



Case No. SCSL-2003-01-T

THE PROSECUTOR OF
THE SPECIAL COURT
V.
CHARLES GHANKAY TAYLOR

THURSDAY, 13 NOVEMBER 2008
9:30 A.M.
TRIAL

TRIAL CHAMBER II

Before the Judges:

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

For Chambers:

Mr Simon Meisenberg
Ms Sidney Thompson

For the Registry:

Ms Rachel Irura
Mr Momodu Tarawallie

For the Prosecution:

Ms Brenda J Hollis
Mr Alain Werner
Ms Maja Dimitrova

For the accused Charles Ghankay
Taylor:

Mr Morris Anyah
Mr Terry Munyard
Michael Walker

1 Thursday, 13 November 2008

2 [Open session]

3 [The accused present]

4 [Upon commencing at 9.30 a.m.]

09:26:06 5 PRESIDING JUDGE: Good morning. Ms Hollis, I note your Bar
6 is as yesterday, am I correct?

7 MS HOLLIS: Good morning, Madam President, your Honours,
8 opposing counsel. Yes, the Bar is as it was yesterday.

9 PRESIDING JUDGE: Thank you, Ms Hollis. Mr Anyah?

09:31:12 10 MR ANYAH: Yes, good morning Madam President, good morning
11 your Honours, good morning counsel opposite. Appearing for the
12 Defence is myself Morris Anyah and Mr Michael Walker. Thank you.

13 PRESIDING JUDGE: Thank you. If there are no other matters
14 I will remind the witness of his oath.

09:31:26 15 Good morning, Mr Witness.

16 THE WITNESS: Good morning, ma'am.

17 PRESIDING JUDGE: I wish to remind you that yesterday you
18 took the oath to tell the truth. That oath continues to be
19 binding on you and you must answer questions truthfully. Do you
09:31:42 20 understand?

21 THE WITNESS: Yes, ma'am.

22 WITNESS: AUGUSTINE S MALLAH [On former oath]

23 EXAMINATION-IN-CHIEF BY MS HOLLIS: [Continued]

24 Q. Good morning, Mr Witness.

09:31:57 25 A. Good morning, ma'am.

26 Q. Mr Witness, there are four matters I would ask you to
27 clarify from your testimony yesterday before we move forward and
28 the first matter has to do with your meeting with Foday Sankoh at
29 Gendema in late 1991. The reference to the transcript is page

1 20075 to 20077 and in particular 20077, lines 1 to 10.

2 Mr Witness, you recall yesterday you said that when you
3 were in Pujehun District you met with Foday Sankoh three times:
4 Once when you were at the training base and then twice when you
09:32:52 5 had graduated and become a fighter. Do you remember that?

6 A. Yes, ma'am.

7 Q. And you said that one of those latter times was at Gendema
8 in late 1991, you said towards the end of 1991, and you testified
9 that Foday Sankoh brought ammunition when you met with him at
09:33:17 10 Gendema. Do you remember that?

11 A. Yes, ma'am.

12 Q. On that occasion did Foday Sankoh tell you from whom he had
13 obtained the ammunition?

14 A. Well, he said he got it from Gbarnga where Charles Taylor
09:33:38 15 was. From Charles Taylor.

16 Q. In addition to the ammunition, did Foday Sankoh bring
17 anything else with him at that meeting in Gendema?

18 A. Yes, ammunition, arms, medicines and food - rice.

19 Q. Did Foday Sankoh tell you where he obtained these other
09:34:04 20 items that he brought to you?

21 A. He said he got it from Gbarnga from Charles Taylor.

22 Q. Thank you, Mr Witness. Yesterday you also made mention of
23 a person you called Eagle and I am referring to 20091, lines 2 to
24 8. You said that Eagle was Karmoh Kanneh and you said that Eagle
09:34:38 25 was your brother. When you said that Eagle was your brother,
26 what did you mean?

27 A. Well, Karmoh Kanneh was my revolutionary armed brother.
28 Initially RUF captured all of us together and we were all trained
29 at the same base together and we graduated together. All of us

1 fought from 1991 together and all of us disarmed in the year 2000
2 together - in 2002. So throughout the time that we have been in
3 the RUF it never even take up to two months without seeing each
4 other, so that's why I said he was my brother right up to the
09:35:37 5 time we disarmed in 2002.

6 Q. Thank you, Mr Witness. Mr Witness, you also told the
7 judges yesterday about Operation Stop Election and this reference
8 is page 20104 to 20106. Mr Witness, when you were talking about
9 Operation Stop Election you said that Foday Sankoh gave you
09:36:06 10 instructions. You said that Foday Sankoh told you it was the
11 civilians who you were going to stop. You said that Foday Sankoh
12 gave the instruction that if you saw a civilian while you were
13 firing you should take his or her hand off the election. Now,
14 could you tell us again exactly what it was that Foday Sankoh
09:36:37 15 told you?

16 A. Foday Sankoh instructed Morris Kallon, who was the mission
17 commander, to go on that Operation Stop Election in Kenema
18 together with the RUF fighters. He said we should go and stop
19 the civilians from participating in the elections on that
09:37:23 20 particular day in Kenema, so to accomplish that we were to attack
21 and what he meant by attack was we were to go with arms and we
22 should fire those arms at civilians, soldiers and anybody who
23 attempted to participate in that election, we should make sure
24 that we stopped that person not to participate.

09:37:58 25 He said particularly the civilians, if we were able to kill
26 three, four or five amongst them or take their hands off the
27 elections that meant if we captured any civilian we were to cut
28 off their hands which meant we had taken their hands off from the
29 election. So if that civilian's colleagues saw him or her they

1 would be afraid. That would frighten them. They will not
2 participate in the elections. That was the instructions given by
3 Foday Sankoh.

09:38:40 4 MS HOLLIS: Thank you. Madam President, I would ask the
5 interpreter to give us the Krio words for taking their hand off
6 the election.

7 PRESIDING JUDGE: That isn't actually the title he gave to
8 the operation. That is the modus operandi.

9 MS HOLLIS: No, that was instruction he just testified to.

09:38:59 10 PRESIDING JUDGE: Any particular reason, Ms Hollis, as the
11 transcript official language is English.

12 MS HOLLIS: That's correct, but I would like that
13 particular expression in Krio on the transcript if that is at all
14 possible.

09:39:09 15 PRESIDING JUDGE: Mr Interpreter, counsel for the
16 Prosecution has asked that the words - the actual Krio expression
17 that has been interpreted as taking their hands off the election
18 be recited in Krio, please.

09:39:26 19 THE INTERPRETER: Your Honours, the interpreter would
20 kindly wish the witness to repeat it, because he used several
21 expressions for that same meaning.

22 MS HOLLIS:

23 Q. Mr Witness, could you tell us again. He gave you the
24 instruction to take their hands off the election. Tell us that
09:39:43 25 again in Krio, what he said to you?

26 A. Well, it was just an example. He said, "Pul den an komot
27 pan di ilekshon."

28 MS HOLLIS: Maybe that Krio could be put on the record.

29 PRESIDING JUDGE: It is on the record, but I obviously will

1 have to wait for submissions. I merely note that the official
2 language of the Court is English.

3 MS HOLLIS: Yes, thank you.

09:40:22

4 JUDGE SEBUTINDE: Perhaps what would help, Ms Hollis, is if
5 somebody spelt the phrase. If you look on the transcript it is
6 not very clear. If you perhaps spelt the wording it might make
7 sense.

8 MS HOLLIS: The Krio wording, as I heard it?

9 JUDGE SEBUTINDE: Yes.

09:40:40

10 MS HOLLIS: As I heard it, the first word would be pull,
11 P-U-L-L; the second word would be, as I heard it, D-E; the third
12 word H-A-N or hand; the next word pan, P-A-N; the next word D-E
13 and the final word election, E-L-E-C-T-I-O-N. That is how I heard
14 it, but I am certainly not a Krio speaker.

09:41:16

15 PRESIDING JUDGE: Mr Anyah?

16 MR ANYAH: Yes, Madam President, am I assuming or is it
17 fair to assume that your Honours are granting the Prosecution
18 leave to have appearing on the official transcript Krio words?

09:41:32

19 PRESIDING JUDGE: That is part of the Prosecution's
20 evidence.

09:41:53

21 MR ANYAH: The question is well, generally, the witness
22 gives the phrase in Krio and it is interpreted for transcription
23 purposes into English, and the official language of the Court is
24 English and the transcripts generally only reflect the English
25 language. I don't know of an exception thus far, but this is in
26 the nature of an application as I see it and the application is
27 that your Honours grant leave for the official transcript to be
28 written in Krio vis-a-vis this phrase.

29 PRESIDING JUDGE: Do I take it that you are objecting?

1 MR ANYAH: I just wanted to be sure that the procedure,
2 what is being adopted at this point, because it might have
3 implications in the future. Are your Honours granting them leave
4 to put or to have the transcript appear in the Krio language?

09:42:32 5 MS HOLLIS: Madam President, may I make clear what I am
6 asking?

7 PRESIDING JUDGE: Yes.

8 MS HOLLIS: The official language of the Court is English
9 and the authoritative text of this expression will be English.

09:42:44 10 We would like the Krio expression on the record. In fact,
11 earlier in these proceedings, another witness testifying about a
12 different episode put - we asked that the specific Krio
13 expression that was used be put on the record and it was and
14 that, I believe, my recollection is that was with the radio
09:43:16 15 operator who testified. So, we understand that it is the English
16 that is authoritative, and we are not asking that the Krio become
17 authoritative. We are asking, however, that this expression, as
18 it is said in Krio, be put on the record.

19 PRESIDING JUDGE: Mr Anyah?

09:43:35 20 MR ANYAH: Yes. Now that they have formally made the
21 application we would make an objection to that.

22 PRESIDING JUDGE: What are your grounds for objecting,
23 Mr Anyah?

24 MR ANYAH: Because someone reading the transcript would not
09:43:55 25 know the difference between which is the authoritative one and
26 which is not the authoritative one. The transcript is one and
27 the same. It is the authoritative record of proceedings and if
28 it has a phrase that is not in the English language, that is
29 inconsistent with the norm, which is that the official language

1 of the Court is in English, your Honours of course retain the
2 discretion to grant them leave for that exception, but we make
3 our objection noted.

4 [Trial Chamber conferred]

09:45:50 5 PRESIDING JUDGE: Ms Hollis, we are conferring on this
6 matter. It is not entirely clear why you wish to have the phrase
7 recorded in Krio. Is there any particular reason?

8 MS HOLLIS: Yes, Madam President. The reason is that in
9 two different instances, both relating to dealing with the public
09:46:14 10 - the civilians - in a negative way that the similar expression
11 was used. In two different instances, in two different time
12 periods, by two different leaders of the RUF and the same
13 expression, the same direction, as to how to deal with these
14 civilians was used. That is the purpose of it.

09:46:30 15 [Trial Chamber conferred]

16 PRESIDING JUDGE: We consider that this piece of evidence
17 is relevant and it may be recorded. It is common ground that the
18 official language of the Court is English, it is so recorded in
19 the statute and the rules, and the record will stand. Please
09:47:02 20 proceed, Ms Hollis.

21 JUDGE LUSSICK: Just before you go on, Ms Hollis, we don't
22 really have on record any confirmed translation in the official
23 Krio. All we have got is what you think you heard. So I think
24 the interpreter ought to be asked to confirm whether "pul den an
09:47:27 25 pan ilekshon", I think that is what you said you heard, is in
26 fact the official Krio.

27 MS HOLLIS: We most certainly agree with that, your Honour.
28 We were simply responding to Madam President's question, or
29 Justice Sebutinde's question, but we agree it should be the

1 interpreter.

2 PRESIDING JUDGE: Mr Interpreter, I would like you first to
3 repeat the expression you have already given in Krio, and then I
4 would like you to spell it, please, in the Krio language.

09:47:58 5 THE INTERPRETER: Yes, your Honour. "Pul den an komot pan
6 di ilekshon." Pul is P-U-L, den is D-E-N, an is A-N, komot,
7 K-O-M-O-T, pan P-A-N, di D-I, election, I-L-E-K-S-H-O-N. Your
8 Honours, the interpreter would like to make some observation.

9 The "Es" is the transcription are actually supposed to be some
09:48:55 10 orthographic representation that is like - "L" is something like
11 in the Beta, the Greek alphabet, but that is not in the common
12 computer letters or lettering that they used to write, so we are
13 just substituting it with the "E" for easy reading, but it is
14 actually supposed to be something like an upside down 3 but that

09:49:23 15 is not represented in the common computer writing system. So,
16 and that is why, and the "0" as well is supposed to be something
17 like an upside down "C". Those are the two observations, your
18 Honour. So we instead used "0" to represent that.

19 PRESIDING JUDGE: Thank you for that clarification, Mr
09:49:43 20 Interpreter.

21 THE INTERPRETER: Thank you. And the translation is: Take
22 their hands off the elections.

23 PRESIDING JUDGE: Thank you.

24 MS HOLLIS: Thank you, Madam President:

09:50:08 25 Q. Mr Witness, you also testified yesterday that during the
26 time you were at Zogoda with Foday Sankoh you heard Foday Sankoh
27 communicate with Charles Taylor. I am referring to page 20109 to
28 page 20110 line 3. You testified that Foday Sankoh would explain
29 about his health or explain about some security operations,

1 everything. What security operations did Foday Sankoh explain to
2 Charles Taylor, if you remember?

3 A. From what I used to hear, and to my understanding, it was
4 from the enemy's advance and how far he had gone with the
09:51:11 5 operations and where his men still occupied, that is the RUF
6 soldiers in Sierra Leone. There were some weapons which were
7 heavy weapons. If RUF captured those he would tell him.

8 Q. And, Mr Witness, when you said that Foday Sankoh would
9 explain everything, what did you mean by "everything"?

09:51:47 10 A. That is what I meant by "everything". That is what I have
11 said. He would ask him about his health. They would say "Hello"
12 to each other. He would tell him about the defensive position of
13 the RUF and the weapons, if we had captured heavy weapons, that
14 would be relayed to him. He would explain to Charles Taylor that
09:52:10 15 one.

16 Q. Thank you, Mr Witness. Mr Witness, yesterday, at the close
17 of the day, you told the Judges that in November Mike Lamin sent
18 you back to Tongo to mine for him. Can you tell the Judges how
19 long did you remain in Tongo after Mike Lamin sent you back
09:52:35 20 there?

21 A. Yes, I was there for up to two months.

22 Q. And where did you go from there?

23 A. I returned to Kenema from Tongo.

24 Q. Do you recall when it was you arrived in Kenema?

09:53:08 25 A. Yes, it was '98.

26 Q. Do you remember a month?

27 A. Yes, in January.

28 Q. Who was in Kenema when you arrived there?

29 A. Mosquito was there and Sam Bockarie and Manawai too was

1 there.

2 Q. Mr Witness, you said Mosquito was there, Sam Bockarie. Are
3 those different people or the same people?

09:53:47

4 A. It is the same person called Sam Bockarie and Mosquito. It
5 is one and the same person.

6 Q. And, if you know, what was the command structure in Kenema
7 when you went there?

09:54:30

8 A. Well, at that time Mosquito was the overall commander who
9 took care of the entire Kenema axis and the Kenema Town itself.

10 But we had front-line commanders and brigade commanders, but
11 Mosquito, Sam Bockarie, was the highest commander in charge of
12 Kenema.

13 Q. And what group, or groups, were in Kenema when you arrived
14 there in January 1998?

09:54:51

15 A. There was the RUF and the AFRC soldiers.

16 Q. When you arrived in Kenema, were there civilians in Kenema?

17 A. A lot.

18 Q. And do you know why there were so many civilians in Kenema?

19 A. Yes.

09:55:20

20 Q. Why was that?

21 A. Because all the villages where the civilians had been
22 around Kenema, most of them had been burnt down by the RUF and
23 the AFRC, so the civilians did not have any place to sleep or to
24 live in their villages, they did not have any way to have food in
25 their villages, so what they did was to migrate to Kenema, so
26 Kenema had a large civilian population.

09:55:55

27 Q. How long did you remain in Kenema?

28 A. I was there up to February when the ECOMOG dislodged the
29 junta from Freetown.

1 Q. How did you learn about that?

2 A. I heard it over our communication set, Issa was talking to
3 Mosquito, and I heard it over the BBC.

4 Q. Now, when you said that Issa was talking to Mosquito, who
09:56:57 5 is Issa?

6 A. Issa was an RUF commander.

7 Q. And what was his last name, if you know?

8 A. At that time we referred to him as Colonel Issa Sesay.

9 Q. Now, what happened when you heard this news about ECOMOG
09:57:26 10 pushing the junta out?

11 A. Well, from that time when we heard the news that Freetown
12 had fallen into the hands of the ECOMOG, all the RUF and AFRC who
13 were in Freetown left the town going towards Makeni. So after
14 they were headed for Makeni there was a Lebanese who was friendly
09:58:20 15 to Mosquito. We used to call that Lebanese Mammy Saad, but we
16 used to call her again Mammy Talk-Talk. But Mosquito told her
17 that he wanted to go with her to Liberia because when he had been
18 in Kenema the Kamajors and the civilians who had been there had
19 all known that Mammy Saad had a contact with Mosquito. So
09:59:06 20 Mosquito said if he left Mammy Saad in Kenema and went her life
21 would be at risk, so he suggested taking her along.

22 So he took Mammy Saad. He told her to pack all of her
23 belongings in a truck, because she had trucks. And Mosquito
24 helped her, he gave her some bodyguards and the bodyguards helped
09:59:44 25 her pack her things in the trucks, up to three trucks. And the
26 remaining trucks, Mosquito used them to pack his own belongings
27 that he had at NIC.

28 He took the truck to brigade where we were in Kenema and we
29 saw the trucks were loaded and we saw Mosquito's property in the

1 trucks and he was the senior commander that all of us, the RUF
2 commanders, relied on. So when we saw him load those trucks we
3 were concerned, myself, Denis K Mannah, MP Junior, Manawai,
4 Karmoh Kanneh, who was Eagle. And I said, "Let's go and ask
10:01:03 5 Mosquito. Let's go and enquire from him what has actually
6 happened that he is doing this, because we too have our families
7 here. I have observed something", and so we went to Mosquito and
8 we asked him, "What is actually going on?" We said, "Boss, what
9 is going on, because we are not satisfied with the way things are
10:01:36 10 going on in Kenema because Freetown has fallen and we relied on
11 Freetown and we have our family members here, so what should we
12 do?"

13 And Mosquito told us that, "Guys, you know what I am
14 telling you. If you know you are an RUF soldier or an AFRC
10:02:04 15 soldier and you are in Kenema here between now and tomorrow
16 anything - any property that you can have on your own, make sure
17 you have that now in Kenema between now and tomorrow, so we would
18 all make sure that we leave this town because this town would
19 have to be attacked just like how Freetown was attacked, how our
10:02:41 20 men were attacked in Freetown."

21 And we had seen that he had looted Mammy Saad's property,
22 he said he wanted to go with them to Liberia, and he had told us
23 to take anything that we could take, whatever we thought was nice
24 for us, just for us to leave Kenema and go. He said, "Well, this
10:03:06 25 one is Operation Pay Yourself", and so we started looting in
26 Kenema.

27 Q. Now, Mr Witness, if I could ask you to stop there for a
28 moment. You said that three trucks were loaded with goods from
29 Mammy Saad's. Can you tell us what size those trucks were?

1 A. Yes, it was those six wheeled trucks.

2 Q. And what kind of goods were in those trucks, if you know?

3 A. There was rice and there were generators, baling machines,
4 those which we used to mine diamonds. There were shovels, there
10:04:03 5 was rice, there was Maggi in it and there were clothings, there
6 were dishes and bicycles were there also. There were many
7 things. I cannot recall everything now.

8 Q. What happened to those goods in those three trucks?

9 A. All of us went with Mosquito in that truck to Daru.
10:04:48 10 Whatever we looted ourselves, we put them into the vehicles and
11 we went.

12 Q. What happened to Mammy Saad?

13 A. Mosquito said he was taking them to Liberia, but he left
14 the woman in Vahun.

10:05:13 15 THE INTERPRETER: Your Honours, can the witness repeat
16 this.

