



Case No. SCSL-2003-01-T

THE PROSECUTOR OF
THE SPECIAL COURT
V.
CHARLES GHANKAY TAYLOR

TUESDAY, 8 JULY 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 William Romans
Ms Carolyn Buff

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 Courtenay Griffiths QC
Mr Terry Munyard

1 Tuesday, 8 July 2008

2 [Open session]

3 [The accused present]

4 [Upon commencing at 9.30 a.m.]

09:29:52 5 PRESIDING JUDGE: Good morning. I note some changes of
6 appearance, Ms Hollis.

7 MS HOLLIS: Good morning, Madam President, your Honours,
8 opposing counsel. Today for the Prosecution are Maja Dimitrova,
9 Rachel Gore and myself, Brenda J Hollis.

09:30:10 10 PRESIDING JUDGE: Thank you. Mr Griffiths, your Bar looks
11 the same.

12 MR GRIFFITHS: Good morning, Madam President, your Honours,
13 counsel opposite. Today the Defence are represented by myself,
14 Courtenay Griffiths, my learned friend Mr Terry Munyard and Scott
09:30:28 15 Schaeffer, intern for the Defence team.

16 PRESIDING JUDGE: Thank you, Mr Griffiths. If there are no
17 other matters I will remind the witness of his oath? No.

18 Mr Witness, I again remind you, as I've done on other
19 mornings, that you took an oath to tell the truth in this Court.
09:30:43 20 That oath is still binding on you and you must answer questions
21 truthfully. You understand?

22 THE WITNESS: Thank you, Madam President.

23 WITNESS: TF1-567 [On former oath]

24 PRESIDING JUDGE: Very well. Please proceed, Mr Griffiths.

09:30:57 25 CROSS-EXAMINATION BY MR GRIFFITHS: [Continued]

26 Q. The first topic I want to ask you about this morning is the
27 trip you made to Lome. Do you recall making that trip?

28 A. Yes, I recall.

29 Q. Now, arrangements were made for this trip beginning in or

1 about April '99. That's right, isn't it?

2 A. I know that it was in 1999 that we went to Lome, but I
3 can't recall the month.

4 Q. Now, do you recall now that a man called Omrie Golley and
09:32:05 5 General Ibrahim Bah were escorted by three United Nations
6 officials to the border along with a - they being Biong Deng,
7 Alvin Wood, Masimba Tafi renyika and a Mr Hartford Jennings who
8 was the political officer from the US embassy in Monrovia. Do
9 you recall that?

09:32:44 10 A. I don't know whether Omrie Golley and General Ibrahim and
11 the people you have spoken about, I don't know whether those
12 people went to escort them to the border, but I saw Omrie Golley,
13 General Ibrahim in Lome at the time we went there.

14 PRESIDING JUDGE: Mr Griffiths, could we have a few
09:33:07 15 spellings, please.

16 MR GRIFFITHS: I was intending to, your Honours. The three
17 UN officials are: Biong Deng, B-I-O-N-G D-E-N-G; Alvin A-L-V-I-N
18 Wood; Masimba M-A-S-I-M-B-A Tafi renyika T-A-F-I-R-E-N-Y-I-K-A;
19 and Mr Hartford H-A-R-T-F-O-R-D Jennings J-E-N-N-I-N-G-S.

09:33:36 20 PRESIDING JUDGE: Thank you.

21 MR GRIFFITHS:

22 Q. Now, what I'm talking about is not what happened in Lome.
23 I'm talking about arrangements before you got to Lome. Now, do
24 you remember that Omrie Golley and General Ibrahim Bah crossed
09:34:13 25 the border into Sierra Leone on 19 April 1999 and at about 8.15
26 in the morning that day met with RUF officials in Sierra Leone?
27 Do you recall that?

28 A. I did not see that and I did not hear about that.

29 Q. They were met at - do you know of somewhere called the

1 Tinkia border, T-I-N-K-I-A? Do you know where that is?

2 A. I heard about that name, but I have never been there.

3 Q. In any event, General Bah and Omrie Golley met with RUF
4 military leaders in Sierra Leone to decide who should be selected
09:35:13 5 as delegates to go to Lome. Do you recall that?

6 A. I don't recall that. It was not General Ibrahim and Omrie
7 Golley who went to select those who should go to Lome. It was
8 Mosquito who selected those who were supposed to go to Lome,
9 according to the instruction given to him by Foday Sankoh. It

09:35:40 10 was Mosquito who selected those who went to Lome. It was not
11 General Ibrahim and Omrie Golley.

12 Q. Do you recall an occasion when General Ibrahim and Omrie
13 Golley met with RUF military leaders in Sierra Leone just prior
14 to the delegates going to Lome? Do you remember that?

09:36:07 15 A. I don't recall that.

16 Q. Don't you recall that Omrie Golley and General Ibrahim
17 arrived in the morning, as I said, and they left to return to
18 Liberia at about 4.30 p.m. that very day, 19 April? Don't you
19 remember that?

09:36:37 20 A. I don't recall that. In that particular meeting, before we
21 left for Lome, I was present there. I did not see Omrie Golley,
22 nor General Ibrahim Bah. It was Mosquito who conducted the
23 meeting.

24 Q. In any event 14 delegates were selected, weren't they?

09:37:06 25 A. Exactly.

26 Q. And they were SYB Rogers, is that right?

27 A. Yes.

28 Q. Brigadier Mike Lamin, is that right?

29 A. Yes.

- 1 Q. Colonel Lawrence S Womandia, is that right?
- 2 A. Correct.
- 3 Q. Colonel Rashid Sandy?
- 4 A. Correct.
- 09:37:42 5 Q. Lieutenant Colonel Idri ssa Kamara?
- 6 A. Correct.
- 7 Q. Major Agnes Finnoh?
- 8 A. Correct.
- 9 Q. Major Amara Vand i Junior, is that right?
- 09:38:08 10 A. That name - the name I know about is Junior Vand i .
- 11 Q. But his proper name is Amara A-M-A-R-A Vand i V-A-N-D-I ,
- 12 Juni or Vand i , and he was a major, wasn't he?
- 13 A. But I never knew him for that Amara name. I only knew him
- 14 by Juni or Vand i .
- 09:38:38 15 Q. In any event also selected was Major SS Williams, is that
- 16 ri ght?
- 17 A. Correct.
- 18 Q. Major Earnest Ngegba?
- 19 A. I'm not aware of that name.
- 09:39:03 20 Q. What about Major M Jalloh?
- 21 A. Correct.
- 22 Q. Captain Al ex Wi lli ams?
- 23 A. I don't recall that name.
- 24 Q. Major Mori e Gi bao?
- 09:39:28 25 A. I know about Mori e Gi bao, not Gbao.
- 26 Q. G-I-B-A-O, Gi bao? Maybe it's my pronunciation. Do you
- 27 recall him being one of the delegates?
- 28 A. Yes, yes, I recall Mori e Gi bao.
- 29 Q. And finally Lieutenant Aruna Dauda Finnie?

1 A. What I know about is that that is not the last person. I
2 was also part of it. I was also selected by Mosquito to go.

3 Q. Yes, I know you were part of it, but I was deliberately not
4 mentioning your name. I was merely dealing with the other
09:40:24 5 delegates. Now, the head of the delegation was SYB Rogers.
6 That's right, isn't it?

7 A. Correct.

8 Q. Can I pause for a moment to inquire, your Honour, whether
9 any assistance is required with spelling?

09:40:40 10 PRESIDING JUDGE: I've just been following them on the
11 screen here, Mr Griffiths. Agnes Finnoh I don't think is correct
12 and I do not recall hearing the name before. I might be
13 corrected by a Prosecution.

14 JUDGE SEBUTINDE: And earnest megabar or something.

09:40:56 15 PRESIDING JUDGE: Yes, and then Aruna Dauda Finnie, again I
16 don't recall that name before and it's not spelt clearly. I
17 think the others have been covered.

18 MR GRIFFITHS: Well, if I could just go down the list then,
19 your Honour. Agnes Finnoh, A-G-N-E-S F-I-N-N-O-H. Amara Vandi,
09:41:26 20 A-M-A-R-A V-A-N-D-I. Earnest, E-A-R-N-E-S-T, Ngegba, N-G-E-G-B-A.
21 Morie Gibao is M-O-R-I-E G-I-B-A-O and finally Lieutenant Aruna,
22 A-R-U-N-A, Dauda, D-A-U-D-A, Finnie, F-I-N-N-I-E. I think that
23 covers the spellings, your Honour.

24 PRESIDING JUDGE: Thank you, Mr Griffiths.

09:42:12 25 MR GRIFFITHS: Not at all:

26 Q. Now, do you recall now that an operation was mounted by the
27 United Nations to airlift the 14 delegates? Do you recall that?

28 A. Yes.

29 Q. And that airlift commenced at 9.10 on 24 April 1999. Do

1 you recall that?

2 A. I recall that the airlift took place in 1999, but I can't
3 recall the hour. I can't recall the hour and the date.

09:43:15

4 Q. In any event, you were airlifted, were you not, from Vahun
5 in Liberia to Monrovia by helicopter. Is that right?

6 A. Yes.

7 Q. And you were accompanied on the helicopter from Vahun to
8 Monrovia by three UN officials and a political officer from the
9 US embassy. Do you recall that?

09:43:42

10 A. I saw UN workers, but I can't recall the number and I saw
11 somebody else who was Joe Tuah.

12 Q. But there were some UN officials on that flight from Vahun
13 to Monrovia, weren't there?

14 A. Yes, I saw them, but I can't recall the number.

09:44:10

15 Q. In any event, on arrival in Monrovia you 14 delegates were
16 transported to a safe guesthouse provided by the Government of
17 Liberia, weren't you?

18 A. Yes.

09:44:39

19 Q. And that guesthouse was run from after the Lome Peace
20 Accord in July 1999 up to early 2001. That's right, isn't it?

21 A. I did not get the question clearly, please.

22 Q. The guesthouse was run for the assistance of the RUF from
23 after the Lome Peace Accord in July 1999, up to early 2001, is
24 that right?

09:45:22

25 A. Yes.

26 Q. And during that period Gibril Massaquoi spent a great deal
27 of time at the guesthouse. He did, didn't he?

28 A. Yes.

29 Q. Because Gibril Massaquoi was in Monrovia to handle

1 diplomatic issues for the RUF.

2 A. Correct.

3 Q. Can you assist us now as to the period of time Gibril
4 Massaquoi spent as the RUF diplomatic individual in Monrovia?

09:46:17 5 Can you help us?

6 A. That happened after they had arrested Foday Sankoh and when
7 Issa Sesay had taken over the leadership of the RUF. That was
8 the time Gibril Massaquoi went to the guesthouse in Monrovia.

9 Since that time, he took over that duty.

09:46:54 10 Q. And when Mr Massaquoi was in Monrovia, was that the time
11 when you were on either assignment 1 or 2?

12 A. That was the time I was on assignment 1.

13 Q. And would you agree that Gibril Massaquoi would have been
14 the most senior RUF person in Monrovia at that time?

09:47:39 15 A. Yes.

16 Q. And would you agree that, in that capacity, he met on a
17 fairly frequent basis with Charles Taylor?

18 A. Yes, at the time Gibril Massaquoi was in Monrovia he used
19 to meet with Charles Taylor, together with General Ibrahim.

09:48:21 20 Q. Now can we just pause to clarify one matter. Ibrahim Bah
21 was a general in the RUF, wasn't he?

22 A. Ibrahim Bah, according to what Foday Sankoh told me, he was
23 just a helper to the RUF, but according to what Foday Sankoh told
24 me, Ibrahim Bah's nationality was that he was from Burkina Faso,
09:48:57 25 but that they all came as NPFL and later he was with Foday Sankoh
26 as a friend, so he was helping Foday Sankoh in the RUF. But at
27 that time the most senior person for the RUF in Monrovia was
28 Gibril Massaquoi.

29 Q. Was Ibrahim Bah a general in the RUF?

1 A. Ibrahim Bah was a general in the NPFL, during the NPFL. So
2 since then he continued to carry the "general" title. He was not
3 a general in the RUF.

4 Q. Was he not a lieutenant general in the RUF?

09:50:07 5 A. There was not a day that Foday Sankoh told me that General
6 Ibrahim was a lieutenant general in the RUF.

7 Q. Very well. Let's leave it at that for now. Let's go back
8 to the transport of yourself and the other delegates to Lome.

9 PRESIDING JUDGE: Just before we do that, Mr Griffiths, I
09:50:38 10 want to be sure, this guesthouse on which you asked a question
11 provided by the Liberian government, run, et cetera, there was
12 only ever one guesthouse, was there?

13 MR GRIFFITHS: Well, let me inquire from the witness, Madam
14 President:

09:50:55 15 Q. The guesthouse to which you were taken when you were
16 airlifted from Vahun to Monrovia, was that the same guesthouse
17 which remained as the RUF guesthouse thereafter?

18 A. Yes. It was the same guesthouse where we were since 1999,
19 when we were airlifted to the Lome Peace Accord, and when we
09:51:25 20 returned it was in that same guesthouse that we were until 2001.

21 PRESIDING JUDGE: Thank you, Mr Griffiths.

22 MR GRIFFITHS: Not at all, your Honour:

23 Q. Now, when you arrived at the guesthouse you were provided
24 with lunch, weren't you?

09:51:44 25 A. Yes.

26 Q. And then the group of 14 delegates were divided into two
27 groups of seven and the first group of seven boarded a private
28 jet provided by the Nigerian government and you were flown to
29 Lome, that first group leaving at 4.10 on the 19th. Do you

1 remember that? Sorry, on the 24th. At 4.10 on 24 April. Do you
2 recall that?

3 A. What I remember is that after seven of us - in fact, we
4 were the first seven. After we went to Spriggs field the
09:52:34 5 helicopter I saw, it had the inscription "UN" and the inscription
6 was in black. So we went on board, the seven of us, and I saw
7 some other UN workers and they took us to Lome.

8 Q. Is it not the case that you travelled on a jet as opposed
9 to a helicopter?

09:53:04 10 A. What I am trying to talk about is that it was a helicopter
11 that took us from Vahun to Spriggs field in Monrovia. From
12 Monrovia to Lome, it was a UN aeroplane that took us from there
13 to Lome.

14 Q. Very well. In any event, you were in the first group of
09:53:30 15 seven to be flown out of Monrovia, weren't you?

16 A. Correct.

17 Q. Now, you also appreciated, did you not, that all of those
18 arrangements for transporting you 14 delegates from Sierra Leone
19 to Lome, all of that had been facilitated by the Liberian
09:53:56 20 government, hadn't it?

21 A. The time I entered Liberia, I did not know how the
22 arrangement went on so I cannot tell you whether it was the
23 Liberian government, or the United Nations. What I saw is that
24 whilst we were in the guesthouse I saw Liberian securities whom
09:54:22 25 they introduced to us that they were from the SSS and they took
26 us to the airport, Spriggs field, and the seven of us went on
27 board the UN plane and from there they took us to Lome, but I did
28 not know how the arrangement went on.

29 Q. Did you not subsequently discover that much of the

1 arrangements had been carried out by the Liberian government?

2 A. I did not know about that. What I know is what I am
3 talking.

4 Q. When you arrived in Lome the RUF delegates were provided
09:55:14 5 with a radio by the Liberian government, weren't they?

6 A. Say that again. I did not get it clearly.

7 Q. When you delegates arrived in Lome you were provided with a
8 long range radio by the Liberian government, weren't you?

9 A. I don't know about that.

09:55:56 10 Q. Did you have access to a radio to maintain contact with the
11 troops in Sierra Leone whilst you were in Lome?

12 A. Correct.

13 Q. Who provided that radio?

14 A. When we were leaving for the Lome Accord, during the
09:56:24 15 meeting in Buedu it was Sam Bockarie who provided a radio. He
16 provided the radio operator Daf, Dauda Fornie, with a radio and
17 he had the radio until we travelled to Lome.

18 Q. So you're saying, are you, that the radio was actually
19 carried from Sierra Leone to Lome?

09:56:51 20 A. Correct.

21 Q. Are you sure about that?

22 A. Correct.

23 PRESIDING JUDGE: I find part of the answer a little
24 confusing, "... he had the radio until we travelled to Lome."

09:57:06 25 Was that Sam Bockarie had the radio until they travelled to Lome,
26 or Daf had the radio until they travelled to Lome, and what
27 happened to it when they did travel to Lome?

28 MR GRIFFITHS:

29 Q. Well, let's start at the beginning. Who initially had that

1 radio?

2 A. Sam Bockarie gave the radio to Daf for him to take it to
3 Lome, so Daf had the radio with him up to the time we went to
4 Lome.

09:57:41 5 Q. So Sam Bockarie gave the radio to Daf and Daf carried it to
6 Lome, is that right?

7 A. Correct.

8 Q. And I'll ask again just for completeness that is it
9 possible you may be mistaken about that?

09:58:06 10 A. I am not mistaken.

11 Q. Very well. In any event agreement was reached at Lome
12 following lengthy discussions between Foday Sankoh and President
13 Kabbah, is that right?

14 A. Say again, please.

09:58:36 15 Q. Finally an agreement was reached between Foday Sankoh and
16 President Kabbah as to peace, is that right?

17 A. Correct.

18 Q. And the RUF were to transform themselves from a military
19 organisation into a political party?

09:58:56 20 A. Yes.

21 Q. And they were to be provided with funding in order to
22 facilitate that transformation?

23 A. Well, I don't know about that because by then I was no
24 longer in Lome.

09:59:19 25 Q. In any event it's also right, isn't it, that Foday Sankoh
26 was somewhat suspicious about that agreement?

27 A. Well, I don't know about that because I was no longer in
28 Lome at the time he signed the accord.

29 Q. Were you aware that Foday Sankoh, at about the time that he

1 was negotiating peace in Lome, was busy contacting Mohamed Talibi
2 to purchase arms through him? Were you aware of that?

3 A. No.

10:00:24

4 Q. Were there no such discussions between you RUF delegates in
5 Lome?

6 A. No.

7 Q. In any event from Lome you went back to Sierra Leone via
8 Monrovia, didn't you?

9 A. Correct.

10:01:21

10 Q. And did you stop over at the guesthouse in Monrovia on the
11 return journey?

12 A. Correct, yes.

13 Q. For how long did you stay there?

10:01:56

14 A. I can't recall the dates, but we actually spent some time
15 there.

16 Q. In any event following the Lome Accord, as it came to be
17 known, you as a member of the RUF realised that as an
18 organisation you were now committed to the peace process, didn't
19 you?

10:02:25

20 A. Yes.

21 Q. Can I take it then that from that date in July when the
22 accord was signed you as an individual member of the RUF was
23 committed to peace?

24 A. Yes, I committed myself to peace under the leadership.

10:02:57

25 Q. It was after you had made that commitment that you took up
26 assignment number 1, is that right?

27 A. Correct.

28 Q. So during that period when according to you you were
29 involved in supplying arms from Liberia to Sierra Leone, you knew

1 that to be in contravention of the Lome Accord, didn't you?

2 A. I was doing it under command.

3 Q. Let's try my question. You knew if what you're telling us
4 is the truth that what you were doing was contrary to the Lome

10:03:54 5 Peace Agreement, didn't you?

6 A. The same leadership that signed the Lome Accord was the
7 same leadership that gave me the command and it was the same
8 leadership that instructed me to carry the arms and ammunition.

9 Q. I'm going to try for a third time. You knew that such
10 activity was contrary to the Lome Peace Accord, didn't you?

10:04:23

11 PRESIDING JUDGE: Mr Witness, there's a yes or a no answer
12 to that question. Please answer it.

13 THE WITNESS: Yes.

14 MR GRIFFITHS:

10:05:05

15 Q. And if I understand your evidence you were doing it on the
16 instructions of Foday Sankoh, were you?

17 A. Yes.

18 Q. And he himself directly ordered you to do it, did he?

19 A. He gave me the order that I should stay at assignment 1 as
20 his - as a mediator and as his representative between the RUF and
21 Charles Taylor, so at any time arms and ammunition were needed in
22 Sierra Leone I should be there to transport it and if any other
23 instruction came I should be there to pass it on. He gave me
24 that instruction.

10:05:51

25 Q. Now, let me be quite clear. I suggest that Charles Taylor,
26 the President of Liberia, did not send arms to Sierra Leone
27 during that period. Do you follow me?

10:06:20

28 A. During that time Charles Taylor used to send arms and
29 ammunition there.

1 Q. Now you may well have been involved in gun running, to put
2 it bluntly, but I suggest you were doing that as a private
3 enterprise. That's the truth of it, isn't it?

4 A. No.

10:07:24 5 Q. That you, with your fellow RUF member Ibrahim Bah, were
6 selling diamonds to Canadian businessmen in Monrovia for the
7 purchase of arms, weren't you?

