



Case No. SCSL-2003-01-T

THE PROSECUTOR OF
THE SPECIAL COURT
V.
CHARLES GHANKAY TAYLOR

WEDNESDAY, 2 APRIL 2008
9.30 A.M.
TRIAL

TRIAL CHAMBER II

Before the Judges:

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

For Chambers:

Mr Simon Meisenberg
Ms Sidney Thompson

For the Registry:

Ms Rachel Irura

For the Prosecution:

Ms Brenda J Hollis
Mr Mohamed A Bangura
Mr Alain Werner
Ms Maja Dimitrova

For the accused Charles Ghankay Taylor:

Mr Terry Munyard
Mr Morris Anyah

1 Wednesday, 2 April 2008

2 [Open session]

3 [The accused present]

4 [Upon commencing at 9.30 a.m.]

09:30:43 5 PRESIDING JUDGE: Good morning. I notice some changes of
6 appearance on the Prosecution Bar.

7 MR KOUMJIAN: Good morning, your Honours. For the
8 Prosecution: Brenda J Hollis, Alain Werner, Maja Dimitrova and
9 Nicholas Koumjian.

09:31:01 10 PRESIDING JUDGE: Did I notice Mr Bangura in court as well?

11 MR KOUMJIAN: Apparently you did, but I didn't. Mohamed A
12 Bangura for the Prosecution.

13 PRESIDING JUDGE: Thank you. Mr Munyard?

14 MR MUNYARD: Good morning, your Honours. Good morning
09:31:20 15 counsel opposite. We are the same as yesterday: Myself, Terry
16 Munyard, and Morris Anyah for the Defence.

17 PRESIDING JUDGE: Thank you, Mr Munyard. I'm the one with
18 the defect in my machine this morning. We must be taking it in
19 turns. In any event, unless there are some preliminary matters I
09:31:46 20 will remind the witness of his oath and we will proceed with
21 the --

22 MR MUNYARD: Madam President, there's one preliminary
23 matter that I should probably raise now because I might otherwise
24 let it slip. I suggested a couple of days ago now, I think on
09:32:04 25 Monday, that the Court had heard from a witness who said that the
26 civil courts in Sierra Leone were functioning quite well under
27 President Kabbah post the restoration of his government.

28 PRESIDING JUDGE: I do recall that and I did some research
29 on it.

1 MR MUNYARD: Well, I did what research I could because I
2 couldn't find an official transcript of his evidence for reasons
3 that will be obvious. I'm sure one exists on paper, but I didn't
4 have one electronically and so I relied on the unofficial record
09:32:48 5 of the evidence of 19 February and it is contained in there at -
6 I can't give you a line because the unofficial transcript doesn't
7 have a line, but I hope I can fairly summarise it by saying that
8 that particular witness says that he himself was involved in
9 monitoring the functioning of the civil courts and that such
09:33:09 10 shortcomings as there were were promptly addressed by the
11 government's representative, who I think was the Attorney
12 General, and that he was generally, and I'm summarising now, that
13 he was generally impressed with the way in which the civil courts
14 were working in 1998.

09:33:30 15 PRESIDING JUDGE: I will invite Mr Koumjian to reply
16 because it was Mr Koumjian who raised the initial remarks when
17 you put that to the witness. I have the transcript that I found,
18 but I do not have it to hand. I will not be able to get it until
19 the break, but my reading of it did not conform exactly with what
09:33:57 20 you are saying. However, I will invite Mr Koumjian to reply
21 before I make any - Mr Koumjian, you may recall the question that
22 led to this particular exchange.

23 MR KOUMJIAN: Yes and although, your Honours, I did read
24 that transcript - I wasn't in court, but I believe I have
09:34:14 25 reviewed that transcript a long time ago - I wouldn't be able to
26 comment on the - I don't actually recall that remark and I would
27 have to review the transcript to comment upon the context in
28 which the witness was speaking and I can probably do that during
29 the course of the day. I will just have it sent to me

1 electronically.

2 PRESIDING JUDGE: We'll stand the matter down until after
3 the break if that's convenient.

4 MR MUNYARD: Yes, I wasn't seeking to deal with it now. I
09:34:40 5 just wanted to raise it and to give you a date and that's the
6 date that I found.

7 PRESIDING JUDGE: Please let me have it again. 19
8 February?

9 MR MUNYARD: 19 February.

09:34:51 10 PRESIDING JUDGE: I will check if it conforms to the one I
11 found.

12 MR MUNYARD: I have to say I haven't yet got hold of the
13 official transcript, but I have on a memory stick the unofficial
14 version of that.

09:35:03 15 PRESIDING JUDGE: Thank you, Mr Munyard. If there's no
16 other matters I will remind the witness of his oath.

17 MR MUNYARD: Thank you.

18 WITNESS: TF1-532 [On former oath]

19 CROSS-EXAMINATION BY MR MUNYARD [Cont.]:

09:35:10 20 PRESIDING JUDGE: Mr Witness, you will recall that you took
21 the oath again on Monday. That oath and that promise to tell the
22 truth is still binding on you. You must answer questions
23 truthfully. Do you understand?

24 THE WITNESS: Yes, my Lord.

09:35:26 25 PRESIDING JUDGE: Please proceed with cross-examination.

26 MR MUNYARD: Thank you, your Honour:

27 Q. Mr Mongor, yesterday when I was asking you questions just
28 before the break I asked you, "Are you saying that you
29 communicated directly with Mr Taylor when you were in the

1 field?", and you replied, "Yes, I spoke. I communicated with him
2 myself. I did it once and at that time I was battle group
3 commander." I asked you, "And was that while you were in the
4 field?", and you said, "Yes, the time I was acting battle group
09:36:17 5 commander." At that point, when I was trying to get you to give
6 a more specific time - at that point we ran out of tape, the
7 court day ended. Are you able to tell us when it was, roughly
8 speaking, that you communicated with Mr Taylor when you were in
9 the field?

09:36:46 10 A. Yes, I have told you that I can't give you any specific
11 date or time here now, but the only thing that I can recall is
12 that at the time I was battle group commander, in that particular
13 year, and that is 1992 that I have spoken about.

14 Q. Could you have a look, please, at tab 1 and Madam Court
09:37:22 15 Officer will show you that. I'm looking at page 23022. Do you
16 have that in front of you? Have you got that, Mr Mongor?

17 A. Yes, my Lord.

18 Q. We are looking at the third date on which you were
19 interviewed. Do you see a third of the way down the page
09:38:45 20 continuation at 1430 hours, 2.30 in the afternoon, on 4 September
21 2006. Together with an interpreter you were interviewed and it
22 reads there, "Mongor never communicated directly with
23 Charles Taylor while in the field." Do you see that? Do you see
24 that?

09:39:31 25 A. Yes, I have seen it.

26 Q. That's what you told the interviewers in September of 2006.
27 Why are you telling us something different?

28 A. Well, I cannot come here to lie about something that I did.
29 That was something that happened.

1 Q. Why did you tell the investigators, on the third occasion
2 that you were interviewed, that you never communicated directly
3 with Charles Taylor while you were in the field unless that was
4 actually the truth?

09:40:23 5 A. Well, I think this is exactly what I was trying to say.
6 Maybe some of these things have to do with language barrier, they
7 might have brought about the mistakes. That was something that I
8 did and something I did, you cannot expect me to come here to say
9 it never happened. This was something that happened. That was
09:40:55 10 why when I came here I said it happened.

11 Q. Mr Mongor, you can't wriggle out of this one on the basis
12 of language barrier. You had an interpreter present, as is plain
13 from what I just read in the two lines above the passage we're
14 looking at.

09:41:13 15 MR KOUMJIAN: Your Honour, that's not a question. That's
16 an argument regarding the witness's evidence.

17 MR MUNYARD: All right:

18 Q. Are you trying to wriggle out of this by claiming that it
19 was a language problem?

09:41:29 20 A. I said that was not what I said. What I am saying here is
21 exactly what I did. That is why I'm saying this.

22 Q. What you just told us is maybe some of these things have to
23 do with a language barrier that might have brought about the
24 mistakes. You had an interpreter on that occasion, so there was
09:41:58 25 no question of a language barrier, was there?

26 A. Yes, there was an interpreter, I agree with that, but I
27 want you to understand that when I am talking I have a Liberian
28 accent so it's not everybody that will understand the way I
29 speak, so maybe some of those mistakes came about as a result of

1 that.

2 Q. You also speak English, don't you?

3 A. Yes, I speak English also.

4 Q. When the investigator, Mr Kolot, asked you the question, he
09:42:47 5 will have asked it in English before Mr Keifala translated it,
6 won't he?

7 A. Yes.

8 Q. If the question was, "Did you ever communicate directly
9 with Charles Taylor while you were in the field?", you would have
09:43:05 10 understood that in English before it was ever translated,
11 wouldn't you?

12 A. You mean that is what was supposed to happen?

13 Q. I'm suggesting that you didn't need a translator to
14 understand the question when it was asked in English. Do you
09:43:27 15 agree?

16 A. Well, I would need an interpreter because although I speak
17 English, but I do not speak it well, so I needed an interpreter.

18 Q. Do you need an interpreter to understand the question in
19 English as follows: Did you ever communicate directly with
09:43:56 20 Charles Taylor while you were in the field?

21 A. Yes, I would need an interpreter when I'm asked because the
22 field and battle group commander positions are two different
23 things.

24 Q. That is a lie, isn't it? You wouldn't need an interpreter
09:44:28 25 to understand that question when it was asked in English.

26 A. Okay, but I know that I would need an interpreter.

27 Q. There was no mention of battle group commander in that
28 question that I put to you.

29 A. They did not talk about battle group commander.

1 Q. So let's go back to the question. Would you need an
2 interpreter to understand the simple English question: Did you
3 ever communicate directly with Charles Taylor while you were in
4 the field?

09:45:13 5 A. Yes, I would need an interpreter.

6 Q. And so what about the occasions when you were interviewed
7 entirely in English, because we'll have a look at some of those,
8 Mr Mongor. Did you not say to the interviews, "I can't possibly
9 cope with this interview, or these interviews, because I've not
10 got an interpreter here"?

11 A. Yes, under some circumstances I said it.

12 Q. Right and so we can expect the notes to include a reference
13 to the fact that you couldn't understand what you were being
14 asked, is that right?

09:46:16 15 A. Well, I would have understood if the man was doing the
16 interview to my level, but if it was the situation that I would
17 not understand, I would have said it again.

18 Q. What is above your level in the simple question: Did you
19 ever communicate directly with Charles Taylor while you were in
09:46:37 20 the field? What's above your level of understanding in that
21 question?

22 A. There is nothing there, but as long as that is the
23 procedure, to have an interpreter, in which case if the
24 investigator was there and that I needed an interpreter, in any
09:47:24 25 case I wouldn't have denied that because I had told you that I
26 don't understand all the English very well, so if there was an
27 interpreter I was not going to object to that.

28 Q. You had the double advantage at that interview of being
29 asked questions in English which you could probably understand

1 and their then being translated into your English, didn't you?

2 A. Yes.

3 Q. So you can have been in absolutely no doubt what you were
4 being asked about on that occasion because you understood it in
09:48:15 5 English and if there was any doubt it was translated in any
6 event. So it is a lie, is it not, Mr Mongor, to say that that
7 answer has been recorded incorrectly because of language
8 difficulties?

9 A. I am not lying.

09:48:40 10 Q. If you turn back two pages to page 23020, you were
11 interviewed the day before. Do you see that? Have you got page
12 23020 in front of you? The page numbers are at the top
13 right-hand side in large numbers --

14 A. Okay, okay.

09:49:16 15 Q. I'm not reading out the three zeros at the front, I'm just
16 reading the actual numerals. Now, about four lines down from the
17 top we can see that you were interviewed on 3 September and
18 there's no reference there to an interpreter being present, nor
19 is there any note in that interview to suggest that you didn't
09:49:44 20 understand, or you were asking for an interpreter, is there?

21 A. No, there was no interpreter at all.

22 Q. I've already suggested to you that, looking at the records
23 of the different days that you were interviewed, out of 24
24 different dates there was an interpreter recorded as having been
09:50:13 25 present on only five of those dates. You coped perfectly well
26 being interviewed in English, didn't you?

27 A. Yes, I was coping. I was coping.

28 Q. Well, then go back to 23022, the answer that has been
29 recorded there, and tell us is that what you told the

1 investigators on that day: That you never communicated directly
2 with Charles Taylor while in the field? Is that correct? Is
3 that what you told them?

09:51:27

4 A. I said I communicated with Mr Taylor at the time I was in
5 the field.

6 Q. So they have recorded that wrongly, is that what you're
7 saying?

8 A. It is not correct.

09:51:44

9 Q. Are you saying they have recorded wrongly what you told
10 them?

11 A. That was what I said.

12 Q. Right. When it was read back to you, it's the very first
13 thing that's recorded in that interview, why didn't you say to
14 them, "No, that's not right, I did communicate with him"?

09:52:07

15 MR KOU MJIAN: It assumes a fact not in evidence that it
16 wasn't corrected and that's not correct.

17 MR MUNYARD: I'm trying to apply principles of logic here.
18 If it was corrected then it wouldn't read as it does read - I'm
19 sorry.

09:52:29

20 PRESIDING JUDGE: I'm just trying to clarify. Are you
21 saying that - Mr Koumjian, which fact are you objecting to? The
22 fact that it was read back, that it may not have been read back,
23 or the fact that it wasn't corrected if it was read back?

09:52:47

24 MR KOU MJIAN: That it wasn't corrected. I'm saying that
25 there's an implication that the witness has not corrected that
26 statement which is not correct, and in fact the evidence that's
27 been provided in the materials in fact given to the Court by the
28 Defence - I could point to it, but perhaps it's better for me to
29 do that myself in redirect - shows that that's not true. But I

1 am saying that perhaps the other thing which we're just presuming
2 that is not shown is that before each of these reports is
3 submitted it's read back as written and I don't think the witness
4 has said that.

09:53:19 5 MR MUNYARD: He has, with great respect. That was the
6 ground work that I laid on Monday.

7 PRESIDING JUDGE: It is referred to in - there's future -
8 there's following records of interview that refer to documents
9 being checked.

09:53:35 10 MR KOUMJIAN: At a later time, correct. My point is
11 there's no evidence that before a document is written that what's
12 written here is read back to the witness for correction. These
13 are notes taken by an investigator during an interview.

14 PRESIDING JUDGE: Right. There's two points to this,
09:53:50 15 Mr Munyard.

16 MR MUNYARD: Yes. Well, I asked him - and I'll have to go
17 back to the transcript. I've got it with me, but I don't have
18 the reference marked at the moment and so it might take a little
19 time. But I asked him on Monday if, when he was interviewed, at
09:54:05 20 the end of the interview the investigators read back to him their
21 notes of interview for him to confirm or alter - to confirm that
22 they were correct or to alter them if they weren't, words to that
23 effect, and he agreed with that. It is with respect --

24 JUDGE LUSSICK: Mr Munyard, I understand Mr Koumjian to be
09:54:31 25 saying that these are notes of the interview and there's no
26 evidence that the notes prepared by the investigator were read
27 back to the witness. The interview, he may have gone over them,
28 but there's no evidence that these particular notes that the
29 investigator wrote out, which is just a short summary of the

1 interview, were read back.

2 MR MUNYARD: Yes.

3 JUDGE LUSSICK: Is that what you're saying, Mr Koumjian?

4 MR KOUMJIAN: Your Honour, it's very close, but what I'm
09:55:02 5 saying my understanding is that these notes are written in hand
6 by this investigator, typed up and the witness appeared to - in
7 answer to questions Monday appeared to answer that these notes
8 were read back to him. My point is it's not read back to him, as
9 I understand it, before it's typed up and submitted. It may be
09:55:22 10 read back --

11 MR MUNYARD: I am sorry to interrupt, but I do not want my
12 learned friend to give evidence particularly while the witness is
13 in court.

14 MR KOUMJIAN: I'm just trying to answer your Honour's
09:55:31 15 question.

16 MR MUNYARD: I'm perfectly well aware of what's going on
17 and I don't want this done in the presence of the witness. If
18 this argument is to be taken further, then I'd ask that the
19 witness withdraw.

09:55:44 20 MR KOUMJIAN: I think your Honours understand my point.

21 PRESIDING JUDGE: In any event, I haven't got a full reply
22 from you to the objection. We sought a clarification of the
23 objection and that's before us now and I don't have a full reply
24 to your objection.

09:56:08 25 MR MUNYARD: Certainly, Madam President. What the
26 objection seems to be is that this particular document has not
27 been shown to the witness before, if I've understood it
28 correctly. The evidence of the witness was that the notes of the
29 interview were read back to him so that he would have an

1 opportunity to correct any errors. We therefore work on the
2 basis that what the Prosecution supply to us is an accurate
3 record of the notes that were read back to the witness for him to
4 comment on. That is a matter of commonsense.

09:57:08 5 If the handwritten notes are different from the typed notes
6 then as a matter of first principles we should be supplied with,
7 that is to say those notes should be disclosed to us, because if
8 they are different, if there is a discrepancy between what the
9 investigator has recorded and read back to the witness and what
09:57:31 10 we are then given in typed form, then clearly the Prosecution are
11 under an obligation to supply us with those handwritten notes
12 where there is a difference.

13 PRESIDING JUDGE: The second part of the argument, as I
14 understand Mr Koumjian's objection, is that you are putting -
09:57:59 15 you're putting to a witness a fact that is not in evidence, i.e.
16 that they were never corrected. What is your reply to that?

17 MR MUNYARD: Well, I don't think the witness has yet
18 responded to that. It's a perfectly legitimate question. I want
19 to - I can ask him if what was read to him was corrected. I
09:58:31 20 think the objection in other words is premature. I should ask
21 that question first.

22 PRESIDING JUDGE: We allow the question to be put.

23 MR MUNYARD: Thank you:

24 Q. Mr Mongor, when you were being interviewed on 4 September
09:58:54 25 and the notes were read back to you, did you correct anything
26 that they'd written down wrongly?

27 A. Yes.

28 Q. And what was it that you corrected?

29 A. Well, based on the question that you asked me just now

1 concerning the communication.

2 Q. Yes, what was corrected?

3 A. I did say that I communicated with Mr Taylor at the time I
4 was battle group commander and it happened one time before I
09:59:55 5 handed over the office back to Rashid Mansaray.

6 Q. Now I want to make it absolutely clear to you that I am
7 asking you about an interview on 4 September 2006, which was the
8 first time you were ever asked about this matter. Do you
9 understand?

10:00:28 10 A. Yes, I understand.

11 Q. You were interviewed many, many, many more times after
12 that, weren't you?

13 A. Yes.

14 Q. On my calculation a further 21 different times you were
10:00:46 15 interviewed, and in those later interviews is it right that you
16 were asked about many of the same issues that you had already
17 been asked about in previous interviews? Is that right?

18 A. Well, they wouldn't ask me a question today and then the
19 next time they come they ask me the same question. We would have
10:01:18 20 to move to another topic.

21 Q. Are you saying that in later interviews you were not asked
22 about the same topics as you'd already discussed previously?

23 A. Well, if we talked today and when they come the next day we
24 will have to talk on different things.

10:01:46 25 Q. And what about some weeks or months later? Did they not go
26 back to the same issues they'd previously asked you about?

27 A. Yes, they would go there.

28 Q. Yes, thank you. Now you've sat and listened to this
29 argument and you've sat and listened to Mr Koumjian explaining

1 what he says took place when you were interviewed; that the
2 interviewer wrote notes and later typed them up. You've had the
3 benefit of listening to all of that. What do you say happened on
4 the afternoon of 4 September 2006 when you were asked the
10:02:33 5 question, "Did you ever communicate directly with Mr Taylor
6 whilst in the field?"? What answer did you give?

7 A. I told them, "Yes, I communicated at the time I was battle
8 group commander."

9 Q. And what did they write down, or what did they read back
10:02:57 10 that they had written down as your answer to that question? What
11 was it they read back?

12 A. Well, what we have in this paper was what they read back to
13 me and I tried to let them understand that indeed I communicated.

14 Q. So you corrected their mistake, is that what you're telling
10:03:37 15 this Court?

16 A. Yes.

17 Q. And what did they do with their piece of paper that they'd
18 written the notes on when you corrected the mistake?

19 A. Well, I was not there at that moment again and the papers
10:04:05 20 were with them. I am not the keeper of their documents.

