieromco mines where those British guys were captured.

7 Q. Which British guys?

8 A. Calum Morray and others. The ones I referred to initially.

9 Q. The miners?

14:59:14 10 A. The miners, yes.

11 Q. So Dr Barrie was a medical doctor at that company?

12 A. Yes.

13 Q. And where was that company based? Remind us.

14 A. Moyamba District.

14:59:26 15 Q. And what was the particular name of the place you told us?

16 A. That's the Sieromco mines.

17 Q. At?

18 A. Moyamba District. They properly called the place Sierra
19 Rutile.

14:59:38 20 Q. Sierra Rutile?

21 A. S-I-E-R-R-A, R-U-T-I-L-E.

22 Q. Now, these individuals had been captured at Sierra Rutile,
23 had they?

24 A. Yes.

14:59:46 25 Q. Including Dr Barrie?

26 A. Yes, they were captured there.

27 Q. Now, as far as you're aware --

28 A. Sorry, there was another medical - a Sierra Leonean medical
29 doctor among them, Dr Wai also was there. And when they were

1 brought to Foday Sankoh, he asked all of them, the Sierra
2 Leoneans, to choose between staying and going back to Freetown.
3 Dr Barrie actually decided to stay with the RUF, so Dr Wai went
4 to Freetown.

15:00:16 5 Q. Now, tell me, can you recall now who gave the order for the
6 attack on Sierra Rutile?

7 A. Oh, yes, I should, because Foday Sankoh wanted to expand
8 his territory. It was he who gave the order to attack Sierra
9 Rutile. He wanted the wider territory. Especially when he knew
10 that peace talks would soon come, he knew that - because by then
11 Addai-Sebo had actually met in 1993 and he was talking to him
12 about it, so he knew that sooner or later peace talks would come
13 and the military activity would lose its relevance. So
14 [i ndi scerni ble].

15:01:10 15 Q. Okay. Now, you get back to the Ivory Coast, yes?

16 A. Yes.

17 Q. And do you brief the other members of the external
18 delegation?

19 A. Yes. In fact, by then the military leadership in Sierra
15:01:35 20 Leone had changed hands. Maada Bio had actually taken power from
21 Strasser King and in my absence he had quickly organised peace
22 talks to start with Sierra Leone.

23 Q. Who had organised peace talks to start?

24 A. Maada Bio had actually given his word, he'd given his
15:02:00 25 backing to start a peace negotiation with the NPRC number two.
26 When I say NPRC number two, the second phase of NPRC, NPRC
27 without Strasser. So when I was away, Dr Barrie led the team
28 that started that negotiation with the military young men. And
29 on the military side, there was - Tommy Nyuma was there.

1 Q. Tom who?

2 A. Tommy Nyuma, T-O-M-M-Y, N-Y-U-M-A. Tommy Nyuma was there.
3 He led the delegation on the side of the NPRC.

4 Q. So when you got back to the Ivory Coast, was this
15:02:45 5 delegation sent by Maada Bio in the Ivory Coast?

6 A. No. They had concluded what they went for and they had
7 left. So when I went there, I just informed my RUF colleagues
8 about Mr Sankoh's acceptance of a continuation of the peace
9 talks.

10 Q. Okay. Now, before I come to deal with Mr Sankoh's arrival
11 in Cote d'Ivoire, can I just clarify one matter with you. Now,
12 you told us that on arrival in the Ivory Coast, you had been
13 offered radio facilities by Musa Cisse and that you had been
14 using his facilities.

15:03:40 15 A. Yeah.

16 Q. Now, over the course of 1995, did that situation change?

17 A. No. It was early 1996 that we got our own radio operators
18 with their own radios from inside.

19 Q. And how did your own radio operators come to arrive in the
15:04:04 20 Ivory Coast?

21 A. All of us used the same route to come to Ivory Coast.

22 Q. When in early 1996 did the RUF send radio operators to the
23 Ivory Coast?

24 A. Yes. When Foday Sankoh was coming, he actually came with
15:04:21 25 the radio operators like Juliet James.

26 Q. Who?

27 A. Juliet Gbessay James.

28 Q. Spell Gbessay.

29 A. Gbessay, G-B-E-S-S-A-Y.

- 1 Q. Thank you. Who else?
- 2 A. There was a - he came with - also came with Zedman.
- 3 Q. Zedman?
- 4 A. Zedman used to call Zulu, Zulu man. That was a nickname,
15:04:55 5 but that was the name by which all of us knew him.
- 6 Q. Any others?
- 7 A. Yes. There was a Tarawalli, Mohamed Tarawalli. He too,
8 they used to call him T-Man.
- 9 Q. Any others?
- 15:05:10 10 A. Yes. There was a young man called Daf. D-A-F, Daf. He
11 too - I never knew his full name - he was always Daf.
- 12 Q. Anybody else?
- 13 A. No. Of the radio operators, those are the names I
14 remember.
- 15:05:35 15 Q. Have you ever met someone called Martin Moinama?
- 16 A. Moinama.
- 17 Q. Moinama?
- 18 A. Yes, I did meet Martin Moinama. I forgot.
- 19 Q. Who is he?
- 15:05:47 20 A. Martin Moinama too was a radio operator.
- 21 Q. Did he come to the Ivory Coast?
- 22 A. Yes, Martin did. I'm sorry I forgot to mention him.
- 23 Q. Don't worry. Does the name Memunatu Deen mean anything to
24 you?
- 15:06:04 25 A. Yes. Memunatu Deen, yes. She's in Monrovia now. She is
26 in Monrovia. She was also a radio operator.
- 27 Q. Did she come to Ivory Coast?
- 28 A. Yes, she did too.
- 29 Q. Does the name Eddie Murphy mean anything to you?

1 A. Yes. I'm remembering the names. Yes, Eddie Murphy also
2 came.

3 Q. What was he?

4 A. He also came as a radio operator.

15:06:29 5 Q. Now, when these various radio operators came to the Ivory
6 Coast, did they bring radios with them?

7 A. Yes, they brought our own radio sets.

8 Q. And so thereafter following their arrival, did you have
9 cause to resort to Musa Cisse any more?

15:06:49 10 A. No. That was where we told him thanks and - we told him
11 thanks and we said we would ever remember him and we set up our
12 own radio sets.

13 Q. Now, was there - when did Sankoh arrive in the Ivory Coast?

14 A. When who?

15:07:43 15 Q. Did Foday Sankoh arrive in the Ivory Coast.

16 A. Foday Sankoh arrived in the Ivory Coast, I don't know the
17 day but the month was March 1996. It was in Yamoussoukro that he
18 landed.

19 Q. He landed at Yamoussoukro?

15:07:58 20 A. Yes. He came with the ICRC helicopter in the company of
21 Mr Essy Amara and the country representative of ICRC Sierra Leone
22 and then some of his bodyguards.

23 Q. Where had he been collected from in this helicopter?

24 A. He was collected at a point a few miles away from Zogoda
15:08:28 25 itself, because Zogoda is a very hilly place. There was no
26 landing place. So they organised a place a few miles away from
27 Zogoda for the helicopter to land. So that was where they
28 collected him - Mr Amara collected him.

29 Q. And it was the International Committee of the Red Cross who

1 supplied the helicopter?

2 A. Yes, indeed.

3 Q. Now, what role did Yamoussoukro play in the subsequent
4 peace talks?

15:09:00 5 A. Well, in Cote d'Ivoire there is a place they call the Peace
6 Centre in the country. The Peace Centre. When they want to
7 undertake any peace talks, the first place you actually meet is
8 at the Peace Centre in Cote d'Ivoire - Yamoussoukro. That was
9 where the first talks were held. Foday Sankoh had to meet

15:09:28 10 Mr Konan Bedie there at the Peace Centre. From the Peace Centre
11 we went to the basilica the following day for talks.

12 Q. What is the basilica?

13 A. The basilica is a Catholic cathedral that is in
14 Yamoussoukro.

15:09:50 15 Q. Who was present at those talks?

16 A. Present at those talks was the Secretary-General of
17 International Alert. Dr Kumar Rupesinghe was there. Mr Sebo was
18 there. Napoleon Abdulai of International Alert was there.
19 Millius Palayiwa, also of International Alert, was there.

15:10:19 20 Q. Spell that last name for me?