8 A. It's true that General Ibrahim Bah used to sell diamonds to
9 his white friends, I don't know their nationalities, but it is
10:07:56 10 not true that General Ibrahim used to sell the diamonds to get
11 guns, arms and ammunition. He used to sell them to get something
12 like satellite phones, computer equipment and some other things
13 like food.

14 Q. I suggest that RUF general, Ibrahim Bah, was engaged in
10:08:20 15 purchasing arms in Burkina Faso and you know that, don't you?

16 A. There was not a day that I saw - since I was at assignment
17 1 and at assignment 2, there was not a day that I saw General
18 Ibrahim Bah brings arms and ammunition from Burkina Faso. All
19 the arms and ammunition that we got at that time we got it in
10:08:50 20 Liberia.

21 Q. Now let's move on to another topic, Johnny Paul Koroma.
22 When did you first meet him?

23 A. It was in 1997.

24 Q. Where?

10:09:23 25 A. In Freetown.

26 Q. That was when the RUF at the invitation of the AFRC went to
27 Freetown, is that right?

28 A. Yes.

29 Q. We'll come back to that in a moment, but just sticking with

1 Johnny Paul Koroma, there came a time, did there not, when the
2 AFRC/RUF junta, as it was called, was driven out of Freetown by
3 ECOMOG forces? That's right, isn't it?

4 A. Yes.

10:10:04 5 Q. And an incident occurred when Issa Sesay seized a quantity
6 of diamonds from Johnny Paul Koroma, is that right?

7 A. Yes.

8 Q. And during the course of that particularly ugly episode,
9 Johnny Paul Koroma's wife was abducted and taken to an unknown
10:10:33 10 location, wasn't she?

11 A. Yes, it was Issa Sesay who did that.

12 Q. And was she not then raped or sexually assaulted by one
13 Mike Lamin?

14 A. Well, I did not get that information. The information that
10:11:03 15 I got was that Sam Bockarie was not present when the incident
16 took place and on his return Sam Bockarie grumbled that he was
17 not happy with the action taken by Issa Sesay in his absence,
18 that is the taking of diamonds from Johnny Paul Koroma and the
19 taking of Johnny Paul Koroma's wife away from him for a long
10:11:30 20 time. But I did not hear about the incident having to do with
21 Mike Lamin.

22 Q. Was she raped or sexually assaulted?

23 A. Well, what Mosquito said, that I heard, he did not say
24 anything about that. The only thing he said was that he was not
10:11:58 25 happy when Issa Sesay took Johnny Paul Koroma's wife from him for
26 a long time.

27 Q. Did you never hear that she had been raped or sexually
28 assaulted from anyone?

29 A. No.

1 Q. Very well. Let's move on and deal with another topic. Did
2 you personally witness any amputations?

3 A. No, I did not see, but I heard.

10:12:54

4 Q. Did you ever hear any order issued to RUF combatants to
5 amputate people?

6 A. No.

7 Q. Now, during the course of the retreat from Freetown you had
8 access to radios, didn't you?

9 A. Yes.

10:13:34

10 Q. And if I understand your evidence correctly, you monitored
11 radio traffic between the various RUF units during that period,
12 is that right?

13 A. Correct.

10:14:06

14 Q. And it was primarily during that period of retreat that the
15 carnage of amputations took place, is that right?

16 A. Well, after we had withdrawn when we were pushed out by
17 ECOMOG, I heard that amputations were taking place and that both
18 the junta and the Kamajors were doing it, but I did not see it
19 happen, but that was what I heard.

10:14:41

20 Q. That will do for me. Another topic: There was a time, was
21 there not, when Gibril Massaquoi refused to take orders from Sam
22 Bockarie?

23 A. Correct.

10:15:12

24 Q. As a consequence of that Sam Bockarie ordered Gibril
25 Massaquoi's arrest, did he not?

26 A. Correct.

27 Q. That order led to a great deal of infighting within the
28 RUF, didn't it?

29 A. Yes.

1 Q. In fact, at one stage Superman refused to take orders from
2 Sam Bockarie, didn't he?

3 A. Correct.

10:15:51

4 Q. And that led, did it not, to fighting in Makeni between
5 troops loyal to Issa Sesay and troops loyal to Superman?

6 A. Correct.

7 Q. And during the course of that fighting lives were even
8 lost, weren't they?

9 A. Yes, it happened.

10:16:18

10 Q. And that was RUF on RUF violence, wasn't it?

11 A. Yes, it happened.

12 Q. And in many ways that illustrates the fact, does it not,
13 that there was often major dissent within the ranks of the RUF?

14 A. In what sense? Which way? Which major problems?

10:16:59

15 Q. In the sense that there was regular infighting within the
16 RUF, wasn't there?

17 A. Yes, infighting used to take place.

18 Q. In fact, it was a very difficult organisation to lead
19 because of that fact. That's true, isn't it?

10:17:38

20 A. Well, it was not difficult. What Foday Sankoh, the leader,
21 used to tell us was that in any armed struggle those things are
22 bound to happen.

23 Q. Another illustration of that infighting: Following the
24 Lome Peace Accord Sam Bockarie was reluctant to go along with the
25 peace process, wasn't he?

10:18:13

26 A. Correct.

27 Q. He refused to disarm at one point, didn't he?

28 A. Yes, he said because he had his own reasons.

29 Q. And in order not to jeopardise the peace process, it was

1 decided that Sam Bockarie and some of his followers would be
2 removed from Sierra Leone. That's right, isn't it?

10:19:14 3 A. It is correct that at that time Sam Bockarie - but at that
4 time I was in Liberia. I saw Sam Bockarie come there with a
5 group.

6 Q. Did you not appreciate that he had been extracted from
7 Sierra Leone in order to preserve the peace process in that
8 country?

10:19:47 9 A. Well, according to what I understood he was not extracted.
10 He moved on his own.

11 Q. Now, you were in Monrovia, you tell us, when Sam Bockarie
12 arrived. Is that right?

13 A. Correct.

10:20:33 14 Q. Do you not recall that there was a meeting between
15 President Obasanjo of Liberia and President Taylor and Sam
16 Bockarie at Roberts International Airfield on 20 December 1999?
17 Do you recall that?

18 A. No, I don't recall that.

10:20:54 19 Q. But you were in Monrovia at the time on assignment 1,
20 weren't you?

21 A. Yes, I was there on assignment 1, but I can't recall that
22 now.

23 Q. How is it that you can't assist us with this, given that
24 you were on assignment 1?

10:21:17 25 A. It's not everything that happened that I can recall. I was
26 there on assignment 1, but I cannot recall that now, whether it
27 happened.

28 Q. Do you not recall that on the afternoon of 20 December 1999
29 there was a BBC broadcast, by one Jonathan Pellele, reporting of

1 that meeting and a decision having been made following the
2 meeting that Sam Bockarie would be kept out of Sierra Leone until
3 the end of the disarmament process? Do you not recall that BBC
4 broadcast?

10:22:02 5 A. No, I don't recall.

6 MR GRIFFITHS: Madam President, the name is Jonathan,
7 J-O-N-A-T-H-A-N, Pellele, P-E-L-L-E-L-E:

8 Q. Do you not also recall that Sam Bockarie was given a choice
9 to either stay in Liberia, or a third country? Do you not recall
10 this?

10:22:33

11 A. No, I don't recall that. The only thing I recall is that
12 later I understood that Sam Bockarie had moved from Liberia and
13 he had been taken to Burkina Faso.

14 Q. Do you recall then that Liberian security were under
15 instructions to prevent Sam Bockarie from crossing back into
16 Sierra Leone?

10:23:03

17 A. No, I did not get that information.

18 Q. Tell me, during that time when you were on assignment 1 and
19 Sam Bockarie was in Monrovia, did you never speak to him?

10:23:43

20 A. No. I only used to talk to Jungle. What was happening to
21 Sam Bockarie in Monrovia, whether anything, Jungle was still with
22 the RUF. If anything happened he still used to come to me.

23 Q. Did you ever meet with Sam Bockarie whilst he was in
24 Monrovia?

10:24:15

25 A. It only happened at the time Sam Bockarie and I travelled
26 from Buedu and we came. At that time the leader said we should
27 meet him in Lome. That was the only time. But after he had
28 moved on his own away from the RUF and came to Monrovia, we were
29 not together.

1 Q. Let's just discuss Sam Bockarie a little further before we
2 come on to Jungle, shall we? On what you've told us, you would
3 have been a member of the RUF at the time when Sam Bockarie was
4 in command.

10:25:07 5 A. Correct.

6 Q. What period was that?

7 A. What time? What time what happened? Please clear that
8 point for me.

9 Q. For what period of time, as best you can recall, was Sam
10:25:29 10 Bockarie in charge?

11 A. I recall that Sam Bockarie was in charge after 1996 when
12 Foday Sankoh had been arrested in Nigeria. It was since then
13 that Sam Bockarie took over, up to 1999.

14 Q. Were you close to Sam Bockarie?

10:26:17 15 A. Yes, I used to meet him. I was close to him.

16 Q. Where were you based at the time when Sam Bockarie was in
17 charge?

18 A. In 1996 I was in the western jungle. That was where I was
19 up to the time the AFRC took over and we went to town.

10:26:46 20 Q. Now during the time that Sam Bockarie was in charge, did
21 you ever travel to Monrovia with him?

22 A. You're correct.

23 Q. When?

24 A. It happened in 1999.

10:27:13 25 Q. Who else went with Sam Bockarie to Monrovia on that
26 occasion?

27 A. John Jabbati joined him, he was a Black Guard member,
28 together with Freedom, Sidie Koroma, and his own bodyguard who
29 was called Foday and some other people whose names I cannot

1 recall now.

2 Q. Where did you stay?

3 A. We went to Congo Town at the same guesthouse where we went
4 before we left for Lome.

10:28:15 5 PRESIDING JUDGE: Just a clarification here, Mr Griffiths.
6 I thought I heard the witness say that the bodyguard was called
7 Foday, but the record says it's Foday Sankoh.

8 THE WITNESS: No, bodyguard. Sam Bockarie's bodyguard was
9 called Foday. I'm not talking about Foday Sankoh. All of us
10:28:42 10 travelled and went to Monrovia.

11 PRESIDING JUDGE: That will be corrected. I think Madam
12 Court Attendant has noticed the transcript.

13 MR GRIFFITHS:

14 Q. And this trip with Sam Bockarie, was it prior to you taking
10:28:58 15 up assignment number 1?

16 A. Correct.

17 Q. What was the purpose of that visit to Monrovia with Sam
18 Bockarie?

19 A. According to what Sam Bockarie told us, he said Foday
10:29:25 20 Sankoh had called him. He had given him instruction that Sam
21 Bockarie and some of his securities, he should travel with them
22 to Monrovia and from Monrovia they would all travel and meet him
23 in Lome before ever he will come over. But when we arrived in
24 Monrovia, together with Sam Bockarie, Sam Bockarie changed the
10:29:51 25 order and he said he was not going any longer and he stopped all
26 of us from going. So we were there up to the time Foday Sankoh
27 came and met us there.

28 Q. During that trip to your knowledge did Sam Bockarie meet
29 Charles Taylor?

1 A. Correct.

2 Q. Were you present at that meeting?

3 A. I did not go with Sam Bockarie to the mansion to meet with
4 Charles Taylor. It was Benjamin Yeaten who came and collected
10:30:38 5 him and then they went.

6 Q. Now you appreciated, did you not, that the purpose of that
7 meeting with Charles Taylor was to smooth out certain
8 difficulties which had arisen between Sam Bockarie and Foday
9 Sankoh?

10:30:59 10 A. Well after the meeting Sam Bockarie did not tell me what
11 they spoke about, so I can't say anything about that.

12 Q. In any event, concluding our discussion about Sam Bockarie,
13 there came a time, you tell us, when you heard from someone
14 called Salami that Sam Bockarie had been killed, is that right?

10:31:34 15 A. Repeat that statement, please.

16 Q. There came a time when you heard from an individual called
17 Salami that Sam Bockarie had been killed?

18 A. Yes.

19 Q. How was he killed?

10:31:58 20 A. Salami told me that Benjamin Yeaten - because at that time
21 Salami was with Benjamin Yeaten. Salami told me that Benjamin
22 Yeaten told him that Charles Taylor had given an order that he,
23 Benjamin Yeaten, should kill Sam Bockarie and all the other
24 Sierra Leonean boys who were in the ATU. They were to be killed,
10:32:34 25 including their families, he said because they had been blaming
26 Charles Taylor for Sam Bockarie's business over the RUF and so he
27 said they should destroy evidence. He said the dad,
28 Charles Taylor, had passed the order to kill all these people, so
29 Salami himself told me that he partook in the killing of these

1 people.

2 Q. It's my fault. When I say how was he killed what I meant
3 was was he stabbed to death, was he strangled, was he shot?

4 A. Well, Salami did not tell me how he was - what they used to
10:33:32 5 kill him or how they killed him. He just told me that they
6 killed Sam Bockarie and his family. That was only what he told
7 me. He did not tell me how he was killed. He just told me that
8 they killed - that an order came and Sam Bockarie and his family
9 were killed and he himself took part in the killing.

10:33:53 10 Q. But did you - weren't you curious to find out how by asking
11 a simple question like, "How did you do it, Salami?"

12 A. At that time I too was afraid. After he had given me that
13 information that Sam Bockarie had been killed I was scared, so I
14 didn't have time to ask any other question.

10:34:24 15 Q. Salami was a Sierra Leonean, if I understand what you've
16 told us, is that right?

17 A. Correct.

18 Q. So some of those responsible, as you understand it, for Sam
19 Bockarie's death were fellow Sierra Leoneans?

10:34:43 20 A. I know that Salami was a Sierra Leonean. According to
21 Salami - Benjamin Yeaten, he's a Liberian and other Liberians. I
22 knew that Salami was a Sierra Leonean who took part.

23 Q. Where was Sam Bockarie killed? Was it in Liberia, Cote
24 d'Ivoire or somewhere else?

10:35:16 25 A. According to Salami it was in Liberia, a place called Nimba
26 County.

27 Q. And when did it occur?

28 A. It happened in 2003, but I cannot remember the month.

29 Q. Were you in Monrovia at the time?

- 1 A. No.
- 2 Q. Were you in Sierra Leone?
- 3 A. No, I was in Liberia.
- 4 Q. But not in Monrovia?
- 10:36:04 5 A. No, not in Monrovia. I was not in Monrovia.
- 6 Q. Where were you in Liberia?
- 7 A. At that time I was also in Nimba County.
- 8 Q. Doing what?
- 9 A. At that time I was - I was in Nimba County in an area
- 10:36:35 10 called Mali.
- 11 Q. Doing what?
- 12 A. I was there fighting.
- 13 Q. For whom?
- 14 A. I was there fighting. We were fighting for Charles Taylor.
- 10:37:14 15 Q. Against whom?
- 16 A. Against MODEL rebels.
- 17 Q. When had you begun fighting for Charles Taylor?
- 18 A. That was after assignment 2. I was with Benjamin Yeaten.
- 19 Q. Did you volunteer for that or was it like May 1991 when you
- 10:37:51 20 were forcibly recruited?
- 21 A. When it happened, after assignment 2 it was Benjamin Yeaten
- 22 who called me and told me that since I had been with them I know
- 23 a lot of things between the RUF and the Charles Taylor government
- 24 and so he would want me to come close to him so that we would
- 10:38:27 25 work together. It was then that he brought me close to him.
- 26 Q. For how long were you engaged fighting for Charles Taylor
- 27 against MODEL?
- 28 A. I was there up to 2003.
- 29 Q. From when?

1 A. It was in 2003. It was in 2003, but I can't remember the
2 month. Up to July. I cannot remember the month that I started,
3 but I was there up to July 2003.

10:39:41 4 Q. Now, did you ever tell investigators for the Prosecution,
5 or indeed any Prosecution counsel, that you fought in Liberia
6 against MODEL?

7 A. No.

8 Q. Why not?

9 A. Because they did not ask me that question. I can answer -
10:40:16 10 I respond the way the question is asked.

11 Q. Did you not consider it something of importance to mention?

12 A. I only responded to questions asked of me.

13 Q. Let me try my question again. Did you not consider it an
14 important fact which you ought to mention?

10:40:51 15 A. I know it's important, but if you ask me then I'll answer
16 you.

17 Q. Well, if you knew it was important why didn't you tell
18 them?

19 A. Because they did not ask me. You've asked me and I've told
10:41:17 20 you.

21 Q. Very well. I'll move on. So you were actually fighting in
22 Nimba County at the very time that Sam Bockarie was killed, is
23 that right?

24 A. Correct.

10:41:40 25 Q. Were you not aware that he died in a fire fight on the
26 Liberian-Cote d'Ivoire border?

27 A. Sam Bockarie was - according to - when I was with Benjamin
28 Yeaten, what he was telling me, Sam Bockarie took part in Ivory
29 Coast - in the Ivory Coast war. At that time these ATUs who had

1 been trained in Liberia, when Sam Bockarie took part in the Cote
2 d'Ivoire war, according to Benjamin Yeaten Charles Taylor sent
3 all these ATUs, the Sierra Leonean ATU soldiers, to Sam Bockarie
4 in Ivory Coast. So all of them took part in the war. After they
10:42:48 5 had taken part in this war, later Sam Bockarie caused trouble in
6 the Ivory Coast, so he escaped and came to Liberia. According to
7 Benjamin Yeaten, when Sam Bockarie came to Liberia he crossed.
8 When he crossed and entered Liberia, at that time he said his
9 dad, Charles Taylor, said he does not want to hear about that
10:43:21 10 because Sam Bockarie - they had said he, Charles Taylor, had
11 hands in supporting him. So it was at that time that he arrested
12 all of them. So the killing - when the killing took place, it
13 was Salami who told me that they took part in killing Sam
14 Bockarie.

10:43:50 15 Q. Thank you for all of that, but it doesn't answer my
16 question. So let me try it again. Were you not aware that Sam
17 Bockarie died in a fire fight on the Liberian-Cote d'Ivoire
18 border?

19 A. They never told me that Sam Bockarie died in crossfire.
10:44:13 20 What I know is that Salami told me that it was an order that
21 Charles Taylor gave that Sam Bockarie, including his family,
22 should all be killed to destroy evidence against him,
23 Charles Taylor.

24 Q. Is it the case, bearing in mind your previous answer, that
10:44:44 25 Sam Bockarie had been arrested prior to his death?

26 A. What I said, at first I said Benjamin - it was Benjamin
27 Yeaten who informed me that Sam Bockarie had caused trouble in
28 Ivory Coast and had crossed. When he crossed with the troops
29 that he came with they were arrested. From there he said --

1 Q. He was arrested then, was he?

2 A. Yes.

3 Q. Now, if I understand what you're telling us, you were quite
4 close to Benjamin Yeaten, weren't you?

10:45:50 5 A. Yes.

6 Q. So did you ask Benjamin Yeaten how Sam Bockarie was killed?

7 A. No. It was Salami who told me.

8 Q. So did you go to Benjamin Yeaten, your friend, to clarify
9 what had happened?

10:46:18 10 A. Say that again, please.

11 Q. Given that you were close to Benjamin Yeaten, did you not
12 consider going to him to clarify what had happened to Sam
13 Bockarie?

14 A. Well, at the time that it happened, even though I was with
10:46:42 15 Benjamin Yeaten I was scared too, so I did not ask him.

16 Q. Let's move on to somebody else, shall we: Jungle. What
17 nationality was he?

18 A. Jungle was a Liberian, a Kissi by tribe.

19 Q. Was he a fighter in the RUF?

10:47:21 20 A. No.

21 Q. Who was he?

22 A. I knew Jungle from 1992 when I used to come with Foday
23 Sankoh to Gbarnga. I saw him as an SBU in the NPFL at that time.

24 Q. And later?

10:47:49 25 A. Later I saw Jungle close to Sam Bockarie and later I saw
26 him with Foday Sankoh, so that was how I knew Jungle.

27 Q. Now you say, do you not, that there was an occasion when
28 you met Jungle with Sam Bockarie in Kenema?

29 A. Correct.

1 Q. What year was that?

2 A. That happened when - it happened at the time that we had
3 left Freetown, when Sam Bockarie was in Kenema and I was in
4 Tongo. I just - I just - I can't remember the year now, but it
10:49:16 5 was at that time.

6 Q. Let me remind you what you told us. You told us that it
7 was at the end of 1997, is that right?

8 A. Correct.

9 Q. Now, according to you, Charles Taylor had sent Jungle to
10:49:47 10 meet with Sam Bockarie, is that right?

11 A. What I said was that I met Jungle at Sam Bockarie's house
12 in Kenema. So when I met Jungle I asked him what he had come to
13 do and he said the Pa, Charles Taylor, had sent him to Mosqui to
14 for him not to be - not to involve himself much in the AFRC
10:50:23 15 government. That was what I said.