21 Q. Hold on a minute. Hold on a minute. I'm not asking you
22 what they did afterwards. I'm asking you they're sitting there,
23 they're writing notes, are they, of the answers you're giving
24 them? Is that right?

10:04:24 25 A. Yes.

26 Q. And you then say to them when they read them back, "Hang on
27 a minute, you've got that wrong. I didn't say that. I said the
28 opposite of that." Is that right?

29 A. Yes.

1 Q. And so what did the man who was doing the writing do at
2 that stage? Did he just sit and look at you, or did he raise his
3 pen or pencil, or his computer, whatever it was he was writing
4 on, and write something else when you pointed out the error that
10:05:02 5 they'd made?

6 A. Well, when he read out to me the things that he wrote and
7 when I said, "No, that area is not correct", he took a pen and he
8 wrote in the area where the error was that that was not what I
9 said before he took the paper along.

10:05:30 10 Q. You can see what is there typed up on that page, can't you?

11 A. Yes, I am seeing what he's typed in the page.

12 Q. And what is typed up is the opposite of what you corrected
13 in the interview, isn't it?

14 A. Yes.

10:06:03 15 Q. So what you are telling this Court is that they wrote down
16 the wrong thing, you corrected them and they wrote down the right
17 thing and when they came to type it up they've typed up the wrong
18 thing. That's what you want this Court to believe has happened,
19 isn't it?

10:06:26 20 A. Sometimes the mistake comes from there.

21 Q. Mr Mongor, listen to the question. You are asking this
22 Court to believe that you said something, they originally
23 recorded the opposite of what you said, you corrected it, they
24 then corrected it in writing and yet when they come to type it up
10:06:51 25 they've put in the original mistaken version. That's what you're
26 asking this Court to believe happened on 4 September, or
27 thereafter, isn't it?

28 A. Yes, yes.

29 Q. How do you remember now, out of 24 interviews, and we're

1 talking about one that is about 18 months ago, probably less
2 actually - how do you remember that particular incident in that
3 interview in April of 2008 when you were seen by them for a total
4 of 24 times over a two year period?

10:07:44 5 A. I can recall because that was something I had said. That
6 is why I recall.

7 Q. I'm sorry.

8 A. And if I see that I had said it and they did not write it
9 in the paper, that is why I am telling you this.

10:08:08 10 Q. I suggest you recall it now, you claim to recall it now,
11 because you've heard the objection and you've heard the
12 discussion in court this morning and that's the basis on which
13 you are now claiming to remember this incident. That's the
14 truth, isn't it? You're making this up.

10:08:30 15 A. I think I had said it even before the objection came up.

16 Q. You didn't say before the objection came up that they had
17 written down your correction when they were doing handwritten
18 notes and they were reading them back to you. Now, you are
19 absolutely clear, aren't you, that you did actually --

10:09:00 20 PRESIDING JUDGE: Are you asking him, or making an
21 observation?

22 MR MUNYARD: I am sorry, I was actually asking a question.
23 I hadn't waited for the answer, I'm sorry:

24 Q. What's your answer to that, Mr Mongor?

10:09:18 25 A. The answer I gave you was that it was something that I
26 said, when I said that I communicated with Mr Taylor. That was
27 what I said.

28 Q. Well, I think we've now - he's actually now moved on to the
29 second half of the point I was making. You're absolutely clear

1 that it was just one occasion, are you, when you communicated
2 directly with Mr Taylor?

3 A. Yes, it was one time that I spoke to him.

4 Q. Would you turn, please, to tab 7. It starts at page 26273.

10:10:44 5 It's an interview on 23 December 2006. Mr Mongor, this is the
6 eleventh date on which you were interviewed. We've just been
7 looking at the third date, 4 September. We're now on to the
8 eleventh occasion and on this occasion it's just Mr Kolot
9 interviewing you, no interpreter, and do you see what it says

10:11:23 10 immediately before the body of the interview? It says,
11 "Continuation of clarification interview of Mongor by Kolot", at
12 11.26 in the morning. Do you see that? Just let me know that
13 you have seen that, please.

14 A. Yes, I'm seeing it.

10:11:48 15 Q. Clarification means that they are asking you questions
16 about matters that they've already asked you about. Do you
17 understand?

18 A. I understand that.

19 Q. So they are going over topics they have previously asked
10:12:03 20 you about, aren't they?

21 A. Yes.

22 Q. Over the page, please. I'm sorry, I want you to turn over
23 to page 26276, it's two more pages on. Now, about halfway down
24 that page, the fourth point down - when I say point, you'll see a
10:13:08 25 little tiny mark in the left-hand margin. Do you follow? That's
26 what I mean when I say a point. Have you got the fifth one down
27 when it says, "When Mongor says". Do you see that sentence?

28 A. Yes, I'm seeing it.

29 Q. "When Mongor says he never communicated with

1 Charles Taylor in the field, he means as a front line commander.
2 Mongor did talk to Taylor on the radio a couple of times while
3 acting as the battle group commander."

4 Then in brackets, presumably Mr Kolot has written,

10:13:54 5 "Correction to previous statements." You didn't correct what was
6 recorded on 4 September, did you, on 4 September itself?

7 A. I corrected it.

8 Q. You changed it on 23 December, 11 interviews in, but you
9 didn't correct it on 4 September as you've been trying to claim
10:14:39 10 this morning, did you?

11 A. Well, I did say it. That is what I'm trying to tell you.

12 Q. Well, you had a very clear memory of this morning of
13 exactly what went on on 4 September 2006. Tell us what went on
14 on 23 December 2006 when they asked you a question about you
10:15:12 15 never communicating directly with Charles Taylor. What was the
16 question that you were asked and what was your reaction to it?

17 A. Well, the question that was asked was talking about field
18 and when I was in the field, which is the battlefield, I did not
19 communicate with him until the time I became acting battle group
10:15:51 20 commander. That was the time I communicated with Mr Taylor
21 before I handed over the office.

22 Q. Mr Mongor, they obviously asked you a question based on the
23 document that we have seen for 4 September, didn't they?

24 A. Yes, they asked me a question.

10:16:20 25 Q. What was the question that they asked you? You have a
26 detailed memory of the interview - what happened in the interview
27 of 4 September. This one is closer in time to today's date, so
28 just help the learned justices with what the question was on 23
29 December and what your response to it was.

1 A. I don't want you to tell me that you are somebody that
2 recalls. I am a human being. I am liable to making mistakes.
3 Although it is generally not allowed to make mistakes, but when
4 somebody makes a mistake it is something that has already
10:17:15 5 happened, but when they asked me I told them that I communicated
6 with Mr Taylor one time, at the time I was acting battle group
7 commander. But at the time I was in the field as front line
8 commander, I did not communicate with Mr Taylor one day.

9 Q. We are not talking at this stage of what you did or didn't
10:17:45 10 do in the field. We are talking about the interviews.

11 A. That is what I have told you and you asked me and I told
12 them that at the time I was in the field I did not talk to
13 Mr Taylor, but at the time I was acting battle group commander I
14 communicated with him.

10:18:11 15 Q. You claimed this morning to remember precisely what went on
16 on 4 September: That they wrote the wrong thing down, they read
17 it out to you, you corrected it and they then wrote on that point
18 of the page I think you said, or words to that effect, they wrote
19 down your correction. You claimed to have a clear memory of that
10:18:42 20 particular interview on that date. I want to know how it came
21 about, what was the question that was asked on 23 December? What
22 was it that was asked about your previous account of
23 communication with Charles Taylor? That's the first thing I want
24 to know, what did they say to you, and the second thing I want to
10:19:15 25 know is what did you say back to them?

26 A. I told them that - in fact the question was whether I used
27 to talk to Mr Taylor and then I answered to them yes, I
28 communicated with Mr Taylor at the time I was acting battle group
29 commander. I said I talked to him once.

1 Q. Well, didn't you say, "Why are you asking me about this
2 again, I've already told you back on 4 September", or back at a
3 much earlier stage?

4 A. Well, I did not tell them that.

10:20:11 5 Q. Why not?

6 A. Well, maybe it escaped my memory at that time. That was
7 why I did not tell them that I have told them that before.

8 Q. I understood your reply in perfect English, "Well, maybe it
9 escaped my memory", which was translated in perfect English in
10:20:45 10 exactly the same words that you've just used. Do you see what
11 I'm getting at? If you had not said to them in September "I
12 never communicated directly with Mr Taylor", if that wasn't an
13 accurate record and they read that back to you in December, why
14 didn't you say "What on earth have you got written down there? I
10:21:11 15 told you you'd got that wrong, I corrected it and you wrote it
16 down on the page when I corrected it"?

17 A. Well, I couldn't come up with those things to the
18 investigator.

19 Q. Mr Mongor, you didn't hold back in reminding Mr Koumjian,
10:21:46 20 on more than one occasion when he was taking you through your
21 evidence, that you had already dealt with these matters in your
22 evidence earlier. Do you remember that: That you corrected
23 Prosecuting counsel, or you indicated to Prosecuting counsel that
24 he'd already asked you about these issues?

10:22:13 25 A. Yes, it was when it - it was when I recalled that I told
26 them that I have been telling you this.

27 Q. Didn't you say to them "Why are you asking me about this,
28 I've already told you?"

29 A. Well, that was what I said. I said it might have escaped

1 my memory. That was why I did say that I had told you these
2 words before.

3 Q. Were you being pressed by December to say that you did
4 actually speak to Charles Taylor?

10:23:12 5 A. Well, nobody pressed me.

6 Q. Is that an honest answer?

7 A. Yes, nobody pressed me. Nobody.

8 Q. Is that as honest as your answers earlier about what went
9 on on 4 September?

10:23:32 10 MR KOUJIAN: Objection.

11 PRESIDING JUDGE: Yes, Mr Koumjian?

12 MR KOUJIAN: Your Honour, that's purely argumentative and
13 it doesn't help the triers of fact to determine the issues in the
14 case.

10:23:48 15 PRESIDING JUDGE: Mr Munyard, I do think the witness has
16 answered the question.

17 MR MUNYARD: Very well:

18 Q. Did they give you any reason why they asked you again why
19 you said that you had never communicated with Charles Taylor when
10:24:06 20 you were asked about this in September? Did they explain why
21 they were going over that ground again when you had given, on the
22 face of it, a very clear answer already?

23 A. I want you to repeat.

24 Q. Did the investigator explain to you in December why he was
10:24:36 25 asking you again about your communications with Charles Taylor
26 when, on the face of it, you had given a very plain answer when
27 interviewed in September?

28 A. Well, I did not ask them the reason why they were asking
29 me.

1 Q. I'm not asking you at this stage whether you asked them.
2 I'm asking you whether they said to you why they were asking you
3 again about that when you had given, on the face of it, a
4 perfectly plain answer three months before?

10:25:28 5 A. Well, they did not explain to me that they were asking me
6 that same question for such and such reason that I can recall
7 now.

8 Q. In any event you've told us yesterday and today that you
9 only ever once communicated with Mr Taylor by radio in the field,
10:26:01 10 yes? You've told us that just now. Do you recall saying that,
11 Mr Mongor, or are you having any difficulty with what you said a
12 moment ago?

13 A. I said I communicated with Mr Taylor at the time I was
14 acting battle group commander. That is what I just said here.

10:26:27 15 Q. I'm asking you about the number of times. You know that
16 perfectly well, don't you?

17 A. Yes, you asked me how many times.

18 Q. And you told us yesterday and you told us again just a few
19 moments ago that you only did it once. Do you remember saying
10:26:48 20 that?

21 A. Yes, that was what I said.

22 Q. Look at page 26276, please:

23 "When Mongor says he never communicated with Charles Taylor
24 in the field, he means as a front line commander. Mongor did
10:27:09 25 talk to Taylor on the radio a couple of times while acting as the
26 Battle Group Commander".

27 Have they got that wrong as well, Mr Mongor?

28 A. It shouldn't be some - sometimes. It should be at a time.
29 That is what I mean.

1 Q. Should it be once, is that what you're telling us?

2 A. It was once. One time.

3 Q. When this was read back to you did you correct it, the 23
4 December?

10:28:05 5 A. I told them that I had spoken to Mr Taylor once.

6 Q. Answer the question.

7 A. Yes, yes.

8 Q. Did you correct it when it was read back to you?

9 A. Yes, I told them once.

10:28:18 10 Q. Right.

11 A. I did not say sometimes.

12 Q. So, what was read back to you at the end of that interview
13 on 23 December? Don't look at the page. The page, as
14 Mr Koumjian points out, may not be what was read back to you.

10:28:46 15 What was read back to you as your answer on this further occasion
16 when you're being pressed on this point?

17 A. The answer I gave them was that I told them that I
18 communicated with Mr Taylor at the time I was acting battle group
19 commander.

10:29:22 20 Q. What did the investigator write down and read back to you?
21 You've just told this Court that you corrected it when it was
22 read back to you.

23 A. Yes, yes.

24 Q. Or have you forgotten that as well?

10:29:43 25 A. No, I have not forgotten.

26 Q. You are making this up, aren't you?

27 A. I am not making it up, my Lord.

28 Q. All right, then help the Court. Tell the Justices what the
29 investigator wrote down on this occasion that was wrong and that

1 you had to correct when it was read back to you?

2 A. Well, they wrote that I had been communicating with
3 Mr Taylor sometimes. Then I told them that I communicated with
4 him at the time I was made acting battle group commander. That
10:30:31 5 was the time I communicated with him and it was once.

6 Q. And it was once, thank you. That is what the question is
7 about. So he'd got it wrong a second time, yes?

8 A. Maybe he got it wrong for the second time.

9 Q. You couldn't have been clearer on the first occasion in
10:31:02 10 September, could you, "I spoke to Mr Taylor once", and he managed
11 to get that wrong, didn't he, in September?

12 A. To say what?

13 Q. Well, the first time you are asked about this in September
14 you gave a very clear answer and he got it wrong because he had
10:31:33 15 to correct it when he read it back to you, yes? We've been over
16 this ground. I'm just trying to understand what went on in
17 December when he revisits the same issue that he'd previously got
18 wrong.

19 A. Yes.

10:31:53 20 Q. Didn't you say to him in December when he writes down the
21 wrong answer again and read it back to you - didn't you say to
22 him something along the lines of, "I've already told you that
23 back in September and you corrected it then. Why are you asking
24 me again and why have you got it wrong again?"?

10:32:26 25 A. Well, I couldn't ask or tell the investigator that one.

26 Q. Of course you could, Mr Mongor. You could, couldn't you?

27 A. I would have done it, but I said I did not do it at that
28 time; that moment.

29 Q. At one point in your history, according to what Mr Koumjian

1 told this Court on 11 March, you were acting the number 2
2 position in the RUF. I'm looking at page 5828. And you are
3 saying that a person with your background and history couldn't
4 say to an investigator, "Why are you asking me all this again and
10:33:22 5 why do you keep getting my answers on this subject wrong?". It's
6 nonsense to suggest that you couldn't say to the investigator,
7 "Why are you asking me about all this again?", isn't it?
8 A. Well, I did not think - think about it that way, for me to
9 ask the investigator at that particular moment.
10:33:54 10 Q. You were being pressed by December on this question,
11 weren't you? You were being pressed to give a better answer than
12 the one that you had given back in September, weren't you?
13 A. What do you mean by press? Nobody was pressing me.
14 Q. Do you not - ah, so you do understand what I mean by
10:34:22 15 pressed because you've just said, "Nobody was pressing me". Is
16 that right?
17 A. Yes, I have said that nobody was pressing me.
18 Q. All right. What did he do when you corrected the second
19 error he'd made in December when he wrote down something? You
10:35:02 20 told the Court that he had to correct what he said and what he'd
21 recorded in December. What was it that he'd recorded?
22 A. The thing that is written on this paper. I said I
23 communicated with Mr Taylor at the time I was acting battle group
24 commander and I communicated with him once.
10:35:34 25 Q. And what did he read out?
26 A. He made a correction.
27 Q. No, what did he read out, Mr Mongor?
28 A. The thing that he read was not correct.
29 Q. What was it that he read?

1 A. That was why I told him - he read it out to me saying that
2 I communicated with Mr Taylor sometimes.

3 Q. Right. And what did you say and what did he do when you
4 corrected that in December?

10:36:29 5 A. I told him that I communicated with Mr Taylor at the time I
6 was made acting battle group commander.

7 Q. What did he do when you told him this in interview number
8 11? What is your recollection today, 2 April 2008, of what went
9 on on the morning or afternoon - probably by then afternoon of 23
10:37:17 10 December 2006?

11 A. He said he wrote there that I communicated with Mr Taylor
12 sometime within the period that I was made acting battle group
13 commander.

14 Q. And where did he write this?

10:38:00 15 A. He wrote it on the piece of paper that he had.

16 Q. I see, right. Would you turn, please, to page 26277. It's
17 the last page of these notes of interview. Do you have that
18 page, Mr Mongor?

19 A. Yes, sir.

10:38:41 20 Q. Do you see that the interview - fourth line down, the
21 interview stopped at 13.57 in the afternoon? Now, just before I
22 ask you the next question - just take your face away from the
23 page for a moment, please. Could you take the page from him? He
24 was doing all of this in handwriting on a piece of paper, you
10:39:08 25 say?

26 A. Yes, they were writing it.

27 Q. Can you remember whether he was doing it with a pen, or a
28 pencil?

29 A. I can't recall now.

1 Q. But you do have a good recollection of this interview,
2 don't you, because you've just been telling the Court exactly
3 what he wrote down that was wrong, exactly what you said to
4 correct it and where he wrote on the piece of paper. So your
10:39:40 5 memory of this interview is a clear one, isn't it?
6 A. Yes, I told you that I made correction.
7 Q. And you probably know if this interviewer was writing
8 everything in pencil rather than pen, wouldn't you? Does that
9 jog your memory? Was he writing with a pen?
10:40:16 10 A. Yes, it was pen.
11 Q. And you could see what he was writing. It may have been on
12 the other side of the table, I don't know, but you could see that
13 he was actually writing with this pen on this piece of paper?
14 A. Yes, he was writing.
10:40:34 15 Q. All right. Would you have a look again, please, at page
16 26277. Do you see where it says "stopped at 1357 hours"? Do you
17 see that?
18 A. I see it.
19 Q. Read out the words immediately underneath that.
10:41:08 20 A. It is talking about note of interviews.
21 Q. Read it out, please, word for word what is written down
22 there, what is typed down there on that page.
23 A. It says, "Notes of interview typed directly into" - well, I
24 can't see this area clearly.
10:41:42 25 Q. Would you like it to be magnified on the screen for you to
26 see it. I accept that it's in small typeface.
27 A. Okay, okay. It says, "Note of interview typed directly
28 into laptop computer during interview by Kolot and later
29 transformed to this form by Kolot."

1 Q. You've been lying all the way through your evidence about
2 what went on in these interviews, haven't you?

3 A. Well, I did not lie.

10:42:45

4 Q. You've lied about him writing it all down on a piece of
5 paper, including your correction, haven't you?

6 A. Yes, that was what I said.

7 Q. That was a lie, wasn't it?

8 A. Not a lie.

9 Q. What was it if it wasn't a lie?

10:43:02

10 A. I did not see him writing through a computer whilst I was
11 talking with him. I can't recall that.

12 Q. If you can't recall how he was recording it, why didn't you
13 tell these judges, "I can't remember now. That was December 2006
14 and I'd been interviewed 24 times in total. How could you

10:43:35

15 possibly expect me to remember?" Why didn't you say something
16 like that, Mr Mongor, if you are giving honest evidence?

17 A. Because at all times that they interviewed me they were
18 writing on a piece of paper using pen, so I cannot recall that he
19 was typing on a computer whilst he was interviewing me because he
20 always used pen when we were talking.

10:44:05

21 Q. So he never used a computer?

22 A. He would go with a computer that would be there with him.
23 But that when I was talking with him he was typing on a computer,
24 that is what I'm trying to tell you, that I can't recall.

10:44:28

25 Q. I think there's a "not" should be in there. The record
26 reads you saying "when I was talking to him he was typing on a
27 computer, that is what I'm trying to tell you, that I can't
28 recall." You're saying to us, aren't you, that he never wrote on
29 a computer when he interviewed you?

1 PRESIDING JUDGE: My understanding of the answer, and it is
2 subject to clarification, is "I don't recall him typing on a
3 computer". It's not very clearly interpreted, I agree.

