



Case No. SCSL-2003-01-T

THE PROSECUTOR OF
THE SPECIAL COURT
V.
CHARLES GHANKAY TAYLOR

WEDNESDAY, 3 NOVEMBER 2010
9.00 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
Mr Alhassan Fornah

For the Prosecution:

Mr Nicholas Koumjian
Ms Kathryn Howarth
Ms Maja Dimitrova

**For the accused Charles Ghankay
Taylor:**

Mr Terry Munyard
Mr Silas Chekera
Ms Logan Hambriek

1 Wednesday, 3 November 2010

2 [Open session]

3 [The accused not present]

4 [Upon commencing at 9.04 a.m.]

09:04:23 5 PRESIDING JUDGE: Good morning. We will take appearances
6 first, please.

7 MR KOUMJIAN: Good morning, your Honours, Madam President,
8 counsel opposite. For the Prosecution this morning, Kathryn
9 Howarth, Maja Dimitrova and Nicholas Koumjian.

09:04:42 10 MR MUNYARD: Good morning, Madam President, your Honours,
11 counsel opposite. For the Defence this morning myself, Terry
12 Munyard, Silas Chekera, Logan Hambrick and we are joined again by
13 our intern Alexandra Popov.

14 Madam President, while I'm on my feet can I make the
09:05:04 15 obvious point that Mr Taylor isn't here. There's been some
16 mix-up over transport this morning, we expect him by 9.30 and
17 we've had a message from him to the effect that he's content for
18 the Court to proceed in his absence.

19 PRESIDING JUDGE: Very well. Thank you, Mr Munyard. The
09:05:18 20 proceedings will proceed in Mr Taylor's absence pursuant to Rule
21 60.

22 Also, as a preliminary point, I'd just like to observe that
23 Justice Doherty is not with us in court. As indicated on Monday,
24 the Chamber has issued a Rule 16 decision which should be
09:05:44 25 published any minute now, today, but just orally to say that the
26 proceedings will proceed in the absence of Justice Doherty
27 pursuant to Rule 16 of the Rules of Procedure and Evidence.

28 Now, Mr Kolléh, good morning.

29 THE WITNESS: Good morning.

1 PRESIDING JUDGE: We are going to continue with your
2 evidence this morning and I'm required to remind you of the oath
3 that you took on Monday to tell the truth, that oath is still
4 binding on you today.

09:06:17 5 THE WITNESS: Yes.

6 WITNESS: DCT-102 [On former oath]

7 EXAMINATION-IN-CHIEF BY MR MUNYARD: [Continued]

8 Q. I'm going to be dealing now with one more transcript and
9 this transcript comes from 5 March 2008, witness TF1-362, and it
10 starts at page 5315. And I understand we now have the

09:06:48 11 transcripts on our screens. Can I just check with you,
12 Mr Kolleh, that you've got the transcript there in front of you?

13 A. Yes.

14 Q. Thank you. Right at the bottom of the page I'm going to
15 start at the bottom, the last line, line 29:

09:07:34 16 "Q. During the time you were in Makeni, did you attend any
17 muster parade?"

18 Over the page, 5316:

19 "A. No, I didn't attend a muster parade in Makeni."

09:07:57 20 And he goes on to say on line 7:

21 "Yes, I attended a muster parade. The muster parade was
22 held near the government hospital in Magburaka Town.

23 Q. When was this muster parade held?

24 A. It was in 1999, around April 1999 I can remember. That
25 was when we held the muster parade in Magburaka.

09:08:24 26 Q. What happened during this muster parade in Magburaka?

27 A. During the muster parade, I saw two senior RUF
28 officers, one of them was Morris Kallon, then the other one
29 was Siem Kolleh. I saw Siem Kolleh with an AAC twin

1 barrel, anti-aircraft gun. He had arms and ammunition in
2 that vehicle together with RPG bombs. Then Siem Kolleh
3 told Morris Kallon that Sam Bockarie had sent those
4 materials, he brought them from Liberia to go and fight
09:09:10 5 against Denis Mingo and others."

6 Then I'm going to miss out the rest of that page, it's a
7 procedural matter. Over the page, 5317, line 4, the witness is
8 asked to spell the name:

9 "Q. You mentioned the name Siem Kolleh. Can you spell the
09:09:31 10 name, please?

11 A. S-I-E-M K-O-L-L-E-H.

12 Q. Who is Siem Kolleh?

13 A. He was an RUF vanguard.

14 Q. You testified earlier that Siem Kolleh told Morris
09:09:51 15 Kallon that Sam Bockarie had sent those materials, meaning
16 the arms and ammunition and the anti-aircraft gun, and that
17 he'd brought them from Liberia. Did Siem Kolleh say where
18 in Liberia Sam Bockarie got those materials from?

19 A. Yes, he said that in the muster parade where I was
09:10:13 20 there, including RUF and AFRC members."

21 Sorry, I put the emphasis wrongly:

22 "He said that in the muster parade when I was there,
23 including RUF and AFRC members.

24 Q. What did he say about where in Liberia Sam Bockarie got
09:10:34 25 these materials from?

26 A. Siem Kolleh told us that Sam Bockarie got those
27 materials from Charles Taylor."

28 Now, Mr Kolleh, the first question I want to ask is - well,
29 I'd better make a correction before I go any further. Apparently

1 I've given the wrong TF1 number. I believe it's TF1-337. But
2 for these purposes, I don't actually need to identify the
3 witness; it's the evidence that I want to ask about.

4 First of all, have you ever spelled your first name

09:11:19 5 S-I-E-M?

6 A. No.

7 Q. Do you know of anybody else who was an RUF vanguard by the
8 name of Si em Kolleh?

9 A. No.

09:11:36 10 Q. Right. In your experience, have other people had any
11 difficulty pronouncing your first name?

12 A. No.

13 Q. All right. Now, let me ask you, were you in Magburaka
14 around the early part of 1999?

09:12:04 15 A. Yes.

16 Q. Did you have some weaponry with you at that time?

17 A. Yes.

18 Q. What was the weaponry?

19 A. Two barrel anti-aircraft with nine rocket RPG.

09:12:35 20 Q. Right.

21 A. With few sardine pan ammunition and some anti-aircraft
22 rounds.

23 Q. Where did you - well, what were you doing, first of all,
24 with those materials?

09:13:02 25 A. I was instructed by Issa Sesay to carry to Morris Kallon.

26 Q. To carry what to Morris Kallon?

27 A. To carry this material and the weapon to Morris Kallon.

28 Q. Thank you. Now, let's go back to the beginning then of
29 this account. Where were you when you received this instruction

1 from Issa Sesay?

2 A. I was at Manowa Ferry where I was instructed to take the
3 heavy weapon from Bunumbu to Issa Sesay. When I arrived to
4 Issa's location he then ordered me as a senior officer, "Just
09:13:53 5 continue with it, those men are in cut off." That's how I
6 received the instruction from Issa Sesay.

7 Q. Those men are where?

8 A. They were in cut off. They were in siege.

9 Q. They were cut off or in siege, you said. Right. Before we
09:14:10 10 get to the journey that you went on, can you tell us at Manowa
11 Ferry - you told us on Monday that you were based for a while at
12 Manowa Ferry. Where was this weaponry that you were then told to
13 take from your position to Issa and then onwards?

14 A. The weapon was ahead of me, four miles from Manowa to
09:14:41 15 Bonubu. The weapon was at Bonubu.

16 Q. Which side of the river is Bunumbu?

17 A. It's across. If you come from Kailahun way you have to
18 cross the river. The side of my deployment then was on the side
19 of Bonubu towards Koidu Town.

09:15:02 20 PRESIDING JUDGE: Excuse me, this location is Bunumbu,
21 isn't it?

22 THE WITNESS: Bonubu.

23 PRESIDING JUDGE: Can you spell that?

24 THE WITNESS: B-O-N-U-B-U.

09:15:18 25 PRESIDING JUDGE: Obviously this is different from the
26 Bunumbu we've heard of before.

27 MR MUNYARD: Maybe not, your Honour. We are very well
28 aware in this case that the same place can often have many
29 spellings. We'll come back to that. At the moment I'm more

1 concerned about which side of the river these weapons were.

2 Q. Now, the river is what river?

3 A. The Moa River.

4 Q. Right. And when you say they were on the other side from

09:15:52 5 Kailahun, if you have Kailahun on one side, do you have Freetown
6 on the other side, albeit a very long way away?

7 A. Come again?

8 Q. When you say they were to come from Kailahun to get to this
9 place where the weapons were, it was on the other side of the

09:16:14 10 river from Kailahun. So does that mean that it was on the
11 Freetown side of the river?

12 A. Yes.

13 Q. Thank you.

14 A. Kono side of the river.

09:16:30 15 Q. Kono side, thank you. That's much nearer, of course. And
16 do you know how these weapons had got to this place?

17 A. We retreated with this weapon.

18 Q. Retreated from where?

19 A. From Freetown.

09:16:49 20 Q. Right. Which weapon - are we talking about one of these
21 weapons or more than one of these weapons?

22 A. More than that double barrel. We had Nigerian armoured
23 tank, armoured carrier, including the double barrel that were at
24 Bonubu.

09:17:14 25 Q. Right. And how was the double barrel arranged, was it
26 freestanding or was it in a vehicle or what?

27 A. It was in a heavy truck, big truck.

28 Q. Right. And where did you retreat to with this double
29 barrel mounted in the truck?

1 A. Bonubu.

2 MR MUNYARD: Your Honour, it might help if we had a look at
3 a map. That might assist. I'm not sure where our maps are at
4 the moment.

09:17:59 5 THE WITNESS: If you come from Koidu you come to Bonubu.
6 Bonubu you have a road going towards Manowa. You also have a
7 road from Bonubu to Daru Barrack. It is a junction from Koidu to
8 Bonubu, from Daru to Bonubu, from Manowa to Bonubu.

9 MR MUNYARD:

09:18:28 10 Q. Well, while we look to see if this place is marked on any
11 of the many maps that we do have, let me ask the witness a little
12 more.

13 MR KOUMJIAN: If I could be perhaps of assistance, I
14 believe map S3-D is a map of Kailahun. I think I see Bunumbu on
09:18:47 15 that.

16 MR MUNYARD: Thank you very much.

17 PRESIDING JUDGE: And, Mr Koumjian, how is that spelt, the
18 place that you see?

19 MR KOUMJIAN: The place that I see that is at the junction
09:19:00 20 of a road that's called Manowa Junction, just north of the
21 junction is B-U-N it looks like U-M-B-U, Bunumbu.

22 MR MUNYARD: Yes.

23 MR KOUMJIAN: Going north you would go to Gandorhun, going
24 south you would go to Segbwema. If you went east at that
09:19:26 25 junction you would go to Batiwa and then Pendembu.

26 PRESIDING JUDGE: So, Mr Munyard, you need to establish
27 from the witness if this is one and the same place he's referring
28 to.

29 MR MUNYARD: Certainly. I wonder if that map - no, neither

1 we nor Madam Court Officer has that map. I wonder if Mr Koumjian
2 would lend us his to put on the overhead. Yes, if that could be
3 put on the overhead and shown to the witness.

09:21:36 4 Q. Mr Kolléh, I'm going to ask you in a moment to move to the
5 other seat, just so that you can show us, by pointing, the places
6 that we're talking about.

7 PRESIDING JUDGE: Madam Court Manager, is that the best we
8 can do for focus? Is there some way we can actually read the
9 words of the map?

09:22:06 10 MR MUNYARD: I wonder if we could go down a little on the
11 map. In other words, if you move the map - sorry, yes, thank
12 you, so that the places we are looking at are more central to the
13 screen. Thank you very much.

14 Q. Now, Mr Kolléh, can you see in the middle of the map
09:22:44 15 somewhere called Manowa Junction? It's a bit blurred. At least
16 it is from the position that I'm in. Can you just point to
17 Manowa Junction so we know we're all looking at the same thing.
18 Thank you. Now, is Manowa Junction the same place as Manowa
19 Ferry or is Manowa Ferry different from Manowa Junction?

09:23:25 20 A. Come again?

21 Q. Is Manowa Ferry the same place as Manowa Junction or is it
22 a different place?

23 A. Manowa Ferry is [microphone not activated].

24 Q. I'm not sure if the microphone's switched on. Can you say
09:23:52 25 that again?

26 A. I said from Bonubu or Manowa Junction you go to Manowa
27 Ferry.

28 Q. Right. And you've already told us that Manowa Ferry is on
29 the river.

1 A. Yes.

2 Q. And which side of the river is Manowa Ferry, is it the
3 Kailahun side or the Kono side?

4 A. Kono side.

09:24:13 5 Q. Thank you. You've already told us that this town or this
6 place where the heavy artillery was, was a few miles from there
7 on the Kono side. Now, can you see on the map the name of a town
8 just above Manowa Junction in bigger letters?

9 A. Yes, I can see Bunumbu.

09:24:38 10 Q. And is that the town that you've been talking about?

11 A. Yes.

12 Q. Right, now, thank you very much. You can move away from
13 the map and go back to your original seat if you'd like to.

14 JUDGE SOW: Mr Munyard, please can you establish if it is
09:25:03 15 the same town, Bunumbu, that TF1-337 referred to in his
16 testimony.

17 MR MUNYARD: Your Honour, 337 was referring to a meeting in
18 Magburaka.

19 JUDGE SOW: He referred to Bunumbu also, different places.

09:25:39 20 MR KOUJIAN: Could I request that IT assist me, because
21 everything has frozen on my computer.

22 MR MUNYARD: In the meantime, could I ask Justice Sow where
23 in 337? Could you give me a page reference?

24 JUDGE SOW: [Microphone not activated].

09:26:11 25 MR MUNYARD: 4 March? I'm afraid your microphone's not on,
26 I'm not picking you up.

27 JUDGE SOW: Testimony of 4 March.

28 MR MUNYARD: Page?

29 JUDGE SOW: 42 in my font.

1 MR MUNYARD: Can I see if the witness has a - can throw any
2 light on the difference in the names.

3 Q. Mr Kolleh, you've referred to it as Bonubu. Are you aware
4 of anybody referring to that same place as Bunumbu?

09:27:03 5 A. It is spelt the same way, B-U-N-U-M-B-U.

6 Q. Right. Thank you.

7 PRESIDING JUDGE: Hasn't the witness just said, Mr Munyard,
8 when you asked him, referring the map to him, whether the place
9 that appears as Bunumbu on the map is the place he described as
10 Bonubu and he said yes?

09:27:32

11 MR MUNYARD: Yes. Yes, I'm content with that, but I don't
12 want Justice Sow's question to go unanswered and so I think we
13 are all talking about the same place.

14 PRESIDING JUDGE: I think so. I think so. You can
15 proceed, please.

09:27:54

16 MR MUNYARD:

17 Q. Now, you were telling us how that material had got there.
18 You said you retreated from Freetown with it. Do you remember
19 saying that a moment ago?

09:28:09

20 A. Yes.

21 Q. Thank you. And what happened when you got those materials
22 to that place beginning with B, Bunumbu?

23 A. Please repeat.

24 Q. What happened when you got the materials as far as Bunumbu,
25 when you were retreating from Freetown?

09:28:33

26 A. We --

27 MR KOUMJIAN: If I could just clarify one thing. My
28 understanding is that he talked about one gun, that they
29 retreated with one gun, I'm not clear if all the materials he

1 discussed came from Freetown.

2 MR MUNYARD: He did actually refer to a number of different
3 materials they brought from --

09:28:58

4 PRESIDING JUDGE: Yes. When he was asked where did these
5 weapons come from he answered the question "the weapons, we
6 retreated with the weapons from Freetown".

7 MR MUNYARD: Can I just say, Mr Taylor is about to come
8 into the courtroom. And, Madam President, shall I pause while
9 that happens?

09:29:14

10 [The accused present]

11 PRESIDING JUDGE: That won't be necessary.

12 MR MUNYARD: Very well.

09:29:28

13 Q. So you were just - you were just going to tell us, you
14 retreat from Freetown with weapons, including these - this
15 anti-aircraft gun. What happens to it when you get as far as
16 Bunumbu?

17 A. We kept those weapons at Bunumbu because we could not cross
18 with them to Kailahun.

19 Q. And why couldn't you cross with them to Kailahun?

09:29:52

20 A. No passage.

21 Q. Yes. What do you mean by "no passage"?

22 A. The ferry was not functioning and you could not cross these
23 weapons, they were heavy weapons, you could not cross with them,
24 so we kept them at Bunumbu.

09:30:10

25 Q. Right.

26 A. Because the Nigerians were in Daru.

27 Q. So if you couldn't take something across from the Kono side
28 of the river to the Kailahun side because the ferry wasn't
29 functioning, would it be possible for anybody to bring heavy

1 weapons, such as the anti-aircraft gun, from the Kailahun side to
2 the Kono side of the river?

3 A. No.

4 Q. Thank you. So tell us then about the instruction you

09:30:50 5 received from Issa Sesay. You told us that he asked you to bring
6 that anti-aircraft gun.

7 A. Well - come it again.

8 Q. What was it that Issa Sesay instructed you to bring to him,
9 first of all?

09:31:13 10 A. Issa Sesay talked to Mosquito, requesting this weapon and I
11 was then instructed by Mosquito to go ahead to Bunumbu and take
12 this weapon to Issa's location.

13 Q. Right. And did you do that?

14 A. Yes.

09:31:34 15 Q. And what happened when you got to Issa's location?

16 A. When I got to Issa's location, he told me, "Fine, as a
17 senior officer, you have to proceed with the weapon." And I
18 said, "That's not what Mosquito said." He told me, "My friend,
19 you are a senior officer, you have to escort the weapon to Morris
09:31:55 20 Kallon".

21 Q. Right.

22 A. And I did.

23 Q. And where did you take them to? Where was Morris Kallon?

24 A. To Magburaka town.

09:32:04 25 Q. All right. And what happened when you got to Magburaka
26 town?

27 A. I met Morris Kallon, Gbao and most of the soldiers in
28 disarray, they were already escaping towards Kono direction when
29 they were in the siege.

1 Q. Right.

2 PRESIDING JUDGE: That was Morris Kallon and who?

3 THE WITNESS: Augustine Gbao, some soldiers.

4 MR MUNYARD:

09:32:35 5 Q. Yes. Were these soldiers fighters all from one group or
6 more than one group?

7 A. They were from the RUF.

8 Q. Were there any from the AFRC with them, that you saw?

9 A. I can't tell. They were soldiers on the ground and they
09:32:56 10 were under pressure, so no one had time to actually check who is
11 this and who is that.

12 Q. All right. So did you hand over these materials to Morris
13 Kallon?

14 A. Yes.

09:33:10 15 Q. And where was he when you handed them over?

16 A. No sooner I landed, they all were happy and then while they
17 were dancing around, that's how I just came down and told Morris
18 Kallon this is a weapon that you requested to Issa and he said
19 thank you. And right there operator got on the weapon and they
09:33:36 20 were all happy. From there Morris Kallon told me to stay. I
21 said no, that was not the instruction.

22 Q. And so where did you go once you'd handed over the weapon
23 or weapons?

24 A. I stayed on the ground for almost four to five days.

09:33:54 25 Q. When you say "on the ground" where do you mean?

26 A. In Magburaka.

27 Q. Right. Did you at any time, while you were there, attend a
28 muster parade?

29 A. No, no muster parade. At that stage - fighting was going

1 on. Once fighting was between RUF and RUF, it were difficult to
2 even stand alone in just one or two minutes because Superman was
3 not far from far Magburaka. At the same time, the Kamajors were
4 coming from Yele direction to attack the RUF. So no one had time
09:34:31 5 to stand in the muster parade.

6 Q. All right. What was the town you said or the place you
7 said the Kamajors were coming from?

8 A. From Yele.

9 Q. How do we spell that?

09:34:43 10 A. I'm not too familiar with Yele but I think it go like
11 Y-E-Y-E - either Y-E-L-E.

12 Q. Right.

13 A. I don't actually know how to do the spelling.

14 Q. And you said also the RUF were fighting RUF, what did you
09:35:13 15 mean by that?

16 A. They were attacking each other, Superman was attacking
17 Morris Kallon's position in the process Rambo already was killed
18 by Superman.

19 Q. Right.

09:35:26 20 A. So the fighting extended from Lunsar all the way to
21 Magburaka area, where they were almost on the run to Kono.

22 Q. Right. Now, you said there wasn't an opportunity to hold a
23 muster parade and that there was no muster parade. If a muster
24 parade had been held by Morris Kallon, is it likely that you
09:35:55 25 would have been asked to speak at it?

26 A. No.

27 Q. Right. Thank you. So did you tell anybody that
28 Sam Bockarie had got those materials, meaning the arms and
29 ammunition and anti-aircraft gun, from Liberia, from

1 Charles Taylor?

2 A. No.

3 Q. And if you had told anybody that, would it have been the
4 truth or a lie?

09:36:28 5 A. I did not tell anybody that.

6 Q. And as far as you're concerned, where did those materials
7 come from originally?

8 A. These materials came from Issa's location and the weapon
9 came from Bunumbu town.

09:36:50 10 Q. Right.

11 A. There was no ferry functioning, how could you cross?

12 Q. Very well.

13 A. And you cannot pass in Daru; the Nigerian contingent were
14 there. Would you fly? No.

09:37:05 15 Q. All right. Mr Kolleh, I'm now going to move on to a
16 different area and a different time. When the war was officially
17 declared over in early 2002, where were you?

18 A. I was in Kailahun Town.

19 Q. Right. By 2003 where were you?

09:37:36 20 A. I was still in Kailahun Town.

21 Q. When you were in Kailahun Town did anybody at any time
22 speak to you about your involvement in the civil war?

23 A. Yes.

24 Q. Tell us please how that came about?

09:38:06 25 A. It was 2003 when one Chris Bomford came to Kailahun and he
26 met me at my house.

27 Q. Tell us, first of all, who he is.

28 A. He was the national investigator for the Prosecution.

29 Q. For the Prosecution, which Prosecution?

1 A. For the Special Court of Sierra Leone.

2 Q. Thank you. And how was it that he came to see you at your
3 house?

09:38:59

4 A. Myself, I was surprised, I saw Chris Bomford just enter on
5 me in my house in Kailahun.

6 Q. Did he come by himself?

7 A. No. Somebody led him.

8 Q. And who was the person who led him?

9 A. Eric Quor Senesie.

09:39:14

10 Q. And how do we spell Eric Quor Senesie's name?

11 A. E-R-I-C Q-U-O-R S-E-N-E-S-I-E.

12 Q. Right. And who is he?

13 A. He was a member of the RUF.

14 Q. Was he somebody you knew?

09:39:42

15 A. Oh, yes, he was an artist within the RUF.

16 Q. Right.

17 A. He was one of the officials of the RUF.

18 Q. How well known would you say that you were in Kailahun Town
19 in 2003?

09:40:04

20 A. Pardon me?

21 Q. How well known would you say that you were, Sam Kolleh, in
22 Kailahun Town in 2003?

23 A. I was widely known as Sam Kolleh because in the war I was
24 known as Sam Kolleh and up to the time.

09:40:24

25 Q. Right. And how well did you know Eric Quor Senesie?

26 A. He was a member of the RUF.

27 Q. Yes.

28 A. We operated together for a long time.

29 Q. Right.

1 A. Up to disarmament, up to my departure from Kailahun to
2 Liberia.

3 Q. And you told us that he was an artist within the RUF. What
4 was the role of an artist within the RUF?

09:40:51 5 A. During the war he was not actually an artist but I mean it
6 is his profession, artist, somebody who sketches.

7 Q. All right. So you say he came with this man, Chris
8 Bomford?

9 A. Yes.

09:41:11 10 Q. To your house?

11 A. Yes.

12 Q. What happened when they came in?

13 A. Chris entered and called my name "Sam Kolléh, how are you?"
14 I turned around and I saw Chris, a huge fellow, with a bald head
09:41:28 15 and then I answered and say, "Who brought you here?"

16 Q. Now, before you tell us what he said. Had you ever seen
17 this man, Chris Bomford in your life before?

18 A. No.

19 Q. All right. Thank you. What did he reply?

09:41:42 20 A. He told me he has come to talk to me.

21 Q. Did he tell you where he was from?

22 A. He told me he was from the Special Court in Freetown.

23 Q. All right. How did you react when this man told you that
24 he'd come to speak to you from the Special Court?

09:42:07 25 A. I was annoyed at Eric and then he told me Eric was not the
26 matter. The matter was for me to talk to him. I should not get
27 vexed at Eric.

28 Q. Can you tell us what was your knowledge of the activity of
29 the Special Court at this time?

1 A. I did not understand.

2 Q. Had you heard of the Special Court by this time?

3 A. Yes.

4 Q. What did you understand it to be doing at this time?

09:42:54 5 A. They were arresting RUF fighters or they could arrest any
6 RUF fighter to investigate them about the war in Sierra Leone.
7 That is the information first I received.

8 Q. Did you know anybody who had - either did you know anybody
9 yourself or did you hear of anybody who you'd heard of in the RUF
09:43:23 10 who had been arrested by this time?

11 A. Yes, by that time Issa Sesay was arrested, Morris Kallon
12 was arrested and later Augustine Gbao at Blama, close to Kenema,
13 was also arrested.

14 Q. I just want to know how many people you'd heard of being
09:43:48 15 arrested by the time Chris Bomford comes to see you?

16 A. The one arrested by the Special Court were three and the
17 Government of Sierra Leone arrested numerous - many numbers that
18 I could not tell, Isaac, Nyan, Rocky CO, Paul Vaye, and others,
19 Lawrence Womandia and others.