21 A. M-I-L-L-I-U-S. He is Zimbabwean.

22 Q. And how do you spell his surname?

23 A. P-A-L-A-Y-I-W-A.

24 Q. Anybody else you can recall?

15:10:38 25 A. The Ivorian Foreign Ministry was well represented there in
26 the persons of the minister himself and Mr Abdulai, the director
27 of cabinet.

28 Q. Now, what was the RUF asking for at those peace talks?

29 A. The RUF was asking for international support through the

1 Ivorian government. We were also asking for international
2 understanding. We were asking for peace, basically.

3 Q. And what was Foday Sankoh himself asking for? Why do you
4 laugh?

15:11:25 5 A. Because Foday Sankoh, when I remember the way he behaved, I
6 - you know, the whole thing was so regretful. Because even the
7 speech we prepared for him, he messed it up. I don't know
8 whether there was a time you had David Bamford - David Bamford
9 commented on it and he said that Foday Sankoh was rambling. That
10 was a very big embarrassment to us, because we had actually tried
11 to put together a very good document for him to read to the
12 international community. But he could skip a whole paragraph,
13 and it was just like that. So the comments by the BBC were not
14 encouraging at all, so it was not very clear what he was actually
15:11:57 15 asking for. That was where our own embarrassment was. We wanted
16 him to come out with a very clear statement, even apart from what
17 we wrote for him.

18 Q. So did you not start to question him at this stage?

19 A. We did. We did start to question him. In fact, that was
15:12:38 20 where we decided to tighten up our belt to see if a change could
21 be possible in him. So we decided to come much, much, much
22 closer and to even limit his movements in Abidjan. Because if he
23 had just come to Ivory Coast, not in Abidjan but in Yamoussoukro
24 he starts being stubborn, then it was - I mean, that did not give
15:13:03 25 us very good signal of the kind of leader we were behind.

26 Q. Now, before we move on can I pause and ask you about a
27 detail. Can you recall the names of any of the bodyguards that
28 you mentioned Foday Sankoh took with him to the Ivory Coast?

29 A. His bodyguards? Yes, there was one Rashid. He also had a

1 girl called Amie as a bodyguard to him. He also had one boy
2 called Ansu. Of course, FOC was there too, what they call Fomba.
3 FOC was among his bodyguards.

4 Q. What do they call him?

15:14:28 5 A. They used to call him FOC. I knew him by the name of
6 Fomba.

7 Q. Who do you spell that?

8 A. F-O-M-B-A.

9 Q. Very well. Now, from Yamoussoukro and the meeting at the
15:14:41 10 basilica how did things develop from there?

11 A. In fact, at the basilica, people - a delegation of Sierra
12 Leoneans, who were also economic migrants in Cote d'Ivoire, came.
13 They came, they said they wanted to see Foday Sankoh. They
14 wanted to hear him. So after the talks at the basilica, he came
15:15:07 15 out and they spoke to him. They begged him on their knees
16 literally to make sure that peace was given to the people of
17 Sierra Leone so that the next stage of the revolution would go
18 ahead. He agreed, he accepted that one, and two days after - no,
19 I mean the following day we had to drive to Abidjan.

15:15:28 20 Q. So you arrive in Abidjan, yes?

21 A. When we arrived in Abidjan we were taken to Hotel Ivoire,
22 eighth floor. All the rooms at Hotel Ivoire were located to the
23 RUF delegation, eighth floor. That was where he had a suite, he,
24 Foday Sankoh himself.

15:15:49 25 Q. Foday Sankoh had a what?

26 A. I said Foday Sankoh himself had a suite there. He had the
27 eighth floor.

28 Q. We'll come back to that - Foday Sankoh's accommodation
29 situation in a moment. But Sankoh arrives in March. Let us

1 pause for a minute. What is happening in Sierra Leone at or
2 about this time?

3 A. Well, when Foday Sankoh was there, there was - first of
4 all, in the RUF territory there was a lot of starvation because
15:16:43 5 the Kamajors had actually joined the soldiers. They were chasing
6 the RUF. So the territory was just dwindling and dwindling, and
7 again most of the fighters were just in the Kailahun District,
8 basically in Buedu and Bala [phon], so fighting was going on
9 there.

15:17:14 10 Q. Now, you've mentioned Maada Bio, who had taken over from
11 Strasser King. Did Maada Bio remain the head of the Sierra
12 Leonean government?

13 A. No, Maada Bio was easily persuaded by - because there was a
14 programme they entitled peace before elections or election before
15:17:44 15 peace, so there was a debate over that at the Bintumani Hotel in
16 Freetown, which was won by those who stood for election before
17 peace. So Maada Bio conducted an election which President Kabbah
18 won. So when the talks started actually - when the talks
19 started, it was the President of Sierra Leone, President Kabbah,
15:18:21 20 who sent a representation.

21 Q. Now can you help me with a detail, please. What was the
22 date of the elections in Sierra Leone?

23 A. I don't remember at all.

24 Q. In any event, there was such an election, was there?

15:18:49 25 A. Yes.

26 Q. And President Kabbah was elected?

27 A. Yes, he was elected - democratically elected by --

28 Q. Can you give me the month in which the elections took
29 place?

1 A. That is what I am saying; I don't seem to be remembering
2 that.

3 Q. Okay, don't worry. In any event, you said there had been a
4 conference at the Bintumani Hotel in Freetown, a debate as to
15:19:28 5 whether there should be elections before peace or peace before
6 elections. Is that right?

7 A. Yes, yes, that was what happened.

8 Q. What was Foday Sankoh's position on that?

9 A. Foday Sankoh was for peace before elections, but later on
15:19:42 10 we actually found that he wanted to use that one as - he only
11 wanted to use that one as an excuse or as a way to continue the
12 conflict. Because he actually was not in his full minds for
13 peace, but he wanted the situation where they were talking about
14 peace which he was not encouraging himself at all. That is why
15:20:09 15 initially when we were reading the book I was shaking my head,
16 and I was trying to say that it was ironical, when he said in
17 1992 that he was going to dissolve the ambushes to call his
18 brothers to talk, he did not mean it at all at that time. He was
19 just trying to create a situation where all of us would continue
15:20:34 20 to be with him.

21 Q. Now, when the elections did in fact go ahead before peace,
22 did Sankoh give any orders in relation to that?

23 A. Yes. I was told that he was persuading Maada Bio to work
24 together to stop the elections, and what I heard again was that
15:21:10 25 Maada Bio told him if you can do it - if you can do it, then I
26 will be with you if you can stop the elections. If you can do
27 what you can to stop the elections, I will be with you. But I
28 have given the people of Sierra Leone my word. It's difficult
29 for me to renege on that one. So if you do it I will be with

1 you, because that will mean that will have to remain in power.
2 So that was the first thing he told Maada Bio, and he then told
3 his boys to do everything possible to make sure the election did
4 not take place.

15:21:49 5 Q. He told his boys?

6 A. Mosquito and the one boy called Ful a Mon Ami. There was a
7 Malian, a young man called Ful a Mon Ami --

8 Q. How do you spell that name?

9 A. F-U-L-A.

15:22:05 10 Q. Surname?

11 A. It was not his surname. Most of these boys carried
12 nicknames that would just cover their surnames. But it's Mon Ami
13 like in French, M-O-N A-M-I.

14 Q. To do whatever they could to stop the elections. And what,
15:22:26 15 in practical terms, did that involve?

16 A. Well, we learned later on that in practical terms that
17 actually involved cutting people's hands and burning polling
18 booths and so on.

19 Q. Burning what?

15:22:40 20 A. Polling booths.

21 Q. And who gave polling booths - who gave the orders to do
22 that?

23 A. Foday Sankoh did that one.

24 Q. Where was Foday Sankoh when he gave that order?

15:23:02 25 A. By then Foday Sankoh was still in Zogoda.

26 Q. So Sankoh came out of Zogoda?

27 A. After.

28 Q. After the elections?

29 A. Yeah.

1 Q. And you said that he arrived in March. So the elections in
2 Sierra Leone must have taken place prior to March 1996?

3 A. Yeah, between January and February.

15:23:27

4 Q. So by the time he arrives, the election has already taken
5 place, yes?

6 A. Yes.

7 Q. Despite Mr Sankoh's desire to disrupt them?

15:23:44

8 A. Yes, he did not succeed at all because the people wanted
9 the elections. The civilians wanted the elections, so he didn't
10 succeed at all and he did not get the kind of support he wanted
11 from Maada Bio.