4 MR MUNYARD: Well, it may not have been very clearly
10:45:05 5 answered, with great respect.

6 PRESIDING JUDGE: Yes, but maybe continue with your
7 question.

8 MR MUNYARD:

9 Q. Let's go back to the answer at line 23. You said this,
10:45:20 10 Mr Mongor, "Because at all times they interviewed me they were
11 writing on a piece of paper using pen, so I cannot recall that he
12 was typing on a computer whilst he was interviewing me because he
13 always used pen when we were talking."

14 A. That is what I said.

10:45:47 15 Q. I'm sorry, I didn't mean to interrupt you. You are saying,
16 are you not, that you never saw him with a computer?

17 A. I said I saw him with a computer.

18 Q. When?

19 A. Well, I can't recall now that it was - I can't recall the
10:46:22 20 particular date when he had the computer because on many
21 occasions he had his computer in a bag and most times he will go
22 with it and he would place it on the table.

23 Q. The truth is this, isn't it: That until I put this line to
24 you about the computer you had completely forgotten about the
10:46:43 25 computer, hadn't you?

26 A. I had forgotten. I don't know whether he used a computer.
27 Whether he did, I can't recall, I have forgotten.

28 Q. And when you were telling these judges just a moment ago
29 about him doing all this handwriting on 23 December you were

1 making that up, weren't you?

2 A. I am not making up things. I am saying that I did not see
3 him typing on a computer whilst he was interviewing me. So
4 whether he was writing whilst interviewing me, I cannot say what
10:47:39 5 he was writing on the paper was what he transferred to the
6 computer. I can't say that.

7 Q. You were making it up in order to explain away the
8 difference between what appears on page 26276 and your evidence
9 about the number of times you communicated with Mr Taylor,
10:48:05 10 weren't you?

11 A. I was not making it up, my Lord.

12 Q. And he did not write on a piece of paper that day because
13 he's made it perfectly plain that the notes of interview were
14 typed directly into the laptop computer during the interview.
10:48:36 15 What do you say about that? Are you saying he's lying about
16 that?

17 A. Well, I can't say he lied, but I did not take note of that.
18 That is what I'm trying to say.

19 Q. Are you saying that you are correct that he wrote all this
10:48:54 20 on a piece of paper and that his account that he typed it
21 directly into a laptop is wrong?

22 A. Well, I am saying that I can't say he lied, but I cannot
23 recall that. That is what I'm trying to tell you.

24 MR MUNYARD: Would your Honour just give me a moment. I'm
10:49:39 25 hoping to move on:

26 Q. Were you ever asked this question again: Whether you
27 communicated with Mr Taylor directly?

28 PRESIDING JUDGE: Do you mean by the investigators, because
29 he has obviously been asked in court?

1 MR MUNYARD: Yes, I should have made that clear:

2 Q. Were you ever asked by the investigators again whether you
3 communicated directly with Mr Taylor?

4 A. At what time?

10:51:00 5 Q. I'm just asking you the question, were you ever asked it
6 again?

7 A. Yes, they asked me.

8 Q. And what did they ask you?

9 A. Whether I communicated with Mr Taylor myself.

10:51:29 10 Q. What was your response when they asked you this yet again?

11 A. Well, I said I communicated with Mr Taylor myself once.

12 Q. Right. Did you say to them, "Why on earth are you asking
13 me this again, I've already dealt with this?", or words to that
14 effect?

10:52:10 15 A. I think you had asked me that question already, but I told
16 you that it did not jog my memory to ask them, or to tell them
17 that, "Why are you asking me this question again, because I had
18 already given you my answer?"

19 Q. Yes, you see, you don't mind saying to me "I think you've
10:52:40 20 asked me that question already", do you? So why didn't you say
21 that to the investigators, "Why are you asking this again?"

22 A. It was because it happened at the same time. That was why
23 I recalled.

24 Q. Right. Could you go, please, to - it's one we looked at
10:53:31 25 yesterday and I'm sorry I've forgotten the tab. Yes, it's tab
26 12. Now, this is an interview that we understand was conducted
27 on 25 and 26 July. It's the one that has got a wrong date in the
28 box at the top, but we're working on the basis it's July 2007.
29 The investigator was Umaru Kamara and the attorney present was

1 Mr Koumjian, whom you know. If you turn to page 39006 and go to
2 paragraph 67, do you see paragraph 67 about halfway down that
3 page?

4 A. 3 what?

10:54:36 5 Q. 39006, do you see that?

6 A. Yes, I have seen it.

7 Q. "Taylor did not mind [the] Witness talking to him directly
8 because Taylor sent him to work with the RUF and also because he
9 was giving Charles Taylor information."

10:55:12 10 Do you see that?

11 A. What exact place are you reading from?

12 Q. Madam Court Officer will show you. It is paragraph 67,
13 yes?

14 A. Yes, I've seen it.

10:55:58 15 Q. What was the question that you were asked that led to that
16 answer, Mr Mongor? This is interview number 16 now.

17 A. Well, they asked me what were the things that I discussed
18 with Charles Taylor at the time I communicated with him and I
19 told them that I gave him information on the activities in the
10:56:51 20 field, that is the front line area, and what our present
21 situation was.

22 Q. Did you tell them there that it was only on the one
23 occasion that you'd spoken to Mr Taylor?

24 A. I told them that I only communicated with Mr Taylor once,
10:57:22 25 that was when they asked me, and the next time I told them - they
26 asked me what were the things that I discussed with Mr Taylor at
27 the time I communicated with him.

28 Q. Are you saying that they had never asked you that before?

29 A. That what?

- 1 Q. Are you saying - are you saying that on the previous
2 occasions that we've been looking at that you told them that you
3 had been in direct communication with Mr Taylor, but the
4 investigators never bothered to ask you what it was you were
10:58:04 5 discussing with him? Is that what you're saying?
- 6 A. Well, I can't recall. I can't recall whether they asked
7 me.
- 8 Q. Mr Mongor, you have a perfect recall of exactly what went
9 on in an interview as far back as 4 September 2006. Why can't
10:58:24 10 you remember one much closer to today's date in August of 2007;
11 last summer to remind you of when August 2007 was?
- 12 A. Yes, it could be then that because I'm a human being
13 sometimes I am liable to forgetting.
- 14 Q. Now I'd like you to turn, please, to tab 13 which starts on
10:59:13 15 page 45397. Do you see this is an interview that starts on 29
16 November 2007 - and we know that you're interviewed again on 4
17 December 2007 - and present at the interview was an investigator
18 called S Streeter and Mr Werner, who is sitting closest to you on
19 the front of the Prosecution Bench. Do you recognise him?
- 10:59:57 20 A. You said what?
- 21 Q. Do you recognise Mr Werner, who is sitting there closest to
22 you on that side of the Court?
- 23 A. Yes, I know him.
- 24 Q. Yes. He's been involved in interviewing you on a number of
11:00:12 25 occasions, hasn't he?
- 26 A. Yes, he was there.
- 27 Q. "Language: English", do you see that? Under your name,
28 "Interview of: Isaac Mongor", "Language: English"?
- 29 A. Yes, it was English they spoke.

1 Q. Yes, and it was English that you spoke?

2 A. Yes, I spoke in English.

3 Q. Yes. Underneath Mr Werner's name it says, "Interpreter:
4 N/A", which means not applicable?

11:00:56 5 PRESIDING JUDGE: It could also mean not available. We
6 don't know what it means.

7 MR MUNYARD: Well, I'll withdraw that:

8 Q. We don't know what it means, but there wasn't one there.

9 Did you have any difficulty in that interview with the interview
11:01:16 10 being conducted in English?

11 A. Well, I cannot recall whether I experienced difficulties.

12 Q. Can you recall any interview in which you had difficulties
13 with English?

14 A. That's what I am saying. In English I cannot say exactly
11:01:46 15 where I experienced difficulties. I cannot recall now exactly to
16 tell you that.

17 Q. And if you turn, please, to page 45407, this is actually
18 where you are being interviewed on 4 December 2007. Now, on page
19 45407 I want you to look at the second paragraph:

11:02:32 20 "The witness was asked a number of questions with respect
21 to the previous interview conducted on 25 & 26 [August] 2007."

22 Now we know that's wrong, we know that's 25 and 26 July
23 2007, but don't worry about the date. It's a previous interview:

24 "He provided the following information as clarification or
11:03:04 25 correction."

26 And then if you look at the last paragraph on that page,
27 it's paragraph 46 and it refers back to paragraph 67 of the
28 interview in July and it says:

29 "The witness states that he spoke directly with

1 Charles Taylor by VHF radio only when [he] was Acting Battle
2 Group Commander in 1992."

3 Do you see that?

4 A. I see it.

11:03:41 5 Q. So, you are now being asked this question a fourth time.
6 Did you not say to them, "What on earth are you doing? We've
7 covered this ground many times already"?

8 A. I did not tell them anything that we have covered this
9 ground so many times. I did not tell them that.

11:04:17 10 Q. And did you not tell them that you only spoke to him once?

11 A. Yes, I told them that I communicated with him once. I said
12 that.

13 Q. And in fact you'd already told them that you had spoken to
14 Mr Taylor while acting as battle group commander, hadn't you, the
11:04:53 15 previous year on 23 December 2006, the thing that we were looking
16 at earlier today? You'd told them exactly that information
17 already, hadn't you, a year before?

18 A. Well I did not recall that I told them that I had not given
19 them this information, because what you are saying now is that it
11:05:31 20 should have come to my mind that I should have told them that I
21 have already told you this before.

22 Q. You were being pressed time and again to give the
23 Prosecution a positive answer that you had been in contact with
24 Charles Taylor, weren't you?

11:05:59 25 A. What do you mean by pressed? Are you saying that I was
26 forced? Is that what you are trying to say?

27 Q. You understood the word pressed earlier because you said
28 you weren't being pressed.

29 A. Because when you talk about pressed I had said that nobody

1 pressed me, but the way you are talking it it appears as if - but
2 the way I understand it to my own level I would take it that you
3 are trying to say that I was forced. They forced me to hear from
4 me.

11:06:36 5 Q. I'm not saying you were forced. I'm saying you were
6 pressed, Mr Mongor. There is nothing --

7 A. I am saying that you are referring to it as press, but when
8 you talk about press, the way I understand it - maybe when you
9 refer to it as pressed, I understand it to be the case that I was
11:07:05 10 forced, they were forcing me. That is at my own level, that is
11 how I understand it. Maybe at your own level you interpret it
12 differently, but that is how I look at it. That was why I gave
13 you the answer that nobody pressed me.

14 Q. And there was nothing that needed clarifying from the
11:07:28 15 answers that you gave them in the interview in July, was there,
16 because you'd already clarified when you'd spoken to him back in
17 December of 2006?

18 A. Yes, I talked to them.

19 Q. I want to move on to something else. How many times did
11:07:49 20 you go to Camp Zogoda while the RUF were based there?

21 A. I went there twice.

22 Q. When did you go there on those two occasions?

23 A. I went there at the time Foday Sankoh was there. At that
24 time he had not yet gone on the peace accord. I went there once.
11:08:39 25 At the time also when he left and went to Abidjan for the peace
26 accord, I went there again once.

27 Q. So are you able to give us the months that you're talking
28 about, the months and the years that you're talking about?

29 A. I can say the first time I went there was in 1995.

1 Q. All right. The second time you said "I went there at the
2 time when he left and went to Abidjan", so are you saying that
3 the second time he wasn't there, he'd already gone to Abidjan?

4 A. I said before he went. He had not yet gone on the peace
11:09:49 5 accord. That was the time I went there and when he left for the
6 Abidjan peace accord and he left Mohamed Tarawalli in charge,
7 that was the other time I went there.

8 Q. Right, I want to understand. You go there once when he is
9 there and once when he's gone, is that right?

11:10:26 10 A. Yes, when he was there I went there once.

11 Q. And you went there another time when Foday Sankoh had gone?

12 A. Yes, when he was not there at all I went there again.

13 Q. So it's just those two occasions when you went to Camp
14 Zogoda?

11:10:43 15 A. Yes.

16 Q. So the first time is 1995, is that right, when Foday Sankoh
17 is there? In fact you've said, "I can say the first time I went
18 there was in 1995." That's the time when Foday Sankoh was there,
19 is it?

11:11:20 20 A. I want to recall well, my Lord. I'm coming. I'm thinking
21 over it.

22 Q. Take your time, Mr Mongor.

23 A. Okay. I went there when Foday Sankoh was there and that
24 was before the general election.

11:12:04 25 Q. Are you getting confused?

26 A. Yes, I am trying to recall the time that I went there
27 before Foday Sankoh left to go for the Abidjan peace accord.
28 That is what I am taking my time to think about. The peace
29 accord was in 1996 and I went there in that 1996 before the peace

1 accord and I recall also that I went there when he was not there
2 and that was the time that Zino was there, I went there again.

3 Q. And Zino is the nickname for who?

4 A. That is Mohamed Tarawalli.

11:13:07 5 Q. So was that 1995?

6 A. It cannot be 1995, my Lord. I think it should be 1996. It
7 was in 1996 that I went there.

8 Q. When Zino was there but Foday Sankoh wasn't?

9 A. Yes, Foday Sankoh was not there at all. At that time he
11:13:42 10 had gone to Abidjan. That was when I went there.

11 Q. So both - sorry.

12 A. But it has taken a long time now. If I cannot recall all
13 the incidents, but it happened. I went there once when he was
14 not there and when Zino was there I went there the other time.

11:14:08 15 Q. We're clear on one thing: Whatever the date is, there was
16 one occasion you're there when Foday Sankoh is there and there
17 was one occasion you're there when Foday Sankoh isn't there.
18 You're absolutely clear on that, aren't you?

19 A. I can recall that.

11:14:31 20 Q. The only question is the date of the two occasions when you
21 were there. Were you ever at Camp Zogoda in 1995?

22 A. 1995 I just came to pass through there to go to the jungle
23 because at that time we had a meeting there.

24 Q. Was this the time when Foday Sankoh was there, or not?

11:15:13 25 A. He was there.

26 Q. So the time Foday Sankoh was there is in 1995, not 1996?

27 A. Well, Foday Sankoh was there before 1996. He was there
28 1995 when I was called upon to come and it was through there that
29 I passed to go to the northern jungle, so in 1996 I came there.

1 Q. So what is your evidence about the number of times you went
2 to Camp Zogoda, Mr Mongor?

3 A. I can say three times, because even when I passed through
4 there it would be another occasion and in 1996 also I came there,
11:16:15 5 but in 1995 I came and passed through there and 1996 I came there
6 when Foday Sankoh is there and in that same 1996, when he had
7 left, I also came there.

8 Q. So why did you tell us on Monday that you had only been to
9 Camp Zogoda twice?

11:16:41 10 A. Well, the reason why I said that was that at the time I was
11 in the jungle I came to the camp two times, that is leaving my
12 own jungle to come there. It happened two times. That was why I
13 said so.

14 Q. But I didn't ask you how many times that you had left your
11:17:10 15 jungle to come there, I asked you how many times you'd been to
16 Camp Zogoda and you gave a very immediate reply: Twice, or two
17 times.

18 A. Yes, I did say two times. I am not disagreeing with that
19 fact that I said two times, but the two times that I am talking
11:17:40 20 about was when I was in the northern jungle and I left my jungle
21 to come there. It happened two times. That was why I said I
22 came there two times.

23 Q. So your answer was not accurate on Monday that you had - it
24 wasn't right to say you'd been there two times, you'd been there
11:17:57 25 in fact three times, according to your evidence today. Is that
26 the position?

27 A. Yes, if it is - if the question is about the first time
28 that I saw Zogoda I am not considering that one, but my concern
29 here is the time I was in the northern jungle, that I left there

1 and came there two times. That was why when you asked me I was
2 only thinking about those two occasions. That was why I said it
3 was two times that I came there.

11:18:41 4 Q. The question was a very simple one on Monday. It was how
5 many times had you been to Camp Zogoda. Why did you say two when
6 you now maintain it was three?

7 A. Yes, because I did not consider counting the one that
8 happened in 1995. That was why I said two times.

9 Q. Why didn't you consider it?

11:19:08 10 A. Well, it was because I only came to pass through there to
11 go to my assignment area. That is why I did not count that
12 particular occasion with regards coming to Zogoda.

13 Q. Are you saying you didn't stop there at all on that
14 occasion in 1995?

11:19:40 15 A. No, I stopped there.

16 Q. How long for?

17 A. Well, I did not spend a long time there --

18 Q. How long for, please?

19 A. -- because when we came that day, the next morning we had a
11:19:59 20 meeting and after the meeting I left.

21 Q. So you did stay overnight?

22 A. Yes, I stopped there for a night.

23 Q. So how is it that you managed to forget that when I asked
24 you on Monday how many times you'd been to Camp Zogoda, when
11:20:20 25 you'd actually spent a night there in 1995?

26 A. Yes, I spent a night there, but I did not consider that
27 one, my Lord. I only concerned myself with the time I was in the
28 jungle, in the northern jungle, that I came to Camp Zogoda and
29 that was the two times that I spoke about.

1 Q. Mr Mongor, you claim to be a man who can remember bits of
2 interviews back in 2006 and people writing things on pieces of
3 paper and yet you say you spent a night in Camp Zogoda in 1995,
4 but you didn't recall that when I asked you how many times you'd
11:21:18 5 been there. Is that the position?

6 A. Yes, I am a human being. I cannot recall everything at the
7 same time.

8 Q. Let's just find out then what happened in 1995 when you
9 were at Camp Zogoda. Can you remember now, did you get there
11:21:47 10 before or after dark?

11 A. I reached there during the day.

12 Q. And what time did you leave the next day? I don't mean the
13 precise hour, but did you leave in the morning, in the afternoon,
14 by nightfall, or what?

11:22:13 15 A. I left there in the evening.

16 Q. So you spent the better part of two days at Camp Zogoda in
17 1995, yes?

18 A. Yes.

19 Q. And yet you didn't remember that on Monday?

11:22:36 20 A. I couldn't recall the month.

21 Q. I said you didn't remember on Monday that you spent the
22 better part of two days in Camp Zogoda in 1995.

23 A. Okay, yes, I can't recall.

24 Q. So help us now, can you recall what you did there on those
11:23:01 25 two days in 1995?

26 A. We had a meeting at the place there with Foday Sankoh.

27 Q. What was the meeting about?

28 A. Well, he called on all of his commanders in order to talk
29 to them with regards how we could maintain the jungle, people who

1 were to be assigned to other areas and at that time again he came
2 up with some promotions.

3 Q. Were you one of the lucky ones who got promoted on that
4 occasion?

11:24:04 5 A. Yes, I was one of the people.

6 Q. Who was promoted?

7 A. They promoted me.

8 Q. To what?

9 A. They promoted me to major. They promoted Mike Lamin,
11:24:36 10 Mohamed Tarawalli, Superman, Mosquito, that is Sam Bockarie,
11 Peter Vandi, Rocky CO, who is called Emmanuel Williams.

12 Q. Who else was there?

13 A. Augustine Gbao, Issa Sesay, those people were there. There
14 were some other commanders who were assigned to other areas but
11:25:33 15 they could not make it to come, but they sent representatives and
16 they also sent their promotions.

17 Q. How is it that on Monday and again this morning you forgot
18 that you had been at Camp Zogoda and got promoted during a two
19 day visit in 1995 if you're telling the truth about that?

11:26:06 20 A. Yes, I said my mind did not go round that at the time you
21 asked me. That was why I said I went there two times and the two
22 times that I considered in mind was the two times when I was in
23 the jungle when he called and I came there. That was what I
24 recalled.

11:26:36 25 Q. Monday was the same day I went through your various
26 promotions with you, wasn't it?

27 A. Well, you said that I was one of the senior men in the RUF
28 and then I also recall that you talked about Mike Lamin who was
29 one of the senior men also.

1 Q. I'm not going to spend long on this for two reasons: I
2 don't want to and the clock is about to expire on us. I went
3 right through every single one of your promotions on Monday,
4 didn't I?

11:27:23 5 A. Yes, you went through them.

6 Q. And yet that still didn't jog your memory that you'd spent
7 two days at Camp Zogoda getting one of your promotions in 1995.
8 Were you ever there in 1995, or is the true answer the one that
9 you gave on Monday and earlier this morning that you were only
10 there twice in 1996?