17 PRESIDING JUDGE: Please pause, Mr Witness. The
18 interpreter needs you to repeat more clearly what you have said.
19 Please pick up your answer where you said, "He left the woman in
10:05:27 20 Vahun". Continue from there.

21 THE WITNESS: He went with the trucks to Daru and left them
22 there and he went with the woman - according to himself,
23 Mosquito, he went with the woman to Vahun, Mammy Saad. That is
24 on the Sierra Leone-Liberian border. And he returned, Mosquito.
10:06:00 25 So from there all of us passed the night in Daru and the
26 following day we went with all our property and families to
27 Buedu.

28 Q. Now, Mr Witness, when Mammy Saad was taken to Vahun, what
29 happened to those trucks with her goods in the trucks?

1 A. I did not see that truck when - I did not see that truck go
2 with Mammy Saad. I saw the same truck that was loaded taken to
3 Buedu with the same things that were in it.

4 Q. Now, you told the judges that after Mosquito told you had
10:07:00 5 until, you said, tomorrow to take anything from Kenema that you
6 began looting. Who was looting Kenema?

7 A. It was the AFRC and the RUF.

8 Q. And what types of goods were taken, if you know?

9 A. We too looted rice, we searched for money, clothing,
10:07:38 10 dishes, vehicles, motorcycles, mattresses. There were many.
11 These are the ones I can recall now.

12 Q. Did you yourself take goods from Kenema?

13 A. Yes, I myself took clothing, rice. I looted motorcycle.

14 Q. Now, these goods that were being looted in Kenema, where
10:08:17 15 were the goods looted from?

16 A. We opened shops, entered into civilians' rooms and whatever
17 valuables we saw and wanted we took them.

18 Q. Now, in addition to this looting, when you left Kenema did
19 you take any arms and ammunition with you?

10:08:52 20 A. Yes, we had some at the brigade. We took arms, heavy
21 weapons like RPG, like the AAs we had, like grenade launchers.
22 We took arms and ammunition along with us.

23 JUDGE SEBUTINDE: Ms Hollis, two things I would like
24 clarified. In one - I am trying to find it. Somewhere the
10:09:26 25 witness says three trucks left Mammy Saad's place and then later
26 he says, "I saw a truck" in the singular "that came to the base",
27 so I would like that clarified.

28 The other is I don't understand, the witness has said that
29 Mammy Saad was a friend of Mosquito's and she loaded these trucks

1 on the advice of Mosquito, but the evidence, the way it's going,
2 it's as if this property was looted property. I don't
3 understand. Was it looted property? Was Mammy Saad's property
4 looted or not?

10:10:10

5 MS HOLLIS:

6 Q. Mr Witness, first of all you said that three trucks of
7 goods were loaded at Mammy Saad's. Now, what happened to those
8 three trucks of goods?

10:10:33

9 A. Well, they were looted, because according to Mosquito, you
10 know, he only was looking for a smart way to take the property
11 from Mammy Saad, but he looted them. He was just looking for a
12 way to coax her to get the property from her. So when he went
13 with Mammy Saad he was supposed to have gone with the trucks and
14 the property with her to Monrovia, but he did not do that.

10:11:06

15 Instead he left all of the property in Daru and just took
16 Mammy Saad in his jeep, that is Mosquito's jeep, and go with her
17 to Vahun. And he said, "Well, I have taken that woman to Vahun.
18 Even the fact that her life has been spared, that one is better
19 than the property she has".

10:11:39

20 So he took the property to Buedu, because I saw the same
21 property he had looted from Mammy Saad, the generators he looted,
22 I saw him electrify the place where he was and even the place
23 where General Issa was, Issa Sesay, their compound was
24 electrified and some of his bodyguards have the smaller
25 generators. I saw all of the property loaded in the truck and
26 all of the trucks were in Buedu.

10:12:06

27 Q. Thank you, Mr Witness. Now, Mr Witness, you said that you
28 went from Kenema to Daru. Who went from Kenema to Daru?

29 A. It was the AFRC and the RUF soldiers.

1 Q. And what happened to the civilians in Kenema?

2 A. You know, when the RUF and the AFRC were retreating after
3 we had looted many things from the civilians in Kenema, we had
4 looted some shops, the AFRC and RUF soldiers captured many of the
10:13:06 5 civilians, those beautiful ladies and men who were strong enough,
6 physically fit, those civilians.

7 Q. How many civilians were captured?

8 A. There were many, but those who entered Kailahun Town, those
9 whom we took to Kailahun Town were more than 400. That is just
10:13:41 10 an approximation.

11 Q. And did those civilians remain in Kailahun Town or were
12 they taken to another location?

13 A. Not all of them were taken to Kailahun Town. Some were
14 taken to Kailahun Town, some went to Pendembu, some went to Dodo.
10:14:14 15 About 75 per cent of the villages in the Kailahun District where
16 the AFRC and RUF occupied, they took civilians there.

17 Q. Whose decision was it to take a civilian to a certain
18 location?

19 A. It was the AFRC and the RUF and the command that Mosquito
10:14:46 20 had given that AFRC and RUF should go and defend Kailahun
21 District.

22 Q. Perhaps I didn't understand your answer, but my question
23 was who decided that a civilian would go to a particular
24 location?

10:15:12 25 A. Well, that was the AFRC and the RUF soldiers, because if
26 I like for me as an RUF man, if I had wanted to go and reside in
27 Baiwala and if I had captured civilians who were with me and the
28 properties I had looted, I would have to take them there.

29 PRESIDING JUDGE: Ms Hollis, before we are proceed on two

1 matters. When I the witness says - and I am looking now at page
2 19, line 1 - "They took civilians there", does that mean they
3 took civilians from there or to there? And earlier on in the
4 witness's evidence when referring to Mosqui to packing his
10:15:53 5 belongings he said "his belongings from NIC". That's at page 13,
6 line 19. I don't know what NIC is.

7 MS HOLLIS: Thank you, Madam President:

8 Q. Mr Witness, when you said - and let me read it to you. You
9 said, "About 75 per cent of the villages in the Kailahun District
10:16:12 10 where the AFRC and RUF occupied they took civilians there". Are
11 you saying that the AFRC and the RUF took civilians to those
12 villages?

13 A. Yes, that was what I said. I said the AFRC and the RUF
14 took those civilians to those villages.

10:16:37 15 Q. And when you say "those civilians", are you talking about
16 the captured civilians?

17 A. Yes, most of them, the ones that we captured, or the ones
18 that were even captured before that had spent some time with us,
19 with the AFRC and the RUF, like for instance some of them their
10:17:03 20 wives, their children, most of such people were willing to go
21 with the AFRC and the RUF. But some whom we captured later, that
22 is the AFRC and the RUF captured them later, they were actually
23 not our family members but we thought at that time that they were
24 strong men, they could go and do some domestic job for us or
10:17:31 25 maybe it was a beautiful woman that you would want to go and
26 convert into your wife, you will have to capture such person and
27 take that person with you.

28 Q. And, Mr Witness, you have talked about a place you called
29 NIC. Can you tell us what you mean by NIC?

1 A. Yes, well, in Sierra Leone - in the Sierra Leone government
2 there was a company that was called the National Insurance
3 Company and it was a building that had been existing in Kenema.
4 That is an intersection of Dama Road, Blama Road and Hangha Road
10:18:27 5 and there you find the Bank of Sierra Leone and immediately at
6 the back of there going towards Dama Road you will find a
7 building there and it has the inscription NIC, National Insurance
8 Company.

9 Q. Thank you, Mr Witness. Now, Mr Witness, when you were
10:18:45 10 talking about this meeting with Sam Bockarie in Kenema you
11 mentioned the name Denis Kemaneh and your Honours I believe the
12 last name would be spelt K-E-M-A-N-E-H. Who was Denis Kemaneh?

13 A. I said Denis K Mannah. That K is for Kallie, Kallie
14 Mannah. That is Denis Kallie Mannah, but we used to call him
10:19:25 15 Denis K Mannah. He was an RUF officer.

16 JUDGE SEBUTINDE: Another point of clarification,
17 Ms Hollis, this is on page 14, midway, where the witness said
18 Sam Bockarie said and I quote, "'Well, this one is Operation Pay
19 Yourself' and so we started looting in Kenema". Could the
10:19:54 20 witness perhaps shed light on the meaning of that?

21 MS HOLLIS:

22 Q. Mr Witness, when Sam Bockarie told you that this one is
23 Operation Pay Yourself, did he explain what he meant by that?

24 A. Yes, he had already explained to us the concept even before
10:20:20 25 he referred to the concept as Operation Pay Yourself. He said,
26 "Whatever property you are able to loot in Kenema for yourself
27 you should try and loot that now before tomorrow so that we will
28 leave Kenema finally". So any property that one looted for him
29 or herself and which you got for yourself, that meant pay

1 yourself. And you would not only sit by and pay yourself except
2 you walk around, you walk about all around, and maybe you go and
3 broke into a store or maybe you enter someone's room. So that
4 was an operation, so we referred to it as Operation Pay Yourself.

10:21:12 5 Q. Thank you, Mr Witness. Now, Mr Witness, you said that this
6 group of AFRC, RUF and civilians went to Daru. What district is
7 Daru in?

8 A. It's in Kailahun District.

9 Q. And how long did you remain in Daru?

10:21:38 10 A. We just passed a night there.

11 Q. Did anything happen while you were in Daru?

12 A. Yes.

13 Q. What happened?

14 A. After we had passed the night in Daru, the following
10:22:03 15 morning the Honda - the motorcycle that I had looted in Kenema -
16 I was riding it in Daru when I saw one of my brother's child and
17 that was of my brother who was based in Kenema. He was a police
18 officer. So I saw one of his child called Aminata. Aminata was
19 going to school. She was up to 13 years at that time. Because
10:22:57 20 on the day before the looting took place in Kenema I went to the
21 house and I saw all of them there, but after Kenema had been
22 completely looted and civilians - many civilians captured and
23 then that particular morning I saw her in Daru.

24 I asked her, I said, "Why are you here, Aminata?", and then
10:23:26 25 she replied saying, "Well, yesterday I saw armed RUF men at
26 night". She said, "They went to our house where we were
27 residing". She said, "But the way they entered the room, my
28 mother and my father left the home and ran away". So she said,
29 "I was captured and I was captured by an RUF boy called Ibrahim

1 and he told me that I am going to be his wife and he was the one
2 who brought me here".

3 I asked her, "Has he done anything whatsoever to you?", and
4 she replied, "Yes, yesterday he had an affair with me". And I
10:24:22 5 asked, "Where is that Ibrahim?", and I went to the boy and I said
6 to him, "Ibrahim, thank you very much because you have not killed
7 this girl". I said to him, "But the only thing I want to tell
8 you is that this lady is my elder brother's child and being that
9 I have not been able to see her I am going to take her away from
10:24:53 10 you, but if for any reason you would want her to be your wife
11 that will have to be another issue. Then you will have to meet
12 me later and we will make an arrangement.' So, I took the girl
13 from him.

14 Q. Mr Witness, you said when you were talking with Aminata the
10:25:13 15 way it was translated was that she told you that Ibrahim had an
16 affair with her. Is that what she told you?

17 A. Yes, she said Ibrahim had sex with her.

18 Q. And did she say whether or not she consented to this sex?

19 A. Well, she said - she told me in fact that she had not done
10:25:50 20 that before and the way we refer to that is defloration. That is
21 how we refer to it. And she was not willing in fact and she was
22 not even matured enough for that at that time.

23 Q. Mr Witness, where did you go from Daru?

24 A. We went to Buedu, myself, Mosquito and so many AFRC and RUF
10:26:27 25 soldiers, together with the property that we had looted and our
26 families, we went to drop them in Daru - I mean, sorry, Buedu.

27 Q. And the captured civilians, what did you do with them?

28 A. I said most of the civilians that we had captured, like for
29 those that we the RUF and the AFRC captured, those there were

1 some who went to Buedu together with Mosquito, we took all of
2 them along with us when we were going.

3 Q. When you travelled from Daru to Buedu did you make any
4 stops?

10:27:29 5 A. Yes.

6 Q. Where did you stop?

7 A. Even before we left, Mosquito told us that before leaving
8 Daru he said some civilians had started surrendering at the time
9 the AFRC plotted the coup from Kailahun District. So he said
10:28:04 10 those civilians, he had sent them because he was not satisfied
11 with them. He said he sent them to Kailahun for investigation.
12 At that time Augustine Gbao was put in charge of the
13 investigation. He said he would want to go and see how far
14 Augustine Gbao had gone on with the investigation, he said,
10:28:44 15 because at that present moment the Kamajors and the ECOMOG were
16 chasing us, and he said the way he saw those civilians he was not
17 actually satisfied with them, so he said we should go. Well over
18 100 RUF and AFRC soldiers went together with Mosquito and we went
19 and stopped in Kailahun. He called on Augustine Gbao and he
10:29:25 20 asked: "What about those civilians that I had sent to you to be
21 investigated?" And Augustine Gbao responded saying, "Master",
22 because that was how we used to call Mosquito, he said in his
23 response, "Those people are all in the cell. They were about 65
24 in number". So he said, "With all the investigation we have
10:30:01 25 conducted we have realised that these people are Kamajors", and
26 he said, "These people are not fit to live amongst us here as
27 long as we are not satisfied with them and with the present
28 circumstance."

29 Q. Mr Witness, who said that? That these people "are not fit

1 to live amongst us here", who said that?

2 A. It was Augustine Gbao.

3 Q. Now, please continue.

4 A. And then he said "Okay". Mosquito said "Okay". And then
10:30:41 5 he asked that they call him the MP commander, and at that time
6 the MP commander who was called, that I saw, he was called Joe
7 Fatoma. Joe Fatoma came and he ordered him to go and open the
8 cell - the cell door where the civilians were.

9 Q. Mr Witness, who ordered who to open the cell door?

10:31:19 10 A. It was Mosquito who ordered Joe Fatoma. He said, "Go and
11 open the cell door." He said, "I too, I was not satisfied with
12 them" and being that the investigator who was in charge,
13 Augustine Gbao, had now said that they are all Kamajors, he said
14 they are people that we are not going to allow to live amongst us
10:31:51 15 at all.

16 Q. Who said that?

17 A. It was Mosquito. It was Mosquito still speaking to Joe
18 Fatoma. Joe Fatoma went and opened the cell door on the
19 civilians. At that time we were up to 100 armed men, AFRC and
10:32:14 20 RUF, who were present, so Mosquito ordered that the people be
21 brought outside. They at first initially brought five of them
22 outside. Mosquito himself shot three of them with his pistol and
23 then he said, "We need to kill these people." So they brought
24 five more outside right at the roundabout, at the junction. We
10:32:52 25 shot them there. We killed them there. And after the killing
26 had started, at that time I saw a Liberian officer who was now
27 with Mosquito. We met him in Kailahun. But whilst that
28 operation was going on, that is the killing, I saw that officer
29 with Mosquito and I asked Foday and others, I said, "Who is this

1 man?", but he replied that he was one of the Liberian commanders.
2 He was actually in a camouflage, together with three of his
3 bodyguards. He did not take part in the killings. I did not see
4 him shoot, but he was with Mosquito there. And after the killing
10:34:11 5 had commenced, and within ten or 15 minutes, I saw Mosquito and
6 them board a vehicle and they headed for Buedu.

7 Q. Mr Witness, if I could stop you there. Mosquito and who
8 boarded the vehicle and left?

9 A. The Liberian man, he himself had his own vehicle, but
10:34:44 10 because at that time he and Mosquito were together, they boarded
11 the same vehicle; that is the vehicle that was brought by
12 Mosquito himself.

13 Q. Mr Witness, you talked about Augustine Gbao carrying out
14 investigations of these civilians who had surrendered. Who was
10:35:10 15 Augustine Gbao?

16 A. Well, Augustine Gbao was one of the RUF vanguards and he
17 had been in the RUF as the security commander because we had
18 different units in the RUF. We had the G5, who were in charge of
19 the civilians; we had the AAU, that was the Army Agricultural
10:35:47 20 Unit; and we had the IDU; we had the IO, the Intelligence
21 Officers. All of those units were headed by Augustine Gbao.

22 Q. Mr Witness, can you tell us what IDU means?

23 A. Yes. We call it the Internal Defence Unit.

24 Q. Now, Mr Witness, you also talked about an MP commander you
10:36:19 25 called Joe Fatoma. Who was Joe Fatoma?

26 A. Well, Joe Fatoma was an RUF junior commando, but he had
27 attained an officer position as an MP within the RUF.

28 Q. You said that people were brought and Mosquito shot three
29 of the people brought. Where were these people located that

1 Mosquito shot?

2 A. At the roundabout where Mosquito parked his vehicle. He
3 called that they be brought there.

4 Q. And what happened after Mosquito left?

10:37:17 5 A. Well, after Mosquito had left we too killed. I had already
6 counted that moment now up to 45 that we had killed, because we
7 had so many soldiers with us there. So some people just asked
8 for five prisoners, and they will be taken maybe at the back of
9 the house, or maybe at the back of the jailhouse itself, and we
10:37:45 10 also had a footpath going towards a stream, and the AFRC and the
11 RUF killed those civilians that they had considered as Kamajors.
12 So after that, within about 45 minutes, I too left the area with
13 my property.

14 Q. Now when you left, how many people had been killed?

10:38:25 15 A. Well, we had killed about 45 almost.

16 Q. When you say "We had killed", did you take part in this
17 killing?

18 A. Yes, that was why I said we killed, because I myself took
19 part.

10:38:39 20 Q. Now, Mr Witness, when you were talking about this Liberian
21 commander you said that Foday told you about him. Who was Foday?

22 A. Well, Foday was a security commander to Mosquito.

23 Q. Do you know his last name or was that his last name?

24 A. Well, that was how we used to refer to him, CO Foday, or
10:39:10 25 sometimes we called him O-Four.

26 Q. Sometimes you called him what?

27 A. Sometimes, it was just like giving him compliments. We say
28 Ofoh.

29 Q. Where did you go when you left Kailahun Town?

1 A. We went to Buedu.

2 Q. And --

3 PRESIDING JUDGE: Ms Hollis, could I clarify: The
4 transcript shows the other pseudonym for CO Foday as 0-Four, but
10:39:51 5 I am sure I heard the witness repeat it as Ofoh.

6 MS HOLLIS:

7 Q. Mr Witness, this other name that you would sometimes call
8 Foday, was it 0-Four as in the number 4, or was it Ofoh?

9 A. No, it is not 0-Four. It is Ofoh. It is not 0-Four. We
10:40:15 10 say Ofoh.

11 Q. Thank you, Mr Witness. I heard Ofoh and not 4. That is
12 what I heard. Mr Witness --

13 JUDGE SEBUTINDE: Ms Hollis, I am sorry to interrupt again,
14 but these killings that the witness has described, did these take
10:40:33 15 place in Kailahun, because the reason I ask that is because on
16 page 24 you asked him:

17 "Q. When you travelled from Daru to Buedu did you make any
18 stops?

19 A. Yes.

10:40:52 20 Q. Where did you stop?

21 A. Even before we left Mosquito told us ..."

22 And then this testimony continues. So I would like to know
23 the location where these killings took place.

24 MS HOLLIS:

10:41:04 25 Q. Now, Mr Witness, you have talked about people being killed
26 at a roundabout. Where was that roundabout?

27 A. In Kailahun Town.

28 Q. And you said people - some people - were killed behind a
29 house and behind the police house or station. Where was this

1 house behind which people were killed?

2 A. In Kailahun Town.

3 Q. And this police house or police station, where was it
4 located?

10:41:39 5 A. In Kailahun Town. The Kailahun police station in Kailahun
6 Town itself.

7 Q. Thank you, Mr Witness. What did you do when you arrived in
8 Buedu?

9 A. I went and secured a house there. I left my properties
10:42:03 10 there, together with my family members.

11 Q. And what did you do then?

12 A. I went down to Mosquito's place where he was residing at
13 his house.

14 Q. And what happened when you went to Mosquito's house?

10:42:32 15 A. Mosquito told me that I should try and inform all the other
16 soldiers who came with us that we should try and go back to Daru.
17 He said because being that we had brought our properties and our
18 family members we need to go and defend them.

