

Case No. SCSL-2004-15-T
THE PROSECUTOR OF
THE SPECIAL COURT
V.
ISSA SESAY
MORRIS KALLON
AUGUSTINE GBAO

MONDAY, 03 APRIL 2006
9.45 A.M.
TRIAL

TRIAL CHAMBER I

Before the Judges:	Pierre Boutet, Presiding Bankole Thompson Benjamin Mutanga Itoe
For Chambers:	Ms Candice Welsch Mr Matteo Crippa
For the Registry:	Ms Maureen Edmonds
For the Prosecution:	Mr Peter Harrison Mr Alain Werner Mr Mark Wallbridge (Case Manager) Ms Amira Hudroge (intern)
For the Principal Defender:	NO APPEARANCE
For the accused Issa Sesay:	Mr Wayne Jordash Ms Sareta Ashraph Ms Chantal Refahi
For the accused Morris Kallon:	Mr Shekou Touray Mr Charles Taku
For the accused Augustine Gbao:	Mr Andreas O'Shea Mr John Cammegh

1 [RUF3APR06A - CR]
2 Monday, 03 April 2006
3 [Closed session]
4 [The accused present]
09:46:34 5 [The witness entered Court]
6 [Upon commencing at 9.45 a.m.]
7 PRESIDING JUDGE: Good morning, counsel. Good morning,
8 Mr Witness.
9 Mr Jordash, as you have noticed, we don't have a Court
09:47:35 10 Officer yet at this moment. There seems to be some difficulties
11 in Court Management personnel this morning, so given the ability
12 for us to adapt to situations, I have managed to have an acting
13 Court officer. We're ready to proceed.
14 MR JORDASH: I thought he was a very, very able
09:47:51 15 replacement.
16 PRESIDING JUDGE: Thank you. So, you may resume your
17 cross-examination of this witness and I recall on Friday you had
18 indicated some time line and I know most of the time it is
19 difficult to contain it within that time frame, but we urge you
09:48:16 20 to try to.
21 MR JORDASH: I think I can finish quite --
22 PRESIDING JUDGE: Thank you.
23 JUDGE ITOE: Maybe even shorter, who knows. Mr Jordash may
24 have a surprise for us.
09:48:29 25 MR JORDASH: I can do my best.
26 WITNESS: TFI-168 [Continued]
27 CROSS-EXAMINED BY MR JORDASH: [Continued]
28 Q. Good morning, Mr Witness.
29 A. Good morning.

1 Q. I just wanted to pick up very briefly on something that I
2 asked you about on Friday, which was the comment or joke about
3 Mr Taylor and his enthusiasm for creating generals and what I
4 should have said to you then was that the joke was that there
09:49:13 5 were no stars in the sky at Gbarnga because all the stars had
6 been given to the very many generals. Is that how the joke went?

7 A. Say it again, please.

8 Q. There were no stars in the sky in Gbarnga, because
9 Mr Taylor had given them all to his very many generals. Is that
09:49:34 10 how the joke went?

11 A. I heard about the joke, but I cannot substantiate how it
12 went on.

13 PRESIDING JUDGE: But there was a joke about generals?

14 THE WITNESS: Yes.

09:49:59 15 MR JORDASH:

16 Q. And stars in the sky. Does that ring a bell?

17 A. Yes.

18 Q. Thank you. Ranks, were also, is this right, important in
19 the RUF movement?

09:50:18 20 A. Yes.

21 Q. Was there a time when Foday Sankoh made it clear that ranks
22 had to be respected?

23 A. Yes.

24 Q. Can you recall when that was?

09:50:32 25 A. I know he used to talk about respecting ranks, but I cannot
26 recall exactly when.

27 PRESIDING JUDGE: When you say, "He used to," who are you
28 making reference to?

29 THE WITNESS: Corporal Foday Sankoh.

1 PRESIDING JUDGE: Sankoh, thank you.

2 MR JORDASH:

3 Q. Was it the case that, prior to Sankoh making that explicit,
4 there had been some suggestion that assignment or when you joined
09:51:16 5 the movement was, in fact, the most important way of measuring
6 status and Sankoh was effectively saying this time from now on
7 ranks must be respected?

8 A. Yes. Excuse me, what do you really want from me?

9 Q. What I want is just your answer. I will simplify the
09:51:59 10 question.

11 JUDGE ITOE: Put the first arm of the question to him,
12 please.

13 MR JORDASH:

14 Q. Did Sankoh indicate that ranks should be respected because
09:52:09 15 he had tired of other titles, such as assignment, taking
16 precedence over rank?

17 A. Yes.

18 Q. Is it correct that immediately prior to the RUF joining the
19 AFRC in Freetown, Foday Sankoh made various promotions?

09:53:20 20 A. I cannot tell.

21 Q. See if you can recall that in March 1997, when Sankoh was
22 under house arrest in Nigeria, he passed on a message to promote
23 some of the officers. Think that through.

24 A. I heard of it.

09:54:13 25 Q. Did you hear that Sam Bockarie became a colonel?

26 A. Yes.

27 Q. Isaac Mongor became a colonel?

28 A. Yes.

29 Q. Denis Mingo, Superman, became a colonel?

1 A. Yes.

2 Q. Issa Sesay became a lieutenant-colonel.

3 A. Yes.

4 Q. Peter Vandi became a lieutenant-colonel?

09:54:51 5 A. Yes.

6 Q. Gibril Massaquoi, lieutenant-colonel?

7 A. Yes.

8 Q. Mike Lamin, colonel?

9 JUDGE ITOE: Gibril Massaquoi became?

09:55:11 10 MR JORDASH: Lieutenant-colonel.

11 Q. Mike Lamin, colonel?

12 A. Yes.

13 Q. It was the case - just moving to a different subject - it

14 was the case when you were xxxxx that there were times when

09:55:48 15 civilians were given passes to allow them to move to different

16 areas; correct?

17 A. My position as xxxxxx was given to me at the xxxxxxxxxxxxxxxx

18 Q. Yes.

19 A. But then when we entered Sierra Leone, we already met those

09:56:15 20 structures in place. Other people were already holding those

21 offices.

22 Q. Let me ask you this then: Is it right that, from what you

23 observed, when civilians were captured they were placed behind

24 the front lines and an area would be established for them;

09:56:55 25 correct?

26 A. Yes, sir.

27 Q. If the RUF didn't have food for the civilians, the

28 civilians could be given passes to go on food-finding missions?

29 A. Yes.

1 Q. There was a great deal of fear that the enemy, CDF
2 Kamajors, would infiltrate amongst civilians; is that correct?

3 A. Yes.

4 Q. And the passes --

09:57:47 5 PRESIDING JUDGE: What time frame are we talking about
6 here, Mr Jordash? I know you talk about 1997 and about
7 promotion. Are we still in the same time frame?

8 MR JORDASH: I am sorry, I should have made that clear.

9 Q. I'm talking really up until your experience really in the
09:58:06 10 first few years of the RUF before you were arrested and detained
11 in Kailahun. So the question I asked about passes was aimed at
12 that time period. Would you agree, during that time period from
13 early days of Sankoh taking over the war until you were detained,
14 that was one of the purposes of -- sorry, that was one of the
09:58:36 15 principal fears about the CDF and government forces infiltrating
16 civilian populations.

17 A. That's correct.

18 Q. That's correct. And the pass system was, in part, aside
19 from the food-finding element, designed to identify civilians
09:59:00 20 from enemy combatants; is that correct?

21 A. Well, not only civilians from enemy combatants, but
22 civilians residing in RUF control territories and other civilians
23 not under RUF control.

24 Q. Because those not under their control were considered to be
09:59:33 25 possible enemy combatants; correct?

26 A. No, not necessarily.

27 Q. Not necessarily, but often the case.

28 A. Unless otherwise proven, they are considered to be
29 civilians. They might be on reconnaissance mission, but they

1 don't take them all the time to be combatants, unless otherwise
2 proven.

3 Q. I understand. Thank you. Mohamed Tarawallie and
4 Rashid Mansaray, was it Mohamed Tarawallie who remained in the
10:00:38 5 second position up until his disappearance in 1996?

6 A. Well, initially at the training base, Rashid Mansaray was
7 second in command, but then at the start of the war, Rashid was
8 arrested by Corporal Sankoh and kept in detention, so
9 automatically Mohamed was regarded as second in command.

10:01:17 10 Q. Up until his disappearance at Camp Zogoda in 1996?

11 A. Yeah.

12 Q. Just dealing with that time frame from 1992 to 1996, did
13 you observe civilians doing business on the Guinean border with
14 such things as palm oil, cocoa and coffee?

10:01:46 15 A. Which other civilians? You mean those residing in
16 RUF-controlled zones?

17 Q. Yes.

18 A. Yes.

19 Q. Was there an incident around 1994 where Mike Lamin was -- I
10:02:45 20 just want to take instructions, please.

21 [Defence counsel and accused conferred]

22 MR. JORDASH:

23 Q. In 1991, Mike Lamin was in Pujehun; am I correct?

24 A. Yes.

10:03:20 25 Q. In 1991, is it correct that Mike Lamin punished two people
26 for rape?

27 A. Yes, in fact, he executed them.

28 PRESIDING JUDGE: In 1991, say?

29 MR JORDASH: Yes.

1 THE WITNESS: Yes, 1991.

2 MR JORDASH:

3 Q. Were they --

4 JUDGE ITOE: He said he was in Pujehun. Where did he

10:03:54 5 execute them, in Pujehun?

6 THE WITNESS: Pujehun District, by the border.

7 PRESIDING JUDGE: So Lamin executed these two people

8 accused of rape in Pujehun District?

9 THE WITNESS: Yeah, they were NPFL soldiers.

10:04:17 10 MR JORDASH:

11 Q. What happened was Mike Lamin came from the front line and

12 the incident of the Sierra Leonean woman being raped was reported

13 to him; is that right?

14 A. Yes.

10:04:33 15 Q. G2 investigated the issue? Is that right?

16 A. Yes.

17 Q. The two men were found guilty and Mr Lamin ordered their

18 execution.

19 A. Yes.

10:05:05 20 Q. That punishment was based on the ideology that was taught

21 at the training Camp Naama; is that right?

22 A. That's correct.

23 Q. And that ideology involved a clear prohibition on rape, did

24 it not?

10:05:35 25 A. Yes.

26 Q. A clear prohibition on theft?

27 A. Yes.

28 Q. That was an ideology which you must have experienced up

29 until --

1 JUDGE ITOE: Mr Jordash, would you like to use the word
2 "looting"? Is it theft or looting? We've been consistent with
3 the use of the word "looting".

4 MR JORDASH: I suppose I was using theft as a broader --

10:06:25 5 JUDGE ITOE: You say there was a clear prohibition on rape
6 and theft. Is that what you meant in the word "theft"?

7 MR JORDASH: I suppose I was using theft in a wider sense.

8 JUDGE ITOE: Okay.

9 MR JORDASH:

10:06:50 10 Q. This was an ideology you observed being taught throughout
11 the time you were with rebels; is that right?

12 A. Sorry, I didn't get you clearly.

13 Q. Sorry. My fault. This was an ideology which was taught at
14 the rank-and-file level to RUF throughout your time with the
10:07:17 15 rebels; is that fair?

16 A. That was the ideology we were taught at the training base.

17 Q. That theory, those principles continued to be at least
18 taught throughout your period with the rebels; no?

19 A. Yes, it was taught in principle.

10:07:57 20 Q. Yes. As you told us on Friday, there were obviously some
21 bad commandos who went against that; yes?

22 A. Yes.

23 Q. Now, jumping forward -- just one incident before we jump
24 forward. 1992, Gibril Massaquoi killed a number of Vanguardians in
10:08:32 25 Pujehun; is that right?

26 A. I heard of it, but I was not there.

27 Q. You were not there but it was, perhaps, the biggest news at
28 that time, was it not? Is that correct?

29 A. Yes, in 1992 that was the time I left xxxx for xxxxxxxx.

1 From **xxxxx**, I travelled to **xxxxxxx**. It took two years we
2 could not hear -- we did not hear about the group that was in
3 Pujehun. So when, finally, they joined us, that was the report
4 they brought to Corporal Sankoh at Pendembu; that Gibril and some
10:09:39 5 junior commandos have killed most of the Vanguard's in Pujehun
6 District area.

7 Q. That included Patrick Lamin, didn't it?

8 A. Yeah. Patrick Lamin, Abdul Rahman [phon], Tonkara; Ismail
9 - a lot of them.

10:10:12 10 JUDGE ITOE: Patrick Lamin. Who again?

11 THE WITNESS: Abdul Rahman - Abdul Rahman Bangura.

12 MR JORDASH:

13 Q. Wasn't Patrick Lamin Special Forces?

14 A. Yes.

10:10:35 15 Q. And it was the general view of the RUF combatants at that
16 time that this incident where people were killed arose through
17 the excessive power ambitions of Gibril Massaquoi?

18 A. Well, that was one school of thought. The other school of
19 thought was that the Vanguard's have brought the war and they are
10:11:45 20 not able to contain the war, so they have inflicted -- they have
21 caused unnecessary punishment on the junior commandos and the
22 civilians. So it was at that point that these junior commandos
23 organised themselves to get rid of the Vanguard's and put
24 themselves in command of the war.

10:12:10 25 Q. Thank you.

26 A. That was in Pujehun District because of the absence of
27 Corporal Sankoh. But on the Kailahun side, Corporal Sankoh was
28 in firm control.

29 PRESIDING JUDGE: So there was two different groups; those

1 in Pujehun and those in Kailahun?

2 THE WITNESS: Yes, two different groups in the sense the
3 terrain, Kailahun District -- those in Kailahun District were cut
4 off from those in Pujehun District by the government troops. So
10:12:51 5 there was no communication between them for about two years.
6 That would be between 1992 and 1994.

7 MR JORDASH:

8 Q. Is it true, Mr Witness, that, and I'm jumping forward now
9 to 1998 -- is it true from what you heard that following the
10:13:41 10 intervention when Sam Bockarie was based in Buedu, he was
11 frightened about going to Kono where Superman was based?

12 A. Well, I don't want to say so.

13 Q. Why not?

14 A. Huh?

10:14:22 15 Q. Why not?

16 A. Well, Sam Bockarie was the overall commander. Superman was
17 under him as one of the top commanders just like Morris Kallon,
18 Issa Sesay and the others. Although we used to hear that there
19 was understanding between them, between Sam Bockarie and Denis
10:15:06 20 Mingo, but I wouldn't have seen why Sam Bockarie, as overly
21 commander, what could have stopped him from going to Kono.

22 Q. Okay. But he never did go to Kono, from what you
23 understand?

24 A. No, even the initial moments when AFRC took over, they
10:15:33 25 invited the RUF. Sam Bockarie went to Freetown through Kenema
26 and we learned that he later came and based himself in Kenema. I
27 didn't hear about him going to Kono.

28 Q. Thank you. Is it right, just since you mentioned Freetown,
29 that when Sam Bockarie first headed to Freetown to join the

1 junta, he stopped at various towns and villages like Daru to
2 encourage all the internally displaced people from Kailahun to
3 return to Kailahun?

4 A. That's correct.

10:16:19 5 Q. Was it your understanding, whether from what you saw or
6 heard, that indeed, people did return to Kailahun?

7 A. Where we landed some people did return, some displaced
8 people, especially in a Luawa Chiefdom and Upper Bambara
9 Chiefdom. That is the area surrounding Pendembu and Kailahun
10:16:54 10 Town.

11 Q. Right. Did people continue to return in 1997 and 1998?

12 A. Well, they started returning after the May 25 coup that
13 after they received assurances from General Sam Bockarie that the
14 war was over and that they should return to manage their lives
10:17:30 15 back to their places of origin.

16 Q. Okay. Were there people still returning following the
17 intervention?

18 A. You mean 1998?

19 Q. Yes. Sorry, after ECOMOG intervened in Freetown.

10:17:53 20 A. 1998.

21 Q. Yes.

22 A. 1998, during 1998, that intervention, we saw a whole lot of
23 people coming back to Kailahun District. Some of them were
24 indigents of Kailahun. Some came as a result of fear because of
10:18:20 25 their former association with the junta.

26 Q. Right. In Freetown and --

27 A. And the major cities.

28 Q. So they followed the fleeing junta because, effectively,
29 they couldn't stay where they'd been living because they were

1 fearful that the local populace would take measures against them
2 for their association with the rebels?
3 A. That's correct.
4 Q. Many of them were young men who'd been associated with the
10:19:05 5 rebels in the major cities; is that correct?
6 A. Yeah.
7 Q. In fact, the training base in Bunumbu - we'll come to that
8 in more detail shortly - but, in fact, many of the recruits at
9 Bunumbu consisted of those people?
10:19:27 10 A. Yes.
11 Q. Young men not schooled in the ideology of the RUF taken to
12 Bunumbu to train them up?
13 A. Yes.
14 Q. Am I correct that the alleged Kamajors were killed
10:20:06 15 approximately -- well, at least a week, maybe more, before Johnny
16 Paul Koroma's arrival in Kailahun?
17 A. They were killed before Johnny Paul was brought to -- came
18 to Kailahun.
19 Q. Thank you. You may not know this, but you might have
10:20:45 20 heard: did many of those alleged Kamajors have Kamajor markings
21 on them?
22 A. I saw some of them with Kamajor marks.
23 Q. Did you see Mike Lamin bring Johnny Paul Koroma to
24 Kailahun?
10:21:24 25 A. No, I was not in Kailahun when Johnny Paul came there. I
26 was in ~~xxxxxx~~, but it was Mike Lamin who accompanied Johnny Paul
27 to Kenema where he was kept.
28 Q. I understand. Thank you. As far as you are aware, Johnny
29 Paul was not attending meetings in Buedu during his stay in

1 xxxxxxx; is that correct?

2 A. Yeah, we never heard about him attending meetings, but on
3 one or two occasions, senior officers from Buedu used to visit
4 him.

10:22:27 5 Q. Right. Am I right that throughout 1998 and in fact through
6 to the end of the war, the only AFRC people in Kailahun were
7 rank-and-file soldiers as opposed to senior officers.

8 A. Some senior officers were there.

9 Q. Who?

10:23:24 10 A. I know of Honourable Adams.

11 Q. So you just know of the one, yes?

12 A. Then Honourable Lagawo.

13 Q. Two. Any more?

14 A. Honourable Sammy.

10:23:41 15 Q. Any more?

16 A. Then Honourable Eddie Kanneh.

17 PRESIDING JUDGE: Eddie?

18 THE WITNESS: Yes.

19 MR JORDASH:

10:23:55 20 Q. Kanneh?

21 A. Eddie Kanneh, yeah.

22 Q. They were taking orders from Bockarie?

23 A. Yeah. They were all residing in Buedu.

24 Q. Right. From what you observed, Sam Bockarie did not have a
10:24:21 25 cordial relationship with the other AFRC who were stationed in
26 the north of the country; is that fair?

27 A. I cannot tell, but what I know, those that were in Kailahun
28 District, he was having very good relationship with them. Those
29 that were in Buedu.

1 Q. But you know, don't you, that Bockarie had left Freetown
2 during the junta because he had fallen out or come to some
3 disagreements with the principal commanders of the AFRC; is that
4 right?

10:25:17 5 A. While it is true that he had some disagreement with them,
6 but he used to tell people that his main concern was security,
7 but he knew that the security in Freetown was not strong enough
8 for him to reside there. That was why he took Kenema as his
9 base.

10:25:52 10 Q. Because he was fearful that somebody from the AFRC high
11 ranks would assassinate him?