11:27:43

11 A. Well, it did not jog my memory at all. It didn't come to
12 mind the way you said it, yes.

13 MR MUNYARD: Your Honour, is that a convenient moment?

14 PRESIDING JUDGE: Indeed, Mr Munyard, that will be

11:28:07

15 convenient. We will adjourn for the mid-morning break.

16 Mr Witness, we are now taking the midmorning break. We will

17 reconvene at 12 o'clock. Please adjourn court.

18 [Break taken at 11.30 a.m.]

19 [Upon resuming at 12.00 p.m.]

12:00:58

20 PRESIDING JUDGE: Ms Hollis, I note you are on your feet.

21 MS HOLLIS: Madam President, your Honours, I rise to notify

22 the Court of a failure to disclose for which I accept full

23 responsibility. Earlier in these proceedings the Defence put the

24 Prosecution on notice that it wished to have copies of all

12:01:19

25 handwritten notes of typed statements and I agreed to do that

26 with immediate effect. We have been doing that, but because of

27 purely internal failure within the Prosecution team here the

28 handwritten notes relating to this witness were not disclosed.

29 They have been disclosed as of this time. I offer no excuse

1 because there is no excuse and I apologise to the Court and to
2 the Defence.

3 PRESIDING JUDGE: Thank you. That's very kind of you,
4 Ms Hollis. We appreciate it. Mr Munyard, you have heard
12:01:54 5 Ms Hollis. There may be a time matter that --

6 MR MUNYARD: Yes. Madam President, can I explain what my
7 understanding of the situation is and also put on record that I
8 am grateful to my learned friend Ms Hollis for her frankness and
9 her mea culpa about this particular matter.

12:02:14 10 These notes are the handwritten notes of the investigators
11 as I understand it. I have just been handed the file. I have
12 done no more than open it and flick through. I am told by
13 Mr Koumjian that when he went through them there is no difference
14 between the handwritten notes and what is in typewritten form
12:02:31 15 that we have seen and, secondly, that on his viewing of them he
16 doesn't recall seeing any amendments.

17 I don't propose to take any more time today on that.
18 Indeed, I don't have time today to start going over all of that.
19 What I will do is some time tonight I will look through them
12:02:51 20 myself. If I have finished my cross-examination then I would ask
21 for the right - I reserve the right to cross-examine further on
22 those notes until tomorrow morning. So can we simply see where
23 we get?

24 PRESIDING JUDGE: I think that sounds a sensible approach.

12:03:10 25 MR MUNYARD: Thank you.

26 MR KOUMJIAN: Just so there is no misrepresentation I just
27 want to repeat what I believe I told counsel. I did not review
28 every page of these documents. I told him what I saw in the
29 pages that I did review.

1 MR MUNYARD: I accept that.

2 PRESIDING JUDGE: We accept that it was an honest and frank
3 exchange and leave it at that, that Mr Munyard will be allowed
4 time to look at them more thoroughly and subject to any
12:03:38 5 application we will deal with it at the time. Mr Koumjian -
6 excuse me, Mr Munyard, when you're ready.

7 MR MUNYARD: That's all right. I am quite used to my name
8 being --

9 PRESIDING JUDGE: I did tell you there is a family failing
12:03:53 10 that I share with some of my brothers of misnaming people.
11 Please excuse me.

12 MR MUNYARD: The Munyards can't tell the difference between
13 right and left, but so far we manage to get names correct:

14 Q. Now, Mr Mongor, back to this meeting when you were promoted
12:04:09 15 along with a group of other people in 1995 at Camp Zogoda. That
16 must have been an important occasion as far as you were
17 concerned, is that right?

18 A. It was an important thing to me.

19 Q. Yes. Not something you would very easily forget, is that
12:04:45 20 right?

21 A. Well, I am a human being. I am liable to forget.
22 Sometimes something can be important to you but you might forget
23 it but later recall. And I can even bring you back to the
24 document that you have. When we were going over it you saw some
12:05:04 25 dates that were not correct, but yet you accepted them. So I am
26 a human being, I am liable to make a mistake. But then later if
27 as we go along talking if I recall then I will say then.

28 Q. Mr Mongor, what else happened on that trip to Camp Zogoda
29 apart from the meeting when various people including yourself

1 were promoted in rank?

2 A. Well, apart from that, and after the promotion, everybody
3 went to their areas of assignment where they were sent.

12:06:08

4 Q. So were you at Camp Zogoda on that occasion in order to
5 receive your promotion? Is that why you went there?

6 A. I was going on assignment.

7 Q. Yes, but had you been asked to come to that Camp Zogoda in
8 order to receive your promotion?

12:06:41

9 A. They did not call me to come and receive promotion. It was
10 when I came there that I received the promotion.

11 Q. So the promotion was a big surprise, was it?

12 A. Yes, because I did not expect it.

13 Q. You said there was a meeting in the morning. Was the
14 meeting simply about the promotion?

12:07:14

15 A. I had told you that it was also about talking to the
16 commanders on how to maintain the various jungles that we
17 occupied, so those were the things that the leader, Foday Sankoh,
18 called the commanders to discuss and then he promoted other
19 people who were occupying some other areas of command.

12:07:48

20 Q. And then did you leave and go to your particular assignment
21 in the jungle?

22 A. Like I told you, I left the next evening to go to my
23 assignment area and that is the northern area. That was where I
24 went to take to be in charge of.

12:08:29

25 Q. Right. Did anything else significant happen during that
26 visit of yours to camp Zogoda?

27 A. I recall that Issa Sesay was there facing queries. I know
28 about that.

29 Q. Right. Apart from Foday Sankoh promoting you, did he do

1 anything else with you?

2 A. The only thing is that I was given an assignment area to go
3 and that was the northern area. I went there to take charge. I
4 went with Mohamed Tarawali.

12:09:50 5 Q. Right. And are you able to give us any time during 1995
6 when this event occurred?

7 A. I can't give you any specific time now, because it has
8 taken a long time and so I cannot recall everything that happened
9 at that time.

12:10:21 10 Q. Was this the first occasion of you being appointed to the
11 northern area?

12 A. Yes, it was the first time for me to be given appointment
13 to go to that area.

14 Q. Right. So, you will remember what time of year it was that
12:10:45 15 you went to the northern hills to take charge, presumably? Is
16 that right?

17 A. Well, I have said that I cannot at recall the specific time
18 that I went there to take command. I can't recall it now,
19 because it has taken a long time. I can't recall everything now.

12:11:14 20 Q. I am asking you to try to recall what time of year it was
21 that you received this surprise promotion and your first ever
22 assignment to take charge of the northern hills?

23 A. Well, I don't want you to force me saying that you want me
24 to try. What I have said is that is something that should cop
12:11:48 25 Vince you. I have said that it has taken a long time and that I
26 cannot recall, so, I don't want you to say that you want me to
27 try.

28 Q. Was it the rainy season when you first go to the northern
29 hills to take charge?

1 A. My Lord, what I am trying to tell you is that I cannot
2 actually tell you anything now about that, whether it was during
3 the rainy season or the dry season. I have said that I don't
4 want you to tell me to try to give you any specific date that
12:12:30 5 will not be correct, because it is something that has taken a
6 long time.

7 Q. Mr Mongor, being promoted out of the blue, that is to say
8 by surprise to major and being assigned to take charge of the
9 northern hills is something you are more likely to remember than
12:12:53 10 whether or not somebody wrote something down on the side of a
11 page during one of 24 interviews, isn't it?

12 A. Well, yes, as you have said it, it was something that
13 actually surprised me. So, because I was excited at that time
14 maybe I could not keep it in mind, but as time rolls on if I
12:13:39 15 recall it was at a specific time that it happened then I will
16 tell you, but for now I cannot give you any specific date that
17 will be wrong.

18 Q. So, all you can tell us about that is it was some time in
19 1995, there was a meeting in the morning when you got your
12:13:56 20 promotions and your assignments and you were told how to manage
21 your areas and that Issa Sesay was there to answer some queries?
22 Is that it?

23 A. Yes.

24 Q. Thank you?

12:14:14 25 A. That is the way I recall it.

26 Q. All right. Tell us about the next time you were at camp
27 Zogoda. When was that?

28 A. I went back to camp Zogoda the year Foday Sankoh was
29 supposed to go and attend the Abidjan peace accord. That was the

1 next time I came there.

2 Q. When in that year?

3 A. The year is 1996, but I can't recall the date.

4 Q. Well I am not asking you for a specific date. Just tell us
12:15:00 5 when in 1996. Well, I cannot give of you any time now. I can't
6 recall the time, but I told you it was in that year, but it was
7 before Foday Sankoh went to attend the Abidjan peace accord and
8 it was before the general elections that was held in that year I
9 went there.

12:15:34 10 Q. And you told us in evidence about a time before the
11 elections when you were at camp Zogoda that Foday Sankoh said
12 that you were going to carry out some kind of offensive that will
13 not allow the elections to hold. Do you remember saying that to
14 us in your earlier evidence back in March?

12:16:09 15 A. I recall that.

16 Q. And do you remember telling us in the course of that
17 evidence that when you got there Mr Sankoh's radio man came to
18 call him and said Charles Taylor wanted to speak to him? Do you
19 remember saying that?

12:16:31 20 A. I recall when I said that.

21 Q. And you went and listened in to the radio conversation. Do
22 you remember telling us that?

23 A. I recall that.

24 Q. And was that the only time you listened in to a radio
12:16:55 25 conversation between Foday Sankoh and Charles Taylor and remember
26 I am asking about radio conversations?

27 A. Well, right now I cannot tell you whether that was the only
28 radio communication or it was not the only radio communication,
29 but as time rolls on if I recall that there was another radio

1 communication that took place then I will tell you.

2 Q. You would remember overhearing any radio conversation
3 between Foday Sankoh and Charles Taylor, wouldn't you, if you had
4 overheard any?

12:18:03 5 A. Yes, at that particular time I heard him when he was
6 talking and I told you that in 1996 when I came there I heard - I
7 overheard a radio communication between Charles Taylor and Foday
8 Sankoh.

9 Q. And if you had ever heard any radio conversations
12:18:27 10 between Foday Sankoh and Charles Taylor on other occasions that
11 is something you would be bound to remember, isn't it?

12 A. It is something that I should recall, but if - if I can't
13 make it possible to recall it now then it is something that has
14 taken a long time. You shouldn't press me too much to say that I
12:18:57 15 should recall it and, as I have said, as time rolls on if I
16 recall then I will say it and as you are talking I have said that
17 as we talk along if things come to my mind I will be able to ask
18 the permission of the Court to go into details. And like I am
19 saying if there was any other radio communication or conversation
12:19:27 20 that took place between them then I will be able to tell you? I
21 have only asked you this question twice and you are saying I
22 shouldn't press you too much. Do you think being asked the
23 question about the same subject twice amounts to pressing you?

24 A. It is a press, because if I had said it earlier and you
12:19:56 25 could not understand me clearly or maybe you do not want to
26 understand what I am saying and then you go on asking me the same
27 question it means you are pressing me to say something that will
28 satisfy you.

29 Q. Why didn't you say that to the Prosecutors on the second,

1 third and fourth occasions when they asked you if you had ever
2 communicated directly with Charles Taylor? Why didn't you say
3 "Stop pressing me. I gave you my answer the first time round"?

12:20:52 4 A. Well, it is the duty of the Prosecution or maybe it was
5 their own procedure of asking me questions and if they wanted to
6 ask me questions over hundred or thousand times it was their
7 place to ask.

8 Q. Help the Court with this, please. The conversation that
9 you overheard in 199 - sorry that you claim to have overheard in
12:21:14 10 1996 between Foday Sankoh and Charles Taylor was that the only
11 time you heard the two leaders, Charles Taylor and Foday Sankoh,
12 talking on radio, yes or no?

13 A. Well, you cannot tell me to say just either yes or no.
14 That was why I said I should go on maybe I will recall and if I
12:21:52 15 recall I will give you an answer, but now you cannot just tell me
16 to say yes or no and then as we go along if I recall and then I
17 decide to say it it will appear to be something else. That is
18 why I am still trying to tell you that in 1996 I overheard that
19 radio conversation.

12:22:11 20 PRESIDING JUDGE: Mr Witness, this is a straightforward
21 question. Do you remember hearing any other conversations or do
22 you not remember hearing any other conversations?

23 THE WITNESS: My Lords, I recall - I will recall some other
24 conversations, because as time rolls on when I recall then I will
12:22:43 25 tell you.

26 MR MUNYARD:

27 Q. What do you mean by that, Mr Mongor? A moment ago you were
28 saying, "I don't recall any other conversations". Now you're
29 saying, "I recall" or, "I will recall some other conversations".

1 Are you saying there were other conversations but now you can't
2 remember them, or are you saying you just don't remember whether
3 you overheard any conversations between two such important
4 figures? Which one is it?

12:23:22 5 A. I recall these two people had conversations.

6 Q. Which you overheard on the radio? Is that what you're
7 saying?

8 A. I heard it myself and my operators would monitor them and
9 then they will call my attention sometimes.

12:23:54 10 Q. You are now remembering that there were other
11 conversations. You didn't remember those five minutes ago.
12 What's going on here, Mr Mongor?

13 A. As we are talking I have told you that it is something that
14 has taken a long time, so as we go on talking as I think they
15 might come to my mind, just like I have told you.

12:24:20 16 Q. When were you last - before you gave evidence when were you
17 last asked about any conversations that you overheard between
18 Foday Sankoh and Charles Taylor? I don't want you to - I am not
19 asking you to give us a specific date unless of course you're
12:24:44 20 able to with your memory, but I just want to know roughly how
21 long before you gave evidence were you asked questions about
22 overhearing a radio conversation between Foday Sankoh and Charles
23 Taylor?

24 A. I want you to repeat your question, my Lord.

12:25:08 25 Q. Before you started giving evidence in mid-March when was
26 the last time before that that anybody asked you to remember any
27 conversations that you yourself overheard between Foday Sankoh
28 and Charles Taylor over the radio?

29 A. Yes, they asked me. The investigators asked me.

1 Q. When?

2 A. The time they asked me?

3 Q. When was the last time they asked you?

4 A. Well, I can't recall the time now --

12:26:00 5 Q. Was it this year?

6 A. -- but I told them --

7 Q. Sorry. I just want the last time you were asked, not what
8 you told them. Was it this year, or last year, or 2006?

9 A. I can't recall that now.

12:26:23 10 Q. Right. Now what I'm asking you about is evidence that you
11 gave in March about you being present when Foday Sankoh in your
12 presence spoke to Charles Taylor over the radio. I'm not asking
13 you about your staff monitoring conversations and I'm not asking
14 about you listening in to the radio from somewhere else. I am
12:26:51 15 asking you was there any other occasion apart from before the
16 elections in 1996 when you were there with Foday Sankoh when he
17 spoke to Charles Taylor over the radio?

18 A. The only time that I stood close to him when he spoke to
19 Charles Taylor was in '96 during the 1996 elections, but after
12:27:24 20 that I have never stood by him at his camp at Zogoda to the
21 overhear any other communication.

22 Q. After that. What about before that? You say that's the
23 only time that you did that, so does it follow that neither after
24 that nor before that you stood by him and overheard such a
12:27:46 25 conversation?

26 A. I want you to go over that. Let me get it clearly.

27 Q. This is what you just told this Court, listen to this,
28 Mr Mongor:

29 "The only time that I stood close to him when he spoke to

1 Charles Taylor was in 1996 during the 1996 elections, but after
2 that I have never stood by him at his camp at Zogoda to overhear
3 any other communication".

4 Now when you said, "The only time that I stood close to him
12:28:29 5 when he spoke to Charles Taylor was in 1996 during the elections"
6 that means that there was never any other occasion when you stood
7 and overheard any conversation between them. That's right, isn't
8 it?

9 A. Well, I heard them talking again, but at that time we were
12:28:51 10 now in Freetown when they were conversing.

11 Q. I have asked you about radio communications. Are you
12 saying that when you were in Freetown you heard them on the
13 radio?

14 A. I am talking about communication and you talked about
12:29:15 15 communication. That is why I am saying that.

16 Q. I have been asking you throughout about radio
17 communications and I pronounced the word radio very carefully
18 when I started asking you these questions. In fact I reminded
19 you that I was talking about radios.

12:29:37 20 A. Yes.

21 Q. So I am going to have one last attempt. When you told us,
22 "The only time I stood close to him when he spoke to Charles
23 Taylor was in 1996 during the elections" is that correct that
24 that was the one and only time that you stood close to Foday
12:30:03 25 Sankoh and heard him talk to Charles Taylor on the radio?

26 A. Well, I can recall that, yes, at that time I was standing
27 close to him. I really went and stood close by him whilst they
28 were talking.

29 Q. Who else was there?

1 A. His securities were there, but they were securities and so
2 they went and took positions and they were guarding far off.

3 Q. Anybody else? There's you, Foday Sankoh and security
4 people?

12:31:05 5 A. The radio operator.

6 Q. And what was his name?

7 A. It was Zedman. He was in the radio room.

8 Q. Right. All right. And that's the only time that happened;
9 you and Foday Sankoh and Zedman in the radio room and Sankoh on
10 the radio to Taylor?

12:31:35

11 A. Yes.

12 Q. Thank you. Now in your evidence on 10 March - and I am
13 looking at page 5689 onwards - this is what you told us about
14 that incident in 1996. I am starting on line 17 for the benefit
15 of anyone who wants to follow this:

12:32:06

16 "I came there and I was there when his radio man came to
17 call him and said his brother Charles Taylor wanted to speak to
18 him and then Foday Sankoh got up and then I joined him and we
19 both went to the radio house".

12:32:28 20 Do you remember saying that?

21 A. Yes, I said that.

22 Q. So Zedman advised Foday Sankoh that he had somebody on the
23 radio to talk to him, did he?

24 A. Zedman - it was not an advice. He sent somebody to call
12:32:58 25 the Pa, telling him that there was somebody on the radio who
26 wanted to talk to him. It was not an advice.

27 Q. Well, maybe advice isn't the right word, but Zedman
28 informed him that he had someone on the radio who wanted to talk
29 to him. Is that fair? Is that a fair way of putting it?

1 A. Yes.

2 Q. All right. Thank you. And you went with Foday Sankoh to
3 the radio room. Is that right?

4 A. Yes.

12:33:28 5 Q. And you overheard a conversation between Foday Sankoh and
6 Charles Taylor, you say. Is that right?

7 A. Yes.

8 Q. Your evidence goes on, I am looking at line 20:

9 "So when we went there we entered and he sat down and
12:33:56 10 starting talking to his brother, that is Mr Taylor, and they
11 spoke on the talk - when they spoke on the talk lasted up to 20
12 to 25 minutes during which Foday Sankoh explained how we had been
13 cut off and we were not even getting supplies from Liberia any
14 longer and what the plans were on the government side. They had
12:34:25 15 decided to carry on with the elections and so he had called his
16 commanders to meet him and that he wanted to give them a plan
17 that we shall go on an offensive to make sure that the election
18 does not hold at all".

19 Do you remember saying that to this Court in March?

12:34:44 20 A. Yes, I said that.

21 Q. Now are you hearing on this radio just what Foday Sankoh is
22 saying or are you hearing what Charles Taylor is saying in reply?

23 A. Well, I heard Mr Taylor.

24 Q. All right. Let's carry on with what you said in March:

12:35:19 25 "He wanted to give them a plan that we shall go on an
26 offensive to make sure that the election does not hold at all and
27 that the offensive we were to undertake we should make fearful
28 and that anybody who we will capture we will have to amputate
29 that person and we will ask that person to take his hands off the

1 elections. So he was telling him that these were the plans that
2 I had put together. That was why I called my commanders to come,
3 so that I will explain to them the offensive that we were to
4 undertake and then his brother told them in his reply that the
12:35:56 5 plan is not a bad one, that is Mr Taylor, and so two days after
6 they are had spoken to each other we went on the offensive".

7 Do you remember saying all of that?

8 A. I said - I said that.

9 Q. And so your evidence in March was that you heard this
12:36:18 10 conversation in which Foday Sankoh told Charles Taylor that you
11 were going to undertake an offensive that was fearful and that
12 anyone who was captured would have their hands amputated and that
13 Charles Taylor said that was a good - that was not a bad plan?

14 A. Yes.

12:36:51 15 Q. And that sticks very clearly in your memory, does it,
16 hearing that conversation?

