

Case No. SCSL-2004-14-T  
THE PROSECUTOR OF  
THE SPECIAL COURT  
V.  
SAM HINGA NORMAN  
MOININA FOFANA  
ALLIEU KONDEWA

WEDNESDAY, 25 JANUARY 2006  
9.38 A.M.  
TRIAL

TRIAL CHAMBER I

Before the Judges:	Pierre Boutet, Presiding Bankole Thompson Benjamin Mutanga Itoe
For Chambers:	Ms Roza Salibekova Ms Anna Matas
For the Registry:	Ms Maureen Edmonds
For the Prosecution:	Mr Desmond de Silva Mr Joseph Kamara Mr Kevin Tavener Ms Bianca Suciu (Case Manager) Ms Lynn Hintz (intern)
For the Principal Defender:	Mr Lansana Dumbuya
For the accused Sam Hinga Norman:	Dr Bu-Buakei Jabbi Mr John Wesley Hall Ms Claire da Silva (legal assistant)
For the accused Moinina Fofana:	Mr Arrow Bockarie Mr Michiel Pestman
For the accused Allieu Kondewa:	Mr Charles Margai Mr Ansu Lansana

1 [CDF25JAN06 - EKD]

2 Wednesday, 25 January 2006

3 [Open session]

4 [The accused present]

09:30:11 5 [Upon commencing at 9.38 a.m.]

6 PRESIDING JUDGE: Yes, Mr Prosecutor.

7 MR De SILVA: Good morning, My Lords. My Lords, I hope  
8 this is going to be an uncontentious application. We all know  
9 how tiring it is for anyone to give evidence on their own behalf  
09:39:18 10 and the first accused is obviously going to be in the witness box  
11 for some considerable time. We take the view that he must do  
12 himself full justice and I hope the Court will find that at some  
13 convenient moments a break, to assist him, would be helpful. It  
14 is simply something we, on behalf of the Prosecution, say because  
09:39:46 15 I am anxious that Chief Norman does himself full justice.

16 PRESIDING JUDGE: Thank you, Mr Prosecutor. Mr Jabbi or  
17 the Defence are you ready to carry on with your  
18 examination-in-chief of the witness?

19 JUDGE ITOE: Maybe Mr de Silva, the learned prosecutor,  
09:40:15 20 should be reminded that we have our practices here of breaking  
21 off at one time or the other. If the person in the witness box  
22 has certain pressures he could ask us to grant him the latitude  
23 of easing himself. And, in any event, we have time breaks,  
24 breaks from time to time which I think cover your preoccupations.

09:40:48 25 MR De SILVA: As Your Lordships know, I haven't had the  
26 benefit of being in this Court throughout these hearings and I  
27 simply mention that as a matter of courtesy and for no other  
28 reason.

29 JUDGE THOMPSON: Speaking for myself, I think I appreciate



1 it because sometimes when they come to compute the amount of time  
2 judges spend in court, some computation counts against us because  
3 of so many breaks. So, this is welcome coming from the  
4 Prosecution from my perspective.

09:41:20 5 MR De SILVA: Well, let it be said that when it comes to a  
6 defendant and the pressures upon a defendant are always greater,  
7 it seems to me, from my own experience and, therefore, I venture  
8 to think the Court might find favour.

9 JUDGE THOMPSON: That is why I appreciate it, because if it  
09:41:37 10 is coming from the Prosecution I am sure those who put together  
11 the statistics of court time, how much time is lost or wasted, we  
12 will see that in fact the Prosecution is acting in a very proper  
13 and humane way.

14 MR De SILVA: Your Lordship is too kind.

09:41:53 15 PRESIDING JUDGE: Thank you. Can we proceed, please?

16 MR JABBI: My Lords, I just want to begin by saying that  
17 the observations made so far by the Prosecution are gratefully  
18 noted and later referred to. Thank you.

19 WITNESS: SAMUEL HINGA NORMAN [Continued]

09:42:24 20 EXAMINED BY MR JABBI: [Continued]

21 Q. Good morning, Mr Witness.

22 A. Thank you, My Lord.

23 Q. Yesterday when we broke off you were dealing with various  
24 incidents and aspects of your role as deputy minister of defence  
09:43:03 25 and I believe you did not finish that area. May I begin this  
26 morning by asking that you indicate to the Court the distribution  
27 of responsibility and functions between the minister of defence  
28 and the deputy minister of defence during the time that you were  
29 deputy minister of defence?



1 A. Yes, My Lord. Up to --

2 Q. I am sorry, I will just want to repeat our usual admonition  
3 to be mindful of the pace for the sake of the interpreters.

4 A. Yes, My Lord. Up to our rising yesterday, meaning  
09:44:15 5 adjournment, I dealt with what I did right up to that time that  
6 could have affected the prevention of the coup that later took  
7 place. I am now requested to illustrate a distribution of  
8 responsibility of the deputy minister of defence and the minister  
9 of defence. The minister of defence is the person that is  
09:45:11 10 responsible to government for the running and caring for the  
11 defence of the nation and also indicating to government, through  
12 cabinet, the needs to satisfy the requirement that the army will  
13 need for such defence. The responsibility of the deputy minister  
14 of defence is liaising or coordinating between the chief of  
09:46:20 15 defence staff and the minister of defence for --

16 JUDGE ITOE: Can you take that again, please?

17 THE WITNESS: Yes, My Lord. The responsibility of the  
18 deputy minister of defence is to liaise or coordinate between the  
19 chief of defence staff and the minister of defence to control  
09:47:06 20 that which comes from government to the army, to actually get to  
21 the army, to make sure that they're utilised and that the  
22 minister of defence is eventually informed for the attention of  
23 cabinet.

24 MR JABBI:

09:47:55 25 Q. In that statement you have just made you use the phrase,  
26 "That which comes from government". "That which comes from  
27 government"; what does that refer to in that statement?

28 A. The reference is made with respect to budgetary provision  
29 for the utilisation eventually by the army. Everything in



1 comparison.

2 Q. Yesterday you also narrated your going to Parliament with  
3 the leave of the Minister of Defence and the President in order  
4 to obtain due legitimisation of the operations of local hunters.

09:49:32 5 A. Yes, My Lord.

6 Q. Now one or two things about that just before we proceed  
7 otherwise. Did you report back to the Minister of Defence or the  
8 President after the legitimisation had been granted?

9 A. Yes, My Lord. And further to that, I am of knowledge that  
09:50:07 10 what transpired at Parliament on that day was also communicated  
11 to the Minister of Defence from the communication from  
12 Parliament.

13 Q. But you personally also reported back; that's what you're  
14 saying?

09:50:55 15 A. Yes, My Lord.

16 Q. Thank you. Now, in connection with that, can you give this  
17 Court an idea as at that stage, that is up to the time you found  
18 it necessary to go to Parliament to legitimise the security  
19 operations of the hunters, up to that --

09:51:26 20 JUDGE THOMPSON: This is specifically the use of weapons?

21 PRESIDING JUDGE: That's right.

22 MR JABBI: The use of weapons, indeed.

23 Q. Can you explain to the Court to what extent government was  
24 involved in the operations of the local hunters at that stage,  
09:51:59 25 just at that stage?

26 A. Yes, My Lord. Before I became deputy minister I was region  
27 chief and after I was removed from my chiefdom, resulting from  
28 rebels attack, I, together with my colleague chiefs, congregated  
29 in Freetown and a council of chiefs was formed and I became a





1 member of that council and also was chosen as a spokesperson for  
2 the council. So we continued to have weekly, maybe bi- or  
3 tri-weekly, meetings with the then Minister of Internal Affairs  
4 under the NPRC government. At that time I came to know that  
09:54:01 5 there were guns in the hands of a lot of hunters in Sierra Leone  
6 in various chiefdoms by arrangement that had been put together by  
7 the NPRC government.

8 So when after the presidential and parliamentary election  
9 had been concluded in 1996 and I had been appointed minister --  
09:55:04 10 deputy minister of defence, realising that no one has any right  
11 or authority to arm any group of people in Sierra Leone, to use  
12 such arms without authority of government, I found myself in a  
13 very critical situation and sought to save myself and colleague  
14 chiefs from eventual responsibility. I had to seek permission  
09:56:16 15 from my boss, who was the Minister of Defence and also the  
16 commander-in-chief of the armed forces of Sierra Leone and the  
17 President, explaining to him the necessity of my going to  
18 Parliament and seeking parliamentary legitimisation, which I did.  
19 And that was the reason.

09:57:04 20 Q. And I take it that that was an attempt to bring you within  
21 constitutional protection in that regard; that is to say, the  
22 chiefs and the operation of the hunters?

23 A. I would think so, My Lord.

24 JUDGE ITOE: Dr Jabbi, is that a question or a submission?

09:57:31 25 MR JABBI: A question, My Lord.

26 JUDGE ITOE: It's doubtful. You may proceed, though.

27 MR JABBI: Thank you very much, My Lord.

28 Q. Apart from seeking the legitimisation of Parliament and  
29 apart from the issuance of guns from the government to the local



1 hunters --

2 PRESIDING JUDGE: I'm not sure this is the state of the  
3 evidence, though.

4 MR JABBI: Pardon, My Lord?

09:58:17 5 PRESIDING JUDGE: I'm not sure this is the state of the  
6 evidence as given by this witness. The witness has testified  
7 that he sought the legitimisation of the use of weapons that were  
8 already with the hunters. The witness did not testify that the  
9 government issued weapons to the hunters. At least that is not  
09:58:31 10 my understanding of his evidence.

11 MR JABBI: My Lord, he had earlier on given evidence that  
12 Ithaka guns were issued by the previous government.

13 PRESIDING JUDGE: But that's a different episode. You are  
14 talking legitimisation at that time of the hunters as such, when  
09:58:51 15 what you are talking about in his evidence, if I am not mistaken,  
16 he testified that later on, as a result of many of the hunters in  
17 his own chiefdom had been killed and the remainders became his  
18 bodyguards following a certain procedure, which is different than  
19 being issued with weapons.

09:59:10 20 MR JABBI: My memory of the evidence, My Lord, from  
21 yesterday is that the previous government was issuing guns to  
22 those local hunters.

23 PRESIDING JUDGE: Well, ask the witness. This is not my  
24 recollection at all. The witness has just testified that he came  
09:59:25 25 to realise, before coming as a deputy minister, that the previous  
26 government had made some arrangements with the hunters. But  
27 arrangements were not clear in his own mind. That's why he  
28 sought legitimisation. He had come to learn that hunters had  
29 guns, but how they obtained the guns, there is no evidence as to



1 that. I mean, the witness has not testified to that in my  
2 recollection.

3 MR JABBI: Thank you very much, My Lord.

4 Q. Mr Witness, we have shared that, of course. May I ask what  
10:00:12 5 the state of affairs was as to the possibility of guns having  
6 been issued to look at hunters by government even before your own  
7 government?