09:44:14 20 Q. Right. These arrests have been going on, have they, by the
21 time Chris Bomford came to see you?

22 A. Yes, they arrest - they have already arrested these people.

23 Q. Thank you. And you told us that you had said something to
24 Eric Quor Senesie and Chris Bomford replied to you, yes?

09:44:42 25 A. Yes, I told Eric, "Why you have to bring somebody to my
26 house?" When he saw the vexation from me, he told me Eric was
27 not a problem, his problem - I mean, the problem was for me to
28 talk to him.

29 Q. Right. And did you agree to talk to him on that occasion

1 in your house in Kailahun?

2 A. No, I told him I would talk to him the next day.

3 Q. Right. And did you talk to him the next day?

4 A. Yes.

09:45:21 5 Q. Where was that?

6 A. It was at the contingent headquarter of UNAMSIL, Kailahun
7 Town.

8 Q. Right. And why did you agree to talk to him the next day?

9 A. He came to talk to me, I wanted to know why he wanted to
09:45:45 10 talk to me, so I have to talk to him.

11 Q. Between him first coming and you agreeing - and you then
12 seeing him and talking to him, had you taken any advice from any
13 source?

14 A. After talking to me was the time I got advice from
09:45:59 15 somebody.

16 Q. And who was that?

17 A. This person was one of the MILOBs, military observers.

18 Q. Right?

19 A. They were staying inside the town, not on the ground where
09:46:15 20 the contingent were deployed.

21 Q. Right. And what advice did they give you?

22 A. I was told that I have to talk to these people. If I
23 refuse to talk to them, same will be done to me just like
24 Augustine Gbao's case. It's a system called sweeping; if I
09:46:40 25 failed to talk to them they will use the local police to have me
26 arrested and turn me over to them.

27 Q. Right.

28 A. So I should talk to them, that's the only advice he can
29 give me.

1 Q. And when you say there was a system called sweeping, what
2 did you understand that term "sweeping" to mean?

3 A. Once one refuses to talk to them, they would use the local
4 police to have you arrested and turned over to them. By this
09:47:11 5 time you will be forced to talk to them.

6 Q. Right. So you received that advice and then you say you
7 did speak to Chris Bomford?

8 A. Yes.

9 Q. And was he with anybody else when you first spoke to him?

09:47:29 10 A. Yes, they were three. The other two persons I met up were
11 Yusef Dafaee and Sharan Parmar.

12 Q. Right. Yusef Dafaee, do you know how we spell his name?

13 A. Y-U-S-U-F D-A-F-A-E.

14 Q. Thank you. And Sharan Parmar, do we know how we spell her
09:48:05 15 name?

16 A. It's S-H-A-R-A-N P-A-L-M, I think, E-R or A-R - E-R or
17 something like that.

18 Q. All right, thank you. And can you remember now where it
19 was that you talked to them?

09:48:31 20 A. I say yes, Kailahun.

21 Q. Right. Now, when you talked to them, did they take any
22 notes of what you were saying?

23 A. Yes, they took notes.

24 Q. Did they ever ask you to check through those notes and sign
09:49:00 25 them?

26 A. Nothing.

27 MR MUNYARD: Madam President, I'm afraid at this particular
28 moment I'm going to have to ask the Court for a short break
29 because I am somewhat indisposed. I don't think I'll need

1 terribly long.

2 PRESIDING JUDGE: Very well. We'll take a 10-minute break
3 and we will rise.

4 [Break taken at 9.49 a.m.]

10:01:55 5 [Upon resuming at 10.00 a.m.]

6 PRESIDING JUDGE: Mr Munyard, please continue.

7 MR MUNYARD: Thank you, Madam President.

8 Q. Mr Kolleh, you were just telling us about the meeting with
9 Chris Bomford, Sharan Parmar and Yusef Dafaee, at which they took
10 some notes. You told us that you were not asked to sign the
11 notes or read them over. Before we look at the notes, I'm going
12 to ask you, first of all, did they take your personal details,
13 such as your name when they were making these notes of this first
14 interview with you?

10:02:30 15 A. Yes.

16 Q. And what name did you give them?

17 A. Sam Mustapha Koroma.

18 Q. Why did you not give them the name Sam Kolleh?

19 A. It's because of the tension I saw from Chris and that very
10:02:54 20 night in fact he told me he would like to talk to me, I told him
21 the next day when I met him at the police station while going up
22 to talk to him, he told me, he said, "Look, Sam, I don't care,
23 you can change your name and change your particulars, I don't
24 want to know. What I want to know is diamond from you to Taylor
10:03:16 25 and from Taylor with arms with you. So we go up and you give a
26 statement, you have to talk to me. So don't worry about your
27 particulars, it's not too important to me. Whatsoever you tell
28 me is what I will take truth."

29 Q. Right. And so why did you give this particular name?

1 A. I was afraid. I have to change my particulars, I was
2 afraid and I was not willing and then there was tension on us
3 arresting RUF officers, all of those things contributed to the
4 changing of my name.

10:03:55 5 Q. Right. And so how did you come to choose the name that you
6 gave them?

7 A. Once he told me you can change your name, because I told
8 him I was afraid to talk to him, he said, "You just have to talk
9 to me, so you can change your name." I took the name --

10:04:21 10 Q. I'm sorry. I'll ask the question in a different way. How
11 did you come to choose those particular names that you gave him?
12 How did you come to make --

13 JUDGE LUSSICK: Can you read those names that he did give
14 on to the record again, because if you look, they don't appear on
10:04:40 15 the record at the moment.

16 MR MUNYARD: I'm perfectly happy to read them again.
17 In fact, it's probably best if it comes from the witness.

18 Q. What names did you give them, Mr Kollah?

19 A. Sam Mustapha Koroma.

10:04:56 20 Q. Now, we know that Sam is your real first name, yes?

21 A. Yes.

22 Q. Where did you get the names Mustapha Koroma from?

23 A. It's a name from my stepfather.

24 PRESIDING JUDGE: Mr Munyard, for the second time, could we
10:05:11 25 get the names on the record correctly. We've got Sam Christopher
26 Roma.

27 MR MUNYARD: Sam Mustapha Koroma.

28 PRESIDING JUDGE: Could we have some spellings, please.

29 MR MUNYARD: If you want spellings.

1 Q. How do we spell Mustapha, is it the usual way or a
2 different way?

3 A. The usual way.

4 Q. And how do you spell Mustapha in the usual way?

10:05:41 5 A. M-U-S-T-A-P-H-A.

6 Q. Thank you. And Koroma.

7 A. K-O-R-O-M-A.

8 Q. Right, and you say that Mustapha Koroma was the name of
9 your step father?

10:05:58 10 A. Yes.

11 Q. Yes?

12 A. I decided to use.

13 Q. Right. Thank you. And you've told us the reason that you
14 gave a false name?

10:06:07 15 A. Yes, because of fear and I was advised by Chris.

16 Q. As far as you were concerned, did these people from the
17 Office of the Prosecutor of the Special Court know perfectly well
18 that they were dealing with Sam Kolléh?

19 A. Yes, because when I would enter Yusef asked me, "Your
10:06:31 20 name?" I said, "Sam Mustapha Koroma." And he said, "I guess you
21 are Sam Kolléh." And I said no. The Chris said, "Don't matter,
22 any name he gave you, just put it there."

23 Q. Right.

24 MR KOUMJIAN: Perhaps everyone else got that. But I
10:06:52 25 di dn' t.

26 PRESIDING JUDGE: I di dn' t ei ther.

27 MR KOUMJIAN: [Overlapping speakers] "Because when I would
28 enter Yusef asked me your name."

29 MR MUNYARD: I'm relying on the evidence I heard. So let

1 me try and go back to that, please.

2 Q. Mr Koll eh, you said to us a moment ago that Yusef said
3 something what did Yusef say to you?

4 A. He asked me for my name and I say, "I am Sam Mustapha
10:07:16 5 Koroma." He said, "I guess you are Sam Koll eh." I said, "No."
6 And then Chris said, "Don't bother, take down any name he give
7 you."

8 Q. Thank you. And so during these interviews, is that the
9 name you used each time you were interviewed, Sam Mustapha
10:07:42 10 Koroma?

11 A. Yes.

12 Q. Thank you. Can I just ask you this, before we look at
13 those interviews, did you at any time speak to the Truth and
14 Reconciliation Commission in Sierra Leone?

10:08:02 15 A. Yes.

16 Q. Did you speak to them before or after you spoke to the -
17 these people from the Prosecution?

18 A. I spoke to them before the Prosecution.

19 Q. Right. I'm going to ask, in that case, for you to look at
10:08:23 20 a document behind tab 2 of the bundle, please.

21 MR KOUMJIAN: I would object, your Honours, to the witness
22 being given prior statements that he's on direct examination and
23 that is leading and suggestive.

24 MR MUNYARD: Well, in fact, I'm not going to show him a
10:08:46 25 prior statement from the Truth and Reconciliation Commission,
26 it's not a statement at all, it's a document that lists some
27 names. I don't know if Mr Koumjian has an objection to that. We
28 can deal with the interviews in a moment.

29 PRESIDING JUDGE: Can you give me a moment to see this

1 document.

2 MR MUNYARD: Certainly. It's behind tab 2. Your Honours
3 will see that the first page is simply the title page of that
4 particular chapter of the Truth and Reconciliation Commission of
10:09:19 5 Sierra Leone report, "Witness to Truth", volume 3A and the only
6 other page in that tab is page 105 - page 105 of that report
7 under a general heading at the top of the page "Composition Of
8 the RUF Vanguard's", and I'm only interested in paragraph 69.

9 MR KOUMJIAN: Thank you. I withdraw my objection on that.
10:09:56 10 I was premature and also apologise for my coughing and
11 interrupting.

12 MR MUNYARD: I'm grateful. Thank you very much.

13 PRESIDING JUDGE: In that case, the witness may be shown
14 the document behind tab 2.

10:10:11 15 MR MUNYARD: Thank you.

16 Q. Mr Kollah, I'm going to ask you to look at two pages. The
17 first one is simply the cover page of part of the report of the
18 Truth and Reconciliation Commission, just so that we know where
19 the second page is coming from. And if the cover can go on the
10:10:39 20 overhead first, please, thank you. And if you zoom out, that
21 will show us, the other way, yes, just keep zooming out. Zoom
22 out a bit more. Or - will it zoom out more and then push the
23 page up the screen a little. Yes. If you just keep going until
24 I ask you to stop. Yes, thank you.

10:11:13 25 Now, this is the cover page of the report headed "Witness
26 to Truth", report of the Sierra Leone Truth and Reconciliation
27 Commission, volume 3A. And then if you take that off the screen
28 and put the second page on, please.

29 And this is, if we go to the bottom of that page, simply

1 for reference, you'll see that that is page 105. At the top of
2 the page the heading is "The Composition of the RUF Vanguard".
3 And I'm going to ask you, please, to look at paragraph 69. So
4 can we zoom in, please, on paragraph 69. Will it go, yes, a bit
10:12:07 5 more, if you keep going so that we just have the whole of
6 paragraph 69 in readable form on there, yes, I think that should
7 be all right.

8 Now, Mr Kolleh, you've told us that you used the name
9 Mustapha Koroma because it was your stepfather's name. In this
10:12:29 10 paragraph there is a section - sorry. In this paragraph there is
11 a list of names and I'm going to read the paragraph to you and
12 then ask you to comment:

13 "There were also many other Sierra Leonean vanguards whose
14 presence on the base was brought to the commission's attention
10:12:55 15 during its research."

16 I should say that the base they're referring to here is
17 Camp Naama.

18 "The list presented here is not exhaustive, nevertheless,
19 the historical record should include the following names as RUF
10:13:10 20 vanguards:

21 Joseph Kargbo, Ahmed Fullah, Yusu Sillah, Yusufu Sesay,
22 Al i c i o u s C a u l k e r, S a i d u K a l l o n, J o h n K a r g b o, E d w a r d F e m b e h,
23 E l d r e d C o l l i n s, J a t t a M a s s a q u o i, R i c h i e H o n e y r o w, M e m u n a t u S e s a y,
24 F a t u G b e m g b e, M u s t a p h a K o r o m a (a l i a s ' S e n k o l l e h '), A b d u l r a h m a n
10:13:45 25 B a n g u r a, ' K e l f a w a i ' a n d ' K a i l o n d o ' . "

26 Those last two names being in quotation marks. Now,
27 Mr Kolleh, this name, Mustapha Koroma, alias Sam Kolleh, do you
28 know who that refers to?

29 A. Yes.

1 Q. Who is that?

2 A. I am the one.

3 MR KOUMJIAN: Excuse me, your Honours, I'm not sure if the
4 LiveNote will pick this up later. The LiveNote is listing the
10:14:20 5 name counsel's reading as Sam Kolleh, while paragraph 69 has a
6 single name S-E-N-K-O-L-L-E-H.

7 MR MUNYARD: Yes, I certainly would want the correct
8 spelling recorded. I'm following the printed page at the moment
9 rather than two pages at one, so.

10:14:44 10 PRESIDING JUDGE: Yes, but, Mr Munyard, if we can get a
11 certain practice correct, it is important to accurately spell
12 names on the record. You'll appreciate that the transcribers are
13 busy doing their work and not following the spelling in the
14 exhibits. So it's necessary to put the correct names on the
10:15:03 15 record.

16 MR MUNYARD: I'm not suggesting otherwise. I'm just saying
17 that I wasn't looking at the LiveNote and I was going on to the
18 spelling in due course.

19 Q. Now, Mustapha Koroma in brackets alias Senkolleh spelt
10:15:18 20 S-E-N-K-O-L-L-E-H, who is that?

21 A. I am the one, but my name is misspelt there.

22 Q. Right. Did you, when you spoke to people from the Truth
23 and Reconciliation, give them either of those names?

24 A. Yes.

10:15:48 25 Q. What names did you give them?

26 A. I gave them Mustapha Koroma.

27 Q. Right.

28 A. But I was invited - a letter was sent to me by the TRC to
29 report, at one point when there was a serious argument at my

1 compound before moving to go and testify.

2 Q. Yes. Well, without going into too much detail, what was
3 the serious argument about?

4 A. I was told to go and attend the TRC and I said why. The
10:16:30 5 boss man for the TRC told me, "You have to go today to go and
6 testify, or else you will go by force."

7 Q. Pause there. Was the argument about your name or identity?

8 A. The argument was not for my identity.

9 Q. All right. Well, tell us - you did say a moment ago you
10:16:55 10 gave them the name Mustapha Koroma. Why did you give the TRC the
11 name Mustapha Koroma?

12 A. I told you, it's the same threat that got me to change my
13 name here, the same fear that get me to change my name. But the
14 name I called, they did not even put the Sam because the letter
10:17:14 15 they sent to me, I just forgot it when I was coming, I still have
16 the letter, they put Senkolleh/Sam Mustapha Koroma. Even the
17 Gbemo here is misspelt I can see on this document, so there is a
18 lot of misspelling here.

19 Q. Sorry, even what is misspelt?

10:17:33 20 A. Fatu Gbemo. This is not the Gbemo spelling.

21 Q. Pause there, I'll come on to that in a moment. They wrote
22 you a letter, you told us. Who was the letter addressed to?

23 A. The letter was addressed to me.

24 Q. Yes. What name was on the letter?

10:17:48 25 A. The letter - on the letter was Senkolleh/Sam Mustapha
26 Koroma.

27 Q. And how was Sam Kolleh spelt on the letter?

28 A. The same way it is spelt here. That's what brought the
29 argument, but then I was forced to go.

1 Q. Right. Before you go on to being forced to go. You say
2 the same way as it's spelt here. Spell out for us, please, the
3 name that the TRC used on the letter they sent to you.

4 A. The name here Mustapha Koroma alias Senkolleh, my name was
10:18:30 5 misspelt that time.

6 Q. How did they misspell Senkolleh?

7 A. S-E-N. It's not the spelling of my name.

8 Q. All right. We see it here as all one word,
9 S-E-N-K-O-L-L-E-H. How was it spelled on the letter, was it
10:18:49 10 spelled like that as one word or two words?

11 A. It was spelled the same way as I'm seeing here.

12 Q. One word or two words?

13 A. One word like this.

14 Q. Thank you. Now, when you were in the RUF as a vanguard did
10:19:03 15 you ever meet any other vanguard who had a name in any way
16 sounding like Senkolleh as spelt there or Sam Kolleh, your real
17 name?

18 A. No.

19 Q. Right. Did you ever know of any vanguard who had a name
10:19:23 20 Senkolleh or Sam Kolleh who also used the name Mustapha Koroma?

21 A. No.

22 Q. All right. And you said it was fear that led you to give a
23 different name and the fear came because you told us there was a
24 fight at your compound and you were told if you didn't go you'd
10:19:49 25 be arrested?

26 A. No, it was not a fight. I said serious argument.

27 Q. Sorry, argument. My mistake.

28 A. Yeah, serious argument at my compound.

29 Q. Yes.

1 A. When Jusu - I have use Jusu's picture with me here right
2 now - told the boss man that you can't arrest nobody here. And I
3 came outside, I said, "That man can't arrest nobody here, I'm not
4 a criminal. But this name is not my name you spell here." He
10:20:15 5 said, "My friend, you told us Mustapha Koroma." I said, "No, I
6 said Sam." Then he said, "It's no matter. We have invited you,
7 you need to go."

8 Q. Who is this Yusef you are referring to?

9 A. Jusu. Stephen Jusu Moriba was my adjutant. He was with me
10:20:31 10 in Kailahun, but he later worked for the Special Court in
11 Sierra Leone as statement taker.

12 Q. So he was there with you when they came to your house?

13 A. Yes, indeed. I have a photo with me here.

14 PRESIDING JUDGE: We have these names on the record

10:20:44 15 already?

16 MR MUNYARD:

17 Q. Can you spell Jusu.

18 A. J-U-S-U, Jusu. Stephen Jusu Moriba.

19 Q. Stephen Jusu Moriba. How do you spell Moriba?

10:20:58 20 A. M-O-R-I-B-A.

21 Q. Right. That's a name that we're familiar with. I mean the
22 surname. Now, you've told us --

23 PRESIDING JUDGE: Is this different from the Yusef Moriba
24 that the witness spoke of earlier, or is this another case of a
10:21:23 25 careless name spelling mistake?

26 THE WITNESS: I said earlier the Jusu Moriba I talk about
27 was my adjutant. It's Jusu. Not Yusef, Yusef Dafee, statement
28 taker for the Prosecution.

29 PRESIDING JUDGE: Very well.

1 MR MUNYARD: Forget about Yusef Dafaе. We're talking about
2 a completely different person. I don't think he mentioned --

3 PRESIDING JUDGE: So who is Jusu Moriba?

10:21:51

4 MR MUNYARD: His adjutant who was with him at the time of
5 this argument.

6 THE WITNESS: Jusu Moriba was my adjutant during the war
7 and then this time round we were together when the TRC came to
8 invite me.

9 MR KOUMJIAN: Your Honour.

10:22:00

10 PRESIDING JUDGE: Yes, Mr Koumjian.

11 MR KOUMJIAN: So the record is clear, the witness has said
12 a couple of times that he was - the first statement that he made
13 at the police statement, Yusef Dafaе with the Special Court and
14 that is Y-U-S-E-F and the second name D-A-F-A-E.

10:22:22

15 MR MUNYARD: Yes, but we are talking about two completely
16 different people in two completely different situations at the
17 moment.

18 MR KOUMJIAN: He's also mentioned Yusef Dafaе. They have
19 both been mentioned.

10:22:32

20 MR MUNYARD: If it's just the spelling, yes. I think we're
21 just concerned about spellings at the moment.

22 Q. So your adjutant Stephen Jusu Moriba was present when this
23 argument took place at your compound before you went to give
24 evidence or to be interviewed by the Truth and Reconciliation
25 commi ssi on?

10:22:55

26 A. Yes.

27 Q. Right. A totally different person named Yusef Dafaе
28 interviewed you on behalf of the Prosecution at a later stage.
29 Is that correct?

1 A. Yes.

2 Q. Thank you. All right. Just before we move off this
3 document, you said they've not spelt Fatu Gbemo's name correctly.
4 How do you spell that person's name?

10:23:21 5 A. F-U-T-U, is Fatu and G-B-E-M-O is Gbemo.

6 Q. Futu Gbemo?

7 A. Sorry, F-A-T-U. I repeat. F-A-T-U, Fatu. G-B-E-M-O,
8 Gbemo.

9 Q. Very well. That's the person you know, is it, who was a
10:23:54 10 vanguard?

11 A. Yes.

12 Q. Did you ever know a Fatu Gbengbe?

13 A. No.

14 Q. As a vanguard?

10:23:59 15 A. No.

16 Q. Right. Now, I'm going to move off that and go forward in
17 time then to when you were interviewed by the Prosecution.

18 MR KOUMJIAN: I apologise, but perhaps I'm the only one
19 confused but it might be helpful to everyone I hope. On my
10:24:22 20 LiveNote, page 36, line 15, what I see is the witness said - it
21 now says Joseph but I think he was saying Jusu, "he was my
22 adjutant." And then obviously the recorder is going to check the
23 transcript. And then he said something like, "for the Special
24 Court in Sierra Leone as a statement taker." Is the witness
10:24:44 25 saying that his adjutant Yusef - Jusu, excuse me, was a statement
26 taker for the Special Court? That's what I'm confused about.

27 MR MUNYARD: That was never my understanding. I think it
28 arose because of the question of the names.

29 THE WITNESS: Excuse me.

1 MR MUNYARD:

2 Q. You'd like to answer that, Mr Kolleh?

3 A. Yes.

4 PRESIDING JUDGE: Please go ahead, Mr Witness.

10:25:10 5 THE WITNESS: I said Stephen Jusu Moriba, my former
6 adjutant, when I went to Liberia now later he was working for the
7 Special Court in Freetown later. Yusef Dafaee was also with Chris
8 Bomford taking statements from me. But later Jusu Moriba later
9 worked for the Special Court in Freetown. They are two separate
10 cases I'm talking about.

11 PRESIDING JUDGE: Moriba worked as what?

12 THE WITNESS: He worked as a statement taker. He used to
13 talk to me while in Monrovia. He said, "I'm now working with the
14 Special Court as statement taker." This is 2006, 2007, up to
10:25:58 15 2008, maybe.

16 PRESIDING JUDGE: And Yusef Dafaee worked for the Special
17 Court as what?

18 THE WITNESS: He worked as - he worked under the
19 investigator Chris Bomford as a statement taker. He talked to me
10:26:20 20 and he took statement from me in Kailahun.

21 PRESIDING JUDGE: So both gentlemen worked for the
22 Prosecution?

23 THE WITNESS: Yes. But later was Moriba, later.

24 MR MUNYARD: Sorry, your Honour asked both gentlemen worked
10:26:35 25 for the Prosecution. That was immediately following a
26 reference --

27 THE WITNESS: No, no, no.

28 MR MUNYARD: Hold on a moment. That was immediately
29 following a reference to Chris Bomford. So there may be some

1 confusion here.

2 THE WITNESS: I don't know whether Jusu Moriba worked for
3 Prosecution. I said the Special Court in Freetown. He worked
4 for the Special Court in Freetown. But Yusef Dafee was with the
10:26:59 5 Prosecution that took statement from me in Kailahun.

6 MR MUNYARD: Yes.

7 PRESIDING JUDGE: I think it's clear now.

8 MR MUNYARD: Yes. I'm going to ask you, please, to look at
9 some of the materials behind tab 1 in the bundle.

10:27:39 10 MR KOUJIAN: Excuse me. I believe the document behind tab
11 1, which I believe I understood counsel to be asking the witness
12 to look at, is an affidavit purportedly signed by the witness.

13 MR MUNYARD: I'm not going to ask him to look at that.

14 MR KOUJIAN: Oh, thank you

10:27:59 15 MR MUNYARD: I said some of the documents, not all of them.

16 PRESIDING JUDGE: What document exactly do you wish that
17 the witness should look at, before he actually looks at it.

18 MR MUNYARD: I'm going to start at page 10, which is a
19 photograph. Thank you.

10:28:21 20 Q. Do you see this photograph on the screen, Mr Kolleh?

21 A. Clearly, yes.

22 Q. And can you tell us - do you recognise anybody in it?

23 A. Yes, I recognise everybody there.

24 Q. All right. But tell us who the person in the middle is
10:28:39 25 between the two men in military fatigues?

26 A. I am the one, not military fatigue, just a jacket.

27 Q. All right. And who is the person on the right-hand side of
28 the photograph?

29 A. You mean in the red T-shirt?

1 Q. No, on the right-hand side of the photograph.

2 A. Oh, sorry, it's Eric Quor Senesie.

3 PRESIDING JUDGE: Mr Munyard, the witness is sitting next
4 to a photograph that he could very easily point to, instead of
10:29:10 5 the confusing remarks of left of the photograph or left or right
6 of the screen.

7 MR MUNYARD: Very well.

8 PRESIDING JUDGE: It's easier for the witness to point.

9 MR MUNYARD: I was only going to ask him about those two.
10 I hoped they would be simple enough without moving but I'm happy
11 to move.

12 MR KOUJIAN: Could I also request, we discussed on Monday
13 the originals being available, and if there is an original of
14 this photograph available, that could be distributed and it might
10:29:40 15 be clearer for us to look at that.

16 THE WITNESS: I have --

17 MR MUNYARD: Yes, I'm sorry, I had forgotten about the
18 request for the originals.

19 THE WITNESS: I have everything.

10:29:48 20 MR MUNYARD: I'm more than happy to see them.