12 A. Of course. But nevertheless the other RUF top commanders
13 were residing in Freetown, by Gibril, Issa, Collins and others.

14 Q. Lamin?

10:26:16 15 A. Mike Lamin, Lawrence Womandia. I mean all others. Only
16 Mosquito was very keen about his security and he was scared of
17 staying in Freetown for his security.

18 Q. Yes. Is it not the case that you believed that the AFRC
19 commanders in Kailahun were, from what you observed, staying
10:27:03 20 there for their survival rather than because they had any
21 particular affection for Mosquito?

22 A. Well, I don't look at it that way. I think their concern
23 was their security too, because Kailahun District is very
24 close -- Kailahun is at the border with Liberia, Kailahun
10:27:41 25 District. So staying in Kono or part of Koinadugu may have
26 looked risky to them, but staying in Buedu, which is just 7 miles
27 to the border, in case of any imminent attack, they can easily
28 cross the border and go into Liberia.

29 Q. Right. I just want to ask you a little bit more about

1 Mr Mike Lamin. He was respected, is this right, by the Vanguard
2 as a close associate of Foday Sankoh and one of the original
3 trainers at Camp Naama?

4 A. Yes.

10:28:43 5 Q. Are you aware that he was living in --
6 JUDGE ITOE: Mr Jordash --
7 MR JORDASH: Sorry.
8 JUDGE ITOE: He was respected by the Vanguard as a close
9 associate of Sankoh and a trainer in Camp Naama?

10:29:18 10 MR JORDASH: Yes.

11 Q. And was an adviser, am I right, to Sam Bockarie in Kailahun
12 in 1998? Were you aware of that?

13 A. You mean after their --

14 Q. After the intervention.

10:29:40 15 A. After the intervention. When at that time I was in
16 xxxxxx, the xxxxx used to visit us at the xxxxx in xxxxx,
17 so I didn't really know which prominent role he was playing.

18 Q. But he was, as you observed, playing a prominent role?

19 A. Yes, he was one of the top commanders.

10:30:08 20 PRESIDING JUDGE: We're talking here of Mike Lamin?
21 THE WITNESS: Yeah. In fact he was highly respected, being
22 the only Sierra Leonean instructor at Camp Naama. So, for one
23 reason or another, the Vanguard used to have high regard for
24 him, because he was the only Sierra Leonean instructor that
10:30:36 25 trained the Vanguard.

26 MR JORDASH:

27 Q. Is this right: Perhaps considered to be the only true
28 friend of Foday Sankoh left in the RUF around 1998?

29 A. That question is difficult for me to answer.

1 Q. I'll just take instructions, okay. Just have a think about
2 it for a moment.

3 MR JORDASH: There may have been some difficulties in
4 translation there, because Mr Sesay got that question differently
10:31:43 5 to what I had hoped it was.

6 PRESIDING JUDGE: Can you put the question back and we'll
7 ask the interpreters to carefully translate that from English to
8 Krio.

9 MR JORDASH:
10:31:56 10 Q. I can break it down if it might help. Did you understand
11 from your time in Camp Naama that Mike Lamin was a friend of
12 Foday Sankoh?

13 A. Mike Lamin was an instructor at the training base.

14 Q. Yes, but he'd associated with Mr Sankoh for some time. It
10:32:18 15 was, in effect, known, their shared revolution?

16 A. Mike Lamin was a student at the university, a second-year
17 student by the time the war entered Liberia -- by the time of the
18 Liberian civil war. So he joined the NPFL. He was a recruit of
19 the NPFL so he fought -- according to what he told us, he took
10:33:02 20 training at the Salala base, that is behind -- just a few miles
21 out of Kakata. But then they were the ones that fought primarily
22 in Monrovia, so --

23 PRESIDING JUDGE: When you say they were the ones, what do
24 you mean?

10:33:17 25 THE WITNESS: He was one of the people that fought
26 primarily in Monrovia and survived. So when Corporal Sankoh
27 opened the base at Camp Naama, Mike Lamin was not with Sankoh
28 initially. But later, after I was taken to the base, that was
29 the time Mike too appeared there. Mike met me on the base. He

1 came along with Morris Kallon.

2 PRESIDING JUDGE: You came along or Mike Lamin?

3 THE WITNESS: He came. He came along with Morris Kallon.

4 So but because of his experience at the battle front and being a
10:34:19 5 Sierra Leonean and a university student, Sankoh had a lot of
6 respect for him. Not only Sankoh, the Vanguardians had a lot of
7 respect for him because in terms of ideology, he used to teach us
8 ideology because he had -- he did what they call at the
9 University of Liberia ROTC.

10:34:56 10 PRESIDING JUDGE: Which stands for what?

11 THE WITNESS: I can't remember again, but it is a military
12 course they do at the university. ROTC.

13 PRESIDING JUDGE: Officer's training course, something like
14 that?

10:35:08 15 THE WITNESS: Something something Training Corps.

16 PRESIDING JUDGE: So he was part of the ROTC at the
17 University of Liberia?

18 THE WITNESS: No, he did. During his stay at a student, he
19 offered that course at the university.

10:35:31 20 PRESIDING JUDGE: To the ROTC.

21 THE WITNESS: ROTC.

22 PRESIDING JUDGE: Yes, but this is Mike Lamin that offered
23 the course to ROTC, or he received the course from ROTC?

24 THE WITNESS: He received. So because of that, his wealth
10:35:48 25 of experience in ROTC and his educational background and his
26 experience at the battle front, obviously he became a good friend
27 to Corporal Sankoh.

28 MR JORDASH:

29 Q. Thank you. After the signing of the Lome Peace Agreement

1 Mike Lamin became once more reunited with Foday Sankoh; is that
2 right?
3 A. Yes.
4 Q. As an adviser and a minister. Let's stick with adviser.
10:36:46 5 Was he an adviser again to Foday Sankoh after Lome?
6 A. What I know was that after the Lome agreement Mike Lamin
7 was designated by the RUF as Minister of Trade and Industry.
8 Q. Do you know if Mike Lamin was used as a way in which the
9 AFRC and RUF combatants -- let me start that again. Am I right
10:37:42 10 that Mike Lamin was used by Foday Sankoh to explain the Lome
11 agreement to RUF and AFRC combatants?
12 A. You mean in the bush or in town?
13 Q. In town. After Lamin had moved to Freetown and then
14 Makeni, I suggest.
10:38:11 15 A. Well, Lamin was not the only one that went to Lome during
16 the signing of that agreement. Other top RUF commanders went
17 there too, including Issa Sesay. Only Sam Bockarie I know didn't
18 go.
19 Q. Right. But when they all returned from Lome, Mike Lamin
10:38:38 20 used his influence to help persuade combatants of the terms of
21 Lome?
22 A. Yeah, and that was expected of every other commander that
23 went to Lome.
24 Q. Where were you detained in xxx in relation to the
10:40:19 25 training base?
26 A. Right at the centre of town, of xxxx Town.
27 Q. Wasn't the training base outside of town?
28 A. No.
29 Q. Where do you say the training base was then?

1 A. At Bunumbu, right inside the town. In fact, at that time,
2 any civilian residing in the town was associated with a training
3 instructor. No other civilian that was not associated with any
4 training instructor was allowed to stay at Bunumbu. So the whole
10:41:19 5 village was the training base itself.

6 Q. Could I suggest to you that, in fact, the camp was in the
7 bush close to Bunumbu and not in the village at all?

8 A. The training camp, you mean?

9 Q. Yes.

10:41:51 10 A. What I know is that I was xxxxxx right at the heart of
11 the town and there were just one house between where I was
12 detained and the training commandant Monica Pearson and all other
13 instructors were living in that same town. The town is just a
14 small -- the place is just a small village. I don't want to call
10:42:20 15 it a town, in fact. And then in the morning the -- what they
16 call it? The training session begin in the morning around 5.30,
17 that is physical exercises. They used to do it right in front of
18 the building where I was detained. There was an open place right
19 before where I was detained. There the recruits can assemble in
10:42:58 20 the morning. There they take their training exercise, their
21 physical training. There was a field just outside the town. We
22 can see them going there and coming back. But they assembled
23 right before our building.

24 Q. Can you describe, so we can go and see this ourselves,
10:43:27 25 exactly where you say you were held in the village?

26 A. As I'm saying, I was right at the centre of the town, or
27 the village.

28 Q. In a house?

29 A. In a house.

1 Q. And Monica's house is in front of the house?
2 A. No, shall I say adjacent, but there was one building
3 between us.
4 Q. So to the left or the right of where you were held?
10:44:03 5 A. Well, depend on the terms of reference.
6 Q. If you were coming out of your house standing with your
7 back to the house --
8 A. On the left.
9 Q. On the left?
10:44:13 10 A. Yes.
11 Q. And in front of the house was what?
12 A. An open place where they used to hold what they call
13 formation where the recruits gathered in the morning.
14 PRESIDING JUDGE: That was the muster parade?
10:44:32 15 THE WITNESS: Yeah, something like that.
16 MR JORDASH:
17 Q. But where then did the recruits sleep?
18 A. The recruits, they did not have any permanent place to
19 sleep, as such. The whole village was the training base so they
10:44:51 20 can use -- they used to use any of the houses. They sleep there
21 in groups. So in the morning they just blow the whistle, call
22 them and they call gather right in front of my detention place.
23 Q. Could I suggest that's not right and, in fact, the recruits
24 slept at a camp near the training field and not inxxxxxx?
10:45:29 25 A. I don't know of that.
26 Q. In fact, they didn't come into xxxxxxxx in the morning for
27 you to have seen what you claim to have seen is my suggestion.
28 A. I'm very more convinced that they used to have formation
29 right before the place where --

1 JUDGE ITOE: You're convinced or you know?

2 THE WITNESS: I know. I believe. I know. We used to see
3 them because in the morning when we want to xxxxt, they xxxx the
4 xxxx to go xxxxxx. We were passing right --

10:46:06 5 look at them right in front of us. I'm not saying there they
6 took their training. What I'm saying, there they can assemble
7 there. They use to assemble in order to go for training.

8 MR JORDASH:

9 Q. Am I right that you couldn't then see the training ground
10:46:46 10 itself from where you were?

11 A. No.

12 Q. Am I also right that you don't know, whatever did go on at
13 the training field, what happened to those recruits during 1998
14 after they'd finished whatever they did?

10:47:16 15 A. No. The only thing I'm saying is they used to assemble
16 right in that open place before where I was xxxxxxxxxxxx. From there
17 they took off for the field.

18 Q. Right. From what you understood from what you had seen
19 previous to this time, whatever and whoever was trained at the
10:47:37 20 base would be allocated to particular commanders in particular
21 places; is that right?

22 A. Yes, upon request.

23 Q. Upon request. It would be then a matter for the particular
24 commander as to what happened and how those people were employed?

10:48:06 25 A. Yes.

26 Q. Was there a general practice of, or shall I say principle
27 or ideology that persons under RUF territory should know how to
28 defend themselves?

29 A. No.

1 Q. Are you sure about that, that it was not expected that as
2 part of Sankoh's original idea, that they should be self-reliant
3 in that way?

4 A. No, there should be self-reliance in food protection,
10:49:04 5 self-reliance in sustaining the war, but not everyone had to
6 train to fight. There were some people who the war met in
7 Kailahun from 1991, and up to the end of the war they remained as
8 civilians. They never joined to train.

9 Q. Right. But you accept this: Those who did train could be
10:49:32 10 trained for the sake of training and wouldn't necessarily be
11 expected to participate in the actual hostilities?

12 A. Well, there are some people who offered to be trained, just
13 for them to have some military training experience.

14 PRESIDING JUDGE: As what?

10:50:03 15 THE WITNESS: To have some military experience, but not to
16 take part in combat.

17 [RUF03APR06B - RK]

18 MR JORDASH:

19 Q. Sorry, Mr Witness, I missed your last answer because I was
10:50:34 20 talking to my colleague. Could you just tell me what you just
21 said because I missed it?

22 A. Okay. I said -- you asked a question and in response to
23 that question I said there are some people since the inception of
24 the war in 1991 up to the end of the war they remain as
10:50:54 25 civilians. They were not forced to train. Neither did they
26 volunteer to train. They are others who willingly offered to be
27 trained in order to have a taste of these military exercises,
28 this military training. There were others who, looking at their
29 physical stature, being gallant and otherwise, they called upon

1 them to train.

2 JUDGE ITOE: You mentioned a category of people who
3 trained, received military training, but did not have to
4 participate in combat.

10:51:48 5 THE WITNESS: Yeah, some volunteered to train just so that,
6 being a trained personnel or a trained commando, the soldiers
7 from the war front could not come and look low upon you or molest
8 you, after all you have gone through the same training. So some
9 people offered to train for that reason, but not to go and fight.

10:52:20 10 MR JORDASH:

11 Q. All right.

12 A. But just to avoid that molestation, because if you are
13 trained and if a battle front soldier come in town and he is
14 travelling to the next village, somebody has to carry his load
10:52:39 15 with him. But if you are a trained person, they will not bother
16 you, they will only look upon the civilians. Except if there is
17 no civilian in that village or town, then they can call on some
18 of the other trained men that are roaming about the town.

19 Q. So then training became a status symbol to a certain
10:52:58 20 degree?

21 A. Yeah. In the RUF, training -- being a trained was by
22 itself a status symbol.

23 Q. Right. Did this go for children who had been trained as
24 well?

10:53:15 25 A. Anybody. If you are a trained commando, even at the age of
26 10 you have more respect than somebody who is 25 and is not
27 trained.

28 Q. Right. And the children who had been trained would go to
29 commandos and some commandos treated the children like, I

1 suppose, foster-fathers, some?

2 A. Yeah. Most of these children, they have lost contact with
3 their parents or relatives. So most of them were captured at the
4 front line. So these commandos that captured them, they take
10:54:15 5 them to be their step-children, sort of. They take them to be
6 part of them. So they send them to the base to train, not to
7 take up assignment. But after training, they come back to them
8 or they stay in town around their families to protect their
9 families.

10:54:46 10 Q. And be around the house as domestic help?

11 A. Say it again.

12 Q. Be around the house as domestic help?

13 A. Yes.

14 Q. Am I correct that as far as you were aware - returning to
10:55:53 15 the subject of diamonds for a moment - the first significant
16 trade in Liberia was in late 1998. I'm referring to the
17 obtaining of weapons by Bockarie to support the intended attack
18 on Kono.

19 A. Well, I was in xxxxxxxx. I cannot really tell.

10:57:03 20 Q. Well, can you tell this: Up until late 1998, from what you
21 heard, there was supply of only ammunition coming sporadically
22 from Taylor?

23 PRESIDING JUDGE: What is the question again? Ammunition
24 coming?

10:57:40 25 MR JORDASH: Only ammunition coming from Taylor.

26 PRESIDING JUDGE: Only ammunition by opposition to weapons,
27 that's what you mean?

28 MR JORDASH: Yes.

29 Q. Can you help us with that?

1 A. Yes, we used to hear about that.

2 Q. And it was ammunition as opposed to arms. Are you with me?

3 A. Yeah, ammunition.

4 Q. Did you hear, Mr Witness, about medical treatment for both
10:58:21 5 civilians and combatants in Kailahun in 1998?

6 A. Even before 1998 that was the medical area within the RUF
7 was the only working arm within the RUF government.

8 Q. What could you mean by that?

9 A. It was very effective.

10:58:48 10 Q. What makes you say that? I'm not disagreeing with you, I'm
11 just trying to clarify.

12 A. They had what they call combat medics in most of the
13 villages and towns controlled by the RUF and they were running a
14 clinic at Buedu.

10:59:22 15 Q. When was that?

16 A. Buedu, Buedu.

17 Q. No, when?

18 A. During the reign of General Sam Bockarie.

19 Q. Right. So 1998, 1999?

10:59:42 20 A. Well, even before General Sam Bockarie. During the reign
21 of Corporal Sankoh in Kailahun the hospital in Pendembu was in
22 operation, was running. So the medical area is an area that the
23 RUF didn't -- the RUF attached a lot of importance to.

24 Q. Right. And it was one arm, I think what you're saying - is
11:00:19 25 this right? - which was effective in doing what it set out to do.

26 A. Say it again.

27 Q. It was the one part of the RUF operation which was
28 effective in treating civilians and RUF alike?

29 A. Yeah, that is the only one I see was very effective in

1 operation.

2 Q. Thank you. You were not told, am I right, of any big
3 meeting held in Kailahun late 1998 as a precursor to the attack
4 on Kono, late 1998? You didn't hear about such a meeting, did
11:01:12 5 you?

6 A. No, no.

7 PRESIDING JUDGE: Mr Jordash, a meeting in Kono?

8 MR JORDASH: Sorry, a meeting in Kailahun, I meant, for the
9 attack on Kono.

11:01:25 10 PRESIDING JUDGE: For the attack on Kono. So it's a
11 meeting in Kailahun about the attack on Kono.

12 MR JORDASH:

13 Q. As a planning meeting, you didn't hear about that, did you,
14 Mr Witness?

11:01:35 15 A. No.

16 Q. Nor did you hear that Johnny Paul Koroma was involved in
17 any of the arrangements for that attack?

18 A. I didn't hear about any meeting.

19 Q. Okay. Well, you did hear that during that attack there
11:02:04 20 were no abductees taken along to Makeni?

21 A. Repeat it, please.

22 Q. I suggest that you did hear that there was no abductees
23 taken to Makeni on that attack?

24 A. Taken to where?

11:02:20 25 Q. Well, taken along with the RUF who were involved in the
26 attack on Kono onwards to Makeni?

27 A. I know that the RUF attack -- I learned that the RUF
28 attacked and captured Kono in 1998 and then they advanced to
29 Makeni. But normally people talk about the combatants.

1 PRESIDING JUDGE: So what you're saying is you don't know
2 about the abductees or not?

3 THE WITNESS: No. The ones I know of were the ECOMOG
4 prisoners of war. They were brought to xxxx and xxxxxxxx
11:03:06 5 xxxxxxxxxxxxx.

6 MR JORDASH: Can I just take instructions, please.

7 PRESIDING JUDGE: So this is the time where you are
8 xxxxxxx?

9 THE WITNESS: Yes, sir. Yeah.

11:03:29 10 MR JORDASH:

11 Q. Did you hear this then, that [microphone not activated]

12 THE INTERPRETER: Your Honours, the mic of counsel, please.

13 MR JORDASH: Thank you.

14 Q. If you can't assist with that, I will move on. Did you
11:03:46 15 hear that Superman and Gibril Massaquoi were the most senior
16 commanders in Makeni through the majority of 1999?

17 A. 1999?

18 Q. Yes. Did you hear that?

19 A. I don't know about that. What I do know is after RUF
11:04:27 20 captured Kono, they advanced to Makeni and captured Makeni also.
21 The most senior commander at that time was General Issa Sesay.

22 Q. Well, I want to ask you quickly about something you told
23 the Prosecution. Before I do take you to that, just think about
24 your answer before I take you to your interview because we might
11:04:57 25 be able to save time. See if you remember this: "In 1999 there
26 was, or there developed, a group around Okra Hills called the
27 West Side Boys."