19 Q. Mr Witness, when you went to Mosquito's houses, who was at
10:43:03 20 his house?

21 A. He had his family members there that he travelled with. He
22 had his bodyguards there with him. He had civilians there that
23 had been captured by his bodyguards. I saw that same Liberian
24 man. They were all sitting on Mosquito's veranda at his house.

10:43:31 25 All of them were there.

26 Q. You have said that one of his bodyguards was called Foday.
27 Do you remember any other names of his bodyguards?

28 A. Yes, the bodyguard adjutant too was there called Shabado.

29 Q. So then what happened after you had this discussion with

1 Mosquito and he told you to go and get the RUF and AFRC?

2 A. Within two hours that same day we travelled back to Daru,
3 all of us. Mosquito and all of us.

10:44:26

4 Q. Mr Witness, I am looking at the record. Could you tell us
5 again - you said that Foday was a bodyguard and what was the
6 other name you gave us of a bodyguard of Sam Bockarie, Mosquito.
7 You said Foday and you said who?

10:45:00

8 A. Well, Foday was Mosquito's bodyguard commander. Shabado,
9 amongst all the bodyguards that Mosquito had with him, he was the
10 clerk for all of them. He was the adjutant. He was responsible
11 for doing the writings.

12 Q. Would you say his name again for us?

13 A. Shabado.

10:45:16

14 MS HOLLIS: Madam President, I am hearing an "O" at the end
15 instead of a "U", but it was appearing as a "U" at the end.

16 JUDGE SEBUTINDE: So what is the correct spelling?

17 MS HOLLIS:

18 Q. Do you know how to spell that person's name, Mr Witness?

19 A. No, but it should end with an "O", not "U".

10:45:37

20 Q. Thank you, Mr Witness. Now you said that you travelled
21 back to Daru. Did you make any stops when you went from Buedu to
22 Daru?

23 A. Yes, we stopped in Kailahun again.

24 Q. When you went to Kailahun, did you see anything?

10:46:07

25 A. Yes, just when you entered Kailahun at that time you would
26 know that people had been killed there because of the killings
27 that had taken place there, because when entering Kailahun from
28 the Buedu axis on the side of the road by the left-hand side they
29 placed a decapitated head there, that was a civilian head, the

1 one that they had decapitated, and when you look at the left-hand
2 side you would see another head there and when you entered the
3 Kailahun Town itself, when you leave there going towards Buedu -
4 I mean, sorry, going towards Pendembu you will see some other
10:47:03 5 heads, some other skulls, on both the left and right-hand sides,
6 on both sides. So let me say all the major roads entering
7 Kailahun, those decapitated heads were placed there.

8 Q. You said that you stopped in Kailahun Town. What happened
9 when you stopped in Kailahun Town?

10:47:34 10 A. Mosquito wanted to ensure whether the order that he had
11 given was done, so I saw Augustine Gbao there, I saw Joe Fatoma
12 there and Joe Fatoma told Mosquito that he had accomplished the
13 mission. That meant that the civilians he had ordered to be
14 killed, he said all of them had been killed. So from there we
10:48:06 15 continued with our journey.

16 Q. And did you reach Daru?

17 A. Yes, that was now at night. We were by then approaching
18 the hours of 7 to 8 at night, yes.

19 PRESIDING JUDGE: Mr Anyah?

10:48:25 20 MR ANYAH: Yes, Madam President, I rise to make a request
21 of counsel. I could ask these questions on cross, but I would be
22 grateful to receive from some time frame indication. We know of
23 the intervention and a movement from Kenema to Daru, one night is
24 spent in Daru and then from Daru we are told they head for Buedu
10:48:46 25 but first stop in Kailahun Town and upon getting to Buedu some
26 time is spent in Buedu and then from Buedu they head again for
27 Daru and now we are back in Kailahun Town. I don't know if all
28 of this is still occurring in 1998.

29 PRESIDING JUDGE: Ms Hollis, if we could clarify that time,

1 please, it would be helpful.

2 MS HOLLIS:

3 Q. First of all, Mr Witness, when you arrived back in Daru was
4 it the same day the killings had occurred or was it after that
10:49:21 5 day?

6 A. When we left Kenema we came and passed the night in Daru
7 and the following day when we left Daru, that was the same day we
8 killed those people in Kailahun and that was the same day we went
9 ahead to Buedu and that was the same day that we returned back to
10:49:54 10 Daru from Buedu.

11 Q. Mr Witness, do you remember what month this was that you
12 went from Daru to Kailahun, killed these people, went to Buedu
13 and came back to Daru? Do you remember what month that was?

14 A. I think it was in February 1998. That was the time the
10:50:22 15 junta had dislodged the AFRC from Freetown. I think it was in
16 1998.

17 Q. Mr Witness, you said the junta had dislodged the AFRC from
18 Freetown. Is that correct?

19 A. Sorry, the ECOMOG.

10:50:43 20 Q. What happened when you arrived back in Daru?

21 A. When we came to Daru Mosqui to called most of the RUF
22 commanders that particular night and he said being that we have
23 now come back to Daru, he said we are in Kailahun District, and
24 he said, "This Kailahun District, we are not going to let it be
10:51:24 25 occupied by anybody else, be you ECOMOG, or Kamajors". He said,
26 "You might resort to killing all of us, but we will not leave
27 Kailahun for anybody". So he said being that we have now been
28 based in this Daru Town, he said but the situation was a bad one.
29 He said, "We had been in Kailahun here when the soldiers plotted

1 a coup against Kabbah" and he said, "They invited us, we went and
2 joined them and that was Mosqui to speaking to we RUF commanders,
3 to us the RUF commanders". He have said, "Being that we have now
4 returned to Kailahun", he said, "We should defend the place". He
10:52:27 5 said he was going to share immediate assignments. He said there
6 were two major roads leading to Kailahun from Daru and he said we
7 needed to occupy those particular roads. Then he told Manawai to
8 go and take care of the Kui va Road and that is the road that
9 moves from Daru going towards Jawei Kotuma and you go to Kui va,
10:53:20 10 you go to Mobai and you go to the junction leading straight to
11 Pendembu. And he told Eagle to go and take care of Baiima and
12 that was the route leading from Daru, you go to Benduma you go to
13 Baiima, and you come to the same junction in the intersection
14 with where Manawai's own route was going to meet to go to
10:54:02 15 Kailahun. And he said, "You, OG, and CO Gweh", he said, "Issa
16 Sesay had sent a message to me that from Makeni he said they were
17 moving towards Kono together with Mike Lamin, Johnny Paul Koroma
18 and a lot of AFRC and RUF soldiers. So he told Major Gweh and I
19 to go and open the road from Bunumbu all the way to Gandorhun
10:54:58 20 Kpane. At that time that whole area had been occupied by
21 Kamajors. And then from there, one of those trucks, he gave me
22 some arms and ammunitions that moment, together with some
23 manpower, AFRC and RUF. He said we should go and wait for him in
24 Pendembu.
10:55:41 25 Q. Now, Mr Witness, let me stop you there for a moment and ask
26 you about some of these locations you have talked about. Now,
27 one of the locations that you talked about was something Kotuma.
28 What was the first word?
29 A. Jawei Kotuma.

1 Q. Jawei Kotuma. And you talked about Gandorhun Kpane, is
2 that what you said?

3 A. Gandorhun Kpane.

10:56:25

4 MS HOLLIS: Your Honours, we would spell that K-P-A-N-E.
5 Gandorhun we believe has been spelt before.

6 JUDGE SEBUTINDE: And the location before that, Jawei?

7 MS HOLLIS: That I would have to spell phonetically unless
8 the interpreters can assist us with Jawei.

10:56:46

9 PRESIDING JUDGE: Mr Interpreter, can you help with the
10 spelling of that place name please.

11 THE INTERPRETER: Yes, your Honours, J-A-W-E-I.

12 MS HOLLIS: Thank you for that.

10:57:00

13 PRESIDING JUDGE: Just before you proceed, Ms Hollis, I
14 would like to clarify the witness's status. He referred in the
15 evidence to "We, RUF commanders". That is at page 34, line 24,
16 and I recall yesterday he did describe one promotion he received,
17 but his present, as he at this point of time he is describing, it
18 is not clear what his status is.

19 MS HOLLIS:

10:57:20

20 Q. Two things, Mr Witness: First of all, when you were in
21 Daru being briefed by Mosquito what was your position?

22 A. At that time I had now attained staff captain.

23 Q. Right, so that was your rank. And who promoted you to
24 staff captain?

10:57:49

25 A. Well, at that time, I had initially been promoted to a
26 captain level by Foday Sankoh himself before his arrest was
27 effected in Nigeria.

28 Q. Now, you said at this point you were a staff captain. Is
29 that different than a captain?

1 A. Yes. I was about - I mean, it was something like a test
2 kind of for someone to get a rank of major, so Mosquito told me
3 that I am now a staff captain.

4 Q. And you said that you, RUF commanders were there being
10:58:43 5 briefed by Mosquito. What was your position at this time?

6 A. Well, at that time I was still an RUF officer at the rank
7 of captain, and I was still in charge of Mike Lamin's security.

8 Q. Thank you. Mr Witness --

9 JUDGE LUSSICK: Ms Hollis, I have a similar question. The
10:59:20 10 witness has just mentioned a CO Gweh and a Major Gweh and
11 yesterday he was testifying about a Captain Gweh. Can I assume
12 they are one and the same person?

13 MS HOLLIS: I think yesterday he said Captain Gweh and then
14 said Major Gweh:

10:59:40 15 Q. Now, Mr Witness, this Gweh that you are talking about, you
16 have said Captain Gweh, you have said Major Gweh, you have said
17 CO Gweh. Is this the same person or are these different people?

18 A. Well, it is one and the same person, but even before Major
19 Gweh finally died, that was the last name that we used to call
11:00:11 20 him so that is what I have in mind now. But even at the time
21 that Mosquito held the meeting with us to go and receive Johnny
22 Paul and others he himself was a captain so we used to call him
23 Captain Gweh.

24 Q. Now you said Major Gweh. Was Captain Gweh ever promoted to
11:00:39 25 major?

26 A. Yes.

27 Q. When did that happen?

28 A. That was later, after we had gone and received Johnny Paul
29 and we had returned to Mosquito and Mosquito had given them a

1 mission to go across the Kono up to Makeni area, that was the
2 time he was promoted to a major rank.

3 Q. Thank you. Now, Mr Witness, when you and at that time
4 Captain Gweh were sent to Pendembu, you said there were AFRC and
11:01:22 5 RUF with you. How many people were sent with you to carry out
6 this mission?

7 A. Well, I can say totally, let me just estimate, it is up to
8 50 above. 50 above armed men.

9 Q. What happened when you went to Pendembu?

11:01:57 10 A. We waited for Mosquito there up to around 4 o'clock in the
11 morning when Mosquito came and met us in Pendembu where he had
12 asked us to wait on him. On his arrival, that is Mosquito, he
13 again invited us to go to his place where he was and he gave more
14 ammunition and arms. Those who were not armed, he collected more
11:02:46 15 ammunition and arms and armed them. He gave us some medicines
16 and he gave us communication. So he said we should travel to go
17 and receive Issa Sesay, Mike Lamin, Johnny Paul Koroma and the
18 others.

19 Q. So what happened after you received these materials?

11:03:21 20 A. We left Mosquito in Pendembu and he said the following
21 morning he too will go to Buedu. Then we went to Manowa Ferry.
22 We crossed over to Manowa. We attacked Manowa, because that was
23 the river which we used to cross, it is the Moa River. So when
24 we went close to the river we waited until 4 to 5. At that time
11:04:01 25 all the civilians will have gone to town. They will not be in
26 the bushes so as to see us whilst we were crossing, so we were
27 able to cross the river and attack Manowa. That was around 6 in
28 the night.

29 We captured Manowa but we were unable to go with the main

1 road because there were some big towns which had been occupied by
2 Kamajors. So we used a bypass, that is a bush path, and went to
3 Sandiaru and attacked there and captured it. We went to Sengema
4 and attacked there and captured it. We passed the night in
11:05:07 5 Sengema. Early in the morning, around 6 o'clock in the morning,
6 we attacked Koidu Geiya, but we were - we were not successful in
7 Koidu Geiya so we bypassed Koidu Geiya and surfaced at Gandorhun
8 Kpane where they said we were to receive Issa and others.

9 Q. What district is Gandorhun Kpane in?

11:05:44 10 A. It is in the Kono District, eastern province.

11 Q. And you mentioned Sengema. What district is Sengema in?

12 A. Sengema, that district is in Kailahun District because it
13 is towards the border by Kailahun.

14 Q. And you also mentioned Koidu Geiya. What district is Koidu
11:06:15 15 Geiya in?

16 A. It is in the Kono District.

17 Q. You said that you were taking footpaths and bypasses to go
18 to Gandorhun. How were you travelling on these bypasses?

19 A. On foot.

11:06:40 20 Q. What happened when you arrived at Gandorhun?

21 A. That morning we met Issa there and we told him that we had
22 come for him. That Mosquito had sent us to come and receive him
23 and others. Then he said "Okay" and he organised us and said we
24 should go and attack together with his own men at Koidu Geiya.

11:07:17 25 He said he was going towards Kono. We attacked that town and we
26 were not successful. Then we returned to Gandorhun Kpane.

27 Q. Mr Witness, when you said that you met Issa in Gandorhun,
28 was Issa alone or were there others with him?

29 A. He was there with Rambo, Mike Lamin, Superman, Morris

1 Kallon, but later, when he said we should go and attack that
2 town, after we had attacked Koidu Geiya and we were unsuccessful,
3 we returned to Gandorhun Kpane. In the afternoon hours we saw
4 him come with Johnny Paul from Kono, together with his families.

11:08:30 5 Q. Mr Witness, who did you see come with Johnny Paul and
6 Johnny Paul's family?

7 A. It was Issa who went and came with Johnny Paul, his wife,
8 his children, because I saw two children. I saw Rambo, who was
9 Johnny Paul's bodyguard, and I saw Major - Colonel Sammy - sorry,
11:09:08 10 Honourable Sammy because that was what we called him. Then I saw
11 Mike Lamin himself. All of them, most of them I saw. I saw
12 Major Dumbuya.

13 Q. Mr Witness, you have mentioned a person you called Rambo.
14 Who was Rambo?

11:09:34 15 A. Well, this Rambo was an SLA soldier, but when Johnny Paul
16 became chairman for the AFRC, it was this Rambo who was his
17 bodyguard, Johnny Paul's bodyguard, his senior bodyguard.

18 Q. Did you know him by any other name?

19 A. Well, that was what we used to call him, Chief Rambo.

11:10:07 20 Q. You also mentioned someone you called Sammy. Who was
21 Sammy?

22 A. Sammy was an AFRC honourable so we used to call him
23 Honourable Sammy. That was the name I knew for him.

24 Q. And when you said "Honourable Sammy" what did "honourable"
11:10:33 25 mean?

26 A. Well, they said all of them were Supreme Council members,
27 but you see, they used to call them honourables so I did not go
28 to the office of an honourable for me to know really how and who
29 an honourable was.

1 Q. So what happened after Issa, Johnny Paul Koroma and these
2 others came back to Gandorhun?

3 A. We all slept there. In the morning they called - Issa
4 called a formation. All of us went there. All of us who had
11:11:32 5 gone to receive them, the AFRC and the RUF, and the commanders
6 whom we met on the ground, who had come along with Issa, like
7 Superman, Rambo, Mike Lamin, Morris Kallon and Sammy - Honourable
8 Sammy - Major Dumbuya, Johnny Paul Koroma, Johnny Paul Koroma's
9 wife, his bodyguard, chief bodyguard, Rambo. All of us were at
11:12:15 10 that meeting.

11 Q. And what happened at that meeting?

12 A. We too, those of us who went, I, Major Gweh, we told Issa
13 that Mosquito had sent us to come and receive you, Johnny Paul
14 and his family and the honourables and Mike Lamin and whoever you
11:13:01 15 felt that should join these people for us to go to Buedu. Then
16 he said you should assign someone who will stay in the Kono axis
17 to take care of your back.

18 Q. Who said that?

19 A. That was Mosquito who told us to tell Issa and even when we
11:13:27 20 got to Gandorhun Kpane, Mosquito passed on the same message to
21 Issa on the radio, so Issa assigned Morris Kallon, Superman,
22 Rambo. He said Morris Kallon should stay at the Kono axis so as
23 to take care of Kono, together with the people whose names I have
24 just mentioned.

11:14:04 25 Q. What happened after this meeting?

26 A. Then from there, those whom he had identified to come along
27 with him, Issa, Johnny Paul and others, we took the road to
28 Kailahun.

29 Q. And who was it who was travelling to Kailahun?

1 A. It was the AFRC and the RUF.

2 Q. And you mentioned Issa and others. Who were these others
3 that were travelling?

4 A. Issa Sesay, Mike Lamin, Johnny Paul Koroma, his wife -
11:15:00 5 Johnny Paul Koroma's wife - his two children, his bodyguard
6 Rambo, Major Dumbuya, Honourable Sammy, all of us went. Many of
7 them - I can't remember all of their names.

8 Q. How did you travel from Gandorhun to Kailahun?

9 A. The same road that we had used to come, that bush path, it
11:15:44 10 was the same road that we used to return, but when we went we did
11 not reach the Manowa Ferry. From Sandiaru we used another bypass
12 bush path and crossed the Moa by Kailahun, close to Kailahun. A
13 town across by the Kailahun end called Kollah Boama. That was
14 where we crossed over. We crossed for the - we crossed all night
11:16:34 15 and slept there and early in the morning we went to Kailahun.

16 Q. Now when you say you went to Kailahun, what do you mean?
17 District or town?

18 A. All the areas that we slept were in Kailahun District.
19 This was Kailahun Town itself where we had reached.

11:17:01 20 Q. And what happened when you arrived in Kailahun Town?

21 A. When we got to Kailahun Town, together with Johnny Paul,
22 Mike Lamin, Issa Sesay, we met Gullit there then and Mosquito
23 sent a vehicle from Buedu to come and pick up Johnny Paul and
24 others, that is Issa Sesay, Mike Lamin, Johnny Paul's wife, his
11:17:48 25 children, Honourable Sammy. Everybody, plus those of us who had
26 gone to receive them for us to go to Buedu.

27 MS HOLLIS: Madam President, the town that was mentioned
28 earlier we believe is spelled K-O-L-L-A-H B-O-A-M-A.

29 PRESIDING JUDGE: Thank you.

1 MS HOLLIS:

2 Q. Now, did you travel together to Buedu or was there some
3 time difference in when you left for Buedu?

11:18:41

4 A. Yes, because they used to cook for me in Kailahun, so
5 Johnny Paul, Mike Lamin and Issa Sesay went ahead.

6 JUDGE SEBUTINDE: Ms Hollis, is it possible to elicit a
7 time frame for this incident when the witness met with the Johnny
8 Paul Koroma team?

9 MS HOLLIS:

11:19:07

10 Q. Mr Witness, can you tell us when you met up with Johnny
11 Paul Koroma and these other people, do you remember what month
12 that was?

11:19:33

13 A. That was in the same month that the coup took place. This
14 whole thing that we have been doing did not even take within five
15 days from Kenema up to the time we received Johnny Paul Koroma in
16 1998. It was in there.

17 Q. What month was that?

18 A. I think it was still in February.

11:19:54

19 PRESIDING JUDGE: Ms Hollis, the witness referred again to
20 the coup.

21 MS HOLLIS:

22 Q. Now, Mr Witness, you said it was in the same month and you
23 mentioned the coup. It was in the same month that what took
24 place?