21 Q. Can you produce it, please.

22 PRESIDING JUDGE: This is the original of the photograph
23 that was marked MFI-1 on Monday and also the original of the
24 current photograph that we're looking at.

10:30:31 25 MR MUNYARD: Hopefully. I've only got the one we're
26 looking at at the moment, but hopefully the others are coming.
27 I'm going to ask that my learned friend sees them before I ask
28 any questions about them.

29 And while that's happening, Madam President, can I ask for

1 the TRC documents to be marked as MFI-2. That's the document --

2 PRESIDING JUDGE: This is the document that's an excerpt
3 out of the TRC for Sierra Leone report.

4 MR MUNYARD: Volume 3A.

10:31:36 5 PRESIDING JUDGE: Volume 3A, consisting of a cover page and
6 page 105. And then on page 105 we are marking paragraph --

7 MR MUNYARD: 96. Sorry, 69.

8 PRESIDING JUDGE: 69. Paragraph 69.

9 MR MUNYARD: Yes.

10:31:51 10 PRESIDING JUDGE: That will be marked collectively MFI-2.

11 MR MUNYARD: Have your Honours had an opportunity to look
12 at those?

13 PRESIDING JUDGE: Please proceed, Mr Munyard.

14 MR MUNYARD:

10:33:05 15 Q. Now, at this stage I'm only going to be asking you about
16 the photograph that you've just been talking about. Leave them
17 out on the desk, if you would, Mr Kolleh, don't put them back in
18 your pocket, thank you. And could you move to the other seat so
19 that you can point to the photograph that's on the overhead.

10:33:35 20 Now, you've said earlier that you were the person in civilian
21 clothes in the middle of the picture between the two soldiers in
22 camouflage, do you remember saying that?

23 A. Yes.

24 Q. Then you named Eric Quor Senesie, which one is he, would
10:33:59 25 you point to him, please?

26 A. So he's the man on the right of the photograph as we look
27 at it.

28 Q. And just for completeness' sake, who are the soldiers in
29 that photograph? I don't need their names. Where are they from?

1 A. UNAMSIL.

2 Q. Right. Hence the blue berets?

3 A. Yes.

4 Q. Thank you. Are you able to tell us when that photograph
10:34:28 5 was taken?

6 A. This was 2002.

7 Q. Is there a date written on that photograph, on the
8 original? If you have a look at the original in front of you.
9 Is there anything on the back of that one?

10:34:48 10 A. Yes, 2002.

11 Q. Yes. Is there a full date or just the year?

12 A. June, 27 June 2002.

13 Q. Thank you. Yes, if you'd like to put that one aside. And
14 we can take that off the overhead. But can I briefly revert back
10:35:17 15 to MFI-1, the original of which you have in your hand, that's the
16 photograph that you showed us on Monday, that I think is in front
17 of you. Now, I'm not so concerned about the one you marked, the
18 copy that you marked on Monday. I want you to look at the
19 original, please.

10:35:54 20 Is there a date on the original?

21 A. Yes, '97.

22 Q. Yes, what is the date?

23 A. '97. The time the thing came out.

24 Q. Mr Kolley, is there a full date or just the year?

10:36:20 25 A. January '97. January 1st.

26 Q. Right. And is that the date that the photograph was taken?

27 A. Yes.

28 Q. You said a minute ago, the time the something came out?

29 A. The time it was printed.

1 Q. So when was the photograph taken, can you remember?

2 A. Yes, ending of December 1996.

3 Q. Thank you. All right.

10:36:59

4 PRESIDING JUDGE: Mr Munyard, when you say is there a date
5 written, what are you referring to?

6 THE WITNESS:

7 MR MUNYARD: Well, I'm now going to ask him to turn it over
8 and put it on the overhead. This is the original. We didn't
9 have a photocopy of the back of the original.

10:37:04

10 PRESIDING JUDGE: What I'm asking is who is supposed to
11 have written the date.

12 MR MUNYARD: I'll ask him that when he shows us the date.

13 If the copy could be taken off the overhead, the original
14 photograph put on it, showing the reverse. Thank you.

10:37:23

15 We can see at the top left hand corner "1/1/97". Who wrote
16 that?

17 A. I wrote it when I received it from the studio.

18 Q. Thank you very much. Thank you. That's all I want to ask
19 about those photographs. Now --

10:37:54

20 PRESIDING JUDGE: Mr Munyard, earlier when we were
21 referring to the photograph, the second photograph, and you asked
22 the witness when was this photo taken and he said 27 June 2002,
23 was that the date of the taking of the photograph or of the
24 printing of the photograph?

10:38:11

25 MR MUNYARD: Thank you very much.

26 Q. You heard Her Honour's question.

27 A. Yes, that's the printing.

28 Q. I'm going to ask you about some other of the documents in
29 tab 1. And I'd like you to look, please, at page number 9 in tab

1 1. I should ask, do you have the original of this piece of paper
2 with you?

3 A. Yes.

4 Q. Right.

10:41:23 5 PRESIDING JUDGE: Please proceed.

6 MR MUNYARD: I'm going to ask the witness to look at one
7 other document at this stage, it's on page 8, it may make sense
8 of all the parties to see the original of that now and then I can
9 proceed, hopefully slightly more efficiently, to deal with both
10 of them at once.

10:41:40

11 Q. Can you also produce the original of the document on
12 page 8. Mr Kollah, it's got the name Yusef Dafaeh on it.

13 MR MUNYARD: This document on the other side contained the
14 details on page 7 of tab 1, so we're going to deal compendiously
15 with three documents at once. So I'd invite everybody to look at
16 both sides of this document.

10:42:53

17 Justice Sow hasn't yet seen.

18 PRESIDING JUDGE: Right. Everybody's looked at everything.
19 Please continue.

10:44:09

20 MR MUNYARD: Thank you very much. I'll deal with them
21 chronologically, in fact. Can we have the document on page 7
22 which is a card with the name Chris Bomford on it, of which we've
23 just all seen the original.

24 Q. Now, Mr Kollah, you see - you produced a small calling card
25 with the name "Chris Bomford, Special Court for Sierra Leone," do
26 you see that?

10:44:32

27 A. Yes.

28 Q. "Investigator, Office of the Prosecutor" and then the
29 address of the Court and various telephone numbers and email

1 addresses and so on. Where did you get that card from?

2 A. It was given to me by Chris Bomford.

3 Q. And when did he give you that?

4 A. He gave it to me in Kailahun.

10:44:58 5 Q. Yes. When did he give it to you?

6 A. This was 2003.

7 Q. Yes. In what circumstances? You've told us, first of all,
8 he came to your house and then later you went for an interview
9 with him. At what stage in that process did he give you the

10:45:16 10 card?

11 A. The day of talking to me at the contingent's compound,
12 2003.

13 Q. All right. If you turn over that card - if a person turns
14 over the original of that card that you've produced we see what
10:45:37 15 appears on page 8 of our bundle on the back of it.

16 So if you just put page 8 on to the screen.

17 Now, written on the back of that card is cell and then a
18 hash sign and then a number. What is that number?

19 A. It's a cell phone number.

10:46:14 20 Q. So it's a cell or mobile phone number. And what is written
21 underneath it?

22 A. Under cell you have Yusef under the number you have Dafee.

23 Q. Right.

24 A. Care of Special Court.

10:46:30 25 Q. Right?

26 A. Road New England, Freetown.

27 Q. Right. Who wrote that on the back of Chris Bomford's card?

28 A. When Chris gave me his call card and Yusef say, "I am
29 already writing," so he just gave me, "let me put my own address

1 after it," he turned it around and gave the address there and
2 handed it over to me.

3 Q. Right. And in what circumstances did you get - did he
4 write that on Chris Bomford's card, where was he?

10:47:05 5 A. We were always sitting together.

6 Q. Is this the same occasion that you say Chris Bomford gave
7 you his card or a different occasion?

8 A. The same occasion Sharan Parmar gave me hers.

9 Q. Right. Well, that brings us then to page 9 of the tab of
10:47:24 10 which you've also produced the original.

11 And we see here a diary page for July, I don't believe that
12 the year is on there, and then there's some handwriting, Special
13 Court, Jomo Kenyatta Road, opposite SLBS. Do you know what SLBS
14 stands for.

10:47:54 15 A. Sierra Leone Broadcasting System, yes.

16 Q. Thank you. New England, Freetown, Ms Sharan Parmar. Now
17 she spelt her first name in the way you spelt it, her last name
18 P-A-R-M-A-R. Do you see that?

19 A. Yes, I see.

10:48:13 20 Q. "Attorney" and then an extension number?

21 A. Yes.

22 Q. Who wrote that on that piece of paper?

23 A. Sharan Parmar herself, an Indian lady.

24 Q. Thank you. And you've told us she gave you her details, as
10:48:33 25 recorded there, at the same time as the others.

26 A. Yes.

27 Q. Right. At this stage I don't need to refer to any other
28 documents in there, so they can be taken off the screen, thank
29 you.

1 I want to move on to the first interview that you had with
2 the Prosecution.

3 PRESIDING JUDGE: Do you intend to mark these for
4 identification or not?

10:49:12 5 MR MUNYARD: Sorry. Yes. We've got MFI-1 from yesterday,
6 which is one photograph. It probably makes sense to mark the new
7 photograph today as MFI-2 and then it may well make sense to put
8 the business card and the piece of diary as MFI-3A - A, B and C.
9 A being the front of Chris Bomford's card, B being the rear of
10:49:44 10 it, with Yusef Dafa'e's details and C being Sharan Parmar's
11 details.

12 PRESIDING JUDGE: First of all, we already have an MFI-2.
13 So the photograph today, and I don't know how you want it
14 described, Mr Munyard.

10:49:57 15 MR MUNYARD: The photograph today is a group of people,
16 including two members of UNAMSIL brigade, battalion, I don't know
17 how that's best described.

18 PRESIDING JUDGE: Right. I'm going to describe this
19 photograph in this way. It's a photograph depicting the witness
10:50:23 20 with a group of people, a photograph printed on 27th
21 of June 2002, that is now marked MFI-3.

22 MR MUNYARD: And would your Honour put "and also showing
23 Eric Soy --"

24 PRESIDING JUDGE: Very well.

10:50:45 25 MR MUNYARD: I'll get his name correct. Eric Quor Senesie.

26 PRESIDING JUDGE: Very well. That is marked MFI-3. The
27 group of documents that I will describe as the calling cards of
28 Chris Bomford, Yusef Dafa'e and Sharan Parmar, are marked
29 collectively as MFI-4, A, B and C respectively.

1 MR KOUMJIAN: Before I forget, frankly, the photographs, I
2 believe we're marking the copies. But may the originals please
3 remain in the courtroom through the testimony. I may need those.
4 And then if the witness wants them back, we can deal with that.

10:51:47 5 PRESIDING JUDGE: Very well. I think the Court manager can
6 take custody.

7 Mr Witness, we would like to borrow the original
8 photographs for the duration of your testimony. They will be
9 given back to you when you finish your testimony, if that is
10:52:01 10 okay.

11 THE WITNESS: Yes.

12 PRESIDING JUDGE: Very well. So you'll please hand them to
13 the Court managers, they'll take good care of them.

14 THE WITNESS: They are here.

10:52:40 15 PRESIDING JUDGE: Mr Munyard, where were we?

16 MR MUNYARD: I was just going to move on to the actual
17 interview, this first interview with the Prosecution.

18 Q. Where did that interview take place again, just remind us,
19 please?

10:52:55 20 A. Kailahun.

21 Q. In what premises?

22 A. In the premises of the contingent, UNAMSIL.

23 Q. Thank you. And who was present in the interview with you?

24 A. Chris Bomford, Yusef Dafaee, Sharan Parmar.

10:53:15 25 Q. Did you give those people from the Prosecution a statement?

26 A. Yes.

27 Q. Right. And in that statement did you tell them anything
28 about your personal history?

29 A. Yes.

1 Q. And when you told them about your personal history, did you
2 tell them about how you first came to be involved with the RUF?

3 A. Yes.

10:53:56

4 Q. And did you tell them the truth about how you first came to
5 be involved with the RUF?

6 A. I was - I was under fear, I was under a kind of a tension
7 so I didn't actually tell them how I came to the RUF.

8 Q. Well, when you say you didn't actually tell them, did you
9 tell them anything at all?

10:54:17

10 A. Yes, I gave them information about my joining with the RUF.

11 Q. Was that true information or false information about how
12 you joined the RUF?

13 A. It was false information I gave them because of pressure.

14 Q. And what was the pressure?

10:54:37

15 A. The pressure was - I have to talk to them and most of our
16 officers have been arrested, some of the RUF under arrest. So
17 that fear was there.

18 Q. Well, what was the fear?

10:54:57

19 A. The fear was like if I have told them that I was trained
20 from Naama, I believe I was going to be maybe arrested, that fear
21 was in me.

22 Q. Right. Why did you think you'd be arrested if you'd told
23 them that you'd trained at Naama?

10:55:16

24 A. Because a lot of vanguards were arrested by the government
25 and they were in jail and the Special Court arrested our
26 hierarchies, so that fear was there.

27 Q. Right.

28 A. They were arrested from bringing a war from Liberia into
29 Sierra Leone. And once I was trained at Naama, so that fear was

1 there.

2 PRESIDING JUDGE: I'm not sure I understand what
3 "hierarchies" means in this context.

4 THE WITNESS: Most senior officers.

10:55:50

5 MR MUNYARD:

6 Q. Right, hierarchies meaning most senior officers had been
7 arrested and were in jail. You said a lot of vanguards were
8 arrested by the government and were in jail. Were you a
9 vanguard?

10:56:04

10 A. Yes.

11 Q. And what did you understand "vanguard" to mean?

12 A. A front force is a vanguard.

13 Q. In particular, in the context of the civil war in
14 Sierra Leone, what did a vanguard mean?

10:56:20

15 A. Vanguard means those who introduced the war.

16 Q. Right. So did you tell the Prosecution in that interview
17 that you were a vanguard?

18 A. No.

19 Q. Did you tell them in any interview that you were a
20 vanguard?

10:56:45

21 A. Yes. When I say I was captured by somebody and they asked
22 me then how you term it, I said, "Yes, I term it as a vanguard."
23 Because they were telling me "yes, indeed, but you are a
24 vanguard." And I said yes, and they asked me to explain how a
25 vanguard is like.

10:57:03

26 Q. And what did you explain a vanguard was when you were
27 telling the Prosecution?

28 A. Well, for the fear, I told them that a vanguard say I was
29 captured by one Tunkara at the early stage of the war, and once

1 we were first captured we would be trained as vanguards.

2 Q. Captured by who?

3 A. By one Tunkara.

4 Q. Are you able to help us with the spelling of his name?

10:57:55 5 A. T-U-N-K-A-R-A, Tunkara.

6 Q. And who was Tunkara?

7 A. He was one of the commanders in Pujehun District,
8 Sierra Leone.

9 Q. Right. And where did you tell the Prosecution that you
10:58:17 10 were captured by Tunkara and therefore fell into the category of
11 vanguard?

12 A. I told them I was captured from the border, between Liberia
13 and Sierra Leone, Gendema in particular.

14 Q. Where in particular?

10:58:39 15 A. Bo Gendema.

16 PRESIDING JUDGE: Mr Munyard, this may or may not be
17 important, if you look at the end of page 54 when the witness was
18 explaining where the name Tunkara appears. It says, "Well, for
19 the fear I told them that a vanguard say I was captured by one
10:59:04 20 Tunkara at the very early stage of the war and once we were first
21 captured we would be trained as vanguards." What did the witness
22 say, "trained" as vanguards or did he say "termed" as vanguards?

23 MR MUNYARD: Sorry, to interrupt you. In fact, he used the
24 expression twice. Again, I've not been following the LiveNote as
10:59:25 25 such.

26 PRESIDING JUDGE: Well, I've drawn to your attention the
27 discrepancy. I would like you to clarify, please.

28 MR MUNYARD:

29 Q. When you told us earlier about being captured by Tunkara,

1 did you say that, therefore, you were termed a vanguard?

2 A. You would be trained as vanguard.

3 Q. Mr Kolleh, just listen to the question. I'm asking you
4 about what you first told us about being captured by Tunkara.

10:59:56 5 Did you say that when you were captured by Tunkara, you were then
6 termed a vanguard?

7 A. No.

8 Q. All right.

9 PRESIDING JUDGE: And on that note, we will take a half
11:00:12 10 hour break and reconvene at 11.30.

11 [Break taken at 11.00 a.m.]

12 [Upon resuming at 11.32 a.m.]

13 PRESIDING JUDGE: Mr Munyard, please proceed.

14 MR MUNYARD: Thank you.

11:32:23 15 Q. Mr Kolleh, did you tell the Prosecution interviewers what
16 your first role was after you'd been captured?

17 A. Yes.

18 Q. And what was your first role that you told them?

19 A. I believe I said military police.

11:33:03 20 Q. All right. Did you tell them about any other roles that
21 you'd had?

22 A. Yes.

23 Q. What other roles did you tell them about?

24 A. I told them I was food transporter.

11:33:45 25 Q. Right. Pause there for a moment. Does food transporter
26 have another title or another - is it described in another way?

27 A. Yes.

28 Q. What's it described as?

29 A. S4.

1 Q. S for sugar 4?

2 A. Yes.

3 Q. And have you seen, since your interview at any time from
4 the time of the interview to the present day, have you seen a

11:34:22 5 typed copy of that first interview?

6 A. No.

7 Q. S4 is a food transporter. What is a G4?

8 A. G4 was concerned with armament.

9 Q. Right. Were you ever a G4?

11:34:52 10 A. Nowhere.

11 Q. So if anybody ever wrote down that you were known as a G4
12 would that be an accurate or inaccurate description?

13 A. Inaccurate.

14 Q. If anybody ever wrote down that you were an S4 would that
15 be the accurate title for the job that you once had?

11:35:14 16 A. Yes.

17 Q. Thank you. Did you know someone called Samuel Lamboi?

18 A. Yes.

19 Q. Did he have a fighting name or a war name or a nickname?

11:35:40 20 A. Yes.

21 Q. What was it?

22 A. Ebony.

23 Q. Thank you. Did you know anybody by the name of Yalay?

24 A. No.

11:35:57 25 Q. Did you know anybody by a very similar name to that but by
26 a different first letter?

27 A. Yes, I knew a radio operator called Nyallay.

28 Q. Nyallay?

29 A. Yes.

1 Q. Thank you. I want you to give us a spelling of that,
2 please. Can you spell Nyallay?

3 A. Nyallay is N-Y-A-L-L-L-A-Y, Nyallay.

11:36:50

4 Q. Thank you. In the course of the interviews were you giving
5 them an account, were you just giving them your story or were you
6 responding to questions from the interviewers?

7 A. I was responding to questions from the interview. I did
8 not directly give my own statements.

11:37:21

9 Q. Was there a subject, a topic, that they were particularly
10 interested to hear about from you?

11 A. From Chris Bomford they were directly interested in arms -
12 sorry, diamonds to Charles Taylor.

13 Q. Right.

14 A. Arms to the RUF.

11:37:39

15 Q. Right. And so were you asked about those subjects in the
16 course of any of the interviews the Prosecution undertook with
17 you?

18 A. Pardon me?

11:37:57

19 Q. Were you asked about those subjects during the course of
20 any Prosecution interview with you? Were you asked about
21 diamonds to Charles Taylor and arms to the RUF?

22 A. Yes.

23 Q. All right.

24 PRESIDING JUDGE: That presupposes both subjects, or what?

11:38:16

25 MR MUNYARD: Well, I did ask were you asked about those
26 subjects, plural, and his answer is yes, so it is both subjects
27 as far as I'm concerned, your Honour.

28 THE WITNESS: I said yes.

29 MR MUNYARD:

1 Q. Yes about diamonds to Charles Taylor and yes about arms to
2 the RUF?

3 A. Yes.

4 Q. Let me ask you something specific about arms to the RUF.

11:38:41 5 Did you tell the Prosecution in the course of any of these
6 interviews about the matter you told us about Mosquito going to
7 meet ULIMO and get arms from them?

8 A. Yes.

9 Q. Can I just be clear about this, please, you've said that
11:39:32 10 three people were present during your interviews when you were in
11 Kailahun and you told us the names of the three, I don't need you
12 to repeat them. Was Chris Bomford present throughout the
13 interviews that took place in Kailahun?

14 A. Yes.

11:40:12 15 Q. Did you tell the interviewers anything about the
16 relationship between the RUF and the NPFL?

17 A. Yes.

18 Q. Can you remember what you told them?

19 A. They asked me about relation between the RUF and NPFL. I
11:40:35 20 said on the borderline, yes, we were friends.

21 Q. And what period of time were you talking about when you
22 said that?

23 A. At the early stage of the war.

24 Q. Can you help the Court then what you mean by the early
11:40:52 25 stage of the war?

26 A. '91 up to '92.

27 Q. All right. And you've talked about matters on Monday but
28 can you just tell us in a sentence did that relationship between
29 the RUF and NPFL change after '92?

1 A. Yes.

2 Q. Change for the better or for the worse?

3 A. To the worse.

4 Q. And on the borderline, as you describe it, you say, "We
11:41:33 5 were friends," did RUF personnel ever cross the border into
6 Liberia during that friendly period in '91 and '92?

7 PRESIDING JUDGE: Is that what "borderline" means, it means
8 "border"?

9 MR MUNYARD:

10 11:41:53 Q. When you say "border" what do you mean?

11 A. The border between Sierra Leone and Liberia.

12 Q. Thank you. Did people cross from the RUF side to the
13 Liberian side during that early period?

14 A. Yes, fighters would cross and then come back.

15 11:42:11 Q. Right. And was that done openly or secretly?

16 A. Not secret. It was open.

17 Q. And did you tell this to the Prosecution in the course of
18 those interviews?

19 A. Yes.

20 11:42:28 Q. Thank you. You told us on Monday that some ULIMO forces -
21 some ULIMO members eventually came over and joined the RUF. Do
22 you recall telling us that on Monday?

23 A. Yes.

24 Q. Did you tell the Prosecution that when you were interviewed
11:42:47 25 by them?

26 A. Yes.

27 Q. Do you know someone called Sergeant Koroma a member of the
28 STF, the Special Task Force?

29 A. No, I knew Colonel Koroma, not sergeant.

1 Q. Sorry, Colonel Koroma. Right. Did Colonel Koroma have a
2 nickname?

3 A. No.

4 Q. Was he known by any sort of --

11:43:17 5 A. Colonel Koroma was the name I knew him by.

6 Q. You mentioned Executive Outcomes in your evidence on
7 Monday. Did you tell the Prosecution anything about Executive
8 Outcomes?

9 A. Yes.

11:44:05 10 Q. What did you tell them about Executive Outcomes?

11 A. I said Executive Outcomes were from South Africa who were
12 in Sierra Leone to fight the RUF, but they were in two groups.
13 You had the fighting force and you had a mining force.

14 Q. All right. And what did you tell them about that?

11:44:35 15 A. I said on our way when we were retreating, some AFRC
16 members, in particular Gullit and others, passed through Koidu
17 and they raided it. South African miners, they took some
18 diamonds, and then when Johnny Paul was received from Freetown to
19 Kailahun this information came out and then they themselves were
11:45:10 20 raided or they were searched thoroughly and the diamonds were
21 taken from them.

22 Q. Who is they themselves?

23 A. Gullit and his associates.

24 Q. And what was Gullit's response to being raided?

11:45:30 25 A. Well, at one time Gullit met me in Giema, he told me -
26 sorry, in Pendembu on his way to Makeni he told me, "Sam, I hope
27 you heard what happened to me." And I said yes, I heard, and he
28 told me he would return same to them.

29 Q. He would return?

1 A. He would pay his debt. He would return same to them.

2 Q. He would return the same to them?

3 A. The same bad behaviour applied on him, he would return same
4 to them.

11:46:02 5 Q. Right. And who is the "them" he was talking about?

6 A. He was talking about Sam Bockarie and Issa Sesay and
7 others.

8 Q. And how were relations between Gullit and Sam Bockarie
9 after that incident?

11:46:17 10 A. After it, bad.

11 PRESIDING JUDGE: Mr Munyard, I'm a little confused. Are
12 we discussing what the witness said to the Special Court
13 investigators in his first interview, or are we - or what are we
14 discussing? What is the context of these questions?

11:46:40 15 MR MUNYARD: At the moment I'm dealing with the first, the
16 interviews in Kailahun.

17 PRESIDING JUDGE: And are these the interviews that the
18 witness described as having not told the truth to the
19 interviewers?

11:46:54 20 MR MUNYARD: Only the first part about where he was
21 arrested, about how to come to join the RUF. I've not put to him
22 and he's not suggested that anything else he told them was
23 untrue.

24 PRESIDING JUDGE: I don't know if that's the understanding
11:47:09 25 on the record. Did you distinguish which part of the interview
26 was untrue and which wasn't?

27 MR MUNYARD: I've only asked him about whether or not -
28 I've only asked him whether one section was untrue and so the
29 record will show that he didn't tell them the truth about how he

1 joined the RUF. There's been no suggestion from either me or him
2 that so far anything else he's told them was untrue.

3 PRESIDING JUDGE: Mr Munyard, I would rather this kind of
4 information came from the witness because he has said that he was
11:47:44 5 acting under fear and therefore whatever he said was tailored by
6 that fear, so please clarify from the witness whether - what kind
7 of information we're to assume was given under truth and which
8 one was under falsehood.