28 PRESIDING JUDGE: Slowly, Mr Jordash. Will you repeat that
29 one again.

1 MR JORDASH: Was there --
2 PRESIDING JUDGE: In 1999?
3 MR JORDASH:
4 Q. -- in 1999 a group that developed in the Okra Hills called
11:05:37 5 the West Side Boys that you heard about?
6 A. Yes, yes.
7 Q. Mostly consisting of AFRC members?
8 A. Yes.
9 Q. Was that not around the time that the most senior
11:06:01 10 commanders in Makeni were Superman and Gibril?
11 A. In 1999?
12 Q. Yes.
13 A. In 1999, Superman and Gibril, we learnt after their
14 pull-out of Freetown they stopped at Makeni.
11:06:31 15 Q. At that time, from what you heard, they were not on good
16 terms with Mosquito?
17 A. Yes, we heard that.
18 Q. And Mosquito wanted them to go for briefing, or so he said
19 for briefing, in Kailahun but they refused?
11:07:07 20 A. Yeah, we heard of that also.
21 Q. Thanks. I think the last subject I want to discuss with
22 you is the men you say were executed on the orders of Mr Sesay.
23 Just dealing with the three you told us about first of all, you
24 were xxxxxxx?
11:08:08 25 A. That's right.
26 Q. And you could see through the xxxxxxx; is that
27 right?
28 A. Yes.
29 Q. Were these xxxxxxxxxx, or explain to us

1 what these xxxxx were that enabled you xxxxx?

2 A. The xxxxx was just a building, a residential
3 building. This residential building had a shop room. I think it
4 was formerly used as a shop. So it was this shop room that

11:09:09 5 xxxxxxxxxxxx.

6 Q. Sorry, you told us about xxxxxx in the --

7 A. Yeah. So the shop room opens towards the street, the main
8 road.

9 Q. Yes.

11:09:32 10 A. The shop, it opens towards the main road although there is
11 another door at the back. So we used to use the door at the back
12 to enter and come out. But this is an old building. The shop
13 entrance to the main road was made of boards or planks. So these
14 planks, most of them were worn out so you can see through, but it
11:10:16 15 was closed.

16 Q. But it was closed?

17 A. Yes, it was closed.

18 PRESIDING JUDGE: You mean the door was closed?

19 THE WITNESS: The door was closed, you cannot use it to go
11:10:26 20 outside, but you can see partly through.

21 PRESIDING JUDGE: Because of the planks missing?

22 THE WITNESS: No. There were holes within the planks.

23 PRESIDING JUDGE: I see.

24 MR JORDASH:

11:10:40 25 Q. So these were very thin eyeholes which formed where the
26 planks met each other?

27 A. Well, not only where the planks met each other, but the
28 planks themselves -- as I said, this was an old building, so of
29 it was worn out, the planks.

1 Q. Okay. So that you could see also through the actual planks
2 themselves, not just where they joined with another plank?
3 A. No, not only the joints but even sometimes through the
4 planks themselves. If somebody is passing on the main road you
11:11:20 5 can see it. And the building was situated right by the main
6 road.
7 Q. Okay. But it was dark, you said?
8 A. Yes, it was --
9 Q. It was night, sorry.
11:11:32 10 A. Yes, it was night.
11 Q. So it was dark?
12 A. Yes.
13 Q. So you couldn't see who did the shooting?
14 A. I couldn't see who they were shooting.
11:11:43 15 Q. Who actually did the shooting?
16 A. No, I didn't see who actually did the shooting.
17 Q. Denis Koker MP adjutant was there, wasn't he, during the
18 killing of these three?
19 A. Yeah, Denis Koker was there, Tom Sandy was there and then
11:12:07 20 Kaisuku was there.
21 Q. Could I suggest that if you saw or were there close enough
22 to hear what was going on, you would have known that Mike Lamin
23 did the shooting; is that right?
24 A. As I said, the place was dark. I couldn't see who was
11:12:31 25 shooting. But I could hear people talking.
26 Q. Well, you would have recognised Mike Lamin's voice,
27 wouldn't you? Did you recognise his voice?
28 A. I cannot remember again.
29 Q. Because I suggest to you, so you understand what I'm

1 putting to you, that Mr Sesay wasn't there. Mike Lamin was there
2 and was responsible for that.

3 A. I am not saying Mr Sesay was responsible for the killing.
4 What I said in my testimony is: At the time of the shooting, I
11:13:17 5 clearly heard Mr Sesay saying, "We are killing these people for
6 being counter to the RUF, but look at Palmer and others in there
7 who are just eating our food here. We are spending our time --
8 wasting our time and money on them and they are still being
9 spared. They are supposed to die also."

11:13:52 10 Q. Let me ask you this: You cannot say whether or not there
11 was any investigation into the alleged crimes of these three men
12 shot?

13 A. I don't know about that.

14 Q. Right.

11:14:11 15 A. So in fact I don't know who ordered the shooting. I'm only
16 talking about what I heard distinctively.

17 Q. Well, I want to refer you to something that you said to the
18 Prosecution the 11th April 2003.

19 MR JORDASH: Your Honours, page 17508 is the beginning of
11:14:44 20 the interview. Whether Your Honours have copies, I don't know,
21 of this statement. Yes.

22 Q. Do you remember meeting Corinne Dufka on 11 April 2003?

23 A. Yes.

24 Q. And you gave a lengthy interview that day. You must have
11:15:10 25 been, I think, with Corinne Dufka from about 11.00 in the morning
26 until 6.00 at night. Do you remember that?

27 A. 6.00 in the evening.

28 Q. Yes.

29 A. Yes.

1 Q. I think the interview was in English; is that right?

2 A. Yes.

3 Q. And there was also woman called Nancy present; is that
4 right?

11:15:46 5 A. Yes.

6 MR JORDASH: Your Honours, page 17671.

7 PRESIDING JUDGE: Can I ask, Mr Jordash, what you intend to
8 do with this?

9 MR JORDASH: Not memory refreshing.

11:16:14 10 PRESIDING JUDGE: Very well.

11 MR JORDASH: Sorry, it is 17672.

12 Q. You are being asked about the killing of these three
13 soldiers and you say this:

14 "The three happened before us. We were in the room, but
11:16:53 15 like you have a window here, you could see right outside."

16 And the point I make is that you told the Prosecution that
17 there was a window and that is what you implied has enabled you
18 to give evidence about this incident. I can read on if it helps
19 you. "You could see right outside. It happened outside." Do
11:17:38 20 you remember telling the Prosecution that there was a window?

21 PRESIDING JUDGE: Could you repeat that? The window, put
22 it very, very clearly to him what he may have said at that time,
23 the exact quote of the statement.

24 MR JORDASH:

11:17:56 25 Q. I will read it again, Mr Witness.

26 "The three happened before us. We were in the room, but
27 like you have a window here, you could see right outside.
28 It happened outside. People were around when these three
29 were executed."

1 That's what you told the Prosecution in 2003, wasn't it?

2 A. Should I respond?

3 PRESIDING JUDGE: Yes. This is the question. Is it what
4 you said to the Prosecution at that time?

11:18:52 5 THE WITNESS: I cannot remember talking about saying so,
6 but what I do know the room where xxxxxx is a shop room, is
7 a shop room. There was a small window on the side, but the
8 window is not directed towards the road. It was directed towards
9 the parlour, you see.

11:19:30 10 MR JORDASH:

11 Q. Okay.

12 A. But the shop door, which was not opened, that was the one
13 directed towards the main road and it is true there that anybody
14 could see.

11:19:42 15 Q. Weren't you suggesting, though, Mr Witness, just help us
16 with this, that the window had in fact enabled you to see the
17 executions. Was that not what you were suggesting?

18 A. No, the window opens. The window was just a small area
19 where if the MPs want to pass something to you, but they don't
11:20:11 20 want to open the door where we used to pass, so they come and
21 stand to that small window. It's not a big window, just about
22 this perimeter.

23 PRESIDING JUDGE: You're talking of base of the microphone?

24 THE WITNESS: Yes, the base of the microphone as the
11:20:22 25 perimeter.

26 PRESIDING JUDGE: Can you describe that in centimetres or
27 inches, roughly?

28 THE WITNESS: Well, we can estimate the base of this thing.
29 But that was -- they just come there to talk to you so that they

1 don't have cause to open the door. But that window opens towards
2 the parlour of the building, this one I'm talking about, the
3 door.

4 PRESIDING JUDGE: Faced the road?

11:21:02 5 THE WITNESS: Faced the road. That is the shop room door.

6 MR JORDASH: Okay.

7 Q. My suggestion is that you were implying at that point that
8 you could see through the window, but you say that's not what you
9 were implying; correct?

11:21:23 10 A. Well, I cannot remember even saying window. Because I
11 can't look at a shop room door and call it window.

12 Q. No, I agree with that. Finally, were you suggesting last
13 week that Sam Bockarie ordered the execution of Kallon?

14 PRESIDING JUDGE: Of.

11:21:52 15 MR JORDASH: Kallon.

16 Q. He was the fourth man. Is that what you were suggesting?

17 A. Kallon from --

18 Q. Not Morris Kallon?

19 A. The AFRC commander.

11:22:16 20 Q. Yes, that one.

21 A. Yeah.

22 Q. Did you really hear that?

23 A. I did not only hear that, but the morning of the execution,
24 in fact, Mr Kallon, after his return from allegedly Monrovia, he
11:22:40 25 passed the night at the MP office also. But, in fact, he was at
26 the xxxxxx. But that small window can

27 let you see what exactly was going on in the xxxxxx. So that
28 was how we got to see him. Then any time we want to use the
29 toilet, they could open the door. In fact, in the morning they

1 opened the xxxx, so whatever xxxxxxxxxxxx,
2 we go andxxxxx it in the xxxxx. So we saw this man.
3 He was quite an elderly person.
4 Q. Sorry to stop you. He was then arrested by Bockarie and
11:23:33 5 Bockarie ordered his execution?
6 A. He came to the MP office that morning.
7 PRESIDING JUDGE: Who is "he"?
8 THE WITNESS: He, General Sam Bockarie. He came to the MP
9 office the morning of the execution and then he instructed the
11:23:58 10 MPs to take him away to the outskirts of the town.
11 MR JORDASH:
12 Q. Did you hear that?
13 A. Yes, we were standing looking through the xxxxxxxx.
14 Q. Right.
11:24:19 15 A. But where they killed him, I could not tell. But he
16 ordered that they should take him out of the town, to the
17 outskirts of the town.
18 Q. And kill him?
19 A. They carried him. They never came back. Afterwards we
11:24:33 20 understood from thexxxxx that he was gone. He was shot dead.
21 Q. Thank you. Thank you, very much, Mr Witness.
22 A. Thank you.
23 MR JORDASH: I don't have any more questions.
24 PRESIDING JUDGE: That completes your cross-examination?
11:24:58 25 MR JORDASH: That completes it.
26 PRESIDING JUDGE: Mr Touray?
27 MR JORDASH: Sorry, I have one inconsistency I would like
28 to put.
29 PRESIDING JUDGE: Which one?

1 MR JORDASH: It is the window one. I do rely upon it.

2 PRESIDING JUDGE: Are you really suggesting there are
3 inconsistencies in there that would meet the standard at this
4 particular moment?

11:25:23 5 MR JORDASH: Yes.

6 PRESIDING JUDGE: Mr Prosecution?

7 MR HARRISON: No objection.

8 PRESIDING JUDGE: For the record, you will have to tender
9 that page of that statement.

11:25:39 10 MR JORDASH: Yes, 17672.

11 PRESIDING JUDGE: 17672.

12 MR JORDASH: Yes. It is interview of 11 April 2003. I'm
13 going to take instructions, if I may.

14 [Defence counsel and accused conferred]

11:26:34 15 MR JORDASH: I apologise. May I just ask one last
16 question? Mr Sesay passed me a note and I had missed it.

17 PRESIDING JUDGE: You had indicated, Mr Jordash, that you
18 had completed your cross-examination. In fact, once more, you
19 had forgotten to tender and, in fact, given what transpired, I
11:27:04 20 thought you were moving into the direction of filing this
21 document. We are prepared to accept that, but don't you think
22 you are abusing a bit of the court's time? Once you say you have
23 completed your cross-examination, it is not something that should
24 be re-opened at any moment simply because.

11:27:24 25 MR JORDASH: No, not at any moment but several seconds
26 later. I forgot a single question. I would hope Your Honours
27 could indulge to that extent.

28 PRESIDING JUDGE: Fine. Mr Jordash, we will allow that,
29 but you have to bear in mind if you say "I have completed," we

1 will not give any signal. This is your call. When you tell us
2 "I have completed," we accept that as being the completion, but
3 go ahead with this one.

4 MR JORDASH: Thank you.

11:27:58 5 Q. You might be able to help us with this, Mr Witness.

6 ULIMO-K captured Lofa County in the middle of 1993; correct?

7 A. Yes.

8 Q. As a consequence of that, Foday Sankoh was not able to
9 travel to Gbarnga because of that?

11:28:24 10 A. Yes.

11 Q. So from middle of 1993 to 1997, the RUF didn't have a link
12 with Gbarnga?

13 A. Yes.

14 MR. JORDASH: Thank you. I'm grateful, Your Honours.

11:28:39 15 PRESIDING JUDGE: What about your documents?

16 MR JORDASH: Could I tender it when my legal assistant gets
17 back?

18 PRESIDING JUDGE: We are pausing now for the morning break
19 anyhow. We will come back in half an hour. Have this document

11:29:00 20 ready, but we will allow you to file that at that time,

21 Mr Jordash, but no more questions. That is all we're going to be
22 doing. Thank you. Court is adjourned.

23 [Break taken at 11.30 a.m.]

24 [Upon resuming at 12.08 p.m.]

12:09:20 25 PRESIDING JUDGE: Yes, Mr Jordash, you have your documents.

26 MR JORDASH: Yes, I do. Actually, I have not shown it to
27 the Prosecution, but it is easy, it is line 2 and 3 of page
28 17672.

29 PRESIDING JUDGE: Madam Court Officer, could you take the

1 record?

2 JUDGE ITOE: Lines what, Mr Jordash?

3 MR JORDASH: Two and three, the full lines.

4 PRESIDING JUDGE: Before we mark this page as an exhibit,

12:10:06 5 Mr Prosecutor, you have not seen it so you will not know --

6 MR HARRISON: There is no objection. I know exactly what

7 he is referring to. It was read out earlier.

8 PRESIDING JUDGE: Okay. Counsel for second accused, any

9 objection?

12:10:19 10 MR TAKU: No objections, Your Honour.

11 PRESIDING JUDGE: Open your microphone.

12 MR TAKU: No objections, Your Honour.

13 PRESIDING JUDGE: Thank you. Mr Cammegh.

14 MR CAMMEGH: No objection.

12:10:29 15 PRESIDING JUDGE: Thank you. So we are at exhibit number?

16 MS EDMONDS: 100.

17 PRESIDING JUDGE: Thank you. So this is page 17672 of the

18 interview of 11 April 2003, interview that this witness gave at

19 the time, and this document is marked as Exhibit 100.

12:11:03 20 [Exhibit No. 100 was admitted]

21 MR JORDASH: Thank you.

22 PRESIDING JUDGE: Did you mention a line? I don't have the

23 line.

24 MR JORDASH: Two and three, Your Honour.

12:11:10 25 PRESIDING JUDGE: Lines 2 and 3?

26 MR JORDASH: Yes.

27 PRESIDING JUDGE: Yes, Mr Cammegh.

28 MR CAMMEGH: Your Honour, I think Mr O'Shea is on his way

29 back to court. When he arrives, it would be my request, please,

1 to leave court with Mr Gbao. I think for no more than 15 minutes
2 just to take some final instructions.
3 PRESIDING JUDGE: Very well, thank you.
4 MR CAMMEGH: Thank you.
12:11:41 5 PRESIDING JUDGE: You are the one doing the
6 cross-examination?
7 MR TAKU: Yes, Your Honour.
8 PRESIDING JUDGE: Fine. Are you ready to proceed now?
9 MR TAKU: Ready, Your Honours.
12:11:52 10 PRESIDING JUDGE: Thank you, you may proceed now.
11 CROSS-EXAMINED BY MR TAKU:
12 Q. Witness, good afternoon.
13 A. Good afternoon, sir.
14 Q. Witness, would I be right to say that Foday Sankoh saw
12:12:12 15 themselves, that is the RUF, as liberators?
16 A. Yes.
17 Q. Indeed.
18 JUDGE ITOE: Was it Foday Sankoh himself or what was the
19 question?
12:12:45 20 MR TAKU: The question was that Foday Sankoh saw the RUF as
21 liberators.
22 JUDGE ITOE: I see, thank you.
23 MR TAKU:
24 Q. Will it be true, witness, that for that reason the RUF saw
12:12:59 25 itself as liberators?
26 A. Yes.
27 Q. And indeed they came to liberate the people of Sierra Leone
28 from a corrupt system of government; is that correct?
29 A. Yes.

1 JUDGE THOMPSON: You mean that they saw themselves as doing
2 that?

3 MR TAKU: Yes, Your Honour.

4 JUDGE THOMPSON: Because I find it difficult so say -- to
12:13:45 5 understand what is that correct. Perhaps you need to be a little
6 more refined in the way you put it.

7 MR TAKU: Thank you, Your Honours.

8 JUDGE THOMPSON: It would also be true to say that for that
9 reason they saw themselves as having to --

12:14:06 10 MR TAKU:

11 Q. For the same reason, witness, they saw the war that was
12 declared then against Sierra Leone as a just war?

13 A. Yes.

14 PRESIDING JUDGE: So they saw the war as against Sierra
12:14:27 15 Leone as a just war, is that the question?

16 MR TAKU: Yes, Your Honour.

17 PRESIDING JUDGE: What is the war against Sierra Leone,
18 Mr Witness, if I can ask? I don't understand. What do you mean
19 by this, if I may?

12:15:03 20 JUDGE THOMPSON: Perhaps he is raising the same concern.
21 Wouldn't it be a little more elegant if you were to rephrase the
22 question so that you clarify because there seems to be -- what
23 are you seeking from this witness?

24 MR TAKU:

12:15:22 25 Q. So they saw the war that they declared against the regime
26 that was in place at Sierra Leone at the time as a just war; is
27 that true?

28 A. Yes.

29 JUDGE ITOE: Mr Taku --

1 PRESIDING JUDGE: So this was your ideology, presumably, as
2 you've been describing it?

3 THE WITNESS: Yes.

4 MR TAKU:

12:15:55 5 Q. And indeed, witness, several Sierra Leoneans bought the
6 idea; is that true?

7 A. Yes.

8 JUDGE THOMPSON: How would that be also an easy question?
9 Several Sierra Leoneans, how do we measure that? Is it an
12:16:18 10 opinion here? Because clearly from the point of view of
11 adjudicators, how does the Court treat that kind of answer that
12 it is true that several Sierra Leoneans thought the idea if there
13 is no opinion survey or something?

14 PRESIDING JUDGE: And to add to this as well, I would like
12:16:42 15 to know a time frame for that because we have heard evidence from
16 this witness that goes back to 1990 and 1991 so -- up to today.

17 MR TAKU: Yes, Your Honour.

18 Q. Witness, from your observation of the situation, what
19 transpired then from 1990, 1991, many Sierra Leoneans came to buy
12:17:15 20 the idea?

21 JUDGE THOMPSON: I would in fact say that for the purposes
22 of adjudication I would have no difficulty with some. Once you
23 move away from some and come to characterising things like
24 several, many, I certainly would have to be satisfied to have an
12:17:29 25 opinion solve it.

26 MR TAKU: Yes, Your Honours, that's why I changed to say
27 some Sierra Leoneans.

28 JUDGE THOMPSON: I thought you said many. But I thought
29 you said many just now. Some could be one or two or could be a

1 thousand.

2 MR TAKU:

3 Q. What do you say to that, witness?

4 A. Yes.

12:17:58 5 Q. Now, witness, can you state for the record which specific
6 government of Sierra Leone that the RUF referred to as corrupt
7 which they intended to change?