17 A. I recall it and as we go along whilst you are talking I
18 will recall.

19 Q. Well, I am asking you now, Mr Mongor. That was a very
12:37:14 20 dramatic conversation, wasn't it, talking about an offensive in
21 which people's hands were going to be cut off? Would you agree
22 that that was a very significant and dramatic conversation?

23 A. It was what? Significant? I want you to break that down
24 for me.

12:37:44 25 Q. An important conversation?

26 A. Yes, it was important.

27 Q. Yes, and a very unpleasant suggestion by Mr Sankoh as to
28 how you were going to disrupt the elections, do you agree?

29 A. Yes, I agree.

1 Q. Did you agree with the operation that he was proposing?

2 A. Yes, I agree with the operations.

3 Q. So, you were willing to go along with amputating people's
4 hands to stop them voting?

12:38:39 5 A. Yes, because it was a command and so I was to go by the
6 command given to me.

7 Q. You were one of the top half dozen commanders in the RUF.
8 Did you go along with this idea, or did you object to it at any
9 stage?

12:39:11 10 A. Well, you wouldn't have made any objection with regards to
11 such things because it was during war and you who will decide to
12 object to such things, your life would be at risk.

13 Q. Even during war you are entitled to give an opinion, aren't
14 you?

12:39:51 15 A. You might do it, but the situation under which we were and
16 the positions that we had, if you came up with such an objection
17 you would be charged.

18 Q. What if you just said, "Do we really have to go that far,
19 Pa"? That would not end up with you being killed, would it?

12:40:21 20 A. Yes, yes, maybe they would have said that I have connived
21 with the government that is about to hold elections and had not
22 considered the RUF. So I would have been charged for that and
23 they would have said that I have not made good considerations
24 about the RUF, so that was why I did not come up with such an
12:40:51 25 objection.

26 Q. Are you really telling this Court that if you had said to
27 Pa Sankoh, "Do we have to go as far as cutting people's hands
28 off?", that you would be accused of conniving with the government
29 and that your life would be in danger? Is that what you are

1 really telling these judges that you want them to believe?

12:41:32 2 A. Yes, my Lord. What I am telling you now is clear, because
3 I was on the field. You are here now as a lawyer trying to
4 defend your client, but I was on the field and what I know about
5 that happened is what I am trying to tell the Court. Those were
6 the things that used to happen. But if he had called us together
7 and said to us that, "You the commanders, I have called you
8 because I want you to undertake this operation", but if I decided
9 to do otherwise, to object against that command, then I would
10 have been charged and they would have said it is because I want
11 to connive, that is why I am objecting to what they are saying.

12 Q. So did you go along with that operation? Did you carry it
13 out?

12:42:32 14 A. I went on the operation. Well, the area where I attacked I
15 did not actually capture somebody who I am amputated, or the
16 areas that I captured my men did not actually cut somebody's
17 hand, but in some other areas it did actually happen.

18 Q. Why didn't your men amputate somebody's hands if that was
19 the operation that you were going on?

12:43:02 20 A. Well, it was not that they refused to do it, but the place
21 where we attacked, they did not capture. They did not refuse.
22 But the opportunity was not there for us to capture somebody
23 wherein we will amputate the person. We did not actually capture
24 somebody. That is what I am trying to tell the Court. That was
12:43:33 25 the reason why we did not implement what the plan said.

26 Q. I misunderstood first what you were saying in that
27 sentence, but can we go back to your previous answer. You said
28 in the area that you attacked you didn't actually capture
29 somebody, but "in the areas that I captured my men did not

1 actually cut somebody".

2 A. I do not want you to misquote me, please. What I said, I
3 said the area that I was supposed to launch my own attack, the
4 areas I was supposed to operate to stop the elections, I did not
12:44:26 5 capture somebody in that area, or that my men themselves did not
6 capture somebody. That was why we did not implement that
7 particular instruction that was based on that operation.

8 Q. You talked a moment ago about the areas that you captured.
9 How do you capture areas without capturing people in them?

12:44:58 10 A. I want to tell you that I had specific areas to attack
11 during that operation. All commanders had specific areas to
12 attack during that operation. My own area that I was supposed to
13 attack, I did not capture somebody. That is what I am trying to
14 tell the Court.

12:45:28 15 Q. Were you the only one of the senior half dozen or so
16 commanders of the RUF who failed to capture a single person and
17 amputate their hands during that operation? Were you the only
18 one?

19 A. Well, I know about my own area. I did not capture anybody
12:45:55 20 in my area.

21 Q. Mr Mongor, you have told us about other areas and other
22 people's areas. Help the Court with this. You were one of the
23 top commanders. You would know. You would be listening in on
24 the radio, as you have told us several times in evidence. Did
12:46:12 25 anybody else fail, in the way that you did, to carry out Foday
26 Sankoh's order?

27 A. I can't tell you that at that moment I did monitor all the
28 areas and all the people and the things that went on there. I
29 can't tell you that. I only know about other areas that also

1 carried out that operation, because they were able to enter the
2 places where they attacked.

3 Q. Was your failure to capture anybody not seen as a sign that
4 you were conniving with the government? Was your life not in
12:47:04 5 danger as a result of you not capturing anybody?

6 A. Well, it is not like that. It did not happen that way at
7 all, because what happened was I was fighting and I was fighting
8 against people who equally had guns. So, if I was able to
9 conquer the next person then I will be able to take charge of the
12:47:35 10 whole area that - and everything that I saw there, but if I was
11 unable to capture the area then it means that I wouldn't have
12 been able to take charge of anything that was in that area, or
13 that position that I attacked.

14 Q. Did you think that this was wrong, this operation, to cut
12:47:57 15 off people's hands to stop them voting?

16 A. Yes, as an individual I thought it was not right.

17 Q. You ran away from another army before simply because you
18 didn't think that being a soldier was the life for you, didn't
19 you?

12:48:33 20 A. Yes.

21 Q. So why didn't you run away this time instead of embarking
22 on an operation that you thought was so wrong?

23 A. Well, I was unable to run away because the army and a
24 guerilla movement are two different things.

12:49:00 25 Q. Is that the best answer that you are able to give?

26 A. That is the best answer that I can give you, because I know
27 about the guerilla movement very well. I was with them and I
28 knew what their procedures were.

29 Q. Let's go back, please, to the conversation that you claim

1 to have overheard between Charles Taylor and Foday Sankoh. Now,
2 the conversation consists, from your evidence in March, really of
3 two things: First of all, that Foday Sankoh explained how you
4 had been cut off and you weren't even getting supplies from
12:49:48 5 Liberia any longer; and, secondly, the plan to amputate people's
6 hands to stop them voting. That is right, isn't it? Those were
7 the two areas that were discussed?

8 A. I did say that he gave reports on the activities about our
9 own area, that was the report that he tried to make, and the
12:50:30 10 condition under which we were and the plans that the government
11 had that they did not recognise the RUF, and it was based on that
12 that he called his commanders to tell them to carry out the
13 Operation Stop Elections.

14 Q. Yes, the first half of the conversation was about the fact
12:50:58 15 that you weren't even getting any supplies from Liberia any more,
16 that is what you have told us, and the second half was about the
17 Operation Stop Elections, yes? I am just summarising the
18 evidence that you gave in March. Do you follow?

19 A. Yes, but I don't want you to go that way. That was not the
12:51:23 20 first thing that he said. I did say that he gave his report
21 about the activities first, before he even went to the issue of
22 supplies. After that he went to the plan.

23 Q. What else did he say?

24 A. But he did not just say at once that we are not getting
12:51:59 25 supplies from Liberia any longer. That was not the first thing
26 that he said.

27 Q. I think there is just a misunderstanding between us,
28 Mr Mongor. I think we are both agreed that that's what've have
29 said. Supplies was discussed and Operation Stop Election.

1 Right. And you remember that, as you have told us, very clearly.
2 It was an important message - an important conversation and,
3 certainly as far as Operation Stop Election is concerned, it
4 involved a very nasty proposal, didn't it? If you want me to
12:52:38 5 explain nasty I will, but I suspect that you know what I mean by
6 nasty?

7 A. Yes, explain.

8 Q. Why did you laugh?

9 A. I did not laugh.

12:52:51 10 Q. You did.

11 A. I did not laugh.

12 Q. By nasty I mean an extremely brutal and inhumane operation,
13 not something you would ever be likely to forget, do you agree?

14 A. If I agree?

12:53:27 15 PRESIDING JUDGE: Mr Witness, do you understand the
16 question?

17 THE WITNESS: He said nasty. It is nasty that he is trying
18 to explain. He said nasty.

19 PRESIDING JUDGE: Yes, have you understood the explanation?
12:53:44 20 Have you understood counsel's explanation of the word "nasty"?

21 THE WITNESS: I understood it, my Lord.

22 PRESIDING JUDGE: I will ask counsel to put the question
23 again in case you have forgotten it.

24 MR MUNYARD: I will also do it in two parts which I really
12:54:03 25 should have done initially:

26 Q. Operation Stop Election was an extremely inhumane and
27 brutal thing to propose, wasn't it?

28 A. Stop Election, that is what you mean?

29 PRESIDING JUDGE: Well, counsel referred to the operation

1 which was called Stop Election.

2 THE WITNESS: My Lord, he had said that he was going to
3 define the word "nasty" and he was on that nasty, but now he has
4 brought up some other thing. He had already spoken about nasty
12:54:45 5 and it was about that nasty that he talked about bad, bad things
6 and I had answered that.

7 PRESIDING JUDGE: Mr Witness --

8 THE WITNESS: Yes, my Lord.

9 PRESIDING JUDGE: -- I have directed counsel to ask the
12:54:55 10 question again. Listen to the question, answer it, put the
11 semantics out of your mind. Please ask the question.

12 MR MUNYARD: [Overlapping speakers] explain semantics if we
13 are not careful.

14 PRESIDING JUDGE: The meaning of words. Listen and answer
12:55:12 15 the question. Don't argue about the meaning of words.

16 MR MUNYARD:

17 Q. Operation Stop Election proposed by Mr Sankoh to Mr Taylor
18 in that radio conversation was a brutal and inhumane plan, wasn't
19 it?

12:55:39 20 A. Yes.

21 Q. And it is something you would never forget overhearing,
22 isn't it?

23 A. Yes.

24 Q. It would stick in your mind forever, wouldn't it?

12:55:56 25 A. Yes, it would be in my mind.

26 Q. Tab 1, please?

27 JUDGE LUSSICK: What page are we looking at, Mr Munyard?

28 MR MUNYARD: Your Honour, page 23022. It is the interview
29 of 4 September 2006 again:

1 Q. Do you have that page, Mr Mongor?

2 A. Yes, I have it.

3 Q. We have already looked halfway down the page at that part

4 of the interview on 4 September when you told the investigators

12:57:07 5 that you never communicated directly with Charles Taylor while in

6 the field. I am not going over that again, but that is what they

7 have recorded. I want to go further down that page. That is one

8 point. Miss out the second point where it says, "Mongor used a

9 radio operator" and go to the third point. Do you see the

12:57:31 10 sentence starting, "Mongor would often be advised by

11 Sam Bockarie"? Do you see that? Do you see that? That

12 paragraph that starts there, Mr Mongor. I am not asking you to

13 read right through it at the moment, I am asking you if you have

14 got the beginning of that sentence?

12:57:58 15 A. Yes, I have seen that.

16 Q. It says this, doesn't it:

17 "Mongor would often be advised by Sam Bockarie or Issa

18 Sesay they had just talked to Papa, i.e. Charles Taylor, on the

19 radio and these are the instructions that he gave. Mongor never

12:58:16 20 overheard or was present for any radio conversation between

21 Charles Taylor and either Sam Bockarie or Issa Sesay. However,

22 he did overhear radio conversation between Charles Taylor and

23 Foday Sankoh".

24 And then it goes on to describe what you overheard between

12:58:41 25 those two men:

26 "In 1995 Mongor was with Foday Sankoh at Camp Zogoda when

27 radio operator Zedman advised", and I have gone over now to

28 23023, "...when Zedman advised Foday Sankoh that he had someone

29 on the radio to talk to him".

1 Now stop just there and don't look at the rest of that
2 sentence. Just look up, if you would. Is that right? In 1995
3 were you at Camp Zogoda when Zedman informed or advised Foday
4 Sankoh that he had someone on the radio to talk with him and you
12:59:30 5 overheard this conversation?

6 A. My Lord, it was not 1995.

7 Q. When was it?

8 A. I told you 1996.

9 Q. Right. So there was only the one conversation that you
12:59:56 10 overheard then?

11 A. Yes, I heard that conversation - radio conversation.

12 Q. Only the one occasion when you overheard a radio
13 conversation between those two with Zedman present, yes?

14 A. Yes, when Zedman was there.

13:00:21 15 Q. Thank you, yes. Well, let's read on:

16 "Mongor went with Foday Sankoh to the radio room and
17 overheard a conversation between Foday Sankoh and Charles Taylor.
18 He heard Charles Taylor talking and he knows Charles Taylor's
19 voice".

13:00:40 20 Is that right?

21 A. Yes, I know Charles Taylor's voice. That's right.

22 Q. Just look up again, Mr Mongor. Have the investigators
23 correctly recorded what you were telling them in these typed up
24 notes about this conversation? Have they got this right or
13:01:05 25 wrong?

26 A. The one that you have said concerning the issue of Zedman,
27 is that the one? Which one? Be specific.

28 Q. I am very sorry if I wasn't being. Every single part of
29 this passage that I have been reading so far, starting on the

1 previous page, have they got that right or have they got that
2 wrong, any part of it that I have read so far? That this
3 conversation happened in 1995 at Camp Zogoda?

13:02:00 4 A. Well, you talk about 1995 and I told you it was not '95,
5 but '96.

6 Q. So when the notes were read back to you what year was read
7 back to you? Don't look at the page because that won't help you
8 because we understand that the notes were in handwriting and you
9 have already told the Court this morning that you have a very
13:02:25 10 clear memory - hang on, wait for the rest of the question. You
11 have already told the Court this morning you have a very clear
12 memory of that interview of the investigator writing your
13 corrections in the margin. Can you help the Justices with this:
14 What year was read out when the notes were read back to you about
13:02:47 15 this part of the interview?

16 A. In the first place I want to make a point of correction in
17 what you are saying. I do not want you to say something that I
18 have not said just for the satisfaction of you and your client.
19 I have not said that I have a clear memory. I am a human being,
13:03:23 20 liable to making mistakes. I can forget.

21 Q. Mr Mongor, the Court has heard your evidence this morning
22 about your memory. Now just tell the Court what year was read
23 back to you when the handwritten notes were read over to you to
24 ensure that the investigator had written down correctly what you
13:03:46 25 had told them?

26 A. I cannot tell you the year.

27 Q. Well, you remembered having to correct the investigator at
28 an earlier stage of the interview about your communicating with
29 Charles Taylor yourself. Do you remember having to correct the

1 investigator about the date - sorry, the year of the conversation
2 that you overheard between Foday Sankoh and Charles Taylor?

13:04:41 3 A. I told you that I heard it. I heard when Foday Sankoh and
4 Charles Taylor were conversing in 1996 before we carried out the
5 Operation Stop Elections.

6 Q. Mr Mongor, are you avoiding the question? You know
7 perfectly well, don't you, that I am asking you about what was
8 read back to you and do you have any recollection of having to
9 correct anything to do with this conversation? You know
10 perfectly well that's what I'm asking you about, don't you?

11 MR KOUMJIAN: Counsel is asking multiple questions. If the
12 witness is allowed to answer the first question before a second
13 question is asked.

14 PRESIDING JUDGE: Mr Munyard, you are asking more than one
13:05:23 15 question in the same question. Please put them one at a time.

16 MR MUNYARD: I will try, yes:

17 Q. Mr Mongor, I am not asking you about what went on in the
18 conversation. I am asking you about what happened during the
19 interview. Now you understand that that is what I am asking you
13:05:43 20 about, don't you?

21 A. I understand you are asking me about the interview.

22 Q. Do you have any recollection of having to correct the
23 investigator's notes when he read out the year that you said you
24 overheard that conversation between Foday Sankoh and Charles
13:06:11 25 Taylor?

26 A. Yes.

27 Q. All right. And what did you have to do? What happened?
28 What is your recollection of having to correct the investigator?

29 A. I recall I told them that the year was not 1995, but 1996.

1 Q. Right, and what did the investigator do?

2 A. I told them to change the date.

3 Q. What did he do when you told him that?

4 A. I want to believe he made the correction.

13:07:21 5 Q. Well, yes. You told us earlier that you saw him making
6 another correction on the page. Did you see him making a
7 correction on the page with this second significant error?
8 Sorry, second important error?

9 A. I saw him write on a piece of paper the things that I said.
13:07:58 10 That is about the 1996.

11 MR MUNYARD: Would your Honours give me just a moment? I
12 am looking at something that I have recently been supplied with
13 and never seen before:

14 Q. So, you saw him make a correction, did you?

13:08:42 15 A. Yes, I saw him writing.

16 Q. Right, and where did he correct it? I mean did he correct
17 it on the page as he was reading it out to you and you said,
18 "Hang on a minute, you have got the wrong year there"?

19 A. He had plain sheets in front of him, so when he completed
13:09:13 20 reading I told him it was not 1995 but 1996, and I saw him write
21 it on a piece of paper.

22 Q. Where did he write it? Did he write it on the place where
23 he had already written 1995 by mistake?

24 A. Well, the man had pieces of papers in front of him and the
13:09:41 25 papers were not like these ones. So I saw him write it on a
26 piece of paper.

27 Q. Right. How is it that you have such a good memory of
28 everything that went on in that interview back in September 2006?

29 A. It is when we are talking now that I have been able to

1 recall, but you should bear in mind that these things happened a
2 long time ago, but as we are talking now I have been able to - I
3 have been able to recall certain things.

13:10:28 4 Q. This thing happened less than two years ago, this
5 interview, and you had an interpreter there to help you.

6 A. I want to tell you that I am a human being liable to
7 mistakes. I can even make a mistake now, so you cannot say,
8 except that something has taken quite a long period of time, many
9 years ago, before I make a mistake.

13:11:01 10 MR MUNYARD: Your Honours, I would like to show the witness
11 the handwritten notes that were supplied to us at 12 o'clock this
12 morning, or I think technically this afternoon that is, but I
13 haven't obviously got copies for anybody and so perhaps if it
14 just goes on the screen will that suffice for the time being?

13:11:27 15 PRESIDING JUDGE: Yes, I think that is the most practical
16 thing, but Madam Court Attendant if you please show it to counsel
17 for the Prosecution before putting it on the screen --

18 MR MUNYARD: Yes, they supplied it to us.

19 PRESIDING JUDGE: -- to ensure it is the relevant one.

13:11:42 20 MR MUNYARD: Yes. It should say that it is 4 September.
21 The date is written rather oddly in backwards form, but the 4 is
22 more clear than anything else.

23 PRESIDING JUDGE: You will get used to that system in the
24 Special Court, Mr Munyard.

13:11:54 25 MR MUNYARD: It goes both directions in the papers we have
26 been given, but I am making the point that the 4 is clear so that
27 the party opposite knows I am referring to the right documents
28 and I don't now have a copy, of course, so I am going to have to
29 work from what is on the screen. Madam Court Officer, could you

1 please - that is it, if you could move it up the page. It is
2 page 22990 and the name of "Mongor" is at the top and then if you
3 go - if you move down the page, stopping about there, we can see
4 it says, "Continuation 1430 hours 2006 September" and then it
13:12:48 5 says "04", but that is 04 September, "in prep room number 5 with
6 Mohamed Keifala, interpreter of Mongor interview." Then we see
7 it starts with the words, "Mongor never communicated directly
8 with CT while in the field." Do you see that, Mr Mongor? This
9 is handwritten note. Do you see that?

13:13:26 10 A. I have not yet seen it except it points at the place.

11 MR MUNYARD: Madam Court Attendant, could you indicate to
12 the witness:

13 Q. Mr Mongor, if I read it out slowly, because it is somebody
14 else's handwriting and not necessarily easy to follow, I will be
13:13:50 15 corrected if I read anything out that is wrong. Do you
16 understand? Do you understand that, Mr Mongor?

17 A. Yes, my Lord.

18 Q. The first point underneath the date and time is, "Mongor
19 never communicated directly with CT while in the field."

13:14:21 20 Do you see that?