12 Q. Now help me with this: You mentioned that Sankoh was
13 staying on the eighth floor of the Hotel Ivoire in Abidjan along
14 with the rest of the delegation. Did he remain there?

15:24:03

15 A. I was not there. He actually did not allow some of us to
16 be there on the same floor with him, so I was on the 11th floor
17 while he told Mr Deen-Jalloh and Dr Barrie to be on the 3rd
18 floor.

15:24:22

19 Q. Now, help me, did he remain staying on the eighth floor of
20 the Hotel Ivoire?

21 A. No. He left the hotel. The entire hotel, he left.

22 Q. Where did he go?

23 A. He told Mr Amara Essy --

24 Q. The Foreign Minister?

15:24:38

25 A. Yeah, the Foreign Minister of Ivory Coast by then, he told
26 him that he could not stand the height at which he had been
27 placed; secondly, he said the place was too cold for him.

28 Q. The eighth floor was too high up for him?

29 A. Yes.

1 Q. He suffered from heights, did he, Mr Sankoh?

2 A. That was what he was saying, but we who knew him very well
3 knew that that was not the actual reason.

4 Q. What was the reason?

15:25:06 5 A. The actual reason was he did not actually want the security
6 personnel at the reception to continue monitoring the coming and
7 going of his girlfriends to the hotel room.

8 Q. When you say monitoring, did the girlfriends have to go
9 past reception?

15:25:28 10 A. Yes. Everyone. When you go to the hotel, you have to pass
11 through the reception. And when he was there as a high profile
12 person, there were some security personnel there, Ivorian
13 security personnel, to make sure that the right people saw him.

14 So that - one of them was Koffi, an Ivorian young man. They were
15:25:54 15 monitoring the movement of people who visited him. And when they
16 wanted to make sure that not everybody actually got access to
17 him, that was the reason why he used an excuse that people would
18 accept to have him out of the place.

19 Q. So he was moved to where?

15:26:11 20 A. He - the Foreign Minister rented a house for him at Cocody.
21 That was where he moved to.

22 Q. And at Cocody, was it the case that he would have more
23 privacy so that his girlfriends' movements wouldn't be monitored?

24 A. Yeah, that is what we really understood, because when he
15:26:41 25 was at Cocody, what he wanted to do was happening and concerning
26 the thing he was doing.

27 Q. Now, at this stage, was Mr Sankoh receiving any support
28 from leaders in the sub-region?

29 A. Yes. In Africa, he started getting support from leaders in

1 Africa. The first support came from Libya. He actually got half
2 a million US dollars from the Libyan government for humanitarian
3 support of the civilians he had left behind, half a million US
4 dollars. The money was in the carton. They brought it to him in
15:27:28 5 the hotel.

6 Q. So half a million United States dollars was donated by the
7 Libyan government to Foday Sankoh?

8 A. Yeah.

9 Q. What was that money supposed to be used for?

15:27:41 10 A. That money, according to the note they put in the carton,
11 was meant to --

12 Q. Who put the note in the carton?

13 A. When Talibi, Mohamed Talibi came with the money - Mohamed
14 Talibi was the - I think he was working - no, he was working in
15:27:59 15 the Libyan embassy in Ghana. He was the secretary there.

16 Mohamed Talibi, when he bought the money --

17 Q. He brought the money to where?

18 A. When he brought the money to Cote d'Ivoire in Abidjan at
19 the hotel, when they opened the carton, the letter was there.

15:28:15 20 The letter was saying that, "This money, Mr Sankoh, is meant for
21 you to buy food, medicines and other important things for your
22 civilians back home. Congratulations for accepting the peace
23 arrangements and thank you that you have come" - I'm sorry -
24 "thank you that you have allowed it to get started."

15:28:39 25 Q. Now, help me, did the civilians back home - by that, was
26 that meant civilians living in RUF-held territory?

27 A. Exactly.

28 Q. How much of that half a million US dollars did the
29 civilians in RUF-held territory actually see?

1 A. When he received that money, I and Palmer met him very,
2 very privately and told him, "We want to advise you, Mr Sankoh,
3 make sure that you spend this money on the purposes for which it
4 has been sent to you." He said, "Oh, I'm going to spend it
15:29:17 5 exactly the way they have told me." But what happened,
6 unfortunately, he just sent \$7,000 US to Mosquito. Even that one
7 not to buy food for civilians. He sent it to Mosquito to use it
8 to buy arms and ammunition - to buy war materials, fighting
9 materials, from ULIMO at the border. By then they had succeeded
15:29:40 10 to break the barricade between them and the ULIMO guys at the
11 border in Lofa County. So he told him to use that to buy
12 materials from --

13 Q. Taking things slowly, so out of the half a million dollars
14 given to Sankoh by the Libyans for humanitarian purposes, only
15:30:06 15 \$7,000 finds its way back to Sierra Leone?

16 A. Only \$7,000. Nothing more than that.

17 Q. And that \$7,000 wasn't even destined to be used for
18 humanitarian reasons?

19 A. Not at all. Not at all.

15:30:19 20 Q. It was to buy arms and ammunition?

21 A. From ULIMO, yes, at the border.

22 Q. Hold that thought and let us look at a couple of exhibits.

23 D-9, please. Mr Fayia, have you seen this document before?

24 A. No, no.

15:31:26 25 Q. Have you ever seen it at all?

26 A. No.

27 Q. Look at the second paragraph:

28 "Upon your departure I initiated contact with ULIMO as per
29 your instructions in a bid to buy materials to repel the vicious

1 attacks of the Kamajors at a time when there was a peace document
2 in place and we were not expecting to fight. At first ULIMO
3 arrested me thinking that I had come to them to surrender. Later
4 I was able to convince them to release me and we commenced a
15:32:03 5 mutually beneficial relationship. I used the \$7,000 US to
6 purchase vitally needed materials that gave us the stance to
7 fight and challenge the SLPP government until they were ousted by
8 the AFRC coup."

9 Yes? And you've never seen this document before?

15:32:34 10 A. No, no, I've never seen this document before.

11 Q. Put that document away, please. Can we now have a look at
12 document D-84? Exhibit D-84. And I'm interested in the second
13 page of that document. Can we look at the first page of this
14 document as well, first of all? My fault. Have you seen this
15:33:21 15 document before, Mr Fayia?

16 A. No, no.

17 Q. Let's have a look at the second page of it, please. Second
18 paragraph :

19 "General Mosquito was able to make positive contact with
15:33:38 20 ULIMO and make all necessary arrangements to buy materials from
21 them. The money that you had left with us on the ground (7,000
22 USD) was utilised to buy materials from ULIMO and with these
23 materials we were able to resist enemy advances in the Kailahun
24 District."

15:34:00 25 Can we put that exhibit away now, please. Now, before we
26 leave this topic of the \$500,000 US, one other matter. You tell
27 us that sum of money, that large sum of money, was brought by
28 Mohamed Talibi from Accra to Abidjan. Is that right?

29 A. Well, I don't know whether he flew directly from Accra, but

1 he --

2 Q. He arrived in Abidjan with that money?

3 A. Yeah.

4 Q. Was the money in cash?

15:34:39 5 A. Yes. In notes.

6 Q. In notes?

7 A. Yeah.

8 Q. Now the \$7,000, that fraction of that large sum which
9 Mr Sankoh, that leader, decided to send back to Sam Bockarie to
10 buy arms, how was that \$7,000 transported to Sierra Leone?

15:34:53

11 A. He sent it through one of his bodyguards. I think one of
12 the radio operators took the money back to Sam Bockarie.

13 Q. One of the radio operators took the money back?

14 A. I think so, yeah.

15:35:11 15 Q. Now, tell me, were the radio operators aware that Sankoh
16 had been given this large sum of money?

17 A. Normally when he - yes, I'm sure they were aware, because
18 when we left the meeting we told them.

19 Q. Now, I want you to answer this question shortly because
15:35:32 20 it's a topic to which we will return in due course. As far as
21 you're aware, did word get back to the RUF combatants in Sierra
22 Leone that Sankoh had received this large sum but had only sent
23 \$7,000 back?

24 A. Yes. We deliberately did this one because all of us were
15:35:58 25 annoyed with him, because \$7,000 out of \$500,000 for humanitarian
26 reasons, which was even sent not for that one but to buy arms, as
27 far as all of us were concerned, we condemned it. We did not
28 support it in any way. So we made sure that we informed the boys
29 about it.