8 JUDGE THOMPSON: Again, why not take it step by step?

9 MR TAKU:

12:18:25 10 Q. Which was the government of Sierra Leone in power at the
11 time?

12 A. The APC government.

13 PRESIDING JUDGE: The time again being 1991/92 time frame.

14 MR TAKU: Yes, Your Honours, at the time in 1991 when they
12:18:45 15 took up arms.

16 Q. Would I you be correct to state that that government was
17 subsequently overthrown, witness?

18 A. Yes.

19 Q. When was that?

12:19:16 20 A. In 1992, April.

21 Q. Who overthrew that government?

22 A. The NPRC under the leadership of Captain Valentine
23 Strasser.

24 Q. What was the reaction of the RUF to that development, that
12:20:12 25 is, the overthrow of the APC government by the NPRC government?

26 A. The RUF welcomed the idea, and even extended an olive
27 branch to the junta.

28 Q. From what you observed, witness, with the overthrow of the
29 APC government, did the RUF consider its primary objective

1 attained? That is, the overthrow of a corrupt government?

2 A. No.

3 Q. Now, witness, let me put it more clearly so you understand.

4 When the NPRC overthrew the corrupt of APC, I asked whether the

12:21:33 5 RUF was satisfied?

6 A. And I said no.

7 Q. Why?

8 A. Because it was not just a matter of overthrowing the

9 previous government, but to replace it by a government that have

12:21:54 10 institutions to correct the already mad practices that were going

11 on in the corrupt system.

12 Q. But, if I heard you correctly, you stated that they

13 welcomed the overthrow of the APC and even offered the NPRC a

14 hand, in fact, they wanted a dialogue with the NPRC; is that

12:22:30 15 correct?

16 A. Yes.

17 JUDGE THOMPSON: So they extended an olive branch to the

18 junta.

19 MR TAKU: Yes, Your Honour.

12:22:40 20 JUDGE THOMPSON: Now you are putting to him that?

21 MR TAKU:

22 Q. That indeed they offered to have dialogue with the NPRC?

23 A. Yeah, that is correct.

24 Q. So, witness, would I be correct to say that from the RUF

12:23:19 25 point of view the NPRC too did not set up the correct

26 institutions?

27 A. Yes.

28 Q. That could address these corrupt practices?

29 A. Yes.

1 Q. Witness, do you know the reaction of --

2 JUDGE ITOE: Mr Taku, can you wait, please.

3 MR TAKU: Yes.

4 Q. Now, would I be correct to say that rather than react to
12:24:39 5 the request for dialogue by the RUF, the NPRC rather attacked the
6 positions of the RUF?

7 A. You are correct.

8 JUDGE THOMPSON: Counsel, given the nature of the
9 indictment, are these matters cross-examination as to the matters
12:25:13 10 in issue?

11 MR TAKU: Yes, Your Honours.

12 JUDGE THOMPSON: The NPRC --

13 MR TAKU: The alleged joint criminal enterprise and the
14 purpose of the --

12:25:31 15 JUDGE THOMPSON: The NPRC, is this a matter which is in
16 issue in terms of what the indictment alleges, the concept of the
17 NPRC or is -- because, I mean, cross-examination from elementary
18 principles would be directed to matters in issue or to the credit
19 of the witness, so I'm a little troubled why we are spending so
12:26:02 20 much on the relationship between the NPRC and the RUF in terms of
21 issues before the Court.

22 MR TAKU: To answer directly --

23 PRESIDING JUDGE: I support that too. If we look at the
24 time frame concerned by the indictment, it has nothing to do with
12:26:21 25 the NPRC at that time. That some of this information be led as
26 background is maybe of assistance to this Court to understand
27 what has transpired, as such, but I am concerned about this, all
28 of this aspect at this time. Not only that you, through the
29 witness, like your predecessor Mr Jordash did to try to explain

1 because the witness appears to have knowledge to that. The
2 knowledge of the RUF is one thing, but you're going much further
3 in that direction than we would think would be of relevancy to
4 what we're dealing with today.

12:27:00 5 MR TAKU: Your Honours, we're laying the foundation to
6 answer the specific allegations in the indictment that the RUF
7 was -- or our client was in a joint criminal enterprise with
8 others in order to take over the government of Sierra Leone.

9 JUDGE ITOE: But, that -- I mean, even though one would
12:27:24 10 want to consider that, I mean, we know that we have to -- we have
11 time frames as far as the indictment will go. It is 1996. When
12 you start with 1991 and the history and I wonder of what
13 relevance that would be in terms of the indictment which my
14 colleagues are referred to. There is a time frame for this
12:27:55 15 indictment.

16 MR TAKU: The background material that we are concerned
17 here can go a long way also to explain the mens rea in some
18 respect since the actors that we will be referring to shortly
19 were the same actors and the same acts that continued to the time
12:28:11 20 frame of the indictment. That is why we're laying this
21 background, Your Honour.

22 JUDGE THOMPSON: Learned counsel, as the learned justices
23 have said here too, we risk multiplying the issues, don't we, if
24 we take these issues beyond the time frame of the indictment.
12:28:29 25 Otherwise the question can be put why is the indictment, as we
26 have already said, the road map, because we need to keep within
27 the parameters of the indictment and at no point does it appear
28 to me that the NPRC, whatever may have preceded the AFRU [sic]
29 alleged involvement has any relevance in terms of the history,

1 going back to the NPRC. The indictment doesn't really take us in
2 that direction. That is the difficulty. And if you say it is --
3 it is relevant, then it must be relevant in the context of the
4 indictment. I mean, 89, which authorises the Court to admit
12:29:31 5 relevant evidence must be interpreted in context of relevance not
6 only in respect of the matters in issue but also as to how the
7 indictment lays the matters in issue. I mean, that is my own
8 concern, and as I say, I don't know how long you want to go on
9 with this cross-inquiry. It seems to me to be multiplying the
12:29:59 10 issues. That is all.

11 [RUF03APR06C - SV]

12 MR TAKU: We'll move on, Your Honours. That was the last
13 question on that particular point and it is fine with us. We're
14 happy to know that is your position about this, about this
12:30:07 15 particular point.

16 Q. Witness, you testified that Morris Kallon met you at Camp
17 Naama in Liberia.

18 A. Yes.

19 Q. Without going to specifics, witness, would I be right to
12:30:49 20 say that he was one of the captives that was brought to that camp
21 pursuant to the orders from Charles Taylor which led to xxxxxxxx
22 xxxxx?

23 A. Yes.

24 Q. Now, witness, would I be correct to say that the following
12:31:34 25 persons, Mohamed Tarawallie, Rashid Mansaray, Mike Lamin and
26 Isaac Mongor that you spoke about on Friday and today, that while
27 in Camp Naama, they lived in the same house with Foday Sankoh?

28 A. Yes.

29 Q. Is it also that correct that Mohamed Tarawallie and

1 Rashid Mansaray were Special Forces that trained in Libya with
2 Foday Sankoh?
3 A. Yes.
4 Q. Would I be right to say that in that position, together
12:33:05 5 with Foday Sankoh, they were the founding fathers of the RUF?
6 A. Yes.
7 Q. Would I be right to say that Mike Lamin and Isaac Mongor
8 were Vanguard?
9 A. Yes.
12:34:00 10 Q. Would I also be right to say that Mike Lamin, Isaac Mongor,
11 Mohamed Tarawallie and Rashid Mansaray were training commanders
12 for the RUF trainees at Camp Naama?
13 A. Yes.
14 Q. And that Morris Kallon was one of the trainees there?
12:34:42 15 A. Yes.
16 Q. Is it true that because of the respect, the deference that
17 you spoke about today that Foday Sankoh had for Mike Lamin, he
18 appointed him a member of the Special Forces even though he was a
19 Vanguard?
12:35:12 20 PRESIDING JUDGE: Even though he was?
21 MR TAKU: He appointed him a member of the Special Forces
22 even though he was a Vanguard.
23 THE WITNESS: I don't know about that appointment.
24 MR TAKU:
12:35:36 25 Q. Do you know whether, upon leaving Camp Naama before the war
26 in Sierra Leone in March 1991, Foday Sankoh promoted Mike Lamin
27 to the rank of a major?
28 A. Yes.
29 Q. He promoted Isaac Mongor --

1 JUDGE ITOE: Just a minute. You say that what?

2 MR TAKU: That upon leaving Camp Naama and before the war
3 in Sierra Leone in March 1991, Foday Sankoh promoted Mike Lamin
4 to the rank of a major.

12:36:23 5 THE WITNESS: I have already answered yes.

6 MR TAKU:

7 Q. And that he promoted Isaac Mongor to a full lieutenant?

8 A. Yes.

9 Q. And you, Witness, were promoted to a xxxxxxxx?

12:37:18 10 A. Yes.

11 Q. Now can you tell the Court who else among the Vanguard's was
12 promoted at that time?

13 A. Mr Kposowa.

14 Q. To what rank?

12:37:49 15 A. First lieutenant. He was head of the G3.

16 Q. Is there any other one you know of, witness?

17 JUDGE THOMPSON: Give him the specifics. Isn't it better
18 to save time that if you have any specifics to put to him rather
19 than him taking the trouble to go through a whole catalogue of
12:38:28 20 perhaps names that he might remember.

21 MR TAKU: I'll move on, Your Honour.

22 JUDGE THOMPSON: To me, it's just a question of the scope
23 of cross-examination and the rationale behind cross-examination,
24 not to make it repetitious, not to make it too lengthy. If you
12:38:43 25 have specific names that are relevant to what you're doing, why
26 not do that? Why not just ask him to name all? I mean, it
27 sounds a little -- I don't know.

28 MR TAKU:

29 Q. Witness, was Morris Kallon promoted at that time?

1 A. No, not that I know of.

2 Q. Would I be right to say that subsequently you were
3 appointed overall G5 commander for the RUF?

4 PRESIDING JUDGE: It's not disputed. This is clearly
12:39:24 5 stated.

6 THE WITNESS: I have said it in my testimony.

7 PRESIDING JUDGE: In chief and in cross-examination. I
8 don't think there's a big argument there. He said he was the G5
9 for the whole RUF at that time.

12:39:37 10 MR TAKU:

11 Q. Witness, if I got your testimony correctly, did you say
12 that all the G commanders, that is G1, G2, G3, G4 and G5 reported
13 directly to Foday Sankoh?

14 A. Yes.

12:40:06 15 Q. Now, within the RUF, witness, did there exist the position
16 of G5 sub-commanders?

17 A. Yes. We had not only the G5. Under the G nomenclature we
18 have the S. The G is the general staff; S, special staff. So
19 like under G2 you have S2. Under G3 you have S3. So, likewise,
12:41:00 20 under G5 you have S5.

21 PRESIDING JUDGE: And the S terminology stood for?

22 THE WITNESS: Special staff.

23 MR TAKU:

24 Q. Now, can you tell the Court to whom specifically the G5
12:41:26 25 sub-commanders report? Is it to you that they reported directly?

26 A. The G -- the S staffs report either directly to their
27 overall who is the G staff or they could report to the battle
28 group commander or battle front commander.

29 Q. What about the G5 sub-commanders? Is it not true that they

1 reported to you?

2 A. That's what I'm saying. They can report either to their
3 overall or to the battle front or battle group commander.

4 PRESIDING JUDGE: In other words, they could report three
12:42:19 5 different ways; the xxx, the battle front or the battlefield
6 commander.

7 THE WITNESS: Yes.

8 MR TAKU:

9 Q. Now, let's move quickly to another area. Would I be
12:42:49 10 correct to state that during battles between the RUF and opposing
11 forces, I mean from the time that the RUF entered Sierra Leone,
12 1991 -- would I be right to say that during battles between the
13 RUF and opposing forces - that is ECOMOG, CDF and government
14 forces - civilians were often displaced as a result of the
12:43:19 15 intensity of the battle?

16 A. You are right.

17 Q. Is it not true that some of the displaced population
18 accompanied the RUF to the locations under RUF control?

19 A. Say it again, please.

12:43:54 20 Q. Is it not true that some of the displaced population
21 accompanied the RUF to the locations under RUF control?

22 A. I don't understand what you mean by accompany in that
23 sense.

24 Q. Some of them, that some of the displaced population - let
12:44:18 25 me use another word - fled to the RUF, to the areas, locations,
26 controlled by the RUF?

27 JUDGE THOMPSON: In other words, are you asking whether he
28 observed this himself?

29 MR TAKU: Yes, Your Honours, or he knew.

1 JUDGE THOMPSON: Or he learnt this from hearsay or some
2 other -- because it's quite a big question.

3 MR TAKU:

4 Q. Now, did you hear that that scenario took place? That due
12:44:44 5 to the intensity of the battle between the RUF and opposing
6 forces, these civilians that were displaced, that you just
7 admitted were displaced, did you ever hear that some of them took
8 refuge in the locations occupied by the RUF?

9 A. Well, during war people can flee in any direction. So
12:45:15 10 sometimes let's say a certain town is attacked. For fear of
11 gunshots, civilians move helter-skelter. So at times they move
12 in certain directions they themselves don't know. So if they
13 happen to find themselves in RUF-controlled areas, then that is
14 it.

12:45:41 15 JUDGE THOMPSON: You see, you were not asking for a
16 hypothesis. You wanted to know factually and here we have a
17 hypothesis, some kind of theory of warfare. I don't know what
18 you're trying to get. You're trying to get a factual answer.

19 MR TAKU: Yes, Your Honour.

12:46:04 20 Q. Witness, let me put the question this way: Did you hear or
21 observe that some of this displaced civilian population, whether
22 they found themselves at the rear of the positions occupied by
23 the RUF?

24 A. Yes.

12:46:44 25 Q. And is it not true, Witness, that such civilians were kept
26 in specific locations away and separate from combat zones.

27 A. After combat in a specific location, all civilians coming
28 to the rear, they are kept at some safe distances from the combat
29 line.

1 PRESIDING JUDGE: But this is after that battle is over?

2 THE WITNESS: Yes, after the battle at a specific area is
3 over.

4 PRESIDING JUDGE: So they have been moved away from the
12:47:34 5 front line?

6 THE WITNESS: Yeah, they move them to safety which they
7 called liberated areas.

8 MR TAKU: Your Honours, with regard to further question on
9 this issue about passes and other details, we rely on and adopt
12:48:03 10 the cross-examination of Mr Jordash.

11 PRESIDING JUDGE: Very well.

12 MR TAKU:

13 Q. Now, Witness, we want to deal quickly about the civilian
14 population that moved from Freetown when the AFRC, they were
12:48:54 15 flushed out of Freetown. Do you understand?

16 A. Yes.

17 Q. Now, is it not true that as the AFRC and RUF fled from
18 Freetown after they were flushed out by the ECOMOG, some of the
19 civilians who felt threatened retreated with them?

12:49:25 20 A. That's true.

21 Q. Among this population that retreated with the AFRC and RUF,
22 Witness, is it not true they were some of the boys who had gone
23 into the street, jubilated at the takeover, at the coup by the
24 AFRC, and who felt unsafe to remain in Freetown after the ECOMOG
12:50:20 25 flush out the AFRC and RUF?

26 A. Yes, they fled with the AFRC/RUF.

27 PRESIDING JUDGE: But the first part of your question
28 was --

29 MR TAKU: Yes.

1 Q. That among this population, some of the civilians that
2 fled, were --

3 PRESIDING JUDGE: You mentioned boys.

4 MR TAKU: I'm sorry.

12:50:51 5 Q. Were young men and women --

6 A. Young men, women, children, older people and the like.

7 Q. So they retreated with the AFRC and RUF from Freetown?

8 A. Yes.

9 JUDGE ITOE: There was also a dimension to your question
12:51:14 10 and that is that these were those who felt threatened because
11 they had come to the streets to jubilate about the AFRC takeover.

12 MR TAKU: Yes.

13 Q. Witness, that category that His Lordship just described --

14 JUDGE ITOE: It is you who described it, it's not me.

12:51:41 15 MR TAKU: Okay.

16 Q. Witness, this category of people, the civilian population
17 that had jubilated on the takeover, on the coup by the AFRC, were
18 they also among the civilians that retreated with AFRC and the
19 RUF because they felt threatened?

12:52:08 20 A. Well, I don't want just to say they jubilated alone. You
21 know the AFRC/RUF, they formed a government after the jubilation
22 and some of these people took part in the government. So by the
23 time the government was overturned, they felt threatened for fear
24 of their lives, so they retreated with the AFRC and RUF. So it
12:52:41 25 was not just those who jubilated but those who took part in the
26 functions of government. A lot of them retreated.

27 Q. Now, let's take it step by step. Did some men, women and
28 children of Freetown, civilians, did they retreat with the AFRC
29 and RUF?

1 PRESIDING JUDGE: He has acknowledged that they have.

2 THE WITNESS: I have said yes.

3 PRESIDING JUDGE: He's supporting your position. He says
4 yes, those that jubilated also joined, but it was more than that,
12:53:18 5 those that took part in the government also were part of the
6 crowds that were fleeing.

7 MR TAKU:

8 Q. Witness, among the civilians that retreated with AFRC and
9 RUF, were they the girlfriends of some combatants from Kenema,
12:53:45 10 from Freetown and from other locations that retreated -- that
11 joined and retreated with the AFRC from Freetown?

12 A. Well, I cannot say but what I do know, all those that
13 associated themselves with the AFRC/RUF, upon the time they were
14 driven out of Freetown, they felt threatened and retreated with
12:54:21 15 them. They might have been their girlfriends, they might have
16 been friends, they might have been just sympathisers and the
17 like.

18 Q. Is it not true that some of these people, civilians who
19 retreated from Freetown with the AFRC and RUF, voluntarily opted
12:54:54 20 to undergo military training and to join the RUF and AFRC?

21 A. Yes, some voluntarily -- some volunteered to undergo
22 training.

23 MR TAKU: Just one minute, Your Honours. Let me take
24 instructions.

12:55:19 25 PRESIDING JUDGE: Thank you.

26 [Defence counsel and accused conferred]

27 MR TAKU:

28 Q. And it is not true that this training that you talked about
29 was in Kailahun District?

1 A. Well, the one I know of was in Kailahun District, but
2 certain times some front line commanders can carry out their own
3 training. So it was not only in Kailahun that training was going
4 on. Sometimes if commanders feel -- think that they should just
12:56:11 5 train some men for a week and then take them to the battle front
6 because of the need, the urgent need, they do it unknowing to the
7 field commander or the battle group.

8 Q. Thank you, Witness. Let's move quickly to another area.
9 Would I be correct to say that there were women among the
12:56:42 10 Vanguards?

11 A. You are correct.

12 Q. And in order not to waste the Court's time, let me give you
13 some names and you will indicate whether they were Vanguards or
14 not. Memunata Sesay [sic]?

12:57:06 15 A. Memunatu Sesay [phon].

16 PRESIDING JUDGE: Munatu.

17 THE WITNESS: Memunatu Sesay.

18 MR TAKU:

19 Q. Was she a Vanguard?

12:57:16 20 A. Yeah, yes.

21 Q. And was she also the Women Auxiliary Corps commander?

22 A. Yes, the WACs commander.

23 PRESIDING JUDGE: She was the what?

24 MR TAKU: Women Auxiliary Corp, WACs commander.

12:57:38 25 Q. Mariama Mansaray, was she a Vanguard?