11:20:04

25 A. Sorry, when ECOMOG dislodged AFRC from Freetown.

26 Q. So did you eventually yourself travel to Buedu?

27 A. Yes.

28 Q. And what happened when you arrived in Buedu?

29 A. When we got to Buedu, the next day Johnny Paul called a

1 meeting in Mosquito's veranda, the house where he was lodged. At
2 this meeting Johnny Paul was there because he called the meeting
3 and Honourable Sammy was at this meeting, Major Dumbuya was
4 there, CO Kallon - sorry, CO Issa Sesay was at this meeting, Mike
11:21:20 5 Lamin was at this meeting and many other commanders including
6 myself within the AFRC and the RUF. Johnny Paul thanked Mosquito
7 and praised him for the effort he had applied in saving his life
8 and his family up to the time he has got to Buedu to Mosquito.
9 Then he told Mosquito that in fact since AFRC took over, when he
11:22:05 10 was chairman for the AFRC, he had been receiving parcels of
11 diamonds which the AFRC and the RUF had been mining in Kono and
12 Tongo. So he had these parcels of diamonds. So really what he
13 wanted to happen to the diamonds, he said he hadn't much contact
14 with Charles Taylor, that is Johnny Paul, but Mosquito had
11:22:50 15 contact with Charles Taylor. So he said he wanted these diamonds
16 - he wanted Mosquito to take him, Johnny Paul, and some few other
17 commanders so that they can go to Monrovia to meet Charles Taylor
18 with these diamonds so that Charles Taylor will help them to find
19 ways and means by which we can get arms and ammunition, medicines
11:23:25 20 and other things in order to continue attacking the ECOMOG that
21 had dislodged - that has removed us from power.

22 We discussed that. Mosquito thanked him for all that he
23 had said and then he told - then Mosquito told Johnny Paul that,
24 "One thing I am telling you now is that I am the leader taking
11:24:05 25 care of both the AFRC and the RUF from today's date." He said,
26 "That is what you should know." He said, "Because the power that
27 you had when we made you chairman" he said "you did not make any
28 effort in keeping that power in existence that would have
29 retained you in power as chairman. Now that you are here in this

1 bush where we are, I am going to do everything that you need not
2 you any longer."

3 He said, "What you should do right now, from how you are
4 sitting down and what you have been talking about that you had it
11:24:55 5 from the AFRC and the RUF" he said "you are to hand over
6 everything now, money, diamonds that you had directly to me". He
7 said, "If you had to go and see Charles Taylor or what you have
8 to do, I will tell you whether you should do that." He said,
9 "But in this meeting I will never assure you that I will take you
11:25:25 10 and your other officers to go to Monrovia to meet Charles Taylor
11 with the diamonds." He said, "Hand over the diamonds to me."

12 You know, the way Johnny Paul saw he still thought that he
13 had some powers. He wanted to resist in giving the diamonds - in
14 handing over the diamonds. Mosquito and Issa, they took their
11:26:03 15 arms, that is their pistols, and pointed them at Johnny Paul.
16 They put him under gunpoint and they said whether he was willing
17 or not willing he should hand over those particular diamonds that
18 he had. Johnny Paul was afraid where he was sitting, he wanted
19 to sit on the floor, and he showed where the diamonds were in the
11:26:33 20 room. Mosquito and his bodyguards, like Shabado and one SBU boy,
21 Junior, who was with Mike Lamin, they entered and took the
22 diamonds. The diamonds were in a bag like something that was
23 more than the size of this thing that is in front of me.

24 PRESIDING JUDGE: For purposes of record, the witness has
11:27:04 25 indicated the front of the monitor as being the size of the bag.
26 Mr Anyah, did you see the indication?

27 MR ANYAH: I did not see it, but that description is
28 acceptable to us, Madam President.

29 PRESIDING JUDGE: Thank you.

1 MS HOLLIS:

2 Q. Mr Witness, you have pointed to the monitor. Can you
3 estimate for us the size of this bag that you saw?

11:27:50

4 A. Yes. The size of this bag that I saw was about a foot and
5 a half. Let me just say the bag, the size, but the bag's height
6 and everything was like this really, but the length was more than
7 this a little, this thing in front of me. It had a handle on top
8 of it.

11:28:10

9 Q. When you said something was one and a half feet, what was
10 one and a half feet? Was that the length? Was that the width?
11 What was the one and a half feet?

12 A. I am talking of the length.

13 Q. And can you estimate the width for us? How wide was the
14 bag?

11:28:28

15 PRESIDING JUDGE: Unfortunately, Ms Hollis, I think we have
16 been alerted that the tape has run out. I note the witness is
17 trying to make the estimates. We will continue with that
18 evidence after the break and if he is not able to estimate it for
19 the record then we will resort to measuring it.

11:28:43

20 MS HOLLIS: Thank you, Madam President.

21 PRESIDING JUDGE: Mr Witness, we are now going to take our
22 normal mid-morning break. As you recall yesterday we break for
23 30 minutes and we will resume Court at 12 o'clock. Please
24 adjourn court until 12.

11:29:07

25 [Break taken at 11.29 a.m.]

26 [Upon resuming at 12.00 p.m.]

27 PRESIDING JUDGE: Ms Hollis, we were doing the estimates
28 and, as I said, if necessary we'll produce the tape measure.

29 MS HOLLIS: Yes, Madam President:

1 Q. Mr Witness, before we took our break you had told the
2 Judges about diamonds being taken from Johnny Paul and you had
3 said they were in a bag and you had said you thought that the
4 length of that bag was about one and one half feet. Are you able
12:00:40 5 to tell us what the width of that bag was, and if you're not able
6 to do so please tell us that?

7 A. Yes, it was up to one foot wide. It was a flat bag.

8 Q. Thank you, Mr Witness.

9 A. Yes.

12:01:08 10 Q. Do you know how many diamonds were taken from Johnny Paul?

11 A. Yes. After the diamonds had been taken they gave the bag
12 to an SBU called Junior. Shabado was guarding it and later they
13 called Shabado, that was Mosquito, he called Shabado, and Issa
14 was present, Mike Lamin too was present and many other

12:01:58 15 commanders, both RUF and AFRC, and they opened the bag. Mosquito
16 opened the bag in his parlour. He took out the diamonds from the
17 bag.

18 There were nine plastic bags of diamonds that were in the
19 bag. But the plastic bag was - you know the plastic bags in
12:02:43 20 which they put drugs, that was the kind of plastic bag. But the
21 other one, you know, the bags that contained the diamonds were
22 slightly bigger than the bags in which medicines could be put,
23 the plastic bags in which medicines could be put. Nine of them.
24 The diamonds were in them, in the plastic bags that are used in
12:03:22 25 the hospitals to put drugs.

26 Q. Mr Witness, were you present when Mosquito took these nine
27 plastics out of the bag?

28 A. I was present there. I saw the nine plastic bags of
29 diamonds. Amongst those nine, one of the bags contained only one

1 diamond, a very big one, but I did not witness the counting of
2 all of the diamonds individually to know how many pieces were
3 there or how many carats, but I saw the bag and the diamonds in
4 the plastic bags, up to nine.

12:04:22 5 Q. Now, once again I'm going to ask you if you can to tell the
6 Judges what the size of these plastics were. If you could tell
7 them in either inches or centimetres; are you able to do that?

8 JUDGE SEBUTINDE: Could I suggest perhaps that the witness
9 be given the tape measure for him to strip out the length. That
10 might be better.

11 MS HOLLIS: Thank you, Justice Sebutinde.

12 THE WITNESS: Okay, let me - yeah.

13 MS HOLLIS:

14 Q. I'm going to give you a tape measure and you draw it out to
12:05:05 15 the size, to the length and then use it to tell us what the
16 diameter was. So first of all can you take the tape measure and
17 can you draw it out to the length of these plastics?

18 A. That plastic was as long as this.

19 PRESIDING JUDGE: Please hold it up, Mr Witness, so
12:05:36 20 everyone can see.

21 THE WITNESS: It was as long as this.

22 PRESIDING JUDGE: Mr Usher, what is that?

23 MS IRURA: Your Honour, the length indicated is 13
24 centimetres.

12:06:04 25 PRESIDING JUDGE: That's fine. Can you please give it back
26 to the witness so that we can get the other dimensions.

27 MS HOLLIS:

28 Q. Mr Witness, these plastics, were they round or were they
29 square? What did they look like?

1 A. It was - they were square plastics.

2 Q. And can you tell us what the width of the plastics were,
3 and you can use the tape measure and draw it out to the width if
4 you're able to do that.

12:06:34 5 A. You mean how wide it was?

6 Q. Yes.

7 A. It was long but not that wide.

8 Q. Now, is that the width of the parcel, of the plastic? Is
9 that how wide it is?

12:07:05 10 A. It was long, but it was not that wide, but it was long.

11 The length was more than the width.

12 Q. So, Mr Witness - just a moment, please. If the tape
13 measure could be given back just so we're clear and what I'm
14 asking you about now is to pull the tape measure out showing how
12:07:29 15 wide it was.

16 A. Well, I'll suggest that they bring a paper to me so I'll
17 draw it on the paper, what I saw. That would be better.

18 MS HOLLIS: Can we do that, Madam President?

19 PRESIDING JUDGE: Yes, but let us not elongate this
12:07:48 20 unnecessarily.

21 THE WITNESS: The plastic was like this. This was how they
22 were.

23 PRESIDING JUDGE: Please show it to counsel for the
24 Prosecution and then to counsel for the Defence.

12:09:41 25 MR ANYAH: Madam President - well, perhaps I should wait
26 for your Honours to see the drawing.

27 MS HOLLIS:

28 Q. Mr Witness, is it your recollection that what you drew
29 represents the size of these plastics?

1 A. Yes, the one that I saw. You know, at that time I did not
2 measure it, but what I saw is what I have just approximated on
3 this paper.

4 Q. What you drew, is it the size of each plastic you saw?

12:10:32 5 A. Yes, all of the nine plastic bags were like that.

6 PRESIDING JUDGE: I'll hear what Mr Anyah said prior to
7 asking Madam Court Officer to measure that.

8 MR ANYAH: Yes, that was my inquiry, whether or not the
9 diagram was to scale in the sense that it's identical in size,
10 both length and width to the plastics.

12:10:54

11 PRESIDING JUDGE: I think the witness has shown that.

12 MR ANYAH: Yes.

13 PRESIDING JUDGE: If there is no other objection I will ask
14 it to be measured. Please measure the length and the dimensions.

12:11:12

15 MS IRURA: Your Honour, the diagram indicated by the
16 witness is 10 centimetres by 11 centimetres.

17 PRESIDING JUDGE: Thank you.

18 MS HOLLIS: Madam President, just to be sure the record is
19 complete, I would ask that that diagram be marked for
20 identification since it was drawn by the witness and I would ask
21 if the witness was able to sign that drawing.

12:11:32

22 PRESIDING JUDGE: Very well. That is a one page document,
23 a diagram made by hand by the witness. It will be MFI-11.

24 THE WITNESS: What should I do?

12:12:07

25 MS HOLLIS:

26 Q. Mr Witness, are you able to sign on that paper?

27 A. Yes.

28 Q. Could you do that?

29 A. Where? Where should I sign? On the side or just anywhere?

1 PRESIDING JUDGE: Underneath, Mr Witness, please.

2 MS HOLLIS:

3 Q. Now, Mr Witness, I believe that today is 13 November 2008.

4 Are you able to write that date on that paper, 13 November 2008?

12:13:07 5 Thank you, Mr Witness. What happened after these diamonds were
6 taken from Johnny Paul?

7 A. Well, after that Issa took Johnny Paul's wife and said he
8 was going to search her for diamonds. He took her from out of
9 the house and after 30 to 40 minutes we saw him bring her back.

12:14:01 10 The woman was crying and Mosquito asked her and she said Issa had
11 raped her and Mosquito asked Issa and Issa said he went to
12 investigate about diamonds, he went to search the woman for
13 diamonds. So from there, Johnny Paul told Mosquito that Gullit
14 was to hand some other diamonds over, but Gullit was not at that
12:14:52 15 meeting. At that time he was in Kailahun. He said he too should
16 have some diamonds. And Mosquito said I, Issa and some of his
17 bodyguards, that is Mosquito, Issa and some of his bodyguards, he
18 said we should go to Kailahun for Gullit and we went to Kailahun;
19 myself, Issa Sesay and his bodyguards.

12:15:43 20 We did not meet - we did not see Gullit in the town, that
21 is the Kailahun Town. They said he had gone to the Sierra
22 Leone-Guinea border. And we went in search of him and we met him
23 in the village called Baidu. That is a village by the Sierra
24 Leone-Guinea border. And Issa passed an order for us to disarm
12:16:25 25 Gullit's bodyguards and we did, including Gullit himself. We
26 took diamonds from Gullit. It was Issa who took the diamonds.
27 They were in a piece of paper, wrapped in a white satin, but I
28 did not see the diamonds. Issa did not open the parcel to me.
29 He only asked me to take care of the arms that had been taken

1 from Gullit and we took the arms together with Gullit and
2 returned to Buedu.

3 Q. What happened after you returned to Buedu?

4 A. We went with Gullit to Mosquito and at that time Mosquito
12:17:34 5 had already assigned Johnny Paul. After he had taken everything
6 from him he assigned him to Kangama. That is a village three
7 miles away from Buedu. And Mike Lamin told Mosquito that Gullit
8 had been a long-time friend, since they were in town. He said so
9 he should give Gullit over to him so the two of them would be in
12:18:16 10 the same house and Mosquito agreed. Mike Lamin told me to take
11 Gullit to the house and I took him to the house. The bedroom
12 which I used myself was what I gave to Gullit. That was where he
13 was.

14 Q. For how long did you remain in Buedu?

12:18:55 15 A. I had been in Buedu for over two months approximately,
16 because it's a long time now.

17 Q. And what were your duties while you were in Buedu for these
18 two months?

19 A. Well, I was a senior officer on the ground at the time that
12:19:23 20 I was in Buedu and as one of the securities for one of the
21 Special Forces, that is Mike Lamin.

22 Q. You mentioned to the Judges earlier that when Johnny Paul
23 Koroma and Sam Bockarie or Mosquito met, that Mosquito told
24 Johnny Paul Koroma that now Mosquito was in charge. Can you tell
12:19:51 25 us what was the command structure now after the intervention and
26 after you had come back to Buedu?

27 A. Yes. Mosquito had structured the RUF command structure.
28 He was there taking care of the RUF on behalf of our leader Foday
29 Sankoh and he made Issa Sesay his deputy as a field commander and

1 Morris Kallon was next to Issa Sesay and Superman was to become
2 the battle group commander, whilst CO Rambo was to deputise him.
3 But they were on the other side of Kono going towards the Makeni
4 area. Issa Sesay and Mosquito were in Kailahun with us, Kailahun
12:21:09 5 District in Buedu Town.

6 Q. While you were in Buedu what groups were in Buedu?

7 A. We still had the AFRC and the RUF.

8 Q. The AFRC who were in Buedu, who were they reporting to?

9 A. Everybody reported to Mosquito at that time.

12:21:41 10 Q. Do you remember the names of any of the AFRC that were in
11 Buedu?

12 A. Yes.

13 Q. Please tell us.

14 A. Major Dumbuya was there, Honourable Sammy, Akim, Soriba and
12:22:11 15 others.

16 Q. Who was Akim?

17 A. Akim was an AFRC soldier.

18 Q. I think you said Soriba. Your Honours, phonetically at
19 least we would spell that S-O-R-I-B-A. Who was Soriba?

12:22:37 20 A. He too was an AFRC man, soldier.

21 Q. You said that some of the captured civilians from Kenema
22 were brought to Buedu. In addition to those captured civilians
23 were there other civilians in Buedu?

24 A. Yes, there were other civilians. Like even SYB Rogers who
12:23:19 25 was a War Council chairman, he was a civilian. All of them were
26 in Buedu.

27 Q. Now, you've mentioned SYB Rogers. Who was that?

28 A. He was one of the RUF civilians who had been with the RUF
29 for a long time, and even Foday Sankoh and most of his commanders

1 had confidence in him, and he was an elderly man and he was
2 educated, so he was made the War Council chairman for the RUF.
3 So he was a member of the RUF.

4 Q. How many civilians were in Buedu?

12:24:31 5 A. Before we came - it was over 100.

6 Q. And these 100, are these the ones you brought or are these
7 other civilians?

8 A. It was the ones whom we met there. Some of them were there
9 and some of them had crossed into Liberia when the war entered,
10 but because their son was now in Buedu, that is Mosquito, some of
11 them were now confident to return to be there. Some of them were
12 women who had been captured by the RUF, who had been with them
13 for three or four years, some of them were assigned to Buedu and
14 they were there together with the civilians.

12:25:38 15 Q. The civilians that you brought to Buedu, and the other
16 civilians who were at Buedu, did they have duties?

17 A. Yes.

18 Q. What were their duties?

19 A. They were there doing domestic jobs for the commanders, the
12:26:08 20 RUF and the AFRC soldiers, like laundering, cleaning the dishes,
21 cooking rice and all of you would eat together. During farming
22 season you would cultivate, say, a potato garden, a cassava
23 garden, a rice farm. Like to clear the road. So they were there
24 for jobs like that, the civilians.

12:26:56 25 Q. These civilians who did these jobs, were they able to
26 refuse to do this work?

27 A. Nobody would refuse, because if somebody did you would have
28 to give a reason why you had refused and why you had said you
29 couldn't do the work.

1 Q. What happened when you gave this reason?

2 A. If they knew that you were sick - you know, if somebody is
3 seriously sick you would know it even if - you would know it
4 yourself, when you see the person you would know that the person
12:27:51 5 is sick. So in that case maybe they would let you go. But if
6 you were not sick and you were not a very old person and you were
7 asked to do a job and you refused doing it, just because you were
8 not willing to do it, we would flog you until you would be
9 willing to do it, because that meant you were inciting others to
12:28:28 10 refuse doing the work because if you had been told to do a job
11 and you said you were not going to do it and people had been told
12 to do the job and you did not give us any reason to our
13 satisfaction, we would set an example on you. That was why we
14 did the flogging.

12:28:51 15 Q. Did you yourself ever see civilians being flogged?

16 A. Yes.

17 Q. The females who were there who had been captured, how were
18 they treated?

19 A. Women used to do that.

12:29:17 20 Q. Do what?

21 A. They cooked. I said they were there to cook and they used
22 to have sexual intercourse with the RUF and AFRC soldiers who
23 captured them. Those were the things.

24 Q. These women who had sexual intercourse with their captors,
12:29:45 25 were they able to refuse to have sexual intercourse?

26 A. I didn't witness that. Except if somebody had taken a long
27 time with the RUF, say one or two years, if you knew that the man
28 with whom you were, you didn't want him any more you would have
29 to give a reason and if you give that reason, and if the reason

1 was good enough, you would leave him. But you would not just be
2 there idling. The moment you would be, say for example, leaving
3 Vandi you should get married to Momoh because if you did not do
4 that you would just be there like a football.

12:31:01 5 Q. What do you mean?

6 A. When Musa comes he will kick you and you will go to Vandi
7 and he too will kick you. Like me, if I come and I want to have
8 an affair, to have sex with a woman and I don't have a woman, and
9 you are there without a husband I would just go to you.

12:31:25 10 Q. And did these women have any choice about being a football?

11 A. Yes, you would think about it but you would not do it,
12 because you are forced to - you are forced to have sex because
13 you are within a group of armed men, you are a civilian. If I
14 come to you, I have my arm and I have my pistol, what else do you
12:31:54 15 have to say? If I tell you do this you just have to do it
16 because you wouldn't want to die. Whether you're willing or not,
17 you just have to do it for your safety.

18 Q. These civilians in Buedu, were they able to move about
19 freely?

12:32:20 20 A. Sometimes freely, within our controlled territory, we had
21 some guidelines in relation to that. For example, if somebody
22 had been with us for over four or five years we would give that
23 person a pass to move within our own territory. But you would
24 not just get up and go about your own business without obtaining
12:33:01 25 a pass, because there were many soldiers and many RUF. If you're
26 seen on the way and you're killed because you did not have a pass
27 or you are beaten you would have nothing to do, so we used to
28 issue passes to them.

29 Or you walk along with an RUF or AFRC person from one

1 village to the other on to the point that you want to go, but you
2 would not be allowed on your own to just go wherever you wanted
3 to go. No, if you did that you would be beaten up or you would
4 be shot. That would be your own fault.

12:33:52 5 Q. Where were you assigned after Buedu?