8 A. Yes, My Lord. I have testified that I became a member of  
9 the council of chiefs, and I also became a spokesman for the  
10:00:41 10 council of chiefs and I was aware that the NPRC government had  
11 bought a huge quantity of shotguns called Ithaka guns and some  
12 other shotguns, and had, through the chiefs --

13 JUDGE THOMPSON: Why not take this slowly.

14 THE WITNESS: Yes, My Lord.

10:01:12 15 JUDGE THOMPSON: Since it is virtually a -- go ahead, yes.

16 THE WITNESS: That through the chiefs, those guns and  
17 cartridges had been distributed to various hunters called  
18 Kamajors, Donsos, Tamaboros, Kapras and Gbethis for the  
19 protection of their community, their people and their property.  
10:02:08 20 But what I realised later, that I was not satisfied of, after my  
21 discussing this issue with the Secretary of State for Defence  
22 then, was whether there was a document in the hands of the chiefs  
23 for such weapons. And I was satisfied that such document was not  
24 in existence and I could not query --

10:02:48 25 MR JABBI:

26 Q. Watch the pace, please. Your pace, please.

27 A. Thank you. And I could not query the government then. So  
28 I had to take it as it was until when it became my lot --

29 JUDGE THOMPSON:



1 Q. When you say document, were you thinking of document of  
2 legitimisation?

3 A. My Lord?

4 Q. When you said document, were you thinking of document of  
10:03:23 5 legitimisation?

6 A. No, My Lord, it is just an authority from government to the  
7 chief because document of legitimisation would be a relative  
8 communication, My Lord.

9 JUDGE THOMPSON: Yes, okay.

10:03:42 10 MR JABBI:

11 Q. You said when it became your lot?

12 A. That I became appointed a deputy minister of defence in a  
13 civilian set-up, my action then followed.

14 Q. So, effectively what you have said is that even before the  
10:04:20 15 civilian government of Tejan Kabbah, His Excellency the President  
16 Ahmad Tejan Kabbah, came to office, government had been supplying  
17 weapons to local hunters for the protection of their respective  
18 communities?

19 A. Yes, My Lord. I was in this country, I saw it and I knew  
10:04:49 20 it. And this same trend continued even when there was a civilian  
21 government and I was a deputy minister of that government.

22 JUDGE THOMPSON: Is it government or the NPRC government?

23 THE WITNESS: The NPRC government, My Lord.

24 JUDGE THOMPSON: Well, we need to be specific, there were  
10:05:14 25 governments previous to the NPRC.

26 MR JABBI: Yes, indeed, My Lord.

27 JUDGE THOMPSON: Well, I don't know, you probably would --  
28 for example, I could throw the hypothesis the Sir Milton Margai  
29 government gave weapons to hunters.





1 MR JABBI: Or more immediately.

2 JUDGE THOMPSON: Well, that is why I want the  
3 classification.

4 MR JABBI: Yes. I will seek the classification in terms of  
10:05:38 5 the more immediate period to the NPRC government.

6 Q. Now, are you aware whether the government before the NPRC  
7 government, that is the President JS Momoh APC government, are  
8 you aware whether they also supplied weapons to the local  
9 hunters?

10:06:05 10 A. I am aware that when the war started --

11 Q. Around when?

12 A. Around 1991.

13 Q. Carry on.

14 A. President JS Momoh was the President. And I am also aware  
10:06:28 15 that indeed that same government used the services of Tamaboros  
16 that were hunters, and that they were also given weapons  
17 especially and specifically to assist the army.

18 Q. And that was then only the Tamaboro hunters?

19 A. Those were the ones that I knew that were commonly used.  
10:07:23 20 They had their names and they also -- I heard their names on the  
21 radio and I saw them with my own eyes going across Bo, where I  
22 was, to their operational areas and especially in Pujehun.

23 Q. Thank you. Do you have any other area of responsibility by  
24 the deputy minister of defence in that period, the period up to  
10:08:07 25 about April/May 1997?

26 A. Please repeat the question again.

27 Q. You have given us already various acts of responsibility  
28 and function by the deputy minister of defence in the pre-1997  
29 period. Just before we go out of that area, I just want to ask



1 an omnibus final question as to whether you have any other thing  
2 to say about some other area of responsibility by the deputy  
3 minister of defence at that time that is considered relevant to  
4 these investigations?

10:09:02 5 A. My Lords, in addition to my appointment as the deputy  
6 minister of defence, close to the time of the coup I was given  
7 the responsibility of the ministry of internal affairs.

8 Q. In what status?

9 A. As acting Minister of Internal Affairs, My Lord.

10:09:39 10 Q. Around when was that, can you tell the Court? Even a rough  
11 indication will be okay.

12 A. I think it was around any time around March and April,  
13 because definitely I went on a conference that was for ministers  
14 of internal affairs to Abidjan in April.

10:10:06 15 Q. Of what year?

16 A. Of 1997.

17 Q. So roughly around March/April 1997 you also became acting  
18 Minister of Internal Affairs?

19 A. And I was the acting minister up to the coup.

10:10:19 20 Q. Up to the --

21 A. Coup of 19 -- of 25th May 1997.

22 Q. Up to that time you were acting Minister of Internal  
23 Affairs?

24 A. Yes.

10:10:28 25 Q. In addition to being deputy --

26 A. Deputy Minister of Defence.

27 Q. -- Minister of Defence?

28 A. Yes.

29 Q. Is there any activity of relevance to these investigations



1 as acting Minister of Internal Affairs that you would want the  
2 Court to know?

3 JUDGE ITOE: Please let me get my notes clearly. He kept  
4 the two positions?

10:11:03 5 MR JABBI: That's my understanding, My Lord.

6 JUDGE ITOE: Deputy Minister of Defence.

7 MR JABBI: Yes, My Lord.

8 JUDGE ITOE: And acting Minister of Internal Affairs.

9 THE WITNESS: Yes, My Lord.

10:11:13 10 JUDGE ITOE: Thank you.

11 MR JABBI:

12 Q. So my last question, may I repeat it?

13 A. Please repeat.

14 Q. My last question was whether as acting Minister of Internal  
10:11:32 15 Affairs there is any activity on your part in that capacity that  
16 you consider relevant to these proceedings which you want the  
17 Court to know of? It is just an omnibus question, I must say.

18 A. Well, I will try and say something about that. That I have  
19 told My Lords that I went to Parliament and I sought  
10:12:14 20 legitimisation. In the capacity of acting Minister of Internal  
21 Affairs, combining with the Deputy Minister of Defence, there was  
22 then the coalition of defence and security in the hands of one  
23 person relative to police security and soldier defence.

24 Q. Who was that one person, I am sorry?

10:12:56 25 A. The one person was Chief Samuel Hinga Norman.

26 Q. Carry on, please.

27 A. So, I needed the co-operation of the police combining with  
28 the loyalty of the army, and at that time those were my focal  
29 areas of attention. So, my activity was always to liaise with



1 the police and the army, attend security meetings, involving the  
2 police and defence meetings involving the soldiers, and also  
3 reporting to the Minister of Defence and the President in the  
4 capacity of Deputy Minister of Defence and acting Minister of  
10:14:15 5 Internal Affairs.

6 Q. I suppose that closes that area in respect of the acting  
7 Minister of Internal Affairs; is that so?

8 A. I wouldn't be so quick. I said I remained in that position  
9 until the coup and definitely the President had not made a  
10:14:45 10 reshufflement whilst he was in asylum. So I will consider that  
11 that situation was squarely on my laps.

12 Q. Let us get that clear. What period are you referring to as  
13 the President being in asylum?

14 A. The period between 25th May 1997 to 10th March 1998.

10:15:27 15 Q. So for the period 25th May 1997 to 10th March 1998 you are  
16 saying the President was out of the country?

17 A. Yes, My Lord.

18 Q. And you are also saying that for that period, since there  
19 had not been any reshufflement of cabinet to your knowledge, you  
10:15:55 20 therefore continued to be both Deputy Minister of Defence and  
21 acting Minister of Internal Affairs for all that period?

22 A. Yes, My Lord.

23 Q. Thank you. And for all that period your responsibility of  
24 reporting to him in the two capacities continued?

10:16:27 25 A. Yes, My Lord.

26 Q. Thank you. Now you took your narrative up to the coup,  
27 25th May 1997.

28 A. Yes, My Lord.

29 Q. Do you wish this Court to know anything about that





1 particular event insofar as you might have been concerned?

2 A. Well, it's a continuous process that as at when the coup  
3 took place, and those of us who were fortunate to have escaped  
4 found ourselves elsewhere, the government, serving personnel of  
10:17:42 5 cabinet and other persons of government, were in more number  
6 congregated in Guinea. And so the events continued on to Guinea,  
7 where I found myself.

8 Q. In which town in Guinea?

9 A. In Conakry, Guinea.

10:18:09 10 Q. So you, the President and several members of his government  
11 found yourselves in Conakry --

12 PRESIDING JUDGE: Well, let the witness testify. He said  
13 many persons congregated to Guinea and he himself went there, but  
14 he didn't say the President went there. So let the witness  
10:18:32 15 testify.

16 MR JABBI: My Lord, he said members of the government.  
17 But, anyway, let him testify himself directly.

18 PRESIDING JUDGE: Indeed, I would prefer to hear it from  
19 the witness.

10:18:43 20 MR JABBI: Yes.

21 THE WITNESS: Thank you, My Lord. When I escaped to Guinea  
22 I then found out that the President was in Guinea and I made  
23 several attempts to see the President, but these were impossible.

24 MR JABBI:

10:19:01 25 Q. For how long?

26 A. For about seven days or eight days running. Every day I  
27 would go and stand at the gate entrance to the compound where the  
28 President -- I was told the President had been lodged.

29 Q. But you couldn't get through?



1 A. I couldn't get through. The place was named Bellevue or  
2 so.  
3 Q. Bellevue?  
4 A. Bellevue.  
10:19:30 5 Q. Did you eventually get in touch with the President in  
6 Conakry?  
7 A. I did, interestingly.  
8 Q. Interestingly?  
9 A. Yes, My Lord.  
10:19:44 10 Q. Can you explain, please?  
11 A. When I was tired with fruitless efforts to meeting the  
12 President I returned to the hotel and decided not to make another  
13 try.  
14 Q. To which hotel?  
10:20:04 15 A. To Novotel hotel.  
16 Q. That's where you were staying?  
17 A. That's where I was.  
18 Q. Carry on.  
19 A. And, incidentally, some two Europeans approached me and  
10:20:24 20 told me they were from the BBC and that there was anxiety to know  
21 whether I was alive and they will want me to be interviewed on  
22 the air so that people will know that I was alive. I granted the  
23 interview. Soon after that interview the telephone in my hotel  
24 room rang.  
10:21:03 25 Q. Just before that, can you give a brief gist of the  
26 interview, what you said in the interview?  
27 A. Well, my recollection now is that I was asked whether I  
28 want to do anything about the coup that had happened in  
29 Sierra Leone, or that I will just say I will leave it as it is



1 and accept it. I believe my answer was that I did not accept the  
2 coup and I will stand by the decision of the people of  
3 Sierra Leone and that if they reject the coup I will support them  
4 and that I will appeal to the hunters to support the people, the  
10:22:11 5 government they had elected through the ballot box, and to  
6 reinstate that government. I think it was to that effect.