26 A. Yes.

27 Q. Agnes Manning, what she was a Vanguard?

28 A. Yes.

29 Q. Florence Kallon, was she a Vanguard?

1 A. Yes.

2 Q. Fatu Kallon, was she a Vanguard?

3 A. Yes.

4 JUDGE ITOE: Mention all of them, then they are all on the

12:58:14 5 same rank.

6 MR TAKU: Yes, Your Honour.

7 Q. Fatu Kallon, Fatu Gbengbou. Gbengbou is G-B-E-N-G-B-O-U,

8 Neppa [phon] Weawea?

9 A. Fatmata Gbengbou.

12:58:28 10 MR TAKU: Neppa Weawea, W-E-A-W-E-A.

11 THE WITNESS: Yes.

12 MR TAKU:

13 A. Betty, and your beloved and dear wife Winifred Palmer.

14 THE WITNESS: Yes.

12:58:45 15 Q. They were all Vanguards?

16 A. Yes.

17 MR TAKU: Just one second, Your Honours. Let me take

18 further instructions.

19 PRESIDING JUDGE: It is 1.00, Mr Taku, and maybe it would

12:59:05 20 be the appropriate time to break for the recess and we'll allow

21 you to do the consultation and then we'll resume after the lunch

22 break.

23 MR TAKU: Thank you, Your Honour.

24 PRESIDING JUDGE: Very well. So the Court will adjourn

12:59:18 25 until 2.30 this afternoon. Thank you.

26 [Luncheon recess taken at 1.00 p.m.]

27 [RUF03APR06D - SV]

28 [Upon resuming at 2.41 p.m.]

29 PRESIDING JUDGE: Mr Taku, you are ready to resume your

1 cross-examination?

2 MR TAKU: Thank you, Your Honours.

3 PRESIDING JUDGE: So, in case you have questions to why the
4 curtains are closed, it's because we are in a closed session and
14:42:47 5 because there is essentially nobody in the public gallery, we
6 have made some accommodation for other concurrent activities to
7 take place. So this is why. So, we will keep the curtains
8 closed during this closed session. Thank you.

9 MR TAKU: Thank you, Your Honour.

14:43:06 10 Q. Good afternoon, witness.

11 A. Good afternoon, sir.

12 Q. Witness, is it true that some of the civilian women
13 voluntarily fell in love with soldiers, that is some RUF
14 combatants, and eventually became husbands and wives?

14:43:41 15 A. Yeah, it's true.

16 JUDGE THOMPSON: Again, what is the value of that to the
17 adjudicating body when you inject into that question voluntarily?
18 Who determines that?

19 MR TAKU:

14:43:58 20 Q. Is it true that some of the civilian women fell in love
21 with some of the combatants and they eventually became husband
22 and wife?

23 PRESIDING JUDGE: But, maybe, rather than asking if it is
24 true, does he know or do you know? I mean, that might be more of
14:44:19 25 assistance. If it is true or not, it's more in the way you have
26 asked the question, Mr Taku, rather than the purpose of the
27 question. So, ask the witness. He may know himself and indeed
28 if he doesn't know maybe he's heard from -- so, this is more what
29 I suggest you should do, if your questions obviously are to

1 assist the Court.

2 MR TAKU:

3 Q. Witness, from what you observed, did some civilian women
4 fall in love with some combatants and thereafter became husbands
14:44:59 5 and wives?

6 A. Yes.

7 PRESIDING JUDGE: Again, Mr Taku, I would like you to make
8 sure that the witness responds to questions that have to do with
9 the period of time we are concerned. So, what happened in 1991
14:45:11 10 about this is really of little relevancy to our purpose today.
11 Do you follow me?

12 MR TAKU: Yes, Your Honour.

13 PRESIDING JUDGE: Because your question is very, very
14 general. So, you have asked questions this morning about
14:45:25 15 activities in 1991 and women that may have fallen in love with
16 RUF combatants in 1991 is very remote as far as relevancy. But
17 it's your cross-examination.

18 MR TAKU:

19 Q. Now, witness, during the conflict in Sierra Leone - and I'm
14:45:45 20 referring you from the time that the RUF was called to join the
21 AFRC and the day after they were flushed out from Freetown - take
22 your mind to that period. Did you observe, witness, some women,
23 civilian women, fell in love with RUF combatants and they became
24 husband and wives?

14:46:18 25 A. Yeah, it did happen.

26 Q. Are you aware or did you observe, witness, or were you
27 aware that in that context there were no complaints. There were
28 hardly any complaints as far as you know.

29 A. Complaints about what?

1 PRESIDING JUDGE: Yes, from whom to whom?

2 MR TAKU:

3 Q. From these women who got married, fell in love and got
4 married with these combatants. They didn't file a complaint to
14:46:59 5 your knowledge to any authority whatsoever?

6 A. Complaining what?

7 PRESIDING JUDGE: About being married?

8 MR TAKU:

9 Q. Yes, about falling in love with these combatants and
14:47:13 10 eventually getting married to them.

11 A. Well, you can't expect somebody to love to somebody
12 voluntarily and then she go run and complain.

13 Q. Did you have any complaints about forced marriage or forced
14 marriages?

14:47:42 15 PRESIDING JUDGE: I think your question was much simpler
16 about that. Has he heard or observed of women that did not
17 volunteer for marriage, as such?

18 MR TAKU: Thank you, Your Honour.

19 Q. Yes, are you aware or know about any specific women who did
14:48:06 20 not volunteer to marry, that were forced to marry?

21 A. You mean after 1997?

22 Q. Yes.

23 A. Well, to the best of my knowledge, most of the women who
24 retreated with the AFRC/RUF were their loved ones. So the women
14:48:44 25 never used to complain about marriage, but rather they complained
26 about the type of treatment they received from these men.

27 Q. Thank you, witness. Let's move to another area.

28 MR TAKU: Just one minute, Your Honour.

29 Q. Now, witness, I will ask you a very few questions about

1 this area, that is, the role of Liberians, since Mr Jordash
2 covered that area largely on Friday and this morning. I will ask
3 you a few questions just for clarification. Now, would I be
4 correct to say, witness, that from your observations that Foday
14:49:58 5 Sankoh used to put Liberians in high-ranking positions above
6 Sierra Leoneans?

7 PRESIDING JUDGE: At what time?

8 MR TAKU:

9 Q. Witness, from the inception of the revolution.

14:50:17 10 A. As a matter of fact, at the inception of the war
11 Foday Sankoh was not in control of the war so he had very little
12 choice to put Sierra Leoneans above Liberians. More so the
13 Sierra Leoneans had little or no knowledge about guerilla
14 warfare.

14:50:46 15 PRESIDING JUDGE: So what you're saying, it was not Sankoh
16 that put the Liberians there, but he had little choice. It was
17 imposed upon him.

18 THE WITNESS: I mean, it was a matter of necessity.

19 MR TAKU:

14:51:04 20 Q. Witness, when the war started in Sierra Leone is it true
21 that some of these Liberians -- no, let me rephrase it. Now, you
22 testified that some Liberians who came to Sierra Leone to
23 prosecute the war when the war broke out were eventually chased
24 out of Sierra Leone and they returned to Liberia. Do you
14:51:33 25 remember that?

26 A. Yes, it did happen.

27 Q. Now, would I be correct to say that however some Liberians
28 like Denis Mingo, Isaac Mongor, Rambo, Rocky CO, stayed behind
29 with the RUF to prosecute the war and continue on after 1997 and

1 thereafter? Would I be correct to say that?

2 A. With the exception of Denis Mingo, all the others you have
3 called were Vanguarders who had the basic ideology from the Camp
4 Naama base.

14:52:19 5 PRESIDING JUDGE: So are you saying that the other ones,
6 that is Rambo, Rocky CO, were not Liberians?

7 THE WITNESS: No, they are Liberians. They were at the RUF
8 training base. Isaac was there, Rocky CO was there. What I
9 mean, they had the basic RUF ideology, such as to speak politely
14:52:43 10 to people; pay fairly for what you want; do not take liberties
11 with women; those sort of things.

12 PRESIDING JUDGE: So what you are suggesting is that there
13 were two different groups of Liberians.

14 THE WITNESS: Yes.

14:53:02 15 PRESIDING JUDGE: Those Liberians that were educated in the
16 RUF ideology and the others.

17 THE WITNESS: I earlier said in my testimony that the
18 Sierra Leoneans at the Sierra Leone training base at Camp Naama
19 were around 60. But to Sankoh that number was not enough to
14:53:24 20 start the war. So he brought in some Liberians to the training
21 base so that they too could train with us, get used to us and
22 then get the basic ideology, know about Sierra Leone and what
23 not, so that when the war start they will know how to behave in
24 the country. That was one group of Liberians.

14:53:54 25 Then at the time of the -- at the time the war was to
26 start, the two groups that left from the training base to come to
27 Sierra Leone, one came to us Lofa County, border with Kailahun
28 District, the other one through Grand Cape Mount County, border
29 with Pujehun District by way of the Mano River bridge. So but

1 there were already Liberian soldiers, Liberian NPFL soldiers,
2 residing in these two counties. So when the group from the
3 training base went to Voinjama and Tubmanburg, this other group
4 of Liberians already in those areas joined them to enter
14:54:45 5 Sierra Leone. In fact, that is the group that Denis fall in.
6 Denis Mingo.

7 PRESIDING JUDGE: Denis Mingo.

8 THE WITNESS: Yeah. He didn't train at the base, but he
9 was already an NPFL member assigned to Lofa County.

14:55:07 10 MR TAKU:

11 Q. So if we take the period November 1996 to October 1998,
12 these individuals whose name I mentioned and that you just talked
13 about were in Sierra Leone prosecuting the war alongside RUF;
14 correct?

14:55:25 15 A. Yes, it's correct.

16 Q. Now, witness, how do you describe the relationship of Foday
17 Sankoh with this group of individuals? Did Foday Sankoh give
18 them prominence over Sierra Leonean commanders?

19 A. Which group do you mean?

14:56:08 20 Q. Denis Mingo, Isaac Mongor, Rambo, Rocky CO. These
21 Liberians that we're talking about.

22 A. Well, these two groups of Liberian, the ones from the base
23 and the ones we met at the borderline, they were all fighting
24 alongside Sierra Leoneans. But then, especially in Kailahun
14:56:36 25 District, there came a time that that they could not take control
26 from Corporal Sankoh. That gave birth to Top 20, Top 40 and top
27 Final. Top Final was the mission launch to drive all the
28 Liberian soldiers that were not loyal to Corporal Sankoh and who
29 could not use the basic ideology to treat our Sierra Leonean

1 people. So those that remained behind, like Denis and others,
2 they, although they were not trained at the base, but we observed
3 that they were in line with the ideology, so they remained.

4 Q. So from this very period, from November 1996 to October
14:57:31 5 1998, now can you tell Their Honours to whom did they owe more
6 allegiance; was it to the RUF or Charles Taylor?

7 A. No, there was no Charles Taylor issue again. The whole
8 thing was RUF. As I said, they could understand. They could
9 reason. They could treat our people humanely. So their
14:58:00 10 allegiance was to Corporal Sankoh. But the idea of putting them
11 in top positions was purely by merit, by their performance at the
12 battle front.

13 Q. Now, let's move to another area very quickly, witness: the
14 War Council. Did there exist in the RUF a War Council, that is
14:58:39 15 from the inception?

16 A. At the inception there was no War Council, but later on it
17 was instituted.

18 Q. When was that?

19 A. Once Corporal Sankoh took complete control of the war.

14:59:10 20 Q. Can you give us a time frame when the War Council was set
21 up, at least the year?

22 A. I'd say '93.

23 Q. What was its function?

24 A. Well, I was not a member of the War Council, but it had
14:59:46 25 various functions. Primarily, apart from Corporal Sankoh, that
26 was the highest decision-making body within the RUF territories.

27 Q. Can you tell Their Honours its composition, the members of
28 the War Council at that time, if you know?

29 A. I know that the War Council consisted of both civilians and

1 soldiers, but these people were appointed by Corporal Sankoh.
2 Like, the battle group commander was a member; the battle front
3 commander, a member. Then all target commanders were members.
4 Then there were some prominent civilians residing in
15:01:19 5 RUF-controlled territories who were members. But the head of the
6 War Council was a civilian.
7 Q. Can you give his name to Their Lordships?
8 A. Well, the one that was prominent that I came to know of was
9 Mr SYB Rogers.
15:01:55 10 Q. After the Lome Peace Accord, do you know, witness - if you
11 know tell Their Honours - if the War Council, the name was
12 changed or it became known as the Peace Council.
13 A. Yes, after the Lome Peace Accord, I knew very little about
14 the War Council because at that time I was in incarceration. But
15:02:33 15 I was made to understand that the nomenclature was changed from
16 War Council to Peace Council, meaning that the RUF was not
17 prepared for war any longer, but they were now pursuing peace.
18 Q. Did you know the composition of the Peace Council at that
19 time?
15:03:10 20 A. To the best of my knowledge, only the name changed but the
21 composition remained the same.
22 Q. Now, from the period November 1996 to October 1998 did you
23 know who was responsible for prosecuting, moving and advancing
24 the war? In other words, who was taking decisions in respect of
15:03:58 25 the prosecution of the war?
26 A. Say it again, sir.
27 Q. From the period November 1996 to October 1997, do you know
28 who was taking decisions in respect of the prosecution of the war
29 on behalf of the RUF?

1 A. You mean after the signing of the Abidjan Peace Accord?

2 Q. Yes.

3 A. Though Corporal Sankoh was in Abidjan up to the signing of
4 the Abidjan Peace Accord, he was in firm control of the war up to
15:04:46 5 the time he was arrested in Nigeria. Even some time after his
6 arrest he was still manipulating the war through his satellite
7 phone until such a time when he was denied access to his phones.
8 Meaning that when there was no communication again between
9 Corporal Sankoh in Nigeria and the combatants in RUF-controlled
15:05:30 10 territories, that was the time General Sam Bockarie took over
11 control in pursuing the war.

12 Q. And the situation you've just described, witness, would it
13 apply to the period from 1996 up to 1999?

14 A. Well, I cannot say yes or no, but, what I know, from
15:06:06 15 November 1996, December 1996, January 1997, February '97, March
16 '97, April '97, Corporal Sankoh was still in control of the war,
17 because at that time when he was arrested in Nigeria, he was
18 still passing command and orders. But I cannot tell you when
19 finally he was stripped of his satellite phone. But what I'm
15:06:46 20 saying, after that, there was no communication between he and the
21 combatants and so that was the time Mosquito took complete
22 control.

23 Q. Now, witness, let's move to another area very quickly.
24 We've received information on record that you were arrested at
15:07:15 25 some point in time. Now I would like to put this question to
26 you: At the time of your arrest who was overall G5 commander in
27 the RUF?

28 A. As a matter of fact, I had left RUF-controlled territories
29 on x December 19xx as an xxxxxx. So since then I was

1 no longer xxxxx. Somebody else assumed that position.

2 That was Mr Prince Taylor.

3 PRESIDING JUDGE: So this is after x December 'xxxx, after
4 you left for xxxxxx?

15:08:05 5 THE WITNESS: Yes. Prince Taylor was the xxxxx.

6 MR TAKU:

7 Q. Witness, do you know or not whether an individual called
8 Kaisamba, AKA, alias Kaisuku was an MP commander in Buedu at the
9 time in 1998?

15:08:49 10 A. Yes, he was not only the MP commander in Buedu but he
11 was the -- okay, Kaisamba. Yes, he was the MP commander in
12 Buedu.

13 Q. Thank you, witness. Let's move to another area very
14 quickly. Would I be right to say that when you talked about the
15:09:19 15 high command of the RUF you referred to Foday Sankoh.

16 A. Not necessarily. When we talk about the high command,
17 that is the top-most commander.

18 Q. Yes. In the RUF who was this top-most commander?

19 A. Before Foday Sankoh's arrest, it was him. But after his
15:09:58 20 arrest, when we talk about the high command, it was General Sam
21 Bockarie.

22 MR TAKU: One minute, Your Honours. Let me consult.

23 Q. Witness, let's move to something else very quickly. I
24 would like us to talk about the command in Kono in February 1998
15:10:39 25 to December 1998. Do you remember that period?

26 PRESIDING JUDGE: December?

27 MR TAKU: February 1998 to December 1998.

28 PRESIDING JUDGE: Yes.

29 MR TAKU:

1 Q. Now, can you tell Their Honours who was commanding Kono
2 when the AFRC and RUF retreated to Kono after being flushed out
3 from Freetown about February 1998?

4 A. Well, all I know, General Sam Bockarie was based in Buedu.
15:12:11 5 At the time the AFRC and RUF retreated from Freetown and the
6 major towns in Sierra Leone, he came straight to Buedu. But
7 there were other commanders in Kono initially, like General Issa
8 Sesay, who later on came to Buedu. Some other commanders stayed.
9 They didn't come to Buedu, they stayed within Kono District, some
15:12:52 10 even in Bombali District. So I don't want to say that a
11 particular person was commanding Kono. But then later on the
12 government forces took over Kono until the RUF had to reinforce
13 to flush them out in December and January 1999.

14 MR TAKU: One minute, Your Honours. Let me take
15:13:42 15 instructions.

16 JUDGE ITOE: If you want an adjournment we can stand down
17 the matter and you can get things right so we continue smoothly.

18 MR TAKU: Your Honour, from the answers we are trying to
19 eliminate so many questions. That's the reason.

15:14:01 20 PRESIDING JUDGE: That's fine.

21 MR TAKU: I'm sorry, Your Honours.

22 Q. Witness, are you aware that from 1997 to 1999
23 Colonel Superman was battle group commander of the RUF and was
24 also in command and in charge in Kono, based in Koidu?

15:15:15 25 PRESIDING JUDGE: Can you repeat that for me, slowly.

26 MR TAKU: Yes, whether the witness is aware or was aware --

27 PRESIDING JUDGE: That Superman.

28 MR TAKU: That in February 1998 Colonel Superman was a
29 battle group commander of the RUF and was also in command and in

1 charge in Kono and was based at Koidu.

2 THE WITNESS: Well, to be very fair with this Court, since
3 the time of xxxxxxx, very little information used to be
4 filtered to us about the activities within the RUF hierarchy. Of

15:16:11 5 course, we had access xxxxxx

6 General Sam Bockarie so we can get first-hand information about
7 the country, about the outside world. But within the RUF itself,
8 very little information used to filter to us. So that one, I
9 don't know. All I know Mosquito, General Sam Bockarie, was in

15:16:40 10 Buedu with us. He was stationed there. Then you had some
11 commanders at Pendembu, others up to Moa River. Then there were
12 others beyond the Moa, Gandorhun, Kono. But to say I know that
13 this person was a commander over there, I don't know. But RUF
14 was in command -- was in control of Kono. That, I was informed.

15:17:14 15 MR TAKU:

16 Q. Now I wouldn't bother with you further questions on that
17 because you say you have no direct knowledge. Now, let's talk
18 about the xxxxxxxxx that you were an honourable member
19 of. Do you understand?

15:17:31 20 A. Yes.

21 JUDGE ITOE: But there is one observation I want to make.
22 Mr Witness, even though you say you were in the cell, you had
23 very little information, at least there are certain things which
24 you heard about which were told to you.

15:17:50 25 THE WITNESS: That is why I said very little. I didn't say
26 I have no information.

27 JUDGE ITOE: So for this particular purpose you had no
28 information?

29 THE WITNESS: Well, I don't want to talk something that I

1 don't know of.

2 JUDGE ITOE: I do not want you to talk something about
3 which you don't know about. If you say you have information on
4 this, that's all right. It's just that in certain cases you are
15:18:18 5 told and in certain cases you say you had no information because
6 you were detained. So I just wanted to be very clear on this
7 point.