6 A. Baiima.

7 Q. Do you know what chiefdom Baiima is in?

8 A. I have forgotten now a little bit.

9 Q. What district is Baiima in, if you know?

12:34:30 10 A. It's in the Kailahun District.

11 Q. What were your duties in Baiima?

12 A. I was there to fight, as a fighter.

13 Q. And what unit or units were there in Baiima?

14 A. Well, the commander was there. He was Karmoh Kanneh,
12:35:09 15 Eagle. Then we had the operational commander, the front-line
16 commander. So that was how it was. Those were the positions.

17 Q. And was there a particular unit there?

18 A. I don't think any other particular unit was there, except
19 the signal unit, that was the radio communication men who were

12:35:56 20 there. Then there was the Black Guard, maybe you would see one
21 or two who would be assigned there.

22 Q. You said there was an operations commander there. Do you
23 remember who that was?

24 A. Yes. We had CO Gaddafi and the front line commander too
12:36:25 25 was there, CO Kailondo.

26 Q. Who was CO Gaddafi?

27 A. He was an RUF junior commando.

28 Q. Did you know him by any other name?

29 A. No, that was what I knew him by. That was how we referred

1 to him. We were not that used to each other.

2 Q. And who was Kailondo?

3 A. Kailondo himself was an RUF junior commando.

4 Q. Did you know him by any other name?

12:37:12 5 A. Except when we referred to him as Native Warrior.

6 Q. What group or groups were there in Baiima?

7 A. We had the AFRC and the RUF.

8 Q. While you were assigned to Baiima did you stay there all
9 the time or did you travel to any other locations?

12:37:50 10 A. I used to come - at times when I would go to Baiima for two
11 weeks or three weeks I would come back to Buedu to see my family,
12 because that was where they were based.

13 Q. So how many times would you travel to Buedu during the time
14 you were assigned in Baiima?

12:38:27 15 A. Well, often. More than even three times, up to four times.

16 Q. When you would travel to Buedu how long would you remain in
17 Buedu?

18 A. For 72 hours, sometimes three days, four days, then I would
19 return.

12:38:57 20 Q. Now, during the time that you were assigned in Buedu and
21 when you were assigned in Baiima, were you aware of any trips
22 taken by Sam Bockarie?

23 A. Yes.

24 Q. What trips were you aware of?

12:39:19 25 A. Sam Bockarie used to go to Monrovia and Gbarnga.

26 Q. How did you know about these trips?

27 A. Even myself, I accompanied him to Foya in a vehicle. A
28 helicopter would pick him up to Monrovia and I would return to
29 Buedu.

1 Q. When Sam Bockarie went on these trips do you know why he
2 went on those trips?

3 A. Well, most of what he told me, and what I saw myself, that
4 is to say he went to Monrovia to Charles Taylor for us to be
12:40:31 5 supplied our needs, that is ammunition, arms, medicines, that was
6 what he used to tell us always, that he was going to get those in
7 Liberia from Charles Taylor.

8 Q. And do you know if there was any payment made for these
9 materials?

12:41:01 10 A. Well, he did not tell me that directly, but like Shaba with
11 whom they used to travel, that is Shabado, like Ofoh, Foday, who
12 was his bodyguard commander, sometimes they would say they had
13 gone with diamonds together with Master and at that time they had
14 assigned CO Kailondo - sorry, CO Kennedy in Kono. He was mining
12:41:40 15 diamonds for the RUF. And we too used to see them take the
16 diamond and brought them to Mosquito, at times in my presence.

17 Q. Now, did Foday or Shabado tell you what Mosquito did with
18 those diamonds that he took to Liberia?

19 A. Yes. He said most of the times they put in for ammunition
12:42:15 20 and they would bring US dollars, which I saw myself with
21 Mosquito. He used to send some people to the riverside to buy
22 some condiments, some food and some clothing at the Guinea
23 border.

24 Q. Who did that?

12:42:37 25 A. Mosquito himself. I used to see him give money to Salim,
26 who was an RUF contractor. They would go with it to the Guinea
27 border. Salim would go and buy those things that I have just
28 mentioned and would bring them.

29 Q. And what type of currency did they use to buy those things?

1 A. They would go with US dollars and exchange it for Guinean
2 francs.

3 Q. Did Foday or Shabado tell you to whom Sam Bockarie gave the
4 diamonds to get these materials?

12:43:32 5 A. Always he himself, Sam Bockarie, used to tell us, whenever
6 he was leaving Buedu to Monrovia, he told us that he was going to
7 Charles Taylor. That one happened many times. Whenever he was
8 going that was what he told us.

9 MR ANYAH: Madam President, again, these questions may be
12:44:00 10 covered in cross-examination but some time frame indication would
11 be helpful. We are speaking of the witness being assigned at
12 Baiima at this time and I don't know when that took place. In
13 addition, there are several trips mentioned by Sam Bockarie to
14 Charles Taylor. There is no indication whether these trips
12:44:21 15 correspond to the time of the witness's assignment in Baiima.

16 We've also heard of trips to the Guinean border by others to
17 trade for supplies, if you will, and frankly it's very difficult
18 to defend and put proper questions in cross-examination if there
19 is no time frame on the record. It would expedite matters if
12:44:43 20 there was some more foundation.

21 PRESIDING JUDGE: Time frames - we have had an indication
22 of when he went to Baiima, it's not a clear one, but these trips
23 seem to cover a wider period, Ms Hollis, so if we can --

24 MS HOLLIS: I would simply respond, Madam President, by
12:45:03 25 saying --

26 THE WITNESS: I want to ease myself.

27 MS HOLLIS: -- it's not foundation and, secondly, what
28 would expedite matters would be if Defence counsel would wait
29 until I move to another topic and then if something isn't asked

1 he could make that point.

2 PRESIDING JUDGE: Just pause until we deal with the
3 witness. Mr Witness, I understand you need to go out. Please
4 assist the witness to go out.

12:45:29 5 THE WITNESS: Let me go and ease myself.

6 PRESIDING JUDGE: Yes.

7 [In the absence of the witness]

8 MR ANYAH: Madam President, if I may respond to that --

9 PRESIDING JUDGE: I don't think I've allowed Ms Hollis to
12:45:40 10 finish. I interrupted her to let the witness go. So
11 [overlapping speakers].

12 MS HOLLIS: Thank you. Madam President, I don't know how
13 other counsel conduct their examinations but I do things in a
14 certain order, and if there are things I miss that your Honours
12:45:55 15 want clarified we certainly do that, but until I move off a major
16 topic it truly does slow things down to stand up and ask me to
17 ask questions that perhaps I'm going to ask but haven't asked
18 yet. In addition to that, cross-examination is there for them to
19 ask their questions.

12:46:13 20 MR ANYAH: Madam President, I would just respond. I'm not
21 rising to interpose an objection to take counsel off course, if
22 you will. We are liberty to rise when we feel it's necessary and
23 I don't rise just casually and it is helpful at the time the
24 information is being given that the dates are given at that time.

12:46:37 25 Now, we have had many places and events mentioned and there
26 is no time frame for it. It may be that Ms Hollis will come back
27 to it, but at the point when I hear the evidence I have to rise
28 at that point and make known our observations. I cannot wait and
29 take the chance to see whether or not she will come back to it.

1 PRESIDING JUDGE: Mr Anyah, first of all you mentioned two
2 things: One is time and the other is foundation. I didn't make
3 any ruling on foundation because I did not think there was a
4 foundation issue in this matter. It's been my policy, and I'm
12:47:13 5 not now making a general policy for this Court to allow counsel
6 to conduct their own examination, and if I feel it does need some
7 time frames I will indicate that. In this instant case I have
8 said already that we know not definitely but broadly when the
9 witness went to Baiima, but these trips are in general terms and
12:47:37 10 if I feel at the end of this section of the evidence that those
11 times are not clear then I will intervene.

12 MR ANYAH: Thank you, Madam President.

13 JUDGE SEBUTINDE: Ms Hollis, perhaps I should always use
14 this opportunity to ask - to seek a clarification. This location
12:47:54 15 Baiima as spelt in the transcript B-A-I-I-M-A, that is located in
16 Kailahun, there are number of places with slightly differing
17 spellings also in Kailahun. One is B-A-E-M-A and there is
18 B-A-I-M-A. They're all in Kailahun. Perhaps you could clarify
19 from the witness. I know he failed to tell us a chiefdom, he's
12:48:26 20 forgotten, but perhaps he could say whether this Baiima is north
21 or south of Buedu or some other indicator. I'd be grateful.
22 Thank you.

23 MS HOLLIS: We will certainly do that.

24 [In the presence of the witness]

12:49:23 25 MS HOLLIS:

26 Q. First of all, Mr Witness, these trips that you talked about
27 that Sam Bockarie took when you were assigned in Buedu and when
28 you were assigned in Baiima, can you tell us what year those
29 trips took place?

1 A. It was in 1998.

2 Q. Now, you've told us that you were assigned in Baiima, that
3 it was in Kailahun District. Can you tell us what big town it
4 was close to?

12:50:05 5 A. Pendembu.

6 Q. And can you tell us: Do you know the cardinal points
7 north, south, east, west? Do you know those?

8 A. Yes, I do see it on maps.

9 Q. Can you tell us, if you know, this Baiima, was it north of
12:50:33 10 Pendembu, south, east or west? Can you tell us that? If you
11 don't know, tell us.

12 A. It's in the western part.

13 Q. And can you tell us how many miles it was from Pendembu?

14 A. Roughly it's about 17 miles.

12:51:14 15 Q. Thank you, Mr Witness. Now, Mr Witness, when you were
16 assigned in Buedu, and then when you were assigned in Baiima,
17 when you were in Buedu did you ever see any visitors to Buedu?

18 A. Yes, but the other visitors that I really knew, that I had
19 known for quite a long time, he used to come there often.

12:51:48 20 Q. Who was that?

21 A. That was Colonel Jungle.

22 Q. Now you've mentioned a Jungle before. Is this the same
23 Jungle or a different person?

24 A. It's the same Jungle that I'm talking about.

12:52:06 25 Q. How many times did you see him in Buedu?

26 A. I saw him for up to three times.

27 Q. Now, the first time that you saw him in Buedu, where were
28 you assigned?

29 A. At that time it was Buedu. I had not yet gone to Baiima.

1 Q. And what happened this first time that you saw him in
2 Buedu?

3 A. He brought arms and ammunition in a vehicle.

12:52:52

4 Q. Did you know from whom he brought those arms and
5 ammunition?

6 A. He said he had brought them from Gbarnga. It was
7 Charles Taylor who gave him. It was Charles Taylor who ordered
8 him to take those ammunition from Gbarnga and bring them. That
9 was what he told us.

12:53:16

10 Q. And the second time that you saw him in Buedu, where were
11 you assigned at that time?

12 A. Twice before I could be assigned to Baiima, he met me in
13 Buedu twice.

12:53:49

14 Q. So the second time, what happened when you saw him in
15 Buedu?

16 A. He still came to Mosquito. He brought a vehicle that was a
17 Hilux. I saw ammunition in it in RPG boxes, AK boxes. There
18 were the GPMG rounds, the box was in it. He brought them.

12:54:35

19 Q. You said he came with RPG boxes. Do you know, were these
20 the RPG weapons or the ammunition, the bombs for the RPG?

21 A. I said the rockets, the bomb.

22 Q. And the AK boxes, what was in those AK boxes?

23 A. AK rounds.

12:55:08

24 JUDGE SEBUTINDE: Ms Hollis, or rather Mr Interpreter, you
25 said the box was in it. Is that what the witness said?

26 THE INTERPRETER: That is exactly what he said.

27 JUDGE SEBUTINDE: Well, then the box was in what, is the
28 question?

29 MS HOLLIS: Perhaps I heard differently:

1 Q. When you talked about the boxes - Justice Sebutinde, can
2 you tell me what line exactly you're looking at?

3 JUDGE SEBUTINDE: That is page 69, line 16 on my font,
4 where he answers, "I saw ammunition in it in RPG boxes, AK boxes.
12:55:40 5 They were the GPMG rounds. The box was in it." That is what I'm
6 asking about.

7 MS HOLLIS:

8 Q. Mr Witness, have you heard what the Justice just read that
9 you said? You were talking about RPG boxes, AK boxes, GPMG
12:56:00 10 rounds. You said that these boxes were in a vehicle and then you
11 said the box was in it. What do you mean "the box was in it"?

12 A. Well, you see, AK rounds had boxes on their own. In those
13 boxes each box had two sardine tins. RPGs too, the rockets had a
14 box and in that box there would be six rockets in it. So those
12:57:05 15 are the types of boxes that I saw in the vehicle that Colonel
16 Jungle brought.

17 Q. Thank you, Mr Witness. Now, the third time that you saw
18 Jungle, where were you assigned?

19 A. I was in Baiima. I had been assigned to Baiima.

12:57:29 20 Q. And what happened this third time that you saw Jungle?

21 A. Well, he said - then I heard that he had brought ammunition
22 for us, but at that time I did not see it. I did not see the
23 ammunition but I saw Jungle himself. He said he had brought some
24 ammunition for us, so he himself said it. So whenever he comes
12:58:13 25 all of us would be sitting down, just like we are sitting here
26 discussing.

27 Q. Now, these three times that Jungle brought ammunition, do
28 you know if any payment was made for that ammunition?

29 A. Yeah. He said Mosquito was giving diamonds, money, for

1 that, but I did not directly see where Mosquito was handing over
2 those things, but Mosquito himself used to tell us that I am
3 paying with diamonds or VS [sic] for those things that were
4 coming, money.

12:58:57 5 Q. Now, you said he said Mosquito was giving diamonds. Who
6 was it who said Mosquito was giving diamonds?

7 A. He said he was giving them to Jungle. Jungle always said
8 that he took those diamonds directly to - for those things to
9 Charles Taylor. I never went with them to Monrovia, but I used
12:59:28 10 to see what was happening and what they used to tell me.

11 Q. You have told the Judges that while you were in Baiima you
12 would go often to Buedu to your family. While you were in Baiima
13 did you attend any meetings in Buedu?

14 A. Yes.

12:59:58 15 Q. What meetings did you attend?

16 A. Well, like in the morning all of us would assemble at
17 Mosquito's place because all of us were senior men, officers, and
18 he was head of all of us as commander. So at one time, it was at
19 the end of 1998 and we were going towards 1999 then, he told us
13:00:54 20 he himself was tired of staying like that in Buedu. He said he
21 was fed up with all of us staying in Kailahun District. He said
22 he's got something at hand. He said he was trying to go to
23 Liberia to Charles Taylor where he will get our needs. When he
24 comes back he said we will try to do what really he wanted to do,
13:01:40 25 he Mosquito. He was going to seek advice from Charles Taylor in
26 Liberia. Then from there and the meeting was over, I went to my
27 assignment and then he went. He, Mosquito, we heard that he went
28 to Liberia. That was - it was a long time. We were now in 1999
29 because it took some time before he went. I cannot just estimate

1 the time, but it was now in 1999.

2 We saw him come back from Liberia. He sent an information
3 to all deployment areas around the Kailahun District and those
4 who were across to Kono. He said we should send in two or three
13:03:11 5 representatives to come to Buedu for a meeting. From our own
6 target where we were in Baiima I was designated to come for that
7 meeting, together with Major Kailondo and Major Lamin. Then all
8 the other areas designated two or three people just like we did
9 in Baiima.

13:03:51 10 Q. Mr Witness, let me just ask you one question before you
11 continue. You said that you went with Major Kailondo and Major
12 Lamin. Who was Major Lamin?

13 A. He was an AFRC soldier.

14 PRESIDING JUDGE: Just before we get too far away from it,
13:04:13 15 Ms Hollis, there's a part of the transcript which I feel is
16 unclear. It's at page 71, line 15, in which the witness states
17 that or it was said that payments were made by - "I am paying
18 with diamonds or VS". I'm not sure whether that's possibly a
19 misinterpretation.

13:04:39 20 MS HOLLIS:

21 Q. Mr Witness, when you were talking about --

22 PRESIDING JUDGE: No, please continue with your question.

23 MS HOLLIS:

24 Q. When you were talking about payments being made for the
13:04:53 25 ammunition that Jungle was bringing, you said that payment was
26 being made with diamonds. Was payment being made with anything
27 other than diamonds?

28 A. Yes, I said US dollars.

29 Q. Now, Mr Witness, after you, Major Lamin and Major Kailondo

1 had been selected as representatives, what happened then?

2 A. And all other deployment areas under the control of the
3 RUF, all of them provided the same, two or three representatives.
4 All of us came to Buedu. We came to Buedu. We were many in
13:06:10 5 Buedu. Mosquito called a meeting. This meeting, some civilians
6 who had been with us for long in Buedu, plus we the soldiers who
7 had come, we were over 80 - 60/70, above that. We were all in
8 the compound. We, the officers, were sitting in Mosquito's
9 place. He told us that he had come from Liberia to

13:06:56 10 Charles Taylor. He said he had received arms and ammunition and
11 he brought some reinforcement that had been given to him for a
12 particular mission that he wanted to undertake. This
13 reinforcement that he brought were all Liberians. Their
14 commander was one former ULIMO commander whom I knew before when
13:07:37 15 I and Mike Lamin crossed over to Liberia. This commander was
16 called Abu Keita. Abu Keita was the commander for the
17 reinforcement that had come from Liberia. We met them in Buedu.

18 Mosquito told us that - he said, "Now, I had told you that
19 I was going to Charles Taylor for me to be able to get our needs
13:08:17 20 and get ways to fight. Now I have brought arms and ammunition
21 from Charles Taylor in Liberia." He said, "We would not only sit
22 by and just control Kailahun and still call ourselves RUF". He
23 said, "We need to fight against the ECOMOG", and he said, "I am
24 ready to supply you with arms and ammunition and medicines. I
13:09:00 25 will support you in whichever way that you would need to fight
26 these people." He said, "I would want to tell everybody this
27 operation is Operation Free Sankoh." He said it in the presence
28 of all the civilians, everybody. He said all this.

29 Then after that he called some of us, the senior officers,

1 and we went to a place out of - out of where we were, out of
2 Buedu a little, going towards Dawa by the Liberian border.

3 Q. Now, Mr Witness, before you move on to what happens then I
4 would like to ask you a few questions about what you've just told
13:10:07 5 the judges. First of all, how many people were at this first
6 meeting you have just described? You said there were civilians
7 there and there were fighters there. How many people were at
8 this meeting?

9 A. We were up to 50, 60, 70 people. That's an estimate.

13:10:26 10 That's what I'm saying. Both the representatives who had come
11 and the soldiers who had been on the ground and some civilians,
12 all of them were around.

13 Q. And what groups were at this meeting?

14 A. The AFRC was there, the RUF was there and the Liberian
13:10:52 15 forces that had come as reinforcement.

16 Q. So then what happened when you moved to this location
17 outside of Buedu?

18 A. We went to Waterworks. Mosquito told us that - he said
19 everything is now available for us to fight, we the RUF
13:11:22 20 commanders, and he said that this operation he said it was

21 something that we were not to joke with at all. He said there
22 should be no commander that should joke with this operation at
23 all, he said, because any order which he gives to any commander
24 he wants to see that he does exactly what he wanted. He said

13:11:54 25 without that you would be facing a big problem with him. He said
26 he will not hide it from anybody.

27 He said one thing that he himself has planned, he said,
28 was, "This was Operation Spare No Soul". He said what he meant
29 by that was that, "Some of your commanders when I send you on

1 missions to go and attack a town, when they go they would be
2 womanising. You will capture a civilian and stay with that
3 civilian". He said, "This is not the type of mission". He said,
4 "I want the land. When you see a civilian running away let that
13:12:55 5 civilian run away, but I don't want anybody to capture a
6 civilian". He said, "Kill anybody who comes your way. If that
7 person doesn't want to run away, don't stay with that person at
8 all". So he said that this was Operation Spare No Soul and he
9 said, "Any town which you feel is occupied by ECOMOG, when you
13:13:28 10 would have captured it you should destroy that particular town.
11 Let that be an open terrain". He said, "We want the ground".