7 Q. Do you have recollection of the date of that interview?

8 A. No, the date I do not have, but I think the month was June  
9 1997 and it could be anything between 10th and 15th or anything  
10:22:42 10 between 8th and 15th of June.

11 Q. So possibly second, third week of June?

12 A. Possibly.

13 Q. And that is 1997?

14 A. 1997. June 1997. And this interview took place at the  
10:23:01 15 basement of Novotel hotel.

16 Q. Conakry?

17 A. Conakry.

18 Q. You had just started saying just after the interview you  
19 received a telephone call?

10:23:16 20 A. The telephone rang, took up -- no, it was my wife who took  
21 the phone and said, "Na the President", meaning, "It is the  
22 President". So I ran to the telephone and I answered. Yes, I  
23 heard the voice of the President and the communication was --  
24 conversation was short. He said, "Chief, I want you to realise

10:23:45 25 that there is a captain in charge of the ship." So I said --

26 Q. Which ship?

27 A. I don't know what ship he meant.

28 Q. I said, "Thank you, sir. If I am on board the ship and the  
29 ship seems to be adrift, I have one of two things to do" --



1 JUDGE ITOE: Take that slowly, please.  
2 THE WITNESS: Thank you, sir.  
3 JUDGE ITOE: Will you?  
4 THE WITNESS: Yes, My Lord.  
10:24:21 5 JUDGE ITOE: You have been admonished.  
6 THE WITNESS: I said, "If I am on board the ship and the  
7 ship seems to be adrift, I have one of two things to do. Either  
8 to abandon the ship or to assist it to save it from sinking."  
9 And then the telephone rang off.  
10:24:58 10 MR JABBI:  
11 Q. Two graphic statements, one from each side of that line;  
12 not so?  
13 A. It is your assessment, My Lord.  
14 Q. Any sequel to that telephone conversation?  
10:25:16 15 A. Again interestingly, not long afterwards, meaning anything  
16 between one to two hours --  
17 Q. One to two hours after the call?  
18 A. After the telephone, yes, I heard a knock at the hotel  
19 door. Again my wife opened and she said to me, "Some people come  
10:25:46 20 to you," meaning there are some people at the door to see you. I  
21 peeped outside and I saw four individuals, respectable people.  
22 Q. Please keep your pace.  
23 A. I peeped outside and saw four respectable individuals. I  
24 invited them in. My wife excused us to the sleeping room of the  
10:26:27 25 suite and these individuals said a few interesting things to me.  
26 Q. Can you say -- did you know the individuals before?  
27 A. I did and I do right now.  
28 Q. Who were they?  
29 A. They were Ambassador John Hirsh, ambassador --





1 Q. John Hirsh, ambassador of?

2 A. United States to Sierra Leone.

3 Q. His Excellency John Hirsh.

4 A. The next person I saw was His Excellency Peter Penfold, the  
10:27:11 5 High Commissioner for Britain. Next to him was Alhaji Abu Bakar,  
6 the High Commissioner of Nigeria to Sierra Leone, and next to him  
7 was Mr Berhanu Dinka, the then UNDP representative.

8 Q. That's four already, is it?

9 A. Four of them. They said they had gone to see me because  
10:28:12 10 they had realised that there was a situation developing between  
11 the President of Sierra Leone and his Deputy Defence Minister and  
12 that if Sierra Leone --

13 Q. Did they refer to that Deputy Defence Minister as also the  
14 Acting Minister of Internal Affairs?

10:28:41 15 A. They said -- their words were, "We realise that there was  
16 something developing between the President of Sierra Leone,  
17 Alhaji Ahmad Tejan Kabbah, and you, Chief Hinga Norman, his  
18 Deputy Defence Minister."

19 Q. Carry on.

10:29:01 20 A. And that, "We want to talk to the two of you together. So  
21 we appeal to you to please proceed with us to meet the  
22 President."

23 Q. That is you in person?

24 A. Me.

10:29:23 25 Q. Okay, carry on.

26 A. Initially I refused on the grounds that I had been  
27 humiliated. For several times I have stood at the gate for hours  
28 waiting for the President to call me in to see him, after our -  
29 this is my language - after our rude departure from Sierra Leone.



1 Q. You are referring to departure as a result of the coup?

2 A. Yes.

3 Q. Yes, carry on.

4 A. Yes, My Lord. And that even in spite of the fact that I  
10:30:27 5 was seeing colleague ministers and deputy ministers trooping in  
6 and out, and knowing very well that my presence was conveyed to  
7 him at the gate -- my presence at the gate was conveyed to him, I  
8 had not been invited in to see him. So I abandoned the effort of  
9 seeing him and I continued to make no further effort. The  
10:31:19 10 spokesperson for the four --

11 Q. In the person of?

12 A. In the person of Alhaji Abu Bakar, said, "These four  
13 people, as you see us, represent our nations' governments, and  
14 that what we will have to convey to the two of you together is an  
10:31:52 15 important message. If you love Sierra Leone, like you are  
16 telling us you do, then we implore you to please come with us."

17 Q. Please continue watching the pace. The pace of your  
18 speech, continue watching it, please.

19 A. Thank you. Those statements --

10:32:18 20 JUDGE ITOE: May he go back as well as he continues  
21 watching the pace, please?

22 MR JABBI:

23 Q. The last statement you have made, "if you say that you love  
24 Sierra Leone, as you have told us you do", onwards, can you just  
10:32:33 25 go over that, please?

26 A. "If you love Sierra Leone as you say, we will implore you  
27 to please come with us."

28 Q. To?

29 A. That was what they said. So those statements broke me down



1 and I gave in to follow them. I didn't ask them where, but  
2 eventually we found ourselves at the same gate where I had no  
3 authority to pass. We passed through and eventually I had to  
4 meet with the President, Dr Alhaji Ahmad Tejan Kabbah, in the  
10:33:41 5 presence of the four gentlemen.

6 Q. Can you say roughly how long it was since you had arrived  
7 in Conakry?

8 A. Yes. I think it was very close to nine days.

9 Q. Since your arrival?

10:34:03 10 A. Since my arrival to the day when these four people met me.  
11 And out of that nine days I had made several attempts, morning to  
12 afternoon, afternoon to evening, right up to the day of my  
13 statement on the BBC.

14 Q. Roughly over a period of how many days had you been making  
10:34:46 15 this effort?

16 A. This is what I am saying now. I think I arrived in Conakry  
17 any day between 1st and 2nd June. And the very next day I  
18 started. Every day I will go there twice; in the morning up to  
19 lunchtime, then in the evening up to time, you know, to about  
10:35:18 20 five or six. And I will walk from there across the road to the  
21 embassy, then from the embassy -- Sierra Leone embassy. Then  
22 from there I will pick up a car to the hotel.

23 [CDF25JAN05B-CR]

24 Q. Did you have an idea when the President himself had arrived  
10:35:40 25 in Conakry?

26 A. I would imagine because I was communicating on the handset  
27 on the 25th morning and I assisted in giving direction for the  
28 helicopter to move from the heliport to the Kabasa Lodge that was  
29 overlooking the President's house and so that the President could



1 be picked from there by my own instruction and to fly high into  
2 the Atlantic ocean --

3 Q. Over the Atlantic ocean?

4 A. Over the Atlantic Ocean, and then to fly very low until  
10:36:27 5 they were out of any dangerous weapon's shot. I believe that the  
6 President may have arrived in Guinea on that same day, the  
7 25th May.

8 Q. If your instructions were carried out?

9 A. Well, the President is still alive and I saw him in Guinea.  
10:36:48 10 Whether the instructions had been carried out or not, I'm  
11 grateful that he's alive.

12 Q. You found him alive.

13 A. And I found him alive.

14 Q. So, you have finally arrived at the President's place.

10:37:05 15 A. Yes.

16 Q. With these four gentlemen?

17 A. Yes, in Bellevue compound.

18 Q. Bellevue, yes.

19 A. And I'm sure that my brother who is sitting on my right  
10:37:18 20 here, Mr Charles Margai, saw me that morning when I walked  
21 together with those four people. He was there. I saw him. I  
22 don't know whether he saw me. We went in and met the President  
23 away from where Mr Charles Margai and others were sitting whom I  
24 saw some of them.

10:37:50 25 Q. Can you name some of the others you saw with Mr Margai?

26 A. Yes, I did see Mr Momodu Koroma. I saw Prince Harding. I  
27 saw later RES Lagawo. I saw a gentleman, Mr TK Vandy, and I saw  
28 some other Guinean soldiers around there. The rest of them were  
29 sitting in the room and some of them, even peeped out to look at





1 me whose faces I cannot now connect to their names.

2 Q. Did you talk to them before going into the President?

3 A. No, I didn't. I only smiled to them and then made like  
4 that. [Indicated]

10:38:42 5 Q. Like that, meaning waving?

6 A. Like that meaning waving my right hand to them as a  
7 salutation.

8 Q. Yes, you were with the President finally, I hope.

9 A. Yes. I was with the President and we were standing  
10:39:08 10 opposite each other. He was looking at me and I was looking at  
11 him and we were asked to shake hands.

12 Q. Who asked you to shake hands?

13 A. Alhaji Abu Bakar, we went together and shook hands and  
14 Alhaji Abu Bakar said they had a message for us.

10:39:40 15 Q. "They" meaning the four --

16 A. The four of them. This message was conveyed to us. Alhaji  
17 Abu Bakar said, "Our countries are quite prepared to assist  
18 Sierra Leone from sinking further. That assistance depends on  
19 the two of you; you, Mr President and you, Chief Norman. That,  
10:40:27 20 if you choose to work together in the interests of Sierra Leone  
21 then, of course, your country will get our assistance. If you  
22 choose not to work together, then your country will not be  
23 guaranteed that assurance."

24 Q. That assistance?

10:40:51 25 A. That assistance. "So, the four of us are appealing to the  
26 two of you that, not only today, but the peace of Sierra Leone  
27 and the success of Sierra Leone would depend on your  
28 co-operation, your sincerity with each other and your trust for  
29 each other." Those words drew tears to my eyes. I moved forward



1 and embraced His Excellency, the President. I said --

2 Q. Watching your pace, I hope.

3 A. I moved forward, embraced His Excellency, the President and  
4 I said I was committed to those words.

10:42:23 5 Q. Those words that had been spoken by the four men?

6 A. Yes, and even as I sit down here, I am still committed to  
7 those words.

8 Q. As you sit down where?

9 A. Here.

10:42:33 10 Q. In this Court?

11 A. Before this witness -- in the witness seat. He went  
12 further to say --

13 Q. Who?

14 A. Alhaji Abu Bakar.

10:42:48 15 JUDGE ITOE: Can you wait, please?

16 MR JABBI:

17 Q. Pace, please, pace. Pace, pace, please. Wait a bit,  
18 please.

19 A. Thank you. Alhaji Abu Bakar said to the two of us that the  
10:43:26 20 message we have conveyed to you is not only for today, but,  
21 please, you must keep it. I'm keeping that message to this day.