16 Q. Now help us, 1997, on what you told us yesterday, falls
17 within that period from 1993 to 1998 when you tell us the RUF was
18 cut off from Liberia.

19 A. Say that again, please.

10:50:54 20 Q. 1997, when you claim Jungle came to visit Sam Bockarie,
21 falls within that period '93 to '98 when you say the RUF was cut
22 off from Liberia, doesn't it?

23 A. Correct.

24 Q. And yet according to you, Jungle, despite ULIMO's presence
10:51:27 25 along the border, was able to travel bearing messages from
26 Charles Taylor to Sam Bockarie. How could that be?

27 A. Well, at that time Charles Taylor's government was in
28 place. At that time he was President in Liberia.

29 Q. Do you want to change what you told us about the RUF being

1 cut off from Liberia from 1993 to 1998? Do you want to change
2 that now?

3 A. I am not making a change. What I'm trying to say is that
4 during that time 1993 when ULIMO took complete control of Lofa,
10:52:40 5 when they cut off our supply line, it was in 1998 that I saw arms
6 and ammunition coming into Sierra Leone again. That was what I
7 said.

8 Q. Did Sam Bockarie, to your knowledge, have access to radio
9 communication which linked him to Monrovia?

10:53:18 10 A. That happened when we had gone to Buedu. Sam Bockarie had
11 radio communication which he used to call directly to Monrovia.

12 Q. But you also told us, you see, that there was an occasion
13 when you saw Jungle in Buedu and Jungle said that Charles Taylor
14 had sent him to cause Sam Bockarie to go and meet him in

10:53:52 15 Monrovia. Do you remember telling us that?

16 A. Yes.

17 Q. Can you help us as to why Charles Taylor would need to send
18 a messenger when he had radio contact with Sam Bockarie? Can you
19 help us with that?

10:54:13 20 A. Yes, because Jungle, he was - there were securities in
21 Liberia. Sam Bockarie cannot just go - Sam Bockarie cannot just
22 go to Liberia without the Liberian security knowing. That was
23 why Charles Taylor sent Jungle and other people - that was why
24 Charles Taylor sent Jungle to come and collect Sam Bockarie and
10:54:41 25 take him along.

26 Q. Now when you say that Sam Bockarie couldn't just enter
27 Liberia, are you saying that he didn't have free access across
28 the border to Liberia?

29 A. What I'm trying to say is that at that time when

1 Charles Taylor had just gotten the presidency that was the first
2 time that Mosquito was to go and meet Charles Taylor, so except
3 security comes from Charles Taylor's government to pick him up
4 and take him along.

10:55:32 5 Q. And who was the security who came?

6 A. It was Jungle.

7 Q. Anybody else?

8 A. The first trip it was Jungle.

9 Q. Did Varmuyan Sheriff come on that trip?

10:56:02 10 A. Varmuyan Sheriff? It was in 1998 and it was Mosquito who
11 told me that Varmuyan Sheriff came to collect him when the Pa said
12 he wanted to see him, but I myself did not see Varmuyan Sheriff.
13 But it was not that same trip.

14 Q. So on that first trip that Sam Bockarie made to Monrovia
10:56:27 15 after Charles Taylor became president it was Jungle who came to
16 collect him, is that right?

17 A. Yes, that is what I know. That was what Sam Bockarie told
18 me.

19 Q. Thank you. Now, I promised that I would come back to the
10:56:49 20 attack on Freetown in January 1999. Do you recall that event?

21 A. Yes.

22 Q. Were you involved in it?

23 A. Please ask the question again.

24 Q. Were you involved in the invasion of Freetown in January
10:57:16 25 1999?

26 A. Well, what happened, I was in Makeni when I heard of that
27 invasion, that 6 January invasion on Freetown, when Gullit's
28 group entered Freetown. I only took part at the time that we
29 went to Waterloo. When Gullit and others said they should attack

1 from the other end while we should attack from Kossoh Town to
2 link up in Freetown, that was the only time that I took part.

3 Q. Now dealing with that in a little more detail, at the time
4 of that invasion who was the overall commander of the RUF?

10:58:25 5 A. It was Sam Bockarie at that time.

6 Q. It's right, is it not, that it was not Sam Bockarie who
7 gave the order to invade Freetown in January 1999?

8 A. Well what I knew it was not Sam Bockarie who gave the order
9 for Freetown to be invaded, but after they had reached Freetown
10:59:10 10 Sam Bockarie ordered Issa Sesay to reinforce Gullit in Freetown.

11 Q. Let me be a bit more specific. What happened in fact was
12 this, was it not? Gullit went off on his own and launched that
13 attack and it's only when he encountered problems that he
14 contacted Sam Bockarie and asked for reinforcements. That's

10:59:45 15 right, isn't it?

16 A. Well, I did not know that when he went he encountered
17 problems. What I knew was that when Gullit entered Freetown an
18 order came from Sam Bockarie telling Issa Sesay to reinforce
19 Gullit in Freetown. That's what I knew.

11:00:04 20 Q. Was Gullit a member of the RUF?

21 A. Gullit was a member of the AFRC junta.

22 Q. So just to put that together then, he launches the attack
23 and then he contacts Sam Bockarie and Bockarie orders Issa Sesay
24 to reinforce him. Is that the sequence of events?

11:00:43 25 A. It was Gullit who attacked Freetown. Later Sam Bockarie
26 ordered Issa Sesay to reinforce Gullit in Freetown. That was how
27 it happened.

28 Q. But in any event it was not an operation initially launched
29 by the RUF, was it?

1 A. RUF intended to go to Freetown. That was the mission, to
2 go to Freetown, so when Gullit and others went ahead and launched
3 on Freetown Mosquito ordered Issa Sesay to reinforce Gullit in
4 Freetown.

11:01:31 5 Q. Well, obviously you didn't understand my question and so
6 let me try it again. The invasion of Freetown was not initially
7 an RUF mission, was it?

8 A. When it started initially it was Gullit who went there, but
9 Gullit was part of the junta and we and the junta had come
11:02:04 10 together. We and the AFRC were all together.

11 Q. I am asking the questions quite specifically for a reason.
12 When that mission began it was not at that first stage an RUF
13 mission, was it?

14 A. I can say that all of that, because at that time we were
11:02:41 15 all juntas. It was our mission because they had members of the
16 RUF among them when they went on that mission, but it was Gullit
17 who was the commander.

18 MR GRIFFITHS: Very well, I'll leave that. Could the
19 witness be shown MFI-4, please:

11:03:33 20 Q. When did you first see this exercise book?

21 A. I saw this exercise book - it was in Kono that I saw this
22 exercise book.

23 Q. Who had it in their possession when you first saw it?

24 A. I saw it with the Black Guard whom they called Joseph
11:04:30 25 Bakundu.

26 Q. Was it the only such book that you saw?

27 A. Well I used to see other books, but - I used to see other
28 books, other pieces of information, pertaining to the activities
29 that were taking place. I saw this other report about diamonds.

1 Q. Did you ever see another book with an identical - did you
2 ever see an identical exercise book with "God Bless the Teacher"
3 and "Peace" on it dealing with diamonds?

4 A. Say that again, please.

11:06:01 5 Q. Do you see that the cover of this exercise book has written
6 on it a logo "God Bless the Teacher"? Do you see that, top
7 left-hand corner?

8 A. Yes.

9 Q. Do you see to the right of that circle the word "Peace"?

11:06:34 10 A. Yes, I've seen it.

11 Q. Do you see just below the circle the word "Composition"?

12 A. Yes, I've seen it.

13 Q. Now, have you ever seen a book with an identical cover to
14 this containing details about diamond mining?

11:07:05 15 A. Yes.

16 Q. Where did you see such a book?

17 A. It was in Kono that I saw this type of book.

18 Q. How many such books did you see with an identical cover?

19 A. This type? It was only this type that I saw.

11:07:45 20 JUDGE SEBUTINDE: That doesn't answer the question,

21 Mr Witness. The question was how many such books did you see, in
22 other words of this same type?

23 THE WITNESS: One.

24 PRESIDING JUDGE: Is that one other book making two, or
11:08:07 25 just one book?

26 THE WITNESS: I saw this same type, "Peace" book, that has
27 this logo. It was only this type that I saw, but I used to see
28 other books.

29 PRESIDING JUDGE: I'm still not clear, Mr Witness. This is

1 one book - an exercise book - with a particular kind of cover.
2 Now this particular kind of cover did you see only one of them,
3 or did you see more than one of them?

4 THE WITNESS: This particular one I only saw one.

11:09:10 5 JUDGE SEBUTINDE: Yes, but, Mr Witness, a few sentences
6 ago, three questions ago, counsel asked you if you had seen
7 another book like this with things written about diamonds in it
8 and you said, yes, you had seen one other book with information
9 on diamonds in Kono. Is that correct, or you now want to change
11:09:36 10 that you never saw such a book?

11 THE WITNESS: Well, what I'm trying to say is that this
12 particular book with this type of cover, this "Peace" and this
13 type of label, I saw only one, this type, but I saw another book
14 there that had another type of cover that had diamond contents
11:10:02 15 in, but this type of book, I only saw one.

16 MR GRIFFITHS: Very well:

17 Q. And so you only saw one book like this with writing in
18 about diamonds, is that right?

19 A. That has this label, this particular label. But I saw
11:10:34 20 other books that has details about diamonds, but not with labels
21 like these.

22 Q. You mean not with a cover like that?

23 A. Exactly.

24 Q. Now can we turn, please, to the third page of that
11:10:56 25 document, which bears the ERN number 8237. I want to direct your
26 attention, please, to those three figures at the bottom. 164.50
27 per cent, below that 259.30 per cent. Do you see those two?

28 A. Yes, I've seen it.

29 Q. What does that figure 164.50 per cent mean?

1 A. One what? One six?

2 Q. 164 then a dot then 50 per cent. What does that mean?

3 A. I have not seen the other one yet. Is this 6? 164?

4 Q. I may be wrong, but that's the figure I'm looking at, all
11:12:24 5 right. Whether it's 6 or 8 is immaterial. Help us, please, what
6 does that figure represent?

7 A. Well, that number, according to the person who was taking
8 down this record, what he used to tell me, this amount refers to
9 diamonds, the diamonds that they had received from the people.

11:12:56 10 When they would have put them together - when they would have put
11 them together and weighed them, that was what summed up to this,
12 like this 164 carats point 50 per cent.

13 Q. If that figure represents 164.50 carats why is it that on
14 the last line we see "six carat" written out in words? Can you
11:13:34 15 help us? Do you see where I mean?

16 A. Where?

17 Q. Do you see "28 pieces equals six carats"?

18 A. Yes, I can help you out with that. The way he told - what
19 he told me, the way they were doing it, they used to check the
11:14:02 20 diamonds by categories. For instance, that 28 pieces, all what
21 he checked, those 28 pieces, came up to six carats, 28 per cent.
22 That particular 28 that was checked came up to that six carats,
23 28 per cent. That was what it meant.

24 Q. If that's the system being adopted by the writer we should
11:14:31 25 expect to see, going back to that previous line, 815 pieces
26 equals 164 carats. So why don't we see the word "carat" there?
27 Do you understand what I mean?

28 A. I understand. Well, those who were dealing with the
29 diamond business, they knew that when they saw this type of

1 figure they meant carat. That was why they didn't bother to put
2 it there.

3 Q. All I'm asking is given that you're telling us that you can
4 explain this document and assist us as to its contents, can you
11:15:38 5 explain why the word "carat" doesn't appear next to any of the
6 other figures on that page?

7 A. Yes, because they had already put it that the grand total
8 in the caratage, it's already there, so there was no need for
9 them to put it there, "carats". So those who were doing the
11:16:24 10 diamond business, when they saw that, that type of figure, they
11 would know that they are talking about the caratage.

12 Q. Well, let's go over to page 8239, please. Again at the
13 bottom of that page, you will see if you count up seven lines
14 from the bottom of the page, "2012 pieces equals 405 carats".
11:17:09 15 Below that, "700 pieces equals 163 carat", "1312 pieces equals
16 241 carats". Then below that, "252 pieces, 84.27 per cent". Now
17 help us, what does that 84.27 per cent refer to? Do you follow
18 me?

19 A. Yes, I'm getting you. Yes, I'm getting you. What this is
11:17:58 20 trying to say is that 252 pieces of diamonds, this 84 - this 84,
21 where it came from, it is the - this 84.27 percentage, what it is
22 trying to say, the 84.27 percentage means that this 84 - between
23 the 84 and when it would have - where the 50 per cent would have
24 come, that was what was divided to come to this 27 per cent, that
11:18:51 25 point 27 per cent.

26 Q. Can you help us why it doesn't say "carat" next to it?

27 PRESIDING JUDGE: Mr Griffiths, maybe I'm being pedantic,
28 but that word looks more like "garat" to me.

29 MR GRIFFITHS: Your Honour, may well be right. It looks

1 I like it could be a "G".

2 PRESIDING JUDGE: I'm sure it's intended to mean that, but
3 as long as we're all talking on the same wavelength.

4 MR GRIFFITHS: I'm talking about the word which is in
11:19:24 5 slightly darker colour on the page and it appears three times.

6 PRESIDING JUDGE: I can see it quite clearly.

7 MR GRIFFITHS: It appears three times at something of an
8 angle and in the context, your Honour, I was assuming, despite
9 the spelling, that it was referring to carats.

11:19:41 10 PRESIDING JUDGE: Well, if we're incorrect I'm sure it will
11 be picked up in re-examination.

12 MR GRIFFITHS:

13 Q. But can you help us why that word, whatever it may be,
14 doesn't appear next to the other percentages?

11:20:00 15 A. Yes, yes, because you've already known that when you put
16 the diamonds together, this 252 pieces, you know that, yes,
17 you've checked everything together and you've got 252 pieces.
18 From that, after you weighed them together, whatever you got,
19 that's the caratage you're referring to and from the caratage,
11:20:26 20 whatever that comes on top of the caratage is the percentage. So
21 this is 84 carats point 27 per cent. That's what it means.

22 Q. Very well. Can we move to the page which has the number
23 8248 on it, please. You will see on that page that the name Sam
24 Bockarie appears on no less than five occasions, yes?

11:21:34 25 A. Yes, I've seen it.

26 Q. Remind me, please, how many Sam Bockaries did you know
27 within the RUF?

28 A. The Sam Bockarie that I know, I know Sam Bockarie Mosquito.
29 But, according to this document, where this mining was taking

1 place there was one other soldier there who were overseeing this
2 mining, they used to call him Sam Bockarie, but he was not
3 Mosquito that they were trying to talk about. This other soldier
4 just took up this name. They called him Sam Bockarie.

11:22:29 5 Q. Who is Tamba Konoboy, the first name to appear on that
6 page?

7 A. I knew Tamba Konoboy. He was in Kono. All of them were
8 overseeing this mining.

9 Q. And who is Mohamed Conteh?

11:23:00 10 A. He too, all of them were overseeing this mining in Kono.

11 MR GRIFFITHS: Madam Court Administrator, I wonder if you
12 would display this document on the screen, please. Let's just
13 start with the first page. The cover page, please:

14 Q. That's another exercise book bearing, "God Bless the
11:24:01 15 Teacher", "Peace" with the name Captain Joseph K Bakundu. Have
16 you ever seen this document? We need to keep them quite
17 separate.

18 A. Well, this other book, the way it is, from 1999, I had not
19 seen it yet.

11:24:57 20 Q. Let's just put the front cover of the first document back
21 on the screen, please, so that we can verify something. What's
22 the date on that page? Do you see next to "year", what's the
23 date, please?

24 A. I'm not seeing it clearly.

11:25:24 25 Q. I wonder if we could magnify that part a little bit. I'm
26 too old and my eyesight is too poor to offer a suggestion on that
27 one, so maybe somebody younger like you, Mr Witness, can assist
28 me. Can you see the date on that?

29 A. I'm seeing the back. It's just like a "G". I'm not seeing

1 it clearly. I am seeing - anyway it's not too clear to me.

2 Q. Is it 1999?

3 A. I'm seeing "9", but the last one, I'm seeing it like a "G".
4 It's not clear to me.

11:26:31 5 MR GRIFFITHS: I suspect, Madam President, that - well, I
6 think we've got five minutes left.

7 PRESIDING JUDGE: We have about two, I think, from the last
8 alert.

9 MR GRIFFITHS: Can we then just quickly just see the date
11:27:00 10 on the other document again, please:

11 Q. That's much clearer, isn't it, witness?

12 A. Yes, this is clear.

13 Q. And it seems to be, doesn't it, the same date?

14 A. Well, I can't tell you it's the same date, but this is
11:27:31 15 clear to me. I know that this is 1999. But that other one is
16 not clear to me, so I can't tell you the date.

17 MR GRIFFITHS: Would that be a convenient point, your
18 Honour.

19 PRESIDING JUDGE: Indeed, Mr Griffiths. If we could
11:27:45 20 adjourn now. Mr Witness, we are now going to take the
21 mid-morning break. We will resume court at 12 o'clock. Please
22 adjourn court until 12.

23 [Break taken at 11.29 a.m.]

24 [Upon resuming at 12.00 p.m.]

11:57:48 25 PRESIDING JUDGE: Mr Griffiths, please proceed.

26 MR GRIFFITHS: Madam President, you will see that I have
27 left a copy of the document, the second document I was asking the
28 witness about, on your desk.

29 PRESIDING JUDGE: Indeed.

1 MR GRIFFITHS: Can I suggest for ease of accessibility that
2 you file it behind the other document that you have in your
3 files.

12:00:41

4 JUDGE LUSSICK: I think the other document is at tab 9 in
5 the files.

6 MR GRIFFITHS: I'm grateful, your Honour:

7 Q. Now, I want to ask you a few questions, please, about this
8 second document. Now, can we agree first of all that the front
9 cover is identical to the other front cover on the other
10 document? Can we agree on that?

12:01:25

11 A. Let me see the writings clearly.

12 Q. I mean merely in terms of it's exactly the same make of
13 exercise book, isn't it?

14 A. Yes, I see "Peace", I see the logo.

12:02:24

15 Q. The name written on it is the same, isn't it?

16 A. Yes, that is how I see it.

17 Q. And, as we established before the break, it's exactly the
18 same date, isn't it, 1999?

12:02:57

19 MS HOLLIS: Your Honour, I am going to object to that
20 question. It's misstating the evidence. The witness said he
21 clearly didn't know the date on the other evidence, or the other
22 book.

23 PRESIDING JUDGE: I haven't got the record exactly in front
24 of me, but I do recall the witness talking about a "G".

12:03:11

25 MR GRIFFITHS: My learned friend is exactly right, your
26 Honour. There was some difficulty as to the writing:

27 Q. But in any event on the other book it could possibly be
28 1999, do you agree?

29 A. The one that is on the screen in front of me I am not

1 seeing that number clearly, because I see 19-9 and the other is
2 like a plus, so it is also not clear to me, the last number.

12:04:13 3 Q. Can we look at the first page of this document, please,
4 which bears the ERN number 12915, okay? Now do you see at the
5 bottom under "Received from" we have got that same name
6 Sam Bockarie again, haven't we?

7 A. Yes, I have seen it.

8 Q. And you see again on the last two lines the word "garat",
9 or it could be "carat" also appears, doesn't it?

12:04:49 10 A. Yes, garatage.

11 Q. What do you understand by the word - do you recognise that
12 word "garatage"?

13 A. Yes, that is when diamonds are put together and when they
14 are weighed, the amount that comes out is what they refer to as
12:05:17 15 garatage.

16 Q. And is that the way the word is pronounced in Sierra Leone,
17 "garatage"?

18 A. Yes.

19 Q. Now, if we go to the page which bears the number 12917,
12:05:53 20 please, again we see the same Sam Bockarie appears on a number of
21 occasions on that page. Which Sam Bockarie is this?

22 A. Well, I have said that before. We had Sam Bockarie - this
23 Sam Bockarie whose name is on this document was a soldier who was
24 called Sam Bockarie. He was also controlling the mining areas.

12:06:33 25 JUDGE SEBUTINDE: Mr Witness, a soldier of the RUF or SLA
26 or AFRC?

27 THE WITNESS: Soldier in the RUF.

28 MR GRIFFITHS:

29 Q. Now, help me with this, please: Is it possible that the

1 Sam Bockarie referred to here is the Sam Bockarie Mosquito and
2 that what this represents is the private mining such as the
3 private mining in which you were engaged and these are diamonds
4 received from him, Sam Bockarie Mosquito?

12:07:23 5 A. Well, this mining was not a private mining. The way this
6 mining was organised, that was the reason why they took record of
7 the mining. That was why securities like Black Guards used to
8 take records. These diamonds were mined and on receiving it the
9 overall mining commander would give these diamonds to the person
10 who was in charge.