12 So from there he told Issa that that was the operation. He
13 said, "Those are the guidelines that I have shown". Then Issa
14 too accepted. Then Issa too supported him and said he would do
13:14:12 15 the right thing that Master wanted, because that was what they
16 called each other. That is what Mosquito had said.

17 Q. Now, tell us again what did Mosquito tell you as to why you
18 should kill civilians and not capture them? Why should you do
19 that?

13:14:36 20 A. We were to go on an attack and this attack, when you attack
21 ECOMOG, he said we should raise the concern of the international
22 committee. You, when you attack ECOMOG it will not be of concern
23 to the international committee, but where a civilian dies and
24 they see a town burning it would be of concern to these people,
13:15:11 25 the international people. So he said they will contact him and
26 he will demand that until they free Foday Sankoh before any peace
27 can hold. He said he will not be afraid to tell them this was
28 Operation Spare No Soul. If what he had demanded, that is to
29 free Foday Sankoh, if they do not accept that he said we will

1 continue destroying.

2 Q. Now, Mr Witness, you have been talking about what Mosquito
3 said and I'm looking at, on my font, page 77 starting with line
4 11. "So he said they were contact him and he will demand". So,
13:16:08 5 first of all, who is saying this? "They will contact him and he
6 will demand", who is saying this?

7 A. That is Mosquito.

8 Q. And who is the "they" that will contact --

9 A. He said the international committee would want to have
13:16:25 10 talks with him because he was leading the RUF and he said
11 whenever the international committee contacts him, he said the
12 only thing that he will tell them was to free Foday Sankoh before
13 we go to peace. He said without Foday Sankoh there will be no
14 peace. That was Mosquito saying that.

13:16:55 15 Q. Mr Witness, were you to have a role in this plan that
16 Mosquito gave you?

17 A. Yes.

18 Q. And what was your role to be?

19 A. I was to go back to Baiima together with the brigade
13:17:24 20 commander CO Denis whom we called Monkey Brown. We were to
21 Baiima to Eagle and Manawai. The command was to attack Bunumbu,
22 Segbwema, Daru, Tondola, Bendu Junction, Jomukafebu, Kumbema all
23 the way on to Kenema. So that was my own part of the operation.

24 Q. Now, this second meeting, how many people attended this
13:18:23 25 second meeting?

26 A. We were up to 35 to 40, around that, the officers.

27 Q. Now, Mr Witness, you said that the areas that you were to
28 attack and including Bunumbu, Segbwema, Daru, Tondola, Bendu
29 Junction, Kumbema, all the way to Kenema. You named one other

1 location. Do you remember what that location was that you were
2 to attack? It was something like Jomukafebu. Can you tell us
3 that location again?

4 A. Yes, I said Tondola --

13:19:16 5 Q. Just the one location, sir. Something that sounded like
6 Jomukafebu. What was this location?

7 A. Yes. That's the same, Jomukafebu.

8 MS HOLLIS: Your Honours, our phonetic spelling for that
9 would be J-O-M-U-K-A-F-E-B-U:

13:19:39 10 Q. So after this second meeting then what did you do?

11 A. Mosquito came back to Buedu. At that time the
12 reinforcement that he had come with from Liberia were at the MP
13 in Buedu. Then we, the commanders who were to go with this
14 mission, like Manawai, Eagle, CO Denis and myself, then he
13:20:28 15 provided Abu Keita and his reinforcement to us for us to attack
16 the various areas that he had mentioned. From there he gave us
17 arms, ammunition, medicines. That was Mosquito who gave us all
18 these things.

19 Then he told CO Denis as the brigade commander for us to
13:21:02 20 move ahead on this mission. I saw him give arms, ammunition,
21 medicines to Issa, Issa Sesay. He said Issa Sesay should go
22 across to Kono together with Akim and others and Soriba, who were
23 AFRC soldiers, to join Superman, CO Rambo for them to attack Kono
24 and from there Akim should go and attack Tongo while Issa and
13:21:49 25 Morris Kallon would advance all the way on to Makeni.

26 Q. Mr Witness, you have mentioned someone CO Denis. You said
27 he was a brigade commander. What brigade was he the commander
28 of?

29 A. Well, he was the 1st Brigade commander in Kailahun.

1 Q. And I believe you said CO Denis, Monkey Brown. Is that the
2 same person or different people?

3 A. It's the same person.

4 Q. And what was the nationality of CO Denis?

13:22:42 5 A. He's a Sierra Leonean.

6 Q. And what group did he belong to?

7 A. The RUF group.

8 Q. Now, Mr Witness, after you had received the reinforcements
9 and you had received the arms and ammunition and other supplies

13:22:56 10 did you move to carry out your mission?

11 A. Yes.

12 Q. Were you able to capture Kenema?

13 A. We were unable to capture Kenema.

14 Q. When you carried out your mission did you follow Mosquito's
15 instructions about spare no soul?

13:23:19

16 A. Yes.

17 Q. What did you do?

18 A. We killed civilians, we burnt down villages that we had
19 captured.

13:23:44

20 Q. Now, when you were unable to capture Kenema where did you
21 go?

22 A. I came back to Segbwema because that was where we had
23 captured.

24 Q. And how long did you remain in Segbwema?

13:24:10

25 A. I was in Segbwema until the Lomé Peace Accord.

26 Q. While you were in Segbwema did you receive information
27 about any events in Freetown?

28 A. Yes.

29 Q. What information did you receive?

1 A. First we heard over the BBC that the junta had re-entered
2 Freetown.

3 Q. Do you remember when it was that you heard this over BBC?

4 A. I have forgotten the month, but it was in 1999.

13:25:11 5 Q. You indicated that you remained in Segbwema until the Lomé
6 Peace Accord. How did you learn about the Lomé Peace Accord?

7 A. Well, the Lomé Peace Accord, after we had attacked all
8 those various areas that I have mentioned up to the time the
9 juntas entered Freetown the international committee and the

13:26:11 10 Sierra Leone government went with Foday Sankoh to Lomé. They
11 contacted Mosqui to --

12 Q. Who contacted Mosqui to?

13 A. That's the international committee to go - to provide some
14 representatives within the RUF to go to Foday Sankoh for the
15 peace process. So they said the international committee told
16 Mosqui to that they want the international committee so that the
17 Sierra Leone government led by Tejan Kabbah and Foday Sankoh, so
18 that they can have an immediate ceasefire so that they will talk
19 on peace.

13:27:28 20 Q. Now, Mr Witness, you said that representatives of the RUF
21 should go to Foday Sankoh. Do you know who in the RUF went to
22 Foday Sankoh?

23 A. Yes. Issa himself went there, Issa Sesay. Mike Lamin went
24 there. They went with one radio boy called Daf. Leather Boot
13:28:05 25 went there, he was an AFRC soldier.

26 Q. Did you know Leather Boot by any other name?

27 A. Yes. He is Idri ss Kamara.

28 MS HOLLIS: Madam President, I don't know how we're doing
29 on time.

1 PRESIDING JUDGE: We're very close to the normal lunchtime
2 adjournment, Ms Hollis, but I should say I'm a little unclear
3 about the times of some of these references and evidence of the
4 witness. I'm now referring generally to page 72 of the
13:28:45 5 transcript about certain events in 1999 and then a period in
6 Segbwema of some months, so I would like clarification of those
7 times.

8 MS HOLLIS: Do I have time to ask that question?

9 JUDGE SEBUTINDE: To supplement, the testimony where the
13:29:06 10 witness says Sam Bockarie went to Liberia, collected arms and
11 ammunition and personnel, Liberian fighters, and brought them
12 back we would like a month or some time in 1999. That's the
13 clarification we'd seek.

14 PRESIDING JUDGE: That's the same series of events.
13:29:24 15 Perhaps in the light of the time and since there are several
16 events it would be best to deal with these immediately after the
17 lunchtime adjournment.

18 Mr Witness, we're now going to take the lunchtime
19 adjournment. We will be resuming court again at 2.30. Please
13:29:47 20 adjourn court until 2.30.

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

22 [Upon resuming at 2.33 p.m.]

23 PRESIDING JUDGE: Mr Anyah, I note a change of appearance
24 on your Bar.

14:33:39 25 MR ANYAH: Yes, Madam President. Good afternoon, your
26 Honours, good afternoon Madam President. Mr Terry Munyard has
27 joined myself, Morris Anyah, and Mr Michael Walker at the Defence
28 Bar. Thank you.

29 PRESIDING JUDGE: Thank you. Ms Hollis, please proceed.

1 MS HOLLIS: Thank you, Madam President:

2 Q. Mr Witness, before we broke for lunch you had told the
3 judges about a meeting in Buedu where Mosquito brought back arms,
4 ammunition, medicines and Liberian reinforcements from Liberia.

14:34:26 5 Do you recall exactly when that meeting occurred?

6 A. Yes, it was in 1998, towards the end. Around November.

7 Q. And, Mr Witness, to your recollection did that meeting
8 occur before or after you learned about the attack on Freetown?

9 A. That meeting took place before the Freetown attack.

14:35:07 10 Q. You talked about being assigned at Segbwema until the Lomé
11 Peace Accord and you talked about RUF representatives and Leather
12 Boot, who was an AFRC, going to Lomé. Do you remember when it
13 was that they went to Lomé?

14 A. Yes, it was in 1999.

14:35:37 15 Q. And do you remember - in 1999, do you remember the month
16 that they went?

17 A. I have forgotten that now.

18 Q. When you were talking about the Lomé Peace Accord - and I'm
19 referring on my font to page 81 at lines 9 to 13 - you said that,

14:36:16 20 "After we had attacked all those various areas that I have
21 mentioned, up to the time the juntas entered Freetown, the
22 international committee and the Sierra Leone government went with
23 Foday Sankoh to Lomé. Now when you say "international
24 committee", what do you mean?

14:36:46 25 A. Well, you know that the ECOMOG was responsible for keeping
26 peace in Sierra Leone and the ECOMOG who came they came from
27 different countries. Within that we had some other international
28 observers who were there to mediate that particular peace in
29 Sierra Leone, so those were the people who sat down together with

1 the government of Sierra Leone who took Foday Sankoh to Lomé for
2 peace.

3 Q. Mr Witness, you said that you stayed in Segbwema until the
4 Lomé Peace Accord. Where did you go when you left Segbwema?

14:38:06 5 A. Well, we came back to Buedu.

6 Q. And why did you leave Segbwema?

7 A. Well, we had been there for some time and after the Lomé
8 Peace Accord in 1999, at one point in time, I have actually
9 forgotten the month, Mosquito sent a message to all the RUF

14:38:53 10 occupied areas during which he sent calling on particular people
11 within the RUF and he said that all of us should go to receive
12 Foday Sankoh. And at that time all of us went to Buedu, that is
13 the RUF and the AFRC, in order to receive Foday Sankoh. And at
14 that time Mosquito himself had then crossed over to Monrovia,
14:39:40 15 Liberia, and we were to receive he and Foday Sankoh in Buedu.

16 And whilst we were there for up to two days, on the third
17 day for us to receive Foday Sankoh I received a message from Issa
18 whilst we were all in Buedu saying that we should go to Foya and
19 that is in Liberia. We went to Foya. Whilst we were in Foya for
14:40:32 20 up to two hours a helicopter brought Mosquito from Monrovia and
21 it landed at the Foya airfield. Issa and I joined a vehicle. We
22 went and received Mosquito at the field. He alighted from the
23 helicopter and he told Issa that everybody is expected that Foday
24 Sankoh should be taken to Buedu on that particular day but he
14:41:25 25 said the international committee had decided that Foday Sankoh
26 should go to Freetown first before coming to Buedu. So he said
27 he had been transited through Freetown. He said that was the
28 reason why he returned, I Mosquito.

29 Q. Now, Mr Witness, before you continue, you said that you

1 went with Issa. Who is Issa?

2 A. General Issa Sesay.

3 Q. At this time that you went to Foya and met with Mosquito
4 there, what was your rank?

14:42:21 5 A. At that time I was a major.

6 Q. And who had promoted you to major?

7 A. It was Mosquito, Sam Bockarie.

8 Q. Did Foday Sankoh eventually come to Buedu?

9 A. Yes, later. After further three days we received him in
14:42:50 10 Buedu. He came together with General Jetley, who was the UN
11 force commander at that time.

12 Q. Now, after Foday Sankoh arrived what happened?

13 A. Mosquito - sorry, Foday Sankoh told Mosquito to provide
14 most of his securities, his trusted securities, that is Foday
14:43:40 15 Sankoh's securities that he had left behind. He said he needed
16 some of them to serve as bodyguards to him in Freetown.

17 So at that time Mosquito assigned 30 of us. Myself,
18 Chucky, CO Vandl, Akim had already been with the Pa in Freetown.
19 CO Ray and so many of us, we were up to 30, we went to Freetown.

14:44:25 20 Q. Mr Witness, if I could ask you to pause there for a moment.
21 Your Honours, I believe the General Jetley is J-E-T-L-E-Y. Now,
22 Mr Witness, you have spoken of a person you called Chucky. Who
23 was Chucky?

24 A. Chucky was an RUF soldier. We called him Gbessay Ngobeh.
14:45:03 25 But that was how we used to commonly called him, Chucky. That
26 was his warrior name.

27 MS HOLLIS: Your Honours, we believe at least the phonetic
28 spelling would be G-B-E-S-S-A-Y, last name N-G-O-B-E-H:

29 Q. Mr Witness, you also mentioned CO Vandl. Who was that?

1 A. CO Vandi was an RUF officer. He too was a Black Guard to
2 Foday Sankoh.

3 Q. You mentioned a CO Ray. Who was that?

14:45:57 4 A. CO Ray too was an RUF soldier and he too was a Black Guard
5 commander to Foday Sankoh, later.

6 Q. Do you know CO Ray by any other name?

7 A. Yes. We used to call him Abdul Swarray.

8 Q. You mentioned Akim. Now, you have mentioned a person
9 called Akim earlier. Is this the same Akim or a different Akim?

14:46:34 10 A. That is the same Akim that I'm referring to.

11 Q. Did you go with Foday Sankoh to Freetown?

12 A. Yes, I went with him to Freetown.

13 Q. And how long did you remain in Freetown?

14 A. Up to two to three months.

14:47:13 15 Q. When you were there in Freetown, where did you lodge?

16 A. We were at the old Spur Road, towards a short drive which
17 we normally referred to as Sankoh Drive because that was where he
18 was lodged.

19 Q. What were your duties while you were in Freetown with Foday
14:47:41 20 Sankoh?

21 A. I was part of the Black Guards charged with the task of
22 guarding Foday Sankoh.

23 Q. You said that you remained in Freetown for two to three
24 months. Where did you go from Freetown?

14:48:06 25 A. I went to Segbwema.

26 Q. And do you remember when it was that you left Freetown to
27 go to Segbwema?

28 A. I do not actually recall the month now, but it was still in
29 1999.

1 Q. Why did you go to Segbwema?

2 A. Well, at that time Mosquito had had a problem with Foday
3 Sankoh and that became a concern to Foday Sankoh, because
4 Mosquito had stayed in charge of the RUF soldiers for a long
14:49:11 5 period and at that time that Foday Sankoh, the leader, had now
6 returned, before he left there was peace and harmony between him
7 and Mosquito, that is Foday Sankoh, and on his return the peace
8 that had existed between him and Mosquito was not healthy at all.
9 And it went to an extent that that ensued a problem wherein
14:49:48 10 Mosquito was no longer taking orders from Pa Sankoh and if Pa
11 Sankoh told him, "Let's do this" or, "Let's make such an
12 arrangement" he would always object to it. He responded that the
13 Pa had been under arrest and he did not know the problem that
14 obtained on the ground.

14:50:15 15 So Foday Sankoh too became angry with Mosquito for such
16 reasons because he said he no longer wanted to take orders and at
17 that time Issa Sesay was fully in support of Foday Sankoh so he
18 too went into dispute with Mosquito. So Mosquito ended up
19 telling the Pa that, "If this is the kind of thing that we have
14:50:48 20 resorted to, let me now tell you, Pa Sankoh, even without you I
21 can stand on my own". So Pa Sankoh too, that became a very
22 serious concern to him.

23 On one particular morning Pa Sankoh called on me, he called
24 Chucky, the same Gbessay Ngobeh, he called CO Vandi, because we
14:51:30 25 were at the helm of his security in Freetown. He told us to go
26 to Segbwema to talk to the soldiers who were there, together with
27 CO Rogers - MO Rogers, that was how we used to call him - that
28 Mosquito had said that he can stand on his own and that was a boy
29 that he knew very well. That was what Pa Sankoh told us. He

1 said we should go and tell the soldiers in Segbwema and the
2 commander who was there with them, MO Rogers, about the attitude
3 that Mosquito had put up and that he was advising them not to
4 support him in that.

14:52:38 5 Q. Now, Mr Witness, if I could just ask you a couple of
6 things. First of all --

7 THE INTERPRETER: Your Honours, the interpreter would want
8 the witness to make something clear because the interpreter
9 wanted to make a correction, but not too sure.

14:52:53 10 PRESIDING JUDGE: Pause, Mr Interpreter. The witness is
11 saying something. What are you saying, Mr Witness? Did you say
12 something?

13 THE WITNESS: Yes, I want to ease myself.

14 PRESIDING JUDGE: Mr Interpreter, you will have to wait
14:53:09 15 unfortunately until the witness comes back to get that
16 clarification.

17 THE INTERPRETER: Okay, your Honour.

18 PRESIDING JUDGE: Mr Interpreter, you said you needed to
19 clarify something. Could you please tell us what it is and we
14:56:48 20 can put it to the witness.

21 THE INTERPRETER: Yes, your Honours. The witness spoke
22 about - I did not get it very clear, but my colleague here has
23 talked to me about it. Is it off Spur Road, or Old Spur Road?
24 That is what I want the witness to clarify.

14:57:06 25 PRESIDING JUDGE: Ms Hollis, it may be more appropriate
26 that you address that question as it arose in evidence.

27 MS HOLLIS:

28 Q. Mr Witness, you gave us the location that you lodged at
29 while you were in Freetown. Could you tell us again where that

1 was?

2 A. Off Spur Road.

3 PRESIDING JUDGE: I think that deals with it. Ms Hollis,
4 please proceed.

14:57:40 5 MS HOLLIS: Thank you:

6 Q. You have named a person, MO Rogers. Who was MO Rogers?

7 A. He was one of the RUF Vanguard.

8 Q. And at the time you were with Foday Sankoh in Freetown,
9 where was he assigned?

14:58:09 10 A. He had been in Segbwema for a long period of time, he MO
11 Rogers, but he later went to Foday Sankoh in Freetown.

12 Q. When you were in Freetown, where was he? In Segbwema, or
13 in Freetown?

14 A. He was in Segbwema.

14:58:32 15 Q. Now when you were telling us what Foday Sankoh had told
16 you, you said - and I am looking on my font at page 89, lines 3
17 to 5. You said that, "Foday Sankoh said Mosquito had said he can
18 stand on his own and that was a boy that he knew very well". Now
19 "... that he knew very well", who was saying that?

14:59:18 20 A. It was Foday Sankoh.

21 Q. And this boy, who was Foday Sankoh referring to?

22 A. It was Mosquito.

23 Q. What happened after Foday Sankoh had this conversation with
24 you, Chucky and CO Vandi?

14:59:43 25 A. We came to Segbwema.

26 Q. And what happened when you came to Segbwema?

27 A. The same explanation that Foday Sankoh had given to us was
28 what he asked us to convey to MO Rogers, together with the AFRC
29 and the RUF soldiers who were there with him, and that without he

1 - Foday Sankoh's - instruction, any instruction that came from
2 Mosquito to they should not take that. So we came to CO Rogers and
3 we told him, he together with the soldiers. We slept there and
4 the following morning, right about the afternoon hours, we saw
15:01:03 5 about 62 armed men from Buedu. They came to Segbwema. They said
6 it was Mosquito who had sent them and we asked why had they been
7 sent by Mosquito. They said now that Mosquito had ordered that
8 we should come and join the soldiers here in Segbwema and for us
9 to destroy the road and to put blockades on the way and
15:01:54 10 destruction in the sense that we should dig trenches. And
11 according to them they said he said we shouldn't allow any UN
12 observers or anybody leaving the Freetown area to come to that
13 area if he, that person, had not been invited by him, Mosquito,
14 to come to that particular territory starting from Segbwema up to
15:02:27 15 Kailahun. So he said they should arrest anybody who tried to
16 infiltrate that area without informing him.