9 MR MUNYARD: Well, I thought it was clear but I'll
11:48:11 10 establish that.

11 Q. Mr Kolleh, you've told the Court this morning that you did
12 not tell the truth about how you first joined the RUF. Do you
13 remember saying that?

14 A. I said yes, my particular.

11:48:26 15 Q. Well, just listen to the question. Do you remember telling
16 the Court that you did not tell the truth about how you joined
17 the RUF?

18 A. Yes, I said my joining to the RUF or my involvement in the
19 RUF, I was under fear, so I changed my address. I am talking
11:48:46 20 about my address.

21 Q. By address, what do you mean?

22 A. How I joined and where I was trained.

23 Q. Well, when you talk about somebody's address what are you
24 talk about?

11:49:00 25 A. What is particular about you.

26 Q. Meaning?

27 A. Your name.

28 Q. Thank you?

29 A. And where you born and where do you live.

1 Q. Right. So that's your address. Your personal details?

2 A. Yes.

3 Q. All right. And we know you gave a false name, Sam Mustapha
4 Koroma, yes?

11:49:27 5 A. Yes.

6 Q. Did you give a correct or a false date of birth?

7 A. Yes.

8 Q. Did you give a correct date or birth or a false date of
9 birth?

11:49:36 10 A. I gave them false date of birth.

11 Q. And what about the circumstances in which you joined the
12 RUF? Did you give a truthful or an untruthful account of how you
13 joined the RUF?

14 A. I also changed that to false when I joined the RUF in
11:49:56 15 Pujehun.

16 Q. Apart from that did you tell the investigators from the
17 Prosecution any other lies or was the rest of what you told them
18 the truth?

19 A. Apart from that the rest were true.

11:50:13 20 Q. Thank you. Now, back to various things that you told them
21 in the interview. Did you tell the Prosecution anything about
22 SAJ Musa and his relationship with Johnny Paul Koroma and with
23 the RUF?

24 A. Yes.

11:50:38 25 Q. What did you tell them when you were interviewed about SAJ
26 Musa and Johnny Paul on the one hand and the RUF on the other
27 hand?

28 A. They asked me and I told them SAJ Musa could not directly
29 take command from Mosquito and he was always saying yes to Johnny

1 Paul in term of command and was not implemented, so he was power
2 greed.

3 Q. He was power greed. What do you mean by that?

4 A. He was somebody who loved to be commander of everything.

11:51:22 5 He did not want to be taking command from Johnny Paul directly.

6 Q. Did you tell the Prosecution anything about SAJ Musa and
7 the RUF immediately prior to the invasion of Freetown on 6 of -
8 on January 1999?

9 A. Yes.

11:51:45 10 Q. What did you tell them about that?

11 A. I told them prior to the invasion in Freetown, SAJ Musa had
12 his own group moving ahead and the RUF too on the way trying to
13 move to Freetown. Met SAJ Musa at Waterloo or Benguema area
14 where he gave orders that now we are now back in our city, we are
11:52:15 15 no longer bush fighters, we are a national army or SLAs, so from
16 today we are back in the city. No RUF follow us. Any army or
17 soldier who says was in the RUF, you will be declared enemy.
18 Thereafter, he was hit in the head from his back and he fell off.
19 In the process of carrying up and down he died.

11:52:47 20 Q. Now, after you'd been interviewed in Kailahun what happened
21 then?

22 A. In Kailahun?

23 Q. No, after the Prosecution had interviewed you in Kailahun,
24 did you go anywhere else?

11:53:16 25 A. Yes. The first day --

26 Q. Just tell us where else you went to.

27 A. I went to Freetown.

28 Q. And how did you get to Freetown?

29 A. This time round I was ordered by the police and then I was

1 taken to the contingent compound and where I met Chris again and
2 he told me, "I am again back to talk to you here today." This
3 time round the battalion commander saw me, he said, "Sam, what
4 are you doing here?"

11:53:56 5 Q. Mr Kollah, I'm going to cut you short, if others want to
6 know about that they can ask you.

7 A. Yes.

8 Q. You were telling us about going to Freetown, do you
9 remember?

11:54:07 10 A. Yes.

11 Q. How did you travel to Freetown?

12 A. I went by air.

13 Q. Yes, what particular means of air transport?

14 A. Helicopter.

11:54:15 15 Q. Thank you. What sort of helicopter? I don't mean the
16 make, I mean whose helicopter was it?

17 A. United Nations.

18 Q. And was anybody with you on that flight?

19 A. I was escorted.

11:54:31 20 Q. By?

21 A. By one of the MI LOBs.

22 Q. And MI LOBs is spelled how?

23 A. MI LOBS, military observers.

11:54:46 24 Q. Right. And where did you get taken to when you got to
25 Freetown?

26 A. Jomo Kenyatta Road, at the Special Court in Freetown.

27 Q. Right. What happened when you arrived at the Special Court
28 in Freetown?

29 A. When I arrived at Freetown, I was intercepted by a

1 receptionist called Bonokia, he took me to the hotel. Then the
2 next morning --

3 Q. Pause there. Just in case anyone wants the spelling of the
4 receptionist, could you give it to us please?

11:55:21 5 A. Bonokia.

6 Q. Yes, the spelling, please.

7 A. I believe it's B-O-N-O-K-I-A.

8 Q. Don't worry too much. I want to know what happened when
9 you got to the Special Court?

11:55:51 10 A. The receptionist took me to the hotel. The next morning I
11 was brought back and I was taken in the hall.

12 Q. The hall is where?

13 A. At the Special Court.

14 Q. Right.

11:56:07 15 A. Continue?

16 Q. Yes, please.

17 A. Before entering in Bonokia handed me over to another
18 security, this time round wearing blue and - blue and navy blue -
19 sky blue and navy blue trousers. And then on the handset he

11:56:29 20 called, "Sam Kolleh is here".

21 Q. When you say a handset, what are you talking about?

22 A. Walkie-talkie.

23 Q. Right.

24 A. And he said, "Sam Kolleh is here" and I heard on the
11:56:45 25 walkie-talkie, "Bring in the perpetrator" and they carried me in.

26 Q. Pause there. You say you heard a voice say, "Bring in the
27 perpetrator"?

28 A. Yes.

29 Q. And you heard that voice through what?

1 A. The handset.

2 Q. Right. What was your reaction when you heard that word,
3 "perpetrator"?

4 A. I was emotionally disturbed.

11:57:09 5 Q. Right.

6 A. Continue?

7 Q. Please, yes.

8 A. When they carried me in they took me in another reception
9 room where I saw six persons sitting. I saw someone sitting in a

11:57:25 10 chair wearing - having spectacles on their face and then he told
11 me to sit in the middle. I sat there, he told me to spin the
12 chair around and then I spin the chair around, watch them one by
13 one. He asked me to turn to him. He said, "You know who am I?"
14 I said, "No". He said, "This is David Crane". He said now --

11:57:55 15 Q. Pause there. You've told us this was a man wearing
16 spectacles. Can you remember anything about the kind of
17 spectacles. If you can't, then tell us.

18 A. Very plain glasses.

19 Q. Thank you. What colour was this man?

11:58:13 20 A. White.

21 Q. How white?

22 A. I mean, he was a white man I saw, there were six in the
23 reception room. Continue?

24 PRESIDING JUDGE: When you say, "They carried me in", did
11:58:33 25 they physically carry you into a room?

26 THE WITNESS: Yes, I was taken directly to him - or them
27 all in the room.

28 MR MUNYARD:

29 Q. Pause there. I think what Madam President wants to know is

1 by "carry", what do you mean by the word "carry"?

2 A. I was escorted.

3 Q. Right. Did that involve you walking by yourself or people
4 picking you up and lifting you?

11:58:54 5 A. No, I was led by somebody.

6 Q. Right.

7 MR MUNYARD: Madam President, is that clear?

8 PRESIDING JUDGE: I suppose so.

9 MR MUNYARD:

11:59:04 10 Q. You walked by yourself with somebody at your side as an
11 escort, is that what you're telling us?

12 A. Yes, in front of somebody carrying me in. Continue?

13 Q. Yes, please. So David Crane in these plain glasses said
14 what?

11:59:21 15 A. He was sitting and he told me, "You know me?" I said,
16 "No". He said, "This is David Crane. Do you want to see Issa
17 Sesay?" I said, "No". "Or you want to visit him?" I say, "I
18 did not come to see Issa Sesay. I don't have power here. If you
19 want me to see him, they are up to you." He said, "Okay, now, I
11:59:46 20 want the truth and nothing but the truth. Arms to Taylor and -
21 sorry, diamonds to Taylor and arms to the RUF? You can get on
22 your feet to the next room". I said, "Yes, sir". But before
23 getting up was the time he sent me in a car, he told me to --

24 Q. Before we go on to that, just I want to ask you to explain
12:00:11 25 a little more. What did he say to you about Issa Sesay?

26 A. He asked me if I want to see Issa and I said no. I said,
27 "I did not come here to see Issa, but if you want me to see Issa,
28 everything up to you."

29 Q. Right. Did he say anything else about you and Issa Sesay?

1 A. No, he only told me, "Now, I want the truth and nothing
2 about the truth from you."

3 Q. When you say, "I want the truth and nothing about the truth
4 from you", what do you mean?

12:00:49 5 A. He was simply trying to tell --

6 MR KOU MJIAN: Counsel misquoted the witness.

7 PRESIDING JUDGE: What do you mean misquoted?

8 MR KOU MJIAN: The witness said, "The truth and nothing but
9 the truth". Counsel said, "The truth and nothing about the
10 truth".

12:01:03

11 PRESIDING JUDGE: Counsel is correct. The witness said
12 twice "nothing about the truth" and I think the transcribers are
13 the ones that have it wrong.

14 MR MUNYARD: This is the danger of relying too much on the
15 LiveNote.

12:01:17

16 MR KOU MJIAN: Then I heard it differently. I heard it as
17 the transcriber, but I take your word for it.

18 PRESIDING JUDGE: Mr Munyard, you are absolutely correct.
19 Please seek clarification.

12:01:28

20 MR MUNYARD: That's why I asked for the clarification.

21 Q. Mr Kolley, what do you mean by the expression, "Speak the
22 truth and nothing about the truth"?

23 A. He was trying to say I should tell him about the diamonds
24 to Taylor and arms to the RUF.

12:01:45

25 Q. Stop there. I'm not asking you about the subject matter,
26 I'm asking you about the phrase, the words that you used. When
27 you used the expression, "To tell the truth and nothing about the
28 truth", what do you mean? What do you understand that to mean?

29 A. There I understood it to be like I should say or I should

1 cooperate for what I went there for, other than that I will see
2 myself different place.

3 Q. In other words, tell the whole truth?

4 A. Yes.

12:02:19 5 Q. Thank you. All right. So he said that and then I
6 interrupted you. And you were saying something about - what did
7 he do after saying that you should tell the whole truth?

8 A. He told arms - sorry, diamonds to Taylor and arms to the
9 RUF and he said, "Are you ready to cooperate?" I said, "Yes".

12:02:47 10 And he sent me that card. On the card I saw the police officer
11 holding the cell.

12 Q. Pause there.

13 PRESIDING JUDGE: [Microphone not activated]

14 MR MUNYARD: I'm coming. I'm coming, as we say.

12:03:04 15 Q. When you say "car", how do you spell "car" in this context?

16 A. It's C-A-R-D, card.

17 Q. Right. Some of us may have only heard you say the first
18 three letters but it's a "card" that you're talking about, yes,
19 not a "car"? Is that right?

12:03:24 20 A. Yes. Continue?

21 Q. Please. He gave you a card. What was on the card, if
22 anything?

23 A. He sent the card to me.

24 Q. Sorry, when you say he sent the card to you, was he there?

12:03:41 25 A. Yes, I was still sitting before him. He sent me the card.
26 He did not walk and he gave me. He sent it to me and I took it.

27 Q. All right. Very well.

28 A. On the card I saw a police officer standing. Behind the
29 card there was the child who failed to listen to his people will

1 have no choice but to listen to me. And then he told me to walk
2 into the next room.

3 Q. Did he say anything about this card?

4 A. He told me, "You can carry with you, it's a reminder."

12:04:21 5 Q. A reminder of what?

6 A. That I should say the truth, where I am now, I have to tell
7 them the truth.

8 Q. So what was the point, as you understood it, of him giving
9 you this card?

12:04:38 10 A. Meaning that under all course I should tell them what they
11 want me to say.

12 Q. And what if you didn't tell them what they wanted you to
13 say? What did you think would happen to you?

14 A. The sign on the card, the man signing holding the cell,
12:04:59 15 that was what was going to be applied to me.

16 Q. When you say, "holding the cell", what do you mean by,
17 "holding the cell"?

18 A. I saw a tall fellow name written there, Don Ray, holding
19 the door of a cell.

12:05:14 20 Q. Thank you. And so David Crane gave you or passed this card
21 to you, yes, and then told you to go into the next room?

22 A. Yes.

23 Q. And what was going to happen in the next room?

24 A. There where I saw four other persons taking statement from
12:05:42 25 me. I don't remember any of them. By then now I was confused.

26 Q. All right. Before we move off this and on to the next
27 stage, just tell us about Issa Sesay.

28 PRESIDING JUDGE: Perhaps the witness could first clarify
29 what he said, I saw a tall fellow name written there

1 [i ndi scerni bl e].

2 MR MUNYARD: I'm coming on to that, Madam President. I'm
3 going to him to look at the card.

12:06:09

4 PRESIDING JUDGE: I'm talking about correcting the record,
5 Mr Munyard.

6 MR MUNYARD: Very well.

7 Q. Yes, go on, tell us what you said earlier about a tall man
8 standing holding the cell door.

12:06:23

9 A. I said on the card I saw the tall fellow holding the cell
10 with the name written on the card, [i ndi scerni bl e].

11 Q. Holding the cell what?

12 A. Holding the cell of a prison. The gate of a prison.

13 Q. Holding the cell what? What was he holding?

14 A. He was holding the door of a cell.

12:06:44

15 Q. The door?

16 A. Yes.

17 Q. Yes, right. And his name that was written, you've told us
18 several times, let's just have it one last time before we look at
19 the card.

12:07:02

20 A. Don Ray.

21 Q. Thank you. Before we look at the card, I just want you to
22 tell us where was Issa Sesay at that time, as far as you were
23 aware?

24 A. Issa Sesay was in jail.

12:07:14

25 Q. In jail, in whose jail?

26 A. In the Prosecution's jail at the Special Court.

27 Q. And when David Crane was asking you if you wanted to see
28 Issa Sesay, what did you think he meant?

29 A. He was trying to put fear in me to cooperate with them.

1 Q. What did you think that he meant when he was talking about
2 do you want to see Issa Sesay?

3 A. He was threatening me indirectly that if you don't say what
4 we want you to say here, you will join Issa.

12:07:51 5 Q. Thank you. Now, can we have a look, please, behind tab 1
6 again at pages 5 and 6, please, and I think you've got the
7 original there. Is that right?

8 A. Yes, I have.

9 Q. Look at the original first, please.

12:10:50 10 PRESIDING JUDGE: Continue.

11 MR MUNYARD: Could we have page 5 on the overhead first of
12 all, please.

13 Q. You've told us that you produced the original of this card
14 and we've all seen the original. Can we just look first of all

12:11:11 15 at what's on the card and then I'll ask you some questions
16 about --

17 PRESIDING JUDGE: Microphone, please.

18 MR MUNYARD:

19 Q. About Corporal Don Ray. Let's just see on the front of the
12:11:25 20 card and I should say on the record that we've all seen it, it's
21 a laminated card, it's got plastic over the front and back, it
22 says Slave Lake RCMP. Slave Lake. Do you know what RCMP refers
23 to?

24 A. No.

12:11:47 25 Q. Have you ever heard of something called the Royal Canadian
26 Mounted Police?

27 A. Come again?

28 Q. Have you ever heard of an organisation calling itself the
29 Royal Canadian Mounted Police?

1 A. No.

2 Q. Have you ever heard of something called the Mounties?

3 A. No.

4 Q. All right. Then underneath we see Corporal Don Ray. On

12:12:19 5 the left-hand side of the card at the bottom printed we can see

6 "Cop Cards 2002" then next to that at the middle of the bottom of

7 the card is a signature which certainly appears to have the

8 original D and a name that looks like Ray. Continuing along the

9 bottom on the right-hand corner there is a crest containing

12:13:00 10 various details including a crown. And then the picture on the

11 card is what appears to be quite a tall man, standing next to

12 what appears to be a prison cell door, classic style prison cell

13 door. And then if we return over to the back of the card, which

14 is page 6 in the bundle, at the top of the card there appears to

12:13:41 15 be an advertisement for something calling itself the Northwest

16 Inn in Slave Lake Alberta; I'm not so concerned about that.

17 Before that we have the number 4 Corporal Don P Ray, and before

18 we look at anything else there on the left side of the card, in

19 the printed colour section towards the bottom we have the letters

12:14:12 20 BIO, Bio. Now the details on the card below the advertisement,

21 number 4 Corporal Don P Ray present duties, watch commander.

22 Years at this posting, 1.5. Home province, British Columbia.

23 Pausing there, Mr Kolleh, do you know whether either Alberta or

24 British Columbia are. Do you know what country those places are

12:14:57 25 in?

26 A. No.

27 Q. Then it goes special training (RCMP) then there's OMG

28 (biker) investigator, investigator, interviewer, interrogator and

29 then there appears this. In capital letters: "Message to kids"

1 and then mainly lower case, "If you choose not to listen to your
2 parents, you will have no choice but to listen to me." Below
3 that then finally there's another small box, saying Slave Lake
4 RCMP, and giving an address in Slave Lake Alberta with other
12:16:00 5 contact details and the same crest that we saw on the front of
6 the card. Now that's the card you were given. Have you ever met
7 this Don P Ray?

8 A. No.

9 Q. Investigator, interviewer and interrogator as he styles
12:16:28 10 himself. You've never met him?

11 A. No.

12 Q. Have you ever had any dealings with this person apart from
13 being given his card by David Crane?

14 A. Please repeat.

12:16:40 15 Q. Have you ever had any contact with this Don P Ray apart
16 from being given his card by David Crane?

17 A. No.

18 Q. All right. Did you read what was on this card?

19 A. Yes, I read the message where you have "Message to the
12:16:59 20 Kids".

21 Q. And did you - what did you understand was the purpose of
22 you being given this card with its little message on the back?

23 A. What I understood there was that if I fail to cooperate, I
24 will have no choice but I will be forced to cooperate.

12:17:27 25 Q. All right. Now you were going on to tell us that you were
26 then taken to another room?

27 A. Yes.

28 Q. What happened when you were taken to another room?

29 A. There where I met I think three or four persons.

1 Q. Right. Can you remember who they were?

2 A. This time round I could not remember any of them and I
3 asked about Chris Bomford and Yusef Dafaе. They told me here now
4 you don't see them, you are now at a different point, you have to
12:18:07 5 talk to us.

6 Q. Was anybody recording this interview?

7 A. Yes, they were - people were typing. Those I met, they
8 were typing.

9 Q. Apart from typing was anybody recording it in any other
12:18:26 10 way?

11 A. I don't actually remember that time, but they were typing
12 when I was talking.

13 Q. All right. And how long an interview was this?

14 A. It took place for a few hours the second day of my arrival
12:18:55 15 there.

16 Q. Very well. You've told us that earlier on in Kailahun you
17 told them about being captured by Tunkara. Did you tell them any
18 more about your capture by Tunkara in that interview in Freetown?

19 A. Yes.

12:19:23 20 Q. In that interview at Freetown did you still tell a lie
21 about how you joined the RUF?

22 A. Yes, the same address continued on there.

23 Q. The same?

24 A. Address I gave in Kailahun, I still gave it there.

12:19:39 25 Q. Right, again, just tell the Court what you mean by address?

26 A. My particular, how I joined, where I was born, I still gave
27 it to them, but --

28 Q. But what? I don't want to interrupt you, Mr Kolleh. I
29 think you were going on to say something.

1 A. No, I was yawning.

2 Q. Very well. Now in the course of that interview did you
3 tell the Prosecution anything about the hierarchy, the leadership
4 of the RUF during the course of the war?

12:20:33 5 A. Yes.

6 Q. Now you told us on Monday how Mohamed Tarawalli, known as
7 Zino, who was the second in command below - the person below
8 Foday Sankoh, disappeared at some stage. Do you remember telling
9 us that on Monday?

12:20:57 10 A. Yes.

11 Q. Did you tell the Prosecution that in 2003 when you were
12 interviewed by them that Zino disappeared and Foday Sankoh
13 appointed Sam Bockarie as the commander of the RUF until such
14 time as he, Foday Sankoh, returned?

12:21:18 15 A. Yes.

16 Q. Thank you. So they had that from you in 2003. Did you
17 tell them in the course of that interview about Mosquito going
18 to - approaching ULIMO and eventually negotiating ammunition and
19 arms from ULIMO to take to the - take back to the RUF?

12:21:50 20 MR KOU MJIAN: Excuse me, the form of the last few questions
21 is leading and suggestive, asking the witness did you tell X.

22 MR MUNYARD: Actually it's not. What I've established is
23 that in his evidence to the Court he's told the Court about
24 certain subjects. I'm simply asking him did - I'm going through
12:22:12 25 the subjects we dealt with without any leading on Monday and
26 saying, "Did you mention these subjects to the Prosecution when
27 you were interviewed in 2003"?

28 PRESIDING JUDGE: When you speak about - you're saying,
29 Mr Munyard, you've established that in his evidence to the Court.

1 Which evidence are you referring to?

12:22:54 2 MR MUNYARD: Monday's evidence. If you remember, your
3 Honour, I dealt with a number of discrete topics on Monday. I
4 dealt with a lot of history, but I dealt with certain discrete
5 topics. What I'm asking him now, and it's not a leading question
6 is; having told us in your evidence those various things, did you
7 tell these same things to the Prosecution back in 2003. There's
8 nothing leading about that. It's a perfectly legitimate
9 question.

12:23:10 10 PRESIDING JUDGE: I don't see the connection, him telling
11 the Court a certain number of things and him having told the same
12 things to the investigators, how is that connected?

13 MR MUNYARD: It's perfectly relevant because it not only
14 shows that he is being consistent in his accounts, it will also
15 confirm in some cases evidence of other witnesses and will show
16 that in 2003 before those other witnesses had ever come anywhere
17 near this Court, this particular witness was telling the same
18 story.

19 PRESIDING JUDGE: Mr Munyard, am I to assume that at some
12:23:50 20 stage you are going to pull out the statements of this witness?

21 MR MUNYARD: Yes, but not until I've established whether or
22 not he says yes, I told them these things. I don't want to lead
23 him.

24 PRESIDING JUDGE: In that case let me consult my colleagues
12:24:04 25 because I personally think that you are leading.

26 MR KOUMJIAN: Just in the interests of saving time, because
27 the statements will come in one way or the other, if Mr Munyard
28 doesn't put them in, I will. He can lead him on what he said and
29 if it's not correct, I will then go back and correct it.

1 PRESIDING JUDGE: Then do you withdraw your objection?

2 MR KOUMJIAN: I withdraw my objection in the interests of
3 expediting the proceedings.

4 PRESIDING JUDGE: Very well. Please proceed, Mr Munyard.

12:24:34 5 MR MUNYARD: Thank you. I'm grateful. And we're all
6 attempting to be as economical as possible.

7 In that case, I will, if I may go back one stage to the
8 appointment of Sam Bockarie by Foday Sankoh in 1996, I think it
9 was, and just deal with that. And I'd like the Court, please, to
12:24:56 10 look at tab 6. Behind tab 6 is where this long interview is.
11 And if my learned friend doesn't object, I'll set out the date
12 and the times that this interview took place over, just so that
13 we know where we are. I'm not hearing any objection, so I think
14 that's --

12:25:33 15 MR KOUMJIAN: I don't object to that. The only thing I do
16 not wish is to have the interview put before the witness so the
17 witness is reminded what he said before. I'd ask that not to be
18 put before him.

19 MR MUNYARD: I'm slightly puzzled by that because if I'm
12:25:57 20 asking the witness is this correctly recorded, which is the point
21 of the question, is this what you told them, he should be able to
22 see what he told them.

23 PRESIDING JUDGE: Mr Koumjian, I thought you just said a
24 few seconds ago that you did not object to Mr Munyard leading the
12:26:17 25 witness.

26 MR KOUMJIAN: That's correct, and I understood, just in the
27 way he did in the first two questions, he was going to say did
28 you tell them about Zino disappearing and the witness said yes.
29 I have no objection to that procedure.

1 PRESIDING JUDGE: Yes, but you also said that these
2 statements will come in through either himself or yourself, one
3 way or another, it didn't matter. So what is the problem now?
4 How else do you expect Mr Munyard to ask this witness is this
12:26:54 5 correctly recorded if he doesn't show him the statement?

6 MR MUNYARD: Can I help. I think we may be at
7 cross-purposes. I'm only going to be showing him certain
8 passages. I'm not putting the whole 175 - well, it's 173 pages,
9 in front of him. I'm only going to take him to certain discrete
12:27:21 10 passages and just say can you look at this, on this subject is
11 this what you said, answer yes or no.

12 JUDGE LUSSICK: But I understood Mr Koumjian's point
13 centres exactly on what you've just said, Mr Munyard. If he
14 doesn't have the statement in front of him and you ask him did
12:27:41 15 you say that, his answer may not be based on what he's reading in
16 front of him. In other words, I think - is that right,
17 Mr Koumjian? You're saying that if he's asked did he say
18 something on the statement and the statement is in front of him
19 he has the answer there and then. He doesn't have to guess
12:28:05 20 whether he said it or not, it's there.