1 Q. And, as far as you are aware, what was the mood of the boys
2 on the ground when they discovered that Sankoh had in effect
3 expropriated the vast bulk of that half a million dollars to
4 himself?

15:36:32 5 A. Sankoh was - at that level he was very charismatic.
6 Whatever he did there in the eyes of the boys there, it was
7 correct. So it was difficult to tell how they were feeling.
8 Except you meet one in a secret place, then they will get to
9 grumble. But for them to put that into practical terms, they
10 never did it.

11 Q. Okay. We'll come back to that in due course. Now, remind
12 us, what is your ethnic group?

13 A. I'm a Kissi. K-I-S-S-I.

14 Q. Have you ever come across someone called Colonel Jungle?

15:37:14 15 A. Colonel who?

16 Q. Jungle?

17 A. Yes, Colonel Jungle. They call him Jungle, actually,
18 J-U-N-G-L-E .

19 Q. What ethnic group does this Jungle belong to?

15:37:29 20 A. He is a Kissi too from Lofa County in Liberia.

21 Q. Did you know him?

22 A. Yes, I did.

23 Q. How did you get to know him?

24 A. Colonel Jungle was one of those who came with our
15:37:42 25 vanguards.

26 Q. And where did he come from?

27 A. He's a Liberian. I said he's from Lofa County.

28 Q. What was he like?

29 A. Well, in military terms, they used to describe him as -

1 they said Jungle because he used to run away from the war front.
2 He was always with us at the rear, we the civilians, so his
3 friends referred to him as Colonel Jungle.

4 Q. Did you know him well?

15:38:18 5 A. I don't know to what extent, but, yes, I did. I knew him
6 pretty well.

7 Q. When did you first meet him?

8 A. I met Colonel Jungle in 1992 in Kangama.

9 Q. In Kangama?

15:38:39 10 A. Yes, Kangama.

11 Q. And what was he doing there?

12 A. Just as I said, that young man, he was - he was just always
13 behind rebel lines with the civilians. So they call him Colonel
14 Jungle because he never went to the war front. He was always

15:38:59 15 with us.

16 Q. Was Colonel Jungle a member of the RUF?

17 A. Yes, he was an RUF member. He was.

18 Q. As far as you're aware, was Colonel Jungle a right-hand man
19 for Charles Taylor?

15:39:14 20 A. Right-hand man?

21 Q. Yes, an agent for Charles Taylor?

22 A. Well, I don't know. There was no indication of that from
23 his own lips to me, because I don't know the relationship that
24 was between them.

15:39:28 25 Q. As far as you're aware, was he involved in the

26 transportation of arms and other war materials from Liberia to
27 the RUF?

28 A. I personally don't remember when arms were ever taken from
29 Liberia to the RUF by him - by Colonel Jungle. I don't remember

1 that at all.

2 Q. Was Jungle a member of the NPFL as far as you're aware?

3 A. No, he was not. He was one of the RUF men.

4 Q. Did you ever see Jungle in the Ivory Coast?

15:40:11 5 A. Yes. In fact, it was he who took the money to Mosquito,
6 sorry. It was he who took the money to Mosquito: Jungle.

7 Q. Which money?

8 A. The \$7,000.

9 Q. Now, you told us earlier that it was one of the radio
15:40:37 10 operators, so which is right: Was it a radio operator or was it
11 Colonel Jungle?

12 A. I think it was Colonel Jungle. These things happened long,
13 long ago and - but normally what Foday Sankoh used to do, he
14 never sent one soldier on a mission. If he wants to send you, he
15:40:56 15 will always send you with somebody. So there was a radio
16 operator because when they were going, that was the time they
17 went with the satellite phone.

18 Q. So help us, that was what time? The time when they went
19 back with the US\$7,000?

15:41:16 20 A. Yes.

21 Q. They also carried a satellite phone?

22 A. A satellite phone.

23 Q. Did they carry anything else?

24 A. No, it was the satellite phone they carried.

15:41:26 25 Q. And who was to be the happy recipient of the satellite
26 phone?

27 A. The satellite phone was taken to Mosquito.

28 Q. Who provided the satellite phone?

29 A. The satellite phone was provided by Omrie Golley. That was

1 his own first contribution to support the RUF for the peace
2 process.

3 Q. As far as you're aware, before that satellite phone was
4 sent - purchased by Omrie Golley to Mosquito - did Mosquito have
15:42:09 5 a satellite phone?

6 A. No, no. He just always using the field radio.

7 Q. He was always using the field radio?

8 A. Yeah.

9 Q. So as far as you're aware, this is the first satellite
15:42:22 10 phone received by Mosquito?

11 A. Yeah.

12 Q. And it was bought by Omrie Golley and sent via Jungle along
13 with US\$7,000 to Zogoda?

14 A. Yeah, Jungle and one radio operator. Jungle did not go
15:42:40 15 alone, because the radio operator was needed to go operate the
16 satellite phone.

17 Q. Now, help me: What had motivated Omrie Golley to provide
18 this satellite phone?

19 A. When Omrie Golley was introduced to us by Addai-Sebo, he
15:43:05 20 actually told us that he had - after explaining to us what the
21 RUF was all about, he said he would soon make his own
22 contribution, but he was waiting for Foday Sankoh to come out of
23 the bush. So when Foday Sankoh came out of the bush, he came to
24 the hotel. He and Ambrose Ganda came to the hotel again, and
15:43:22 25 when he made the promise of taking them to Switzerland - taking
26 Foday Sankoh and Mr Kabbah to Switzerland, that was what he -
27 according to him - he said he would start with. He said I will
28 start the whole thing with one satellite phone for you.

29 Q. Now, on the same topic of this US\$500,000 donated by the

1 Libyan government, I would like the witness now, please, to be
2 shown exhibit D-15. Mr Fayia, have you seen this document
3 before?

4 A. Yes, I have.

15:44:59 5 Q. Whose handwriting is it?

6 A. Captain Palmer. Philip Sylvester Palmer.

7 Q. Now, we see that the letter is headed "Revolutionary United
8 Front of Sierra Leone (RUF)" and it's dated 26 June 1996. Now,
9 let us pause there. 26 June 1996, Sankoh's been in the Ivory

15:45:35 10 Coast for almost four months now, yes?

11 A. Yeah.

12 Q. Having arrived in March, yes? This is the letter from
13 Corporal Foday S Sankoh, leader of the RUF/SL. And can I pause
14 to ask you this: Was Sankoh literate? Could he read and write?

15:45:59 15 Why do you laugh?

16 A. Sankoh never wrote a letter in my presence, of course, but
17 he could read and write.

18 Q. "To Brother Mohamed Talibi, Libyan Arab People's
19 Jamahiriya, Accra, Ghana. Subject: Follow-up request. I want
15:46:35 20 to thank you and the other brothers back home again very much for
21 the US\$500,000 which I received through you for the purchase of
22 needed material to peruse the military mission."

23 Pause. I thought you said the money had been given for
24 humanitarian purposes?

15:46:54 25 A. Yes, that was what the note - the note that was put in the
26 carton said.

27 Q. Can you explain, then, why Sankoh has turned that on its
28 head, apparently, and is now saying that the money was provided
29 to purchase needed material to pursue the military mission?

1 A. Foday Sankoh was a very unpredictable person. That was why
2 when this letter was written - in fact, I think he asked for 2.5
3 million. Let me see the end of the letter. He asked for 2.5
4 million to be put on this one. I think so.

15:47:37 5 Q. Let's just take our time and go through it, and then you
6 can fill in the gaps for us. Let's go on:

7 "However, I wish to let you all be informed that my
8 business partners for these materials are here with me and we
9 have had extensive" - why are you laughing?

15:47:55 10 A. Because there was no business partner with him when this
11 letter was written. I was in Abidjan. We were all in the hotel.
12 There was no business partner with him when this particular
13 letter was written.

14 Q. Were you present when the letter was written?

15:48:05 15 A. Yes, I was present.

16 Q. And just help us with this then: Just talk us through the
17 process by which this letter was written? Was it dictated by
18 Sankoh, or was it the case that he set out certain ideas and left
19 it to Palmer to write it? Help us, how --

15:48:24 20 A. He did not dictate it. Foday Sankoh could not dictate a
21 clearly set out letter like this. He did not dictate it. He
22 just told the man write so so so. That was what that young man
23 did.