17 But we too had already come and talked to the soldiers in
18 Segbwema, so all of us who were present there did not accept the
19 proposal that they brought. So we gave them somewhere to sleep,
15:03:08 20 we gave them food to eat and we brainstormed amongst ourselves
21 and we came out with a sort of idea and we managed to disarm them
22 of all the arms that they had brought with them.

23 We sent to Pa Sankoh and we told him that, "This is what
24 Mosquito has done. He has sent people here to come and destroy
15:03:47 25 all the roads and that they shouldn't allow anybody to come from
26 the Freetown area to come to the Kailahun area without his
27 approval", and he said he was going to inform Issa about it, he
28 Pa Sankoh.

29 He later informed Issa about it and Issa ordered that we

1 should arrest those guys and put them in jail until he comes and
2 he said he was going to come and meet us in Segbwema. At that
3 time, he was based around the Kono and Makeni areas. Sometimes
4 he would go to Kono and maybe the following week go to Makeni, so
15:04:57 5 that was how he was moving back and forth within those areas.

6 The following day we saw Issa arrive with about four to
7 five vehicles loaded with arms and ammunition, including
8 manpower, and on his arrival we asked him what was the matter.

9 He said he was going to advise his brother. We asked who the
15:05:37 10 brother was and he responded "Mosquito", but he said that he knew
11 Mosquito very well. He said, "Mosquito alone on his own will not
12 be able to corrupt the whole RUF system". He said that they were
13 going to advise him and, if he said he was not going to take
14 orders from Foday Sankoh and maybe he will want to resort to

15:06:22 15 attacking us, he said that we will fight against him. So he told
16 Mosquito --

17 Q. Now, Mr Witness --

18 A. He, Issa.

19 Q. Mr Witness, you say that he told Mosquito. How did he tell
15:06:42 20 Mosquito?

21 A. That is the point I'm trying to arrive at. Issa informed
22 Mosquito through the radio. He told Mosquito. He said the
23 problem between him, Mosquito and Foday Sankoh, he said they were
24 going there to advise him, he said, "But the advice we are about
15:07:25 25 to bring to you is a military advice and it is accompanied by
26 violence". He said that if Mosquito refused to take Foday
27 Sankoh's orders, he said he, Issa Sesay, including all the RUF
28 members, will force him to take orders from Foday Sankoh.

29 And Mosquito too told Issa - we were all sitting by him and

1 he was communicating through the radio. He said, "One thing. I
2 had been leader on behalf of Foday Sankoh". He said not that he
3 was actually trying to resist, not wanting to take Foday Sankoh's
4 command, but he said the attitude that he had put up if he had
15:08:45 5 now realised that all RUF soldiers, together with Issa Sesay
6 himself and all other RUF senior officers, if we do not see that
7 his attitude is a correct one and that all of us had gone against
8 him for that he said he was not ready at all to fight against
9 anyone amongst his RUF brothers, or companions.

15:09:29 10 But he said the only thing he would want to tell the RUF
11 and the leadership was that all that the RUF had fought for at
12 the time he was in control of the RUF and that he had with him at
13 that present moment in Buedu, or the things that Issa knew that
14 both of them got from outside Sierra Leone, he said he was going
15:10:08 15 to take everything with him to Charles Taylor in Monrovia in
16 Liberia. He said he was going to seek refuge to Charles Taylor
17 in Monrovia.

18 Q. So what happened after this conversation?

19 A. So from there Issa said we should rush up and meet that guy
15:10:37 20 in Buedu. That was now at night. Before we arrived they told us
21 that Mosquito had moved, he had left the place, because we
22 arrived early in the morning in Buedu, and they said, "That very
23 afternoon that you had that conversation with Mosquito, he
24 crossed over with everything that he had into Liberia".

15:11:18 25 Q. Now, you say they told you he crossed over with everything
26 that he had. Did they tell you what it was that he crossed over
27 with?

28 A. Yes. Mosquito himself had said that all the diamonds we
29 knew that we had for the RUF, all the monies that we accrued on

1 behal f of the RUF and that he had wi th him as leader, at the time
2 Foday Sankoh, the leader of the RUF was not present, he said he
3 crossed wi th everythi ng. Together wi th vehi cles, the generators
4 that we had in Buedu to electri fy there. We had a radio station
15:12:12 5 that he brought and referred to as Radio Freedom, he crossed wi th
6 everythi ng i nto Li beri a.

7 Q. Who was it who was telli ng you thi s?

8 A. After Mosqui to had left and on our arrival - on our arrival
9 in Buedu it was a radio man called Zedman that we met there. All
15:12:58 10 of them should have crossed over, but Zedman decided to hide. So
11 he returned wi th one of the vehi cles i n fact. He was the one
12 that we met in Buedu and he explai ned all of those to us. All
13 the thi ngs that I've explai ned, he was the one who told us about
14 all of those thi ngs, that Mosqui to had crossed over wi th all of
15:13:31 15 them i nto Li beri a.

16 Q. After you had gone to Buedu and l earned these thi ngs, where
17 did you go from there?

18 A. We went back to Segbwema.

19 Q. How long did you remain in Segbwema?

15:13:55 20 A. About two to three weeks.

21 Q. And where did you go from there?

22 A. It was then that Foday Sankoh said I should go to Tongo.

23 Q. And did he tell you why you should go to Tongo?

24 A. Yes.

15:14:20 25 Q. Why was that?

26 A. He said even before they went on the peace talk in Lomé, he
27 said Akim had been based in Tongo, but after his return to
28 Freetown, that is Foday Sankoh's return to Freetown, Akim was now
29 resi di ng wi th him as hi s bodyguard commander. And I too had gone

1 to Freetown and stayed with him for some time, so he said I
2 should go to Tongo and meet with the soldiers and commanders who
3 were there in Tongo to explain to them about the peace process
4 that they had gone through and the disarmament programme on the
15:15:34 5 way and about the mining that had been set up there, the things
6 that were supposed to happen with regards to that particular
7 mining.

8 Q. Do you recall when it was you arrived in Tongo?

9 A. Yes. I went to Tongo, I think it was in early 2000. I was
15:16:24 10 there by then, around 2000.

11 Q. And you said that you were going there about the mining
12 that had been set up there. What kind of mining was set up there
13 in Tongo?

14 A. Well, it was the RUF and the AFRC mining.

15:16:52 15 Q. And what were they mining?

16 A. Diamonds.

17 Q. When you went there, who was there?

18 A. The day I arrived there, it was Colonel Alpha that I met
19 there. He was an AFRC soldier, but he was the brigade commander
15:17:25 20 there. But the day I arrived I met him being changed by Issa.
21 He was replaced with one Colonel Banya.

22 Q. And who was Colonel Banya?

23 A. That Banya too was an AFRC soldier.

24 Q. You said that Issa Sesay had replaced Colonel Alpha with
15:18:02 25 Colonel Banya. At this point in time what was Issa Sesay's
26 position?

27 A. Well, immediately after Mosquito had left, and whilst Pa
28 Sankoh had taken over again as leader, Issa then became commander
29 for all the soldiers. We referred to him as the field commander.

1 Q. How long did you remain in Tongo?

2 A. I was there throughout the disarmament.

3 Q. Until when, do you remember?

4 A. 2002.

15:19:08 5 Q. When you arrived there in 2000, where was the mining going
6 on in Tongo?

7 A. We had government mining and that was purposefully for the
8 RUF and we also had some private mining in which case some AFRC
9 and RUF soldiers did it.

15:19:51 10 Q. In what locations in Tongo was the mining going on?

11 A. Mining went on at the pump station. It went on at Bomi,
12 Hot Light. You know, the places were plenty, but those are the
13 ones I recall for now.

14 Q. Now, you said there was government mining and private
15:20:23 15 mining. Were there any rules for this mining?

16 A. Yes.

17 Q. And what were those rules?

18 A. The laws were that, in the first place, no soldier was
19 allowed to mine for him or herself without the government or the
15:21:05 20 commander based in that particular town's approval, and that

21 could only be done after you had made the government mining a
22 priority by supporting the government to get something before
23 your individual mining, before you get for yourself. And any
24 diamond that weighed above five carats, you would have to hand
15:21:51 25 that one over to the government. That will be considered a
26 government diamond.

27 Q. Now, who was actually doing the mining at this time in
28 Tongo?

29 A. It was the AFRC and the RUF who did the mining, but we used

1 the civilians to do the actual mining job.

2 Q. Now, you've talked about government mining and private
3 mining. The government mining sites, who did you use to do the
4 job there?

15:22:39 5 A. We used civilians.

6 Q. And the private mining sites, who did you use to do the job
7 there?

8 A. Civilians.

9 Q. How did you get these civilians to do this mining?

15:23:05 10 A. Well, we had mining commanders. Like, for instance,
11 sometimes Issa would send Mohamed Swarray, who was one of the
12 mining commanders, and after he replaced him with Morie Gibba, he
13 too served as mining commander, and he later replaced that one
14 too with Abdul Razak and he too became one of the mining
15 commanders and later the mines minister himself came to Tongo and
16 that was Beneto. Amara Beneto.

17 Q. Let me just stop you there for a moment. So you said
18 sometimes Mohamed Swarray would come. During what period of time
19 would Mohamed Swarray come to Tongo?

15:24:17 20 A. Well, that was - initially when I just arrived there he was
21 the one that I met there as the mining commander and he was sent
22 by Mosquito from Kono. Sorry, he was sent by Issa Sesay from
23 Kono.

24 Q. You said he was later replaced with Morie Gibba. Do you
15:24:47 25 remember when it was he was replaced with Morie Gibba?

26 A. It was in the same 2000, it's just the month that I do not
27 recall, and Morie Gibba was there.

28 Q. Now, you said that he was later replaced with Abdul and
29 what was Abdul's other name?

1 A. Abdul Razak.

2 MS HOLLIS: We would spell that phonetically as R-A-Z-A-K.

3 JUDGE SEBUTINDE: Ms Hollis, to take you back a bit, the
4 mining locations in Tongo that the witness named, I think at page
15:25:39 5 97, lines 17, 18 and onwards, you asked him in what locations in
6 Tongo was the mining going on and he named something that sounded
7 like pump station.

8 MS HOLLIS: That's what I heard.

9 JUDGE SEBUTINDE: And then Bomi I think.

15:26:00 10 MS HOLLIS: I heard Bomi.

11 JUDGE SEBUTINDE: Then there is Hot Light. Is that Hot
12 Light? Was that the location.

13 MS HOLLIS:

14 Q. Mr Witness, the third location that you mentioned you said
15:26:10 15 mining locations that you remembered were Bomi, Pump Station and
16 then you named a third location. Can you tell us again that
17 third location?

18 A. I said Hot Light.

19 MS HOLLIS: I hear that to be "Hot" and "Light". That is
15:26:29 20 how I hear that:

21 Q. Now when was it that Abdul Razak replaced Morie Gibba, if
22 you remember?

23 A. Well, that was now in 2001.

24 Q. You also mentioned a person you said was the overall
15:26:54 25 commander and you called him - you said he was Amara Beneto and
26 you said he would come. When did he come to Tongo, if you
27 remember?

28 A. That was towards the end of 2001 up to 2002, up to the time
29 of disarmament.

1 Q. Now, how was it they got the civilians who did the mining
2 in these government sites?

3 A. Now with regards the mining commanders that I had referred
4 to, when any one of them came to Tongo all of us will have to sit
15:27:54 5 together. The mining commanders, the four battalion commanders,
6 including the brigade commander and the deputy brigade commander,
7 and other senior officers within the battalions, all of us will
8 have to sit together. Tongo was shared - was divided into

9 battalions. We had the 1st Battalion, the 2nd Battalion, the 3rd
15:28:39 10 Battalion, we had the 4th Battalion and we had the brigade

11 headquarters. So all of us will have to sit and decide that, for
12 instance, in the case of the government mining how many civilians
13 would we need from the 1st Battalion, or we would ask the mining
14 commander, "How many civilians would you need for the government

15:29:19 15 minings on a daily basis?" And if he said for instance, "500",
16 and there are certain days because of the intensity of the job he
17 would for instance say, "600", so from there we would divide the
18 armed men into battalions.

19 For instance, the 1st Battalion would provide 30 or 50
15:29:59 20 armed men and those armed men will go around your own occupied

21 area and raid civilians. They will raid them house to house,
22 site to site, from bush to another bush. Anywhere wheresoever
23 where civilians were, or anywhere civilians wanted to hide, if
24 they were seen they will capture them and strip them naked and

15:30:43 25 particularly for those who wanted to hide they will tie all of
26 them together using ropes and they would be brought to the
27 battalion headquarters. If they had said, for instance, the 1st
28 Battalion should provide 200 men on that day, those 200 civilians
29 will be assembled at the battalion headquarters and they in turn

1 would present them to the brigade headquarters.

2 So after that, when all the battalions would have provided
3 their civilian manpower, the government would select those that
4 they needed. If the government needed 400, the remaining they
15:32:02 5 will be divided between the battalions and the brigade commander
6 too will get his own portion and his deputy will get his and some
7 officers too. So that was how all the civilians were distributed
8 amongst ourselves.

9 Q. Mr Witness, were these civilians able to refuse this mining
15:32:31 10 duty?

11 A. They would not refuse, because the mining commander's duty
12 was that one. That was why he had a group of armed men. If a
13 civilian refused doing the mining, they would beat you up in a
14 way that if you survived it then just afterwards you would do the
15:33:15 15 mining.

16 Q. When you were in Tongo, did you visit the government mining
17 sites?

18 A. Every day.

19 Q. What were the conditions at these government mining sites?

15:33:33 20 A. We used to go to the government mining site. You know,
21 there are some mining areas it could be the width could be about
22 one and a half miles and there were some pits that could be as
23 deep as four fadas.

24 THE INTERPRETER: Your Honours, can the witness repeat
15:34:22 25 this.

26 PRESIDING JUDGE: Mr Witness, the interpreter hasn't heard
27 you clearly. I will take you back to where you said, "There were
28 some pits that could be as deep as four ...", and please continue
29 from there.

1 THE WITNESS: In the diamond terminology we used it four or
2 five fadas.

3 PRESIDING JUDGE: Is that fada, or fathoms?

4 THE WITNESS: That was the we call it, fada.

15:35:06 5 MS HOLLIS: And phonetically I would spell that F-A-D-A. I
6 have no idea other than that:

7 Q. What was a fada?

8 PRESIDING JUDGE: That is interesting, Ms Hollis, because
9 that is Irish for long.

15:35:12 10 MS HOLLIS:

11 Q. Mr Witness, what was a fada?

12 A. According to the way we used to call it and the way we used
13 to measure it, like if I stand up like this and put up my hands
14 that is one fada.

15:35:35 15 PRESIDING JUDGE: We will put on record that the witness
16 has demonstrated by standing up straight and extending his hands
17 and joining them. Perhaps we can get a length of - I don't know
18 what height the witness is.

19 MS HOLLIS:

15:35:48 20 Q. Mr Witness, could you give us an estimate?

21 PRESIDING JUDGE: It is above his head.

22 MS HOLLIS:

23 Q. Can you give us an estimate of what you just demonstrated
24 to us? How many feet would that be?

15:36:00 25 PRESIDING JUDGE: Please stand up again and we will measure
26 it, Mr Witness.

27 JUDGE LUSSICK: Well was this witness a universal
28 measurement for the whole mining industry, or were there other
29 people who held their hands up above their head as well and

1 weren't the same height as the witness?

2 MS HOLLIS: That is why I was trying to get an estimate in
3 feet of what a fada would be.

4 THE WITNESS: Mostly those --

15:36:32 5 MR ANYAH: Madam President, just to follow up on the point
6 made by Justice Lussick, perhaps this is merely illustrative of
7 an understanding of what a fada is. When any person of any size
8 raises their hands in the manner that was done by the witness,
9 perhaps that is what it means. It doesn't necessarily follow
10 that a particular height is associated with this demonstration.

11 PRESIDING JUDGE: We will have to have the witness give
12 evidence on that point, rather than conjecture among ourselves.
13 You had asked for an estimate, Ms Hollis. I don't have an answer
14 on record and so let us first get an answer on record. If we are
15:37:15 15 still unclear then we can try a measurement.

16 MS HOLLIS:

17 Q. Now, Mr Witness, what I am asking you is to tell the judges
18 your understanding of the height of a fada. Could you tell them
19 that in feet?

15:37:37 20 A. Yes, we estimated it sometimes to be seven feet or eight
21 feet for one fada. We used to do that.

22 PRESIDING JUDGE: Well, that is the record of the witness's
23 estimation and it will not be necessary to measure. Thank you,
24 Mr Usher.

15:38:04 25 MS HOLLIS:

26 Q. Now I had asked you about the conditions at the sites - the
27 government sites - and you have said that some of them would be
28 perhaps a mile and a half wide with pits and then you said that
29 those pits some of them would be several fada. So let me again

1 ask you. The conditions at these sites in relation to the
2 civilians working there, what conditions did you observe?

3 A. The condition, you know, it was a manual job that people
4 were using shovels to work. If soldiers were around observing
15:38:49 5 you work and if you were given a shovel to work and you just hold
6 on to it and stand by without doing anything, they will flog you
7 until you start working. And if you want to escape you'd be
8 shot. If you attempt escaping you would be shot. If you are
9 lucky you would have a broken leg, but if you are not you would
15:39:23 10 die.

11 Q. Mr Witness, what would be done with the diamonds that were
12 taken from the government sites and with the diamonds that were
13 over five carats?

14 A. We brought all of those diamonds. You know, every day the
15:39:55 15 mining commanders had all of those diamonds. That's why he had
16 representatives, the mining commander had representatives. He
17 would have a representative from the battalions. Each battalion
18 would provide one or two men as representatives for the
19 government diamond. The brigade also would give representatives
15:40:26 20 for that government diamond, all the departments that are within
21 the RUF that are in that Tongo would provide manpower to act as
22 representatives for that diamond, that government diamond.

23 Q. So what happened?

24 A. So after they would have washed the gravel and got the
15:40:50 25 government diamond, we would come and present it to the brigade
26 and the senior officers, all of us would see them, and we would
27 weigh them and we would give them to the mining commander for
28 safe-keeping. At times we would do that for a month and if we
29 got something like four or five hundred carats of diamond or 200

1 carats of diamond, it was not a fixed quantity. It was only what
2 we got for that month, that was what we - there were times we got
3 even seven to eight hundred pieces of diamonds. There are times
4 we got 900 pieces of diamonds.

15:41:56 5 Q. Mr Witness, what was done with those diamonds?

6 A. It was to be sent to Issa.

7 Q. And why did you send them to Issa?

8 A. At the time Foday Sankoh had not been arrested Issa was the
9 leader of all of the soldiers so we reported everything to him
10 and he in turn would take it to Foday Sankoh. So after Foday
11 Sankoh had now been arrested, and Issa had taken over as chairman
12 - sorry, interim leader, we then presented everything to him,
13 Issa Sesay.

14 Q. Do you recall when it was that Foday Sankoh was arrested?

15:43:09 15 A. I think it was 2001, around that.

16 Q. Do you recall when Issa Sesay took over as interim leader?

17 A. Yes, it was that 2001.

18 Q. Now, after Issa Sesay took over as interim leader, did the
19 procedures at Tongo change or did they remain the same?

15:43:53 20 A. It was the same way. Just the way we used to use the
21 civilians to force them to do the mining, but it changed at that
22 time because at that time even the senior officers who used to do
23 their personal minings, there wasn't anything like that any more.

24 Q. Now, you said after Foday Sankoh was arrested that you
15:44:24 25 presented everything to Issa. Do you know what Issa did with
26 those diamonds?

27 A. Yes, that was what he told us most of the times. Issa was
28 a senior man. He was the leader of the RUF. But he was not the
29 RUF, he was not the only RUF man. There were senior officers

1 within the RUF when we made him the interim leader.