8 THE WITNESS: No, the ones that I'm sure of, I will
9 obviously say them. But I don't want to say --

15:18:35 10 JUDGE ITOE: That's right. I'm fine. It's okay.

11 MR TAKU:

12 Q. Now let's just -- maybe because I talk about Kono being in
13 charge of Kono. Did you know, witness, or not, that in February
14 1998 Colonel Superman was the battle group commander of RUF?

15:18:57 15 A. No.

16 Q. You didn't know. Okay.

17 A. No.

18 Q. Let's move to the xxxxxx. Now, witness, you
19 remember that you said you were a member -- no, that you were
15:19:19 20 part of the xxxxxx that held a meeting at a location
21 called Nongoa in Sierra Leone at the border with Guinea. Do you
22 remember that?

23 A. That was not what I said.

24 Q. What did you say?

15:19:34 25 A. I said the meeting was to be initially held at Nongoa. But
26 when we reached Nongoa, our brothers from Kailahun District
27 refused to cross into Guinea. Nongoa is on the Guinean side of
28 the border. So we were left with no option but to cross into
29 Sierra Leone at the riverside. That was where we held the

1 meeting. The meeting was not held at Nongoa.

2 Q. Now, this meeting that took place at the banks of the river
3 when you crossed over to Sierra Leone that you talk about now,
4 who were the participants in this meeting?

15:20:27 5 A. The ~~xxxxx~~ of us that travelled from ~~xxxxx~~ as members of
6 the ~~xxxxxx~~. We were there. I think I have named
7 the five members in my testimony. Them plus -- we were
8 accompanied by the then Sierra Leone ambassador to Guinea,
9 Mr Mohamed Jabbi, and then with one of his bodyguards, and then
15:21:04 10 we with a sous-préfet at Nongoa. I don't know what that means in
11 French, but S-O-U-S préfet at Nongoa. That was the delegation
12 that -- the official delegation that crossed for the meeting.
13 Then we met with the top hierarchy of the RUF awaiting us.

14 Q. Now, I just want to ask one direct question so we can move
15:21:50 15 on. Was Morris Kallon at that meeting?

16 A. I didn't remember seeing him.

17 Q. Now let's move on. On Friday and this morning you spoke
18 about the alleged arrest of Kamajor suspects; do you remember
19 that? In Kailahun, they were taken to Kailahun. Do you remember
15:22:26 20 that?

21 A. Yes, yes.

22 Q. Now, Witness, is it true that the arrest of these alleged
23 Kamajor suspects -- that the information that led to the arrest
24 was provided by one Charles Kaiyoko?

15:22:51 25 MR TAKU: Kaiyoko, Your Honours, is K-A-I-Y-O-K-O.

26 Q. An SLA/AFRC soldier who was intercepted in Giema?

27 A. Giehun.

28 Q. Giehun?

29 A. Giehun.

1 Q. Is that true?

2 A. Yes, I have already said that in my testimony.

3 Q. Okay. We'll move to another area. I want just to talk

4 very quickly about what happened during your detention at Buedu,

15:23:46 5 take your mind to that area. Now these ECOMOG soldiers that you

6 say you were detained with, you remember them?

7 A. Yes. Yes, sir.

8 Q. Is it your testimony that they were caught in combat in

9 Koidu?

15:24:21 10 A. Not only in Koidu. Some were brought as POWs from Bunumbu

11 area.

12 Q. Yes, but some were caught in Koidu?

13 A. Yeah, majority were caught in Kono District.

14 Q. Witness, from your observations, from discussions with

15:24:42 15 them, they were safely escorted to Buedu and there they were

16 detained by Bockarie; is that true?

17 A. You are correct.

18 PRESIDING JUDGE: The words used are --

19 MR TAKU: The prisoners of war, Your Honour.

15:25:01 20 PRESIDING JUDGE: Prisoners of war, so there was more than

21 one, presumably.

22 THE WITNESS: Yes.

23 PRESIDING JUDGE: How many are we talking about here?

24 THE WITNESS: If I could remember well, there were 12 of

15:25:15 25 them xxxxxxxx.

26 PRESIDING JUDGE: Thank you.

27 Q. And, Witness, finally let me just ask this question about

28 Operation No Living Thing. Witness, while in Koidu did you hear

29 that one Collins made a declaration, who was alleged to be the

1 RUF spokesman -- was the one who made the declaration over the
2 BBC about Operation No Living Thing in Kailahun? I'm sorry, in
3 Kailahun?

4 PRESIDING JUDGE: So your question is --

15:26:09 5 THE WITNESS: What is the question, sir?

6 MR TAKU:

7 Q. Whether while in Kailahun when you say you were in
8 xxxxxxxx -- you say you were given radios by Mosquito?

9 A. Yes, yes.

15:26:21 10 Q. And did you at any time know or hear that it was one
11 Collins who made a declaration over the BBC about the so-called
12 Operation No Living Thing?

13 A. Yes, he had -- it was Eldred Collins. He had an interview
14 with BBC, Focus on Africa.

15:26:46 15 Q. And what was his position in the RUF?

16 A. He was a spokesperson for the RUF.

17 Q. What year?

18 A. At the time of the pronouncement he was the spokesperson.

19 Q. In what year precisely?

15:27:14 20 A. That was in 1998 after they have pulled out of Freetown.

21 MR TAKU: May it please Your Honours, just one minute, Your
22 Honours. I'm sorry, one minute, Your Honour.

23 Q. You say when they pulled out of Freetown, was Collins then
24 in Kailahun at the time?

15:27:46 25 A. At the time of what?

26 Q. At the time he made this announcement?

27 A. Yes, he had an interview right from Kailahun.

28 MR TAKU: Your Honours, thank you for giving me this
29 opportunity. Thank you so much, Witness, for the answers.

1 THE WITNESS: Thank you, sir.

2 MR TAKU: That will be all for this particular witness.

3 PRESIDING JUDGE: Thank you. Mr Cammegh, you're ready to
4 proceed with your cross-examination?

15:28:10 5 MR CAMMEGH: I am ready. If Your Honours would please just
6 give me a moment.

7 PRESIDING JUDGE: Yes.

8 CROSS-EXAMINED BY MR CAMMEGH:

9 Q. Mr Witness, you were asked a question about 15 minutes ago
15:29:19 10 about a man called Kaisuku. Incidentally, let me stop and say I
11 represent Augustine Gbao. All right?

12 A. Yeah.

13 Q. You were asked a question about Kaisuku and you were asked
14 what his job was and it was in fact suggested to you by Mr Taku
15:29:39 15 that he was -- Kaisuku was the MP commander for Buedu. Do you
16 remember Mr Taku asking you about Kaisuku?

17 A. Yes.

18 Q. Your reply, and I have it precisely, I believe, was this:
19 "He was not only the MP commander for Buedu, he was -- " and then
15:30:07 20 you stopped and you simply said, "The MP commander." What were
21 you going to say when you said, "He was not only the MP commander
22 for Buedu, he was -- ". He was what, please?

23 A. You see, he was no other person than the MP commander in
24 Buedu. I hadn't wanted to say anything else. It was just a
15:30:43 25 matter of language.

26 Q. Is that so? Is that so?

27 A. Yeah. If he was anything else I would have said it. But
28 when I realised that -- I recalled that in fact they were
29 referring to Kaisuku.

1 Q. Okay. Can I suggest something else to you. That you
2 stopped yourself just in time from saying, "He was not only the
3 MP commander for Buedu, he was the overall MP commander for the
4 RUF."

15:31:25 5 A. No.

6 Q. Because he was, wasn't he?

7 A. Kaisuku?

8 Q. Yes. By 1998 Kaisuku was the overall MP commander for the
9 RUF, wasn't he?

15:31:44 10 A. The time I was at ~~xxxxx~~ 19~~xx~~ -- 1997, '98, such positions
11 couldn't have been given to a junior force, only Vanguard's.

12 Q. Well, you told the Court that the overall MP commander in
13 1998 was Augustine Gbao, didn't you?

14 A. That is what I'm saying. I said such position could not be
15:32:17 15 given to a junior force. Kaisuku is a junior force. There are
16 certain positions that, no matter how, only Vanguard's could take
17 up such positions.

18 Q. ~~xxxxxxxxxx~~, I'm going to make myself perfectly clear. When
19 you said those words, "He was not only" - "not only" - "the MP
15:32:45 20 commander for Buedu, he was -- " you were about to say he was the
21 overall commander of the MPs in the RUF, weren't you?

22 A. How can you judge my mind when I never said it?

23 Q. You just stopped yourself in time from making a big
24 mistake, didn't you?

15:33:10 25 A. Why can't you say I would have also said he was the
26 district MP commander? Why overall MP commander?

27 Q. We're going to come back to Augustine Gbao and his job when
28 he was in Kailahun a bit later on. But I want to start, please,
29 by asking you about how you came to know Augustine Gbao. We're

1 then going to move on to your part in the CCP in 1994. We're
2 then going to move on to events following the Abidjan Peace
3 Accord of November 1996 and we are going then to move to Kailahun
4 and I'm going to ask you what you really witnessed in Kailahun,
15:34:02 5 because I'm suggesting that the testimony you've given to this
6 Court about Kailahun is not quite right. Okay?

7 So let's start in 1991. Is it right that you met Augustine
8 Gbao in 1991?

9 A. Yes.

15:34:24 10 Q. Is it right that you met him in xxxxxxxx in Liberia?

11 A. Yes.

12 Q. Is it right that the two of you became friends?

13 PRESIDING JUDGE: Mr Cammegh.

14 MR CAMMEGH: Sorry, too fast.

15:34:35 15 PRESIDING JUDGE: Just a little reminder that you're just
16 about to get in trouble.

17 MR CAMMEGH:

18 Q. Is it right that the two of you became friends in xxxx
19 xxx?

15:34:47 20 A. Very good friends.

21 Q. Yes, and did Augustine Gbao explain to you how he came to
22 become a member of the RUF?

23 A. I know.

24 Q. Did he tell you that in February 1991 he was in Monrovia
15:35:09 25 where he fell in love with a lady called Hawa Brown? You could
26 call her Hawa number one, I suppose. Did he tell you about that?

27 A. No.

28 Q. Did he tell you that after a short while he was arrested by
29 Corporal Sankoh?

1 A. I know about his arrest, but there is a different version
2 that I know.
3 Q. Well, you haven't heard about my version yet.
4 PRESIDING JUDGE: Well, your version is that he was
15:35:44 5 arrested by Sankoh.
6 MR CAMMEGH: Yes.
7 Q. Do you agree that he was arrested by Sankoh?
8 A. Well, yes, he was arrested, but the version you are saying
9 is different.
15:36:00 10 JUDGE ITOE: No, the question is: Do you agree that he was
11 arrested by Sankoh? That's the question. It's as simple as
12 that.
13 THE WITNESS: Yes, he was arrested by Sankoh.
14 MR CAMMEGH:
15:36:14 15 Q. Okay. And did he tell you that he already knew Sankoh from
16 times back in Freetown when he, Augustine Gbao, was a serving
17 police officer with the SLP? Did he tell you about that?
18 A. Yes, even Corporal Sankoh told us that.
19 Q. I think, is this right: Augustine Gbao established a
15:36:42 20 friendship with Corporal Sankoh, having helped Corporal Sankoh in
21 several cases involving Corporal Sankoh's Toyota garage in
22 Freetown?
23 A. Well, I was not informed about that, but I know that -- I
24 was told by both of them that they used to be good friends in
15:37:07 25 Sierra Leone here.
26 Q. Yes.
27 JUDGE ITOE: You say Gbao was a police officer?
28 MR CAMMEGH: Yes.
29 THE WITNESS: Yes, he was a police officer.

1 PRESIDING JUDGE: With the SLP in Freetown.
2 MR CAMMEGH:
3 Q. Mr Witness --
4 PRESIDING JUDGE: Was it so, Mr Witness? He was a police
15:37:33 5 officer with the SLP in Freetown?
6 THE WITNESS: You mean the Sierra Leone Police?
7 PRESIDING JUDGE: Yes.
8 THE WITNESS: Yes.
9 PRESIDING JUDGE: In Freetown?
15:37:40 10 THE WITNESS: Yes.
11 PRESIDING JUDGE: Thank you.
12 MR CAMMEGH:
13 Q. Did he tell you that he'd done part of his training as a
14 policeman in Scotland Yard in London?
15:37:52 15 A. No, I don't know about that.
16 Q. All right. Well, moving on to his arrest, did
17 Augustine Gbao tell you that he was incarcerated in a closet by
18 Foday Sankoh for about 40 days?
19 A. Say it again, please.
15:38:10 20 Q. Did Foday Sankoh incarcerate Augustine Gbao in a small
21 closet, a cupboard, for about 40 days after his arrest?
22 A. As a matter of fact, Augustine Gbao was arrested in Kakata
23 by Corporal Sankoh and then brought to the training base
24 overnight. The following morning we were informed that -- he,
15:38:42 25 Corporal Sankoh, informed us that one of our brother Sierra
26 Leoneans who the two of them have been close friends before. So
27 he said he met in Kakata. That he explained to him about his
28 mission. That is, to launch war in Sierra Leone. And then
29 Augustine agreed. He asked -- he told Augustine to join him and

1 Augustine agreed. So he left Kakata. He went to Harbel to bring
2 more people. Upon his return, he say the point where
3 Augustine -- he was to collect Augustine, he didn't see him. So
4 he started looking for him in the town. He could not see him.
15:39:30 5 So for security reasons, for his mission not to blow off, he
6 reported it to the MP and that was the time they looked for
7 Augustine and brought him to the MP. So Sankoh then arrested him
8 and brought him to the training base.

9 Q. xxxxxx, I don't disagree with any of that account, but
15:39:55 10 is this right: Rashid Mansaray took Augustine Gbao from a closet
11 where he was being held and forced him to dig his own grave?
12 Were you told that?

13 A. I witnessed it.

14 Q. And is it right that Rashid Mansaray was going to --
15:40:22 15 JUDGE ITOE: Please, let us have that. You say you
16 witnessed what?

17 THE WITNESS: While we were at the base, one evening Rashid
18 went to the place where Augustine was detained. It was just a
19 building adjacent to where they, Corporal Sankoh and the other
15:40:46 20 top commanders, were residing. So but clandestinely he took
21 Augustine away and was carrying him down the training base to the
22 riverside and wanted to kill him he said because Augustine, being
23 an ex-police officer, he came on a mission to locate RUF training
24 base and then get back to Sierra Leone to disclose it. So such
15:41:18 25 people, he didn't deserve to be in our midst.

26 So it was some of us who saw the incident and then the WACs
27 commander, Memunatu Sesay, ran to Pa Sankoh and told him, he
28 say -- by then Pa Sankoh, he didn't have any prior knowledge.
29 And they told him, they say, "All what you are doing here." They

1 said, "Look at CO Rashid killing your prisoner."
2 MR CAMMEGH:
3 Q. Can you just stop there, please, Mr Palmer, just so that we
4 all have a chance to catch up with what you're saying.
15:42:00 5 A. Yeah.
6 Q. To put it shortly, it's right, isn't it, that Foday Sankoh
7 saved Augustine Gbao's life at that moment?
8 A. Yes. In fact he ran -- he ran to the site and then
9 retrieved Augustine from Rashid.
15:42:16 10 Q. Yes. Now this took place in Camp Naama, did it?
11 A. Yes, Camp Naama. That's why I said I was there.
12 Q. Is it right that, as we've already said -- as I've already
13 suggested, this was February of 1991. Following the March '91
14 invasion were you together with Augustine Gbao when RUF forces
15:42:46 15 passed through Koindu into Kailahun District?
16 A. No, I was on the other side, Pujehun axis.
17 Q. Right. I think later that year, by about November, Foday
18 Sankoh appointed Augustine Gbao his adjutant or clerk, didn't he?
19 Can you confirm that?
15:43:17 20 A. Which year you mean?
21 Q. '91.
22 A. I was in xxxx.
23 Q. All right. But I believe you met up with Augustine Gbao
24 again, didn't you, in the jungle outside Koindu in 1993?
15:43:35 25 A. Yes.
26 Q. Do you agree?
27 A. We met -- I came to Kailahun District in 1993. There I met
28 each one of them.
29 Q. Yes. And between November of 1993 and December of 1994

1 were you and Augustine Gbao based together in the Kamagbodu
2 Jungle outside Koindu in Kailahun District?

3 A. Yes.

4 [RUF03APR06-SGH]

5 Q. Thank you.

6 A. Kamagbodu.

7 MR CAMMEGH: Your Honours, I believe that is spelt

8 K-A-M-A-G-B-O-D-U.

9 Q. Foday Sankoh in '90 -- certainly by 1993 was based in Giema
10 in Kailahun district, would you agree?

11 A. Where? Where you mean?

12 Q. Giema?

13 A. 1993?

14 Q. Yes, Giema.

15:45:01 15 A. Well, I cannot -- the one I know of --

16 JUDGE ITOE: I have always been expressing my concern about
17 dates and time frames. It is the same thing with Mr Taku going
18 back to '91, '92 and '93 and so on and so forth.

19 THE WITNESS: The one I know of --

15:45:15 20 JUDGE ITOE: These are historical events that may have no
21 real relevance to the time frames of the indictment. If you are
22 trying to build a platform, you know, to what really concerns us,
23 that is fine.

24 THE WITNESS: In answering to your question, the one know I
15:45:38 25 of Foday Sankoh had his headquarter at Pendembu. So later 1993
26 Pendembu was attacked by then he had moved to Kailahun. Then
27 when Kailahun too was under threat he moved to Sandialu.

28 MR CAMMEGH:

29 Q. Mr Witness, my question was: Was he in Giema in November

1 1993?

2 A. Not that know I of.

3 Q. All right. By 1994 had Foday Sankoh established a base in

4 Zogoda in Kenema?

15:46:14 5 A. Yes.

6 Q. Right. And it's correct isn't it, that were you not having

7 any communication with Foday Sankoh yourself at this time because

8 you were with Gbao in the Kamagbodou jungle.

9 A. I was not having communication with the Corporal Sankoh.

15:46:48 10 Q. Right.

11 A. But we had our commander, overall commander, who used to

12 get communication and pass messages to us.

13 Q. You had no communication with Foday Sankoh that --

14 PRESIDING JUDGE: You mean him personally.

15:47:06 15 MR CAMMEGH: Yes.

16 PRESIDING JUDGE: That is what you are saying.

17 THE WITNESS: No.

18 MR CAMMEGH:

19 Q. Thank you. It is correct, isn't it that you in fact had no

15:47:20 20 communication with Foday Sankoh personally until December 1994

21 when he selected people to go as external delegates to the Ivory

22 Coast?

23 A. That's correct.

24 Q. Thank you. Now whose idea was it, please, for the external

15:47:43 25 delegates or the CCP to be established in December 1994?

26 A. Please repeat the question.

27 Q. Whose idea was to it establish the CCP in 1994?

28 A. The CCP was not established in 1994.

29 Q. Well, then I'll use the words the external mission for the

1 RUF to the Ivory Coast. Whose idea was that external mission?

2 A. Well, it was an idea that came up when we realised that the
3 war could not progress.

4 Q. xxxxxxxx, whose idea was the external mission?

15:48:35 5 A. Mr xxxxxxxx.

6 Q. In actual fact, wasn't Foday Sankoh's own initiative to
7 select people for that mission?

8 A. He selected people, but the brainchild behind that idea was
9 Mr xxxxxxxx in 1992 and '93. He finally agreed in
15:49:11 10 December 1994 when he was at Zogoda.