24 Q. "However I wish to let you all be informed that by business
15:48:43 25 partners for these materials are here with me and we have had
26 extensive discussions on this subject. Attached to this letter
27 you will find a list of materials (arms and ammunition) and their
28 costs for your serious and urgent attention. I now need US\$1.5
29 million in order to purchase twice the listed materials for

1 effective and smooth operation.

2 My representative Captain Philip S Palmer will elaborate on
3 this all important and urgent mission as he is expected to travel
4 along with my business partners somewhere for these materials if
15:49:22 5 and only if the above mentioned amount is available. These
6 materials will be given to me at discount rates and at the
7 requested amount, plus the one already at hand will cover in
8 addition all transportation costs for airlifting these materials.

9 The airlifting of these materials to our controlled
15:49:46 10 territory will be done before any payment for this mission is
11 done by me. This is why I am urgently appealing to you and the
12 other brothers back home for your usual cooperation in providing
13 this time the US\$1.5 million to be at hand with me so that my
14 business partners and my representatives can proceed for these
15:50:09 15 materials very quickly for fast and smooth operations.

16 Kind regards. "

17 Is that Sankoh's signature?

18 A. Yeah, that was his signature.

19 Q. Now, you and the other external delegates, and, indeed,
15:50:29 20 Mr Sankoh, were ostensibly in the Ivory Coast to pursue peace.
21 So what were you and Mr Palmer doing sitting down with Sankoh
22 while a letter like this was being written, which obviously
23 contemplates the furtherance of war? What were you doing?

24 A. Foday Sankoh was a man who did not have a listening spirit
15:51:03 25 at all to anyone, whoever you were. Otherwise, he wouldn't have
26 got the guts to tell Philip Palmer to write the letter after I
27 and Philip Palmer had actually met him and told him to spend the
28 money on humanitarian purposes, because that was what the money
29 was sent for, and after which he deliberately sent just \$7,000.

1 He sent just \$7,000. We knew that it was not going to happen,
2 because the people did not in the first place give him the
3 \$500,000 for military purposes. So when he mentioned --

4 Q. You knew what wasn't going to happen?

15:51:38 5 A. We knew that they were not going to give him anything more
6 than what they had already given him. We knew that one. Because
7 they did not give him the first one for military purposes. So
8 his use of the word "military materials" there, we said we don't
9 have a problem with that because we knew it was not going to
10 work. It's an agenda that was not going to mean anything to the
11 Libyans, because the first one that was sent to him was not meant
12 for military materials at all. So as I continue to say, first of
13 all, that trip was never made. Palmer did not go anywhere.

14 Q. So Palmer didn't travel anywhere with this letter?

15:52:12 15 A. At all. He did not travel anywhere with this letter.
16 Palmer didn't go anywhere with this letter. There was no - oh,
17 God. There was no business partner with him in the hotel there.
18 He was simply lying. He just wanted to have more money from the
19 people.

15:52:29 20 Q. Now, Mr Fayia --

21 A. Yes, counsel.

22 Q. -- I have to ask you this. This is June 1996. You've been
23 in Ivory Coast for a year now pursuing peace, yes?

24 A. Yeah.

15:52:52 25 Q. You've already seen Sankoh earlier in the year making
26 attempts to disrupt the elections, yes?

27 A. Yeah.

28 Q. You now see him writing a letter like this. Were you not
29 disillusioned with him by this time?

1 A. We were. But in the first place, Foday Sankoh set the boys
2 in a kind of motion out there, that anything that you do to
3 oppose him was going to mean danger, and I had my relatives in
4 there. I had my children in there, who were all civilians. I
15:53:33 5 remember when Mr Dinka invited us to launch in Abidjan, when we
6 went for that launch, that was a crime against us. According to
7 him, we were conniving with the United Nations to betray him. So
8 we just allowed these things to go so that our own lives and the
9 lives of our people inside the rebel-held territory would be
15:53:55 10 saved, because we knew he would not succeed.

11 Q. But, Mr Fayia, surely it must have been obvious to you -
12 when he was causing a letter like this to be written - surely as
13 early as June 1996 you must have known this man is just not
14 serious about peace. You must have known that?

15:54:16 15 A. We knew about that one, but we still needed a wider
16 audience, a wider witnessing, more people to know that he was not
17 serious. Because if we had taken our own action at that time, it
18 was going to be taken in a corner which a lot of people were not
19 going to understand. This letter was done in a hotel. So we
15:54:37 20 said, since this one is not going to work, we still need to be
21 behind him to pursue the peace process. Maybe sometime somewhere
22 we will be able to achieve something.

23 Q. So Palmer never made the intended trip?

24 A. No.

15:55:03 25 Q. So, as far as you're aware, what happened to this letter?

26 A. That letter was just put away because Palmer did not make
27 the trip, as far as I know. Palmer did not make the trip at all.
28 The trip was not made; the money was not made available; Palmer
29 did not make the trip at all, as far as I know. So he put the

1 letter away.

2 Q. Now, before we leave this topic of the half a million US
3 dollars, the \$403,000 which was left after Mr Sankoh had sent --

4 A. 493.

15:55:56 5 Q. Yes. After he had sent a mere \$7,000 to Sierra Leone, did
6 you and your other members of the external delegation see any of
7 that?

8 A. Not at all, because even the money we used to buy our
9 tickets when we - when the Ivorian government made arrangements
15:56:19 10 for us to come to Belgium to organise the diplomatic front there,
11 even the money we used there was part of the 10 million franc CFA
12 that was given to us by Mr Taylor. That was the money we used to
13 buy our tickets. The other money we had to use was the money
14 given to us by Sani Abacha in Nigeria.

15:56:45 15 Q. We'll come to that, but let's just keep things in
16 compartments for the moment. So the remainder of that half a
17 million dollars, what happened to it?

18 A. He squandered it. It was misused, simply.

19 Q. By whom?

15:57:04 20 A. By Foday Sankoh.

21 Q. On what?

22 A. He used it to rent places for his concubines, because,
23 first of all, he did not pay for his own food in Cote d'Ivoire.
24 He did not pay rent in Cote d'Ivoire. He did not spend anything
15:57:22 25 on himself. Even the clothes he was wearing, the government of
26 Cote d'Ivoire was providing it and the UN. When we - I only
27 discovered that the money had actually gone totally when in July
28 I travelled to Germany, 1996, I went to the Mercedes Benz factory
29 to see if we can have some buses. Because when I left that kind

1 of money with him, I thought some of it would be spared for us to
2 have some buses in Abidjan so that we would be able to raise
3 money for the people back home.

4 But when they gave me their brochure, I sent it to him by
15:58:01 5 DHL. He replied back telling me that I am telling people that he
6 has money. I should understand that he doesn't have money at
7 all, and let me stop telling people that he has money. Then
8 another friend promised to give us a radio set for \$8,000 US, an
9 Ethiopian friend. He said he would give us an FM radio set for
15:58:27 10 \$8,000 US. When I called him in Mr Pelu Dumaten's [phon] office,
11 I said, "An opportunity has come for us to have our own radio
12 set." He shouted at me. He shouted. He started insulting me.

13 In fact, when the young man asked me what the man is
14 talking about, I told him that he was asking me for the - because
15:58:48 15 he was talking to me in our lingua franca Krio, so it was good
16 that the man did not understand because it was going to be a huge
17 embarrassment for me. So he said he didn't have the money. So
18 from there I concluded that nothing of that money was with him.

19 Q. So what happened to it?

15:59:08 20 A. The money had gone. He had spent it the way he wanted to
21 spend it.

22 Q. Very well. Now, during this period, did Mr Sankoh remain
23 in the Ivory Coast all the time?

24 A. No. Actually, it was in April that year we did a tour of
15:59:29 25 the sub-region.

26 Q. And whose "we"?

27 A. You mean who financed that one?

28 Q. No, no. Who travelled?

29 A. I was with him. Mr Deen-Jalloh was with him. Palmer was

1 with him when we started, although he's now completed with us.

2 First we went to Burkina Faso.

3 Q. You first went to Burkina Faso?

16:00:04

4 A. Yeah. He said we went there to see the regional leaders to
5 both raise funding as well as to ask for political support from
6 there.