11 Q. Now, can you help me with this, please: For whose benefit
12 were these records kept?

13 A. Firstly, in the case of those of us, the Black Guards, we
14 will take these records down. We will take these records down to
15 be kept or to show to the high command and also to keep it so
16 that at any time the leader, Foday Sankoh, came back we would
17 show it to him for him to know that these were the diamonds that
18 were collected.

19 Q. It follows then that at some stage the whole purpose behind
12:08:58 20 this was to have a system by which account could be made to Foday
21 Sankoh as to what had happened to these assets. Would you agree?

22 A. The reason why we used to take care of these documents was
23 because the diamonds that we used to collect were - it was for
24 Foday Sankoh to know the diamonds that were collected in his
12:09:48 25 absence. That was the reason why we used to take these
26 documents.

27 Q. It follows then that an individual commander, for example
28 Sam Bockarie, if Sam Bockarie without the say so of Foday Sankoh
29 used diamonds for his own purpose Foday Sankoh would be able to

1 know in due course that that had happened because of this record
2 being kept, wouldn't he?

3 A. I did not get that one clearly. Repeat it, please.

4 Q. Because we have a record - this record - if someone like
12:10:40 5 Sam Bockarie decided to use diamonds gathered by the RUF for
6 their own purpose Foday Sankoh would know in due course because
7 he would know how many diamonds there were there in the first
8 place. Do you follow me?

9 A. Yes, Foday Sankoh would have known. That is after seeing
12:11:10 10 the document.

11 Q. Precisely. So consequently this was one way of
12 guaranteeing that diamond production within the RUF was used for
13 the purposes of the organisation, would you agree?

14 A. The diamonds that were mined by the RUF during
12:11:49 15 Sam Bockarie's time, when they were collected, because by then he
16 was the commander, we would hand the diamonds over to him so he
17 knew what he did with them. During Issa Sesay's time, when
18 diamonds were mined they were handed over to him. He too knew
19 what he did with them.

12:12:15 20 Q. Right, okay, we can put that document to one side now,
21 please. Now, do you recall in October 1999 that Johnny Paul
22 Koroma met with Foday Sankoh in Monrovia?

23 A. In 1999 I am aware that Foday Sankoh met with Johnny Paul
24 Koroma in Monrovia, but I can't recall the month.

12:13:20 25 Q. And what was the purpose of the meeting between Johnny Paul
26 Koroma and Foday Sankoh in Monrovia?

27 A. Foday Sankoh did say that before his return from the Lome
28 Peace Accord he would want to meet with Johnny Paul Koroma in
29 Monrovia, so that the two of them will meet his brother Charles

1 before going back to Freetown.

2 Q. And do you agree, therefore, that that meeting between
3 Sankoh and Koroma was to do with the peace process?

12:14:27

4 A. Well, I cannot say anything about that, because when they
5 met I was not present. I did not know what they discussed.

6 Q. You were in Monrovia then in October 1999, weren't you?

7 A. Correct.

8 Q. On assignment number 1.

9 A. Yes, in 1999, but I can't recall the date.

12:14:58

10 Q. So help me, given your purpose in being in Monrovia, how is
11 it that you can't help us any more about this meeting and, in
12 particular, about its relevance to the peace process?

13 A. I can only talk about something for which I was present and
14 what I heard, but I was not present in that meeting and I did not
15 know what they discussed in the meeting, so I cannot say anything
16 about it.

12:15:31

17 Q. But is it not right that the meeting of those two leaders
18 was covered extensively in the media in Liberia at the time?

19 A. Well, I cannot remember that.

12:16:02

20 Q. It even involved the United States ambassador to Liberia,
21 Mr Bismark Myrick. Don't you recall that?

22 A. The only meeting that I know about that took place between
23 the American ambassador and Foday Sankoh took place at the time
24 he came from South Africa when he passed through Monrovia. That
25 was the time Foday Sankoh met with the American ambassador for
26 them to have dinner together, but I have no idea about the other
27 one that you are talking about.

12:16:40

28 MR GRIFFITHS: For spelling, your Honours, Bismark

29 B-I-S-M-A-R-K, Myrick M-Y-R-I-C-K:

1 Q. Now, just a few more details about this. Do you recall
2 that Sankoh and Johnny Paul Koroma left Monrovia on board an
3 executive jet provided by the Nigerian government?

12:17:32

4 A. Well, when Sankoh and Johnny Paul Koroma were returning to
5 Freetown, we escorted him to the Roberts International Airport.
6 I saw an aeroplane, but I did not know whether it was provided by
7 the Nigerian government. I saw them go on board a plane and they
8 left.

12:17:55

9 Q. So you were involved to the extent of escorting them to the
10 airport, but knew nothing at all about their mission. Is that
11 the truth?

12 A. A mission like what? I know that Johnny Paul Koroma and
13 Foday Sankoh were to go back to Freetown, but I did not know who
14 provided the aeroplane for them to go.

12:18:19

15 Q. What were they talking about in Monrovia, can you help me?

16 A. I said I was not present at the meeting. That is what I am
17 trying to say.

12:18:50

18 Q. I know that and you weren't present at many meetings with
19 Charles Taylor, but you have still told us a lot about what
20 happened in those meetings, so help us. Even though you weren't
21 in the meeting, given your role, what were they discussing,
22 please?

12:19:17

23 A. If you ask me about any meeting in which I took part I will
24 be able to tell you, but what I know is that before Foday Sankoh
25 came to Monrovia he said Sam Bockarie should send for Johnny Paul
26 Koroma to come. He said the two of them were to meet his brother
27 Charles before ever they would leave for Freetown. That is what
28 I know about.

29 Q. Who were the West Side Boys?

1 A. What I heard from Johnny Paul at the time he came to
2 Monrovia, that the West Side Boys were his own boys.

3 Q. And the West Side Boys had taken hostage certain United
4 Nations personnel along with journalists and RUF members, hadn't
12:20:45 5 they?

6 A. Yes, I heard about that.

7 Q. They were upset that they had been omitted from the Lome
8 peace process, weren't they?

9 A. Yes, I got that information in Monrovia.

12:21:13 10 Q. And the West Side Boys also wanted the SLA, the Sierra
11 Leonean army, to be reinstated, didn't they?

12 A. Yes, I got that information.

13 Q. And they also wanted a post for Johnny Paul Koroma in the
14 government?

12:21:41 15 A. Yes, sir.

16 Q. And eventually President Kabbah accepted that proposition
17 and he was given a post in the government, wasn't he?

18 A. Well, I did not hear about that.

19 Q. But, in any event, the point that I am coming to is this:
12:22:08 20 The details of that final agreement which resulted in Koroma
21 getting a post in the government, those were all being hammered
22 out as part of the discussion in Monrovia with Foday Sankoh,
23 weren't they?

24 A. I was not present in that meeting between Foday Sankoh,
12:22:36 25 Johnny Paul Koroma and Charles Taylor, so I would not be able to
26 tell you anything about it. So if I told you anything about it
27 then I would be lying to you. I was not there.

28 Q. So in effect you are telling us that when you are not
29 present in a meeting you can't really tell us about what went on

1 in that meeting?

2 A. A meeting maybe that took place in which I was not present,
3 but if somebody told me what happened there then I would be able
4 to know. But in a meeting where I was not present and I did not
12:23:19 5 hear anything about, I cannot say anything about it.

6 Q. One final detail on this. Do you recall that in addition
7 to Johnny Paul Koroma and Foday Sankoh flying from Monrovia to
8 Freetown, that some 70 of their supporters and members of their
9 immediate family were ferried by commercial planes back to
12:23:47 10 Freetown and those planes were provided by the Government of
11 Liberia? Do you remember that?

12 A. What I know about was at the time we were in Monrovia at
13 assignment 1, Johnny Paul was there with us. Johnny Paul did say
14 that he had sent for some of his boys from Freetown to come over
12:24:17 15 and meet him in Monrovia. I saw some of his boys who came and
16 they were lodged in the Hotel Boulevard and they were guarded by
17 Liberian securities, but I did not know how they did the
18 arrangements for them to come over. But it was Johnny Paul
19 Koroma who told me that.

12:24:52 20 Q. Were you aware at the time that Johnny Paul Koroma was
21 subject to a travel ban imposed by the United Nations?

22 A. Well, I don't know about that.

23 Q. In December 1996 do you recall that you were forced to
24 retreat from Zogoda to Geima?

12:26:09 25 A. In 1996, I can't recall the month or date, I was not at
26 Zogoda. I was in the western jungle when I heard that Zogoda had
27 been pushed in disarray.

28 Q. Did you not stay in Geima with Jackson Swarray, also known
29 as Ray, the Black Guard commander?

1 A. No, in 1996 I was not in the Kailahun District.

2 JUDGE SEBUTINDE: Mr Griffiths, I think we need to get the
3 name of this village properly. There are two villages that have
4 a similar spelling.

12:26:56 5 MR GRIFFITHS: The spelling I have, your Honour, is
6 G-E-I-M-A:

7 Q. Did you in August 1997 serve as a bodyguard to Sam Bockarie
8 in Kenema?

9 A. In 1997 I can't recall the month. When Sam Bockarie was in
12:27:49 10 Kenema I did not serve as bodyguard to him. When we went and
11 attacked Tongo I stayed there and Sam Bockarie came back to
12 Kenema. I only used to travel from Tongo, come over and say hi
13 to him and then I will return.

14 Q. So you were never a bodyguard to Sam Bockarie. Is that the
12:28:11 15 truth?

16 A. No, I was not a bodyguard to Sam Bockarie. I was a Black
17 Guard member.

18 Q. During the AFRC regime is it right that Sam Bockarie was
19 getting military and logistical supplies for the RUF from the
12:28:41 20 secretary of state east and the brigade commander east?

21 A. Well, at that time I was not close to Sam Bockarie. Indeed
22 we used to receive arms and ammunition to fight, but I didn't
23 know how they got it.

24 Q. To your knowledge was any arms and ammunition obtained from
12:29:22 25 the secretary of state east?

26 A. I was not there. I don't know.

27 Q. So the arms and ammunition which Sam Bockarie had, do you
28 have any idea where it came from?

29 A. I got the idea that it was the AFRC government that was

1 giving them.

2 Q. Is it not right that during the AFRC coup all the
3 ammunition dumps in Kenema were fully stocked and the RUF had
4 control of them?

12:30:24 5 A. I don't know about that. I was in Tongo, so I cannot tell
6 you that the RUF took control of the ammo dump.

7 Q. Is it right that during the RUF/AFRC regime Sam Bockarie
8 became rather skeptical of the AFRC authorities in Freetown which
9 is why he left and set up his base in Kenema?

12:31:01 10 A. What I know about Sam Bockarie's coming to Kenema to reside
11 there was that during the time the AFRC and Johnny Paul Koroma
12 handed over the soldiers that they had arrested, he told Johnny
13 Paul that they should hold on to the 300 soldiers that had been
14 captured until a request was made for the release of Foday

12:31:42 15 Sankoh, but Johnny Paul did not do it. He released them. So
16 that was the reason why he went angry and decided to go and base
17 in Kenema.

18 Q. So effectively there was a falling out between Koroma and
19 Bockarie?

12:32:09 20 A. Yes, that was the reason why he went and based in Kenema.

21 Q. Furthermore, it got to the stage at one time, didn't it,
22 that the RUF began smuggling arms from Kenema to Buedu in
23 anticipation of a clash between the AFRC and the RUF?

24 A. No, I don't know about that.

12:32:42 25 Q. Very well. Now it's right, isn't it, that Charles Taylor
26 was responsible for negotiating the release of certain UN
27 hostages? Do you remember that? This was whilst Foday Sankoh
28 was in custody having been arrested.

29 A. Please repeat that statement.

1 Q. Whilst Foday Sankoh was in custody, do you recall some UN
2 personnel had been taken hostage by the RUF?

3 A. Yes.

12:33:47

4 Q. Do you recall that their release was negotiated by Charles
5 Taylor?

6 A. Yes.

7 Q. And do you recall that upon their release they were flown
8 to Monrovia?

9 A. Yes.

12:34:05

10 Q. Do you recall that Foday Sankoh was upset that they had
11 been released because he wanted Issa Sesay to use the hostages to
12 bargain for his own release from custody? Do you recall that?

13 A. No, I don't recall that.

12:34:35

14 Q. But you do remember that Foday Sankoh was in custody at the
15 time of that incident, don't you?

16 A. Yes, it happened.

17 Q. Do you know of three Canadians called Michael, Louis and
18 Mishell, M-I-S-H-E-L-L, to whom Ibrahim Bah sold diamonds?

12:35:26

19 A. I knew the other that was called Mishell. I knew him, but
20 I don't know the others. The diamonds that Mr Ibrahim sold to
21 Mishell and others, they were to bring computers, telephones and
22 some other items.

23 Q. But you do recognise at least one of those names?

24 A. Yes.

12:35:52

25 Q. Because let me make my position quite clear. General
26 Ibrahim Bah was the RUF agent who purchased arms for the
27 organisation, wasn't he?

28 A. General Ibrahim Bah, there was not a day that I saw him buy
29 arms and ammunition for the RUF since I was in Monrovia on

1 assignment 1. I used to see General Ibrahim there and when
2 diamonds came we will all sit together and arrange about those
3 that were to be handed over to Charles Taylor. We did the
4 arrangement. And those that we were to sell and purchase some
12:36:39 5 other things, we did. But I have never seen him go and purchase
6 ammunition.

7 Q. I am not suggesting that Ibrahim Bah was merely an arms
8 dealer for the RUF, because there was an occasion, was there not,
9 when Issa Sesay, through Ibrahim Bah, sold some diamonds to the
12:37:11 10 Canadians and in return obtained five satellite phones and two
11 computers? Do you remember that?

12 A. Yes, I remember that.

13 Q. And diamonds to the tune of 100,000 US dollars was used for
14 that transaction?

12:37:37 15 A. Well, what I know, I don't know the amount, but after
16 General Ibrahim brought the satellite phones and the computers
17 there was an additional cash money on top of that which was
18 50,000 dollars. That is what I know about, but I did not see
19 ammunitions or arms.

12:38:06 20 Q. Ibrahim Bah was a very old friend of Foday Sankoh, wasn't
21 he?

22 A. Yes.

23 Q. They had been very close friends since the start of the
24 war?

12:38:35 25 A. Well, I saw Ibrahim Bah in 1999, but Foday Sankoh told me
26 that he was his friend.

27 Q. And in fact Ibrahim Bah visited Foday Sankoh regularly in
28 Nigeria, didn't he?

29 A. I don't know about that. I was not with Foday Sankoh in

1 Nigeria.

2 Q. Do you recall Issa Sesay also selling diamonds to Mishell
3 at the guesthouse?

4 A. No, I don't know about that.

12:39:16 5 Q. That was in about November 2000. Do you recall that?

6 A. That did not happen in my presence. I did not see that.

7 Q. Do you recall that Ibrahim Bah duped Issa Sesay and the RUF
8 movement of about 35,000 US dollars worth of diamonds?

9 A. What I know about - about someone who duped RUF diamonds
12:39:56 10 was Eddie Kanneh. Eddie Kanneh escaped with diamonds. That is
11 what I know.

12 Q. When did he do that?

13 A. It was in 2002.

14 Q. And whose diamonds did he run away with?

12:40:26 15 A. That was Issa Sesay's diamonds.

16 Q. Do you recall Ibrahim Bah shipping trucks and pick-up vans
17 for Foday Sankoh in Freetown in early 2000?

18 A. What I know about is that this Mishell, who was the
19 Canadian friend, I had the understanding that at the time Foday
12:41:10 20 Sankoh was organising for the party, he told Mishell to send
21 vehicles for him, but I did not know that it was Mr Ibrahim Bah.
22 I knew that it was Mishell.

23 Q. Now, whilst you were in Monrovia, did you on occasions have
24 to buy items like medicines, salt, rice and condiments to send to
12:41:53 25 Sierra Leone?

26 A. I used to buy medicines, but in the case of rice, for me to
27 get rice Benjamin Yeaten used to give me documents. He will say
28 it was instruction from Mr Charles Taylor and sometimes I will go
29 to Freeport, K&K. There was a Lebanese man called K&K. I used to

1 go to his store and collect the rice.

2 Q. Did you not buy it for the RUF?

3 A. I never used to buy rice. Rice used to come from Charles
4 Taylor.

12:42:47 5 Q. That is not true, is it?

6 A. True. I was there. I was there.

7 Q. Do you know of a diamond dealer and businessman called
8 Alhaji Fofana?

9 A. No.

12:43:21 10 Q. He was a business partner of Issa Sesay in the diamond
11 business, wasn't he?

12 A. Well, at the time Issa Sesay used to go to Monrovia,
13 Liberia, there was not a day that he showed me the person you are
14 talking about that he was his business partner. He never told me

12:43:49 15 that.

16 Q. Maybe if I assist you with a little more detail you might
17 be able to help us. This man, Alhaji Fofana, was a Mandingo.
18 Does that help you?

19 A. No, I don't know him.

12:44:19 20 Q. Do you know an area called Rutile mines, R-U-T-I-L-E?

21 A. Rutin [phon] mines? That is not clear to me, Rutin.
22 Please say that again.

23 Q. Rutile, R-U-T-I-L-E.

24 A. Okay, you have now said it well. Yes, I know Rutile.

12:44:49 25 Q. Were you there in 1994?

26 A. Yes.

27 Q. Were you put on trial there by Foday Sankoh for raping a
28 girl?

29 A. Not at all.

1 Q. Her name was Lucy Yorma, L-U-C-Y Y-O-R-M-A.

2 A. That never happened. I was the Black Guard there that used
3 to go and spread the message to the people. There was not a day
4 that that happened that I was - that I went before a trial for a
12:45:54 5 case of rape. I never did that in the RUF. I will raise up my
6 fingers for that.

7 Q. I suggest that you faced the people's court and was
8 convicted and you were demoted from major to private soldier and
9 you were also imprisoned with hard labour for a month. That is
12:46:18 10 the truth, isn't it?

11 A. Not exactly.

12 Q. What does that mean? What am I not being exact about?

13 A. There is not a day that that happened, the thing that you
14 are explaining. I was never demoted and I was never put into
12:46:45 15 prison for such a reason.

16 Q. So, given that your answer was "not exactly", was there any
17 part of my suggestion which you accept?

18 A. Like which one? Make it clear to me.

19 Q. Were you put on trial?

12:47:04 20 A. No, I was not put on trial.

21 Q. Were you not convicted?

22 A. Convict me in which way? Make it clear to me. What is
23 conviction?

24 Q. Were you convicted of rape?

12:47:24 25 A. Not at all. Not a day. That never happened.

26 Q. And in addition to being demoted and imprisoned for a month
27 with hard labour, were you not sent for ideology training and you
28 were later forced to marry Lucy Yorma, weren't you, because she
29 was a virgin at the time you raped her? That is the truth, isn't

1 it?

2 A. That never happened. Nothing like that happened.

3 Q. Did you ever marry a woman called Lucy?

4 A. No.

12:48:12 5 Q. And is it not the case that because of the circumstances of
6 your meeting and you being forced to marry her, you began
7 maltreating her and some time in Kono Lucy reported you to Issa
8 Sesay? Don't you remember that?

9 A. I have never had somebody by the name of Lucy. It never
12:48:40 10 happened.

11 Q. And you were again tried and found guilty of cruelty to
12 that girl and Issa Sesay ordered you to be flogged. That is the
13 truth, isn't it?

14 A. It is not true.

12:49:02 15 Q. I suggest that it is the truth and that you are quite
16 deliberately hiding the full story from us. That is the truth,
17 isn't it?

18 A. No, I will not hide any truth from this court. There was
19 not a day that I raped somebody in the RUF and I never faced any
12:49:26 20 punishment for such a behaviour. That never happened to me.

21 Q. Did Issa Sesay ever order you to be flogged?

22 A. At one time Issa Sesay ordered me to be flogged, but what
23 resulted to that order was that at one time - at one time
24 Superman and Eddie Kanneh had a conflict and at that time it was
12:50:08 25 in Foya. FOC and I carried diamonds to be given to Eddie Kanneh
26 to take it to Liberia. So through that, when I returned,
27 information came that I had told Superman - that I had told
28 Superman that Eddie Kanneh was taking diamonds to Monrovia and
29 that Superman too was a senior person in the RUF and he did not

1 know about it. So Issa Sesay decided to mal-handle me because he
2 said I was the person who took the information to Superman and so
3 that was the time he ordered me to be flogged, but Issa Sesay
4 never flogged me for raping.

12:51:11 5 Q. How many times were you flogged whilst you were in the RUF?
6 Take your time.