11 PRESIDING JUDGE: When you say, "He finally agreed," you
12 mean Sankoh?

13 THE WITNESS: Yes, Sankoh.

14 MR CAMMEGH:

15:49:26 15 Q. Can I put a different scenario to you? Well, my suggestion
16 is this: It was always Foday Sankoh's own idea and the idea was
17 formed after he had discussed matters with President Bio of
18 Sierra Leone in the middle of 1994. Wasn't that how the external
19 mission came to be?

15:49:52 20 A. Well, I was not in contact with him.

21 Q. No, you weren't in contact with Sankoh?

22 A. I was not in contact with him until the time we are ready
23 to come out.

24 Q. Well, which was December 1994?

15:50:06 25 A. Yes.

26 Q. Right?

27 A. But what I am saying, this idea was proposed to him before
28 he left for Zogoda by Mr xxxxxxxx.

29 Q. Well, I suggest that's not correct, but can we move on to

1 the Ivory Coast because I think you were part of the xx
2 that went to the xxxxxxx at the end of 1994; is that correct?
3 A. Yes.
4 Q. Were you arrested in xxxx?
a 15:50:37 5 A. Yes.
6 Q. Have you told anybody in the Office of the Prosecution
7 about your arrest in xxxx?
8 A. No.
9 Q. Why is that?
15:51:00 10 A. Because that happened at the time we entered xxxxx and
11 nobody asked me about that time frame.
12 Q. xxxxx, you were asked about that time frame because you
13 were asked at some length and you gave some detail in your
14 answers when you met Corinne Dufka on the 11th April 2003 about
15:51:25 15 that the trip to the Ivory Coast. So I will ask you one more
16 time before we move on: Why didn't you tell her about the fact
17 that while you were travelling as part of that delegation, you
18 were xxxxxxx?
19 A. As I said, I did not.
15:51:47 20 Q. You did not what?
21 A. I didn't tell her.
22 Q. I know. Why not? Can you help us with that?
23 A. I can't really tell you now why not.
24 Q. Well, all right. Perhaps you can tell us what you were
15:51:59 25 xxxxx?
26 A. Yeah.
27 Q. What was it?
28 A. When Corporal Sankoh finally agreed for us to go out --
29 JUDGE ITOE: Let us have let us have a brief reason for

1 your arrest before you go to explain.

2 THE WITNESS: No, that is the story building up to the
3 arrest.

4 JUDGE ITOE: But if you were arrested, you must have been
15:52:27 5 arrested for one thing or the other which can be briefly
6 described before, you know, why were you xxxxxx. For what were
7 you xxxxxx? Were you xxxxxx for an offence? If it was for
8 an offence, what was the offence?

9 THE WITNESS: We did not have proper travelling document.

15:52:43 10 MR CAMMEGH:

11 Q. But you were held in xxxxxx for seven months?

12 A. No.

13 Q. In custody?

14 A. No.

15:53:02 15 Q. How long do you say you were held for?

16 A. Three months.

17 Q. Three months? Simply for not having travel documents.

18 A. Yeah.

19 Q. Or was it because you were up to something else in xxxxxxxx,
15:53:12 20 a little bit more serious?

21 A. No.

22 Q. Were you attempting to buy weapons?

23 A. No.

24 Q. Were you attempting to agitate, to whip up support for the
15:53:19 25 RUF in a foreign sovereign country?

26 A. No, no.

27 Q. No? Is it right that xxxxxx, the Sierra Leonean
28 ambassador to xxxxxx, negotiated your release?

29 A. No.

1 Q. Did you have an uncle at that time?

2 A. No.

3 Q. Did you have a relative who is the Sierra Leonean
4 ambassador to xxxxx?

15:53:56 5 A. I have a xxxxxx who was the Sierra Leonean ambassador
6 to xxxxxxx.

7 Q. Did he play any part in your release?

8 A. Well, I can't tell because at the time of my release I was
9 alone.

15:54:12 10 Q. Mr Palmer, are you being completely honest with this Court
11 about the reason for your arrest and the manner of your release?

12 A. If only the Court can give me time to explain, maybe it
13 will be better rather than suggesting to me.

14 Q. Well, Mr Witness, let me just ask you this: When you were
15:54:41 15 released in -- I think you were released in xxxxx, is that
16 right?

17 A. Yes.

18 Q. Which is where you have been arrested; correct?

19 A. No, I was arrested in xxxxxxxxxxx.

15:54:49 20 Q. Okay. But when you were released in xxxxx what was your
21 opinion of the RUF?

22 A. In what sense?

23 Q. What was your...

24 PRESIDING JUDGE: Yes, Mr Cammegh, yes.

15:55:08 25 MR CAMMEGH:

26 Q. Well, I'll put it this way, were you disillusioned with the
27 RUF?

28 PRESIDING JUDGE: We are still talking at the time of the
29 Guinea incident.

1 MR CAMMEGH: I am talking about the time of the release.
2 The time of his release.
3 PRESIDING JUDGE: Time of his release?
4 MR CAMMEGH: Yes, I have moved to the time of the release.
15:55:42 5 Q. Mr Witness, or xxxxxx, when you were released were you
6 by now disillusioned with the RUF in Sierra Leone?
7 A. By now or by then?
8 Q. By the time of your release.
9 PRESIDING JUDGE: We are still talking of the release from
15:56:03 10 his detention in xxxxxx.
11 MR CAMMEGH: Indeed, yes.
12 THE WITNESS: I had my misgivings.
13 MR CAMMEGH:
14 Q. You had your misgivings?
15:56:15 15 A. Uh-huh.
16 Q. So why did you choose to remain with them?
17 A. Because I had no other option.
18 Q. Why?
19 A. My xxxxxxxxxx was with the RUF.
15:56:33 20 Q. But there was no such thing as forced conscription to the
21 RUF was there?
22 A. My situation was different.
23 Q. Well, xxxxxxxx, the RUF weren't running the country of
24 Sierra Leone, were they?
15:56:59 25 A. I'm talking about xxxxxxxxxx that was in xxxxxx.
26 Q. So are you saying that you were or you felt coerced into
27 remaining with the RUF?
28 A. In fact, the High Command of the RUF sent for me in
29 xxxxxx.

1 Q. Before or after your release?

2 A. After my release.

3 Q. So you were allowed to remain in xxxxx, in xxxx, after

4 your release, were you?

15:57:30 5 A. Yes, I was in xxxx. I was in xxxx after my release.

6 Q. Why didn't you simply say to the RUF High Command, "I am

7 sorry, I am no longer a supporter of the RUF. I want to just go

8 my own way now." Why didn't you say that?

9 A. I will have put the life of my family in danger.

15:58:01 10 Q. Mr Witness, what job do you have now?

11 A. What do you mean?

12 Q. Well, I think you work, don't you, you work in Bo; is that

13 right?

14 A. Presently if I'm working?

15 Q. Yeah.

16 A. I am presently employed.

17 Q. Is it in Bo?

18 A. In xxxxxxxx.

19 Q. Oh, it's in xxxxx?

20 A. Yeah.

21 Q. What is your profession?

22 A. I am a xxxxxxxx.

23 Q. Yes, now as a xxxxxx, couldn't you just have

24 left the RUF and gone to live in Liberia or somewhere in

15:58:41 25 Sierra Leone after your release in xxxxxx?

26 A. I had no problem with myself. I'm talking about my xxxxx

27 xxxxx that were with me in xxxx.

28 Q. Is your wife's name xxxxxx?

29 A. Yes.

1 Q. I will come to that in a moment but let's move on. The
2 delegation that went to the Ivory Coast in December of 1994 --
3 well, no, actually, was your arrest -- did that arrest take place
4 before the delegation reached the Ivory Coast or when it was on
15:59:27 5 its way back?

6 A. This is just what I was just explaining and you could not
7 listen. When we cross by boat from RUF-controlled territory into
8 xxxx, while we were trying to obtain travelling documents to
9 go to xxxxxxx that was the time some refugees who could
15:59:58 10 remember some of the xxxx that we travelled with and knew
11 that they were with the RUF, when they reported the issue to the
12 police. So they came and raided our home where we were staying.
13 Unfortunately, I was ill that day so I was the only one at home.
14 And so I was -- I fell victim. Plus one xxxxxx from
16:00:30 15 xxxx The two of us, that was how we got arrested.

16 Q. Thank you.

17 A. We were on our way to xxxxxxxx.

18 Q. So the answer is your arrest took place before the
19 delegation reached the xxxxxxxx?

16:00:39 20 A. Yeah.

21 Q. Okay. Now you tell us that you felt -- and it is my word,
22 not yours, but you tell us that you felt that you were forced to
23 remain in the RUF because you were concerned about the safety of
24 your xxxxx you to leave; yes?

16:00:57 25 A. Yes.

26 MR TOURAY: Your Honour, I'm sorry, with your leave may
27 Morris Kallon leave the room for a while to ease himself?

28 PRESIDING JUDGE: Yes.

29 MR CAMMEGH:

1 Q. But isn't this the case, Mr Witness: That immediately
2 after you were released in xxxxxxxx, with or without the help of
3 your friends, your wife xxxxx was sent to join you?
4 A. In xxxxxxxx?
16:01:30 5 Q. Yes.
6 A. Yes. She was at xxxxxxxxxx.
7 Q. Yes, but she went to join you immediately after your
8 release; is that not so?
9 A. Yes, a month after my release.
16:01:55 10 Q. Right. So after your wife joined you, didn't you then
11 think, "Now is a good time for me to hand in my resignation and
12 leave the RUF altogether"?
13 A. When I talk about my family, it is not only my wife. I
14 have my sister, I have my younger ones in xxxxxxxxxx who
16:02:21 15 were being sponsored, supported by -- sometimes by
16 Corporal Sankoh. All of us that were taken to the training base,
17 occasionally we send messages to our families inxxxxxxxxxx. So he
18 knew all -- he knew the location of our families. In fact, it
19 was at that point when my wife got disillusioned that at one
16:02:48 20 point in December 1990 she jumped into the vehicle and followed
21 him to the training base. She say wherever I will die there she
22 too will die.
23 Q. Thank you, Mr xxxxxxxx. While we are on the subject of
24 training bases, is it correct that you yourself were a xxxxxxxx
16:03:07 25 xxxxxxxxxxxx between 1992 and the end of 1993?
26 A. No.
27 Q. I suggest you were. Do you want to reconsider that answer?
28 A. The time frame is not correct.
29 Q. Well, give me the time frame, please, if I'm wrong.

1 A. 19xx, July to xxxxx.

2 Q. 'xx?

3 A. Yes.

4 Q. So I wasn't that far wrong, was I? It was in xxxxxx you were

16:03:48 5 a xxxxxxxxxxxx?

6 A. Yes.

7 Q. Now we have a document dated 11th April 2003.

8 JUDGE ITOE: He was a xxxxxx where?

9 MR CAMMEGH: I haven't come to that yet, Your Honour. I am

16:04:03 10 coming to it.

11 Q. We have a document which is a transcript of an interview

12 you had with a lady called Corinne Dufka dated 11th April 2003.

13 It is 175 pages long. Would you agree with me that nowhere in

14 that document do you refer to the fact that you acted as a

16:04:21 15 xxxxxxxxxxx for the RUF?

16 A. Yes.

17 Q. Why didn't you tell Miss Dufka that?

18 A. Well, when you are talking about interview, you talk on

19 what they ask you on.

16:04:39 20 Q. So your answer to my question is, "I wasn't asked"; is that

21 right?

22 A. Yes.

23 Q. But it is correct, isn't it, that you were a xxxxx

24 xxxxxxxxxxx first at xxxxxxxx. Correct?

16:04:47 25 A. No.

26 Q. I suggest that you were a xxxxxxxxxxx at xxxxxx and

27 then you transferred to a place called xxxx, xxxxxxxx, in

28 the xxxxxx in Kailahun District?

29 A. Yes, xxxx is correct.

1 Q. Right. You were refer in your interview with Corinne
2 Dufka, and for ease of reference, although I don't ask that we
3 refer specifically to it right now, but you stated --
4 JUDGE ITOE: Mr Cammegh, what's the name of the other town
16:05:39 5 which you have named?
6 MR CAMMEGH: It was first xxxxx.
7 JUDGE ITOE: xxxxxx, he said no.
8 MR CAMMEGH: Yes, and then there is xxxxx which is
9 xxxxxx and I put that as being in the xxxxxxxx
16:05:50 10 in Kailahun District.
11 Q. At page 17569 of the 11th April 2003 document you were
12 asked --
13 PRESIDING JUDGE: Mr Cammegh, can I ask you what it is you
14 are driving at now? I may so we can follow the --
16:06:17 15 MR CAMMEGH: Small Boys Unit.
16 PRESIDING JUDGE: No, for what purpose are you pursuing
17 this, if I may, because the approach is substantially different.
18 MR CAMMEGH: Yes, it is. And, Your Honour --
19 PRESIDING JUDGE: And we need to be able to follow you in
16:06:33 20 this respect.
21 MR CAMMEGH: It's probably an objectionable approach
22 because I am not seeking to enter it either as memory refreshing
23 or as a contradiction so I will stop right there. It doesn't
24 fall under either category, so I'll leave it.
16:06:47 25 Q. Do you remember telling Miss Dufka that children were
26 recruited, some voluntarily and some by force?
27 A. Yes.
28 Q. And you said -- do you remember saying that --
29 JUDGE ITOE: Please, please, let's get that response.

1 MR CAMMEGH: Sorry.
2 JUDGE ITOE: He told Miss Dufka.
3 PRESIDING JUDGE: Saying what to her?
4 MR CAMMEGH:
16:07:18 5 Q. Did you tell Miss Dufka that some of the children were as
6 young as between nine and 12?
7 A. Yes.
8 Q. Yes. Mr Palmer, did you --
9 JUDGE ITOE: Please wait, Mr Cammegh. Please wait.
16:07:37 10 MR CAMMEGH: Sorry.
11 JUDGE ITOE: That some children were as young as?
12 MR CAMMEGH: Nine to 12.
13 PRESIDING JUDGE: Were between nine and 12.
14 MR CAMMEGH: Between nine and 12.
16:08:06 15 Q. My question is this, Mr xxxxxx: Were you responsible for
16 xxxxxxx at xxxxxx in 19xx?
17 A. I was the xxxxxxx.
18 Q. We have established that, but did you xxxxxx while
19 you were in charge of the xxxxxxx xxxxxxx and, I
16:08:27 20 suggest, also at xxxxxxxxxxxx?
21 A. Yes.
22 Q. You xxxxxxxxxxxx?
23 A. Yes.
24 Q. Again, xxxxxx, did you tell Corinne Dufka on 11th April
16:08:46 25 2003 that you yourself xxxxxxxx? I don't think you did,
26 did you?
27 A. I can't remember telling her about the xxxxxxxx aspect.
28 Q. No. Is there any reason why you didn't tell Miss Dufka
29 that you xxxxxxxxxxxx?

1 A. I have told you, I said I was given the terms of reference,
2 so I explained incidents relating to that term of reference.
3 Q. Is it possible, Mr Palmer, that during that long interview,
4 175 pages, with Miss Dufka you were very careful not to disclose
16:09:35 5 anything that might have painted you in a bad light? Would that
6 be fair?
7 A. I don't think so.
8 Q. Is it possible that your true motive for giving that
9 interview to Miss Dufka was to ensure your own safety before the
16:09:51 10 law?
11 A. I didn't volunteer to give interview.
12 Q. I appreciate that, but once you were asked to co-operate
13 with the Office of the Prosecution you were determined not to
14 disclose anything that might have been to your disadvantage.
16:10:23 15 A. Not at all.
16 Q. I see. I just want to go back to the 1994 peace process
17 just very briefly and ask you this: I think it's right, isn't
18 it, that it was President Bio of Sierra Leone jointly with
19 Foday Sankoh on behalf of the RUF --
16:11:12 20 PRESIDING JUDGE: We're in 1994?
21 MR CAMMEGH: Yes, I am sorry to jump back. It's just one
22 question I missed.
23 Q. Would you agree that it was Bio and Sankoh who jointly
24 agreed that the Ivory Coast was the best place to go to discuss
16:11:27 25 peace?
26 A. No, I don't know about that.
27 Q. Okay. I am simply suggesting that it was their initiative
28 rather than an offer from the Ivory Coast to broker peace. Would
29 you agree with me?

1 A. No.

2 Q. Well, my suggestion is this: That it was Bio and Sankoh
3 who asked the Ivory Coast to host those negotiations; would you
4 agree?

16:12:24 5 A. No.

6 Q. Well, I have made my point. I will move on. Now the
7 Abidjan Peace Accord was finally signed on 30th November?

8 PRESIDING JUDGE: Yes, Mr Harrison?

9 MR HARRISON: I think if Mr Cammegh wishes to he could
16:12:44 10 refer to Strasser in '94. I don't think Bio becomes president
11 until sometime in '96, and if it's an important point, I just
12 raise it now.

13 MR CAMMEGH: Thank you for saving my blushes, yes.

14 PRESIDING JUDGE: I kept asking you if it was '94, so I
16:13:00 15 wasn't sure what it was we were pursuing.

16 MR CAMMEGH: Yes. I will have to sharpen my instructions
17 on this. All right.

18 Q. Can I change the names, was it Strasser and Foday Sankoh?

19 A. No.

16:13:14 20 Q. All right. Let's move on. The Abidjan Peace Accord was
21 signed on 30th November 1996. When it was signed, ~~xxxxxxxxxx~~, did
22 some members of the external delegation who had been based in the
23 Ivory Coast return with Sankoh to Sierra Leone?

24 A. Sankoh did not come.

16:13:53 25 Q. If he remained behind, did several members of the external
26 delegation though go back to Freetown?

27 A. Yeah. They came to represent the CCP.

28 Q. Yes, and basically their function was to educate both the
29 civilians and RUF as to the benefits of the peace process?

1 A. Yes.

2 Q. Right. Where were you at that time, at the end of November
3 1996?

4 A. I was in xxxxxxxx.

16:14:37 5 Q. With your wife?

6 A. Yes.

7 Q. If you can comment on the following I would be grateful,
8 because what I am going to suggest is this: On or

9 around 25th November, but in the week preceding the signing of
16:14:53 10 the accord, various members of the external delegation flew in?

11 A. Yes.

12 Q. If you can comment on the following, I'd be grateful
13 because what I'm going to suggest is this: On or around 25
14 November, in the week preceding the signing of the accord,

16:14:57 15 various members of the external delegation flew in an ICRC
16 helicopter and were dropped at Balahun, seven miles from Kailahun
17 Town in the Luawa Chiefdom of Kailahun District. Did you know
18 that?

19 A. Yes.

16:15:33 20 Q. Right. At that time, is it right that Foday Sankoh was in
21 contact with President Kabbah, who was in Freetown, to complain
22 about further Kamajor attacks? Were you aware of that?

23 A. Yes.

24 Q. Right. Can you confirm, please, your knowledge that while
16:16:03 25 the peace process was still afoot, while it was reaching its
26 climax, the Kamajors were still attacking RUF positions in Kenema
27 and Kailahun and what have you?

28 A. Well, I cannot tell you why because I was in xxxxxxxx.

29 Q. My suggestion --

1 A. And I don't know the motive of the Kamajors.

2 Q. Well, perhaps their motive isn't so important. But can you

3 confirm, please, that both immediately before the accord was

4 signed and immediately afterwards, Kamajor attacks in fact

16:16:51 5 intensified against RUF positions?