7 Q. Raise funding for what?

16:00:20

8 A. Raise funding for the RUF. That was what he was telling
9 his friends around, for the RUF. He said he has come out to do
10 the peace process, to run the peace process; he said he needed
11 money to support his people outside. He knew pretty well that if
12 he said, "I want money to help the civilians behind me," the
13 money would be made available. So he used that one to raise some
14 funding.

16:00:35

15 Q. Now, who did he meet in Burkina Faso?

16 A. He met - well, the man came to the hotel to meet us. That
17 was general - the force commander of that - I mean, the force
18 commander. He was not a general. He was I think a major. Major
19 Dinjери. I don't know how to spell the name.

16:01:04

20 Q. Dinjери?

21 A. Dinjери. If it can be spelt phonetically, it's okay, but I
22 don't remember the spelling at all. But Dinjери.

23 Q. Can you attempt a phonetic spelling for?

24 A. Yes. Dinjери, D-I-N-J-E-R-I.

16:01:21

25 Q. Now, did you meet with Blaise Compaore on that occasion?

26 A. There was a meeting, but I did not attend the meeting. He,
27 Foday Sankoh himself, and - he Foday Sankoh and the security who
28 was with us, there was an Ivorian security, John Baptist. John
29 Baptist accompanied him to see Blaise Compaore, but I was not in

1 the meeting at all.

2 Q. How long did you stay in Burkina Faso?

3 A. We were there during the week. But before the week ended,
4 we proceeded to Libya.

16:01:57 5 Q. To where?

6 A. Libya, Tripoli.

7 Q. Tripoli?

8 A. Yeah.

9 Q. And did you fly into Tripoli?

16:02:04 10 A. No, it was not possible at that time, because that was the
11 time the air embargo was on.

12 Q. That's the time there was a what?

13 A. That was the time the embargo was hanging over Libya. Air
14 flights could not get there at all.

16:02:20 15 Q. So you could not fly directly into Libya at the time?

16 A. No. We went to --

17 Q. Was this the time when Libya was bombed by the Americans?

18 A. Yeah. After the Scotland aircraft bombing, so there was --

19 Q. The Lockerbie bombing?

16:02:35 20 A. Yes. There was --

21 Q. Overflight restrictions in Libya?

22 A. Yes.

23 Q. So where did you fly to?

24 A. Djerba. Djerba in Tunisia. There is an island in Tunisia,
16:02:50 25 that's where we flew.

26 Q. And then travelled by what means to Tripoli?

27 A. We travelled by road.

28 Q. Now, who of your party travelled to Libya? There was you?

29 A. I was there. Fulan Mon Ami was there too. CO Peter Vand

1 was there. Mr Deen-Jalloh was there. Mr Daniel Kallon was
2 there.

3 Q. Was Foday Sankoh there?

4 A. Yes, he was there.

16:03:15 5 Q. What about Philip Palmer?

6 A. Philip Palmer - yes, Philip Palmer too was there. We went
7 together.

8 Q. Philip Palmer was there as well?

9 A. Yeah. Philip Palmer went to Tripoli as well. Where he did
16:03:28 10 not go was Nigeria.

11 Q. Now, was any member of your party fluent in Arabic?

12 A. Yes, yes. This man - there is a man they called Ibrahim
13 Balde. Ibrahim Balde speaks very good French and Arabic. So -
14 in fact, we met him in Burkina Faso.

16:03:54 15 Q. So you met a man in Burkina Faso called Ibrahim Balde?

16 A. Yes, Ibrahim Balde.

17 Q. Had you ever seen that man before?

18 A. I first met him in Abidjan before, and he left up there and
19 came to Burkina Faso.

16:04:10 20 Q. Now, who introduced him to you?

21 A. When he came to the hotel, he asked for Foday Sankoh's room
22 and Foday Sankoh's bodyguards took him there. And Foday Sankoh
23 came out and introduced him to us as his friend.

24 Q. Foday Sankoh introduced Ibrahim Balde as his friend?

16:04:34 25 A. Yeah.

26 Q. And then when you get to Burkina Faso, was that
27 Ouagadougou?

28 A. Yes, Ouagadougou.

29 Q. You meet up with Ibrahim Balde again?

1 A. Yes. When we were at the hotel in quartier du Bois, that
2 was where we were. Quartier du Bois.

3 Q. Quartier? The French quartier?

16:05:02

4 A. Du Bois. Q-U-A-R-T-I-E-R, quartier. Then du, D-U, and
5 then B-O-I-S, bois.

6 Q. Did you learn what Mr Balde did for a living?

7 A. No. Mr Balde, no, I don't know what he was doing for a
8 living.

9 Q. Did you get to know him at all well?

16:05:21

10 A. No. All I saw him doing for us was translating. He was
11 translating, because by then most of us were not speaking good
12 French, but he was translating most of our French conversation.
13 The Burkinabes speak French.

14 Q. So he was acting as a translator, was he?

16:05:43

15 A. Yes, he was translating.

16 Q. And he accompanied you to Libya?

17 A. Yes. He went with us to Libya as well because of his
18 Arabic.

16:05:54

19 Q. Now, when you arrived in Libya, help us, were you provided
20 with any further monies by the Libyans?

21 A. Yes. Some money was given by the Libyans.

22 Q. To whom?

23 A. To Foday Sankoh for the delegation.

24 Q. What happened to that money?

16:06:08

25 A. When they gave - I think they gave him about \$100,000 US,
26 when they gave him the money, he --

27 Q. Gave who?

28 A. When they gave Foday Sankoh that money, he decided to give
29 us \$100 each.

1 Q. So he gets \$100,000 and gives you \$100 each and does what
2 with the remainder?

3 A. The remainder was with him. He spent the remainder the way
4 he usually spends his monies.

16:06:41 5 Q. And what's that usual way?

6 A. Foday Sankoh used to lavish money on unnecessary things
7 like womanising and so on.

8 Q. No, come on. Don't be bashful. So on like what?

9 A. I said like womanising. He used to womanise a lot. He
16:07:06 10 used to give a lot of money to women. That was his own problem
11 with money.

12 Q. Now, how long did you spend in Libya?

13 A. We were in Libya for two days. Two days, yeah.

14 Q. And where did you go from there?

16:07:20 15 A. From Libya we went to Ghana.

16 Q. To see whom?

17 A. To see Jerry Rawlings.

18 Q. Did you see him?

19 A. Yes, we did meet with him at the Castle.

16:07:33 20 Q. Where?

21 A. The Castle.

22 Q. The Castle in Accra?

23 A. In Accra, yeah.

24 Q. That's the --

16:07:39 25 A. Residence of the President.

26 Q. Right. Who travelled to Ghana?

27 A. All of us travelled - continued to Ghana.

28 Q. Did Captain Palmer go to Ghana?

29 A. Yes, he did. It was from Ghana that he went back to

1 Cote d'Ivoire.

2 Q. How long did you spend in Ghana?

3 A. We were in Ghana for about one and a half days.

4 Q. For about how long?

16:08:07 5 A. One and a half days.

6 Q. Did you receive - when you met - did you meet the President
7 Jerry Rawlings?

8 A. Yes, we met with Jerry Rawlings at the Castle and he
9 addressed us. He addressed Foday Sankoh, telling him that if he
10 was able to fight, if he was sure he would fight, then let him do
11 it quickly because he would not expect any support from him if he
12 was not sure he would do the fighting, although he was - as he
13 said, because he was the chairman of ECOWAS at that time. So
14 although he was a fellow military person, he had no support for
15 anything him and don't expect any support from him at all. So
16 that the best option - he told him the best option for you, my
17 brother, I think is to follow the peace process - to handle the
18 peace process seriously. Because if this war was going to be won
19 by you militarily, it would have been over by now. But I doubt
20 it very much. So I advise that you handle the peace process with
21 seriousness. That will put the international community, and
22 ECOWAS in particular, behind you.

23 Q. Did President Rawlings provide any funds to Mr Sankoh? Did
24 he give him any money?

16:09:35 25 A. No, no, I did not see any money at that time at all. I did
26 not see any money.

27 Q. From Ghana where did you go?

28 A. From Ghana we went to meet Sani Abacha in Nigeria.

29 Q. Did Philip Palmer accompany you to Nigeria?

1 A. No, Philip Palmer was told by Foday Sankoh to go back to
2 Cote d'Ivoire after the meeting with the Ghanaian President.