21 MR KOUMJIAN: Yes, and in particular counsel had indicated
22 he was going to just ask the witness whether he had said in this
23 statement in November 2003 things he said in his testimony. He
24 was going to go through his testimony and ask him did you say the
12:28:25 25 same thing in the transcript. I don't have a problem with that.
26 But if the transcript is slightly different, I don't want the
27 witness to be led so that his subsequent questions in
28 cross-examination he tries to be consistent with the transcript.

29 PRESIDING JUDGE: Mr Munyard, what exactly are you

1 proposing to do. Just walk us through what you are proposing to
2 do before you do it.

3 MR MUNYARD: Certainly. I was going to take him - first of
4 all, ask him about a topic, which I'm doing discretely, and then
12:29:03 5 saying in this interview at page so and so this is recorded, is
6 this what you said back in 2003? I'm content for him not to have
7 - I'm content for Mr Kolley not to have the document in front of
8 him, provided I can read out what's recorded, so that we know
9 that we can confirm, as I thought Mr Koumjian was content for me
12:29:30 10 to do, we can confirm that the Prosecution have recorded him as
11 saying these things on this topic.

12 PRESIDING JUDGE: Just give me a moment --

13 MR KOUMJIAN: [Overlapping speakers] question by question I
14 won't have many, if any, objections under the procedure outlined
12:29:49 15 with the document not in front of the witness.

16 PRESIDING JUDGE: So, Mr Munyard, your going to proceed in
17 that manner?

18 MR MUNYARD: I am. And I'm going first to page 83 of this
19 interview. The interview, I should say, we can see from the
12:30:10 20 first page and the last page, was on Tuesday 18 November 2003,
21 starting at 10.58 a.m. and ending at 4.32 p.m.

22 PRESIDING JUDGE: Let me just say to the Court Officer
23 sitting there that the agreed procedure is that the witness not
24 be shown the pages, but that instead Mr Munyard quotes, if you
12:30:38 25 like, from the interview.

26 MR MUNYARD: Thank you. Can we go to page 83, please, for
27 all the parties in court but not Mr Kolley's screen. Now, I'm
28 looking at line 9. I should say that these pages have been
29 compendiously - they've been compressed in some way, so they

1 don't necessarily start at the top of each page with line 1.

2 You'll see what I mean when you look at it. So line 9 is about
3 two-thirds of the way down the page.

12:31:41 4 Q. Mr Kolloh, did you tell the Prosecution that there was in
5 time a change of face in the administration of the RUF?

6 A. Yes.

7 Q. And did you tell them that when Foday Sankoh was arrested
8 in Nigeria, Mosquito remained in charge as field commander of the
9 RUF?

12:32:01 10 A. Yes.

11 Q. And going over the page then to the top of page 84, it's
12 line 19. Did you tell the Prosecution that, "Foday Sankoh talked
13 to Mosquito from Abidjan and told him that if he couldn't see
14 Mohamed Tarawalli that", and I'm now moving down to line 4 on
12:32:47 15 that page, "that if he cannot come, in other words, if Mohamed
16 Tarawalli, Zino, cannot come you take charge and act as the
17 immediate commander until my arrival." Did you tell them that?

18 A. Yes.

19 Q. In that interview?

12:33:08 20 A. Yes.

21 Q. And that he, Foday Sankoh, said, "I'm travelling somewhere.
22 He moved to Nigeria and was later arrested, so Mosquito was
23 appointed by Foday Sankoh before arresting him to Nigeria, so he
24 remained in charge." Did you tell the Prosecution that back in
12:33:32 25 2003?

26 A. Yes.

27 Q. Thank you. I'm now going to move on to another discrete
28 topic that you told us about on Monday, which was Sam Bockarie
29 negotiating arms from ULIMO, and this is page 95, please, line 1,

1 which is actually about a third of the way down the page - does
2 everybody have that? "Can you tell us again how arms were
3 secured within the RUF movement?" And did you tell the
4 interviewers that you got arms from the enemies through fighting.

12:34:25 5 And then looking at line 15, when asked, "Has there been any
6 occasion when you got arms from other sources?" Did you tell
7 them, "Yes, we got arms from Liberia, from ULIMO." Did you tell
8 them that?

9 A. Yes.

12:34:41 10 Q. And then you were asked at the bottom of that page, "Which
11 year was this?" And you said over the page on 96, "1996."
12 Asked, "How did you get these arms?" Did you tell them, "It was
13 Mosquito who went to Liberia, to Foya"?

14 A. Yes.

12:35:02 15 Q. And did you say - I'm looking at line 7 now - "I don't know
16 what arrangement he made with the ULIMO forces, at a certain
17 extent, he was almost arrested"?

18 A. Yes.

19 Q. Thank you. And later on line 14, did you tell them, "So
12:35:20 20 after one or two days he came back and then gave the feedback to
21 the various commanders he had, so they went back to the
22 borderline and then the ULIMO forces begin to bring back the
23 arms, selling to RUF for jackets, new jackets, watch - I mean,
24 good dressing, good feet wears, tape, shotgun which was single
12:35:47 25 barrel, then another few things." Did you tell them that?

26 A. Yes.

27 Q. And then over the page, did you tell them - I'm looking at
28 line 12 onwards - you don't know which faction of the ULIMO. You
29 were asked, "Did you tell them ULIMO?" "No, ULIMO-K. It was

1 ULIMO-K." Did you tell them that?

2 A. Yes.

3 Q. Who he was negotiating with. All right. Pausing there for
4 a moment, and not dealing with the interview for a moment, can
12:36:41 5 you tell us what use was put to the ammunition and arms that Sam
6 Bockarie obtained from ULIMO? What did the RUF use them for?

7 A. I'm still not getting you.

8 Q. When Mosquito had negotiated the trading of ammunition and
9 arms from ULIMO, what did the RUF use those arms for?

12:37:12 10 A. We used it to defend ourselves.

11 Q. Yes. Did you have some of those arms and ammunition by the
12 time that you were invited to join the AFRC in May of 1997?

13 A. Yes.

14 Q. And what did you do with the ammunition and arms that you
12:37:37 15 had by the time you were invited to go to Freetown and join the
16 AFRC?

17 A. The ammunition, some were used to move.

18 Q. To move where?

19 A. To move to Freetown when we were called by the AFRC.

12:37:57 20 Q. And why did you move with some of the ammunition?

21 A. It was a surprise to call the enemy forces or former enemy
22 calling you to join them, so it was a surprise, so you can't be
23 too certain of that relationship, you have to be prepared in case
24 of any attack or any other venture.

12:38:23 25 Q. All right. Was there any other reason that you took some
26 of the ammunition to Freetown when invited to join Johnny Paul
27 and the AFRC?

28 A. I am saying yes, to keep it with us for security reason in
29 case --

1 Q. Mr Kollah, any other reason apart from your own security?

2 A. We took the ammunition - some in Freetown to defend
3 ourselves.

12:38:58

4 Q. Right, we've got that, but was there any other reason why
5 you took some of your ammunition to Freetown?

6 A. Yes.

7 Q. And what was that?

12:39:21

8 A. It was to defend ourselves when the Kamajors begin to
9 attack us gradually, so we were not too pleased and we had to
10 take some to Freetown to keep it for self-defence.

11 Q. All right. Again, just before we move on to the next topic
12 can you help us with this: When you got to Freetown did the army
13 under Johnny Paul Koroma, did it have its own supply of
14 ammunition and arms?

12:39:53

15 A. Come again?

16 Q. When you arrive in Freetown, you're now joining the junta
17 which is the army basically, did the army in Freetown have its
18 own arms and ammunition supply in some place?

19 A. Yes, I remember at Magburaka.

12:40:16

20 Q. Right, in Freetown did it have any place where it stored
21 arms and ammunition?

22 A. Yes, at ordnance at Murray Town.

23 Q. Just tell us that name again, ordnance. How do you spell
24 ordnance?

12:40:36

25 MR KOUMJIAN: I'd stipulate it's the normal spelling.

26 MR MUNYARD: I'm grateful and Murray Town, again, the
27 normal spelling.

28 Q. Can you tell us where in Murray Town the ordnance was?

29 A. Ordnance was very close to Murray Town Barracks. You have

1 the barracks in Murray Town.

2 Q. Right. Can you tell us - are you able to tell us now or
3 not whereabouts in Murray Town the ordnance was by the barracks?

4 A. If it came from Shell Company which is coming from the road
12:41:18 5 leading from Bo direction direct into the town, if you approach
6 from that way, before getting to Aberdeen Junction there's
7 another junction first you meet, you move with it, the first
8 junction you will meet, that is ordnance. After that you go down
9 again, you switch on your left, you come to the barrack and you
12:41:42 10 continue to go towards the barrack, you pass and get again on
11 Aberdeen Road.

12 Q. Thank you very much. So moving on to a different topic,
13 please, did you tell the Prosecution in that interview in answer
14 to questions the - did you tell them about the invasion of

12:42:07 15 Freetown on January 6th 1999?

16 A. Yes.

17 Q. Did you tell them about SAJ Musa reaching Benguema?

18 A. Yes.

19 Q. Did you tell them what SAJ Musa had said at Benguema?

12:42:37 20 A. Yes.

21 Q. About the RUF?

22 A. Yes.

23 Q. And about him being in charge?

24 A. Yes.

12:42:47 25 Q. All right. Can we have a look, please, at page 139. May I
26 make it clear to the Court I'm extracting small portions of this
27 interview, I'm not proposing to go through the subject matter
28 line by line, I'm just selecting a very small example. If we
29 look at page 139 you're being asked about the events immediately

1 before the invasion of Freetown and on line 6 you give an answer
2 as follows: "After a few time they again moved but the movement
3 from the north to Waterloo or Freetown was mostly spearheaded by
4 the army, the remnant of AFRC." Did you tell them that?

12:43:50 5 A. Yes.

6 Q. You're then recorded as saying: "They moved as far as
7 Waterloo, went to Benguema. That's what I know. We all listened
8 to the radio where the signaller is in - signaller in the radio
9 room, we go there, we sit and listen. Because that was a very

12:44:09 10 important day. So when they came to Benguema, by then it was SAJ
11 Musa who led the force. After they came to Benguema - sorry -
12 before going to Benguema they made a sacrifice. He said to the
13 men, to the all the fighters, if anyone go with different idea or
14 any different notion of this organisation, that person should not

12:44:32 15 see Freetown. They made a sacrifice, sprinkled water on every
16 body, they move." Did you tell them that?

17 A. Yes.

18 Q. Then you go on: "When they came to Benguema he dispatched
19 over 1,000 plus to Freetown. I think he remained there also to
20 pass order to burn the balance ammunition that were captured in

12:44:48 21 Benguema. So after he passed order to burn these things, he also
22 passed order. He was standing over a vehicle. According to the
23 information he knocked his chest. He said, 'From today I am the
24 Head of State. Any RUF follow us in Freetown, he will be

12:45:14 25 attacked and any of the army personnel who stay with the RUF,
26 Hastings will be the boundary between us, that small bridge.' He
27 said, 'The bridge will be the boundary between us, anyone staying
28 with the rebel behind from the army, anyone staying behind, that
29 person will be declared as a rebel, you will be attacked.'"

1 Have they correctly recorded that answer?

2 A. Yes.

3 Q. Yes, and just to make one thing clear, over the page on
4 page 141 at line 8 you're asked:

12:46:09 5 "Q. Okay, you come on the January 6th, 1999 invasion.

6 A. No, sir.

7 Q. You didn't come?

8 A. If you ask anybody they tell you I was even across the
9 Moa River to Daru area. If you ask anybody, any person

12:46:27 10 tell you I was even around the Moa River, then I went to

11 Freetown by then. And I just want to tell you there are

12 certain things that can happen. Even the civilians used to

13 go closer to the radio and listen because if there are some

14 important development you have to listen by yourself.

12:46:45 15 Q. Even though you didn't come to Freetown on January 6th
16 1999 you heard all of this your telling me now through

17 communication radio sets you had?

18 A. We were all sitting around the radio."

19 Is that correctly recorded?

12:47:01 20 A. Yes.

21 Q. Finally on this subject, on that page we've just reached,

22 142, you say, "When Mosquito was in Buedu communicating.

23 Mosquito never even went to Koidu. Mosquito never went to Koidu.

24 He was sitting right to Buede, communicating even with BBC,

12:47:30 25 telling BBC that I will be in Freetown the next hour. Only that

26 the whole thing just coincided but not, he never went to even

27 Koidu. He was in Buedu talking to them."

28 Did you tell them that?

29 A. Yes.

1 Q. Can I clarify one matter on the next page. You were
2 talking about some RUF people in that group and at the top of
3 page 143 you're recorded here as saying - this is the typed
4 version:

12:48:06 5 "In fact two of our men were beaten, signallers", and the
6 name recorded there, the first name is, "Ken Berry, I told you
7 this last time was beaten." Did you say Ken Berry?

8 A. No, I said King Perry.

9 Q. Right. I want to ask you now about another topic that you
12:48:38 10 told us about and that was diamond mining. Can you just tell us,
11 before we look at this, was the RUF mining diamonds in Tongo
12 Field in Kenema in 1999?

13 A. No.

14 Q. Could you have a look, please - well, could everybody
12:49:17 15 direct their attention, please, to page 160, line 10:

16 "Then if you come to mining of the RUF, this really took
17 place after 1999. The middle of 1999 mining took place. By then
18 Mosquito was in Buedu maybe in two to three to four months.
19 Maybe two to three months. After two to three months that was
12:49:44 20 the time the peace accord was signed in July, Lome Peace Accord,
21 for the final peace."

22 Now have they correctly recorded you as saying the mining
23 of the RUF took place from the middle of 1999?

24 A. Yes.

12:50:04 25 Q. Just tell us where was that mining? What part of the
26 country was that mining?

27 A. Koidu.

28 Q. Thank you?

29 A. Koidu or Sefadu. That's the same area.

1 Q. Now you told us on Monday that the United Nations played a
2 part in getting Mosquito to leave Sierra Leone and go to Liberia.
3 Remember telling us that on Monday?

4 A. Yes.

12:50:34 5 Q. If we all look, please, at the foot of page 160 that we
6 were just on, the last line, line 25: "So after the
7 misunderstanding went on to certain extent, Foday Sankoh asked
8 him to leave his movement" - we're talking about him being Sam
9 Bockarie - "the information that came in to the RUF, the United
12:51:05 10 Nations asked any country within Africa to accept Mosquito to
11 leave for the sake of peace, and Liberia was the country that
12 allowed him to go."

13 Have they correctly recorded you as saying that this
14 followed the United Nations asking any country to take him?

12:51:28 15 A. Yes, he was asked if Guinea, if Nigeria, if Ivory Coast or
16 Liberia, he said he don't speak French and he don't want to go to
17 Nigeria because he had problem with the soldiers, so he decided
18 to go to any English-speaking country.

19 Q. Right. Thank you. Now we know that that interview ended
12:51:55 20 in the late afternoon on that particular day, 18 November 2003.
21 How did the interview end?

22 A. You mean?

23 Q. What was said to you at the end of the interview?

24 A. The very first day --

12:52:22 25 Q. This is this long interview in Freetown?

26 A. Yes.

27 Q. Did you - were you given to understand that this was the
28 end of it or were you given to understand that the interview was
29 ending for the day and you'd be interviewed again?

1 A. The beginning of the interview, after few hours, where we
2 approached and we got stopped, meaning I was only asked when I
3 was at Freetown, I did not actually explain on my own, they were
4 just posing question to me. And they would ask me, when I tried
12:53:08 5 to explain about getting arm from ULIMO they said, "No, no, no,
6 no, Sam, stop, go and sleep. Tomorrow. We know you are tired."
7 That was the time Chris Bomford came to me again to the hotel,
8 led by Bonokia.

9 Q. Pause there. Is this after the interview has finished on
12:53:29 10 that day or is this during the interview?

11 A. During the interview they asked me to stop, I should go and
12 rest, to think properly.

13 Q. All right. So what happened?

14 A. This time round, around 6 o'clock in the evening I saw
12:53:52 15 again Bonokia with Chris and I told Chris, I said, "You brought
16 me, I can't see you", he said, "That's not matter". He said,
17 "Sam, please, this time round I'm begging you."

18 Q. Just before we get on to what he said I want to establish
19 one thing. At the end of the interview, if we look at page 173,
12:54:11 20 which is the very last page of the interview were you told,
21 "We're ending this interview for the time being. We may proceed
22 sometime later but for today we're ending this interview for
23 now." Is that what you were told?

24 A. Yes.

12:54:31 25 Q. Thank you. All right. I interrupted you. Around 6
26 o'clock Chris Bomford comes to see you again and he says what?

27 A. He said, "Sam, I have again come to you". But he said,
28 "You brought me, I can't see you". He says, "Not matter. This
29 time round I'm begging you, please help me for my mission to be

1 accomplished. I'm asking you to tell me once you were involved
2 in taking diamond from Foday Sankoh to the rest of the RUF, once
3 you are known for that. I want to tell us, you took this diamond
4 to Charles Taylor in Liberia." I said, "Chris, unless you want
12:55:15 5 to have me arrested, I can't defend that statement. I was in
6 charge of diamond, but I did not carry to Liberia. I have never
7 gone to Liberia. I don't know Charles Taylor in person." He
8 told me, "I can open an account for you, \$90,000 US, you will
9 enjoy the rest of your life, you will live just like Gibril
12:55:44 10 Massaquoi because right now Gibril have cooks and people wash his
11 clothes, even Abu Keita. So you are a key player in what I am
12 looking, so please, if you just agree to say you did it or you
13 carried to Taylor, the Prosecution will consider it to be true.
14 Or if you wish, you have already changed your name and your age,
12:56:10 15 or your particular, we can also distort your voice." I said,
16 "Chris, I don't want to testify behind closed door, but if even I
17 stood before Taylor and said I gave him, I can't defend it. So
18 please, if you want to have me arrested you can carry on, but I
19 did not carry diamond to Liberia." Then he told me, "Sam, I
12:56:33 20 think we stop over there. Tomorrow, please, please, think over
21 it. In the morning I will still meet you."

22 Q. All right. I did ask you about one reference in the
23 interview about diamonds but did they ask you a number of times
24 in the course of that interview on that day about diamonds?

12:56:52 25 A. Yes, they ask me about diamond.

26 Q. And in the course of that interview, each time they asked
27 you about diamonds, did you ever tell them anything about taking
28 diamonds to Charles Taylor?

29 A. No.

1 MR MUNYARD: Madam President, for the sake of completeness,
2 I think I will just refer back to the interview just for the page
3 references for diamonds. Starting at page 157, he was asked, "Do
4 you remember being asked about --

12:57:41 5 MR KOUMJIAN: I would ask the witness not be led on this
6 particular point. I think it's very sensitive and I would like
7 to ask him about and I don't want him to be told what he said in
8 November, which I think is contradicted by his testimony in
9 November 2003.

12:57:58 10 MR MUNYARD: Well, let me just give the page references.

11 Q. Were you asked a number of times, and we can see at the
12 bottom of page 157, over to 158, about diamonds, again page 159.
13 Were you asked quite a lot of questions about diamonds?

14 A. Yes, indeed.

12:58:20 15 Q. All right. That will suffice for my purposes.

16 A. The whole question focused on diamond that time.

17 Q. And then Chris comes to your hotel and asks you to tell
18 them what you've just told the Court and you refuse to say that.

19 I'm just summarising what you've just told us. Was that
12:58:52 20 conversation with Chris at the hotel written down or recorded by
21 any mechanical means, typing or an audio tape or anything of that
22 sort?

23 A. No, just in my hotel room between the two of us.

24 Q. And what was your reaction to being invited to open a bank
12:59:20 25 account and get \$90,000?

26 A. I told Chris, I said, "For money it's not something to have
27 me easily carry. \$90,000 United States is not what I look at.
28 But I can't defend this statement, then how would that be?"

29 MR MUNYARD: Would your Honours give me just a moment. I'm

1 nearly at the end of my examination-in-chief but at this stage I
2 would ask to go into a short private session in relation to
3 evidence concerning protected witnesses.

4 PRESIDING JUDGE: Very well. For the protection of a
13:00:46 5 protected witness, we will go into a brief private session.

6 [At this point in the proceedings, a portion of
7 the transcript, pages 48611 to 48612, was
8 extracted and sealed under separate cover, as
9 the proceeding was heard in private session.]

13:04:54 10

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1 [Open session]

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

3 MR MUNYARD: Thank you very much, Madam Court Officer.

13:05:09

4 Q. Did you talk to anybody else who had given evidence in this
5 case?

6 A. Yes, I talked to Nyan who was former operator of the RUF
7 but this time round over mobile phone.

8 Q. How do you spell Nyan?

9 A. N-Y-A-N.

13:05:31

10 Q. And what did he say?

11 A. He told me to contact his people so that he can talk to
12 them and over several occasions he was getting annoyed. I said,
13 "I don't know your people." He said, "I'm now free. I mean, I
14 thank God." So he told me that everything is okay with him, he's

13:05:55

15 trying to be a reverend. I said, "I know what you are talking
16 about." Then he begin to laugh on the phone. He said, "Did you
17 know?" I said, "I know" and we stopped there. So I remember
18 again he came to Monrovia --

13:06:17

19 Q. Just before we go into that. What do you mean by he's
20 trying to be a reverend?

21 A. He said he's trying - a reverend is somebody who preach the
22 Bible.

23 Q. Reverend, sorry. I misheard that one that time.

24 A. Yes.

13:06:31

25 PRESIDING JUDGE: And this person is a former operator of
26 the RUF, what does that mean?

27 THE WITNESS: Radio operator, I said it.

28 MR MUNYARD:

29 Q. And what had happened to him?

1 A. He was in jail and he was free.

2 Q. And why was he freed, as far as your aware?

3 A. To come and testify for the Prosecution.

4 Q. Where? Testify for them where?

13:07:00 5 A. To testify in The Hague.

6 Q. Right. Anybody else that you know of?

7 A. And then - excuse me, sir.

8 PRESIDING JUDGE: Yes, Mr Witness?

9 THE WITNESS: He again came to Liberia and went to his
13:07:20 10 county, which is Nimba County, where I listened to the FM radio.

11 When he was interviewed by his people why you have to testify
12 against Taylor and he said, "Oh, I just have to do it because I
13 now had no choice, I was in jail, how could I be free." So I
14 listened to that. But he didn't talk to me when he left from

13:07:45 15 there to come back. When the older brother met me, he said, "You
16 saw Nyan?" I said no. He said, "Well, Nyan should not be
17 ungrateful, you made us to talk to him. Why he could not contact
18 you?" I said, "He is okay with me."

19 MR MUNYARD:

13:07:59 20 Q. Pause there. When you say when the other brother met me,
21 who are you referring to?

22 A. One of his older brother called Arthur.

23 PRESIDING JUDGE: Mr Munyard, you can see from the record
24 that the witness was too fast in what he said and none of it was
13:08:13 25 recorded. Where he's quoting his brother saying, "You saw Nyan,"
26 I think everything else he said after that is not recorded.

27 MR MUNYARD: When the other brother met me he said you saw
28 Nyan but it what?

29 THE WITNESS: Come again.

1 PRESIDING JUDGE: Can you please repeat your testimony a
2 little slowly because the transcriber is trying to record what
3 you said, okay. Repeat where you said when the other brother met
4 me, said, "you saw Nyan". And then what else did you say?

13:08:59 5 THE WITNESS: I said no.

6 MR MUNYARD: All right.

7 PRESIDING JUDGE: You said a whole lot. You said a whole
8 lot. You didn't just say no.

9 THE WITNESS: I said, "No, I didn't see him."

13:09:12 10 MR MUNYARD: I think that was what he said. "No, I didn't
11 see him."

12 THE WITNESS: He asked me if I saw him, I said, "No, I
13 didn't see him."

14 MR MUNYARD: At that point I intervened to ask who this
13:09:22 15 other brother was and we got another Arthur.

16 PRESIDING JUDGE: Trust me, he said a whole lot but it
17 doesn't matter now.

18 MR MUNYARD:

19 Q. And did you ever speak to anybody else who had had a
13:09:40 20 benefit from agreeing to testify for the Prosecution?

21 A. No.

22 MR MUNYARD: All right. Thank you very much. Those are my
23 questions in chief.

24 PRESIDING JUDGE: Before Mr Koumjian commences, Mr Munyard,
13:10:12 25 is there anything else you would like to MFI?

26 MR MUNYARD: MFIs, yes, thank you very much. Everything
27 that we put in. I'm grateful to your Honour and to Mr Chekera
28 for prompting me on the MFIs. The other documents including the
29 originals of them, please, that we looked at since we looked at

1 the photographs and the three calling cards I think - I think
2 it's just the cop cards 2002, Corporal Don P Ray card. Your
3 Honour, as we have the original I suppose we - unless anybody
4 wants to keep the original beyond this witness's testimony then
13:11:29 5 we'll put in the two pages which show both sides of the card
6 which is the MFI.

7 MR KOUMJIAN: Could we inquire if the witness wants to keep
8 the original? If he does, fine. If not, then I think the
9 original can go into evidence.

13:11:43 10 MR MUNYARD: I think you know my position on originals
11 being in evidence which is that they should, but if the Court's
12 content if the witness wants it back --

13 PRESIDING JUDGE: Mr Munyard, the witness is your witness.
14 Why do you not establish from the witness what he wants to do.

13:11:58 15 MR MUNYARD: I will.

16 Q. Would you like to keep this Slave Lake camp Corporal Don P
17 Ray card after you've given your evidence or are you content for
18 it to stay with the Court as part of your testimony?