7 A. Since the start in 1991 I was flogged at the base, from
8 there, and Issa Sesay's time, the time he flogged me.

9 Q. So are you saying it was two times, or was it more than
12:51:56 10 that?

11 A. Yes, I only recall two times.

12 Q. And on that second occasion when you were flogged were you
13 also demoted?

14 A. No. Since I started getting my promotions nobody ever
12:52:17 15 demoted me.

16 Q. Whilst you were on assignments 1 and 2 in Monrovia, what
17 access did you have to radio facilities?

18 A. Let me start with assignment 1. At assignment 1 I had a
19 long range radio communication set with a telephone with an
12:53:10 20 international line. Those were the type of communications I had
21 at that time. At assignment 2, I did not have any radio
22 communication under my command, but I had access to going to
23 Benjamin Yeaten's place and communicate.

24 Q. The international line and the radio, were they based in
12:53:55 25 the guesthouse?

26 MS HOLLIS: Your Honour, we are getting into an awful lot
27 of details about assignment 1. I have raised the issue before.
28 These are not in isolation, they are cumulative, and I would
29 suggest that more and more detail is more likely to identify who

1 this person is. I would ask that we not go into this kind of
2 detail in public session.

3 PRESIDING JUDGE: Your views, Mr Griffiths?

4 MR GRIFFITHS: Well, your Honour, it is difficult to see
12:54:32 5 how that piece of information could in any way identify this
6 witness, given the number of people he has testified as using
7 those premises, and I have quite deliberately avoided using any
8 terms which might refer or elaborate on his specific purpose in
9 being in Monrovia at the time.

12:54:59 10 PRESIDING JUDGE: Please allow me to confer.

11 [Trial Chamber conferred]

12 We are of the view that we will allow that question, but,
13 Mr Griffiths, we are coming into - it could be difficult. I want
14 to caution you and if there is any doubt at all that there could
12:56:07 15 be jeopardy to the security of the witness then it would be
16 appropriate to make an application.

17 MR GRIFFITHS: Your Honour, I have had time to think and I
18 think I can make the point I need to make in a different way:

19 Q. There was a radio, you tell us, to which RUF personnel in
12:56:30 20 Monrovia had access at Benjamin Yeaten's house, is that right?

21 A. What I am trying to talk about is that Benjamin Yeaten had
22 his own radio under his command, but here I am talking about the
23 time assignment 2 took place. At that time I did not have a
24 radio under my command, so if I wanted to communicate to Sierra
12:57:14 25 Leone I would go to Benjamin Yeaten's house.

26 Q. There was also a radio in the guesthouse, was there? And
27 my third and final proposition is this: Did you ever use a radio
28 in the Executive Mansion?

29 A. I did not use a radio in the Executive Mansion. At any

1 time I wanted to communicate during my assignment 2 I would go to
2 Benjamin Yeaten's house. There was an operator there called
3 Sunlight. That is where I used to go to.

12:58:12 4 Q. Were you aware of a dedicated radio for communication with
5 the RUF within the Executive Mansion?

6 A. I knew that there was a radio in the Executive Mansion and
7 it belonged to the ATU, but at that time if I wanted to
8 communicate with the RUF areas I would go to Benjamin Yeaten's
9 place.

12:58:43 10 Q. At any time did you have access to a radio in the Executive
11 Mansion which was dedicated for use by the RUF?

12 A. There was not a day that I went to the Executive Mansion to
13 communicate. I said I knew that the ATU had a long range
14 communication radio there, but if I wanted to communicate with

12:59:15 15 RUF areas I would go to Benjamin Yeaten's house. There was an
16 operator there called Sunlight. That was where I used to go and
17 communicate.

18 Q. Were you ever told that there was within the Executive
19 Mansion a radio specifically for use for contacting the RUF?

12:59:44 20 A. Nobody gave me that information.

21 Q. Now you do say however, don't you, that there was an
22 occasion when you went to the Executive Mansion to meet Charles
23 Taylor?

24 A. Yes.

13:00:15 25 Q. What time of night was it?

26 A. It was past 10.

27 Q. Can you help us by being a bit more specific?

28 A. I can't be specific, but it was past 10 o'clock.

29 Q. For example, was it before or after midnight?

1 A. I said it was past 10 o'clock. I do not know the exact
2 time, but it was past 10.

3 Q. In any event, according to you, you were summoned by
4 Charles Taylor to come and meet him?

13:01:07 5 A. According to how I got the information, we were on
6 assignment 1 when Benjamin Yeaten came and told me that his dad,
7 Charles Taylor, had sent him for me and members of the Memunatu
8 Deen, that he wanted to see us. That was how I went there.

9 Q. Who went with you?

13:01:38 10 A. Memunatu Deen and Benjamin Yeaten.

11 Q. And Memunatu Deen, that's a woman, am I right?

12 A. Correct.

13 Q. And when you got to the Executive Mansion eventually you
14 met with Charles Taylor, did you?

13:02:09 15 A. Yes, when I got to the Executive Mansion we waited in the
16 waiting room. Later he met us.

17 Q. Now, if I understand what you're telling us, President
18 Taylor must have known that you were coming because he had sent
19 Benjamin Yeaten to fetch you, hadn't he?

13:02:38 20 A. Yes.

21 Q. But when you got there he came out to see you dressed in
22 his pyjamas. Is that right?

23 A. Exactly.

24 Q. You see, I suggest that that account of meeting Charles
13:02:57 25 Taylor is a complete fabrication. You never met him in those
26 circumstances on any occasion at all. That's the truth, isn't
27 it?

28 A. I am trying to tell you that I met Charles Taylor, he spoke
29 to me, Memunatu Deen and I. Benjamin Yeaten was present. I am

1 very sure of that. I am confident 100 per cent that I met him.
2 That was my first day of sitting together with him and we spoke.
3 I am 100 per cent confident over that.

13:03:48

4 Q. Were you living in Sierra Leone when you were first
5 approached by the Prosecution for them to interview you with
6 regard to this investigation?

7 A. I was in Monrovia.

8 Q. So having fought against MODEL you remained in Monrovia,
9 did you?

13:04:14

10 A. Exactly so.

11 Q. And did the investigators come to contact you, or did you
12 go to contact them?

13 A. They contacted me through a telephone line.

13:04:51

14 Q. And had you told anyone that you were anxious to speak to
15 them and is that why the call came?

16 A. Say that again. Once more, please.

17 Q. Let me put it differently perhaps clearer. How did they
18 know to telephone you? Had you expressed an interest in speaking
19 to them to anyone?

13:05:26

20 A. No.

21 Q. So did it come as a complete surprise when you received
22 this telephone call?

13:05:50

23 A. The way I received the telephone call, they did not tell me
24 that this person that was calling me was from the Special Court
25 in Sierra Leone. The person called me and told me that, well, he
26 was from Sierra Leone, he had come from Sierra Leone, he was a
27 friend, a friend and a brother had given him my number, but he
28 would want to meet with me so that we can sit together and talk
29 things over. I was a little skeptical about that information, so

1 I refused to go there.

2 It took - it was more than two weeks when he contacted me
3 again. Still I was evading that particular call. So at one time
4 we finally agreed - I finally agreed to meet this particular
13:06:37 5 person to know who it was. So when they called at one time I
6 went and met that person. It was from that day that I knew that
7 that person had come from the Special Court for Sierra Leone.

8 Q. Now before we go on to deal with the full chronology of
9 your contact with the investigators, you have told us that you
13:07:16 10 had been told about the murder of Sam Bockarie on the orders of
11 Charles Taylor. You have told us that, yes?

12 A. Yes.

13 Q. And in effect you tell us that you were told that that
14 killing had taken place in order to in effect get rid of a source
13:07:42 15 of evidence?

16 A. Yes.

17 Q. Now, given your assignments in Monrovia, no doubt you were
18 afraid that the same thing might happen to you?

19 A. Exactly. I was afraid.

13:08:14 20 Q. So help me, please. Why did you continue fighting for
21 Charles Taylor and living in Monrovia?

22 A. Well, during the time that I am talking about, fighting for
23 Charles Taylor, at that time I had no other option but to do
24 that. If I didn't, Benjamin Yeaten would have killed me. I had
13:08:43 25 to do that.

26 Q. So once again you were forced to fight for an army that had
27 in effect press-ganged you into it, yes?

28 A. Yes, because I was not willing to fight, but had I not done
29 it they would have killed me. Benjamin Yeaten would have killed

1 me. That was why I joined him.

2 Q. Do you remember telling me before the break that you had
3 joined because you were close to Benjamin Yeaten? Do you
4 remember telling us that?

13:09:31 5 A. What I remember saying was that I said because Benjamin
6 Yeaten said that I had been with them and I knew a lot of things
7 between the RUF and Charles Taylor. That was why he wanted me to
8 come close to him.

9 Q. But even after you finished fighting MODEL you stayed in
13:09:59 10 Monrovia?

11 A. Yes.

12 Q. Were you not afraid then?

13 A. I was still afraid. That was why where I was, I changed my
14 place. I changed my location, but I was still in Monrovia.

13:10:25 15 Q. Why didn't you go back to your home town Pendembu in Sierra
16 Leone which was then at peace? Why not?

17 A. Well, at that time I was trying to prepare to go. At that
18 time I wouldn't just get up suddenly to go. I had to prepare
19 myself.

13:10:58 20 Q. In any event eventually on 23 November you met with
21 investigators from the Special Court, didn't you?

22 PRESIDING JUDGE: Which year, Mr Griffiths?

23 MR GRIFFITHS: 23 November 2006, your Honour:

24 Q. Do you recall that?

13:11:20 25 A. Exactly so.

26 Q. And on that date you were interviewed at some length by the
27 investigators, weren't you?

28 A. Yes.

29 Q. They then came back to see you again on 11 September 2007.

1 Do you recall that?

2 A. Yes, I can remember that.

3 Q. In fact, my fault. When they came to see you in November
4 2006 they saw you on the 23rd, on the 25th and on the 27th of
13:12:10 5 that month November, didn't they?

6 A. Yes.

7 Q. So for three days in November 2007, do you recall that?

8 A. Yes, yes.

9 Q. They then came back to see you again on 22 February 2007,
13:12:40 10 do you recall that?

11 A. Yes.

12 Q. Then again on 11 September 2007, do you recall that?

13 A. Yes, I can remember that they met me again, but the dates -
14 the dates that I cannot remember.

13:13:02 15 Q. In fact, they saw you on a couple of occasions at that
16 time, do you remember?

17 A. Which times?

18 Q. In September 2007. On the 11th and on the 12th you were
19 seen by investigators, weren't you? Do you remember?

13:13:30 20 A. Yes, at that time I used to meet the investigators. It is
21 just the time frames that I cannot remember.

22 Q. And then in June of this year when you arrived in The Hague
23 you went through your various statements with the Prosecutors
24 over a number of days, didn't you?

13:13:59 25 A. Yes.

26 Q. On 16 June, 24 June, 27 June of this year and 29 June of
27 this year. Do you remember all of those?

28 A. Yes, I remember meeting them.

29 Q. Now, having gone through your statements so many times, you

1 must have virtually learnt them off by heart, have you?

2 A. That is something I said it and I said it was part of me.

3 It is not meant that I have to go through it for me to know it.

4 Q. So obviously you must have said to them then, "I don't need
13:15:05 5 to spend all this time going through my statements because I know
6 what I am saying already." Obviously you said that.

7 A. That was the procedure. That was why I was undergoing it.

8 Q. But you didn't say that, did you?

9 A. No.

13:15:36 10 Q. Now, you have been receiving money from the investigators,
11 haven't you? What is so funny? Have I said something which is
12 funny?

13 A. It is not funny. It is interesting to me.

14 Q. Why?

13:16:03 15 A. Ask your question again.

16 Q. Why are you smiling?

17 A. Forget about the smile. Ask the question pertaining to the
18 money. I have my mouth. I should laugh.

19 Q. Let me try once more. Why were you smiling?

13:16:26 20 A. I own my mouth. I own my feeling. If I want to I can
21 laugh, I can cry. Ask the question pertaining to the money
22 issue. I can answer you.

23 Q. Did I say something which was funny?

24 A. Ask your question pertaining to the money issue. I will
13:16:48 25 answer you.

26 Q. Did I say something which was funny, yes or no?

27 A. I can only answer a question that pertains to the money
28 issue that you were asking me. I own myself. If I want to I can
29 laugh.

1 Q. Most people laugh for a reason and it is the reason that I
2 am interested in.

3 PRESIDING JUDGE: Mr Griffiths, I think you are not going
4 to get much further on this. It could be for submission.

13:17:22 5 MR GRIFFITHS:

6 Q. Were you smiling because you had been told, "Defence
7 counsel is going to be asking you about the money"? Is that why,
8 because you had anticipated the question because you had been
9 told?

13:17:43 10 A. Nobody ever told me that Defense counsel would ask me about
11 money issue.

12 Q. Did you decide to speak to the OTP for the money?

13 A. Not at all. Well, after I had come in contact with the
14 Special Court for Sierra Leone, on the Prosecution side, the
13:18:14 15 reason I gave myself up to come and prosecute Mr Taylor, one
16 reason is that indeed Charles Taylor helped the RUF. That was
17 the number 1 reason why I am testifying against Charles Taylor.
18 One other reason was that he killed Sam Bockarie and many other
19 Sierra Leoneans who were brothers to us, like me. When he killed
13:18:51 20 them and - that was the other reason: When he killed
21 Sam Bockarie and the other Sierra Leoneans. The second reason is
22 all - the second reason is I am a Sierra Leonean. This problem
23 that came - I am a Sierra Leonean. This problem that came was
24 for Sierra Leone and all these crimes that Charles Taylor had
13:19:25 25 been accused of, what he had been accused of doing I feel that I
26 was one of the witnesses, or one of the persons, who would be
27 able to talk, who would be able to tell the people for them to
28 know that, yes, that happened. So those - these are some of the
29 reasons why I came to testify against Charles Taylor. I didn't

1 do it for money.

2 Q. Do you hate Charles Taylor?

3 A. I do not hate Charles Taylor. Charles Taylor was doing
4 good to me. At the time that I was in Monrovia Charles Taylor
13:20:12 5 caused me to ride in good cars, he provided them for me, I was
6 eating freely, Charles Taylor used to provide the food. Indeed
7 Charles Taylor used to give arms and ammunition and I was taking
8 them to the RUF zones. I do not hate Charles Taylor, but it is
9 the truth that I like. The truth has to come to light for the
13:20:32 10 people to know that, yes, what they had accused Charles Taylor
11 of, justice should be done. That was why I gave myself up to
12 come and testify against Charles Taylor.

13 Q. So help me please, if this is the way you felt about
14 Charles Taylor, why were you fighting for him against MODEL?

13:21:03 15 A. Well, I had told you earlier that during that time I was
16 not doing it on my own free will, because at that time I was with
17 Benjamin Yeaten. If Benjamin Yeaten sends me there, if he says,
18 "Go to this area to fight", if I did not do it he would kill me,
19 so that was the reason.

13:21:26 20 Q. Why didn't you, the proud Sierra Leonean, once you had the
21 chance, go back to your own country?

22 A. I have told you when the war had ended in Sierra Leone,
23 when I was in Liberia, when the Liberian war ended, I was
24 preparing myself to go back to Sierra Leone because for a very
13:21:51 25 long time when I had left Sierra Leone, I cannot just get up
26 suddenly and go to Sierra Leone because I was a Sierra Leonean.

27 Q. But you actually remained in Monrovia until 2006, November,
28 when the OTP contacted you. Why?

29 A. I was still preparing myself.

1 Q. But that would have been, what, 2006, four years after the
2 war had finished in Sierra Leone? What are you staying in that
3 country, Liberia, for for that length of time if what you are
4 telling us is the truth?

13:22:29 5 A. Well, that is a long time for you, but for me it is not a
6 long time. I was still preparing myself to come back home.

7 MR GRIFFITHS: Would your Honour give me a moment? That is
8 all I have for this witness.

9 PRESIDING JUDGE: Sorry, Mr Griffiths?

13:23:20 10 MR GRIFFITHS: That is all I ask, Madam President.

11 PRESIDING JUDGE: Thank you. Ms Hollis, do you have any
12 re-examination?

13 MS HOLLIS: Yes, I do, your Honour.

14 PRESIDING JUDGE: Thank you. Please proceed.

13:23:34 15 RE-EXAMINATION BY MS HOLLIS:

16 MS HOLLIS: First if the witness could be shown the exhibit
17 that is MFI-4 and the exhibit that was provided by the Defence
18 that begins with the - I am looking for the ERN.

19 PRESIDING JUDGE: As I look at it, 12914 I can see on the
13:24:01 20 front cover of the copy I have.

21 MS HOLLIS: That is correct, thank you. Thank you, Madam
22 President.

23 MR GRIFFITHS: Madam President, I rise merely to ask,
24 because I omitted to do so at the time, that this be marked for
13:24:13 25 identification as well.

26 PRESIDING JUDGE: Yes, I will mark for identification - I
27 haven't counted the pages, the last one was 17 pages, I do not
28 know if this is the same, but it is a bundle of loose papers
29 marked with ERN numbers in sequence with the cover saying, "God

1 Bless the Teacher, Peace, Composition Book", and then some
2 handwriting which is partially obscured. The front cover says it
3 is 24 pages, but I have not counted them.

4 MR GRIFFITHS: It is actually 13 pages in length.

13:24:49 5 PRESIDING JUDGE: 13, thank you. 13 pages, thank you for
6 that, and it will become MFI-8, is it?

7 MS IRURA: That is correct, your Honour.

8 PRESIDING JUDGE: MFI-8, thank you. Please proceed,
9 Ms Hollis.

13:25:01 10 MS HOLLIS: Thank you, Madam President. Now, if the
11 witness could first be shown MFI-4 and if it could be opened to
12 the second page of the document. It would be the first page with
13 any entries, that is 8235:

14 Q. Mr Witness, you see the column that is entitled "date".

13:25:28 15 Would you tell us the first date that appears under that column?

16 A. The first date 30th, 10 months 1998.

17 Q. And then if we could look at the last page of the document,
18 and that would end in 8250, and again under "date", Mr Witness,
19 can you read any of the dates that are listed on that page?

13:26:15 20 A. The 31st, seven months, 1999.

21 Q. Now, Mr Witness, in the month of October of 1998 what
22 country were you in?

23 A. I did not get that clearly. 1990 what?

24 Q. In October of 1998 what country were you in?

13:27:06 25 A. I cannot recall any more. I cannot recall.

26 Q. At that time, do you remember, where were you assigned?

27 A. I was - in 1998 I was at Superman's ground.

28 Q. And in what district is Superman Ground located?

29 A. It's in the Kono District.

1 JUDGE LUSSICK: Well, is the witness saying he was at
2 Superman Ground in October 1998, or simply in 1998 at some other
3 time, because your original question was, "Where were you in
4 October of 1998?"

13:27:59 5 MS HOLLIS: That was my question, your Honour. Let me ask
6 it again:

7 Q. Mr Witness, I am talking about the month of October of
8 1998. Do you recall where you were in the month of October of
9 1998?

13:28:14 10 A. Yes, I was at Superman Ground in the Kono District.

11 Q. Now, let's move forward to January of 1999. In what
12 country were you at that time?

13 A. January 1999 I was in Sierra Leone.

14 Q. In February of 1999 do you recall what country you were in?

13:28:56 15 A. I was still in Sierra Leone.

16 Q. And in March of 1999 do you recall what country you were
17 in?

18 A. I was still in Sierra Leone.

19 PRESIDING JUDGE: Ms Hollis, I note the time. Would this
13:29:14 20 be convenient to adjourn?

21 MS HOLLIS: Yes, Madam President.

22 PRESIDING JUDGE: Very well. We will do that. Mr Witness,
23 this is now time for the lunchtime adjournment. We will adjourn
24 for one hour and we will resume court at 2.30. Please adjourn
13:29:29 25 court.

26 [Lunch break taken at 1.30 p.m.]

27 [Upon resuming at 2.30 p.m.]

28 PRESIDING JUDGE: Good afternoon. Ms Hollis, I note some
29 changes of appearance on your Bar.

1 MS HOLLIS: Yes, Madam President. This afternoon for the
2 Prosecution: myself, Brenda J Hollis; Mohamed A Bangura; Alain
3 Werner; Maja Dimitrova; and Rachel Gore.

4 PRESIDING JUDGE: Thank you, Ms Hollis. I think,

14:31:03 5 Mr Griffiths, you are as before.

6 MR GRIFFITHS: There are no changes on our side of the
7 Court, your Honour.

8 PRESIDING JUDGE: Thank you, Mr Griffiths. Ms Hollis, when
9 you're ready to proceed.

14:31:12 10 MS HOLLIS: Thank you, Madam President:

11 Q. Mr Witness, when we took the lunch break you were telling
12 us that in January, February and March of 1999 you were in Sierra
13 Leone. Can you tell the Court, if you remember, the month in
14 1999 that you left Sierra Leone to go to Lome?

14:31:35 15 A. I recall that in 1999 when I left Sierra Leone to go to
16 Lome it was during the rainy season, but I can't recall the
17 month.