22 Q. Your part of it.

23 A. Part of my own --

24 Q. Your own part of that message?

10:43:49 25 A. My own part of that message, I'm still keeping, and I'm  
26 obligated to it.

27 Q. Have you been keeping it since that day to this day?

28 A. I have. And in testimony to that, I say whatever I may  
29 have done and I continue to do and I may do tomorrow, to



1     undermine that confidence and my loyalty, may it be a curse on me  
2     and my posterity.

3     Q.     You may need to go over that for the records.

4     A.     Over what I have said as an undertaking to the statement  
10:45:04 5     that was made, I said I have -- I decided to keep that part, my  
6     part of that statement and the advice, and I've kept it and I  
7     continue to keep it even as I am sitting down here, and to Their  
8     Honours and to the hearers of what I am saying is that if I have  
9     done - and I continue to do - and I do anything that is not in  
10:45:47 10     line with the undertaking I made on that day before those four  
11     people, may whatever I may do that is at variance with what I  
12     undertook become a curse on me and upon my posterity. Meaning, I  
13     will always be sincere with the President and I will always be  
14     loyal to him for this nation's sake.

10:46:41 15     Q.     For the sake --

16     A.     The sake of Sierra Leone.

17     Q.     May we proceed with what happened subsequently?

18     A.     Yes, My Lord. I was told that the chairman of ECOWAS was  
19     prepared to support Sierra Leone.

10:47:28 20     Q.     I'm sorry --

21             JUDGE THOMPSON: Subsequently, which time frame is that?

22             MR JABBI: We are sitting at that meeting with the  
23     President.

24             JUDGE THOMPSON: Yes, I thought we hadn't completed that  
10:47:39 25     episode yet.

26             MR JABBI: Not at all.

27             JUDGE THOMPSON: Let us be more precise.

28             MR JABBI:

29     Q.     So, we are talking about the time when the four men had



1 brought you together?

2 A. Yes.

3 Q. So what happened after --

4 A. I believe that that day was maybe on 15th June 1997.

10:48:00 5 Q. Maybe?

6 A. Maybe. And that we were told -- I was told, together in  
7 the presence of His Excellency, that the chairman of ECOWAS was  
8 prepared to convince the rest of ECOWAS members to --

9 Q. Who was the chairman of ECOWAS at the time; do you know?

10:48:24 10 A. Yes, I believe he was the late General Abacha.

11 Q. Of Nigeria?

12 A. Of Nigeria.

13 Q. Yes, that he was prepared to support.

14 A. To support and request the support of other members of  
10:48:45 15 ECOWAS to assist Sierra Leone, if only he was convinced that it  
16 was the wishes of the people of Sierra Leone not to accept a  
17 military government. And those wishes can only be expressed with  
18 the activities of the people themselves.

19 Q. Please keep watching your pace.

10:49:38 20 A. This message having been conveyed, His Excellency said --  
21 His Excellency Dr Tejan Kabbah, President of Sierra Leone said,  
22 "Chief, that is where we need the support of the hunters of  
23 Sierra Leone to support their people in rejecting the military  
24 government."

10:50:15 25 Q. Who said this?

26 A. The President, Dr Alhaji Ahmad Tejan Kabbah.

27 Q. To whom?

28 A. To all of us we are there, the four and myself. And I was  
29 told that already --





1 Q. By? By?

2 A. By the President. That already there was an arrangement  
3 that I shall move from Guinea to join military officers of the  
4 Nigerian army in Liberia.

10:51:11 5 Q. Do you know how they were called?

6 A. They were ECOMOG commanders, called ECOMOG commanders.

7 Q. What is ECOMOG?

8 A. This is something like a military where it's put together,  
9 a branch of ECOWAS that was administrative and ECOMOG was the  
10:51:40 10 military.

11 Q. ECOMOG was the military version of --

12 A. Of ECOWAS.

13 Q. -- of the ECOWAS support for Sierra Leone?

14 A. Not for Sierra Leone. It was only -- it was -- ECOWAS was  
10:51:58 15 Economic Organisation For West African States and ECOMOG was a  
16 military organisation put together for wherever there might arise  
17 a need for military assistance in West Africa.

18 Q. Thank you. So officers of ECOMOG were stationed in  
19 Liberia; that's what you're saying?

10:52:29 20 A. When I went there, that was what I found. I was told by  
21 His Excellency that he was going on the air to announce to the  
22 people of Sierra Leone that I had been given a further  
23 appointment of national coordinator for the first time the word  
24 civil defence was used by His Excellency. The coordinator of  
10:53:10 25 civil defence.

26 Q. To your knowledge.

27 A. To my knowledge.

28 Q. Sorry, please, to take you a little back.

29 A. Yes.



1 JUDGE ITOE: Let's go back to that. What has he said  
2 again?

3 MR JABBI: Yes.

4 Q. You started by saying that the President said there was an  
10:53:29 5 arrangement that you go to Liberia and join the ECOMOG soldiers.

6 A. I meet with the ECOMOG soldiers.

7 Q. Did you complete that statement? Was that statement  
8 completed just now?

9 A. Yes, and I said --

10:53:46 10 JUDGE ITOE: My difficulty was the President asking him --  
11 saying to him he was going to go to the air.

12 THE WITNESS: I said the President told me he was going on  
13 the air to inform the people of Sierra Leone that he had made  
14 another appointment, that I was going to be the national  
10:54:18 15 coordinator of civil defence, embrace all defences by civilians  
16 to support military effort.

17 MR JABBI:

18 Q. All defence efforts by civilians to support the civilian  
19 government?

10:54:39 20 A. To support military operations. And that --

21 Q. Military operations in what direction? As you know, the  
22 military was in power already. So when he said to coordinate  
23 civil defence to support military operations --

24 A. Of the ECOMOG. Of the ECOMOG. Sorry.

10:55:16 25 Q. Since you have said ECOMOG was a general West African  
26 concept, what operations of ECOMOG was he asking that you  
27 coordinate the civil defence to support?

28 A. That arrangements had been put together for the ECOMOG in  
29 Liberia to extend services to Sierra Leone in order to reinstate



1 the civilian government that I was part of that had been  
2 overthrown.

3 Q. And that is the government of?

4 A. Of Alhaji Ahmad Tejan Kabbah.

10:56:13 5 Q. You said arrangements had already been put together for  
6 that purpose?

7 A. Yes.

8 Q. And that you should coordinate the civil defence groups to  
9 assist --

10:56:25 10 A. To support.

11 Q. -- to assist ECOMOG in that direction?

12 A. To support ECOMOG to assist in reinstating his government.

13 PRESIDING JUDGE: I'm a bit confused. Is this something  
14 that the President told you, or this is something that was said  
10:56:40 15 on the air?

16 THE WITNESS: Not on the air. We were standing there. We  
17 were in a meeting now in where we had arrived at Bellevue.

18 PRESIDING JUDGE: You were still at that meeting?

19 THE WITNESS: Yes, My Lord.

10:56:56 20 PRESIDING JUDGE: And he tells you at that time he will go  
21 on the air to make that announcement?

22 THE WITNESS: Yes, My Lord.

23 PRESIDING JUDGE: That's fine, thanks.

24 MR JABBI:

10:57:03 25 Q. I suppose we are still at the meeting. Can you continue?

26 A. Yes, we are still at that meeting. And that I should go  
27 and hold myself in readiness, that there was going to be a  
28 military plane that will be taking me to Monrovia, Liberia, the  
29 very next day.



1 Q. The very next day?

2 A. Yes. So, the meeting ended and I left, got myself in  
3 readiness --

4 Q. Did you express any reaction --

10:58:04 5 A. Yes, I did.

6 Q. -- the following day.

7 A. I did. When I thanked the four people, and I thanked His  
8 Excellency for receiving me, and I promised him that I will do my  
9 best. I did.

10:58:29 10 Q. From your observation at that meeting, was the President  
11 still considering you as his Deputy Minister of Defence?

12 A. Well, he had not told me that I wasn't, so I considered  
13 that he was still holding me in confidence.

14 Q. He had not told you that he --

10:59:00 15 A. That he had removed me.

16 Q. I see. Was there any expression of a connection between  
17 your being Deputy Minister of Defence and the proposed position  
18 of national coordinator of civil defence?

19 A. Well, no explanation was made as to the difference or to  
10:59:25 20 express that while you are this, you are not that.

21 Q. What was your understanding of the transaction?

22 A. That was simply another added responsibility. Like, I was  
23 the Deputy Defence Minister and I was made acting Minister of  
24 Internal Affairs. And then, now, at that time, he said he was  
10:59:58 25 going to make an announcement. Indeed, he made the announcement.

26 Q. Just a minute.

27 JUDGE THOMPSON: Yes, in fact, he did say it was another  
28 appointment. So perhaps you don't want to get too argumentative  
29 on that.





1 MR JABBI: No, My Lord, I just want to establish --

2 JUDGE THOMPSON: It's examination-in-chief.

3 MR JABBI: I just want to establish the fact of the  
4 existence of those three positions.

11:00:28 5 PRESIDING JUDGE: Dr Jabbi, before you proceed, to carry on  
6 on what my brother Justice Thompson has just said. This is your  
7 witness. I understand at times it may be difficult because you  
8 don't get the complete answer. But especially on these matters  
9 that are very important issues, I caution you not to lead the  
11:00:47 10 witness and let the witness to testify as to that. It may, as

11 you know, have an impact later on. I suggest inasmuch as you can  
12 avoid leading the witness, the witness is very capable of  
13 expressing himself and giving a complete answer. You may ask him  
14 to complete his answer, but now you are moving into an area that  
11:01:06 15 is a little more sensitive. I understand this is at times  
16 difficult, but I am just cautioning you that even though there  
17 has been no objection at this stage, we may step in, because  
18 you're leading in examination-in-chief. It is just a caution at  
19 this time.

11:01:24 20 MR JABBI: Yes, indeed.

21 JUDGE THOMPSON: Clearly, the evidence is not equivocal,  
22 the state of the record, except you're trying to -- I know you  
23 are acting from an abundance of caution, but it can be  
24 counter-productive.

11:01:36 25 MR JABBI: Thank you, My Lord.

26 Q. So as we leave the meeting with the President, you  
27 continued in your previous capacities, did you?

28 A. Yes, My Lord.

29 Q. Yes, subsequently --



1 A. I returned and true, that very afternoon I heard the  
2 President's voice on the BBC Focus On Africa.  
3 Q. Same afternoon?  
4 A. Same afternoon, My Lord.  
11:02:20 5 Q. To what effect?  
6 A. That Chief Hinga Norman --  
7 Q. Meaning Chief Samuel Hinga Norman.  
8 A. Chief Samuel Hinga Norman had been appointed National  
9 Coordinator of Civil Defence of Sierra Leone. Words to that  
11:02:41 10 effect on the BBC.  
11 Q. Did he say anything more?  
12 A. Well, he said those were the ones where -- words of  
13 notation that I kept.  
14 Q. Okay. You left the meeting; the same afternoon you heard  
11:03:07 15 that announcement. Subsequently, what did happen?  
16 A. The very next day I was picked up by a car from the  
17 President. I was told that the President had sent -- I saw the  
18 security. I knew they were Sierra Leoneans and we were  
19 discussing that they were waiting for me. I took leave of my  
11:03:33 20 wife, my daughter. I took my little bag and I did not tell my  
21 wife where I was going. I just said they will hear from me  
22 later. I went to Bellevue, and I met military officers whom I  
23 later discovered were Nigerians. We drove together, after I had  
24 met the President and he has said that we are proceeding to  
11:04:14 25 Monrovia to meet with other people and then you will inform me of  
26 development from there. I took leave of him. We went to the  
27 airport. I saw a Nigerian military plane, which we boarded and  
28 eventually took flight. We arrived in Monrovia and landed at  
29 Spriggs Payne airfield.