19 A. I agree for the Court to be in possession.

13:12:20 20 Q. Of?

21 A. The original of that cop card.

22 Q. Right. While we're on the subject would you like to keep,
23 to be able to take home your original photographs?

24 A. No.

13:12:33 25 Q. All right. And what about the other three calling cards,
26 if I can describe them in that way. Do you want to keep any of
27 those, the originals, or are you content for them to stay with
28 the Court?

29 A. They can stay with the Court.

1 Q. Thank you very much. I hope I haven't missed anything out.

2 PRESIDING JUDGE: MFI-5 is the calling card of one Corporal
3 Don Ray, it's the original. And the originals of the previous
4 MFIs can be taken in by the Court Manager.

13:13:27 5 Mr Koumjian, that will be it.

6 MR KOUMJIAN: Your Honour, I have a brief motion to make.
7 I think it should be made outside the presence of the witness
8 probably.

9 PRESIDING JUDGE: I have my eye on the clock. Is this
13:13:42 10 brief motion going to go beyond the luncheon break? Because if
11 it is I'm going to release him and to have him return after.

12 MR KOUMJIAN: I think that would be fine.

13 PRESIDING JUDGE: Mr Witness, we are going into a matter
14 that doesn't really concern you so I'm going to allow you to go
13:14:00 15 now for an early luncheon break but you will return to court at
16 2.30 to continue your testimony.

17 THE WITNESS: Thank you.

18 PRESIDING JUDGE: Please escort the witness out.

19 [In the absence of the witness]

13:14:37 20 MR KOUMJIAN: Your Honours, I would ask your Honours to
21 exercise your discretion in the interests of justice to order the
22 Defence to provide the Prosecution with prior witness statements
23 of this witness and there are two bases for my request. The
24 first concerns the witness summary and I'm looking at the fifth
13:15:07 25 version of the summary dated 12 May 2010. The second to last
26 paragraph deals with an issue - it deals with a couple of issues
27 and one I believe was not touched on, the death of Sam Bockarie,
28 but it also deals with the attack on Guinea by the RUF. I mean
29 the first one was not mentioned in his testimony. It indicates

1 in the summary that he will give evidence on the attacks in
2 Guinea by the RUF and the Armed Forces of Liberia. "The witness
3 will say that the two combined forces to neutralise a common
4 threat."

13:15:51 5 Now this is a key issue in this case in that specifically
6 other Defence witnesses, particularly the accused, has denied
7 that the AFL combined forces with the RUF in attacks on Guinea.
8 The Prosecution presented many witnesses who talked about those
9 combined attacks. Some of that testimony was read to this
13:16:18 10 witness and he denied it. He denied that he knew anything about
11 a combined attack. And that was 516. All he said in his
12 testimony when prompted through several questions was someone
13 told him that they heard some noise from Liberia, some firing
14 from Liberia. That is not the same as the two Liberian armed
13:16:40 15 forces and the RUF combined forces in an attack. This also was a
16 key point in the testimony of Issa Sesay, commander of the RUF at
17 the time, who denied that they combined forces. So there is a
18 contradiction between the summary and the witness's evidence on a
19 key point.

13:16:59 20 The second basis for the request is that this witness in
21 all of the disclosures by the Defence in the 21-day disclosure as
22 to the witness to be called was listed as Sam Kolleh, alias none.
23 And yet the witness has told us, and this also deals - is very
24 important in dealing with this issue about his meetings with the
13:17:28 25 Prosecution, that he used a false name, Mustapha Koroma, not only
26 with the Prosecution but he used that name with the TRC. So the
27 question is why if this is an honest witness, when did he tell
28 the Defence that his name was Mustapha Koroma because what we in
29 the correspondence between the parties - originally the Defence

1 told us his name was Sam Kolléh, we think he might have talked to
2 you. We said we don't have a Sam Kolléh. There's a Sam Mustapha
3 Koroma. We sent that disclosure and the Defence answered saying,
4 well, we think this is likely to be the same person. So I think
13:18:13 5 it's very important for the Court to know in the search for the
6 truth when did this witness disclose that he was using a false
7 name both with the Prosecution and the TRC.

8 PRESIDING JUDGE: Sorry, the aliases, what was the alias
9 you said.

13:18:30 10 MR KOUJIAN: Well, he's told us that he told the
11 Prosecution and the TRC his name was Sam Koroma, the TRC says Sam
12 Mustapha Koroma.

13 PRESIDING JUDGE: Mr Koumjian, I'm referring to the alias.
14 You said, "alias none". Can you spell that alias, please.

13:18:55 15 MR KOUJIAN: The Defence in their disclosure has a column
16 for witness name and has a column for alias. I believe - I have
17 it somewhere but I believe that column was listed somewhere NA,
18 not applicable.

19 PRESIDING JUDGE: Mr Munyard, can you respond, please.

13:19:25 20 MR MUNYARD: Can I deal with Guinea first. As far as
21 Guinea is concerned, it is correct that the summary says the
22 witness will say the two combined forces to neutralise a common
23 threat. That summary obviously comes from the fact that he's
24 talking about what he said in his evidence, that he was - they,
13:19:49 25 the RUF, were attacked from Guinea both by Guinean forces and
26 Kamajors and also that Liberians were - the Guineans or people
27 were shelling into Liberia from Guinea. And he talks of an
28 incident that he is involved at the very beginning of where
29 Matthew Barbue takes a group of people, he escorts them as far -

1 almost as far as the Guinean border, they go on over the border
2 to fight, and he is told, he learns about Liberians also being
3 involved in that fighting. So he has clearly talked about two
4 lots of people fighting a common enemy, but he doesn't have very
13:20:42 5 much by way of detail about that.

6 So he's talked about an incident in Guinea where both the
7 RUF and Liberian forces were dealing with a particular attack and
8 therefore in our submission his evidence does cover what is
9 contained in the summary.

13:21:18 10 Now can I deal with the question of his using a false name.
11 We certainly wrote to the Prosecution saying we thought this was
12 the same person. We told the Prosecution or rather we said to
13 the Prosecution that this person was named Sam Kolleh. It's
14 perfectly obvious from the evidence that you've heard that the
13:21:42 15 Prosecution knew that he was called Sam Kolleh from what he said
16 in the course of his evidence. The fact that he may have used a
17 false name to them is a matter for cross-examination, not for
18 revelation of witness statements. It's only in exceptional
19 circumstances and in the interests of justice that the witness
13:22:08 20 statements would ever be disclosed. If someone's saying I used a
21 false name, that's a question for cross-examination.

22 As far as the Truth and Reconciliation Commission are
23 concerned, he's used the name Mustapha Koroma and then in
24 brackets you'll see Senkolleh. It is fanciful in our submission
13:22:29 25 to suggest that there can be any doubt that Mustapha Koroma, also
26 known as Senkolleh, can be any person other than this witness.
27 So to rely on the name he used in the Truth and Reconciliation
28 Commission interview that he gave doesn't for one moment begin to
29 open up disclosure to the Prosecution of Defence witness

1 statements from this witness.

2 MR KOUMJIAN: I would correct one thing to be clear. I'm
3 not sure if I understood counsel correctly. The Prosecution
4 never knew, as far as I know - never knew that Sam - the person
13:23:13 5 who told them his name was Sam Koroma or Sam Mustapha Koroma, was
6 Sam Kolléh. The TRC, in his actual testimony, he says his name
7 is Mustapha Koroma. In the section that the Defence has put
8 before you, they said there were RUF in Kailahun, they list a
9 Mustapha Koroma, alias Senkolléh, and I don't know this, I
13:23:39 10 presumed that's because they were directed to him because people
11 told them there was Senkolléh there who was RUF and he told them,
12 "No, my name is Mustapha Koroma." He told them his name was
13 Mustapha Koroma. We have no record in the Prosecution of a Sam
14 Kolléh. The name he gave us was Sam Mustapha Koroma. Even the
13:24:04 15 Defence in their letter said to us it is likely he's the same as
16 your 273. So they seem to express some doubt about it.

17 PRESIDING JUDGE: Very well. I think we'll have to retire
18 and consider this application in light of the various documents
19 you've cited, and we'll return with an order after the luncheon
13:24:26 20 break.

21 Mr Munyard, you wanted to say something else?

22 MR MUNYARD: [Microphone not activated] I'm having a little
23 difficulty finding the correspondence. And before you do
24 consider these arguments, I would be grateful for a moment, I see
13:24:50 25 the time, to put my hands on the correspondence between
26 Prosecution and Defence.

27 MR KOUMJIAN: We perhaps can help and perhaps your Honours
28 can retire and we can give the Defence the dates. If necessary,
29 they can copy the copies of the correspondence that I have. The

1 one that I have from Mr Griffiths to Ms Hollis is dated 14
2 October 2010.

3 MR MUNYARD: Would you bear with me for a moment. Yes,
4 what we said in the letter of 14 October is, "You have recently
13:26:47 5 indicated that our DCT-102 is likely the name as your TF1-273.
6 We've read the disclosure for 273 and agree that this seems to be
7 the case." In other words, by 14 October, and we started his
8 testimony on 1 November, Prosecution know that we are dealing
9 with the person that they had, at least on formal records, as Sam
13:27:19 10 Mustapha Koroma. There is no question here that the Prosecution
11 have been taken by surprise in the course of his evidence on
12 Monday, or today, that this is somebody who they didn't realise
13 was Sam Mustapha Koroma. We've been telling them that for some
14 time.

13:27:35 15 We also sent them an email on Friday last updating, as a
16 result of proofing. In the course of that email we made it clear
17 we would be dealing with his - we would have him in his testimony
18 talk about his dealings with the Prosecution and the interviews
19 and we wanted the interviews exhibited - or we wanted the
13:27:58 20 interviews in court.

21 So the Prosecution have known perfectly well. They've not
22 been taken by surprise, which is what might give rise to an
23 application for disclosure of witness statements. So I go back
24 to my principal point: They knew perfectly well. This is an
13:28:17 25 issue for cross-examination, not for witness statement
26 disclosure.

27 On the subject of the Guinea episode, I've made my
28 submissions about the content of his evidence, as compared with
29 the summary. If the Court is against me, then it would seem to

1 be appropriate that the only thing that should be ordered would
2 be disclosure of his statements in relation to the Guinea
3 incident. There's no other area that the Prosecution say there's
4 any difference over. Thank you very much.

13:29:15 5 MR KOUMJIAN: Very briefly, I just don't know if Mr Munyard
6 misunderstood my argument. We're not saying we were taken by
7 surprise and didn't know the last few weeks, at least, that this
8 was Sam Kolley when we got the - we've known that for whatever -
9 enough time. That's not the issue. The issue is when someone's
13:29:36 10 credibility is so at issue, why is it that the Defence didn't
11 know, apparently, that he gave a false name to the Prosecution?
12 We have part of the contempt affidavit, that's part of the
13 Defence bundle. It doesn't say anything about I was interviewed
14 under the name Sam Mustapha Koroma or I told the Prosecution I
13:29:56 15 had a different name. So if --

16 PRESIDING JUDGE: Why do you say that the Defence didn't
17 know? Based on what?

18 MR KOUMJIAN: Based on the fact - well, that's what we need
19 to find out by getting the statement [overlapping speakers].

13:30:09 20 PRESIDING JUDGE: No, no, no. Mr Koumjian, you have to
21 establish your basis for wanting the statement now. You need to
22 establish the basis now, not after looking at that statement.
23 I'm asking you a simple question. Your assertion is why is it
24 the Defence didn't know that this man was using a false name.
13:30:31 25 What gives you the impression that they didn't know?

26 MR KOUMJIAN: When they disclosed his name to us, which I
27 believe was March - it was February, excuse me, of this year,
28 they listed his name as Sam Kolley, alias, and the aliases are
29 listed for other individuals, none. So further when they

1 requested from the Prosecution disclosure from this witness, they
2 did not say his name interviewed by you was Sam Koroma, and
3 that's why we came back and said we don't have any Sam Kolléh,
4 after reviewing your summary, this witness looks similar, maybe
13:31:11 5 it's the same. So the Defence clearly either didn't tell us but
6 it seems to us they didn't - it was not intentional on their
7 part. They didn't know his name was Sam Mustapha Koroma, or the
8 name that he was using with the Prosecution and the TRC.

9 PRESIDING JUDGE: In any event, I'm not going to ask for
13:31:30 10 any further submissions. We will go back to the record, by what
11 you've asked, and we will deliberate. However, it seems to me
12 that in view of the time we're not going to be back in court by 2
13 o'clock. We will try and be back in court by 3 o'clock. Sorry,
14 2.30. We will be back in court by 3 o'clock instead of the
13:31:51 15 normal time, which would have been 2.30. Court is adjourned to 3
16 o'clock.

17 [Lunch break taken at 1.31 p.m.]

18 [Upon resuming at 3.00 p.m.]

19 PRESIDING JUDGE: Good afternoon. Before the luncheon
15:00:33 20 break the Prosecution made an application, an oral application,
21 for the disclosure of the witness statements of the witness Sam
22 Kolléh and the Chamber retired to consider the application.

23 Now after considering the submissions from both parties
24 this is the ruling of the Chamber:

15:01:01 25 As you know, in an application for the disclosure of a
26 Defence witness statement the Prosecution must demonstrate such
27 undue or irreparable prejudice that it would be in the interests
28 of justice for the witness's statement to be disclosed. The
29 reasons given by the Prosecution in this particular instance are

1 firstly that the witness summary of 12 May 2010 mentions that the
2 witness will give evidence about the death of Sam Bockarie and
3 the Prosecution says that this didn't happen in the evidence of
4 the witness, but further or more importantly that that same
15:01:54 5 witness summary mentions that the witness will testify on the RUF
6 attacks on Guinea and that the RUF and the AFL combined their
7 attack to neutralise a common threat. The Prosecution points out
8 that in his testimony the witness denied any knowledge about such
9 a combined attack and that this therefore constitutes a major
15:02:21 10 discrepancy.

11 Secondly, the Prosecution point out that the witness in the
12 disclosures given by the Defence was listed as Sam Kolleh and has
13 never been listed as Sam Mustapha Koroma and that this is
14 something new that has come out in the evidence and therefore is
15:02:44 15 a discrepancy.

16 Now in the Chamber's view after looking at the reasons
17 given, we are of the view that the Prosecution has not
18 demonstrated such undue or irreparable prejudice that it would be
19 in the interests of justice to order a disclosure of the
15:03:03 20 witness's statement or statements because in our view each of the
21 above issues raised can adequately be addressed in
22 cross-examination and is not a major discrepancy. We therefore
23 dismiss the Prosecution application and the witness should be
24 brought in to continue with his cross-examination.

15:03:26 25 [In the presence of the witness]

26 PRESIDING JUDGE: Good afternoon, Mr Kolleh. We are going
27 to continue with your evidence and Prosecution counsel is now
28 going to cross-examine you.

29 CROSS-EXAMINATION BY MR KOUMJIAN:

1 Q. Good afternoon, Mr Kolloh.

2 A. Good afternoon.

3 Q. Mr Kolloh, you are well practised, you have a lot of
4 practice, in lying about the RUF and your role in the RUF. Isn't
15:04:43 5 that true?

6 A. Yes.

7 Q. Because you lied to the Prosecution each of the three times
8 they spoke to you, correct? Do you understand the question?

9 A. No.

15:05:06 10 Q. Let me repeat it. First I'll read to you my first question
11 and your answer. My first question was:

12 "Q. Mr Kolloh, you are well practised, you have a lot of
13 practice in lying about the RUF and your role in the RUF.
14 Isn't that true?

15:05:23 15 A. Yes.

16 Q. Because you lied to the Prosecution each of the three
17 times you spoke to them, correct?"

18 Is that correct, you lied to the Prosecution each of the
19 three times you spoke to them?

15:05:45 20 A. Yes, on my address.

21 Q. On your address?

22 A. Yes.

23 Q. You mean by "address" where you lived?

24 A. Where I born, where I live and how I join.

15:05:59 25 Q. Well, you also lied and you lied about what your name is,
26 correct?

27 A. Yes, it was because of fear.

28 Q. Okay, we'll come to that in a second, your fear. You lied
29 about being called Sam Kolloh. You didn't tell them that was

1 your name, correct?

2 A. Yes.

3 Q. And, Mr Kolleh, you also lied to the people of Sierra Leone
4 when you testified before the Truth and Reconciliation

15:06:30 5 Commission. Isn't that true?

6 A. My name was changed.

7 Q. You again did not tell them that your name was Sam Kolleh.
8 Is that right?

9 A. No.

15:06:45 10 Q. You lied to them and said your name was Sam Koroma,
11 correct?

12 A. Yes.

13 Q. And, Mr Kolleh, you lied to the Prosecution and to the TRC
14 of Sierra Leone when you said you were not trained in Liberia.

15:07:05 15 That was a lie, correct?

16 A. Yes, but of fear.

17 Q. Mr Kolleh, your fear of letting people know, especially the
18 Prosecution, that the RUF was created in Liberia, that you an RUF
19 vanguard trained in Liberia, is that designed to protect

15:07:31 20 Charles Taylor?

21 A. No.

22 Q. Well, who does it protect?

23 A. I was protecting myself, not any other person.

24 Q. How do you protect yourself by saying that you were

15:07:45 25 captured in Liberia instead of saying you were captured in Sierra
26 Leone?

27 A. I was captured in Liberia.

28 MR MUNYARD: I think my learned friend's got that the wrong
29 way round. How do you protect yourself by saying you were

1 captured in Liberia, instead of Sierra Leone. It's the other way
2 round.

3 MR KOUMJIAN: Yes.

15:08:11

4 Q. Why did you lie and tell the Prosecution and the TRC that
5 you were captured in Sierra Leone when the truth was you were
6 captured by the NPFL in Liberia?

7 A. I was under fear.

8 Q. Of Charles Taylor and the NPFL and your former RUF
9 comrades?

15:08:25

10 A. Pardon me?

11 Q. Who were you afraid of, Charles Taylor, his associates and
12 your former RUF colleagues?

13 A. I was afraid of the Prosecution and the TRC.

15:08:45

14 Q. Mr Kollah, you admitted that you were in the RUF, correct,
15 although you lied about your name?

16 A. Yes, I was in the RUF.

17 Q. And you told that to the TRC, that you were in the RUF,
18 correct?

19 A. Yes.

15:09:01

20 Q. Why did you decide to lie and say, "I was in the RUF
21 because I was captured in Sierra Leone instead of saying I was in
22 the RUF because I was captured in Liberia by the NPFL"?

23 A. I told you earlier because of fear I have to change my
24 address.

15:09:16

25 Q. Okay. Why, sir, did you think it would put you at risk to
26 say it was the NPFL that captured you and not the RUF?

27 A. I told you earlier most of our officers were arrested, Issa
28 and Gbao, Morris Kallon in particular. So because of fear I have
29 to change my name.

1 PRESIDING JUDGE: Mr Koll eh, you were not asked about your
2 name. You are now addressing the issue of where you were
3 captured and who captured you. That is the issue that counsel is
4 asking you. Please ask the question again and let the witness
15:09:56 5 answer that question.

6 MR KOUMJIAN:

7 Q. Mr Koll eh, you told us - well, did you tell us the truth in
8 your testimony today?

9 A. Yes, yes.

15:10:07 10 Q. Monday, was some of it true anyway?

11 A. Yes.

12 Q. Was it true that you were captured by Arthur, an NPFL
13 officer?

14 A. Yes.

15:10:19 15 Q. And why was it that you went before the TRC and then later
16 when you spoke to the Prosecution you told them - you lied to
17 them and said you were captured in Sierra Leone and not in
18 Liberia?

19 A. I said because of fear.

15:10:44 20 Q. Fear that they would discover what you were really doing in
21 Sierra Leone at the time they talked to you in 2003?

22 A. Fear that I could be arrested too.

23 Q. Well, Mr Koll eh, explain that to us, because what's not
24 clear to us is why did you think you would be more likely to be
15:11:03 25 arrested if you were captured in Liberia by the NPFL than if you
26 - excuse me. Yes. If you told the truth that you were captured
27 in Liberia by the NPFL, why did you think that would put you more
28 at risk than lying and saying I was captured by the RUF and I was
29 an RUF officer?

1 A. I told you earlier, most of our friends were arrested by
2 the government and also the Prosecution of the Special Court
3 arrested most of our friends. So the fear was in me. I have to
4 change my name and my address.

15:11:46 5 Q. Well, Mr Kollah, right there that's a lie, isn't it? Most
6 of your friends were not arrested. Most of the RUF officers were
7 not arrested. You told us that - you said 183 RUF were in your
8 group. Most of them were not arrested, were they?

9 A. Most of them were arrested in Freetown.

15:12:13 10 Q. The Special Court - among the RUF arrested four people,
11 Foday Sankoh, Augustine Gbao, Morris Kallon and Issa Sesay.
12 That's all of your RUF comrades that were arrested, correct?

13 A. Yes, Nyan and others were also arrested. They were also in
14 jail.

15:12:38 15 Q. People were in jail because of the May 2000 incident at
16 Spur Road. People like Isaac Mongor were arrested in the May
17 2000 fighting regarding the peacekeepers and the killings at Spur
18 Road. Isn't that true?

19 A. No, that was not specified that way. All I know RUF
20 officers were hunted for.

15:13:02 21 Q. Mr Kollah, let's see if you'll tell the truth about
22 something. Isaac Mongor was arrested long before the Special
23 Court was created. Isn't that true?

24 A. I can't tell.

15:13:16 25 Q. He was arrested on 7 May 2000, just before the Spur Road
26 incident. You know that, don't you?

27 A. No.

28 Q. Well, Mr Kollah, let's give you a chance to tell the truth.
29 So, please, tell these judges about the crimes of the RUF that

1 you were aware of, having been with the RUF from the invasion all
2 the way to the end. Let's start with child soldiers. Tell us
3 about the RUF. Did they capture, train and recruit armed child
4 soldiers?

15:13:59 5 A. The RUF had SBU, Small Boys Unit.

6 Q. You had SBUs, correct?

7 A. Yes.

8 Q. And these were children ranging in age from about 10 years
9 old and up, correct?

15:14:18 10 A. Well, you could not judge the SBU by the age because the
11 African child is not actually judged by their age, sometime by
12 their appearance. You could look at their appearance to be small
13 age, he would be more in age. You may look at the height to be
14 small and he also will be small in age. So we only put them
15:14:38 15 together according to their heights, not by ages because we did
16 not know their ages.

17 Q. Mr Kollah, you know that there were children under the age
18 of 15 in the Small Boys Unit, correct?

19 A. Yes, we have 15, 16, I believe in between the numbers.

15:14:56 20 Q. Well then you're denying my question. The answer should be
21 no. My question is under 15. You had 10, 11, 12, 13, 14 year
22 olds, and even younger, in your Small Boys Unit, correct?

23 A. I can't tell their ages.

24 Q. You can't tell the difference. You've lived in West Africa
15:15:16 25 for your entire life and you can't tell the difference between a
26 10 year old and a 15 year old?

27 A. It's not easy unless the person tells you.

28 Q. Well, did you ever ask them their age?

29 A. No.

1 Q. Tell us about the killing of civilians by the RUF?

2 A. In what area particular because the war was in two
3 districts, Pujehun District and Kailahun District, please.

4 Q. I'm asking you about your knowledge. You've talked about
15:15:49 5 things that happened on the other side - that you said happened
6 on the other side of the country. Like you said the Freetown
7 invasion, you were in Kailahun. What do you know about killings
8 in Sierra Leone by the RUF?

9 A. I don't have particular knowledge of killing civilians in
15:16:15 10 the RUF, a particular place that an incident took place. I don't
11 have particular knowledge on that.

12 Q. Really? Okay, we'll come back to that. Now, Mr Witness,
13 what about diamonds. Did you tell us everything you know about
14 diamonds here in this Court or did you lie about it?

15:16:40 15 A. Everything I know or I knew about diamonds I told the
16 Court.

17 Q. And did you tell the Special Court Prosecutors everything
18 you knew about diamonds?

19 A. Yes, they were asking me and I answered them.

15:16:53 20 Q. Well, what did you tell them about diamonds?

21 A. They asked me how did I transport diamond from the RUF to
22 Charles Taylor and I said I have never carried diamond across
23 Liberia. I took diamonds from Foday Sankoh, by instruction, to
24 Issa Sesay to be taken to the riverbank, which is Moa River
15:17:16 25 between Sierra Leone and Guinea, to be handed over to Fayia Musa,
26 Deen-Jalloh and the late Philip Palmer.

27 Q. Well, you never told that to the Prosecutors for the
28 Special Court, did you?

29 A. I did. Maybe they did not copy it, but I did.

1 Q. Mr Witness, Mr Kolley, you've met with the Defence before
2 testifying, correct, and gone over your testimony?

3 A. Come again?

15:17:52

4 Q. I'm not asking you a trick question and there's nothing
5 improper in it. Did you meet with representatives of the
6 Defence, the lawyers or others, and talk about what you know
7 before you testified?

8 A. Yes.

15:18:09

9 Q. By the way, when was the first contact you had with the
10 Defence?

11 A. I think late 2008. I can't remember the main time. Late
12 2008 ending. October. I think October.

13 Q. Who was it that you first had contact with?

14 A. I first got in contact with Prince Taylor.

15:18:56

15 Q. And how did you get in contact with Prince Taylor?

16 A. I was called on the mobile phone. From campus I went and I
17 met him.

18 Q. Did he call you or did someone else set up your meeting?

19 A. I was called by one John Gray.

15:19:23

20 Q. Had you known John Gray before?

21 A. No.

22 Q. Do you know how he got your phone number?

23 A. I don't know.

24 Q. You knew, of course, Prince Taylor, correct?

15:19:32

25 A. Yes, I know Prince Taylor.

26 Q. Because you trained with him at Naama, correct?

27 A. That's not the Prince Taylor.

28 Q. No, it's a different person?

29 A. This time round, yes.

1 Q. The Prince Taylor that you trained with at Naama is another
2 one of those captured by the NPFL and then released by Foday
3 Sankoh to come to Naama, correct?