21 A. I have seen it.

22 Q. There is no correction there, is there?

23 A. I have not seen a correction there.

24 Q. No. I am going to read on another three-and-a-half lines
13:14:42 25 and I will read them quite quickly because the point I want to
26 make is on the last of those lines, "Only SB spoke to CT directly
27 on the radio." I am going to move on down then. Missing out the
28 next two lines, we can see a word there in capital letters. Do
29 you see a word there? A name Lamboi. Do you see the name

1 Lamboi? It is five lines down from the top of this passage?

2 Mr Mongor, I am not asking you to read the whole thing for
3 yourself so you can guess the next question. I am asking you --

4 A. I have seen Lamboi. I have seen it.

13:15:39 5 Q. That is the name you gave the investigators, isn't it?

6 A. Lamboi?

7 Q. Yes. That is a name you gave the investigators, isn't it?

8 A. Well, I can't recall now, but I would think about it.

9 Q. I see, so that's something you don't remember. Right. And

13:16:03 10 then it goes on, "Mongor used a radio operator named" and

11 "Shekun" is crossed out and "Sheku" is put in and the crossing

12 out has against it the initials - what looks like - and they

13 appear - it has some initials and they look as though they start

14 with the letter K. You were being interviewed by someone called

13:16:35 15 Mr KR Kolot that day. Do you remember the first name of

16 Mr Kolot?

17 A. I don't recall the first name.

18 Q. All right. If I suggest he was called Chuck does that ring
19 any bells?

13:17:00 20 A. Chuck?

21 Q. Do you remember being interviewed on many occasions by a
22 man called Chuck?

23 A. The name might have slipped off my mind now, but if I
24 recall later then --

13:17:23 25 Q. Can we just go and scroll down that page, Madam Court

26 officer. That's the end of that page. Can you put the next page

27 on, please, starting at the top of the next page, page 22991,

28 your name there at the top, and I want to take you seven lines

29 down from the top, Mr Mongor. Can you not scroll down just yet

1 so we can all count seven lines down from the top. If you look
2 on the right-hand side of the page and you just count seven lines
3 down starting from the first line do you see the year 1995 at the
4 end of a line on the right-hand side?

13:18:29 5 A. Yes, I have seen 1995.

6 Q. Yes. Well, let's just read how that passage starts. On
7 the previous line in the middle it reads: "However he did
8 overhear a radio conversation between CT and FS", and there is to
9 me an indecipherable letter after FS, "in 1995"?

13:18:57 10 PRESIDING JUDGE: It is a semicolon I think.

11 MR MUNYARD: Thank you, your Honour, yes:

12 Q. "In 1995 Mongor was with FS at Camp Zogoda". I am not
13 going to go on any further at the moment. 1995 is not corrected
14 there, is it?

13:19:18 15 A. No, it is not correct there.

16 Q. I am going to ask Madam Court Officer to scroll slowly down
17 that page so that we can see if there are any other corrections
18 on that page and would you go all the way to the bottom, please,
19 but slowly enough so that we can follow. Right. Three lines
13:19:40 20 from the bottom do you see a line that starts, "House off Spur
21 Road" and the word "when" - it looks like - "when" is crossed
22 out. Do you see that?

23 A. Yes, I see it.

24 Q. That appears to be the only correction there. Can we see
13:20:08 25 the next page, please. This is the last page of this particular
26 interview and again if we can go from the top. This is page
27 22992, your name again, and if we scroll slowly down this page we
28 see no corrections on that page either, do we?

29 A. No, I have not seen any correction in the place.

1 Q. So why were you telling the Justices just a little while
2 ago that you saw Mr Kolot writing down on the paper your
3 correction of the date from 1995 to 1996?

4 A. Yes, I said it, but I did not tell you about any specific
13:21:20 5 kind of paper, but he wrote it on the paper. He wrote it on a
6 sheet of paper. That was what I told you.

7 Q. You didn't tell us about any specific sheet of paper. What
8 you told us was a lie, wasn't it, Mr Mongor?

9 A. It's not a lie at all.

13:21:40 10 Q. And if he got the 1996 date from you during the reading
11 back and he wrote that on a different piece of paper, he
12 certainly hasn't managed to make the correction when he comes to
13 type up his notes, has he, because we started off by looking at
14 the typed notes?

13:22:10 15 A. Yes, it is possible, because even with the typed notes that
16 you have that we have gone through there are dates, and even when
17 we were dealing with it there were certain dates that you
18 yourself saw that were not correct. But when I wanted to say
19 something about it you told me to forget about it. Maybe you
13:22:37 20 knew they were acting - they were there in your favour so you
21 asked me to stop it.

22 PRESIDING JUDGE: Mr Witness, I have warned you before.
23 You are not to be challenging and entering into conversations
24 with counsel. Answer the question directly, please.

13:22:57 25 THE WITNESS: Okay, my Lord. I have not seen any
26 corrections there, my Lord.

27 MR MUNYARD:

28 Q. That's because you never made any corrections, did you,
29 Isaac Mongor?

1 A. I made it, my Lord.

2 Q. Well, let's go back, please, to page 23023 and carry on
3 where we left off. Now we were on line 4, starting from the top.
4 You claimed that you knew Charles Taylor's voice and then it
13:24:10 5 carries on as follows:

6 "Charles Taylor and Foday Sankoh were talking about the RUF
7 being stranded or trapped in the jungle, being cut off from
8 transportation and supply lines".

9 Now do you agree I that that's what it says there?

13:24:33 10 A. Yes, my Lord.

11 Q. And just look up a moment from the page. I don't want you
12 to carry on reading the page, Mr Mongor. Just listen to the
13 question. That is what you said in evidence that Mr Sankoh
14 discussed with Mr Taylor in 1996, isn't it; that you had been cut
13:25:03 15 off from your supply. That's right, isn't it?

16 A. Yes, my Lord.

17 Q. But much more importantly you say that the conversation
18 went on beyond being cut off from supplies and went on to discuss
19 Operation Stop Election, don't you?

13:25:44 20 A. I did not say that they went straight to Operation Stop
21 Election.

22 Q. But they did discuss Operation Stop Election in the
23 conversation. That was your evidence on 10 March. Do you
24 remember now?

13:26:06 25 A. That was what I said, my Lord.

26 Q. Yes. And did you tell the investigator on 4 September 2006
27 that they didn't just talk about the RUF being cut off from its
28 supply lines, but they talked about the inhumane and brutal plan
29 Operation Stop Elections?

1 A. Yes, about Operation Stop Elections and what we were
2 supposed to do. Yes, I said it, my Lord.

3 Q. You said it to Mr Kolot in the course of that interview
4 that we have been looking at, yes, but he got the date wrong?

13:27:00 5 A. I said it about what we were supposed to do during Stop
6 Elections.

7 Q. Right. Well, let's look at the rest of that passage.
8 Seven lines down, I stopped at line 6:

9 "Charles Taylor wanted to know how things were going.

13:27:22 10 Foday Sankoh advised Charles Taylor that the RUF were trying hard
11 but were cut off from supplies from Liberia and had to rely on
12 what they could get from villages, or from captured of enemy
13 ammunition, drugs and food".

14 And that's where your account of that conversation ends
15 when you were claiming that you had heard a conversation between
16 those two men to Mr Kolot in September of 2006, do you see?

17 A. I - if I saw it and I said it?

18 Q. You told Mr Kolot in that interview that this brutal and
19 inhumane plan was discussed on the telephone between the two -
13:28:25 20 sorry, on the radio between the two leaders. Is that what you're
21 telling us?

22 A. I said it, the things that the operation was all about,
23 Stop Election. I said it.

24 Q. When he read the notes back to you, and we have just seen
13:28:46 25 the handwritten notes, why didn't you say, "Good God, you have
26 missed out the most important thing I told you about that
27 conversation"?

28 A. I was unable to tell him at that particular moment, but I
29 believe that I did tell him that the Operation Stop Election, the

1 things that they were - it was all about and all the conversation
2 that went on between them. I said it.

3 Q. This was such an important conversation, you told this
4 Court earlier this morning, that you would never forget it for as
13:29:31 5 long as you live. Do you remember saying that? You agreed with
6 me that it was something you would never forget for as long as
7 you lived. Do you remember saying that?

8 A. I did say the things that were supposed to happen during
9 the operations and those are things if they happened to somebody
13:30:08 10 and somebody did them it would not be easy to forget them. Yes,
11 I said it.

12 Q. Yes, and that's a pack of lies, isn't it, that you told the
13 investigator in September 2006?

14 A. No, my Lord.

13:30:30 15 PRESIDING JUDGE: Mr Munyard --

16 MR MUNYARD: Is this a convenient moment?

17 PRESIDING JUDGE: Yes, I am noting the time here.

18 Mr Witness, we are going to take the lunchtime adjournment. We
19 will start court again at 2.30. Please adjourn court.

13:31:02 20 [Lunch break taken at 1.30 p.m.]

21 [Upon resuming at 2.30 p.m.]

22 PRESIDING JUDGE: Mr Munyard.

23 MR MUNYARD: Thank you, your Honour:

24 Q. Mr Mongor, back please to page 23023, tab 1. Let's go back
14:31:16 25 to the passage we were looking at before the lunch adjournment.
26 The top half of that page doesn't include a word about Operation
27 Stop Election does it?

28 A. It does not talk about it.

29 Q. When the notes were read back to you at the end of that

1 interview did they contain any of what you told the interviewer
2 about the Operation Stop Election part of that conversation?

3 A. That I did not hear it when he read it over to me?

4 Q. Well, how do you remember this now?

14:32:25 5 PRESIDING JUDGE: Mr Munyard, I think the witness is asking
6 you a question.

7 MR MUNYARD: I am sorry.

8 PRESIDING JUDGE: I think that's what he is asking. It's a
9 Krio way of putting it.

14:32:41 10 MR MUNYARD: Right. Let me try again:

11 Q. When the interviewer read back the notes of interview to
12 you, you have told us that you corrected something right at the
13 beginning of that interview where he'd got it wrong about you
14 never communicating directly with Charles Taylor. Do you

14:33:07 15 remember telling us that?

16 A. Yes, my Lord.

17 Q. Looking at the page and reading it isn't going to help you
18 with these questions, Mr Mongor. If you just look away from the
19 page you might be able to concentrate better on the questions.

14:33:26 20 A. I am concentrating, sir.

21 Q. Well, I'm very pleased to hear it. Let us move on to the
22 part of the interview where you told him that on this one
23 occasion you had heard Foday Sankoh on the radio to
24 Charles Taylor talking about how the RUF were cut off from
14:33:48 25 supplies and telling him about this Operation Stop Election. Now
26 did he read back what you had told him about Operation Stop
27 Election?

28 A. He did not read it back to me, my Lord. I did not hear him
29 read it.

1 Q. So what did you say?

2 A. I said - I said that Foday Sankoh made mention about
3 Operation Stop Elections when they were conversing.

4 Q. You mean you pointed out to him that he had made a mistake
14:34:53 5 in not recording what you had told him about the conversation
6 concerning Operation Stop Election? Is that what you're telling
7 us?

8 A. I told him that, "I did not hear you read something about
9 Operation Stop Elections when you were reading through your
14:35:24 10 notes".

11 Q. Right. So what did he say when you pointed out this error
12 that he had made?

13 A. Well, during the interviews, when one thing is discussed,
14 the next moment another topic comes up so he asked me another
14:35:53 15 question.

16 Q. Now go back to the question that I asked you and try and
17 answer that, please. I thought you were trying to concentrate.
18 Would you please concentrate on the question that you are asked
19 and not just tell us something that you want us to hear?

14:36:17 20 MR KOU MJIAN: Objection. These are arguing with the
21 witness and there has been no question put to the witness at the
22 moment.

23 MR MUNYARD: I did put a question. I said what did he say.

24 MR KOU MJIAN: I believe that was quite a few comments ago.

14:36:30 25 MR MUNYARD: It wasn't a comment, it was a question.

26 PRESIDING JUDGE: Put the question again, Mr Munyard.

27 MR MUNYARD:

28 Q. When you pointed out to him that you had mentioned
29 Operation Stop Election and he had not read it back to you, what

1 did he say when you pointed out his error?

2 A. Well, he did not say anything to me.

3 Q. I beg your pardon? Are you saying he didn't say anything
4 at all when you pointed out that he had missed out one of the
14:37:02 5 most important things you had told him?

6 A. I told him that the - we were called to that meeting
7 purposely for the Operation Stop Election and all the other
8 conversations that went on between Foday Sankoh and
9 Charles Taylor. I told him everything.

14:37:31 10 Q. Yes, and what did he say when you pointed out that he had
11 not recorded in his notes what you had told him about the
12 conversation concerning Operation Stop Election?

13 A. I told him and I saw him take a piece of paper and he wrote
14 what I said, and from that point he did not ask me any other
14:38:16 15 thing about that and I also did not tell him any other thing
16 about that. Then he proceeded to another topic.

17 Q. Are you telling the Judges that he wrote down - this is the
18 second time you have told him. That when you corrected him and
19 pointed out his omission, that he wrote down your account of the
14:38:40 20 conversation about Operation Stop Election? Is that what you are
21 saying?

22 A. Yes, he wrote it down.

23 Q. So you dictated to him, did you? You told him again all
24 about that conversation and he wrote it down as you were telling
14:39:09 25 him? Is that what you are saying?

26 A. I said I told him and he wrote it down on the paper.

27 Q. And then did he read it back to you to make sure that this
28 time not only had he managed to remember to write it down, but he
29 had also got an accurate record of what you had told him? Did he

1 read back to you what he was writing now on a piece of paper?

2 A. When I told him and when he wrote it down on a piece of
3 paper, from there we proceeded to another topic and later I went
4 on with my explanation.

14:39:54 5 Q. Are you saying to me that he didn't read back his note -
6 his handwritten note on this piece of paper - about Operation
7 Stop Election conversation?

8 A. I said after he had written it down on the piece of paper
9 then we moved to another topic. That was what I said.

14:40:23 10 Q. Yes, did you understand my question? I asked you, "Did he
11 read it back?" There is a simple yes or no reply to that. Which
12 is it?

13 A. He read the note.

14 Q. Right, so he read back the second time you told him about
14:40:40 15 Operation Stop Election?

16 A. Yes.

17 Q. He wrote that down. After you pointed out to him, "You
18 have forgotten to put this down in your notes", when he did
19 finally get round to putting it down in his notes he read that
14:40:58 20 back to you to make sure it was correct? Is that what you are
21 saying?

22 A. I said he read it back to me and I saw him write on a piece
23 of paper.

24 Q. You are making this up as you go along, aren't you? You
14:41:18 25 are inventing this, aren't you?

26 A. I am not making up a story, but as you asked me the
27 questions I am recollecting certain things that happened. So, as
28 you are asking your questions I also recall certain things.

29 Q. You are telling this Court a pack of lies about this

1 conversation, aren't you?

2 A. Not a lie, my Lord.

3 Q. Let us just see how that page goes on. This is still
4 page 23023, middle of the page. Do you have that now, Mr Mongor?

14:43:02 5 A. I don't have it, sir.

6 Q. Madam Court Officer will help you. Have you got it now?

7 I am just going to read back to you the final part of your
8 account to the investigator that he has recorded in his typed
9 version of the notes about that conversation that you overheard

14:43:39 10 on the radio. I am going from seven lines down where you see the
11 name "Foday Sankoh" on the right-hand side of the page:

12 "Foday Sankoh advised Charles Taylor that the RUF were
13 trying hard but were cut off from supplies from Liberia and had
14 to rely on what they could get from villagers or from captured
15 enemy ammunition, drugs and food".

14:44:01 16 We will come back later to the question of ammunition, but
17 then the next thing that it deals with is, "Mongor also was
18 present with Foday Sankoh at his house off Spur Road in 2000",
19 and you go on to deal with a completely separate incident after
14:44:22 20 that.

21 Do you accept, Mr Mongor, that there is nothing on this
22 typed page that refers to a conversation between Mr Sankoh and
23 Mr Taylor about Operation Stop Election?

24 A. Yes, there is nothing like that on this particular paper as
14:44:49 25 I look at it.

26 Q. The final paragraph on that page is about different matters
27 and then, if you turn over to page 23024, you will see that after
28 two lines that interview concludes at 1545 hours. Do you see?
29 Do you see that?

1 A. Yes, I have seen it.

2 Q. Yes. Now, put the typed notes on one side. Do you
3 understand that the notes are meant to be a typed up account of
4 everything, or a summary I should say in typewritten form of
14:45:54 5 everything that you told the investigator during the course of
6 that interview? Do you understand that that is what these typed
7 notes are meant to represent?

8 A. Yes, I remember that.

9 Q. And so these typed notes are meant to include a summary of
14:46:28 10 everything that the investigator wrote down on however many
11 sheets of paper during the course of that afternoon on 4
12 September 2006. Do you understand that these typed notes are
13 meant to cover all the things that you told him and it doesn't
14 matter on how many sheets of paper he wrote them down?

14:47:01 15 A. Yes, I recall, my Lord.

16 Q. And at 12 o'clock this morning we were given all the
17 handwritten notes. You see this file here that I am holding up,
18 these are all the handwritten notes that relate to your
19 interviews, all the pieces of paper on which any of the
14:47:30 20 investigators made notes. And I will be corrected if I am wrong,
21 but I suggest to you that there is not a single piece of paper in
22 here that shows that on 4 September 2006 you told that
23 investigator that you had overheard Foday Sankoh and
24 Charles Taylor talking about Stop Election. What do you say
14:48:07 25 about that?

26 A. Yes, I did not say it there. In the papers that you just
27 showed me I did not see it, but I am telling you that it was
28 something that I said.

29 Q. And it was something very important that you told them,

1 wasn't it?

2 A. Yes, it is important.

3 Q. And it was something that the investigator was under a duty
4 to make an accurate record of, wasn't it?

14:48:54 5 A. Yes, that is his duty.

6 Q. And so are you blaming the investigator for the fact that
7 it never finds itself in typewritten form in the typed up notes?
8 Are you saying it is the investigator's fault?

9 A. It was something I told them like I had said before, so if
14:49:34 10 I can't see it there then I would be right to say it is their
11 fault.

12 Q. Yes, and you told this investigator about this not once but
13 twice during that afternoon, didn't you?

14 A. I told him two times? Two times like what?

14:49:58 15 Q. Well, you have just told us this afternoon that you told
16 him about Stop Election being discussed and when he read it back
17 to you he didn't mention Stop Election, so you said to him,
18 "I heard them talk about Stop Election", and he then wrote that
19 down on a piece of paper, but he didn't actually read it back to
14:50:24 20 you. Do you remember saying that to the Judges, or is that
21 something you have already forgotten?

22 A. To say that he did not read it back to me?

23 Q. Have you forgotten that you said that, Mr Mongor?

24 A. Maybe I have forgotten. Would you please remind me, sir.

14:51:01 25 Q. I will remind you, but I want to ask you first of all do
26 you agree that you are forgetting it because you are making it up
27 as you go along? Do you agree that you are making it up?

28 A. No, it is not something that I am making up as we go along,
29 but maybe it has slipped off my mind. I can't recall now. That

1 is why I am asking you to jog my memory.

2 Q. You told us a short time ago that when the investigator
3 read back the interview notes the first time you pointed out that
4 he had missed out an extremely important piece of information
14:52:01 5 that you had told him but somehow he had managed not to write
6 down and when you pointed it out to him he then wrote it down on
7 a piece of paper, but he didn't then read back to you what he had
8 written down to ensure that it was accurate because you told us
9 he went on to the next topic. Do you remember now saying that?

14:52:31 10 A. Yes, I recall. I recall.

11 Q. Or is it simply a case that you never told him that, about
12 hearing them discuss Operation Stop Election, because it never
13 happened?

14 A. The Operation Stop Election happened.

14:53:00 15 Q. No, stop there. Stop, please. When I say, "It never
16 happened" I mean you never heard a conversation between Foday
17 Sankoh and Charles Taylor over the radio about Operation Stop
18 Election. That's what I'm saying never happened and I'm right,
19 aren't I?

14:53:29 20 A. It happened, my Lord.

21 Q. And he didn't write it down, the investigator, because you
22 never told him about it. That's correct, isn't it?

23 A. I said it. It was something that happened and we did it,
24 so I explained to him because these were statements that they
14:53:55 25 obtained from me.