3 Q. Was there a particular reason for that?

4 A. Well, I don't know. He just told him to go to Abidjan.

16:10:10 5 Q. So what happened when you got to Nigeria?

6 A. When we got to Nigeria it was a very good welcome. We were
7 taken to Mr Abacha's office, where he - where we were able to
8 meet him and his Foreign Minister Mr Ikimi - Tom Ikimi.

9 Q. Yeah, we've had that spelling before.

16:10:33 10 A. Okay.

11 Q. And did President Abacha have anything to say to Mr Sankoh?

12 A. Yes, Abacha said - after when we presented ourselves, when
13 we presented our story, Abacha said when this thing - when this
14 war started, all of us were thinking that it was a spillover of

16:10:51 15 the Liberian conflict when we did not see you. But now that you
16 have come out with your story, we have met you. Some of us are

17 going to give you all the support for the peace process, and we
18 may even promise you support for your political agenda. He said
19 that they were supporting the government initially because - on

16:11:17 20 two grounds: One, because they thought it was a spillover of the
21 Liberian conflict; two, they were observing the peace pact that

22 is between Sierra Leone and Nigeria, which stipulates that
23 whenever any one party is attacked by a foreign troop, the other
24 would come in to rescue them. He said those were the reasons.

16:11:43 25 Thirdly, he said, Babangida and President Momoh were all

26 colleagues at the military academy in Sandhurst, so that mutual
27 understanding for mutual support was between them. So those were
28 the reasons why he said they were supporting the government. But
29 so long as they have now learned that was a civil conflict, a

1 conflict amongst Sierra Leoneans themselves, they were going to
2 change their position for the better and make sure that they
3 supported the peace process fully.

16:12:22 4 Q. Now, when he said that some of us thought that it was a
5 spillover from the Liberian conflict, did he explain who he -
6 what he meant by the "us"?

7 A. Well, he was actually referring to the international
8 community when he said "some of us", because I know that he could
9 not read the minds of every member of the international
16:12:42 10 community. So that is why he used the word "some" and he used
11 the word "us", because it was said all over the place that the
12 war was a spillover of the Liberian conflict. In other words, it
13 was the Liberians who had actually come to Sierra Leone to do the
14 fighting there. It was not an RUF - it was a spillover, like a
16:13:11 15 foreign aggression. That was how the message went out, that it
16 was a foreign aggression. But he said now that we - they, the
17 members of the international community, they had learned that -
18 are coming to learn that it was a civil conflict, some of them
19 are going to change their positions for the better.

16:13:31 20 Q. Now, did President Abacha provide Mr Sankoh with any
21 assistance?

22 A. At that point he provided some limited assistance. He gave
23 us US\$50,000 in travellers cheques and he gave us a gown each,
24 the typical Nigerian gowns from the cap to the bouquet. He gave
16:14:04 25 us one each, and that was what he did at that time. That was the
26 money Foday Sankoh gave us, US\$2,000 in travellers cheques to use
27 as pocket money to come to Belgium when we were coming at that
28 time.

29 Q. From Nigeria did you go anywhere else?

1 A. No, from Nigeria we went straight to Abidjan.

2 Q. Now, I should have asked you and omitted to, so let me
3 correct it. When you were in Burkina Faso, did you receive any
4 money from the Government of Burkina Faso?

16:14:43 5 A. No, I don't remember that one at all. But later on I
6 understood that when I was in Belgium, Blaise Compaore sent them
7 US\$40,000, but I did not see that one.

8 Q. You didn't see that?

9 A. No, I didn't see it.

16:15:05 10 Q. And finally before we leave this little tour of Africa, can
11 you help us: How long did the whole tour last?

12 A. The whole tour was just - about the whole of April we were
13 on that one because --

14 Q. April 1996?

16:15:22 15 A. Yes, before we came back to the talks.

16 Q. Before you came back to the talks.

17 A. Approximately.

18 Q. Now, you've mentioned the trip to Belgium. When was it
19 that you went to Belgium?

16:15:33 20 A. I went to Belgium in July when the peace talks were stalled
21 over the issue of admitting Omrie Golley and Ambrose Ganda to the
22 new sitting table. So the negotiation took place in May and
23 June.

24 Q. So July you go to Belgium, yes?

16:16:04 25 A. Yes, I went to Belgium in July 1996.

26 Q. Did you go by yourself?

27 A. I was given a l'ordre de mission by the Ivorian government,
28 which in fact made me to get the visa very easily.

29 Q. What did they give you?

1 A. L'ordre de mission. It's the reason for the visit. That
2 was the written by Ambassador Traore in the Foreign Ministry of
3 Cote d'Ivoire.

4 Q. And did you travel by yourself?

16:16:55 5 A. I and Captain Kposowa made the trip.

6 Q. How do you spell that name?

7 A. Jonathan Kposowa, K-P-O-S-O-W-A-H

8 Q. So it was just the two of you?

9 A. Just the two of us, yes.

16:17:17 10 Q. Who paid for your airline tickets?

11 A. I think I said that before. I said the money that
12 Charles Taylor gave us, the 10 million CFA he gave us, was what
13 we used to buy the tickets to go, the return tickets.

14 Q. Did you have any spending money?

16:17:35 15 A. Yes, the spending money we had, as I just already
16 mentioned, was the one given to us by Abacha in Nigeria.

17 Q. And that was \$2,000 in --

18 A. US\$1,000 in travellers cheques each.

19 Q. Each. And what was the purpose of your trip to Europe?

16:17:48 20 A. We had actually asked the Ivorian government to allow us to
21 open a diplomatic corridor in Europe. Because I said it was
22 necessary for us - now that we are almost complete with Africa,
23 it was necessary for us to get the backing of the European Union
24 for our political activities. So I went for an interview with
16:18:09 25 the Foreign Ministry, and they were able to give us permission to
26 go.

27 Q. And how many countries in Europe did you visit?

28 A. When I came here that time I visited Holland here. I met
29 the Foreign Ministry of Holland, Mr Schaapveld.

1 Q. How do you spell the surname?

2 A. I think it's S-C-H-A-A-P-V-E-L-D.

3 Q. And what was his position?

4 A. He was the Foreign Minister in charge of African Affairs.

16:18:44 5 Q. In Holland?

6 A. In Holland, yes.

7 Q. And you met him, did you?

8 A. Yes, I did meet him.

9 Q. And what did he say to you?

16:18:51 10 A. When I told him what I came for, I told him that I came to
11 seek political support from Europe. I gave him my agenda. He
12 invited two gentlemen from two international organisations, one
13 from FAO and the other from UNESCO. They were in the meeting. I
14 think he had very good intentions for us, because he wanted to
16:19:16 15 introduce to me those people straight there right away so that -
16 they wanted to start the talks to --

17 Q. What does "FAO" stand for?

18 A. Food and Agriculture Organisation.

19 Q. Thanks?

16:19:29 20 A. So when I explained myself, he said - in the presence of
21 those two gentlemen he said: Well, it is a good story, but we
22 know that you still have to sign the peace accord. What you need
23 to do now is encourage your boss, Mr Sankoh, to embrace the peace
24 process. Let him sign the peace accord, and then from there
16:19:48 25 we'll start going. As for Europe, as long as we know that you
26 are serious about giving your people peace, we will give you the
27 support you need. I told him I wanted to have an office here in
28 Holland in The Hague. He said no, because, he said, it's not
29 necessary. He said Belgium is the heart of Europe. If you have

1 an office in Europe, everything you want to do, we can monitor
2 you from there, so Belgium is okay for now. That is what he told
3 me. Just encourage your boss to respect the peace process.

4 Q. Now, did you go to Belgium?

16:20:24 5 A. Yes, I did. In fact, I travelled from Belgium to The Hague
6 to meet --

7 Q. With whom did you stay in Belgium?

8 A. I was staying with a veteran politician, a Congolese
9 politician, who introduced me to the then Labor - Belgium Labor
10 Party president, Mr Ludo Martens.

16:20:45

11 Q. Now pause. Let us take things slowly, please. You were
12 staying with a veteran Congolese politician, yes?

13 A. Yes, Mr Monguya.

14 Q. How do you spell his name?

16:21:00

15 A. M-O-N-G-U-Y-A.

16 Q. And help --

17 A. In a village called Mons, M-O-N-S.

18 Q. He lived in Mons?

19 A. Yes, he lived in Mons.

16:21:12

20 Q. And help me. When you met him, did he say anything to you?

21 A. You mean Mr Monguya?

22 Q. Yes.

23 A. Yes, when I met Mr Monguya - in fact, before I came, he had
24 actually informed some business people. He said, I'm expecting
16:21:30 25 my friends from Sierra Leone, so maybe they will be coming with
26 some diamonds.