1 Q. Springfield?

2 A. Spriggs Payne. Spriggs, S-P-R-I-G-G-S.

3 Q. Spriggs.

4 A. P-A-N-E [sic], Payne. Named after -- the airfield is named  
11:05:36 5 after a Liberian. They call it Spriggs Payne Airfield.

6 JUDGE ITOE: Spriggs Payne?

7 THE WITNESS: Spriggs Payne. S-P-R-I-G-G-S hyphen P-A-N-E  
8 [sic] airfield. I was picked up from there by a military vehicle  
9 and presently I was with a Nigerian general, whom I later came to  
11:06:24 10 know was General Abdul Wan, W-A-N, Mohamed. General Abdul Wan  
11 Mohamed. He welcomed me and briefed me. I also told him --

12 Q. Watch your pace, please. He welcomed you and?

13 A. And briefed me.

14 Q. And briefed you.

11:07:13 15 A. That he was expecting me.

16 Q. What was the briefing he gave?

17 A. That he was informed that a Chief Samuel Hinga Norman was  
18 being flown to Monrovia.

19 Q. Watch your pace, please.

11:07:33 20 A. To meet with him.

21 Q. Him, Wan Mohamed.

22 A. Wan Mohamed and other Nigerian officers, for a mission that  
23 was of military importance to the situation in Sierra Leone. He  
24 told me --

11:08:14 25 Q. Watch your pace, please.

26 A. I'm watching.

27 Q. Yes.

28 A. And he told me he was taking me to his own boss, that he  
29 was the chief of staff --



1 Q. He, Wan Mohamed?

2 A. -- was the chief of staff to a General Victor Malu. I was  
3 given time to rest, eventually taken to General Malu, who  
4 enquired whether I had been told about their instruction to work  
11:09:38 5 with me.

6 Q. That's General Malu?

7 A. That's General Malu. I answered in the affirmative and he  
8 said then there will be a meeting tomorrow.

9 Q. Next day?

11:10:02 10 A. The next day. And I could remember that the day was  
11 17 June.

12 Q. 1997?

13 A. 1997.

14 Q. Can you say what transpired at that meeting?

11:10:35 15 A. The next day the meeting was conducted. Before that  
16 meeting, I had been given a place to lodge and a vehicle and was  
17 told that some traditional hunters were already at Bo Waterside,  
18 that is on the Liberian side of the border of the Mano River  
19 bridge.

11:11:16 20 Q. Traditional hunters from where?

21 A. From Sierra Leone, mainly Kamajors. So I requested that I  
22 would like to send a message for the leaders of those men who  
23 were gathered at Bo Waterside, that is the Kamajors, to be  
24 conveyed to Monrovia to be part of that meeting.

11:11:58 25 Q. The meeting proposed by General Malu?

26 A. Yes.

27 PRESIDING JUDGE: Mr Jabbi, before we continue on this  
28 issue, I think it might be a proper time to break for the  
29 morning. We will take it back to the proposed meeting and just





1 carry on from there when we resume. The Court will adjourn for  
2 15 minutes.

3 [Break taken at 11.13 a.m.]

4 [CDF25JAN06 - SV]

11:35:49 5 [Upon resuming at 11.40 a.m.]

6 PRESIDING JUDGE: Yes, Dr Jabbi, you may continue.

7 MR JABBI:

8 Q. Yes, Mr Witness, you ended at the point where you had  
9 learnt that there were some local hunters at Bo Njala or  
11:41:44 10 Bo Waterside and you wished to have them attend the meeting  
11 called by General Malu. Can we start from there?

12 A. Yes, My Lord.

13 Q. Yes, carry on.

14 A. Indeed, the request was granted. The following day a group  
11:42:19 15 of men were transported to the meeting from Waterside.

16 Q. A group of which men?

17 A. The hunters, the Kamajors.

18 Q. Do you know their names?

19 A. A few of them who were leaders. A man called Eddie  
11:42:57 20 Massallay, who also made a broadcast on the BBC.

21 Q. Before the meeting?

22 A. Before that meeting. Before I left Conakry, he had gone on  
23 the BBC and I heard his voice denouncing the military takeover.  
24 He was among those men --

11:43:24 25 Q. Who else?

26 A. Who had been transported to Monrovia, accompanied by  
27 another leader named Mr Tucker.

28 Q. Full name?

29 A. I wouldn't know the other name really, but he was Tucker.



1 He was a fighter commander.

2 Q. How many of them in all?

3 A. There were plenty, but only the two of them were leaders  
4 who were allowed to the meeting proper.

11:43:53 5 Q. I see. More than two were transported from Bo Waterside to  
6 Monrovia, but only two --

7 A. Yes, that initial meeting only two of them attended.

8 Q. Yes.

9 A. Before the meeting proper with the Nigerian officers, I had  
11:44:31 10 requested to have briefing with the Kamajors, and Eddie Massallay  
11 briefed me of the situation, since after the coup I had left the  
12 country, I had not entered Sierra Leone. They were in  
13 Sierra Leone.

14 Q. Please, watch your pace.

11:44:58 15 A. They were in Sierra Leone and had, just after Massallay's  
16 BBC announcement, had crossed the bridge. Because, according to  
17 Massallay's briefing, as soon as he made that BBC announcement,  
18 their villages were attacked by the rebels.

19 Q. Which villages?

11:45:32 20 A. Villages around Pujehun, from Zimmi, through Fairo, to  
21 Malema, to Gendema, on the main road between the bridge.

22 Q. Watch your pace, please.

23 A. To Malema. M-A-L-E-M-A, Malema. Then Gendema,  
24 G-E-N-D-E-M-A. That was on the main road between the Mano River  
11:46:17 25 bridge and Zimmi, consequently to Kenema.

26 Q. Do you remember when the Eddie Massallay statement on BBC  
27 took place?

28 A. No, I don't remember. But I would remember that it was  
29 after my own BBC statement.



1 Q. Where were you when you heard the Eddie Massallay  
2 statement?

3 A. I was in Guinea, Conakry. In the meeting proper with the  
4 senior Nigerian officers --

11:47:33 5 Q. Just before that, have you finished your briefing by the  
6 hunters' leaders who came?

7 A. Yes.

8 Q. Yes.

9 A. In the meeting proper with the Nigerian, senior Nigerian  
11:47:51 10 officers, I was -- me and those two other senior

11 hunters/commanders were told that the ECOMOG Liberia had been  
12 instructed by the Head of State of Nigeria to assist all civilian  
13 effort to reinstate the democratic government of Sierra Leone  
14 back to power, that the hunters who know their terrain and also

11:49:19 15 know their people were being requested by the ECOMOG to assist in  
16 any way they could to make the work of ECOMOG that will be  
17 tasked, tasked into Sierra Leone a lot more burdensome.

18 Q. Maybe it would be for general convenience if you can repeat  
19 this last statement.

11:50:35 20 A. I said, at the meeting me and the other senior commanders  
21 of the Kamajors were told that the head of state of Nigeria had  
22 instructed them, the senior officers --

23 Q. Of?

24 A. Senior officers of Nigerian army, to help the hunters to  
11:51:34 25 assist them in their task.

26 Q. In which task?

27 A. The task that they were given to reinstate the  
28 democratically elected government back to power in Sierra Leone.

29 Q. So as to make that task less burdensome?



1 A. Yes, My Lord.

2 Q. Yes, carry on.

3 A. Our discussions were to cover arrangements for logistical  
4 supplies.

11:53:01 5 Q. By?

6 A. Logistical supplies including arms and ammunition, food,  
7 medicines, transportation, land and air, by ECOMOG Liberia.

8 Q. By ECOMOG Liberia. Just for clarification, were the  
9 Nigerian officers officers of ECOMOG in Liberia at that time?

11:54:07 10 A. The officer -- the senior officer whom I reported to was a  
11 Nigerian. General Malu to whom I had been taken was a Nigerian.  
12 Those other officers who were many, colonels, brigadiers and so  
13 on, could have been, I concluded, all Nigerians or including  
14 other West African officers, but I did not ask. I concluded that  
11:54:45 15 they could well be all Nigerians.

16 Q. Were they designated as ECOMOG?

17 A. I was told I was to co-ordinate with ECOMOG.

18 Q. With ECOMOG. Yes, carry on with the meeting, please.

19 A. That day hunters support to ECOMOG we first facilitate  
11:55:37 20 their entry into Sierra Leone, the entry of ECOMOG Liberia into  
21 Sierra Leone. And, thereafter, lead ECOMOG Liberian forces into  
22 different parts of Sierra Leone since they were relying on the  
23 hunters' knowledge of the terrain and different parts of  
24 Sierra Leone. The next was to facilitate -- hunters to  
11:56:43 25 facilitate civilian support to ECOMOG Liberia while they were  
26 operating inside Sierra Leone.

27 Q. Yes.

28 A. So, my task was now to get as many as I could of the  
29 manpower resource that was available to work out the





1 coordination, especially supplies and distribution. And so I  
2 requested Eddie Massallay to assist and so he sent messages by  
3 our means, our means meaning the traditional means, to reach  
4 further inland for more fighters, hunters and commanders to  
11:58:31 5 converge at Waterside, that is at the Mano River bridge.

6 Q. Which side?

7 A. On the Liberian side. And that was done so arrangements  
8 were made. Different allocations of responsibilities were made  
9 as how the operation got started.

11:59:18 10 Q. Roughly, just very roughly, how many days did it take  
11 between your arrival in Monrovia and the meeting at Waterside?  
12 Roughly, just roughly.

13 A. After our meeting in Monrovia it took about seven days for  
14 my own meeting with the men at Waterside. About a week.

11:59:48 15 Q. Okay. So before --

16 A. And our meeting in Monrovia was around 17th June 1997.

17 Q. So, from that time to about seven days before that meeting  
18 was held?

19 A. Yes, My Lord.

12:00:14 20 Q. You met with the -- Now, from your arrival in Monrovia, did  
21 you have any more interaction with your minister of defence?

22 A. Yes, occasionally I used the ECOMOG telephone communication  
23 provision to communicate with the Minister of Defence and the  
24 President.

12:01:01 25 Q. In Conakry?

26 A. In Conakry. To give update of my activities with that of  
27 the ECOMOG commanders. And so, after the 17th meeting with the  
28 ECOMOG commanders and the hunter commanders, I reported by way of  
29 telephone that was made available to me by the chief of staff of



1 the ECOMOG forces.