26 Q. I am going to ask you to look at two more pages of the
27 handwritten notes from this particular investigator and I am
28 going to ask Madam Court Officer to put them on the screen. They
29 are two separate pages so if we can have the numerically first

1 one first, which is 23000. Now, Mr Mongor, this is an interview
2 with you on 6 September 2006, same interviewer, Mr Kolot, and the
3 same interpreter that we have seen before, Mohamed Keifala, and
4 do you see your name at the top of that page?

14:55:10 5 A. Yes, I see my name.

6 PRESIDING JUDGE: Mr Munyard, can we just clarify that page
7 number, please. Is it 23030?

8 MR MUNYARD: It is. Did I miss out the 3 when I was
9 calling it first? I'm sorry. It is 23000.

14:55:27 10 PRESIDING JUDGE: I see. Sorry, my mistake, I understand
11 now what's happening.

12 MR MUNYARD:

13 Q. This is just by way of illustration, Mr Mongor. You see
14 there is a paragraph in Mr Kolot's handwriting there, the top
15 paragraph. Do you see that? I am not asking you to read it.

14:55:42 16 Can you just confirm that you are seeing it on the screen,
17 please?

18 A. Yes, I am seeing it.

19 Q. Then there is two lines crossed out. Can you see those?

14:56:03 20 A. I have seen two lines there.

21 Q. Then there is just over three lines below that if we just
22 stop there. Do you see that?

23 A. I have seen it.

24 Q. Now those two lines that he's crossed out he's initialed
14:56:29 25 either side, hasn't he? Do you see that, that he has initialed
26 those two lines either side?

27 A. I have seen it.

28 Q. So that is obviously something, is it not, that you made
29 him change when he read the notes back to you? Do you see there

1 those two lines that are crossed out start with, "In or on
2 September '98"? Do you see that?

3 A. I have seen the two lines that are crossed.

14:57:34 4 Q. It seems to read on September, or in September '98 Mongor
5 was recalled from somewhere to Buedu by SB. Do you see that?
6 I can't read the word that - the place you were recalled from?

7 PRESIDING JUDGE: Kono.

8 MR MUNYARD: Kono. Thank you, your Honour:

9 Q. Do you see that?

14:57:51 10 A. Yes, I have seen it.

11 Q. So do you agree that you must have told Mr Kolot that, or
12 told him something and he has written that down and when he has
13 read it back to you you have corrected that so he has crossed
14 that out?

14:58:15 15 A. Yes, my Lord.

16 Q. And if Madam Court Officer could take that off the screen
17 for a moment and go to - I am now about to lose my tab number.
18 It is 6 September, so I think it is probably tab - it is tab 1
19 and it starts at page 23026 and we want page 23028.

14:59:11 20 I'm very sorry, before that goes onto the screen I hadn't
21 established the words before and after the lines crossed out on
22 the handwritten note so could we just have those back again very
23 briefly. The two lines above the crossed out lines read,
24 "Kamajor society and were trying to go home, they were all
14:59:45 25 executed". Do you see that?

26 A. What area is that? The crossed lines?

27 Q. The two lines above the crossed out lines?

28 A. Above the crossed out lines, or below?

29 Q. Madam Court Officer will show you and we will speed up,

1 please.

2 A. I see Kamajors, yes.

3 Q. Right. Go to two lines below the crossed out lines which
4 read, and let me know if you are not following: "Between 1998

15:00:39 5 Dec 21 and 1999 Feb 28 when RUF allegedly killed civilians in
6 Freetown". Do you see that? Do you see that, Mr Mongor?

7 A. Yes, I have seen that one.

8 Q. Can we take that off the screen and put page 23028 on the
9 screen. Halfway down page 23028 there is a paragraph. It's the

15:01:27 10 second main point on this page. It starts with the words,

11 "Between February 1998 and June 1998". Do you see that? Just
12 those words. Madam Court Officer will point them out to you for
13 speed.

14 A. I see.

15:01:47 15 Q. Go down to the bottom of that paragraph, the last two lines
16 of those paragraphs - of that paragraph is: "Unarmed former
17 Kamajors who had left the Kamajor society and were trying to go
18 home, they were all executed." Yes? Do you see that, Mr Mongor?

19 A. Yes, I have seen it.

15:02:12 20 Q. And the next line on that page reads: "Between 1998
21 December 21 and 1999 February 28 when the RUF allegedly killed
22 civilians in Freetown" et cetera. Do you see that?

23 A. Yes, I have seen it.

24 Q. Right. You can take your eyes off the printed page now.

15:02:38 25 The investigator when typing up his notes of your interview on 6
26 September has removed the passage that he crossed out, presumably
27 because you told him that that wasn't accurate. Do you agree?

28 A. To say that I agreed that, yes, he crossed it.

29 Q. So he is obviously following your instructions and changing

1 names - the spelling of names when you change them and removing
2 things that you have said aren't accurate?

3 A. Well, I did not see it in all the cases on this document
4 like the documents you had displayed that I have seen this
15:03:45 5 morning.

6 Q. Can we have the next page, please, the other page from the
7 handwritten notes. This is page 23004 and you will see - that's
8 just where we need to be, thank you. You will see here the first
9 paragraph, five lines down, the handwritten notes read, "So many
15:04:31 10 females at" and then the words "Guinea Highway" have been crossed
11 out and "Superman Ground" has been written in, again with
12 initials. Do you see that, Mr Mongor?

13 A. Yes, I have seen it.

14 Q. So you obviously corrected the interviewer then, didn't
15:04:57 15 you?

16 A. Yes.

17 Q. And he did what you said when you corrected him?

18 A. Yes.

19 Q. So what is your explanation for the fact that neither in
15:05:20 20 the handwritten notes nor in the typed up version is there any
21 mention at all of the conversation that you overheard between
22 Mr Sankoh and Mr Taylor about Operation Stop Election when you
23 were interviewed in September 2006?

24 A. Well, I can tell you that even the person who wrote this
15:05:50 25 document is a human being. You might not know - maybe he must
26 have misplaced some documents, or the documents got missing. You
27 don't know, you see?

28 Q. Right, I want you to turn now - if I could have those two
29 documents back, please. I am going to ask you to turn to - yes,

1 sorry, tab 14, please. Now this is information that you provided
2 when you were being proofed, that is to say - I presume that is
3 to say - when your evidence was being discussed with you when you
4 were here. Well, let me rephrase that. You were being proofed
15:07:50 5 on 3 and 5 February this year. Where were you on 3 and 5
6 February this year, Mr Mongor?

7 MR KOUMJIAN: There is an objection to that, excuse me.

8 MR MUNYARD:

9 Q. Well, what country were you in?

15:08:06 10 MR KOUMJIAN: Thank you.

11 MR MUNYARD:

12 Q. I don't want to know any addresses, or anything else.

13 I just want to know what country you were in?

14 A. Let him go over that again. Let me get it clear.

15:08:30 15 Q. Yes, I will. I don't want to upset anybody. Just tell us
16 what land you were in?

17 A. I was here.

18 Q. Thank you. Now just so that you know this is interview
19 number 20, so you have now been interviewed on 19 previous dates,
15:09:09 20 and you were asked questions and you gave information. Can you
21 tell us who was present when you were being proofed on 3 and 5
22 February this year in this country?

23 A. Yes.

24 Q. Don't look over there. I don't think they are going to
15:09:47 25 help you over there. Just look at the Judges, if you would.

26 A. Looking at them, Mr Nick.

27 Q. Oh, you are now. Give us an answer. Mr Nick, yes?

28 A. And another man who was an interpreter.

29 Q. Right. Had you met either of them before?

1 A. Yes, I had met them in Freetown before. I had seen them
2 there.

3 Q. Right. Was the interpreter Mohammed Keifala that we have
4 already seen the name of in the 2006 interviews?

15:10:56 5 A. Repeat, sir.

6 Q. Was it the same interpreter, Mohammed Keifala, who was
7 present at some of your interviews in September 2006? Was it the
8 same man?

9 A. No, my Lord.

15:11:14 10 Q. All right. Now, just help us. Who is Mr Nick?

11 A. He is the Prosecution lawyer.

12 Q. The Prosecution lawyer who is sitting there, Mr Koumjian?

13 A. Yes, that is him.

14 Q. All right. Now, at the top - I am going to ask you to look
15:11:49 15 at the top of page 100194. It says there, "Additional
16 information provided by ...", you, it has your witness number and
17 then:

18 "The witness gave the following additional information in
19 the course of proofing on 3 and 5 February 2008. This material
15:12:21 20 has not been reviewed with the witness, or read back to him."

21 All the other - let me just check something before I ask
22 you this next question. Yes, up to that point you had always
23 been interviewed in Sierra Leone, hadn't you?

24 A. Yes, they used to interview me in Sierra Leone.

15:13:24 25 Q. And each time you were interviewed in Sierra Leone you told
26 us - well, you told us on Monday that every time you were
27 interviewed the notes were read back to you. I am going to break
28 that down. Every time you were interviewed in Sierra Leone were
29 the notes read back to you to ensure that they were accurate?

1 A. You want me to say that one?

2 Q. I asked you a question. Every time you were interviewed in
3 Sierra Leone were the notes read back to you for you to confirm
4 that they were correct, or so they could be altered if they were
15:14:23 5 wrong?

6 A. Yes.

7 Q. When you were proofed on 3 and 5 February this year, here
8 in Holland, were the notes read back to you?

9 PRESIDING JUDGE: Do you mean the proofing notes, or the
15:14:47 10 original notes from Sierra Leone?

11 MR MUNYARD: No, sorry, I have moved on.

12 PRESIDING JUDGE: The proofing notes.

13 MR MUNYARD:

14 Q. When you were interviewed in Holland, were the notes of the
15:14:58 15 interview that you gave - were the notes of the information that
16 you were providing read back to you?

17 A. Yes.

18 MR MUNYARD: Now either my LiveNote is not working, or -
19 oh, yes, there it is:

15:15:27 20 Q. So when Mr Nick and the interpreter interviewed you in
21 Holland and you gave them more information, those notes were read
22 back to you, were they?

23 A. Yes, they reread it to me.

24 Q. And is this right, Mr Mongor, that you would have been very
15:15:57 25 surprised if they hadn't read them back to you to check their
26 accuracy after your previous 19 interviews had been?

27 A. Yes, they read it back to me.

28 Q. And you are quite sure about that, are you?

29 A. I am sure that the things they had from me they read it

1 back to me.

2 Q. All right. I am going to ask you, please, to turn over to
3 page 100195 and have a look at that now. Ignore the first two
4 lines and go to the second paragraph that starts with, "Jungle
15:17:09 5 was an NPFL commander". Do you see that? Three lines down from
6 the top, do you see that?

7 A. Yes, I can see it.

8 Q. What was Jungle's real name?

9 A. His name is Tamba.

15:17:38 10 Q. When did you discover that?

11 A. I knew it when I recalled his name.

12 Q. When were you first aware that Jungle's real name was
13 Tamba?

14 A. It was later that I could - that I recalled his name.

15:18:11 15 Q. Who told you his name? His real name?

16 A. I cannot recall now if it was somebody else who gave me his
17 name, but I recalled the name. I thought about it and I recalled
18 the name.

19 Q. Did you know his name in 2006?

15:18:49 20 A. 2006?

21 Q. Yes, did you know his name two years ago?

22 A. I knew it when we were calling him Jungle. That was the
23 name that was common.

24 Q. So you knew it when you knew him in the 1990s, yes?

15:19:27 25 A. Yes, when I knew him I knew that name.

26 Q. Next paragraph, please. Do you see in the next paragraph
27 it reads:

28 "The witness remembered that not long before the elections
29 in Sierra Leone in 1996 he was called from the northern jungle

1 where he was the commander to come to Zogoda that was the base of
2 Foday Sankoh. Sankoh had a communication Yaesu radio which was
3 set up in his camp in Zogoda. The witness was present in the
4 radio area when Sankoh received a communication from Taylor and
15:20:08 5 spoke with him over that radio. Zedman, who was the radio
6 operator of Sankoh, was present during that conversation. The
7 witness was close to the radio and heard and recognised Taylor's
8 voice."

9 Do you see that paragraph?

15:20:29 10 A. I can see it.

11 Q. Yes, and do you agree that that paragraph is very similar
12 to the paragraph that we were looking at earlier today from your
13 interview in September 2006?

14 A. I don't think they are identical, because there are
15:20:57 15 differences. If you look at them there are differences.

16 Q. Mr Mongor, I have looked at them and we are going to come
17 on to the differences, rest assured. However, do you agree that
18 that is broadly similar to the paragraph that we looked at in
19 your interview of 4 September 2006?

15:21:28 20 A. They are similar, but not identical. They are similar, but
21 not identical.

22 Q. Well, one of the things that is not identical is the year:
23 1996 in interview number 20 and 1995 in interview number 3.

24 A. The other difference that I have also picked out is the one
15:22:09 25 which says the witness was never present when Mr Taylor and
26 Sankoh was communicating, but this one is saying that the witness
27 was present, was closer, and being closer and never are
28 different.

29 Q. I see. Well, we had better go back then to page 23023 in

1 tab 1 and have a look at that difference that you claim to have
2 identified. Right at the top of that page, please, 23023, from
3 the previous page:

4 "Zedman advised Foday Sankoh that he had someone on the
15:23:35 5 radio to talk to him. Mongor went with Sankoh to the radio room
6 and overheard a conversation between Foday Sankoh and
7 Charles Taylor."

8 Where is the difference between that and the words recorded
9 in February of this year that, "Witness was present in the radio
15:23:55 10 area"?

11 A. There is a difference that I am talking about.

12 Q. What's the difference?

13 A. When it states that he went, he was close to the radio.

14 Q. No, it doesn't. Where does it say he was close to the
15:24:24 15 radio? If I have got that wrong, please point out - it's in the
16 bottom part of that paragraph: "The witness was close to the
17 radio and heard and recognised Taylor's voice". Back in
18 September 2006 you are saying you were in the radio room, you
19 heard Charles Taylor and you know Charles Taylor's voice. What's
15:24:48 20 the difference in substance?

21 A. Yes, I said I recognised Charles Taylor's voice.

22 Q. All I wanted to ask you about this was do you agree that
23 the scene that you are setting in February of this year when you
24 are being interviewed by Mr Nick and the interpreter is very
15:25:15 25 similar to the scene that you described in September 2006 when
26 you were talking about a conversation in 1995? Now do you agree
27 that the scene is very similar?

28 A. Yes, but when you said 1995 and it was not '95.

29 Q. No, Mr Mongor, we have moved on from that. We know that

1 you say that the unfortunate investigator managed to get that
2 wrong. I just want to ask you about the picture that he is
3 describing, or that you're describing in both the September 2006
4 interview and the February 2008 interview. They are similar
15:26:13 5 pictures, aren't they; Zedman, Foday Sankoh, you, all in the
6 radio area, Foday Sankoh talking to Charles Taylor?

7 A. Yes.

8 Q. What was the question that you were asked, or what were the
9 questions that you were asked that led to you going into all of
15:26:40 10 this radio conversation again?

11 A. They asked me whether I had come to Zogoda before while
12 Foday Sankoh was there and I said yes. I said even before we ran
13 the Operation Stop Election Foday Sankoh invited us there and
14 I went there and I also went there - when I was on the ground he
15:27:26 15 received a message from the radio operator, Zedman. He called
16 him saying that there was somebody on the radio who wanted to
17 talk to him.

18 Q. I didn't ask you what you said. I asked you what the
19 question was.

15:27:40 20 A. Yes, that is what they asked me and I started explaining.

21 Q. No, we don't want to know what you said at this stage. We
22 just want to know first of all the question?

23 A. Okay.

24 Q. When they asked you that question --

15:27:57 25 A. All right.

26 Q. When they asked you that question didn't you say to them,
27 "Look, I have already told you about that when I was interviewed
28 earlier in Freetown. Why are you going over all of this again?"
29 Didn't you ask them something like that?

1 A. Well, I did not tell them. I did not tell them that.

2 Q. You knew Mr Nick well enough to be able to say to him,
3 "I have already covered this, why are you asking me again",
4 didn't you?

15:28:35 5 A. Well, maybe they had their reason for asking, but I did not
6 tell them that we were through with that topic because it was
7 like they were obtaining a statement from me, so as I was talking
8 they were writing. So if afterwards somebody else called me in
9 and asked me the same questions, I will explain what I would
10 remember. Maybe I could even think about things that I did not
11 state in my first statement, so I would add that to it.

12 Q. So are you suggesting that yours is a memory that improves
13 over the period of time, rather than that diminishes over the
14 passage of time? Is yours a memory of events that gets better as
15:29:36 15 time passes, or gets worse?

16 A. Well, as time goes on even as we are talking, as you
17 continue asking me, there are times I can recall some other
18 things even.

19 Q. So you then go on to say in the next paragraph on
15:30:13 20 page 100195 - I don't know if - can that go on the screen,
21 please? This is the fourth paragraph down on that page: "During
22 that radio conversation" - do you see that, Mr Mongor? I don't
23 want to start until you have confirmed that you are looking at
24 the fourth paragraph down. Do you see that?

15:31:01 25 A. Yes, I see it.

26 Q. "During that radio conversation Foday Sankoh first gave a
27 report of the military situation to Taylor. Then he discussed
28 with Taylor the upcoming elections. Sankoh told Taylor that the
29 RUF had planned an operation to stop the election by making

1 things fearful and frightening civilians so that they would not
2 participate in the voting. Taylor said that this plan was not
3 bad and that this was all right. The whole conversation lasted
4 for about 20 to 25 minutes".

15:31:35 5 Then you go on to deal with other matters: Sankoh
6 reporting regularly to Taylor in the next paragraph and then, two
7 days later, a commander meeting at Zogoda of all the area
8 commanders. Yes? Can you just confirm that you looked at all of
9 that, paragraphs 4, 5 and 6?

15:32:15 10 A. Yes, I said this. I can see it.

11 Q. You don't say anything in that particular section about
12 Mr Sankoh telling Mr Taylor that the plan was to cut off people's
13 hands, do you? You don't say there that you overheard Sankoh
14 telling Taylor that the plan was to cut off people's hands?

15:32:51 15 A. I would like you to repeat the question, my Lord.

16 Q. You don't say in that passage in the third paragraph in
17 page 100195 that you overheard Mr Sankoh telling Mr Taylor about
18 the plan to cut off people's hands, do you?

19 A. I did not say that, but I said it in some other way.

15:33:25 20 I said to make the operation fearful, to stop the election. So
21 I said it in some other way.

22 Q. So what is it that you were telling the investigators in
23 February - sorry, the investigator and Mr Koumjian in February of
24 this year that you overheard Mr Sankoh telling Mr Taylor? Just
15:33:48 25 tell the learned judges what you overheard about that.

26 A. I said when he invited the commanders from the various
27 areas --

28 Q. No, stop there, Mr Mongor. What did you tell the
29 investigators that you had overheard Mr Sankoh saying to

1 Mr Taylor?

2 MR KOUMJIAN: Your Honour, I believe the witness - it's
3 fair for the witness to give that answer, especially in light of
4 the second to last paragraph on this page. In my view it does
15:34:40 5 answer the counsel's question.

6 MR MUNYARD: I would like the page taken off the screen at
7 the moment:

8 Q. Mr Mongor, what did you tell the investigators you had
9 overheard Mr Sankoh saying to Mr Taylor about Operation Stop
15:35:08 10 Election?

11 PRESIDING JUDGE: Which interview is this because
12 I understand --

13 MR MUNYARD: February.

14 PRESIDING JUDGE: It is Mr Koumjian and an interpreter, not
15:35:17 15 an investigator.

16 MR MUNYARD: I think for these purposes I am just prepared
17 to use the expression "Prosecution".

18 PRESIDING JUDGE: Very well, so we are ad idem then as to
19 what we are talking about.

15:35:31 20 MR MUNYARD: Yes. The February interview:

21 Q. The February interview. What did you tell the Prosecution
22 in February that you had overheard Mr Sankoh say to Mr Taylor?

23 A. I heard Mr Sankoh tell Mr Taylor about the operation which
24 we were to carry out to stop the elections and prior to that he
15:36:31 25 told him everything about what had been happening on the ground.
26 He explained all of that to him. Before he later told him about
27 the operation that we should ensure that we carry out the
28 operation to stop the elections and while carrying out that
29 operation we should make the area fearful.