18 Q. And based on your understanding of the rainy season in
19 Sierra Leone, can you tell us to your understanding when does the
14:31:58 20 rainy season begin in Sierra Leone?

21 A. The raining season starts in June.

22 Q. Mr Witness, I am going to ask you a few questions based on
23 questions that Defence counsel asked you. For Defence counsel's
24 reference the first question will deal with evidence from 7 July,
14:32:33 25 page 13063. Now, Mr Witness, Defence counsel asked you a

26 question and he asked you if you came to believe that what the
27 RUF was doing was right and you answered in this way, you said,
28 "Yes, at that time, because I was young, the things that they
29 told me, I believed they were the right things." Do you remember

1 saying that?

2 A. Yes.

3 Q. Could you explain to the Court what you meant when you
4 said, "At that time, because I was young, the things that they
14:33:23 5 told me, I believed they were the right things". Please explain
6 what you meant.

7 A. Well, what I meant was that at that time I was 16 years old
8 and after they had captured me the ideologies of the revolution
9 were those that they told me. They told me about what the
14:34:02 10 revolution was all about. And at that time all what they told me
11 about about the revolution, they said these were the things that
12 were supposed to happen, so I had the idea that those were the
13 right things at that time. That was the reason why I said those
14 were the right things at that time.

14:34:32 15 Q. Now, please tell the Court did your view change over the
16 years in the RUF?

17 A. When I was in the RUF no changes took place. Since the
18 time I now found myself in the RUF they used to kill people, they
19 used to kill civilians, rapings took place, they burnt down
14:35:11 20 houses, up to the end of the war. All of those things happened.
21 No changes took place.

22 PRESIDING JUDGE: I think, Mr Witness, counsel is asking
23 about your view, your personal view. Is that correct, Ms Hollis?

24 MS HOLLIS: That's correct, your Honour.

14:35:29 25 JUDGE LUSSICK: I am sorry to interrupt, but isn't this
26 witness on record as saying words to the effect that he admits
27 that he was converted to the RUF ideologies and remained
28 committed until peace came to Sierra Leone? I have got a note of
29 him saying that yesterday and I gather now, Ms Hollis, you are

1 going to invite a contrary response.

2 MS HOLLIS: Your Honour, I believe that is exactly what he
3 said yesterday and I believe that his information will be
4 inconsistent. I also believe of course that the Prosecution has
14:36:10 5 a right to ask him what he meant by that qualified language that
6 he used in the response that I have just asked him about.

7 JUDGE LUSSICK: That hasn't quite touched on the evidence
8 I just referred to, but you go ahead.

9 MS HOLLIS: Thank you:

14:36:23 10 Q. Mr Witness, as the Presiding Judge has pointed out, the
11 question that I asked you was whether your view changed regarding
12 whether the RUF was doing the right thing. Now, you testified
13 about crimes being committed throughout the time you were in the
14 RUF. Did your view change as to whether the RUF was doing the
14:36:50 15 right thing?

16 A. No, it did not change.

17 Q. Now, Mr Witness, the Defence counsel also asked you about
18 whether looted goods were being traded across the Sierra
19 Leone-Liberian border after the war broke out in Liberia and when
14:37:21 20 you were answering him you said you didn't know about looted
21 goods being traded across the border, but you also said, "The
22 only thing that I saw" - for Defence counsel this is page 13072
23 and 13073. You said:

24 "The only thing that I saw, because I was in Pendembu when
14:37:44 25 the war started, I used to see a lot of civilians coming in.
26 They said they were afraid. They said they were afraid of the
27 war."

28 Can you tell us what they explained to you? What did they
29 explain to you they were afraid of?

1 A. Well, at time I was in Pendembu and I saw civilians in
2 vehicles coming over with their properties they explained to us
3 at that time in Pendembu that the war that had entered Liberia
4 was not easy, they were just killing people. So as a result they
14:38:31 5 said they were afraid for their lives. So they said that was the
6 reason why they ran away from Liberia and came to Sierra Leone.

7 MS HOLLIS: My next reference will be to page 13083 of 7
8 July:

9 Q. Now, Mr Witness, the Defence counsel asked you a series of
14:38:52 10 questions about operations called Top 20, Top 40 and Top Final,
11 and in response to some of those questions you indicated:

12 "There was Dopoe Menkarzon and James Karway. So they
13 formed this Top 20 to kill the Sierra Leoneans, civilians and
14 junior commandos."

14:39:16 15 You went on to say:

16 "Top 40 too it was Dopoe and James Karway and other NPFL,
17 most of them whose names I cannot recall now. They formed that
18 group to kill the Sierra Leoneans."

19 Mr Witness, during the time that you were in Liberia, did
14:39:37 20 you ever see Dopoe Menkarzon in Liberia?

21 A. Yes, I saw Dopoe Menkarzon in Monrovia, Liberia.

22 Q. And can you tell us during what time period that was?

23 A. That happened when I went to Liberia in 1999.

24 Q. At the time that you saw him in 1999 do you know what
14:40:13 25 position, if any, he held?

26 A. When I saw Dopoe Menkarzon in Liberia, according to what
27 I heard he was working - he was working in one of the ministries
28 called Ministry of Maritime Affairs. That was where he was
29 working.

1 Q. Defence counsel also asked you a series of questions about
2 nationalities of people fighting in Sierra Leone and he asked
3 you, "The Sierra Leonean army also had Liberians amongst their
4 ranks, didn't they?" Defence counsel, I am now at page 13085.

14:41:20 5 You answered, "Yes, I knew that during the time that we joined
6 the AFRC I saw a group who called themselves STF, but they were
7 not many."

8 Question from Defence counsel, "But the STF were Liberians,
9 weren't they?", and your answer was, "Yes, I used to hear them
10 speak the Liberian language, but they were not many."

11 The next question from Defence counsel was, "And the
12 Liberians fighting for the STF were opposed to Charles Taylor,
13 weren't they?" Your question [sic], "Well, I did not know about
14 that." Then the question, "But they were fighting against the
14:42:01 15 AFRC/RUF, weren't they?", and the answer, "Yes, at that time.
16 Later we came together."

17 Mr Witness, to your recollection during the junta with
18 whom, or on whose side, were the STF fighting?

19 A. During the time we came together with the AFRC the junta
14:42:32 20 and the STF had to join the AFRC and so we all came together, we
21 and the STF.

22 Q. And after the junta was pushed out of Freetown and the AFRC
23 and the RUF fled back into the jungles, if you know, on whose
24 side was the STF fighting then?

14:42:57 25 A. Please repeat the question.

26 Q. You have testified that during the junta the STF came
27 together with you and the AFRC and RUF. Now, once the junta was
28 pushed out of Freetown by ECOMOG and AFRC and RUF had to retreat
29 from Freetown, that period after that, if you know, on whose side

1 were the STF fighting?

2 A. Well at the time the retreat took place, the STF I only saw
3 a few of them amongst us. The others stayed.

4 Q. Defence counsel also asked you a series of questions
14:43:50 5 relating to ULIMO coming into the Lofa County area and closing
6 the border and at page 13086 Defence counsel asked you, "But in
7 any event, is it not right that supplies of arms and ammunition
8 to the RUF stopped after Top Final in 1992?" You answered, "What
9 I know of is that the supplies stopped when in 1993 - it was in
14:44:28 10 1993 that the road was cut off." Then Defence counsel asked you,
11 "Forget about the road. In terms of supplies of arms and
12 ammunition from Liberia, that stopped after Top Final, didn't
13 it?" You answered, "Yes, after that Top Final supply stopped."

14 Now, to be clear for the record, can you tell us to your
14:44:56 15 recollection in what year did the supplies from Charles Taylor to
16 the RUF stop?

17 A. It was in 1993.

18 Q. Defence counsel also asked you a series of questions about
19 the LURD offensive and you testified that the LURD offensive
14:45:21 20 began in 2000. You also testified that in 1999 there was a group
21 known as Mosquito Spray, but it was in 2000 that you heard about
22 the LURD forces, and then Defence counsel asked you a series of
23 questions about control over the border area in Lofa County after
24 the LURD attacks began and you gave him explanations for that.

14:45:49 25 Now, in one of your explanations on page 13109 you mentioned a
26 commander who was called Amphibian Father. Can you tell us who
27 was Amphibian Father?

28 A. I know the name, but just give me a chance for some time.
29 The name has escaped me.

1 Q. Let me ask you do you know what his nationality was?

2 A. Yes, he was a Liberian.

3 Q. And do you know with which group or force he was a member?

4 A. Yes, he was controlling one of Charles Taylor's group.

14:46:57 5 There was a group called the militia group. The group that he
6 controlled was called the navy group.

7 Q. Have you remembered his name?

8 A. No.

9 Q. Perhaps we can go on and, if you think of it, you can tell
14:47:18 10 us. Now during the answers to Defence counsel's questions about
11 the ability to move arms and ammunition from Liberia to Sierra
12 Leone, you talked about that if the road was closed then supplies
13 would be helicoptered into Foya and then moved from Foya into
14 Sierra Leone. Now during 2000 and 2001, to your knowledge, who
14:47:48 15 controlled the Foya area?

16 A. At that time it was Benjamin Yeaten who was the commander
17 who was all over in charge and at that time it was
18 Charles Taylor's troops who controlled that area.

19 Q. You talked about the RUF coming into Liberia to help the
14:48:27 20 Charles Taylor's forces to fight against the LURD. Do you know
21 how was it they were able to cross the border from Sierra Leone
22 and come into Liberia?

23 A. The way it happened was that at that time the Amphibian
24 Father that I am talking about was based in Foya and so if any
14:48:54 25 troop moved from Sierra Leone Amphibian Father would be there to
26 receive them and from there the fighting will go on, but
27 sometimes Benjamin Yeaten himself would go there to Foya.

28 JUDGE SEBUTINDE: Ms Hollis, sorry to interrupt, but two
29 questions ago you asked the witness who was the commander, or to

1 his knowledge who controlled the Foya area, and he gave an
2 ambiguous answer. First he said, "At that time it was Benjamin
3 Yeaten who was the commander who was all over" and I thought the
4 interpreter said "in charge". Now, that is missing from the
14:49:34 5 text. Then he continued, "At that time it was Charles Taylor's
6 troops who controlled that area." I am not sure about this
7 answer and the way it is recorded.

8 MS HOLLIS: Thank you, your Honour:

9 Q. Mr Witness, now you have heard what the Justice just asked
14:49:57 10 about. You said that "Benjamin Yeaten was the overall" and
11 I thought I too heard "in charge" and then you said that
12 Charles Taylor, it was his forces. So can you tell us why do you
13 say Benjamin Yeaten was in charge, but also say Charles Taylor?
14 Can you explain that to the Court?

14:50:20 15 A. Benjamin Yeaten, he told us that his dad, Charles Taylor,
16 appointed him as the joint chief of staff and that he was the
17 commander in charge of all the other front line commanders. He
18 said he was the boss for them all and so he would go anywhere
19 where the front lines were, but at that time it was Amphibian
14:50:50 20 Father who was in Foya. Benjamin Yeaten too used to go there.

21 Q. And what was Charles Taylor's role in relation to Benjamin
22 Yeaten for the LURD attacks?

23 A. At that time Benjamin Yeaten used to tell us that at any
24 time LURD forces came to the road he will tell us that his dad,
14:51:33 25 Charles Taylor, had told him that he should send for RUF troops
26 to come and help assist clear the way, so I also used to send the
27 message to Issa Sesay and Issa Sesay used to send the manpower to
28 come and meet Amphibian Father in Foya.

29 Q. Now, if we can talk about the chain of command for a

1 moment. You said Benjamin Yeaten was overall in charge. Now,
2 you have mentioned an Amphibian Father. Where did he fit in this
3 chain of command, if you know?

14:52:17 4 A. Amphibian Father, what I knew was that he was controlling
5 the Foya area and he was in control of a group called the navy
6 group. He controlled that group, but what Benjamin Yeaten told
7 us was that Charles Taylor appointed him as the joint chief of
8 staff chairman and that he was the boss for all the other
9 generals; he, Benjamin Yeaten.

14:52:40 10 Q. Mr Witness, Defence counsel also asked you questions about
11 diamonds during your assignments 1 and 2. Defence counsel, I am
12 referring to page 13121. The Defence counsel at one point asked
13 you, "So, just so that I am clear, a portion of those diamonds,
14 if I understand you, would go to Charles Taylor for safe keeping,
14:53:09 15 is that right?", and you answered, "Yes." Mr Witness, the
16 diamonds went to Charles Taylor for safe keeping for whom?

17 A. For Foday Sankoh.

18 Q. To your knowledge, did Foday Sankoh ever receive those
19 diamonds that were held by Charles Taylor for him?

14:53:36 20 A. At the time Foday Sankoh used to meet me in Monrovia he
21 never told me that the diamonds that they had been keeping with
22 Charles Taylor were given back to him by Charles Taylor.

23 JUDGE SEBUTINDE: Mr Witness, does that mean they were
24 never given back?

14:54:11 25 THE WITNESS: Foday Sankoh did not tell me that he had
26 received diamonds from Charles Taylor. He never told me that.

27 JUDGE SEBUTINDE: Did he tell you that the diamonds were
28 deliberately kept from him?

29 THE WITNESS: When he came he said Mosquito and others told

1 him that they kept diamonds with Charles Taylor for him, but he
2 told me that he had not received any diamonds from Charles
3 Taylor.

4 MS HOLLIS: Madam President, your Honours, at this time
14:54:57 5 I have a series of questions I would like to follow up with the
6 witness relating to the Defence counsel's question, or putting to
7 the witness that he was gun running as a private enterprise of
8 Ibrahim Bah. This will relate directly to the matters I said
9 were most sensitive to this witness in that they would identify
14:55:19 10 him because of his unique roles. So I would ask for a private
11 session. It will be a fairly short private session for those
12 particular follow-up questions.

13 PRESIDING JUDGE: Mr Griffiths, you've heard the
14 application?

14:55:32 15 MR GRIFFITHS: Without knowing what the questions will be
16 I think through an excess of caution perhaps we ought to go into
17 private session.

18 PRESIDING JUDGE: Madam Court Attendant could you please
19 implement that private session. Ms Hollis, if you wish to have a
14:55:52 20 seat while that is being done. For members of the public who are
21 listening to the proceedings, the next series of questions will
22 be in private session. This is for reasons of security of the
23 witness. It means you will not hear what is being said within
24 the Court and likewise it will not be recorded or broadcast to
14:56:20 25 the public through the internet.

26 [At this point in the proceedings, a portion of
27 the transcript, pages 13203 to 13205, was
28 extracted and sealed under separate cover, as
29 the proceeding was heard in private session.]

1 [Open session]

2 MS IRURA: Your Honour, we are in open session.

3 MS HOLLIS: Now, the next reference on my pages is page 18
4 and it is the questions about witnessing amputations:

15:01:37 5 Q. Mr Witness, Defence counsel also asked you if you
6 personally witnessed any amputations and your response was, "No,
7 I did not see, but I heard." What did you hear about
8 amputations?

9 A. I heard that the RUF were amputating and that the Kamajors
15:02:13 10 too were amputating people. That was what I heard.

11 Q. What time period was this that you heard about the
12 amputations?

13 A. That happened in 1996 when I was in the western jungle.
14 I used to hear that over the FM radio.

15:02:39 15 JUDGE SEBUTINDE: Ms Hollis, sorry to interrupt again.
16 I thought I heard the witness say something about amputating the
17 hands and feet. Mr Interpreter, did the witness say he heard
18 about the RUF amputating the hands and feet, or did he just say
19 amputating?

15:02:58 20 THE INTERPRETER: Your Honours, he actually did say
21 amputating hands and feet.

22 JUDGE SEBUTINDE: Well, why didn't you say it? Why didn't
23 you interpret it that way? Please interpret exactly what the
24 witness said. Perhaps, Ms Hollis, you could ask that again.

15:03:15 25 THE INTERPRETER: Sorry about that, your Honours.

26 MS HOLLIS:

27 Q. Mr Witness, you said you heard about the RUF amputating.
28 What parts of the body did you hear that they were amputating, if
29 you remember?

1 A. I used to hear over the radio that the RUF and the Kamajors
2 were amputating hands and were amputating feet. That was what
3 I heard.

4 MS HOLLIS: My next reference is page 49 and 50 on my
15:03:50 5 record and it deals with MFI-4 and the suggestion that Sam
6 Bockarie was engaged in private mining and that's what the
7 entries were:

8 Q. Now, Mr Witness, Defence counsel asked you in relation to
9 the record with the entries about mining, diamond mining, and he
15:04:14 10 was asking you about Sam Bockarie and he said:

11 "Help me with this, please. Is it possible that the Sam
12 Bockarie referred to here is the Sam Bockarie Mosquito and that
13 what this represents is the private mining such as the private
14 mining in which you were engaged and these are diamonds received
15:04:33 15 from Sam Bockarie Mosquito?"

16 You said: "Well, this mining was not a private mining."

17 Now, in your testimony earlier you have testified about
18 government mining and private mining. To your understanding, the
19 book that you reviewed with the entries about mining, was that
15:04:59 20 book related to government mining or private mining?

21 A. That book is the government mining record. They were not
22 taking records of any private mining.

23 JUDGE SEBUTINDE: Ms Hollis, are we referring to MFI-4, or
24 the latter, the Defence MFI?

15:05:31 25 MS HOLLIS: I may be in error on that. It may be the MFI
26 that the Defence introduced. In fact I think it was. That is
27 MFI-8. I apologise for that.

28 JUDGE SEBUTINDE: So the answer relates to which MFI?

29 MS HOLLIS: The questions related to the MFI which has now

1 become 8 and so the answers would relate to that as well.

2 I apologise for that. Your Honours, I have no further questions
3 of the witness.

4 PRESIDING JUDGE: Thank you, Ms Hollis.

15:06:23 5 JUDGE SEBUTINDE: Yes, I am not very convinced, Ms Hollis,
6 about this latest answer whether the witness understood the
7 question as relating to the exercise book MFI-4 that you
8 introduced in evidence, or the book introduced by Defence counsel
9 which is MFI-8 because he says - you asked him:

15:06:45 10 "To your understanding, the book that you reviewed with the
11 entries about mining, was that book related to government mining
12 or private mining?"

13 He says, "That book is the government mining records. They
14 were not taking records of any private mining."

15:07:06 15 Now, Mr Witness, I am asking you again there are two books
16 that you were shown. When you said these were entries that
17 relate to government mining, which of the two books were you
18 referring to, the book shown to you by counsel now on her feet,
19 by the Prosecution, or the book shown to you by counsel for the
15:07:22 20 Defence? Which book has the government record?

21 THE WITNESS: That was the book that I saw before and it
22 was the same book that they showed me here. That is the book
23 I am referring to.

24 JUDGE SEBUTINDE: That would be MFI-4 and perhaps to be
15:07:52 25 fair, Madam Court Officer, you could show the two books to the
26 witness so that he shows us the book that he is testifying about.

27 THE WITNESS: That is the book.

28 MS IRURA: Your Honour, the witness is indicating MFI-4.

29 MS HOLLIS: And the confusion is totally my fault.

1 I apologise. I would have one follow-up question in light of
2 that:

3 Q. Now, Mr Witness, again you have talked about government
4 mining and private mining. To your understanding, what type of
15:09:02 5 mining did the Black Guard keep records of?

6 A. That was the government mining. We only kept record of the
7 government mining. We did not keep record of private mining.

8 MS HOLLIS: No further questions, your Honours.

9 PRESIDING JUDGE: Thank you, Ms Hollis. We have no
15:09:31 10 questions of the witness.

11 MS HOLLIS: Then, your Honours, I would ask that what has
12 been marked MFI-2, a one page map of Liberia marked by the
13 witness --

14 MR GRIFFITHS: Your Honour, can I intervene hopefully
15 helpfully. Subject to confirmation of one document, it may be
16 that we can deal with all of these without any objections from
17 this side of the Court. Can I just check that MFI-3 is the
18 document with the ERN reference 25494, headed "Revolutionary
19 United Front of Sierra Leone - RUF/SL Second Infantry Battalion
15:10:26 20 Headquarters"?

21 PRESIDING JUDGE: Yes, it is 25494.

22 MR GRIFFITHS: That is the one. Well having confirmed
23 that, your Honour, I can say that as far as MFIs 2 through 7 are
24 concerned we have no objection to them being exhibited. I hope
15:10:42 25 that assists.

26 PRESIDING JUDGE: It assists greatly, Mr Griffiths. On the
27 basis or on the assumption that you are moving 2 to 7 to tender,
28 Ms Hollis?

29 MS HOLLIS: I am, Madam President.

1 PRESIDING JUDGE: You are going to do so.

2 MS HOLLIS: Would it assist you if I identify them for the
3 record?

15:11:06

4 PRESIDING JUDGE: Yes, we have a very helpful record from
5 our Madam Court Attendant, I had described them as I marked each
6 for identification and if it is in order I will just refer to
7 that same identification.