2 Q. Giving a report of what transpired at the meeting?

3 A. Yes, all that we did and the assurances that I had for  
4 supplies of arms, food, medicine, transport and so on.

12:02:05 5 Q. Anything of significance in his response during that  
6 reporting?

7 A. Well, there was less response from his side to me. All  
8 that I thought that happened and I can testify to was the active  
9 support that I got from the ECOMOG Liberia.

12:02:41 10 Q. Any other activities in Monrovia itself before your meeting  
11 with your hunter groups?

12 A. No, after my meeting with the hunter group --

13 Q. No, before. Before your meeting with the hunter groups,  
14 was there any other activity in Monrovia?

12:02:58 15 A. When I arrived in Monrovia the activity I had was with the  
16 chief of staff. More activities followed after I had met with  
17 the hunters.

18 Q. Only after?

19 A. Yes, yes. The activities was making arrangement to get  
12:03:22 20 more Sierra Leoneans that could assist in the co-ordinational --  
21 especially civilian co-ordinational arrangement. And we got that  
22 through the support of the president of NUSS, National Union of  
23 Sierra Leone Students. He was taken from Sierra Leone by the  
24 hunters through our grapevine route, together with his

12:03:59 25 vice-president, and they met me in Liberia. And, through them,  
26 we got a link to most of the students' organisations in  
27 Sierra Leone and I am grateful to them, they did a lot of help.

28 Q. Who were these persons, the president of NUSS and his  
29 vice-president? Do you remember their names?



1 A. Yes. The president was called Mr Egerton McCarthy and his  
2 vice-president was called Mr Sano [phon]. His other name I could  
3 not now remember. We also get another link-up which was most  
4 important.

12:05:05 5 Q. Just before that please, where did these student union  
6 officers meet you in Liberia?

7 A. At the residence that I was given by ECOMOG.

8 Q. In Monrovia?

9 A. Compound called Rick's Institute. Rick's Institute.

12:05:30 10 Q. Was this before or after your meeting with the hunters'  
11 groups at Bo Waterside?

12 A. It was long after my meeting with the hunters.

13 Q. Long after. Long after.

14 A. Yes, they went back and facilitated the arrival of these  
12:05:42 15 people.

16 Q. Thank you. Were they by chance at the Bo Waterside  
17 meeting?

18 A. No, they were not.

19 Q. They were not.

12:05:51 20 A. As I was saying, we had another --

21 Q. Another, indeed.

22 A. -- very important contact with a member of Parliament that  
23 went to Liberia and he contacted me and decided that he could be  
24 a political support to ECOMOG assistance in Sierra Leone.

12:06:33 25 Q. Who was that?

26 A. Mr MS Kallon. He's still in Parliament.

27 Q. MS Kallon. You have the full names?

28 A. Only his initials I could give, MS Kallon. He is still in  
29 Parliament.



1 Q. Any idea of the area of the country he represents in  
2 Parliament?  
3 A. He comes from Segbwema. I would say Kailahun area.  
4 Q. Some part of Kailahun District?  
12:07:00 5 A. Some part of Kailahun District.  
6 Q. Did he meet you before or after your meeting with the  
7 hunters' groups at Bo Waterside?  
8 A. After the hunters' group.  
9 Q. And you assessed his contact as an important contact. In  
12:07:19 10 what respects?  
11 A. He was a member of Parliament and he had decided to join in  
12 co-ordinating and assisting ECOMOG operation in Sierra Leone, and  
13 he was given -- eventually given a very important task of being  
14 an administrator down Bo Waterside after the battle over the  
12:07:51 15 bridge was over and the bridge had been taken by the hunters and  
16 ECOMOG. So he became an administrator to see that all the  
17 supplies we got from ECOMOG to the hunters at Waterside were  
18 responsibly distributed.  
19 Q. Who was this person?  
12:08:23 20 A. Mr MS Kallon.  
21 Q. A member of Parliament --  
22 A. A member of Parliament.  
23 Q. -- in question?  
24 A. Yes.  
12:08:53 25 Q. How long did you stay in Monrovia at that time?  
26 A. From my arrival in June I stayed in Monrovia until  
27 September when I moved into Sierra Leone proper and occupied a  
28 place called Base Zero.  
29 Q. When was that place so called? When was that place so





1 called?

2 JUDGE ITOE: Sorry, he stayed in Liberia from June to?

3 MR JABBI: To September he said, My Lord.

4 THE WITNESS: To September, My Lord. I should say about

12:09:48 5 the middle part of September.

6 MR JABBI:

7 Q. In the same year? 1997?

8 A. 1997, sorry. 1997.

9 Q. Before you moved over to?

12:10:04 10 A. Base Zero.

11 Q. Now, in that time of staying in Monrovia and after you had  
12 held that meeting in Bo Waterside, did you have any other  
13 instances of interaction with the hunters whilst you were staying  
14 in Monrovia?

12:10:32 15 A. Yes. At that time after the bridge had been taken -- Mano  
16 River bridge had been taken from the rebels and the AFRC forces,  
17 we had more hunters concentration now at Gendema, that is the  
18 Sierra Leone side of the bridge, and I was most often there  
19 holding meetings with hunters. Before my departure to Base Zero,  
12:11:14 20 series of meetings had been held.

21 Q. Just before we go to those meetings can you, for the  
22 benefit of the Court, spell that word?

23 A. Gendema?

24 Q. Yes.

12:11:34 25 A. Sometimes it is G, sometimes it is J. J-E-N-D-E-M-A.

26 Q. Or sometimes G-E-N --

27 A. Sometimes G-E-N-D-E-M-A.

28 Q. Okay. You said you had a series of meetings with the  
29 hunters' groups before you finally left Monrovia for Salone



1 mainland.

2 A. At some of those meetings I had ministers of government who  
3 were in Conakry with the president attending and making speeches  
4 also conveying messages from His Excellency the President to

12:12:27 5 assure the support of government of Sierra Leone to the hunters'  
6 effort. Some of these ministers I could --

7 Q. Let us watch the pace, please.

8 A. Thank you.

9 Q. Some of these ministers --

12:13:08 10 A. Some of these ministers I could name.

11 Q. Yes?

12 A. One of them was Mr Prince Harding who, until recently, has  
13 been the Secretary-General of the SLPP.

14 Q. Was he at that time Secretary-General of SLPP, at that  
12:13:27 15 time?

16 A. At that time he wasn't. At that time the Secretary-General  
17 was Reverend Paul Dunbar.

18 Q. I say --

19 A. Not the secretary-general. He was the --

12:13:49 20 Q. Reverend Paul Dunbar, you mean?

21 A. Reverend Paul Dunbar was not the secretary-general. He was  
22 the chairman of the party. My mistake.

23 Q. Who was the secretary-general?

24 A. The secretary-general, I believe, was Prince Harding.

12:14:08 25 Q. Prince Harding?

26 A. Yes.

27 Q. Even at that time. And you called him the minister of  
28 government at that time?

29 A. He was the minister of government at that time. He's still



1 minister of government.

2 Q. What ministry did he hold then?

3 A. I think communication or so. And another minister,  
4 Mr Pujeh.

12:14:33 5 Q. Full name, please?

6 A. I wish I could have the other name. Pujeh was the most  
7 common to me. He was the Deputy Minister of Finance.

8 Q. Could it be Momoh Pujeh?

9 A. Momoh Pujeh. Thank you for reminding me. Momoh was his  
12:14:56 10 name, Momoh Pujeh. He was the Deputy Minister of Finance. Most  
11 often, cash that was sent from the president was being brought by  
12 him.

13 Q. Cash for what purpose?

14 A. For the -- sometimes his support, sometimes support from  
12:15:14 15 Sierra Leoneans abroad to the hunters.

16 Q. Any other minister you want to mention?

17 A. No, I want to mention a member of Parliament.

18 Q. Other than MS Kallon?

19 A. Yes.

12:15:40 20 Q. Yes.

21 A. The name is Ansu Kaikai. He's still a member of  
22 Parliament. At that time he was in Parliament and oftentimes he  
23 was also sent to me by the President to give me his assurances of  
24 support and that of support to the hunters' effort.

12:16:20 25 Q. Now, out of abundance of caution, you have already  
26 explained some of the activities of ECOMOG with the objectives  
27 that you have stated. Between June when you arrived in Monrovia  
28 and September when you moved to mainland Sierra Leone, what  
29 generally were your interactions with ECOMOG, or, from your



1 observation, the interactions of ECOMOG and the Sierra Leone  
2 hunters?

3 A. Well, my own --

4 JUDGE THOMPSON: There are two disjunctives there. Why

12:17:07 5 not --

6 MR JABBI: I will take them one by one.

7 JUDGE THOMPSON: Yes.

8 MR JABBI: Thank you, My Lord.

9 Q. Let us take the first one.

12:17:17 10 A. Which was my own --

11 Q. Your own interaction with ECOMOG?

12 A. Well, I have called that interaction co-ordination.

13 Q. Yes.

14 A. My task was to receive whatever that was a support, whether  
12:17:34 15 in the form of arms, ammunition, food, medicine, transport, from  
16 ECOMOG and then have it delivered to the men on the ground

17 through their commanders and this was done between myself and the  
18 one appointment that had been made in the person of Mr MS Kallon  
19 as administrator. He received and then delivered to the

12:18:24 20 commanders. Sometimes I went there and made sure these  
21 deliveries were actually done so they could not be deceived, like  
22 especially arms and ammunition and food.

23 Q. What about the interaction between the hunters and ECOMOG?

24 A. That was strictly between themselves and the commanders of  
12:18:49 25 hunters. I linked up with the chief of staff. The chief of  
26 staff had his various officers in the field who were to link up  
27 with the commanders of the hunters as they went further into the  
28 hinterland of Sierra Leone.

29 Q. Was that interaction under your personal purview?





1 A. The interaction between myself and ECOMOG --  
2 Q. No.  
3 A. -- was the interaction between the hunters and commanders  
4 and commanders were in their own area of command.  
12:19:30 5 Q. That was outside your own responsibility?  
6 A. That was definitely, My Lord.  
7 Q. Now then, do you want to say anything more about ECOMOG  
8 activity in Sierra Leone during the period June and September  
9 before we move from it? Just during the period June and  
12:19:52 10 September while you were in Liberia?  
11 A. The only thing I want to say is that they did not complain  
12 to me that they did not get the required or requested  
13 co-ordination and support. So I would say -- think that they had  
14 that.  
12:20:14 15 Q. Thank you. Then still with the period June to September in  
16 Monrovia whilst you were there, you remember you have told us --  
17 you have told the Court of that very important encounter with  
18 those four men who took you initially to reach the President?  
19 A. That is in Conakry.  
12:20:37 20 Q. Whilst you were in Conakry?  
21 A. Yes, My Lord.  
22 Q. Now whilst you were in Monrovia, you having gone to  
23 Monrovia, having emanated from their encounter with you -- whilst  
24 you were in Monrovia did you have interaction with them or any of  
12:20:54 25 them?  
26 A. No. While I was in Monrovia, no.  
27 Q. No, none.  
28 A. Even oftentimes I went back to Conakry to brief His  
29 Excellency in person, but I did not have any more interaction



1 with those four people.