1 Q. That's what you overheard Mr Sankoh telling Mr Taylor when
2 you were listening in on their - hang on - when you were
3 listening in on their conversation, yes?

4 A. I am not through yet. I am not through yet, my Lord.

15:37:29 5 PRESIDING JUDGE: Let the witness finish, Mr Munyard.

6 MR MUNYARD: I am sorry.

7 PRESIDING JUDGE: Continue, Mr Witness.

8 THE WITNESS: As I said, he said we were to carry out an
9 operation to stop the elections and the operation we should make
10 it fearful and during that operation whosoever we captured we
11 should amputate that person's arm and tell the person to take his
12 or her arms off the war, because the government was planning to
13 hold elections without recognising the RUF and so we were to
14 carry out that operation to ensure that the elections were not
15 conducted.

15:38:32

16 MR MUNYARD:

17 Q. In other words you are saying that you told the Prosecution
18 in February of this year, during proofing sessions, exactly what
19 you told Mr Kolot, the investigator, in the year 2006. Do you
20 agree?

15:38:52

21 A. Please ask the question again.

22 Q. In other words you are saying that you told the Prosecution
23 in February of this year, during proofing sessions, exactly what
24 you told Mr Kolot, the investigator, in the year 2006. Do you
25 agree?

15:39:15

26 A. Yes, I said it, what I have said about the operations.

27 Q. And do you agree that Mr Kolot has not managed to make a
28 record of you saying that you overheard Mr Sankoh telling
29 Mr Taylor that the plan was to cut the hands off people?

1 A. I said I did say it and when you asked me I told you that
2 I did say it.

3 Q. The question was are you also saying that Mr Kolot failed
4 to make a record --

15:40:07 5 PRESIDING JUDGE: I think we have been over that ground,
6 Mr Munyard.

7 MR MUNYARD: Right:

8 Q. Look at page 100195, paragraph 3, please. It is going to
9 be shown to you in a moment. Now, look at that paragraph and
10 read it to yourself and tell me when you have finished reading
11 it.

12 A. Yes.

13 Q. Where does it say in that paragraph, recorded by the
14 Prosecution, that you told them you overheard Mr Sankoh telling
15 Mr Taylor that the plan was to chop people's hands or arms off?
16 Where does it say that, Mr Mongor?

17 A. In the paragraph it is not in it. It is not here. The one
18 that is here it is different.

19 Q. Yes, it is different from what you told them, is it?

15:42:27 20 A. I don't think it was a response to that particular question
21 that I told you about the operation.

22 Q. Mr Mongor --

23 A. Yes.

24 Q. -- you have told us - let me just check this, because I was
15:42:55 25 asked not to interrupt you when you said you had not finished.
26 Well, the first thing that you said - and I am looking at
27 page 114, just before the end of page 114, when I asked, "You
28 don't say in that passage that you overheard Mr Sankoh telling
29 Mr Taylor about the plan to cut people's hands off", you said,

1 "I did not say that, but I said it in some other way." Then a
2 little later you said this, "I am not through yet", do you
3 remember when I interrupted you? You said:

4 "As I said, he said we were to carry out an operation to
15:43:49 5 stop the elections and the operation we should make it fearful
6 and during that operation whosoever we captured we should
7 amputate that person's arm and tell the person to take his or her
8 arms off the war, because the government was planning to hold
9 elections without recognising the RUF."

15:44:07 10 That is what you told this Court just moments ago; that
11 that was the conversation that you overheard Mr Sankoh having
12 with Mr Taylor. Now that is not what is recorded in the third
13 paragraph on that page, is it?

14 A. It is not in that paragraph because that question was not
15:44:32 15 asked. That question was not asked at that particular time, so
16 I wouldn't have included the response that way in it.

17 Q. Mr Mongor, have you forgotten already the answer that you
18 gave after the Learned Presiding Judge admonished me for
19 interrupting you? Have you forgotten already that five minutes
15:44:57 20 ago you said that is exactly what you overheard and that is what
21 you told the Prosecutors in February of this year that you
22 overheard?

23 MR KOU MJIAN: Excuse me, your Honour.

24 THE WITNESS: If --

15:45:11 25 PRESIDING JUDGE: Mr Koumjian, yes?

26 MR KOU MJIAN: I just believe the questions are
27 argumentative to the point that it is just not going to be clear
28 to the witness what is being asked - it is not clear to me - and
29 it is simply the introductory comment before the question is an

1 accusation that is not necessary. Questions can be put to the
2 witness.

3 PRESIDING JUDGE: Please keep the questions precise,
4 Mr Munyard. One of our problems is when they get translated into
15:45:42 5 another language they --

6 MR MUNYARD: I appreciate that, yes:

7 Q. Mr Mongor, just a few minutes ago you told this Court this,
8 "I heard Mr Sankoh ..." - I am looking at page 116. "I heard
9 Mr Sankoh ..." - no, don't look at the page. Listen to me
15:46:04 10 please, or look at the Judges.

11 A. I am listening. I am listening.

12 PRESIDING JUDGE: Mr Witness, let counsel finish. Please
13 proceed.

14 MR MUNYARD:

15:46:11 15 Q. "I heard Mr Sankoh tell Mr Taylor about the operation we
16 were to carry out to stop the elections and prior to that he told
17 them everything about what had been happening on the ground. He
18 explained all of that to him before he later told him about the
19 operation that we should ensure that we carry out the operation
15:46:28 20 to stop the elections and while carrying out that operation we
21 should make the area fearful."

22 I then asked you a question:

23 "This is what you overheard Mr Sankoh telling Mr Taylor
24 when you were listening in on their ...", and you started to say
15:46:46 25 something, I said, "Hang on", and then I said, "When you were
26 listening in on their conversation." You said, "I am not through
27 yet. I am not through yet, my Lord", and the Presiding Judge
28 said to me, "Let the witness finish." You then continued, "As
29 I said ..." - and don't forget, Mr Mongor, you are talking about

1 what you told the Prosecution in February you heard Mr Sankoh
2 telling Mr Taylor on the radio and this is what you went on to
3 say:

4 "As I said, he said we were to carry out an operation to
15:47:26 5 stop the elections and the operation we should make it fearful
6 and during that operation whosoever we captured we should
7 amputate that person's arm and tell the person to take his or her
8 arms off the war, because the government was planning to hold
9 elections without recognising the RUF."

15:47:48 10 Now that is what you told this Court probably now 10
11 minutes ago that is the conversation that you say you told the
12 Prosecutors, and by the Prosecutors I mean the person you know as
13 Mr Nick and an interpreter.

14 A. Yes.

15:48:18 15 Q. And that is not what appears in the third paragraph of the
16 page we have all been looking at, is it?

17 A. The page we were just looking at I saw it there, but I can
18 just recall that the Prosecution lawyer, Mr Nick, I can recall
19 when he was reading some documents to me. In fact I can remember
15:49:03 20 saying something in Krio, I said [Krio expression uttered], and
21 he read that to me and I said it concerning the operation to stop
22 the elections and to make the operation fearful, because in his
23 question he even asked me, "What do you mean by fearful?", and
24 I explained to him in detail what we meant by fearful.

15:49:42 25 Q. You explained to who?

26 A. I explained to the Prosecution lawyer. I told him that
27 Operation Stop Elections we were to make it fearful, and I used
28 that expression in Krio and I explained that to him that we were
29 to amputate the people's arms; that is to take off their hands

1 off the elections. That was the reason.

2 Q. You have said that, "I can just recall that the Prosecution
3 lawyer, Mr Nick, I can recall when he was reading some documents
4 to me." What were the documents that he was reading to you?

15:50:44 5 A. He was asking me some questions. He had the documents and
6 he was writing. And later, after he had typed it, he went over
7 it again, he read it to me and I can still recall when I said
8 Operation Stop Election and that particular expression [Krio
9 expression uttered] for the election and he read the document to
15:51:27 10 me and that was stated in it.

11 Q. He read back to you the notes that he had typed up, did he?

12 A. Yes.

13 Q. When?

14 A. When I was already in this country.

15:51:48 15 Q. No, when in relation to the interview? On the day of the
16 interview, at some later stage, just before you were about to
17 give your evidence, or when?

18 A. He read that document to me before I appeared in court
19 here.

15:52:14 20 Q. So when before you appeared in court here? How long before
21 you appeared in court here did he read that document over to you?

22 A. It took some time. I can say it was over a week if I am
23 not mistaken, but I think it was over a week before I could -
24 before I came to the Court.

15:52:45 25 Q. You began to give your evidence on 10 March. That was a
26 Monday. It was the week that we then finished the Court. Do you
27 remember that, you gave your evidence on a Monday and a Tuesday
28 and then we broke off your evidence?

29 A. Yes, I can recall that day.

1 Q. Now does that help you as to when it was that Mr Nick read
2 this document over to you?

3 A. I said he read it out to me before I came to testify in
4 court. I said it was over a week, I think.

15:53:42 5 Q. So did he read it over to you on the day of the interview,
6 the day when you were actually telling him these events?

7 A. Yes, I told him and he read it.

8 Q. Right. Was it handwritten then? You referred to him
9 typing it up, so am I right in assuming that he was making notes
10 in handwriting during the course of the interview?

11 A. Yes, he wrote it.

12 Q. So there was a handwritten note there and then which he
13 read back to you there and then. Is that what you're telling us?

14 A. The one he wrote, he read it back.

15:54:42 15 Q. On the day of the interview?

16 A. Yes, the time he interviewed me.

17 Q. When he read back the third paragraph on page 100195,
18 didn't you say to him, "Hang on a minute, I heard Mr Sankoh
19 telling Mr Taylor that we were going to cut people's hands off"?
20 Did you get him to correct that?

21 A. Well, that question was not asked with regards that
22 particular topic. That question was not asked.

23 Q. Mr Mongor, I am not asking you about questions asked to
24 you, I am asking you about the answers that you gave to the
15:55:44 25 Prosecution, the account that you gave to them in February, at
26 the beginning of February this year. You have told us this
27 afternoon that you told the Prosecutors in February of this year,
28 "I overheard Mr Sankoh telling Mr Taylor that we were going to
29 cut" - you used both the expression "arms" and "hands off

1 people". You told us today that that's what you told the
2 Prosecution in February when you were describing what you
3 overheard in that radio room.

4 Now when Mr Nick read that passage back to you, the passage
15:56:33 5 where he has recorded what you told him about what you overheard,
6 it doesn't include the words "cutting off of hands" or "arms" at
7 all. So did you correct him when he read that back to you and
8 say, "Hold on a minute, you have not put in what I told you about
9 me hearing Sankoh tell Taylor about cutting off arms and hands"?

15:57:06 10 A. I did not tell him that.

11 Q. Why not?

12 A. Because at that moment he asked me some other question and
13 that was what I was responding to and I was telling him about
14 what happened about the operation, but later when he came and
15:57:34 15 asked me, "What do you mean by fearful" then I explained to him
16 in detail.

17 Q. Mr Mongor, you told the Court earlier that the first time
18 you talked about this to an investigator and he missed it out you
19 corrected him. Why didn't you correct Mr Nick when he missed out
15:57:53 20 what you had told him?

21 A. We were still discussing another topic when he brought in
22 that question about what I meant by fearful, so when he brought
23 in that fearful question then I explained in detail.

24 Q. I have been referring to paragraph 3, I meant to be
15:58:26 25 referring to paragraph 4. Now you go on - well, actually before
26 we look at the rest of that page I am just going to go back to
27 the evidence that you gave in March, again looking at page 5689,
28 you say you were present - looking at line 20, starting at line
29 20, your Honours:

1 "So when we went there" - this is the radio house. "When
2 we went there we entered and he sat down and started talking to
3 his brother, that is Mr Taylor. When they spoke on the talk
4 lasted up to 20 to 25 minutes during which Foday Sankoh explained
15:59:29 5 how we had been cut off", that's cut off from supplies, is that
6 right?

7 A. Yes, my Lord.

8 JUDGE SEBUTINDE: Sorry, Mr Munyard, what page of the
9 transcript are you referring to?

15:59:49 10 MR MUNYARD: 5689, your Honour. I am starting at the end
11 of line 20:

12 Q. Then you go on in your evidence to say that the
13 conversation you overheard included hearing Sankoh refer to
14 amputating people, taking off their hands, yes? Do you remember
16:00:19 15 saying that?

16 A. Yes.

17 Q. Then you went on to say, page 5690, line 5:

18 "So he was telling him", that's Foday Sankoh telling
19 Charles Taylor, "that these were the plans that I had put
16:00:38 20 together, that's why I called my commanders to come so I will
21 explain to them the offensive we were to undertake. Then his
22 brother told him in his reply that the plan is not a bad one".

23 Do you remember saying that in your evidence?

24 A. Yes, I said that.

16:01:03 25 Q. Exactly the same as is the same terminology that is
26 recorded here on page 100195. I am not sure if that's on the
27 screen, Madam Court Officer. Then if we look further down do you
28 see the second to last paragraph on that page, starting -
29 actually we had better go to the third to last paragraph on that

1 page. "Two days later there was a commander meeting in Zogoda of
2 all the area commanders". Do you see that?

3 A. Yes, I have seen it.

4 Q. Then the next paragraph:

16:02:21 5 "During that meeting Foday Sankoh told the RUF commander
6 that they should go on the offensive and stop the elections by
7 attacking certain towns and discouraging the people from voting.
8 Sankoh said that the RUF should do that by cutting the hands of
9 the civilians who were caught with their identity cards for
16:02:46 10 registration. He also used the following Krio expression during
11 the same meeting [Krio expression uttered] which meant that
12 people should keep their hands off the elections. Sankoh talked
13 as well about the need for the RUF to make the areas attacked
14 fearful in order to create panic. Sankoh also told the
16:03:09 15 commanders that he had discussed the operation with his brother
16 Charles Taylor."

17 Now this is the paragraph that Mr Koumjian wanted me to
18 read to you earlier, but this paragraph doesn't say, does it,
19 that you overheard Mr Sankoh telling Mr Taylor that there was a
16:03:27 20 plan to cut off people's hands? This paragraph doesn't say that
21 at all, does it?

22 A. But all of these were things that Mr Foday Sankoh explained
23 to his brother, because you have seen it that what he said here,
24 what he told his commanders, that I have told my brother about
16:04:05 25 this issue, so he had told him.

26 Q. Your story about you overhearing radio communications
27 between Charles Taylor and Foday Sankoh has grown and grown over
28 time, hasn't it, starting off in September 2006 with one
29 conversation you told the investigators, the Prosecution, about

1 that doesn't even mention Operation Stop Elections. Then in
2 February of this year you tell the Prosecution that you overhear
3 a conversation between Mr Sankoh and Mr Taylor but there is no
4 record, written record, of you saying that you overheard the
16:05:01 5 cutting off of hands in that conversation. Then finally when it
6 came to your evidence on 10 March that is the first time, isn't
7 it, that you actually say you overheard Sankoh telling Taylor in
8 detail of the plan to amputate people. That's right, isn't it?
9 That's the first time you ever claim to have overheard that?

16:05:33 10 A. It was the first time that I was close to him when he said
11 that, but Mr Taylor and Mr Sankoh were friends. They would have
12 conversations at any time and they would discuss issues, but I am
13 talking about when I was close to him. They are close, they have
14 a relationship, so they could discuss a lot of things when

16:06:06 15 I would not even be present. If people are friends they could
16 discuss issues, but I am talking about when I was close to him,
17 when I was present. That's what I'm referring to here.

18 Q. Go down that page, 23035, towards the bottom, just over
19 halfway down, "Christopher Varmoh also Liberian Mosquito". Do
16:21:45 20 you see that? It's the fifth point down?

21 A. Yes, I have seen Christopher Varmoh.

22 Q. And if you go down from where his name first appears - if
23 you go five lines down do you see where it is recorded, "He was
24 also often a liaison to Charles Taylor for the RUF because

16:22:17 25 Charles Taylor trusted him". Do you see that?

26 A. Yes, I have seen it.

27 Q. And is that what you told the Prosecutors?

28 A. I told them.

29 Q. Over the page, 23036, I am going to ask you to look - well,

1 to look at the last two names on the bottom of that page: "Saffa
2 Nurman, Mongor doesn't know him". Do you see that?

3 A. Yes, I have seen Saffa Nurman - Norman.

4 Q. And is that what happened, that the investigator said to
16:23:19 5 you do you know Saffa Norman and you said no?

6 A. Yes, if they asked me for somebody whom I didn't know
7 I will tell them I don't know this person.

8 Q. Yes, my point to you is they were calling the names here,
9 weren't they, and asking you to comment on them?

16:23:44 10 A. Yes, they called out the names and asked if I knew the
11 people.

12 Q. Right. Go back up to the top of the page, the first name
13 is Roland Duoh and then four lines down we see the name, "Daniel
14 Tamba, also known as Jungle". Do you see that?

16:24:11 15 A. Yes, I have seen Daniel Tamba.

16 Q. You knew him as Jungle then, didn't you?

17 A. Yes, that is the name I am familiar with, Jungle.

18 Q. You never knew him as Daniel Tamba, did you?

19 A. I recall the surname, which is Tamba, but we are used to
16:24:40 20 the Jungle name.

21 Q. But you didn't know his real name at all, did you?

22 A. I didn't know his first name Daniel, but the surname Tamba
23 I can recall, I knew it, but the Jungle name was what was common
24 among us. That was the common name we used to call him.

16:25:11 25 Q. So you knew the name Tamba at the time you were being asked
26 these questions, is that what you're telling us?

27 A. I said the name Tamba, I was able to recall it later, but
28 the Daniel name, that one I could not recall it because that was
29 not a name that we used commonly. It was Jungle that was common.

1 Q. Tab 5, page 23788, please. Second paragraph down, this is
2 an interview on 8 October 2006 and the second paragraph down
3 reads:

4 "To clarify what Mongor said about Daniel Tamba, also known
16:26:28 5 as Jungle, he knew Colonel Jungle by that nickname but he never
6 knew Colonel Jungle's real name. Mongor doesn't know Daniel
7 Tamba, or anything else".

8 Is that what you told the investigators in October 2006?

9 A. Yes, I told them.

16:26:57 10 Q. So you didn't know him as Tamba, or anything else?

11 A. Well, that name - at that time I told the Prosecutors that
12 it was the Jungle name that I knew because the real name had
13 escaped me.

14 Q. It hadn't escaped you, you said you never knew it, didn't
16:27:32 15 you? "He never knew Colonel Jungle's real name". That's what
16 you were telling them in October 2006. Today you told us at the
17 time you knew his real name was Tamba. What is going on here,
18 Mr Mongor?

19 A. Well, I want to tell you that the name that I knew for this
16:28:10 20 man and that was common to all of us, that was the name that
21 I gave to the Prosecutors, which is Jungle, okay. Then I want to
22 tell you you would be together with somebody and his name could
23 just escape your memory for a moment, but later when you recall
24 it you can say, "Yes, this person, that's the name of this
16:28:38 25 person". Because we were not used to calling him the real name.

26 We used to call him Jungle, so his real name escaped my memory.

27 Q. Yes, but you didn't say, "I know his real name but it has
28 escaped my memory" you said, "I have never known his real name",
29 didn't you? Then you come along today and you say, "I knew his

1 real name back then".

2 A. Yes, I said I knew his name. That's what I said. That's
3 what I said. That's what I said. But when I forgot the name
4 I told the Prosecutors that the name that I could recall for the
16:29:23 5 man was Jungle and that was what I told them. I am not denying
6 the fact.

7 MR MUNYARD: Your Honour, I am moving on to another topic
8 and I see the time.

9 PRESIDING JUDGE: Thank you, Mr Munyard. We have been
16:29:37 10 alerted to the fact that the tape is about to run out so this
11 would be an appropriate time to adjourn.

12 Mr Witness, we are now going to finish for today. We will
13 resume again tomorrow at 9.30. I again remind you as I have done
14 every other afternoon that you should not discuss your evidence.
16:29:54 15 Do you understand?

16 THE WITNESS: Yes, my Lord.

17 PRESIDING JUDGE: Thank you. Please adjourn court.

18 [Whereupon the hearing adjourned at 4.30 p.m.
19 to be reconvened on Thursday, 3 April 2008 at
16:30:22 20 9.30 a.m.]

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WITNESSES FOR THE PROSECUTION:

TF1-532 6396

CROSS-EXAMINATION BY MR MUNYARD 6396