8 MR GRIFFITHS: I am happy with that course, Madam
9 President, because it saves time.

15:11:20

10 MS HOLLIS: I do move 2 through 7 into evidence.

11 PRESIDING JUDGE: Thank you. I will go through them one by
12 one and I will adopt the same description as I gave before. Then
13 MFI-2 becomes a Prosecution exhibit 148, is it?

14 MS IRURA: That is correct, your Honour.

15:11:42

15 PRESIDING JUDGE: That becomes P-148, a map of Liberia and
16 its surrounding countries as marked by the witness.

17 [Exhibit P-148 admitted]

18 The next exhibit was MFI-3, a two page report headed
19 "Revolutionary United Front of Sierra Leone - RUF/SL". It
20 becomes P-149.

15:12:19

21 [Exhibit P-149 admitted]

22 MFI-4 is a 17 page document with a cover sheet of a record
23 book of the Black Guard with "God bless the Teacher" and "Peace".
24 It becomes exhibit P-150.

15:12:45

25 [Exhibit P-150 admitted]

26 The next document is a photograph of a male person standing
27 already named by the witness. It becomes Prosecution exhibit
28 P-151.

29 [Exhibit P-151 admitted]

1 Ms Hollis, the next batch of the MFIs followed A through to
2 H - no, to I. Will I just adopt the same A through to I in the
3 same way?

15:13:26

4 MS HOLLIS: That is correct, your Honour, and I would ask
5 that these be confidential exhibits.

6 PRESIDING JUDGE: Any comment or reply to that application,
7 Mr Griffiths?

15:13:40

8 MR GRIFFITHS: Well, your Honour, it is difficult to see
9 why there is a need for those photographs to be confidential in
10 the sense that in themselves they do not speak as to the identity
11 of this particular witness save that his image is on some of
12 them, but beyond that for an untutored eye to look at that
13 photograph putting it bluntly gives nothing at all away and it
14 seems difficult to see why it is necessary to keep these matters
15 secret, in effect.

15:14:08

16 PRESIDING JUDGE: Ms Hollis, you have heard not the
17 objection to the tender, but the objection to them being
18 confidential.

15:14:20

19 MS HOLLIS: Thank you, Madam President. Your Honours,
20 again the point is that these exhibits will not exist in a
21 vacuum. They will exist with a great deal of information which
22 has been elicited in cross-examination relating to specific roles
23 of this witness, the witness appears in many of these documents
24 and we believe that in total these documents should be
25 confidential because when we put these together with much of the
26 evidence that has come out in public our concern is that the
27 witness's identity can be revealed perhaps not to people who know
28 nothing about what happened, but to the people he is most
29 concerned about and that is the people who do know him and do

15:14:41

1 know of certain roles that he played.

2 JUDGE SEBUTINDE: Ms Hollis, did the witness not say that
3 he took the bulk of these photographs, if not all the
4 photographs, if I recall?

15:15:12 5 MS HOLLIS: He took some of them. I don't believe he said
6 he took all of them.

7 [Trial Chamber conferred]

8 PRESIDING JUDGE: We uphold the application and the
9 exhibits when they become exhibits that are presently MFI-6A to
10 6I will be confidential. I will go through them without reciting
11 exactly what is in them, but adopting the numbering. So, the
12 present MFI-6A becomes exhibit P-152A.

13 [Exhibit P-152A admitted]

14 MFI-6B, as already described, becomes Prosecution exhibit
15:16:44 15 P-152B.

16 [Exhibit P-152B admitted]

17 MFI-6C, as already described, becomes Prosecution exhibit
18 P-152C.

19 [Exhibit P-152C admitted]

15:16:58 20 MFI-6D, a photograph as already described, becomes
21 Prosecution exhibit P-152D.

22 [Exhibit P-152D admitted]

23 MFI-6E, a photograph as already described, becomes
24 Prosecution exhibit P-152E.

15:17:27 25 [Exhibit P-152E admitted]

26 MFI-6F, a photograph as already described, becomes
27 Prosecution exhibit P-152F.

28 [Exhibit P-152F admitted]

29 MFI-6G, which I note is also an exhibit if I recall

1 correctly, Ms Hollis, through a different witness? I think I am
2 right in that. I know certainly it has been seen in court.
3 I would have to check if it is an exhibit.

15:18:04

4 MS HOLLIS: I don't think the unmarked one is a current
5 exhibit, your Honour.

6 PRESIDING JUDGE: Yes, you are quite right. The other one
7 was marked by a particular witness. Well, that becomes
8 Prosecution exhibit P-152G.

9 [Exhibit P-152G admitted]

15:18:18

10 MFI-6H, a photograph as already described, becomes
11 Prosecution exhibit P-152H.

12 [Exhibit P-152H admitted]

13 MFI-6I, a photograph as already described, becomes
14 Prosecution exhibit P-152I.

15:18:43

15 [Exhibit P-152I admitted]

16 Now, the next batch of MFIs are also photographs. There
17 are three, again they are A, B and C and again, subject to
18 comment, I will give them a number and an A, B, C. No objection.

15:19:20

19 In that case the first that is MFI-7A, a photograph as
20 already described, becomes Prosecution exhibit P-153A.

21 [Exhibit P-153A admitted]

22 Secondly, a photograph as already described marked MFI-7B
23 becomes Prosecution exhibit P-153B.

24 [Exhibit P-153B admitted]

15:19:42

25 Lastly a photograph as already described, MFI-7C, becomes
26 Prosecution exhibit P-153C.

27 [Exhibit P-153C admitted]

28 The next document is not a Prosecution document, Ms Hollis.
29 Those were your exhibits, or your tenders?

1 MS HOLLIS: That is correct, your Honour.

2 PRESIDING JUDGE: Mr Griffiths?

3 MR GRIFFITHS: Madam President, can I respectfully ask that
4 MFI-8 also be exhibited, please.

15:20:21 5 PRESIDING JUDGE: Ms Hollis, you have heard the
6 application.

7 MS HOLLIS: No objection, your Honour.

8 PRESIDING JUDGE: Thank you. This is a photocopy of a book
9 with a cover saying again "Peace", "God bless the Teacher" and
10 "Composition book", with the figures number 2, or at least "No
11 2", at the top. I am informed by counsel that it is 13 pages,
12 most of which are handwritten, and it becomes Defence exhibit
13 D-54. Is that correct?

14 MS IRURA: That is correct, your Honour.

15:21:01 15 PRESIDING JUDGE: Thank you, D-54.

16 [Exhibit D-54 admitted]

17 If there are no other matters, I will release the witness?
18 No.

19 Mr Witness, that is the end of your evidence. We thank you
15:21:12 20 for coming to court and giving your evidence and we wish you a
21 safe journey home. I want you to sit in the Court for a little
22 bit longer whilst they put down the screens to allow you to be
23 accompanied out. Please arrange that.

24 THE WITNESS: Thank you, Madam President.

15:22:39 25 PRESIDING JUDGE: Mr Bangura, you have got carriage of the
26 next witness.

27 MR BANGURA: Yes, your Honour.

28 PRESIDING JUDGE: Very well. Could you please put the
29 curtains up. Now, Mr Bangura, can I ask what language the next

1 witness will speak?

2 MR BANGURA: Good afternoon Madam President, your Honours
3 and counsel opposite. Your Honours, the next witness will be
4 TF1-388 and he will be testifying in Liberian English.

15:23:57 5 PRESIDING JUDGE: This will be in open session? Can you
6 please give us the appropriate --

7 MR BANGURA: Yes, your Honour, the witness at present is
8 entitled to certain protective measures by virtue of
9 your Lordships' decision dated 13 March 2008 and with a
10 corrigendum dated 4 April 2008. The witness as at present is
11 entitled to testify behind a screen and with facial distortion.
12 Also he is to be referred to by a pseudonym.

13 Your Honours, in recent meetings with the witness he has
14 indicated that he wishes to testify openly and would no longer
15 wish to have those measures applied to him when he testifies.

16 PRESIDING JUDGE: Just to make sure we are talking about
17 the same measures, is that the screen and the --

18 MR BANGURA: Screen and the image distortion.

19 PRESIDING JUDGE: But the other measures such as the
15:25:17 20 pseudonym remain in place?

21 MR BANGURA: Yes, your Honour. For purposes of the trial
22 those measures would be rescinded, your Honour, and my
23 application in that regard is that these measures be rescinded
24 pursuant to Rule 75(1).

15:25:41 25 PRESIDING JUDGE: Mr Griffiths, I am not sure if you have
26 carriage, or Mr Munyard.

27 MR MUNYARD: In fact it's me who is going to be
28 cross-examining this witness. I have obviously considered the
29 Court's decisions in March in which your Honour, Madam President,

1 gave a partially dissenting opinion and in April with the
2 corrigendum. It's all academic in the light of what my learned
3 friend Mr Bangura has just indicated.

15:26:13 4 Can I clarify, because I am not quite sure from interaction
5 I observed among counsel opposite, is the witness still wishing
6 to testify under a pseudonym? I thought that was the case, but I
7 am not entirely certain.

8 MR BANGURA: No, the witness will testify by his actual
9 name.

15:26:29 10 MR MUNYARD: I detected there was some change in that also.
11 So we are, as I understand it, going to proceed in completely
12 open fashion and obviously the Defence have nothing to say about
13 that.

14 PRESIDING JUDGE: We have noted the application and the
15:27:06 15 response and in accordance with the provisions of Rule 75(I) we
16 note the witness's own wishes and rescind the protective measures
17 in place. That is the screen and image distortion and the use of
18 the pseudonym in the course of his evidence.

19 MR BANGURA: Grateful, your Honour. Your Honour, may the
15:27:33 20 witness be called?

21 PRESIDING JUDGE: Just pause, Mr Bangura, first I want to
22 check if there is an interpreter in position, plus to ensure that
23 the Court is opened. Mr Interpreter, have we got a Liberian
24 English interpreter in position?

15:27:58 25 THE INTERPRETER: Yes, your Honours.

26 PRESIDING JUDGE: Very good. We understand the witness is
27 not entirely ready to come in, so we will just have to wait
28 patiently.

29 Good afternoon, Mr Witness. Mr Witness, if you could just

1 remain standing to take the oath, please.

2 THE INTERPRETER: Your Honours, the interpreters would have
3 loved for us to check the equipment with CITS because we are
4 using a completely different booth now, because as we realised
15:33:02 5 when the Liberian interpreter was talking to him he did not hear
6 the Liberian interpreter.

7 PRESIDING JUDGE: Mr Interpreter, I am missing something.
8 I didn't hear what you said.

9 THE INTERPRETER: Your Honours, we are suggesting that we
15:33:11 10 test the equipment with the Liberian English interpreters because
11 they are using a different booth.

12 PRESIDING JUDGE: Would it be enough to test it by taking
13 the oath?

14 THE INTERPRETER: Yes, your Honour, let's check with that.

15:33:36 15 WITNESS: TF1-388 [Sworn]

16 PRESIDING JUDGE: Please sit down, Mr Witness.
17 Mr Interpreters, was that satisfactory for the Liberian booth?

18 THE INTERPRETER: We will try and see because when the
19 interpretation started he did not respond immediately, but he
15:34:09 20 later started so we can only try.

21 PRESIDING JUDGE: I will ask counsel just to wait a moment
22 and then commence his examination-in-chief. Mr Bangura, there is
23 some small technical hitch. If you could just pause for a few
24 moments and, Mr Interpreter, please come back to us when you are
15:34:28 25 satisfied everything is in order.

26 THE INTERPRETER: Yes, your Honour.

27 THE WITNESS: Yes, sir.

28 THE INTERPRETER: Your Honour, we are satisfied.

29 PRESIDING JUDGE: Please proceed, Mr Bangura

1 MR BANGURA: Thank you, your Honours.

2 EXAMINATION-IN-CHIEF BY MR BANGURA:

3 Q. Good afternoon, Mr Witness.

4 A. Good afternoon, sir.

15:35:12 5 Q. Mr Witness, just to be assured that we are --

6 A. Yes, sir.

7 Q. You are getting what I am saying and in the language what
8 you speak. Do you get what I say in Liberian English?

9 A. Yes, sir.

15:35:30 10 Q. Thank you.

11 A. Thank you too.

12 Q. Mr Witness, I am going to ask you some questions and
13 I expect you to give your answers to those questions. Now,
14 I will ask you when you speak to try not to speak too fast and to

15:35:53 15 listen to the interpreter before you answer questions that I ask.
16 Is that clear?

17 A. Yes, go ahead, sir.

18 Q. Thank you.

19 A. You are welcome.

15:36:08 20 Q. Can you tell the Court your name, please?

21 A. I am Jabaty Jaward, sir.

22 Q. Can you help the Court with the spelling of your name?

23 A. Yes, sir. J-A-B-A-T-Y, Jabaty. J-A-W-A-R-D, Jaward.

24 Q. Where were you born?

15:36:45 25 A. I was born in Pendembu in the Kailahun District, Republic
26 of Sierra Leone.

27 Q. And on what date and month and year?

28 A. I was born on 3 October 1973.

29 Q. Thank you.

- 1 A. You are welcome, sir.
- 2 Q. Did you attend school?
- 3 A. Yes, sir.
- 4 Q. Up to what level is the education that you obtained?
- 15:37:21 5 A. 5th Form, sir.
- 6 Q. Have you had any further education after 5th Form?
- 7 A. Yes, sir.
- 8 Q. What more have you achieved?
- 9 A. I have attended a computer school and I have a diploma in
- 15:38:01 10 computer science, sir.
- 11 Q. Thank you.
- 12 A. You are welcome, sir.
- 13 Q. Mr Witness, do you recall the year 1991?
- 14 A. Yes, sir.
- 15:38:16 15 Q. In that year where were you?
- 16 A. I was in Pendembu in Sierra Leone.
- 17 Q. And that is in what district?
- 18 A. Kailahun District in the eastern province of Sierra Leone.
- 19 Q. Now at this time what were you doing in your life, that is
- 15:38:50 20 the early part of that year 1991?
- 21 A. I was a student, sir.
- 22 Q. And how old were you at this time?
- 23 A. I was 18 years, sir.
- 24 Q. Now, what level of schooling were you at in the early part
- 15:39:12 25 of 1991?
- 26 A. I was in the 5th Form, sir.
- 27 Q. Now, did anything happen in that year which affected - may
- 28 have affected your schooling?
- 29 A. Yes, sir.

1 Q. What do you recall that occurred?

2 A. A rebel war broke out in Sierra Leone, sir.

3 Q. When you say that a rebel war broke out in Sierra Leone,
4 exactly what happened, or what was happening at that time?

15:40:04 5 A. A group of fighters crossed the Liberian border into the
6 part of Sierra Leone where we were based.

7 Q. Did anything happen as a result of them crossing the
8 border, these group of fighters?

9 A. Yes, sir, our schools were closed and we fled from where we
15:40:39 10 were to other areas.

11 Q. Now, do you recall about what time in 1991 that this group
12 of fighters crossed into Sierra Leone?

13 A. Yes, sir. That was in March 1991, sir.

14 Q. And am I right that you said the group of fighters crossed
15:41:07 15 the border from Liberia. Is that correct?

16 A. Yes, sir.

17 Q. Did you know who these group of fighters were?

18 A. Yes, sir.

19 Q. What did you know about them? Who were they?

15:41:31 20 A. At the time they came in contact with me they identified
21 themselves to be freedom fighters and they referred to their
22 organisation as the Revolutionary United Front of Sierra Leone,
23 or for short RUF.

24 Q. Now, you say you were in Pendembu when this group of
15:42:01 25 fighters crossed into Sierra Leone. Do you know whether they had
26 come through any other towns before they got to where you were?

27 A. Yes, sir.

28 Q. Which other towns had they gone past before they came to
29 Pendembu?

1 A. I heard about them entering through Bomaru, towards Mobai
2 and Daru and Baiima, and the others entered through Koindu,
3 Kailahun and they came towards Pendembu.

4 Q. Now, were you in Pendembu when these fighters got to
15:42:53 5 Pendembu?

6 A. No, sir.

7 Q. Did you leave Pendembu at any time?

8 A. Yes, sir.

9 Q. When did you leave Pendembu?

15:43:10 10 A. When I heard about their advance towards Pendembu I fled
11 together with some of my relatives to Manowa, Manowa across the
12 Moa River.

13 Q. Now, when you left - when you went to Manowa did you go
14 along with any member of your family?

15:43:42 15 A. No, sir.

16 Q. Did you stay in Manowa for long?

17 A. No, sir.

18 Q. How long were you there at Manowa?

19 A. For less than a week, sir.

15:44:05 20 Q. Did you go anywhere else but Manowa?

21 A. Yes, sir.

22 Q. Where did you go?

23 A. I came back to - I came back across the Moa River to
24 Mendekeima.

15:44:30 25 MR BANGURA: Your Honours, I am not sure about the name
26 Mendekeima if it has been spelt before in this Court.

27 PRESIDING JUDGE: I don't recall.

28 MR MUNYARD: Your Honours, I seem to remember that it was -
29 and I might be getting this wrong, but from recollection

1 I thought it was the other side of the river, the Sierra Leone
2 side of the river, from a Liberian border town on the Liberian
3 side. If I am wrong then I apologise, but the name certainly
4 appeared to me to be familiar. There is no harm in having it
15:45:11 5 spelt again.

6 MR BANGURA: Your Honours, I have a feeling I understand
7 the name that my learned friend is referring to, with respect, it
8 is different from the one that the witness has named. For the
9 avoidance of doubt, may I provide the Court with a spelling?

15:45:29 10 PRESIDING JUDGE: Yes, spell it into the record.

11 MR BANGURA: Mendekeima is M-E-N-D-E-K-E-I-M-A:

12 Q. Mr Witness, you said you came back across the Moa River to
13 Mendekeima. Is that correct?

14 A. Yes, sir.

15:46:05 15 Q. And why did you come to Mendekeima?

16 A. I came back to find ways and means to rescue our
17 grandmother and our mother from across the river to Manowa.

18 Q. At this time that - up to this time had you been in any
19 contact with the rebels who had attacked your area?

15:46:35 20 A. No, sir.

21 Q. Did anything happen when you came to Mendekeima?

22 A. Yes, sir.

23 Q. What happened there?

24 A. When I crossed over with some other relatives, two days
15:47:01 25 later the rebels came and met us in Mendekeima from Pendembu.

26 Q. And when you say they came and met you there, exactly in
27 what circumstances did they meet you there? Did they do
28 anything?

29 A. Well, they entered Mendekeima village in the afternoon

1 hours and there were no gun shots. They surrounded the whole
2 town and they called us to go to the court barri where we
3 assembled and they addressed us.

4 Q. And what did they have to say to you?

15:47:38 5 A. Well, their commander that they introduced to us was Sam
6 Tuah and he said they were the fighters that we have been hearing
7 about, the freedom fighters, the Revolutionary United Front of
8 Sierra Leone, who have come to free the Sierra Leoneans who
9 cannot afford their daily bread and also to help us on free
10 education and for so many other opportunities, but that their
11 mission was to go to Freetown and unseat the government of the
12 day, Joseph Sai du Momoh.

13 Q. And did they do anything after saying all of this to you?

14 A. Yes, sir, they gave us rules and regulations that we were
15:48:43 15 to abide by. One of the rules was that they said since they had
16 met us there no-one was to move to go towards where the
17 government soldiers were, that is towards the Manowa area, and
18 that if any strange person came to our midst we should report to
19 them. They selected some people in Mendekeima and they mounted
15:49:17 20 some checkpoints at the entrance of the township and the others
21 went ahead.

22 Q. Mr Witness, these people who came to the town, were they
23 there for a long time?

24 A. Yes, sir.

15:49:32 25 Q. How long do you recall they were there?

26 A. Well when I said they stayed there for a long time it was
27 not the total group of them that came, but the ones that they
28 left there with us they were there and a good number of them went
29 ahead to fight. They went forward.

1 Q. And while they were there with you, were you - what was
2 this relationship that you had with them; I mean the people of
3 the town and those who came and imposed themselves on you?

4 A. Well as time went on they started changing their attitudes,
15:50:27 5 especially about the message that they gave us that they came to
6 free us. It turned out to be the opposite.

7 Q. When you say "It turned out to be the opposite", what do
8 you mean?

9 A. Some of them started taking food from us, some of us
15:50:50 10 started using us as manpower to carry their loads and others even
11 forced some other elderly people's wives and they took them from
12 them and there were so many other things that happened that we
13 were not satisfied with.

14 Q. Mr Witness, when you say that some of them used you as
15:51:08 15 manpower to carry their goods, what do you mean?