2 Q. Mr Witness, perhaps you did not understand my question so
3 let me say it again. After Issa became interim leader, you said
4 that you presented everything to him. Do you know what he did
15:45:17 5 with the diamonds you presented to him?

6 A. Yes, he took most of the diamonds to Liberia to Charles
7 Taylor.

8 Q. How is it that you know that?

9 A. He told us that such and such a diamond or diamonds - in
15:45:48 10 fact even at a time he took diamonds, about 51 carats, in Kono,
11 we heard it over the radio. I mean our communication set. We
12 were told that - even Issa told us that they had found such a
13 diamond. Then one of our brothers who was in Tongo found a
14 diamond and it was Colonel Ranger's, the deputy brigade
15:46:32 15 commander, and the diamond weighed 52 carat, 60 per cent, but he
16 wanted to hide it away from people, but those who had found the
17 diamond for him, there were a lot of them. At that time Beneto
18 was there so they told the brigade commander, the mining
19 commander, they said they had found a big diamond. And they
15:47:15 20 asked Colonel Ranger about the diamond and he denied knowledge
21 about it, but Beneto passed an order and he was beaten to near
22 death and he presented the diamond, that 52 carats, 60 per cent,
23 plus 51 carats which we heard about in Kono. I did not see it.
24 All of these went to Issa. Issa told us that he was going to
15:47:56 25 take the diamonds to Charles Taylor in Liberia and Issa took the
26 diamond to Liberia.

27 Q. Mr Witness, do you know if Issa received anything for the
28 diamonds that he took to Liberia to Charles Taylor?

29 A. Yes. Issa brought back some ammunition, which I saw, and

1 he brought a lot of US dollars, and he told us that we were
2 raising funds for the RUF because we had to disarm and we had to
3 go into politics and politics will never go without money.

15:49:00

4 Q. Mr Witness, you said he also brought back ammunition. How
5 was that ammunition used?

6 A. Well, the ammunition, what he always used to say, that is
7 Issa - he said whenever there is peace one should prepare for
8 war. And he even made an example that now that we are at the
9 stage of peace we can see the Kamajors are still attacking our
10 positions, killing some RUF soldiers, and so he said anything
11 could happen that could even be worse than that. So in order for
12 us to defend ourselves against any aggression from the enemy we
13 should have something. That was why the ammunition was there
14 for.

15:50:09

15 Q. To your knowledge was there any fighting going on at that
16 time?

17 A. Yes.

18 Q. Where?

15:50:33

19 A. Even before Foday Sankoh was arrested Foday Sankoh had been
20 setting examples in relation to the disarmament. He disarmed
21 Segbwema, Kailahun District, in the eastern province. That was
22 an example. And the Kamajors came and attacked Segbwema. After
23 the RUF had been disarmed some were still there. And Issa took
24 arms to them and he re-armed them. But the Kamajors used to come
25 from Guinea and they would hit towns by the Kono end. There were
26 some towns I did not know their names. They used to attack those
27 towns.

15:51:21

28 Q. Mr Witness, while you were in Tongo did you encounter any
29 problems there?

1 A. Yes.

2 Q. What problem did you encounter?

3 A. At last we were approaching the disarmament, but the
4 diamonds that we got for the government, we took everything to

15:52:11 5 Issa. We used to see a lot of money with Issa. And he would say
6 the money was meant for the elections. Then at a time we told
7 Issa, those of us who were in Togo, that the indigenes had
8 started returning home and we needed to play some role to them.

9 In that sense we had mined in most of the areas where they relied
15:52:59 10 on for mining, so we needed to give them some encouragement, give
11 them some money or some of the things that they needed, we needed
12 to give that to them.

13 Q. Mr Witness, before you go on, who did you say it was that
14 was returning to Togo?

15:53:19 15 A. I said citizens. The people who were the indigenes of
16 Togo, the civilians, because the UN had deployed there, so they
17 returned.

18 Q. So you said that they had returned and you needed to give
19 them some encouragement, to give them some money. What happened
15:53:51 20 after that?

21 A. After we had pressurised Issa for that, then he said he did
22 not have money for anybody and if he had to present any money
23 that would only be done after Foday Sankoh had been freed. But
24 every day he used to tell us to harass the civilians who had just
15:54:29 25 returned to continue the government mining. Then I said this
26 will not continue, this should not happen. So every morning when
27 Beneto and other soldiers would assemble the civilians to do the
28 government mining, I would go and scatter all of them. And I
29 said if a civilian refused doing the mining and a soldier

1 threatened shooting that civilian I will shoot that soldier so
2 the two of us would fight against each other, that's what I said,
3 and all of us were RUF soldiers but we knew each other's
4 strength. So I obstructed that one throughout the month. They
15:55:27 5 did not get anything for the government mining.

6 Q. Now, Mr Witness, you said you obstructed this throughout
7 the month. Can you tell us when it was this was happening?

8 A. Yes.

9 Q. When was it?

15:55:46 10 A. That was in 202.

11 Q. Do you mean 2002?

12 A. Yes, ma'am.

13 Q. Do you remember the month?

14 A. No, I have forgotten.

15:56:07 15 Q. So what happened after you obstructed the mining?

16 A. Because we did not get a good quantity of diamonds, Beneto
17 sent a message that I had obstructed the mining. That was why
18 they were not getting any diamonds from Kono. He said I had
19 organised - that is myself OG; Saddam, whom we refer to as Samuel
15:56:45 20 Massaquoi, who was Gibriil's younger brother, Gibriil Massaquoi;
21 then Family Man who was called Eric Bangura - and we regrouped
22 and we were the ones who did that. That was - and he said that
23 was why there was no government diamond coming from Tongo any
24 more.

15:57:22 25 THE INTERPRETER: Your Honours, can the witness repeat
26 this.

27 PRESIDING JUDGE: Mr Witness, the interpreter hasn't heard
28 you clearly. Could you pick up your answer and repeat from where
29 you said, "He said that was why there was no government diamond

1 coming from Tongo any more". Please continue from that point.

2 THE WITNESS: Beneto said - he told Issa that we whose
3 names he had mentioned were responsible for him not getting any
4 government diamonds from Tongo, so Issa sent a radio message to
15:58:13 5 me, Family Man (who was Eric Bangura) and Samuel Massaquoi
6 (Saddam) that we were to report to him in Kono. I said I was not
7 going anywhere and so I resisted and for up to two days I did not
8 go anywhere. I told the other brothers, with whom we were
9 together, that nobody should go there. He sent an order to Banya
10 and Beneto for them to arrest me and the other people whose names
11 I have mentioned, so I took up arms and organised my own force
12 and I said, "Anybody who came to arrest me you will either go
13 with my corpse, or your corpse will be left here".

14 We were on that for up to three days. At that time the UN
15:59:41 15 had deployed in Tongo. Every day they used to see armed men
16 going up and down, a group of armed men amongst us, the RUF who
17 were there, and so they were concerned. They sent to General
18 Opande, the UN force commander, saying that that was what was
19 obtaining in Tongo. That is the UN, they sent the message to
16:00:23 20 their commander, and General Opande asked General Issa.

21 Issa did not mention about diamonds. He said we did not
22 want to disarm, so that became a concern to General Opande and he
23 came to Issa in Makeni. Issa did not come. He had
24 representatives, that is Mike Lamin, Paolo Bangura, Omrie Golley,
16:01:16 25 and they came with General Opande to Tongo. So General Opande,
26 Mike Lamin and others invited us to the brigade headquarters and
27 Opande was sitting in the barri. The brigade commander's veranda
28 was opposite the barri and we entered into the room where the
29 brigade commander was, myself, Eric Bangura, Samuel Massaquoi,

1 Gi bri l Massaquoi - sorry, Mi ke Lami n, Omrie Gol ley and Paolo
2 Bangura. They asked us what really had caused the problem and we
3 explained exactly what had caused the problem, which was about
4 the diamonds, and they told us not to tell Opande that.

16:02:33 5 Q. Now, Mr Witness, if I could ask you a question. You said
6 that amongst those people who came was Paolo Bangura. Who was
7 that?

8 A. Paolo Bangura was a civilian, but he had been with the RUF.
9 The time Tejan Kabbah and Foday Sankoh formed that government of
16:03:09 10 National Unity, that was the time we knew that Paolo Bangura.

11 Q. You also mentioned an Omrie Golley. Who was that?

12 A. Omrie Golley, we knew him later. After Foday Sankoh had
13 been arrested in Nigeria, we heard his name over the radio as
14 legal representative for the RUF - sorry, for Foday Sankoh.

16:03:57 15 Q. Thank you. Now, you said that you explained to the people
16 who had come "... what had caused the problem, which was about
17 the diamonds, and they told us not to tell Opande that". What
18 happened after that?

19 Well they said that was a minor issue and they said that,
16:04:22 20 being that they had come and everybody needed peace, it was only
21 because Issa was not there because if he had come along with them
22 that would have been resolved.

23 Q. Now, who was saying this?

24 A. That was Mike Lamin and Paolo Bangura.

16:04:40 25 Q. And to whom were they saying this?

26 A. They were saying this to me, Family Man (that is Eric
27 Bangura) and Saddam (Samuel Massaquoi).

28 Q. And what happened after that?

29 A. So, from there they said all of us should go to Makeni to

1 arrange it and we went into the helicopter and we went to Makeni.
2 Just when Issa heard that we were to land in Makeni that
3 afternoon, he left the town and Morris - he told Morris Kallon to
4 stay behind. We disembarked and we went to Issa's compound where
16:05:46 5 he was in Makeni, together with General Opande and others, but
6 when we went we did not see Issa. They said he had left the
7 house. He had gone out. General Opande was sitting there up
8 until about 6.00, because he actually wanted to know how the
9 problem would be resolved. After it had gone past 6, then
16:06:24 10 General Opande said he was going back to Freetown to Mammy Yoko,
11 where he was lodged. Then he left a message to Kallon, Paolo
12 Bangura, Mike Lamin and Omrie Golley. He said they should wait
13 and when Issa returned they should resolve the problem between us
14 peacefully and he promised returning the following day and Opande
16:06:58 15 left. Just after Opande's helicopter took off, then we saw him
16 at the house.

17 Q. Who did you see at the house?

18 A. Issa. He brought - I am talking about Issa Sesay. He came
19 in his vehicle, he entered the veranda and he went into the
16:07:39 20 office. All of us were sitting there and I saluted him.

21 THE INTERPRETER: Your Honours, can the witness repeat what
22 he said.

23 THE WITNESS: He scolded me.

24 PRESIDING JUDGE: Is that the clarification you needed,
16:08:00 25 Mr Interpreter?

26 THE INTERPRETER: Yes, your Honours.

27 PRESIDING JUDGE: Yes, very well. Please continue.

28 MS HOLLIS:

29 Q. Mr Witness, you made a gesture with your hand to your neck

1 - your collar. What were you indicating?

2 A. He scolded me by holding me tight on my neck, holding my
3 collar tightly, and he asked me who I was to refuse his orders.

4 PRESIDING JUDGE: Could I just put on record that the
16:08:39 5 witness has demonstrated by holding the middle part of his collar
6 at his neck quite tightly. You saw, Mr Anyah?

7 MR ANYAH: Yes, Madam President, your description is
8 accurate. Thank you.

9 PRESIDING JUDGE: Please proceed, Ms Hollis.

16:08:57 10 MS HOLLIS:

11 Q. So what happened then? Issa came and he was scolding you
12 by holding your collar tightly. What happened?

13 A. That was when Mike Lamin and others got up, Omrie Golley,
14 Paolo Bangura, and they held General Mosquito.

16:09:16 15 Q. Who did they hold?

16 A. They held General Issa, I am sorry. They said, "General,
17 we were the ones you've been sending for these men. We went to
18 the ground and they explained everything to us. We were the ones
19 who went and we've come back and we think you are supposed to
16:10:03 20 listen to us". He told them - he said, "Fuck to you all". That
21 was the way he made his - he gestured his hand to them.

22 Q. Who said that?

23 A. It was General Issa Sesay.

24 Q. Now, Mr Witness, without reciting everything that was said,
16:10:22 25 tell us what happened?

26 A. From there, Issa put us in a car, in the boot of his car.
27 At that time we were not armed. And he took us to town, in the
28 Makeni area. There was a place where they used to sell
29 brown-brown. Issa and Kallon brought the brown-brown and they

1 took a lot of it. After they had drugged themselves, close to
2 8.00 at night, he took us about two miles off from Makeni to a
3 place where nobody lived. You will not see anybody, neither a
4 civilian nor a soldier. At that time he had some Liberian
16:11:37 5 securities with him and some of his Sierra Leonean securities
6 were with him and we were seriously beaten. After they had
7 mercilessly beaten us, in fact, you were hardly recognise us that
8 we were human beings and he told Kallon to go and kill us
9 immediately. Then, Kallon responded that, "No, these people came
16:12:10 10 here together with Opande, and Omrie Golley and others were there
11 when you took those people. If we kill them now" --

12 THE INTERPRETER: Your Honours, can the witness repeat
13 this.

14 PRESIDING JUDGE: Witness, please pause as the interpreter
16:12:28 15 needs you to repeat part of your answer. Please pick up where
16 you said, "If we kill them now" and then continue from there.

17 THE WITNESS: "If we kill these men now, you know it was
18 Opande who brought them today, and even Omrie Golley was there
19 when you took those people and brought them here. So if we kill
16:13:00 20 them now it will become a problem for the peace process. So now
21 that we've given them this beating let us go back with them".
22 And he took us to a village near Makeni and he put us into a room
23 and locked us up.

24 MS HOLLIS:

16:13:26 25 Q. Now, Mr Witness, who was it along with you who was put in
26 the car, taken to this location and beaten? It was you and who
27 else?

28 A. Myself, Family Man whom we called Eric Bangura, and Saddam,
29 Samuel Massaquoi, three of us.

1 Q. So what happened after you were taken to this place in
2 Makeni and put in a room and locked up?

3 A. And Issa went to Kono and we got the information and we
4 escaped and returned to Tongo. So when I went I took my arms and
16:14:21 5 the other securities whom I had and we went and disarmed.

6 Q. And where did you go to disarm?

7 A. In Tongo.

8 Q. When you went there to disarm, did you have authority to
9 disarm?

16:14:45 10 A. I did not have any authority. My authority was not in my
11 own hands.

12 MS HOLLIS: Madam President, we have no further questions.

13 PRESIDING JUDGE: Just before you say that, Ms Hollis,
14 there is one point I would like clarified. At page 105, line 17,
16:15:11 15 I think I omitted to pull you up on asking two questions, because
16 the question you asked related to diamonds and five carat
17 diamonds and to me it conveyed a distinction between five carat
18 diamonds and ordinary diamonds. I don't know if that was your
19 intention, but I never heard what happened to the five carat
16:15:37 20 diamonds. Let me get it for you properly.

21 MS HOLLIS: I remember the question, Madam President, and
22 it was based on what he had said; that carats over five carats
23 were handed over to the government.

24 PRESIDING JUDGE: Yes.

16:15:54 25 MS HOLLIS:

26 Q. Now, Mr Witness, you talked about what happened with
27 government diamonds in Tongo when you went back to Tongo. You
28 said that one of the rules was any diamond over five carats was
29 handed over to the government. So these diamonds over five

1 carats, when they were handed over to the government, do you know
2 what was done with those diamonds?

3 A. I said all of these diamonds, we used to put them together
4 and gave them to the mining commander and he would in turn give
16:16:40 5 it to Issa.

6 MS HOLLIS: Madam President, does that --

7 PRESIDING JUDGE: I think so. Basically what it conveys to
8 me is there was no real distinction between - in the size of
9 diamonds.

16:16:55 10 MS HOLLIS: If it was over five carats my understanding is
11 it became government.

12 PRESIDING JUDGE: And under five carats?

13 MS HOLLIS:

14 Q. Mr Witness, if it was under five carats whose diamonds were
16:17:09 15 those?

16 A. Well, that is for you the officer, or the RUF soldier who
17 took it.

18 PRESIDING JUDGE: Thank you.

19 JUDGE SEBUTINDE: Ms Hollis, my question relates to time
16:17:27 20 frames. I'm looking at page 108 where the witness told us about
21 Issa going to take diamonds to Charles Taylor, starting line 19.

22 His answer was, "Issa told us that he was going to take the
23 diamonds to Charles Taylor in Liberia and Issa took the diamonds
24 to Liberia". Then you further asked the witness, "Mr Witness, do

16:17:56 25 you know if Issa received anything for the diamonds that he took
26 to Liberia to Charles Taylor". The witness answered, "Yes. Issa
27 brought back some ammunition, which I saw, and he brought a lot
28 of US dollars. He told us that they were raising funds for the
29 RUF because we had to disarm. We had to go into politics", et

1 cetera.

2 The question that I am posing to you for clarification is:
3 When did this happen? When did Issa go to Liberia and bring back
4 the ammunition and the money?

16:18:36 5 MS HOLLIS: Thank you.

6 Q. Now, Mr Witness, you talked about Issa going to Liberia
7 with diamonds. Can you tell us, during what time period did he
8 go to Liberia with diamonds?

9 A. From the time Foday Sankoh was arrested 2001, 2002, right
16:19:08 10 up to the time we disarmed he used to take diamonds to Liberia.
11 Once in a while. Any time he used to go there he would tell us
12 that he was going to Liberia to meet with Charles Taylor with
13 this and this thing. That was diamonds. He used to tell us
14 that.

16:19:30 15 Q. Now, you talked about Issa Sesay coming back with
16 ammunition. During what time period did he come back with
17 ammunition?

18 A. Before we disarmed, in 2002.

19 Q. And you talked about him coming back with a lot of money
16:19:57 20 because he told you that you were going into politics and
21 politics will never go without money. When was it he came back
22 with a lot of money from Liberia?

23 A. The money, he used to bring them from 2001 to 2002.

24 Q. Now, you indicated that Issa came back with ammunition
16:20:30 25 before you disarmed in 2002. How many times did he come back
26 with ammunition?

27 A. I saw it twice, but the one that he told us when he came,
28 he said he had brought it to Kono and the second one, he brought
29 it - he said he, the boat capsized when he was crossing over to

1 Manowa, so we sent divers and the divers went there and they got
2 some boxes of ammunition that capsized into the river.

3 Q. This first time, do you remember when that was, what year?

4 A. Well, all of the two times were in 2002 for the ammunition.

16:21:50 5 MS HOLLIS: Madam President, we have no further questions.

6 PRESIDING JUDGE: Thank you. Now, Mr Anyah, do I take it
7 that you are dealing with the cross-examination of this witness?

8 MR ANYAH: Yes, that's correct.

9 THE WITNESS: I want to ease myself.

16:22:27 10 PRESIDING JUDGE: Please assist the witness.

11 Mr Anyah, I thought you were starting your
12 cross-examination. There is a little difference of opinion
13 whether you were going to make some sort of submission.

14 MR ANYAH: No, I am ready to proceed.

16:23:17 15 PRESIDING JUDGE: I see. Counsel, I note the time. We've
16 only about two to three minutes. I really do think it would be
17 neater for all concerned if we were to start afresh tomorrow.
18 Mr Anyah, I appreciate it's your cross-examination, but it will
19 give you a better flow.

16:26:26 20 MR ANYAH: That's absolutely fine, Madam President. Thank
21 you.

22 PRESIDING JUDGE: Mr Witness, it's virtually time for us to
23 adjourn and there's only a few minutes to go. Counsel for the
24 Defence also has questions for you. However, we are going to
16:26:42 25 adjourn now and start them again tomorrow. I want to remind you,
26 as I did yesterday, that you are under oath and whilst you are
27 under oath you must not discuss your evidence with any other
28 person. Do you understand this?

29 THE WITNESS: Yes, ma'am.

1 PRESIDING JUDGE: Please adjourn until 9.30 tomorrow.
2 [Whereupon the hearing adjourned at 4.28 p.m.
3 to be reconvened on Friday, 14 November 2008 at
4 9.30 a.m.]

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WITNESSES FOR THE PROSECUTION:

AUGUSTINE S MALLAH 20157

EXAMINATION-IN-CHIEF BY MS HOLLIS 20157