27 Q. Why do you laugh?

28 A. I am laughing because, you know, the expectation of the
29 young men was not met at all. He told them he was expecting some

1 friends from Sierra Leone and probably they will bring some
2 stones, diamond stones, that he would buy. But when we came, the
3 young men found that there was nothing like that. We had not
4 come with any diamonds at all, so it was very unfortunate for
16:22:04 5 them.

6 Q. So when you arrived, were these men actually waiting for
7 you?

8 A. Yes. In fact, they collected me at the airport because the
9 enthusiasm - people want - businesspeople, what they want to hear
10 about commodities. So when you told them probably - he said
11 there were chances that we will come with diamonds. They said
12 okay, you designate them. We will even help you collect them
13 from the airport. So --

14 Q. So these diamond dealers actually collected you from the
16:22:28 15 airport expecting that you were going to be travelling with
16 diamonds?

17 A. Yes, that is what we learnt from them later.

18 Q. And did you have any diamonds?

19 PRESIDING JUDGE: Mr Fayia, please slow down again for the
20 sake of the record as you speak.

21 MR GRIFFITHS:

22 Q. Did you have any diamonds?

23 A. We did not have anything. That was their disappointment
24 because - that was really, really their disappointment, and so
16:22:52 25 they just packed their bags and left. They almost quarrelled
26 with Mr Monguya.

27 Q. They almost quarrelled with him?

28 A. They almost quarrelled. They did not stand to shout, but
29 we saw that they were not happy at all.

1 Q. So who did you meet in Belgium?

2 A. Apart from Monguya, what he did, he introduced us to
3 Belgium Labor Party President by then, Mr Ludo Martens, I spoke
4 with him just the way I spoke to Mr Schaapveld and he said,
16:23:35 5 "Well, we are all in support of Africa's development. So if and
6 only if you have come out to provide a way to develop Africa - to
7 try to develop Sierra Leone we can help you." He even introduced
8 me to one Dr De Belder, the director of his NGO they called
9 Medical Aid for the Third World, D-E B-E-L-D-E-R. He is the
16:24:16 10 executive director for Medical Aid for the Third World. He
11 introduced me to him and Dr Belder was very happy to receive me.
12 He gave some application forms for project proposals that we will
13 send to them later so that they can start helping us in Kailahun
14 District to set up a hospital there, to even help us train some
16:24:41 15 nurses there.

16 Q. Now did you go to any other country?

17 A. Yes, I went to France. I met the French Foreign Ministry
18 too - the Foreign Minister, his name is - he was the Foreign
19 Minister for African Affairs. I don't remember the name very
16:25:09 20 well at all but it sounded like P-E-N-A-U-D. I'm not sure, but
21 that how was the name sounded to me. When I met him I explained
22 to him what I was here for. Then he told me, he said, "Mr Fayia,
23 do you know anything about the French revolution?" I said yes.
24 He said, "Do you?" I said yes. He said, "Well, what we advise
16:25:41 25 you from here is you make sure you - when the peace process is
26 complete, you make sure that you give the people what you said
27 you came for, that is development, because a revolution only
28 means anything to people when at the end of the day they are able
29 to realise a change for the better in their living situations.

1 That is the only time when a revolution would mean anything." He
2 said, "You see here in this country there was a guillotine, the
3 people were beheaded on guillotines, but today everybody has
4 forgotten about that because what the revolution promised, it has
16:26:20 5 given it to them. So when you go back you have to - when you go
6 back you tell your boss Mr Sankoh let him be serious about the
7 peace process. You will definitely get support from us when we
8 see seriousness from your side concerning the peace process
9 because the number of people who have died now in Sierra Leone
16:26:43 10 are many, that one should stop now. So go and give him this
11 message when you go back that Europe will be behind him as long
12 as he's serious about the peace process because we're interested
13 in the development of that country."

14 Q. You mentioned that you had gone to Germany to look at
16:27:01 15 buses, did you?

16 A. Yes, I did. That one I went to the factory, the Mercedes
17 Benz factory. I wanted to get - well, that was not a political
18 trip.

19 Q. That was not what?

16:27:13 20 A. That was not a political trip. It was an extra arrangement
21 I wanted to make for us to see if we could get some buses.

22 Q. But did you in due course return to West Africa?

23 A. Yes, I did return to West Africa in September 1996. I
24 actually arrived on 29 September '96 in Abidjan.

16:27:36 25 Q. Now because we cannot conclude the topic of the Abidjan
26 Accord in the time available this afternoon can I just deal with
27 one discrete topic. Sankoh arrives in Ivory Coast in March 1996.
28 Is that right?

29 A. Yeah.

1 Q. We know that in November, 30 November 1996, a peace accord
2 is signed?

3 A. Yes.

4 Q. It is also right that following that - prior to that
16:28:19 5 signing Sankoh and members of the external delegation flew into
6 Sierra Leone to consult with the combatants before the signing?

7 A. Yeah, yeah.

8 Q. Following that signing Sankoh then returns to - I mean
9 remains in Ivory Coast. Is that right?

16:28:44 10 A. Yes, he did.

11 Q. Until he finally left the Ivory Coast in 1997?

12 A. Yes.

13 Q. When he was arrested in Nigeria. All of this is well
14 established, yes?

16:28:53 15 A. Yeah.

16 Q. Now help us, during the year or so that Sankoh was in the
17 Ivory Coast, to your knowledge did he ever travel to Liberia?

18 A. No, no, no. He never travelled to Liberia during all that
19 time. In fact what I understood was that he only travelled to
16:29:21 20 Liberia in 1999 during that - but by then we were in prison with
21 them, that one I cannot say much about that.

22 PRESIDING JUDGE: Did you say he travelled to Liberia or
23 Nigeria?

24 THE WITNESS: No, Liberia. 1999. He travelled to Liberia
16:29:37 25 in 1999. But I cannot really say much about that because we were
26 in prison with them then in the bush.

27 MR GRIFFITHS:

28 Q. That's why I'm restricting you now just to that year long
29 period between March 1996 into 1997, his arrest, did he go to

1 Liberia to meet Charles Taylor?

2 A. No, not at all. Not at all. He never went to Liberia nor
3 even met Charles Taylor at any time. Not to my knowledge at all.

16:30:06

4 Q. During that year long period to your knowledge did he speak
5 to Charles Taylor?

6 A. No, not at all.

7 Q. Was there anything to prevent him, if he so wished, to
8 travel to Liberia?

16:30:22

9 A. No, at that time people were expecting that he would come
10 out with such a talk so that they would make arrangements for
11 them to - especially the Ivorians, they were expecting that he
12 would come out with such a talk --

13 Q. But was there anything --

14 A. No, no.

16:30:31

15 Q. -- preventing Mr Sankoh from travelling from Danane,
16 Abidjan or anywhere into Liberia?

17 A. That is what I am saying. He did not - nothing was
18 preventing him at all. People were expecting that he would come
19 out with it but he did not. He never came out with that kind of
20 talk to anybody at all because he said he didn't want to see
21 Charles Taylor. Let me be very specific. He said he didn't want
22 to see him at all.

23 Q. He did not want to see him at all?

24 A. That was what he was telling us.

16:30:57

25 Q. And how did he feel emotionally about Charles Taylor during
26 that period?

27 A. Whenever according to him he remembers the 1993 incident he
28 is enraged as if it had just taken place. So he was just full of
29 hate for him.

1 MR GRIFFITHS: Would that be a convenient point?

2 PRESIDING JUDGE: Yes, Mr Griffiths, it would be. We are
3 going to adjourn to tomorrow, Mr Fayia. As I usually do I
4 caution you not to discuss your evidence with anyone.

16:31:31

5 [Whereupon the hearing adjourned at 4.31 p.m.
6 to be reconvened on Thursday, 15 April 2010 at
7 9.30 a.m.]

8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

I N D E X

WITNESSES FOR THE DEFENCE:

DCT-306 38907

EXAMINATION-IN-CHIEF BY MR GRIFFITHS 38907