4 A. No, I'm not aware of his being captured somewhere.

15:20:02 5 Q. Augustine Gbao is another one of those captured by the
6 NPFL, released by Foday Sankoh and brought to Naama, correct?

7 A. No.

8 Q. Correct?

9 A. No.

15:20:12 10 Q. Who do you know that was captured and in jail and Foday
11 Sankoh obtained their release to come to Naama?

12 A. I don't know. I heard of arrest of Sierra Leonean but I
13 did not see them and I did not see anybody coming to say I came
14 from jail to come to train.

15:20:33 15 Q. You heard the NPFL was arresting Sierra Leoneans. Is that
16 right?

17 A. I heard of people being arrested.

18 Q. And you heard about them being killed --

19 A. No.

15:20:44 20 Q. -- by the NPFL. Is that right?

21 A. No.

22 Q. So you're saying - did you ever tell anybody that you heard
23 that these people, the NPFL arrested, the Sierra Leoneans, were
24 killed?

15:21:00 25 A. No.

26 Q. After you spoke to Prince Taylor did you do an interview
27 with him, or when you met him did you do an interview with him?

28 A. No, he did not take statement from me.

29 Q. What then transpired between you if he didn't take a

1 statement?

2 A. I met him at John Gray's office and then there where I
3 talked to John Gray and I spoke to Prince Taylor and then he
4 left. Sorry, I left to go back to school. That was the first
15:21:36 5 time I saw Prince Taylor and John Gray.

6 Q. But what did you talk about if they didn't interview you
7 about your involvement in the war?

8 A. I said the first day I was introduced to John Gray and
9 Prince Taylor, that was that and I left. It was another time I
15:21:54 10 came to talk to them, not on that day.

11 Q. So you went to John Gray's office, he said this is Prince
12 Taylor and then you said good-bye?

13 A. No, no, no, he introduced John Gray - no, Prince Taylor to
14 me, I saw him, I spoke to him too, and then after talking with
15:22:14 15 John Gray I left to go back on campus. That was all.

16 Q. Did he tell you Prince Taylor was an investigator for
17 Charles Taylor?

18 A. No, he only told me that, "This is Prince Taylor, he's an
19 investigator. I am the national investigator. So we have called
15:22:31 20 you to talk to you." And I said, "Tomorrow I will be here."

21 Q. Okay. Then when you came back the next day what happened?

22 A. I talked to them.

23 Q. What did you tell them, in general?

24 A. They asked me about my affairs with the RUF and then I
15:22:59 25 answer. I told them yes, I was part of the RUF.

26 Q. What name did you give them?

27 A. Pardon me?

28 Q. What name did you tell them? What did you tell them your
29 name was? Did you tell them your name, for example - I think the

1 record should reflect there's no answer.

2 PRESIDING JUDGE: Mr Kolley, can you please answer that
3 question. What name did you tell those investigators?

4 THE WITNESS: I'm thinking.

15:23:45 5 PRESIDING JUDGE: Why are you thinking?

6 THE WITNESS: I want to recall.

7 PRESIDING JUDGE: Please answer the question. We are not
8 taking all afternoon letting you think.

9 MR KOUMJIAN:

15:24:01 10 Q. If the answer is you don't know, you don't remember, that's
11 an answer. Is that your answer, you don't remember?

12 A. I don't remember, sir. I have forgotten.

13 PRESIDING JUDGE: What I would like to know at this stage
14 before you proceed, Mr Koumjian: Mr Witness, you said that

15:24:20 15 Prince Taylor called you on the phone.

16 THE WITNESS: Yes.

17 PRESIDING JUDGE: Was that your mobile phone?

18 THE WITNESS: Yes.

19 PRESIDING JUDGE: When he called you, what name did he call
15:24:32 20 you?

21 THE WITNESS: He called Sam Kolley and I answered.

22 PRESIDING JUDGE: So Prince Taylor knew that you were Sam
23 Kolley?

24 THE WITNESS: Yes, that's the name he called me on the
15:24:50 25 phone.

26 PRESIDING JUDGE: So when they were interviewing you later
27 what names were you using?

28 THE WITNESS: He did not interview me, he, Prince Taylor.

29 PRESIDING JUDGE: When you were talking to the other

1 person, Gray?

2 THE WITNESS: Yes, they asked me for my name, I said my
3 name is Sam Kolleh, and then I told them, I said but before I
4 used Sam Koroma because of fear, I used that name in Sierra Leone
15:25:18 5 because I was under the tension, so I have to change my name
6 there. I remember I said it.

7 MR KOUMJIAN:

8 Q. Mr Kolleh, are you telling us - when did this meeting
9 occur?

15:25:35 10 A. I don't remember the actual time.

11 Q. But what year did it occur?

12 A. I think 2008.

13 Q. Well, Mr Kolleh, just to help you, we received a witness
14 summary of your anticipated evidence in May of 2008. So did it
15:25:55 15 happen before May of 2008?

16 A. I said 2008, I can't remember the main time.

17 Q. Excuse me, May 2009. Thank you. Okay, it happened in May
18 2008. Sir, can you explain to us --

19 MR MUNYARD: I'm sorry, can Mr Koumjian make it clear.

15:26:17 20 MR KOUMJIAN:

21 Q. Thank you. We obtained a summary of your anticipated
22 testimony in May 2009. Sir, if you had told sometime in 2008 the
23 Defence that you had used the name Sam Koroma, you're saying that
24 you told them that in your very first interview. Is that
15:26:39 25 correct?

26 A. Yes.

27 Q. That's a lie, isn't it?

28 A. I told them also, I said because of fear the Prosecution
29 contacted me and I used that name.

1 Q. Because, sir, earlier this year the Defence gave us your
2 name. They also sent us correspondence asking for any statements
3 from you and the only name they gave us was Sam Kolleh and they
4 indicated no other name. So you're lying when you say you told
15:27:11 5 the Defence that you told them you used the name Sam Koroma.
6 Isn't that true?

7 A. I am saying to John Gray, I had told him that I used that
8 name before. My actual name with my ID card, I prove it to them,
9 I said I am Sam Kolleh.

15:27:30 10 Q. By the way, do you have an ID card with you right now?

11 A. Yes.

12 Q. Could I see it, if you don't mind? I promise I will return
13 everything to you, sir.

14 A. The first ID card is 1989. The second is 2010.

15:28:14 15 Q. Thank you and I don't know if counsel or the Bench wish to
16 look at it, but the ID card in 1989 is the name Sam F Kolleh,
17 freshman 1989. And there's another ID card that does not appear
18 to have a date?

19 A. It has a date.

15:28:32 20 Q. It does? I don't see a date?

21 A. There's a date there, sir.

22 Q. Thank you. 2009/2010, Sam F Kolleh, science junior. Sir,
23 were you afraid of admitting your name to the TRC because of
24 crimes you committed in Sierra Leone?

15:29:12 25 A. No.

26 Q. By the way, was it only to the TRC and the Prosecution that
27 you used this false name of Sam Koroma, or were you using it in
28 general at that time with people in Kailahun?

29 A. I was not using it before.

1 Q. You were not?

2 A. No.

3 Q. So everyone in Kailahun, you were using the name Sam
4 Kolléh?

15:29:44 5 A. Yes.

6 Q. Is that right?

7 A. Yes.

8 Q. Did you disarm in Sierra Leone?

9 A. Yes.

15:29:48 10 Q. Under what name? May the record reflect the witness hasn't
11 answered for 20 seconds. Are you thinking, sir?

12 PRESIDING JUDGE: Mr Kolléh, it's a pretty simple question.

13 Under what name did you disarm? You were the chief - you were
14 personally in charge of disarmament, were you not? Surely you

15:30:33 15 don't have to think long and hard about what name you used. What
16 name did you use when you were disarming?

17 THE WITNESS: I also used Sam Koroma when I was disarming.

18 MR KOUMJIAN:

19 Q. So you lied again during disarmament, correct?

15:30:52 20 A. To change my name, yes.

21 Q. And so when did you disarm, sir?

22 A. I disarmed 2000.

23 Q. So let me read before I lose it on the page?

24 A. 2001, sorry.

15:31:11 25 Q. Okay. The question I asked you just one page ago, it
26 began:

27 "Q. By the way, it was only to the TRC and the Prosecution
28 that you used this false name of Sam Koroma, or were you using it
29 in general at that time with people in Kailahun?"

1 A. I was not using it before."

2 So you lied in court just now because you had used it
3 before; you used it even in 2001 when you disarmed, correct?

15:31:48

4 A. No, no, if you say in general. I was referring to the war
5 in general. I did not use that name in general during the war.
6 I did not.

7 Q. So when I asked you that question and you said I was not
8 using that name before, do you think you were fulfilling your
9 oath to tell the truth?

15:32:04

10 A. Come again.

11 Q. Were you telling the whole truth when you said I was not
12 using that name before?

15:32:16

13 A. That was not the whole truth I was saying there. What I
14 was saying I did not use that name in the war throughout. I only
15 took that name, during certain period of time I used that name,
16 but no one you contact in Kailahun would tell you Sam Koroma.
17 They all would tell you Sam Kolleh. In fact many people used to
18 combine my name to call it.

15:32:34

19 Q. Sir, I'm a bit confused when listening to your testimony
20 the last Monday and today about just how important you were in
21 the RUF. Were you a senior commander of the RUF or not?

22 A. I was one of the senior commanders.

23 Q. So did you command troops?

24 A. No.

15:32:54

25 Q. Did you play a role in the important diamond trade of the
26 RUF?

27 A. Yes, by transporting.

28 Q. You're talking about the three packages you said you took
29 to the external delegation before the AFRC coup. I believe you

1 said it was 1996?

2 A. Yes, that was directly during the RUF and then with the
3 AFRC in 1997 I also play a part.

4 Q. You played a role in the diamond trade at that time?

15:33:28 5 A. Yes, in the - doing the mining we were around to guard, I
6 was present '97.

7 Q. Well, sir, there's a lot of people that can be present that
8 don't play a role. What role did you play in the mining and in
9 the diamond trade of the RUF. Let's take it - so we can

15:33:49 10 eliminate this issue with the external delegation. From the time
11 of the coup in May 1997 what role did you play in the diamond
12 trade of the RUF?

13 A. Before 1997 I was a transporter. I transported diamond on
14 three different occasions to Kailahun Town to Issa Sesay, to the
15:34:12 15 external delegation from Guinea.

16 PRESIDING JUDGE: Mr Kolleh, that is not the question you
17 were asked, please. You are taking us backwards. From the time
18 of the coup, 1997. Is that what you're speaking about?

19 THE WITNESS: He's specifically talk about that RUF. 1997
15:34:29 20 was not exactly the RUF. That's why I was trying to get the line
21 different. With the RUF in particular it was three different
22 times. But this time round '97 was the junta forces. I said I
23 knew, I was around in Tongo.

24 PRESIDING JUDGE: Mr Koumjian, does that answer your
15:34:49 25 question?

26 MR KOUMJIAN: No, I'll try again.

27 Q. Sir, you were around Tongo. Thousands of people were
28 around Tongo. There were civilians living there, there were
29 army, SLAs there, there were RUF there, correct?

1 A. Yes.

2 Q. What role did you play in the diamond trade in Tongo
3 Fields, let's start there, in 1997?

4 A. The role that I play was when the people was - they were
15:35:30 5 washing the gravel, that is to wash the dirt to find the diamond
6 I was around to make sure that the work go on properly, being
7 supervised by Mopeloh who was their chairman so that nobody don't
8 escape with any diamond, we stand by to guard them. That was the
9 role I played.

15:35:55 10 Q. Okay, thank you. That helps. So you were guarding
11 civilians?

12 A. Yes.

13 Q. Who were doing the mining, correct?

14 A. Yes.

15:36:02 15 Q. With a gun you were guarding them, correct?

16 A. Yes.

17 Q. And if they tried to escape with diamonds they would be
18 killed, correct?

19 A. No.

15:36:14 20 Q. No?

21 A. No.

22 Q. Sir, there was a famous incident in Tongo Fields during
23 that time where the SBUs opened fire on a group inside the pit
24 and killed many civilians. You know about that, correct?

15:36:29 25 A. Pardon me?

26 Q. A group of SBUs opened fire on the pit killing many of the
27 civilians there in Tongo Fields. You recall that, don't you?

28 A. No.

29 Q. There was another incident where the walls caved in and the

1 sand buried alive the civilians that were mining, correct?

2 A. Please repeat.

3 Q. There was another incident where the walls of the pit, the
4 sand, caved in, burying alive civilians who were mining, correct?

15:37:11 5 A. Yes, but not the group that were washing gravels.

6 Q. And, sir, those civilians were being forced to mine by the
7 RUF and the AFRC. Isn't that right?

8 A. Not the AFRC or the RUF. They had a chairman that

9 controlled them and they were not even in pit. It was an old

15:37:35 10 spot that the town council appointed or selected for Mopeleh to

11 operate. They were just transporting. They were in line. When

12 they take it in the buggy they pass it on to each other straight

13 to the water bank and they wash. It was not a digging. It was

14 an old spot selected by the town council. That washing was the

15:38:01 15 one that went on for almost one week plus and Tongo is a very big

16 field and other people were doing their own thing.

17 Q. I'm getting out of sequence but before I leave Tongo Field

18 let me just finish one little point. RUF took Tongo Field in

19 August 1997 in an attack led personally by Sam Bockarie, correct?

15:38:39 20 If you're not sure of the month, say your not sure of the month?

21 A. No, I'm not sure of the month.

22 Q. In 1997 Sam Bockarie personally led the attack where Tongo

23 Fields were taken, correct?

24 A. No, Tongo Field was not in any mission for Sam Bockarie to

15:38:58 25 attack. We moved from Kenema, Tongo Field to go and carry on

26 this operation where the civilian appointed somebody to spearhead

27 his group. It was not under attack.

28 Q. There were no Kamajors in Kenema District and in Tongo

29 Fields before mid-1997, is that what you're saying?

1 A. They were there but that fighting was between they and the
2 SLAs but they were pushed, they were at the outskirts of Tongo
3 Field at some distances but they were not in Tongo.

15:39:32 4 Q. Sir, you were the person manning the AA gun on that attack.
5 You were the one behind the big gun on the truck. Isn't that
6 right?

7 A. It's not a truck. It was a pick-up. I told you earlier I
8 was the advance for Mosquito.

9 Q. Thank you. You were in a pick-up manning the gun, correct?

15:39:48 10 A. I was with Mosquito and people operators were on the
11 weapon. I was with the weapon also but the operator was Chinese
12 Pepe and Cobra. That weapon was assigned with Mosquito as mobile
13 security weapon. It was not taken to Tongo on the attack.

14 Q. I want to go back to what I began with as to why you lied
15:40:14 15 to the TRC and the Prosecution, but particularly the TRC, about
16 being captured in Liberia rather than Sierra Leone. And I'd like
17 a document distributed. This is a document entitled "Briefing
18 document: Liberia's logs of war: Underpinning conflict." It's
19 from a web page Media Library, Global Witness. It indicates on
15:41:29 20 the first page a press release date 03/05/2002. The only section
21 that I'm interested in is on page 6 of 22, and that is the middle
22 paragraph, the third full paragraph.

23 Now, sir, just so we can put this in time, May 2002 was
24 after disarmament, correct? Disarmament was completed by January
15:42:34 25 2002, correct?

26 A. Yes.

27 Q. And this was before you testified in front of the TRC. You
28 testified in 2003, I believe, is that correct?

29 A. I can't remember the main date.

1 Q. You testified on 14 May 2003. Does that remind you of the
2 date you testified before the TRC, a year later than this
3 article?

4 A. Yes, I testified.

15:43:18 5 Q. Okay. Sir, I'm going to read to you this paragraph
6 sentence by sentence. It says:

7 "A Liberian by the name of Sam Kolleh."

8 You told us your name is Sam Kolleh and you're Liberian,
9 correct?

15:43:36 10 A. Yes.

11 Q. "A close associate of President Charles Taylor, is now in
12 Sierra Leone and has changed his - I believe it should be name,
13 it says same - "to Sam Koroma to appear Sierran Leonean."

14 First of all, Mr Witness, the name Sam Koroma would be a
15:44:00 15 typical Sierran Leonean name, correct, especially Sam Mustapha
16 Koroma?

17 A. Yes.

18 Q. And it would be a Mandingo name, wouldn't it?

19 A. Mende.

15:44:13 20 Q. Koroma? Isn't Koroma typically a Mandingo name?

21 A. I'm telling you Mende.

22 Q. Koroma is a Mende name?

23 A. Mandingo, Mende can use.

24 Q. So you're saying it's both Mandingo and Mende?

15:44:30 25 A. They can use both.

26 Q. And other tribes, Johnny Paul Koroma was another tribe.
27 Isn't that correct? Anyway.

28 "The DDR process did not mandate the return of RUF
29 communications equipment. He", meaning you, Mr Kolleh, "has

1 seized RUF communications equipment that was once operated in
2 Buedu, Koindu and Kailahun, including satellite communication
3 equipment. According to Global Witness Sources, he is in direct
4 communications with the Taylor government. He is residing in
15:45:16 5 Kailahun. Several people in the region expressed great concern
6 over his presence in Sierra Leone and his activities therein.
7 They believed him to be a threat to Sierra Leone."

8 Now, sir, the date that this is published in May 2003,
9 Charles Taylor is still President of Liberia, correct? May 2002,
15:45:45 10 excuse me. It's published in May 2002. Charles Taylor is
11 President of Liberia, correct?

12 A. Yes.

13 Q. How many trips did you take to Liberia after you entered
14 Sierra Leone in the invasion of Sierra Leone?

15:46:10 15 A. Yes, excuse me, excuse me, please.

16 Q. Please, go ahead.

17 A. The information I'm seeing on the paper, I have no idea on
18 that. What I know, I disarmed 52 communication set as the chief
19 security officer of the RUF to the then United Nations force
15:46:33 20 commander Daniel Opande. He called me personally in the presence
21 of Tom Sandy and Ben Canneh to congratulate me with the MI LOBs
22 Commander Adams was also present because he told me, "We heard a
23 lot about you that you are doing this, you are doing that, but we
24 monitor and it was not true so thank you." And I assure him if
15:47:01 25 he see or suspect anything, have me arrested. I assure him, I am
26 not aware of this information on this paper. Secondly, I did not
27 testify publicly with the TRC because once I was invited I
28 refused, a letter was addressed to me Senkolleh/Sam Koroma and I
29 was out of vexation, I have to walk there with the commander. We

1 attended the TRC, nobody ever mentioned my name going to Liberia,
2 keeping arms where, nothing, until Bishop Humper and one certain
3 Jalloh from Gambia, they were on the TRC and a Nigerian fellow
4 who later took me in a closed door meeting where a statement was
15:47:52 5 taken from me and he told me, "Your statement will never be heard
6 on the radio." I said I have no problem with that, but I know I
7 am not a criminal. I stay here with the chief and the citizens
8 of Kailahun Town. That's what I know of.

9 Q. Thank you. Thank you, Mr Kollah, for telling us about -
15:48:15 10 what I understand you to be saying is that you were very honest
11 with the United Nations and with the TRC. Just explain to us
12 then again why is it you gave them a false name?

13 A. Who the them?

14 Q. Well, let's start with the United Nations when you
15:48:34 15 disarmed. Why did you disarm under the name Sam Koroma?

16 A. The information earlier came that no sooner you people
17 disarm you all will be arrested by the United Nations and then
18 you will be locked up in jail. We previously received this
19 information, so others could try to change their identity,
15:48:56 20 especially for me, that's what was bringing on my mind. I should
21 have left ever since but Opande told me to stay in Kailahun and
22 make sure I disarm and I say, "Yes, sir".

23 Q. How many thousands of RUF disarmed?

24 A. It was over 5,000 in Kailahun and with arms it was over
15:49:17 25 3,000 plus.

26 Q. And four RUF were arrested by the Special Court. Is that
27 right?

28 A. Pardon me?

29 Q. The number of RUF arrested by the Special Court, and I'm

1 not talking about Sam Bockarie and his death, because you didn't
2 mention it so far, you didn't mention it in your testimony. The
3 four that were arrested, Foday Sankoh who already was in jail
4 because of the May 8th incident, Issa Sesay, Augustine Gbao and
15:49:51 5 Kallon, they were the only RUF arrested out of the thousands and
6 thousands that disarmed, correct?

7 A. A lot of people were arrested in Freetown. I can't tell
8 which one the Special Court arrested, which one the government
9 arrested. It was over 60 human beings in the jail in Freetown.

15:50:07 10 Q. Mr Kollah, what was it that you really were afraid of being
11 arrested for? Was it for being an agent of Charles Taylor? Was
12 it for your role in the Kailahun massacre? What was it that you
13 were afraid of being arrested for?

14 A. Because I was a senior officer. Not for Charles Taylor,
15:50:26 15 not for massacre. I did not massacre in Kailahun and nobody
16 could point at me. I was there 2006.

17 MR KOUMJIAN: Your Honour, could the document, and I'm only
18 interested in page 6, perhaps the cover, just to give the date,
19 the first page to give the date, be marked with an MFI.

15:50:58 20 PRESIDING JUDGE: The document entitled, "Briefing
21 document: Liberia's logs of war: Underpinning conflict." This
22 is a document from the website of Global Witness, it's the first
23 page and page 6, that is marked MFI-6.

24 MR KOUMJIAN: Now, there's another document that I'd like
15:51:37 25 to deal with now, and if I could borrow the Defence bundle rather
26 than passing out new copies to everyone, and that would be behind
27 tab 6, the interview dated 18 November 2003.

28 Q. First of all, sir, just take a look at the first page, and
29 this is the document that counsel was reading from, but I want

1 you to look at the first page at least and tell us, does this
2 remind you that you were interviewed on Tuesday 18 November 2003,
3 that in the room was Sam Koroma, the name you were using, Nancy
4 and Roni. Sir, do you remember two women being there, court
15:53:13 5 stenographers, typing your statement?

6 A. Yes, I saw people that I did not know.

7 Q. Well, were they women, these two women?

8 A. Yes, there were I think about three women, two or three.

9 Q. And they were typing your statement. Is that right?

15:53:39 10 A. They were typing, asking me, typing.

11 Q. I'm trying to find my note. One moment.

12 A. Excuse me, I have a photo for the MILOBs, the military
13 observer that time who was in charge of the disarmament.

14 Q. Okay, why don't you hold on to that for one moment. I'd
15:54:34 15 like to go to page - well, before I go to the page. Sir, you
16 said that this interview was focused on diamonds and
17 Charles Taylor, the RUF's relationship with diamonds and
18 Charles Taylor. Is that right?

19 A. Yes, that was the key point of the interview.

15:54:58 20 Q. Well, sir, you know I've searched and of course I can
21 always make a mistake and counsel can - I would welcome any
22 correction, but I searched electronically this document of 173
23 pages and Charles Taylor's name doesn't appear. The only
24 reference to a Taylor is Prince Taylor. You never were asked
15:55:22 25 about Charles Taylor in the entire 173 page interview. Isn't
26 that true?

27 A. They asked me question. I did not explain on my own. They
28 did not put it there and I did not read this when we got through.
29 They were asking me, when I said no, they would stop. They would

1 not write it if I didn't agree. Because I didn't agree they
2 didn't put it there and that's why the next day Chris came again
3 to the hotel begging me this wrong and I said I can't defend what
4 you are saying, because I did not agree that's why they did not
15:55:59 5 put it there.

6 Q. So they kept asking you about diamonds, you told them you
7 didn't know anything about diamonds, they kept asking you again.
8 Is that how it went?

9 A. I knew about diamonds but I did not take diamonds to Taylor
15:56:10 10 in Liberia. That they did not put it there. Instead they could
11 write what they wanted to write there.

12 Q. What did you tell them about diamonds when they asked you
13 so many times about diamonds?

14 A. I told them, I said Sankoh gave me diamonds to Issa to
15:56:25 15 Kailahun about three different times. And I told them before the
16 junta forces there were no mining of the RUF. '97 there was
17 mining. They said no, stop there. That was the time they sent
18 me back to the hotel to go and rest and then Chris Bomford came
19 to convince me to say once you were taking it from Sankoh and
15:56:55 20 people know you for that, just say you gave it to Taylor, that
21 would be the knife cut. I say I can't defend that statement.
22 That's why they did not bring me here to talk for them.

23 Q. Because, Mr Kolleh, this is a story you're making up here
24 today, just like you made up your name to the TRC and to the
15:57:18 25 Prosecution, isn't that true?

26 A. Come again?

27 Q. Your lying, isn't that true?

28 A. I'm not lying of what I'm telling you here.

29 Q. Sir, why don't you turn to page 157 of this transcript.

1 Now we see by the way at the end that the interview ended at 4.32
2 on page 173, so 16 pages before the end of this 173 page
3 transcript, on line 17, you were asked:

4 "Q. Okay, is there anything else I haven't asked you that
15:58:08 5 you would like to tell me?

6 A. Yes. Because when you people came the last time, you
7 tried to ask - your first question posed to me was
8 diamonds.