16 A. At that time, after they had captured Manowa and advanced
17 as far as Bunumbu, Mendekeima was like a transit point for them.
18 By that I mean that, when they took their loads from Manowa or
19 Bunumbu and if they wanted to carry it to Pendembu, when they got
15:51:35 20 to Mendekeima they will have to use us to help them carry the
21 loads to Pendembu. Equally so if they were going to the front
22 line, that is towards Bunumbu area, if they have loads they will
23 have to use us to carry them again for them.

24 JUDGE SEBUTINDE: Mr Witness, you have to slow down as you
15:51:51 25 are giving the answers. These answers are being interpreted and
26 they are being written down and recorded. You are running too
27 fast. Please slow down and allow the interpreter and recorders,
28 okay?

29 THE WITNESS: Yes, sir.

1 MR BANGURA:

2 Q. Mr Witness, you heard the Justice. Please temper a little.
3 Now, you said they were now using you to carry loads for them and
4 they were taking wives from people in the town and they were
15:52:33 5 taking food from you. Did they do anything else to the people of
6 the town?

7 A. Yes, sir.

8 Q. What did they do else?

9 A. After they had captured more territories, they started
15:53:01 10 forcing the town chief to gather young men to go to the training
11 base so that they would be trained.

12 Q. Now, Mr Witness, you have told this Court that --

13 THE INTERPRETER: Sorry, your Honours, so that they would
14 reinforce them.

15:53:23 15 MR BANGURA:

16 Q. Can you just say again - you said, "They started taking the
17 young men to go to the training base so that they would reinforce
18 them." What do you mean?

19 A. That is the civilians were forced to go and be trained and
15:53:44 20 to be part of them.

21 Q. Where were civilians forced to go and be trained?

22 A. One of their training bases was at the Pendembu vocational
23 training secondary school in Pendembu.

24 Q. Can you, Mr Witness, give the name of the location again
15:54:17 25 where the training was going on?

26 A. The training was going on in Pendembu at the Pendembu
27 vocational secondary school where I attended.

28 Q. Thank you. Did you go to Pendembu yourself?

29 A. Yes, sir.

1 Q. Do you recall when you went to Pendembu?

2 A. Yes, sir.

3 Q. When was this?

15:55:06

4 A. About four months after I had come in contact with the
5 rebels in our village.

6 Q. When you went to Pendembu, the vocational school, what
7 happened there?

8 A. Well, I was put in a platoon called the Small Boys Unit on
9 the training base.

15:55:33

10 Q. When you say a Small Boys Unit, what do you mean?

11 A. Well, those days on the training base we had categories of
12 people who were trained. There were those who were as young as
13 ranging between five years to 15 who were considered to be the
14 SBUs or the Small Boys Unit. So I was put in that platoon.

15:56:08

15 Q. Were there other groups apart from this group in which you
16 were put?

17 A. Yes, sir. There were the WAC's unit and that was for the
18 women and they had the other group for the older boys as old as
19 45.

15:56:38

20 Q. Mr Witness, it is not clear when you say "the older boys"
21 and you say "as old as 45". At age 45 are you saying that they
22 were called boys? Can you just clarify what you mean?

23 A. When I said boys I was talking about men. I am talking
24 about men.

15:57:05

25 Q. So which age range did you have in the other group that you
26 are now describing?

27 A. These were people ranging within the age bracket of 18 up
28 to old age, as long as you were physically fit to participate in
29 the activities.

1 Q. Thank you. Now, you were put in the Small Boys Unit. Did
2 you stay long in that unit?

3 A. No, sir.

4 Q. How long were you in that unit?

15:57:50 5 A. I served in the unit for two weeks.

6 Q. And did anything happen after two weeks?

7 A. Yes, sir. I was sent to the older boys group as a clerk
8 for one of the platoons.

9 Q. Before we talk about anything else that happened, can you
15:58:23 10 tell this Court who were the people in this training camp that
11 trained you, that were responsible for training you?

12 A. Yes, sir. First of all before I left my village to go to
13 the training base I was instructed by Sam Tuah, who was at that
14 time identified as the battlefield commander, to go to the
15:58:59 15 training base and when I got there there were commanders
16 responsible for the various bases that were established and
17 I later came to understand that Charles Timber was the training
18 commandant for the Pendembu vocational training base and they had
19 some other instructors on the base at that time like CO Joseph
15:59:27 20 Diakpo, he was a Liberian by nationality. CO Jah Glory was
21 another Liberian by nationality and we had - we also had others
22 who used to come and just give us some lessons and they will pass
23 by. And there was another Aloysius T Caulker who was also part
24 of the training base at that time.

15:59:56 25 Q. Thank you, Mr Witness. Mr Witness, let me just take you
26 back --

27 JUDGE SEBUTINDE: We need some spellings when you are able
28 to.

29 MR BANGURA: Yes, your Honour. I am just getting to deal

1 with that:

2 Q. Let me just take you back. You mentioned a name GO Joseph.
3 It is not clear, but that's what came up. One of the instructors
4 that you are referring to. Can you just simply go back to that
16:00:19 5 name and say exactly what it is. Did you mean GO --

6 A. Yes, sir. No, sir. CO, CO.

7 Q. What was the full name?

8 A. Joseph Diakpo.

9 Q. Are you able to spell Diakpo for the Court?

16:00:47 10 A. That was a country name, we spell it according to how we
11 pronounce it, but the actual pronunciation was Diakpo.

12 MR BANGURA: Your Honours, Prosecution offers the spelling
13 for Diakpo, D-I-A-K-P-O.

14 THE WITNESS: That sounds like the name, sir.

16:01:23 15 MR BANGURA:

16 Q. You also mentioned Caulker, Aloysius Caulker. Is that
17 right?

18 A. Yes, sir.

19 MR BANGURA: Your Honours, Aloysius is A-L-O-Y-S-I-U-S and
16:01:41 20 Caulker is C-A-U-L-K-E-R.

21 THE WITNESS: Yes, sir.

22 MR BANGURA:

23 Q. Mr Witness, these names you mentioned of instructors, can
24 I just ask you about their nationalities? First I believe you
16:02:04 25 gave us some of the nationalities. Diakpo, Joseph Diakpo, what
26 nationality was he?

27 A. He was a Liberian.

28 Q. You mentioned Sam Tuah earlier as the battlefield - did you
29 say battlefield commander?

1 A. Yes, sir.

2 Q. Now, can you describe in relation to other Liberians who
3 were involved in - who were in Sierra Leone at that time, can you
4 say what that position was in relation to all the others that
16:02:48 5 were in Sierra Leone at that time?

6 A. Please come back with that question, sir.

7 Q. Sam Tuah you said was the battlefield commander. Is that
8 correct?

9 A. Yes, sir.

16:03:04 10 Q. Who was the overall commander of these forces that came to
11 Sierra Leone, as far as you know?

12 A. Well, they introduced Corporal Foday Saybana Sankoh as the
13 rebel leader at that time in Sierra Leone.

14 Q. Among the Liberians who came do you know who was the
16:03:39 15 overall leader amongst the Liberians who came across?

16 A. At the time they entered Sam Tuah was the field commander
17 for all the Liberians that crossed into Sierra Leone.

18 Q. Thank you. Now, how long did your training last for at the
19 base?

16:04:07 20 A. I spent almost three months on the base.

21 Q. And during the course of these three months what sort of
22 training did you receive?

23 A. Those I entered on the base with, we were trained on combat
24 tactics like going on attacks, setting ambushes, how to defend
16:04:52 25 our areas captured and there were other classes which they called
26 ideology classes where they told us the reasons for which they
27 have brought the war and how to take care of civilians captured
28 and also how to take care of surrendered soldiers or captured
29 soldiers. So these were the main things that they trained us on.

1 Q. You said that they told you about the reasons for the war.
2 What were some of the reasons that they told you they brought the
3 war, or the reasons they were fighting the war for?

4 A. From our ideology instructor, he said that the government
16:05:48 5 of that day was really ill-treating our people. That is the
6 indigents of Sierra Leone cannot afford their basic food. Also
7 schools were not free for students and when people went to the
8 hospital they had to pay consultation fees before seeing the
9 doctors and when medicines were prescribed you had to pay for
16:06:21 10 them.

11 He also said that whenever students who criticised or
12 condemned government actions for it to come to itself, whenever
13 students tried to demonstrate the government secured its position
14 either by telling soldiers to open fire on the students, to kill
16:06:44 15 them or to harass them to forget about their strike actions. So
16 they said that was why they had brought the same weapons that the
17 government was using to threaten the students, so that the
18 civilians, especially the - so that the students can use these
19 guns to take the President from power at that time.

16:07:08 20 Q. Thank you. Mr Witness, I just ask that you again remember
21 you have to speak a little slow. Now, you said you were in this
22 training base for three months. After three months did you go
23 anywhere?

24 A. Yes, sir.

16:07:32 25 Q. Where did you go?

26 A. I was sent to the front line.

27 Q. And where was the front line that you - which front line
28 were you sent to at this time?

29 A. They sent us to Bombahun near Daru.

1 MR BANGURA: Your Honours, Bombohun, I am not sure it has
2 been spel t before.

3 PRESIDING JUDGE: I don't remember that one.

4 MR BANGURA: It's B-O-M-B-O-H-U-N:

16:08:19 5 Q. Did anything happen at front line?

6 A. Yes, sir. We were on defensive until the government troops
7 came in and attacked our position.

8 Q. And did anything happen during the attack on your position?

9 A. Yes, sir, they inflicted serious casualties on us at that
16:08:47 10 time. Then I retreated to Mobai hospital through Kui va.

11 MR BANGURA: Your Honours, Kui va has been spel t before
12 I believe.

13 PRESIDING JUDGE: Yes, it has been.

14 MR BANGURA:

16:09:10 15 Q. How long after your deployment to the front line did this
16 attack take place?

17 A. About a week, sir.

18 Q. You came to a hospital at Mobai. Did anything happen after
19 that?

16:09:29 20 A. Yes, sir, when I came to the hospital I told the doctor to
21 prepare a sick leave for me because of the type of terror that
22 I saw on the front lines. I was too scared to go back to the
23 rear.

24 Q. And did you get some attention? Did you get the medical
16:09:58 25 report that you wanted from the doctor?

26 A. Yes, sir, they gave it to me and I went to Pendembu.

27 Q. Now, what was happening at Pendembu at this time?

28 A. Pendembu was one of the administrative headquarters of the
29 RUF at that time. They had other offices functioning there.

1 Q. When you went to Pendembu, did anything happen?

2 A. Yes, sir. When I reached there I went to the G2 office,
3 gave my report and I decided to work with them.

4 Q. When you say "G2", what do you mean?

16:10:58 5 A. Well, this was one of the administrative branches of the
6 RUF at that time that were responsible - that were mediating
7 between the soldiers and the civilians; that is whenever there
8 was any problem with the civilians the report had to pass through
9 them before getting to the higher authorities of the rebels. At
16:11:24 10 the same time when the soldiers wanted to - I mean wanted to get
11 any control over the civilians, they needed to pass through these
12 offices and so these were their main responsibilities as
13 mediators between the soldiers and the civilians.

14 Q. You said that you decided to work with the G2 office. Who
16:11:45 15 was the head of that office at that time?

16 A. Well, at that time one of my relatives was the G2 commander
17 in Pendembu by the name of Francis Musa.

18 Q. Now, how long did you work in this office?

19 A. I worked with the G2 until the Top 20 broke out.

16:12:20 20 Q. Now when you said "until the Top 20 broke out", can you
21 give this Court an idea of what time you are talking of? How
22 long?

23 A. That was in early 1992.

24 Q. So you worked in that office until early 1992, is that
16:12:48 25 right?

26 A. Yes, sir.

27 Q. Now, you talk about the Top 20. What do you mean?

28 A. Well, this was an operational code name at that time when
29 the fighters from Liberia came together to eliminate most of the

1 strong RUF fighters, especially those whom they trained when they
2 came and some other traditional leaders, those who were preparing
3 the fighters to go to fight, like the protection people. That
4 was the time they decided to run that operation on them and they
16:13:40 5 called it the Top 20.

6 Q. Now when you say "the protection people" and you said they
7 prepared the fighters for fighting, what do you mean the
8 protection people prepared the fighters for fighting? What do
9 you mean?

16:13:58 10 A. These were our traditional herbalists, or priests. The
11 traditional priest they used to prepare a country cloth that we
12 referred to as a bullet proof and the other things like ropes
13 that you had to tie round you, something that would - that can
14 make you disappear. These were some of the things that they did.
16:14:32 15 We referred to them as protection people.

16 Q. And the focus of the Top 20 operation, as you have said,
17 was to eliminate the Sierra Leonean fighters and these protection
18 people, is that right?

19 A. Yes, sir.

16:14:50 20 Q. Now, how did this operation itself go about?

21 A. At that time the junior commandos had increased in number.
22 There were some potential junior commandos who were holding these
23 responsible positions like in the administrative areas, like even
24 the G2 commander that I was talking about, the MP commanders and
16:15:23 25 others, and so they were trying to put a stop to most of these
26 bad attitudes which these Liberian fighters were doing like
27 harassment in the villages. So because they saw these types of
28 things happening, the junior commandos were controlling them at
29 that time, stopping them from doing these type of things, they

1 decided to eliminate all those commanders who were responsible
2 for them going against them. They said because of these
3 protection people that because they were making us brave at that
4 time, they too were to be killed.

16:16:01 5 Q. You said that the junior commandos had become - they had
6 increased in number and they had been trained and they were
7 taking important positions. Now, who were the junior commandos?
8 Who carried that title, junior commandos?

9 A. That title referred to those of us whom they met in Sierra
16:16:34 10 Leone and trained in Sierra Leone at that time.

11 Q. Do you know whether there were other titles for other
12 groups within the RUF at that time?

13 A. Yes, sir.

14 Q. Which other titles were there?

16:16:54 15 A. They had two other groups from Liberia. Those who were
16 trained as Sierra Leoneans in Liberia that came they referred to
17 them as the vanguards, then those who were the Liberian fighters
18 under the NPFL at that time under the leadership of Charles
19 Ghankay Taylor at that time they referred to them as Special
16:17:28 20 Forces. These were the three categories.

21 Q. Now of the fighters who came to Sierra Leone, do you recall
22 those who were Special Forces?

23 A. Yes, sir.

24 Q. Who were they?

16:17:44 25 A. From what they were telling us, like Sam Tuah was a Special
26 Forces, we had Dopoe Menkarzon who came later, he was a Special
27 Forces, Pa James was a Special Forces and many others.

28 Q. You mentioned Pa James. Did he have another name?

29 A. Yes, sir, the Pa James I am referring to we also used to

1 call him Pa James Karway.

2 MR BANGURA: Your Honours, I believe that is a name that
3 has come up in this Court before.

4 PRESIDING JUDGE: I think it has at least once.

16:18:34 5 MR BANGURA: Thank you:

6 Q. You mentioned a name earlier, Charles Timber. Which of
7 these groups did he belong to? Junior commandos, vanguards and
8 Special Forces, which of these three?

9 A. He was one of the Special Forces from Liberia.

16:18:54 10 Q. Now, you said that the Special Forces were from the NPFL
11 and you said that they were Charles Taylor's soldiers. Is that
12 correct?

13 A. Yes, sir.

14 Q. How did you know this?

16:19:17 15 A. We were informed by them.

16 Q. When you say "them", who are you referring to?

17 A. I am referring to those Special Forces that came at that
18 time.

19 Q. Now, you also have mentioned that the junior commandos were
16:19:46 20 reacting to the bad attitude of the Liberian fighters and the
21 harassment that they were inflicting on the fighters in Sierra
22 Leone and the civilians. Now, can you be specific. Can you
23 clearly say exactly what was this bad attitude that the Liberian
24 fighters were inflicting on Sierra Leoneans?

16:20:15 25 THE INTERPRETER: Your Honours, can counsel please repeat
26 that part of his question.

27 THE WITNESS: Please come back again.

28 MR BANGURA:

29 Q. You mentioned that the Liberian fighters were inflicting

1 harassment on people in Sierra Leone and you said also that they
2 had a bad attitude towards the fighters in Sierra Leone and this
3 is what caused the junior commandos to react to them. What were
4 these - what was this bad attitude that they had and what was the
16:20:50 5 harassment that they were inflicting on people in Sierra Leone?

6 A. At that time when we were hearing about the war like
7 towards my own village, the Mendekeima area, when we heard about
8 the war advancing as far as Bunumbu there were still some
9 soldiers at Mendekeima, Mende Buima area, coming towards Pendembu

16:21:23 10 area, who were not going to fight on the front line, but they
11 were among the civilians taking their foods from them, some of
12 them forcefully looting to these elderly people's wives, some of
13 them taking them as wives and taking them away, and even the
14 Liberians. Also, when they came civilians were still having

16:21:45 15 their properties in their houses and some of them used to take
16 them forcefully. They would ask you to carry your own property
17 on your head as manpower. There were other things really, but
18 these were the main things that they were doing, and at the end
19 of the day people who resisted these harassments that I am

16:22:04 20 describing here they used to kill some of them. They used to
21 shoot some of them to death.

22 Q. Now when the junior commandos then reacted to this
23 behaviour by the Liberians, what happened?

24 A. That brought about the Top 20.

16:22:33 25 Q. And during the Top 20 what exactly was happening?

26 A. The Special Forces, as we called them at that time, came
27 together and started attacking the positions of the junior
28 commandos, especially the stronger ones, including some of the
29 RUF vanguards that came along with them from Liberia.

1 Q. Now, was this - were these attacks taking place in one
2 particular place only?

3 A. No, sir.

4 Q. Where did you know that these attacks were taking place?

16:23:18 5 A. At that time I heard of them killing a lot of people at
6 Mende Bui ma; Mendekeima, my village; Pendembu; Kui va; and even
7 along the Liberian/Sierra Leonean border. They were killing
8 people there.

9 MR BANGURA: Your Honours, a name - the name of a place
16:23:54 10 came up.

11 PRESIDING JUDGE: There is one I don't recall, which is
12 Mende Bui ma.

13 MR BANGURA: Yes, Bui ma. I am informed it has already been
14 spelt before, but I can offer the spelling which we have on
16:24:18 15 record, your Honour. Your Honours, Mende, M-E-N-D-E, Bui ma,
16 B-U-I-M-A. Thank you:

17 Q. Do you know any particular persons who got killed during
18 the Top 20 fighting?

19 A. Yes, sir.

16:24:56 20 Q. Who do you recall that was killed?

21 A. First of all my grandmother was killed in that incident.
22 Then we heard some other senior officers who were killed, like
23 one of the vanguards that came with Issa Sesay and one of my
24 cousins Kai fa Wai that came along with them.

16:25:33 25 Q. The name of this cousin who was killed, did you say Kai fa
26 Wai?

27 A. No, sir. Kai fa Wai was my cousin. They had one of their
28 friends by the name of Barnaby. He was killed at Kui va.

29 Q. Thank you.

1 A. Yes, sir.

2 MR BANGURA: Your Honours, Barnaby is B-A-R-N-A-B-Y:

3 Q. How long did this Top 20 fighting go on for?

4 A. It lasted for more than a month, sir.

16:26:21 5 Q. You said your grandmother --

6 JUDGE SEBUTINDE: Do we have a time frame, like a year
7 maybe?

8 MR BANGURA: I will get the witness to say, your Honour:

9 Q. You had said earlier that the Top 20 fighting occurred in
16:26:45 10 the early part of 1992. Do you recall that?

11 A. Yes, sir.

12 Q. Can you say about what month in 1992? You said early, but
13 can you be clear enough?

14 A. No, sir.

16:27:12 15 Q. Could it have been the first or the second month of 1992?

16 A. Likely, sir, but to be specific about the month - but it
17 was in early 1992.

18 Q. You said the fighting went on for how long?

19 A. About a month, sir. About a month.

16:27:47 20 Q. At the end of a month what happened? You said the fighting
21 went on for a month, but at the end of the month what happened?

22 A. During that time I fled from Pendembu and went to
23 Mendekeima where I went into hiding with some of my relatives
24 whom I met in the bush.

16:28:17 25 MR BANGURA: Your Honours, I see that we are close to --

26 PRESIDING JUDGE: Yes, Mr Bangura, if this is a convenient
27 time we can adjourn until tomorrow morning.

28 MR BANGURA: Very well, your Honour.

29 PRESIDING JUDGE: Mr Witness, it is now time to adjourn the

1 Court for the rest of the day. I want to inform you that now
2 that you have taken the oath to tell the truth you must not
3 discuss your evidence with any other person until all your
4 evidence is finished. Do you understand?

16:28:50 5 THE WITNESS: Yes, ma'am.

6 PRESIDING JUDGE: Thank you. Please adjourn court until
7 tomorrow morning at 9.30.

8 [Whereupon the hearing adjourned at 4.30 p.m.

9 to be reconvened on Wednesday, 9 July 2008 at

16:29:17 10 9.30 a.m.]

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I N D E X

WITNESSES FOR THE PROSECUTION:

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