2 Q. Oftentimes between June and September?

3 A. Yes.

4 Q. Whilst you were in Monrovia?

12:21:20 5 A. Yes, special planes were sent to take me to Conakry and to  
6 meet with the War Council in Conakry and to brief them, the War  
7 Council in Conakry, including the Minister of Defence and the  
8 commander-in-chief and the President, and I had a lot of briefing  
9 with them, telling them what I had received and how much support

12:21:49 10 I would need further in whatever area of arms and ammunition,  
11 food, medicine and transport.

12 Q. You have just spoken about the War Council in Conakry.

13 A. Yes.

14 Q. Can you say a little more about that?

12:22:07 15 A. I will say a little more that there was a War Council  
16 operating in Conakry. Their duty and work was to hold daily  
17 briefing to know what was happening either in Sierra Leone  
18 through their loyal military officers and police officers in the  
19 country and also holding meeting --

12:22:49 20 Q. Watch the pace, please.

21 A. And also meeting to discuss international support to either  
22 the military war effort by the army or the war effort by the  
23 civil population that the hunters were a part of.

24 Q. Do you have any idea when that War Council in Conakry was  
12:23:30 25 formed?

26 A. No, I wouldn't have an idea, but I would say it was formed  
27 when the President and most of his ministers converged there and  
28 a government in exile was existing.

29 Q. Just to develop that a little bit, would you know whether



1 such a War Council, the one in Conakry, was in existence by the  
2 time you met the President in Conakry for the first time after  
3 you arrived there?

4 A. Well, it could have been.

12:24:08 5 Q. Could have been?

6 A. Could have been, but I knew of it more effectively after  
7 the arrangement for me to co-ordinate with ECOMOG Liberia.

8 Q. Did you by chance -- whilst you visited Conakry, did you by  
9 chance attend any of the War Council meetings there?

12:24:30 10 A. I did. I did attend, interacted with some of them,  
11 supplied answers to some of their questions and gave assurances  
12 to some of their apprehensions.

13 Q. Roughly how many times would you have attended a War  
14 Council meeting in Conakry?

12:25:23 15 A. Well, I could remember about three times. About three  
16 times.

17 Q. About three times. Do you remember any of the members of  
18 the War Council in Conakry?

19 A. Yes, I remember some.

12:25:48 20 Q. The membership?

21 A. I remember some of the -- well, those who were around at  
22 the meeting, whether some of them were members or no, but I  
23 remember some of them who were around the meeting.

24 Q. And who attended meetings that you attended?

12:26:05 25 A. Yes.

26 Q. Yes, can you say some of them?

27 A. His Excellency the President, Dr Alhaji Ahmad Tejan Kabbah,  
28 Honourable RES Lagawo, Honourable Ansu Kaikai, Honourable Momoh  
29 Pujeh, Honourable Momodu Koroma, Honourable Prince Harding. At



1 that time Mr Charles Margai was also there attending. There was  
2 a gentleman I saw around that was called -- yes, I could remember  
3 Mr Thorlu Bangura, Thorlu Bangura.

4 Q. Can you help with the spelling of that?

12:27:46 5 A. Thorlu, T-H-U -- T-H-O-R-L-U, Thorlu. If I'm correct,  
6 that's the name, Thorlu Bangura. There was a Mr TK Vandy who was  
7 always around and who for several -- on several occasions were  
8 personally again sent to me from Conakry to Liberia.

9 Q. By whom?

12:28:19 10 A. By His Excellency the President or by Honourable RES  
11 Lagawo.

12 Q. Who was the chairman of the War Council in Conakry?

13 A. I will only give this answer because wherever the President  
14 was at such a meeting he would be the chairman.

12:28:42 15 Q. Of those meetings of the War Council you attended --

16 A. The chairman.

17 Q. -- where the President was present he acted as chairman?

18 A. Yes, My Lord.

19 JUDGE ITOE: He did not say he acted as chairman. He said  
12:28:56 20 he would only imagine that where he was present he would  
21 ordinarily, not that he indeed did.

22 THE WITNESS: Thank you, My Lord.

23 MR JABBI:

24 Q. In view of the seeming speculative character of that  
12:29:16 25 posture, may I ask who was in control of the meetings of the War  
26 Council that you attended?

27 A. My Lords, my answer would be in Sierra Leone the chairman  
28 of the War Council is always the President and at that meeting  
29 where the government was in exile and the President was present





1 at a War Council meeting, I would assume that His Excellency the  
2 President was the chairman.

3 JUDGE THOMPSON: Counsel doesn't want that presumptive  
4 answer. I'm sure that what you're saying is the ones that he  
12:30:19 5 actually attended, who was in control? In fact, you simplify the  
6 concept of president to who was in control. I think the question  
7 is clear. I'm sure the presumptive answer doesn't help us. I  
8 mean, it's a presumption of regularity, that's all it is, and the  
9 witness doesn't help the Court by testifying to a presumption of  
12:30:43 10 regularity. I think you should probably put the question again.  
11 You may be able to elicit the answer you want.

12 MR JABBI: Yes, My Lord.

13 JUDGE THOMPSON: The meetings he attended.

14 MR JABBI:  
12:30:55 15 Q. Yes, we are only talking about the meetings you attended in  
16 Conakry. The meetings of the War Council you attended in Conakry  
17 and, if I may just explain a little bit, in any meeting it is  
18 always, I think, quite easy to see to whom and through whom  
19 people speak when they want to contribute to the meeting. Of  
12:31:18 20 course it is possible they can talk at random, anybody say  
21 anything at any time. But since you attended those particular  
22 ones you will be able to distinguish for us whether they were  
23 random contributions made or whether they were systematised --

24 PRESIDING JUDGE: Well, Dr Jabbi, I think the witness is  
12:31:39 25 clever enough to know the difference. You don't have to lecture  
26 him on this and he knows who presided or did not preside. Please  
27 put the question to him again.

28 [CDF25JAN06E - SGH]

29 MR JABBI:



1 Q. Can you say who was effectively controlling the meetings  
2 you attended?

3 A. Yes, My Lord.

4 Q. Who was?

12:32:02 5 A. His Excellency the President was.

6 Q. Thank you very much. Now, just a few questions about your  
7 visit to Conakry where you said you reported to His Excellency  
8 the President about various things in the remit he had given to  
9 you. Can you tell the Court some of his own responses to some of

12:32:39 10 your specific reports that you made to him?

11 A. Yes, My Lord. On the very first occasion that I had cause  
12 to report after my meeting with ECOMOG Liberia, I gave a verbal  
13 report on the supplies that had come from ECOMOG to support the  
14 hunters in Sierra Leone. I reported that shotguns of various  
12:33:57 15 descriptions had been supplied. Huge quantities of shotgun  
16 cartridges had also been supplied.

17 Q. By?

18 A. By ECOMOG Liberia.

19 Q. To?

12:34:20 20 A. To the hunters of Sierra Leone.

21 Q. Carry on.

22 A. Food in the form of rice, oil and other supplies, sometimes  
23 in the form of cash in dollars, medicine proper and vehicles, and  
24 there was a helicopter at my disposal also.

12:35:02 25 Q. Put at your disposal by?

26 A. By ECOMOG, that I learnt later was the property of the  
27 Government of Sierra Leone in the form of air transport. And  
28 that I had been assured by the chief of staff to General Malu  
29 that I was always disposed to making requests if and when they



1 were needed in the areas of arms, ammunition, food, medicine  
2 transport, and the sustaining requirements for those transports.

3 Q. By disposed to make requests, do you mean entitled to make  
4 requests?

12:36:19 5 A. That was -- it was only a difference between dispose and  
6 entitlement, but I would think they both meant the same,  
7 My Lords.

8 Q. Now, just to get one or two specific examples, in terms of  
9 say the gunshots. I mean, sorry --

12:36:46 10 A. Cartridges.

11 Q. No, no, no, not the cartridges. The shotguns.

12 A. Yes, My Lord.

13 Q. In terms of the shotguns --

14 A. Yes, My Lord.

12:36:58 15 Q. -- can you give us an idea of the quantity supplied that  
16 you reported to His Excellency, if you know or if you remember?

17 A. These are issue of supply of quantity on paper, but my  
18 estimation in that area would be a large one. Maybe above 500  
19 pieces to thousands, including up to 5000 pieces of shotguns.

12:37:39 20 Q. And this was included in your report to His Excellency the  
21 President?

22 A. That's what I presented in my verbal report.

23 Q. What was his reaction?

24 A. The reaction was not only akin to His Excellency. Members  
12:37:52 25 at the War Council were happy, visibly happy, and they indicated  
26 that by smiling faces and sometimes to even audible laughter.

27 Q. In his first report --

28 JUDGE ITOE: But you were asked of the President's  
29 reaction. When you say "akin", what do you mean? What do you



1 mean? Other members smiled. They showed appreciation. You said  
2 the President's reaction was "akin". What do mean by that?

3 THE WITNESS: They were almost alike. He himself smiled,  
4 he laughed. He showed satisfaction on his face, like other  
12:38:44 5 members of the council. Is what I meant, My Lord.

6 JUDGE ITOE: Thank you.

7 MR JABBI:

8 Q. He didn't make any verbal expression of that response that  
9 you are describing?

10 A. I think I could remember him saying, "Chief Norman, I am  
11 glad to hear that you have been -- your effort is being supported  
12 like that." Some Words to that effect.

13 Q. Now, that first report you have described two or three  
14 times in your statement now as verbal report. Are you, in fact,  
12:39:38 15 suggesting that there were non-verbal reports?

16 A. Up to when the government --

17 JUDGE ITOE: Learned counsel, when he says "a non-verbal  
18 report", if the report is non verbal what form is it in?

19 MR JABBI: My Lord, I didn't want to be suggestive of the  
12:40:05 20 form, but I just wanted to --

21 JUDGE ITOE: Besides oral reports, were there other reports  
22 which he made?

23 MR JABBI: Pardon, My Lord?

24 JUDGE ITOE: Besides oral reports, were there other reports  
12:40:18 25 that he made? The question can take that frame.

26 MR JABBI: Yes, indeed, My Lord. My Lord, I fully accept  
27 that reformulation of the question.

28 Q. You have so far described your first report as oral. Was  
29 there any other form of reporting?





1 A. There was no other form of reporting.

2 Q. So you normally just reported orally?

3 A. Yes, My Lord.

4 JUDGE ITOE: Are you saying, Mr Witness, that you made no  
12:40:53 5 written reports?

6 THE WITNESS: My Lord, I made no written report.

7 JUDGE ITOE: Thank you.

8 MR JABBI:

9 Q. Did you make any other visit to Conakry during which you  
12:41:35 10 also made reports?

11 A. I travelled another two times to a group of hunter  
12 commanders and some initiators whom His Excellency had expressed  
13 wishes to meet.

14 Q. Let's take them one by one. When was your first visit with  
12:42:37 15 some hunter group members to the President in Conakry? When, do  
16 you remember?

17 A. Yes. One -- the first was about the middle part of August  
18 1997.

19 Q. Mid-August?

12:42:55 20 A. It was a dangerous trip, seriously.