9 Q. Yes.

15:58:21 10 A. You forgot to ask me today."

11 So, Mr Kolleh, the investigators in this transcript all the
12 way up to page 157 hadn't even asked you about diamonds. You
13 brought it up. Isn't that the truth?

14 A. No.

15:58:46 15 Q. So the whole transcript's been altered and what you said in
16 here, although you agreed with what Mr Munyard read, now you're
17 saying that the things have been changed in the transcript. Is
18 that correct?

19 A. What I told them was not what they put there, lot of things
15:59:03 20 were changed and they did not even write some what they were
21 asking me because I did not agree to put it the way they wanted
22 me.

23 Q. There's another document in this binder just to give this
24 some context of that last comment by Mr Kolleh. Sir, let's look
15:59:33 25 at your first statement to the Prosecution behind tab 4. While
26 I'm doing that may the - perhaps I'll wait, I'll go through the
27 three statements and then mark them, MFI them in chronological
28 order. Now I'm into the first statement dated 9 September 2003.
29 We see, Mr Witness, this is an interview of Koroma, Sam Mustapha,

1 Sam Mustapha Koroma. Behind tab 4, the first page of the Defence
2 bundle. I'm not going to go through this word for word now, but
3 let me just go to the first line. It says:

4 "He was born in Konovulahun in the Pujehun District near
16:00:58 5 Blama town on 12 June 1968."

6 Everything in that line is a lie, correct?

7 A. I change it because of fear, yes.

8 Q. And let's go to page 3. The very first two sentences, the
9 top paragraph. What you told the investigators is:

10 "Diamond trade and procurement of arms and ammunition was
11 not disclosed in public. It was top military secret. Only top
12 commanders knew about these things."

13 Did you tell them that?

14 A. No.

15 Q. They made that up?

16 A. Not exactly like this. I was only asked question. I did
17 not sit to explain on my own.

18 Q. When they asked you if you knew about the diamond trade did
19 you tell them: Diamond trade and arms and ammunition was not
16:02:03 20 disclosed in public, it was top military secret?

21 A. I told them, I said diamonds and arm issue, I said these
22 are top secret. It was not ever exposed. No President can take
23 diamonds to show to the other people and say I'm going to do
24 this, I am going to do that. So diamonds is something portable.
16:02:25 25 You could hide it in your pocket. You could travel anywhere, you
26 cannot see it. So diamonds and arm business, it was not anything
27 that everybody could know of.

28 Q. Okay, so this statement, this sentence, is true: Diamond
29 trade and procurement of arms and ammunition was not disclosed in

1 public. It was top military secret. Those two sentences are
2 true, correct?

3 A. Yes.

4 Q. Did you know about where the RUF got its arms and
16:03:01 5 ammunition?

6 A. We got most of our ammunition from ambushes, especially -
7 especially Nomo Faiama in the Gola forest, it is there from all
8 jungles were created because we captured over 900-plus arms,
9 ammunitions were made with bridges for heavy-weapon truck to
16:03:20 10 pass. Sankoh himself led the jungle and then we got some from
11 ULIMO at the end of the day.

12 Q. Sir, you told us that just in Kailahun, I believe you said
13 3,000 armed men, just in Kailahun disarmed, correct?

14 A. Not exactly 3,000. I said 3,000 or so and then with 1,000
16:03:44 15 plus unarmed.

16 Q. And just like your enemies sometimes lost arms and
17 ammunition, the RUF sometimes lost arms and ammunition when you
18 were overrun by enemies, correct?

19 A. Pardon me.

16:03:57 20 Q. In a war both sides lose arms and ammunition when they
21 retreat suddenly, correct?

22 A. Yes.

23 Q. And corruption can occur in any army where people are
24 selling small amounts of arms and ammunition for their own
16:04:17 25 profit, correct?

26 A. Yes.

27 Q. And it happened in the RUF. Isn't that true?

28 A. For the RUF to sell, you mean?

29 Q. Yeah - yes. Some people in the RUF were corrupt and sold

1 ammuni ti on?

2 A. No.

3 Q. Because they would be killed? Why do you say - why do you
4 laugh?

16:04:44 5 A. You don't have, why must you sell? That's why I said no.

6 Q. I'm sorry you said you don't have what?

7 A. You don't have the ammuni ti on, why must you sell? That's
8 why I laugh.

9 Q. So the RUF had no ammuni ti on?

16:04:59 10 A. The RUF never had ammuni ti on. We used to fight and lay
11 ambushes. From ambushes we supply ourselves.

12 Q. Okay, thank you. Now when the RUF - you talked about the
13 big meeting where Akim, Johnny Paul Koroma, Issa Sesay, Sam
14 Bockarie, planned the big offensive and then Kono was taken,

16:05:23 15 Koidu Town, Issa moved down to Makeni and down to Waterloo. What
16 ammuni ti on was used for that?

17 A. What ammuni ti on like what?

18 Q. Okay, I thought you were in the RUF and fighting for 10
19 years and you would understand. I mean AK rounds, RPG rockets.

16:05:48 20 MR MUNYARD: I think we'll move forward a lot quicker if we
21 don't have comment, please.

22 MR KOUMJIAN:

23 Q. Sir, do you know what kind of ammuni ti on you need for an
24 offensive attack?

16:05:57 25 A. Yes. AK round and RPG rockets.

26 Q. And you also know about artillery. Is that right?

27 A. Yes.

28 Q. Sir, why were you named the artillery adviser? What was
29 your experience?

- 1 A. I was a senior officer who was assigned directly with
2 Mosquito when we were in Freetown, so when we retreated and
3 then - sorry, when they push off from Freetown he told me as a
4 senior officer you have to be with the guys to advise them on
16:06:28 5 that weapon because you are the senior officer, you have to be
6 there as my eye. That's why I was deployed there.
- 7 Q. Okay, you were a vanguard which makes you a senior officer?
8 A. Yes.
- 9 Q. And you had been the person in charge of that gun in back
16:06:43 10 of the pick-up truck that you told us about. Was it a 50
11 calibre, the AA gun?
12 A. Yes, 50 calibre in the pick-up.
- 13 Q. Now that was a weapon that was very useful in offensive
14 operations, correct?
16:06:59 15 A. Yes.
- 16 Q. So, what role did you play in battles when you had that
17 weapon? What battles did you participate in?
18 A. If we went on an attack I would be with the driver in the
19 car. I would be on the pick-up.
- 16:07:18 20 Q. Yes, thank you. Which attacks were you on?
21 A. If we went.
- 22 Q. You didn't go on any attack? Did you go on any attacks or
23 not?
24 A. Yes, we went on an attack from Freetown to Kenema, the CDF,
16:07:34 25 Kamajors, attacked us on the way and we made our way through to
26 Kenema.
- 27 Q. All right. And you also went down to Waterloo the time of
28 the January 1999 fighting and you were supporting the fighting
29 against the Guineans and the Nigerians at Waterloo and Hastings,

1 correct?

2 A. No. We were passing through when the RUF were called in
3 Freetown, the RUF and the ECOMOG forces - the RUF controlled by
4 Superman and the ECOMOG forces clashed at Mammy Yoko.

16:08:19 5 Q. Sir, I don't want to interrupt you but we're talking about
6 different years and I appreciate what you're saying, you're
7 talking about the 1997 after the coup that there was fighting
8 around Mammy Yoko, is that right?

9 A. Yes.

16:08:33 10 Q. I'm talking about January 1999.

11 A. No, no, no.

12 Q. Sir, I'm talking about January '99. That's the question
13 I'm asking you so concentrate on that?

14 A. No, sir.

16:08:44 15 Q. January 1999, you, with the heavy weapon that you
16 controlled, went down with Issa Sesay's forces and you
17 participated in the battles at Waterloo and Hastings fighting
18 ECOMOG, correct?

19 A. I did not go there, no, not correct.

16:09:03 20 Q. So basically everything you've told us about the Freetown
21 invasion, you were on the other side of the country. Is that
22 what you're saying?

23 A. Yes, I was in the Manowa area.

24 Q. Doing what?

16:09:17 25 A. The Freetown invasion I was at Manowa.

26 Q. Yes, sir, what was your - during this important time, very
27 heavy fighting, a senior officer of the RUF, in charge of
28 artillery as I understand it, what were you doing?

29 A. Myself was a wounded soldier so I also served as adviser at

1 Manowa to the 40-barrel missile that was there.

2 Q. So you were adviser to a weapon sitting by the side of the
3 river doing nothing, is that right?

4 A. Yes.

16:09:51 5 Q. Well, in your first statement you also said that diamonds
6 were top military secret, only top commanders know about that.
7 Did you consider yourself one of those top commanders that knows
8 about the diamond trade?

9 A. No, I was called, gave this parcel, carry to Issa as a
16:10:17 10 transporter. I earlier said it.

11 Q. By the way, how did you know that there were diamonds in
12 the parcel?

13 A. Sankoh would tell me these are diamonds, carry to Issa, to
14 Faya Musa, Deen-Jalloh and others, they have to take it to Ivory
16:10:30 15 Coast. That's how I knew.

16 Q. So Sankoh was giving diamonds to Issa Sesay in 1996, three
17 times at least, correct?

18 A. Not 1996, please.

19 Q. Okay, please correct me. What year?

16:10:42 20 A. 1994, 1995.

21 Q. Thank you. 1994 and 1995?

22 A. Yes. 1996 Sankoh was not present.

23 Q. So, sir, what I'd like to know, and you tell me if you
24 don't know the answer.

16:10:59 25 A. Okay, sir.

26 Q. You talked about mining, I think one thing we can agree on
27 is that in 1999, 2000, 2001, heavy mining was going on by the
28 RUF, correct?

29 A. Yes.

1 Q. Di amond mi ni ng?

2 A. Yes, i n Kono.

3 Q. And, si r, having spent a decade, more than a decade in
4 Si erra Leone, Si erra Leone's a ri ch country i n di amonds. I sn' t
16:11:26 5 that true?

6 A. Yes.

7 Q. I t's known for i ts di amonds, i ts di amond weal th, correct?

8 A. Come agai n?

9 Q. I t's known for i ts weal th i n di amonds?

16:11:37 10 A. Yes.

11 Q. What happened to all the di amonds mi ned by the RUF?

12 A. Well, di amonds mi ned i n 1999, don' t forget to know also
13 that the road was open, everybody was mi ni ng, the road was open
14 to Freetown. Di amonds mi ned there were taken to Sankoh i n
16:12:04 15 Freetown, during the raidi ng some were taken away.

16 Q. Si r, Sankoh di dn' t get to Freetown unti l October 1999,
17 correct? I f you don' t know you can say. I f you're not sure of
18 the date you can say so.

19 A. Di amonds mi ned - di amonds were kept by commanders, you have
16:12:28 20 to make salute report to your rebel leader. Whether he was not
21 i n Freetown at that moment, but when he went to Freetown you have
22 to make salute to him by Issa Sesay i n 1999 endi ng.

23 Q. Si r, I don' t want to ask you questi ons - force you to
24 answer questi ons you don' t know the answer to. I f you don' t know
16:12:46 25 the answer, just say so. I thi nk you've told us that you know
26 that the di amonds during thi s time period were taken to Issa
27 Sesay and you believe he took them to Sankoh before Sankoh was
28 arrested, correct?

29 A. During Issa regime.

1 Q. And after Sankoh was arrested do you know what Issa Sesay
2 did with the diamonds or you don't know?

3 A. Come again?

16:13:18

4 Q. Do you know what Issa Sesay did with the diamonds after
5 Sankoh was arrested May 8th 2000?

6 A. No.

7 Q. Did you see Issa Sesay spending millions of dollars for the
8 RUF, hundreds of millions, tens of millions of dollars for the
9 RUF?

16:13:36

10 A. No, what happened, what I know happened to Issa was he
11 wanted to play money doubling and somebody fooled him, that's how
12 all the money went. Somebody escaped for the money from him. It
13 was engineered by Gibril Massaquoi. That incident happened in
14 Issa's case in Makeni. The money he have for the RUF, that's
15 what happened to him and that's how the RUF went down.

16:13:57

16 Q. Mr Kolleh, let's go back to the beginning and I'll try to
17 be a little more chronological in my questions, okay?

18 A. Yes.

16:14:18

19 Q. You were going to the University of Liberia in 1989. Is
20 that right?

21 A. Yes.

22 Q. In fact, you knew Mike Lamin at that university, correct?

23 A. Yes.

16:14:29

24 Q. Who later was in the NPFL and then came to Naama to train
25 you, correct?

26 A. Please repeat.

27 Q. Mike Lamin, first of all, was one of the trainers at Naama,
28 correct?

29 A. Yes.

1 Q. He was a trainer because he was an experienced soldier, he
2 had been in for, a short time, the NPFL, correct?

3 A. I can't tell. I only saw Mike Lamin on base and he called
4 me Sam, I said yes, he said okay, thank God. I saw him on the
16:14:56 5 base. I did not see him as old fighter.

6 Q. Now, you said some other parts of your testimony that I
7 need some clarification. I don't understand. You said you left
8 Monrovia and the university to look for food in Gbarnga. Is that
9 what your testimony is?

16:15:14 10 A. Yes, the university was erupted by the war and then I fled.
11 So I went to my own area --

12 Q. Continue, please. Sorry. Please continue.

13 A. I went to my own area. In the area while travelling to go
14 in search of food I was intercepted.

16:15:36 15 Q. Okay, thank you. You said my own area, so let me just get
16 some basic facts from you. Where were you born in Liberia?

17 A. I was born in Gbarnga area.

18 Q. What is your tribe?

19 A. I am Kpelle by tribe.

16:15:55 20 Q. And what is your date of birth?

21 A. I was born in September 1972.

22 Q. September what 1972?

23 A. Nine.

24 Q. Now, sir, what languages, first of all, did you speak in
16:16:16 25 1989, because sometimes people learn languages later. In 1989
26 what languages did you speak?

27 A. I speak Kpelle, I speak English.

28 Q. Okay. So you spoke Kpelle and English?

29 A. Yes.

1 Q. After years in Sierra Leone did you learn some other
2 languages or bits of other languages?

3 A. I speak the Mende. I understand the Krio. I understand
4 partly the Vai.

16:16:54 5 Q. In 1989 and, sir, I'm going to ask you some questions about
6 your family. If that is something you don't want to say publicly
7 we'll go into private session. First of all, were you married in
8 1989?

9 A. No.

16:17:13 10 Q. Where did your parents live? First of all, were they
11 alive?

12 A. No, my father died just prior to the war.

13 Q. Before the war in Liberia or the war in Sierra Leone?

14 A. Liberia.

16:17:25 15 Q. And you mentioned, I believe, a stepfather. When you say
16 your father died, are you talking about your father or your step
17 father?

18 A. No, somebody who later took my mother. My stepfather.

19 Q. So your stepfather is the one who raised you but he died
16:17:44 20 before the war?

21 A. My father died before the war. My stepfather took me.

22 Q. So your stepfather was someone that you had - your mother
23 had only married a few years before the war?

24 A. Yes.

16:17:56 25 Q. Where were your mother and stepfather living?

26 A. We were in Monrovia.

27 Q. Did you go to Gbarnga to join the NPFL?

28 A. I did not directly go to join fighting force. I told you I
29 went - I travelled there because there was no more schooling, so

1 I went there.

2 Q. And you told us that Arthur captured you. Correct?

3 A. Yes.

4 Q. He's a Mano, correct? From Nimba County?

16:18:31 5 A. Arthur, Gio. Not Mano.

6 Q. Gio? He's a Special Forces, correct?

7 A. No.

8 Q. No?

9 A. Not Special Forces. Just somebody who was also sent on the
16:18:43 10 food finding. They were on the patrol and they intercepted us.

11 Q. Okay. You said you were with him for a month or two. You
12 mean you were with the NPFL for a month or two, correct?

13 A. I was with him for a month or two.

14 Q. Doing what?

16:19:00 15 A. I was with him. I was a civilian. I was now with him. He
16 captured me and I can say. I was with him. Around him and where
17 I could get food to eat. Staying with him.

18 Q. Well, what good did it do him to capture you and have to
19 feed you? What were you doing for him?

16:19:20 20 A. They sent us wash their clothes, they sent us to go and
21 find food while I was now with him and then they were on the
22 weapon and - artillery weapon.

23 Q. Who was Arthur's commander?

24 A. I can't tell who was his commander.

16:19:41 25 Q. Where was the base? Was it right in Gbarnga?

26 A. No.

27 Q. Where was it?

28 A. Naama.

29 Q. Can you spell that? At Camp Naama?

1 A. Camp Naama.

2 Q. And you said something about artillery. Can you explain
3 what you said about artillery weapons. They were on the weapon,
4 you said?

16:20:07 5 A. Yes, I said he was assigned on a weapon.

6 Q. Ask is that how you first learnt about artillery?

7 A. No, he was afraid. He told me I had to be a soldier before
8 I can be closer to the weapon.

9 Q. So he was an NPF officer and there was an NPFL artillery
16:20:24 10 base camp at Naama, correct?

11 A. Yes.

12 Q. Now, after the month or two what happened that you got into
13 the RUF group?

14 A. He told me to go and train so that I can be with him or
16:20:42 15 else once I am a civilian his life would be at risk, so I have to
16 go on the base to go and train.

17 Q. Well, Camp Naama had a base for training NPFL. Part of it
18 was NPFL base, correct?

19 A. It was not a training base. We met soldiers there who were
16:21:11 20 almost like where you had reserve fighters. Some were where you
21 had the weapon also with them.

22 Q. So explain what happened and what he said to you when he
23 took you to - who was the first RUF you were introduced to? Let
24 me just ask you, sir, explain slowly in your own words how do you
16:21:37 25 get from Arthur at the NPFL artillery base to be with the RUF?

26 A. People were training an area called Crab Hole.

27 Q. Okay, but what happened? Arthur walked with you to Crab
28 Hole?

29 A. Yes, there's where he sent me to go and train before I can

1 be with him on the weapon.

2 Q. And did he say why he was taking you there?

3 A. To go and train, to be a fighter.

4 Q. So you were sent to the RUF to train by an NPFL soldier,

16:22:21 5 correct?

6 A. He did not send me directly to RUF to train as NPFL. It

7 was later I got to know that that was RUF.

8 Q. Well, he sent you to Crab Hole?

9 A. Yes.

16:22:33 10 Q. An NPFL officer said, "I want you to be trained" and he

11 took you to Crab Hole where he knew there was training going on,

12 correct?

13 A. This man was not an officer. He was just assigned on the

14 weapon just like a private or corporal on the weapon. That's why

16:22:49 15 he advised I should go and train.

16 Q. Sir, you are not answering my question [overlapping

17 speakers] --

18 A. [Overlapping speakers].

19 Q. I think I know why but let me repeat the --

16:22:56 20 A. I understand what you said.

21 Q. [Overlapping speakers]. I apologise, sir. Complete your

22 answer. Go ahead. Are you finished? My mistake.

23 A. He was not an officer.

24 Q. An NPFL soldier?

16:23:11 25 A. Thank you.

26 Q. Said he wanted you to be trained and he took you to Crab

27 Hole where he knew there was training going on. Is that correct?

28 A. Yes.

29 Q. Okay. Now, at - there was a figure you gave at one time

1 about 183 in your group and it wasn't clear to me. Are you
2 talking about the group that went to Pujehun or are you talking
3 about the group in Naama that trained?

4 A. The group that went to Pujehun District.

16:23:46 5 Q. Okay. In Naama there were about 300 people training. Is
6 that right?

7 A. Yes.

8 Q. And you've mentioned some of the trainers. One of them was
9 Isaac Mongor, isn't that true?

16:24:03 10 A. Isaac Mongor was in first platoon. He was not a - he was
11 somebody who would run in the morning to sing, but he was not a
12 training officer. He was just somebody once you were active on
13 the base sometimes you have to jog in the morning with the people
14 you sing, he was known for singing really.

16:24:25 15 Q. That's called PT training. Physical training, yes?

16 A. Yes, exercise.

17 Q. Now, another witness for the Defence said that Isaac Mongor
18 would teach the recruits about using terror tactics, about how
19 you should go into a village and kill some people so the rest of
16:24:47 20 them would obey you. That's true, isn't it? Isaac Mongor was
21 teaching that at the base, correct? Issa Sesay said that. Isn't
22 that true?

23 A. No, I'm not aware of that. Isaac Mongor was in the first
24 platoon. We all jog in the morning, we all come back. Though he
16:25:07 25 was active and he was a good singer. I was in the third platoon.

26 Q. Sorry, did you say he was a good singer?

27 A. He was a good singer. He's a Bassa by tribe. He's a good
28 singer.

29 Q. Singing songs?

1 A. Songs that people would be singing while jogging.

2 Q. Okay.

3 MR MUNYARD: While there's a pause, can I just ask for a
4 reference, please, for the Defence witness who Mr Koumjian says
16:25:37 5 Isaac Mongor talked about using terror tactics. It needn't be
6 right now, it can be at the end of the day because we're almost
7 there. And I take it Bassa singers are bass singers.

8 MR KOUMJIAN: No, I like the pun. We'll look for it. Issa
9 Sesay, as I recall, testified to that.

16:26:04 10 Q. Sir, what other Liberians were there training you besides
11 Isaac Mongor?

12 A. I saw one Gonkanu.

13 Q. Okay. Does Gonkanu, do you know his real name?

14 A. No, he was not actually stable with us. He only - he live
16:26:25 15 at Naama - Camp Naama base. So he usually come in the morning,
16 we jog, then from there he go back by his business. So I did not
17 actually know his full name, we only knew him to be Gonkanu.

18 Q. Well, there also has been some testimony about some
19 other --

16:26:45 20 PRESIDING JUDGE: Sorry, Mr Koumjian. Mr Witness, did you
21 say this Gonkanu would come and join you from Camp Naama base and
22 come and join you for jogging in the morning?

23 THE WITNESS: Yes, he come around. He came willingly,
24 volunteer to come and be helping to be teaching us. So he come,
16:27:03 25 after we jog and we go back and in our buildings and he --

26 PRESIDING JUDGE: Where would he come?

27 THE WITNESS: In Crab Hole.

28 PRESIDING JUDGE: He would move from Camp Naama and come to
29 Crab Hole?

1 THE WITNESS: That's the barrack I'm talking about. The
2 barrack is the barrack. The town is different from the barrack.
3 The town is a little bit off the barrack.

4 PRESIDING JUDGE: What I'm asking you is where was he
16:27:29 5 coming from in order to join you?

6 THE WITNESS: He was living in the same barrack but a
7 little distance from us.

8 PRESIDING JUDGE: Camp Naama was the NPFL barracks,
9 correct?

16:27:39 10 THE WITNESS: Yes. It's an old military barrack of
11 Liberia.

12 PRESIDING JUDGE: And this man Gonkanu would come regularly
13 to join you for jogging?

14 THE WITNESS: At time.

16:27:54 15 MR KOUMJIAN:

16 Q. What you said on Monday at page 48372 line 13 about Gonkanu
17 - you said he was a volunteer and I believe it was the Presiding
18 Judge asked you what you meant and you said, "We knew him from
19 around the same Naama, that's what I mean by volunteering, that I
16:28:14 20 saw him." Mr Witness, can you explain what you mean by that?

21 First of all you said, "We knew him from around the same Naama."
22 You had seen him at the NPFL base, is that correct?

23 A. He was staying in the barrack with us there. The barrack -
24 the Crab Hole is just in the same barrack but it's a little bit
16:28:37 25 down, you have to go down a slope. If you climb up, that's the
26 barrack, the same barrack. The Crab Hole, it's just a section of
27 the barrack called the Crab Hole.

28 Q. So Crab Hole's just a section of the NPFL base, correct?

29 A. It's a section of the army barrack.

1 Q. Thank you. And then you said that he was volunteering
2 because you saw him around there?

3 A. Yes.

4 Q. Now the other trainers, apparently you don't think that
16:29:04 5 they were volunteers. Were they being paid, the other trainers?

6 A. No, nobody was paid.

7 Q. Well, what was different between Gonkanu and the other
8 trainers that you say Gonkanu was a volunteer?

9 A. He was not directly with us living together. That's what
16:29:25 10 I'm saying. Like for Mike Lamin, Rashid and Mohamed, we all were
11 staying together. So we would only see Gonkanu come and go is
12 what I'm saying.

13 Q. There was another Liberian trainer there, PI, correct?

14 A. Yes, but he was RUF, we all were staying together.

16:29:59 15 Q. What do you mean PI was RUF?

16 A. He was - once we were staying together doing everything
17 together you were fully part of us who were undergoing training.
18 But you who come and go, you were not part of us. That's how I
19 look at it.

16:30:19 20 Q. Mr Witness, let me give you, while we have the time, or
21 maybe we don't. Give counsel the reference. I was going to read
22 the testimony, but I can do it tomorrow.

23 PRESIDING JUDGE: Yes, indeed, we can start with that
24 tomorrow.

16:30:33 25 Mr Witness, we've come to the end of today's proceedings.
26 We'll continue tomorrow and as usual I'm going to caution you not
27 to discuss your evidence with anyone. The Court is adjourned to
28 tomorrow at 9 o'clock.

29 THE WITNESS: Thank you, ma'am.

1 [Whereupon the hearing adjourned at 4.31 p.m.
2 to be reconvened on Thursday, 4 November 2010
3 at 9.00 a.m.]
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I N D E X

WITNESSES FOR THE DEFENCE:

DCT-102	48526
EXAMINATION-IN-CHIEF BY MR MUNYARD	48526
CROSS-EXAMINATION BY MR KOUMJIAN	48625