21 Q. Well, can you explain about that particular trip?

22 A. Well, the flight was not very comfortable. We ran into  
23 dangerous head wind, we were taken off-course. We only luckily  
24 surfaced around the coast of Guinea and I would not like to have  
12:43:26 25 a second flight of that nature.

26 Q. In your life?

27 A. At all. That's what I mean by dangerous.

28 Q. Okay. So what about the actual visit and the report?

29 A. Well, I accompanied the initiators and commanders that I



1 took along, and they met His Excellency the President. I believe  
2 it was at another War Council meeting that this meeting took  
3 place between himself and those men.

4 Q. Why do you say so?

12:44:10 5 A. Some of those whom I had met at the first meeting at this  
6 War Council were there. So whenever I saw them, of those three  
7 meetings together, I would consider that this was the council  
8 that was meeting, and whether it was a definitely conference  
9 place for a daily conference place, I was not there. But on the  
12:44:39 10 three occasions that was the same place and most of the faces  
11 were familiar.

12 Q. Can you say which hunters went with you on that particular  
13 trip?

14 A. Yes. The head of the administration was Mr NK Harding.

12:45:06 15 And --

16 Q. N?

17 A. N, November.

18 Q. Okay.

19 A. And the one that was representing the initiators was called  
12:45:42 20 Kamoh Lahai. Kamoh Lahai. And he -- another initiator that went  
21 with him was called Mohamed Mansaray.

22 Q. So on that occasion those were the main initiators?

23 A. And administrator. Correction. There was  
24 Mr Eddie Massallay, a commander.

12:46:06 25 Q. On that trip?

26 A. Yes.

27 PRESIDING JUDGE: So there were four hunters with you?

28 THE WITNESS: Yes, My Lord.

29 MR JABBI:



1 Q. Did you know these men before that trip?

2 A. Yes, and I still know them.

3 Q. So what was the report to HE the President this time? You  
4 went with these people, you --

12:46:37 5 A. He had expressed desire to see some of them. I had taken  
6 them and presented them to him.

7 Q. At the War Council meeting?

8 A. I suppose it was a War Council meeting. I cannot be  
9 definite.

12:46:55 10 Q. Can you say what transpired there?

11 A. His Excellency received them, and to my recollection he  
12 told them that he had heard of their effort and support, and that  
13 he was telling them in person that he would support them until  
14 government was reinstated. Words to that effect.

12:47:37 15 Q. Anything else transpire at the meeting?

16 A. A lot of interaction and discussions by various people took  
17 place that I was not very particularly involved.

18 Q. So what about the other trip. You said you went there in  
19 all about three times during that period.

12:48:11 20 A. The other trip was to -- that was by myself through  
21 His Excellency to make arrangements for me to move from Monrovia  
22 into part of Sierra Leone, because there was so much between  
23 President Charles Taylor and myself which was often on the BBC,  
24 that his effort was to get me arrested in Monrovia and my effort  
12:48:45 25 was to avoid him, avoid the arrest. So eventually my move to  
26 Base Zero I briefed His Excellency on, not in the Council. The  
27 members of the War Council could have been briefed after I left,  
28 but His Excellency was not briefed on my intention to move from  
29 Monrovia into the heart of Sierra Leone in the presence of the



1 members of the War Council.

2 Q. Let me restate what you said just now. Are you saying that  
3 your report to the President on the need for you to move from  
4 Monrovia on to mainland Sierra Leone, that report was not made to  
12:49:38 5 the President alone?

6 A. It was never made public. It was made between himself and  
7 me. And I received his consent --

8 Q. Please, please.

9 A. Thank you.

10 Q. Please, please.

11 A. Thank you.

12 Q. Yes?

13 A. I got his consent.

14 JUDGE THOMPSON: Did he say that that meeting was primarily  
12:50:12 15 because of a threat from Charles Taylor to get him arrested?

16 THE WITNESS: Yes, My Lord.

17 JUDGE THOMPSON: That was part of his answer, was it?

18 THE WITNESS: Yes, My Lord.

19 JUDGE THOMPSON: That was the purpose of this meeting with  
12:50:23 20 His Excellency?

21 THE WITNESS: Yes, My Lord. That I was being arrested and  
22 he was getting anxious, so I would prefer to enter Sierra Leone  
23 proper and to save the situation where there could be another  
24 problem, just in case I was picked up by his men or arrested.

12:50:48 25 Even though there were a lot of arrangements by the Nigerian  
26 ECOMOG, that situation could not be easy. But I felt it was a  
27 lot better if I was out of Monrovia.

28 MR JABBI:

29 Q. So, in fact, this was a meeting with HE the President both





1 to report that situation and explain that as a result of that it  
2 was necessary that you moved out of Monrovia?

3 A. Yes, My Lord.

4 Q. Do you remember when that visit was made?

12:51:49 5 A. Yes, I do remember. It was either the last week of August  
6 or the first week of September, 1997.

7 Q. What was the President's response to your request?

8 A. That if that could not break the important link of  
9 co-ordination between myself and ECOMOG, then he would consent.

12:52:47 10 And I showed him it won't, so he consented.

11 Q. Was there any other thing to report about that particular  
12 meeting, apart from the request to move to mainland? Was there  
13 any other element in your report?

14 A. Yes. What was the other thing to consider was how was  
12:53:54 15 communication going to be much more available between myself to  
16 where I was going and His Excellency the President. So  
17 communication between us became a very serious concern.

18 Q. You mean that issue was raised at this meeting?

19 A. At the last -- the third meeting, yes.

12:54:12 20 Q. The third meeting?

21 A. Yes.

22 Q. That issue was raised?

23 A. Yes, it was. And it was the one that was going to -- that  
24 forestalled my most immediate move to Base Zero to another one or  
12:54:29 25 two weeks before there was an assurance of a satellite  
26 communication that could be made available. And so the move to  
27 Base Zero then became a reality.

28 Q. You mean satellite communication was provided, it was  
29 afforded?



1 A. It was later. After I had moved to Base Zero it was made  
2 available.

3 PRESIDING JUDGE:

4 Q. So what you are saying, Mr Norman, is the concern the  
12:55:06 5 President expressed was that, if you were to move to Base Zero,  
6 there would be problems of communication between you and him?

7 A. Yes, My Lord.

8 Q. And that has delayed your departure by another two weeks?

9 A. Yes, My Lord, to Base Zero.

12:55:18 10 Q. But when you departed it had been organised for satellite  
11 linkage with him, or communication?

12 A. The assurances had been there.

13 Q. Assurances?

14 A. Yes. And the satellite communication was, indeed, made  
12:55:32 15 available after I had moved to Base Zero.

16 PRESIDING JUDGE: Thank you. If you can finish with these  
17 meetings, if you are finished, it would be a good time to  
18 adjourn.

19 MR JABBI: Thank you, My Lord.

12:55:49 20 PRESIDING JUDGE: But I would like you to finish this  
21 meeting issue.

22 MR JABBI: Yes, My Lord.

23 Q. You spoke, of course, of three visits to Monrovia --

24 JUDGE ITOE: Who provided the satellite communication?

12:56:05 25 THE WITNESS: The satellite communication was provided by  
26 the Minister of Education [sic], Mr James Jonah.

27 MR JABBI:

28 Q. Directly to you?

29 A. From Monrovia -- from Conakry to me.



1 JUDGE ITOE: The Minister of --

2 THE WITNESS: Minister of Finance, Mr James Jonah, on  
3 behalf of the government of Sierra Leone that this satellite  
4 communication was provided.

12:56:29 5 MR JABBI:

6 Q. My question was whether it was provided by him directly to  
7 you?

8 A. Sorry, My Lord, I don't quite understand "directly".

9 Q. For instance, I mean --

12:56:56 10 PRESIDING JUDGE: How were you issued that communication?  
11 How was it issued to you?

12 THE WITNESS: It came from the government of Sierra Leone,  
13 through the Minister of Finance. That's what I was told by the  
14 minister himself, Mr James Jonah.

12:57:08 15 MR JABBI:

16 Q. Who delivered the satellite communication to you?

17 A. The satellite communication was brought to me, via  
18 Monrovia, by a minister. Yes, by Mr Momoh Pujeh from the  
19 Ministry of Finance. Mr Momoh Pujeh. I was told by the chief of  
12:57:36 20 staff who sent this communication by a helicopter pilot, to be  
21 delivered to me, that this had come from Conakry. And I was  
22 given a piece.

23 Q. Did you meet Mr Momoh Pujeh on that occasion?

24 A. No I didn't. No, I hadn't -- I didn't meet him.

12:58:13 25 Q. Now, maybe the final set of questions on the period between  
26 June to September, 1997 in Monrovia. I believe we have now  
27 completed the visits that you made --

28 A. Yes My Lord.

29 Q. -- during that time?



- 1 A. Yes, while I was in Monrovia.
- 2 Q. Okay, so one set of questions I would want to ask. You had  
3 said that your initial communications with the President whilst  
4 you were in Monrovia took place on ECOMOG equipment.
- 12:58:57 5 A. By ECOMOG telephone.
- 6 Q. By ECOMOG telephone?
- 7 A. Yes, My Lord.
- 8 Q. For that period, June to September 1997, whilst you were  
9 still in Monrovia, did you have any other means of communication  
12:59:15 10 with HE the President in Conakry?
- 11 A. Apart from --
- 12 Q. Apart from that ECOMOG means.
- 13 A. Apart from ECOMOG telephone?
- 14 Q. Yes.
- 12:59:21 15 A. No, My Lord.
- 16 Q. So that was your only means of communication with him --
- 17 A. Yes.
- 18 Q. -- for the period June to September?
- 19 A. There was no provision for a mobile or anything, any other  
12:59:35 20 telephone, excepting the ECOMOG telephone.
- 21 Q. Okay. Finally, at any rate for this morning, you mentioned  
22 a Momoh Pujeh of the Ministry of Finance?
- 23 A. Yes.
- 24 Q. Whom you were told brought the equipment?
- 12:59:53 25 A. The telephone, the satellite telephone.
- 26 Q. The satellite telephone. Who was Momoh Pujeh at that time?
- 27 A. Deputy minister of finance.
- 28 Q. In the government?
- 29 A. In the government of Sierra Leone.





1 Q. Thank you.

2 MR JABBI: My Lord --

3 PRESIDING JUDGE: That's a good time to break?

4 MR JABBI: Yes, indeed, My Lord.

13:00:13 5 PRESIDING JUDGE: Thank you very much. So the Court will  
6 adjourn until tomorrow morning at 9.30. This is Wednesday and on  
7 Wednesday afternoon we do not sit. So we will resume the hearing  
8 of the evidence of the witness tomorrow morning at 9.30. Thank  
9 you very much. Court is adjourned.

10 [Whereupon the hearing adjourned at 1.02 p.m.,  
11 to be reconvened on Thursday, the 26th day of  
12 January 2006, at 9.30 a.m.

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WITNESSES FOR THE DEFENCE:

WITNESS: SAMUEL HINGA NORMAN 3

EXAMINED BY MR JABBI 3