6 A. We used to hear about Kamajors attacking RUF positions.

7 Q. Yes.

8 A. Before the accord was signed.

9 Q. What about after the accord was signed in early December

16:17:23 10 '96? Did you hear about that?

11 A. Well, immediately after the signing of the accord, we heard

12 xxxx of xxxxxxxxxx on the CCP who were residing who left

13 Abidjan immediately and came to Freetown.

14 Q. Yes.

16:17:39 15 A. So part of their functions were to take up such issues as

16 cease-fire violations.

17 Q. Right.

18 A. So if there were anything like cease-fire violations, it

19 was the job of the CCP to discuss such issues with the two heads.

16:17:58 20 Q. I know you were still in the xxxxxx at this point, but

21 were you at that stage in regular communication with other

22 members of the xxxxxxxx?

23 A. They never used to talk to me. Rather than they can

24 communicate directly with Corporal Sankoh.

16:18:19 25 Q. But were you kept in the loop, so to speak? Were you

26 generally aware of what was going on amongst your colleagues in

27 the xxxxxxxx?

28 A. Not until they went back to have consultations with

29 Corporal Sankoh.

1 Q. In Freetown?

2 A. No, in Abidjan.

3 Q. When was that?

4 A. That was February.

16:18:49 5 Q. Of what?

6 A. February 1997.

7 Q. Okay.

8 A. The whole members of the CCP --

9 Q. All right.

16:18:56 10 A. -- went to have consultations with him.

11 Q. That is fine. In February of 1997, you were filled in with

12 the details, were you? You were brought up to date with the

13 current situation since the signing of the accord in the previous

14 November; would that be fair?

16:19:15 15 A. Yes.

16 Q. Okay. Thank you. Now you spoke, as we know, to Miss Dufka

17 at great length and a large portion of your interview was

18 dedicated to the massacre at Kailahun, wasn't it?

19 A. When?

16:19:41 20 Q. Well, you told us or you told Miss Dufka February 19, 1998,

21 which just happens to be the time you were reacquainted with your

22 xxxxxxxxcolleagues.

23 A. In 1998?

24 Q. Yes.

16:19:56 25 A. No, the CCP members went to have consultations with

26 Corporal Sankoh in 1997.

27 Q. Forgive me. I'm 12 months out. My fault. It is true,

28 isn't it, you spent quite some time during that interview talking

29 about the massacre of Kailahun of February 19, 1998?

1 A. I did talk about it, yes.

2 Q. Yes. When you met your colleagues again in xxxxxx in
3 February '97, you must have known or been told about other
4 atrocities that had happened in the previous three months;
16:20:34 5 correct?

6 PRESIDING JUDGE: You are losing me now. You are talking
7 of February 1998 about a massacre. Now you are coming back in
8 February 1997, you must have been aware of all the massacres.

9 MR CAMMEGH: Other massacres. I am about to come to what
16:21:00 10 they are. I am going to be very specific in a moment. I'm just
11 asking the witness if he was aware of whether there had been
12 other massacres between the signing of the accord on 30 November
13 '96 and when he met up again in Abidjan with his erstwhile
14 colleagues in February '97.

16:21:18 15 PRESIDING JUDGE: Yes, but I took your comment to mean that
16 at that time the witness knew of this massacre of 1998. That's
17 why I say I'm at a bit of a loss. It is a different issue.

18 MR CAMMEGH: That is going to come into it.

19 PRESIDING JUDGE: That's fine. I just want to make sure I
16:21:32 20 follow and we are not mixing up dates.

21 MR CAMMEGH: Quite right. Just to put everything straight,
22 Mr Palmer has confirmed, yes, he gave a lot of details to the
23 Kailahun massacre in his interview. I am now going to ask about
24 other massacres he may have been told about.

16:21:51 25 Q. xxxxxx, by February '97, when you saw your colleagues
26 again in xxxxxxxx, had you been made aware of other massacres in
27 Sierra Leone that had taken place since the signing of the
28 Abidjan Peace Accord?

29 A. We were informed of cease-fire violations, not massacres.

1 Q. Okay. Well, let's just go through them. I will see if I
2 can jog your memory. Was there a major attack on Zogoda, led by
3 Kamajors with SLA soldiers in December of -- I think it is
4 December 1996? Were you made aware of that?

16:22:54 5 A. I can't remember the date well, but I know there was an
6 attack on Zogoda.

7 Q. Yes. Is it right, or were you told that during that attack
8 hundreds of innocent civilians were murdered by Kamajor and SLA
9 forces, besides RUF combatants?

16:23:11 10 A. We heard of that news.

11 Q. You did?

12 A. Yes.

13 Q. Is it right that, as a result of that single attack,
14 some 5000 refugees fled to Liberia from the Kenema area?

16:23:26 15 A. We heard of that.

16 Q. Right. Is it right also --

17 PRESIDING JUDGE: Slowly, slowly.

18 MR CAMMEGH: I am sorry.

19 PRESIDING JUDGE: I can follow up.

16:23:35 20 MR CAMMEGH: I know. I am sorry.

21 Q. I can't be specific about the date, but let's say it was in
22 the December '96 to January '97 area, is it right that there was
23 a similar attack mounted in Peyama, P-E-Y-A-M-A, also in Kenema?
24 Were you made aware of that?

16:24:09 25 A. Well, I knew of the Zogoda retreat because of the attack
26 that was launched.

27 PRESIDING JUDGE: Is Peyama part of the Zogoda retreat, or
28 is it a different thing?

29 A. I don't even know -- I used to hear about Peyama, but I

1 don't know its location or how far is it from Zogoda.

2 MR CAMMEGH: Okay.

3 Q. Well, are you aware that Peyama is also in Kenema District?

4 A. That is what I learnt.

16:24:41 5 Q. Is it true that the attack in Peyama was on people fleeing
6 the Zogoda area, or don't you know?

7 A. What I learnt was, after the attack on Zogoda, people fled
8 and then the government forces and Kamajors continued to chase
9 them until a lot of the civilians went to Liberia.

16:25:15 10 Q. And a lot of the civilians died; correct?

11 A. We heard that some died.

12 Q. Yes.

13 A. And then some went to Liberia.

14 Q. Yes. Did you hear also in a completely separate district,
16:25:33 15 in Tonkolili District, of similar attacks mounted by Kamajor and
16 SLA forces in the Kangari Hills.

17 A. Which time?

18 Q. Around the same period, December '96 or January '97?

19 A. The only prominent one I heard of was Zogoda, the Zogoda
16:26:03 20 retreat.

21 Q. Had you heard of an attack in Kangari Hills and Tonkolili?

22 A. Uh-huh.

23 Q. Right, you did. Okay. When you say "Uh-huh," does that
24 mean yes?

16:26:11 25 A. Yes.

26 Q. We need it for the transcript, you see, Mr Palmer. I'm not
27 being rude.

28 A. Yes.

29 Q. Were you finally made aware of similar attacks led by

1 Kamajor and SLA forces in the western jungle area at the same
2 time - December and January?
3 A. We heard the news.
4 Q. You did. Thank you. Now, you will agree, no doubt, that
16:26:56 5 all of those attacks, and I've listed four of them, took place
6 after the signing of the Abidjan Peace Accord; do you agree?
7 A. Yes.
8 Q. And therefore were a flagrant breach of the peace accord by
9 Kamajor and SLA; would you agree?
16:27:01 10 A. Yes.
11 Q. Would you agree with this: that those attacks took place
12 while the CCP representatives that you have told us about were
13 peace-building in Freetown?
14 A. Yes.
16:27:45 15 Q. Yes. Now, is it right that President Kabbah, during this
16 period, was constantly being berated by Foday Sankoh and senior
17 RUF -- I should change the word "berated" to "urged". Wasn't he
18 being constantly urged by Sankoh and senior RUF to call off the
19 attacks?
16:28:09 20 A. Yes, Corporal Sankoh, to my understanding, used to be in
21 contact with him.
22 PRESIDING JUDGE: Yes, but was he in contact with him about
23 these attacks?
24 THE WITNESS: With President Kabbah.
16:28:26 25 PRESIDING JUDGE: Yes, but Sankoh was in contact with
26 President Kabbah to ask President Kabbah to try to cease or ease
27 these attacks; is that what you're --
28 THE WITNESS: What I know, they used to talk on phone
29 lines, telephone lines.

1 MR CAMMEGH:

2 Q. But from what you know, Mr Palmer, isn't it right that the
3 purpose of those phone conversations was to persuade or plead
4 with Kabbah to call off the attacks?

16:28:49 5 JUDGE ITOE: How would he know? Was he a party to these
6 conversations?

7 THE WITNESS: I was not around when they used to talk.

8 JUDGE ITOE: Was he a party to these conversations?

9 THE WITNESS: What I know, Corporal Sankoh had
16:29:05 10 President Kabbah's phone number. Sometimes he do call or
11 sometimes President Kabbah do call him. But when they are
12 talking, they don't disclose to us whatever they talk.

13 MR CAMMEGH:

14 Q. Well, he would hardly have been calling President Kabbah to
16:29:17 15 congratulate him, would he?

16 A. Well, I don't know.

17 Q. You don't know.

18 PRESIDING JUDGE: It could have been for some encouragement
19 for the peace accord.

16:29:31 20 MR CAMMEGH: Can I wrap it up with one question?

21 PRESIDING JUDGE: Yes.

22 MR CAMMEGH: One question.

23 Q. Did anybody ever tell you that Sankoh had been complaining
24 to Kabbah about these attacks?

16:30:03 25 A. That's a very difficult question.

26 Q. Well, I suggest it is a very simple question.

27 JUDGE ITOE: It's a very simple question. It is very
28 simple.

29 THE WITNESS: Anybody? Well, Corporal Sankoh himself used

1 to say that he doesn't support the attacks on RUF position and
2 that he would take the issue up with President Kabbah.

3 MR CAMMEGH:

4 Q. Right. xxxxxxx, my last question, if Your Honours are
16:30:38 5 intent on having the usual break, is this: In the aftermath of
6 the 30th November peace accord, between 30th November and
7 February '97 were you aware of any RUF attacks on Kamajor, SLA or
8 civilian positions anywhere in Sierra Leone?

9 A. Not to my knowledge.

16:31:09 10 MR CAMMEGH: Thank you very much. That will be a
11 convenient moment, Your Honours.

12 PRESIDING JUDGE: Thank you.

13 JUDGE ITOE: Would that be after the accord, Mr Cammegh?

14 MR CAMMEGH: Yes.

16:31:26 15 JUDGE ITOE: After the accord he's not aware of any RUF
16 attack on Kamajor positions?

17 MR CAMMEGH: Yes, and I specified the dates.

18 THE WITNESS: After the Abidjan Peace Accord.

19 PRESIDING JUDGE: Yes.

16:31:37 20 MR CAMMEGH: The dates I was referring to was 30th November
21 '96 to the date in February '97 when xxxxxx rejoined his
22 colleagues in xxxxxxx.

23 PRESIDING JUDGE: And your question was Kamajor and CDF or
24 just Kamajor?

16:31:54 25 MR CAMMEGH: My actual words were attacks on Kamajor, SLA
26 or civilians by RUF.

27 PRESIDING JUDGE: Okay. The Court will adjourn for the
28 afternoon recess. Court is adjourned.

29 [Break taken at 4.42 p.m.]

1 [Upon resuming at 5.03 p.m.]
2 PRESIDING JUDGE: Mr Cammegh.
3 MR CAMMEGH: Thank you, Your Honour.
4 Q. **xxxxx**, I just want to go back to the period following
17:03:51 5 the signing of the November '96 peace accord, just those two or
6 three questions before me move on to the next subject, which I
7 forgot to ask you just now. The first question is you remembered
8 the ICRC helicopter that landed in Balahun near Kailahun Town in
9 late November '96?
17:04:17 10 A. Yes.
11 Q. Who was on board that helicopter?
12 A. Corporal Sankoh was on board.
13 Q. Did he meet anybody in Balahun?
14 A. Say it again.
17:04:41 15 Q. Did he meet anybody in Balahun?
16 A. Yes, **xxxxx** was on board too. **xxxxx** travelled -- that was the
17 period we had to sign the accord.
18 Q. Yes.
19 A. So **xxxxx** went in to get the mandate from the combatants.
17:04:57 20 Q. Yes.
21 A. So **xxxxx** were received at Balahun.
22 Q. By who?
23 A. By the combatants.
24 Q. Okay. Now while**xxxxxxxxx** were at Balahun, was there a
17:05:16 25 discussion between President Kabbah and Foday Sankoh? Or was
26 there communication, I should say?
27 A. I cannot remember.
28 Q. Well, I suggest that there was. Can you just try to think
29 hard, please. Was there a communication between Kabbah and

1 Sankoh on the ground at Balahun?

2 A. xxxx didn't take part in the discussions. Whenxxxx reached
3 xxxxxx that was November 1996.

4 Q. Yes, approximately the 25th.

17:06:02 5 A. I have earlier on left those areas in 19xx.

6 Q. xxxxxx, I know that you did not take part in the
7 communication. Did you hear of communication between Kabbah and
8 Sankoh at that location on that day?

9 A. Corporal Sankoh, while xxxx were travelling, he made several
17:06:34 10 phone calls that I know of.

11 Q. Did he have a satellite phone?

12 A. Yes, he had a satellite phone with him. Even at Kissidugu
13 he made some calls at the airport then xxxxx came to Balahun.

14 Q. Yes.

17:06:44 15 A. He also made some calls.

16 Q. Let's just stay with Balahun. Now, you were quite close to
17 Foday Sankoh at this time, weren't you?

18 A. Close in what sense?

19 Q. Well, politically, let's say, you were very close to him.
17:07:02 20 You were a trusted member of his team.

21 A. Yes, I was a member of the xxxxx.

22 Q. And this xxxxxxxx was functioning in the
23 pursuance of peace, wasn't it?

24 A. Yes.

17:07:21 25 Q. Right. Did Foday Sankoh tell you about a satellite call
26 that he made to Kabbah when you were on the ground at Balahun or
27 not?

28 A. No, he didn't tell me that.

29 Q. Well, xxxxxxxx, are you sure that's right?

1 A. I'm sure of what I'm saying. I say he made several calls.
2 Q. Didn't anybody tell you about a call he made to President
3 Kabbah complaining about continued Kamajor attacks on RUF
4 positions and civilians in south-east Sierra Leone?
17:08:10 5 A. I know attacks used to happen, but while we went to
6 Balahun, I didn't hear about that.
7 Q. Did you hear that President Kabbah had made a comment to
8 Sankoh to the effect, "I cannot contain these people," referring
9 to Kamajors and CDF? Did you ever hear of that?
17:08:31 10 A. No.
11 Q. Were you aware of any communication between Sankoh and
12 Kabbah on that day?
13 A. When we landed at xxxxxxxx while he was going to talk to
14 people, I was also talking to some of my friends and relatives,
17:08:57 15 so I was not on the site where the meeting took place.
16 Q. xxxxxxxx, you were an xxxxxxxxxxx of that xxxxxxx,
17 were you not?
18 A. Yes.
19 Q. It was your business to know the attitude of the Kamajors
17:09:15 20 and the CDF to the upcoming peace accord, was it not?
21 A. If I was informed?
22 Q. It was your business to know, was it not?
23 A. Our purpose of going in Kailahun was to go and persuade our
24 brothers about the accord so that we could get the mandate from
17:09:38 25 them to come and sign the accord. So I met a group of them. I
26 was talking to them also.
27 Q. xxxxx, I listed four locations where I suggested
28 Kamajor and SLA atrocities took place. I stated Zogoda, Peyama -
29 they're both in Kenema. I stated Kangari Hills and Tonkolili,

1 and the Western jungle. I forgot one, perhaps the notorious one
2 of all. Were you made aware of the slaughter of about 200
3 civilians at the Moa River crossing point at Mendebwema in
4 December 1996, that slaughter being done by Kamajors?

17:10:27 5 A. Where, please?

6 Q. Moa River crossing point in Mendebwema.

7 A. Which year and which month?

8 Q. As I said, December 1996. It shortly followed the incident
9 at Peyama, I believe.

17:11:01 10 A. I believe it was that same retreat we heard about it.

11 Q. Yes.

12 A. Yes.

13 PRESIDING JUDGE: When you say "same retreat", you mean the
14 retreat from Zogoda?

17:11:09 15 THE WITNESS: From Zogoda, that mass retreat from Zogoda.
16 The civilians and RUF soldiers were pursued wherever they went.

17 MR CAMMEGH: Yes.

18 Q. It was quite clear, wasn't it, that the Abidjan Peace
19 Accord between 30 November '96 and let's, for argument's sake,
17:11:42 20 say February of '97 the peace accord was being regularly and
21 atrociously broken by the Kamajors and CDF forces, wasn't it?

22 A. Well, Corporal Sankoh used to complain about it.

23 Q. How do know that?

24 A. Mmm?

17:12:03 25 Q. How do you know that?

26 A. About what?

27 Q. That he used to complain about it.

28 A. He can call by mobile radio phone to RUF-controlled
29 territories in Sierra Leone. Then when he gets the report, he

1 will share the information, that so-and-so time I was informed by
2 my commanders that so-and-so cease-fire violation has taken
3 place.
4 Q. Yes.
17:12:32 5 A. That's what I'm -- that's how I got to know.
6 Q. Okay. My question is how -- all right. Who did he
7 complain to?
8 A. No, all what he used to tell us, he would take the issue up
9 with his brother, President Kabbah.
17:12:59 10 Q. That is what he was doing on a regular basis, wasn't it?
11 A. That's what he used to tell us.
12 Q. Thank you. I want to go back to a point that I perhaps
13 raised a bit prematurely earlier on. I was coming on to the
14 incident at Kailahun in February of 1998. My point was that you
17:13:18 15 spent a long time during your interview with Miss Dufka in April
16 2003 giving chapter and verse about what happened in the Kailahun
17 massacre. You recall that; yes?
18 A. I explained exactly what I was asked.
19 Q. Yes, okay. Did you give an accurate account on -- was it
17:13:48 20 11 April 2003 to Miss Dufka?
21 A. 11th April?
22 Q. 2003. The first interview you had with officers of the
23 Prosecution.
24 A. Did I?
17:13:57 25 Q. Did you give an accurate account to Miss Dufka?
26 PRESIDING JUDGE: Of what?
27 THE WITNESS: Of what?
28 MR CAMMEGH:
29 Q. Of the incident at Kailahun in February '98?

1 A. Well, I explained to her what I could remember at that
2 time.
3 Q. xxxxx, do you read the newspapers?
4 A. Newspapers?
17:14:32 5 Q. Do you read newspapers?
6 A. I do.
7 Q. Right. I don't know if there is a newspaper published in
8 xxxx where you live on a Sunday, but, as a general rule, if I was
9 to ask you what was the headline of the yesterday's newspaper --
17:14:51 10 PRESIDING JUDGE: The witness has told you he lives in
11 xxxxxxxx, not in Bo.
12 MR CAMMEGH: Your Honour, it's perhaps academic. xxxxxxxx
13 though.
14 Q. xxxxxxxx, if I was to ask you what was the headline of
17:15:02 15 yesterday's newspaper and what was the headline of last week's
16 newspaper, seven days previously, which one do you think you'd
17 remember best of all, yesterday's or a week ago?
18 A. If I read both it should be yesterday.
19 Q. Yes. Why is it during your interview with Miss Dufka you
17:15:36 20 made no mention whatsoever of any of those five attacks that I
21 put to you that breached -- that took place in the immediate
22 aftermath of the peace accord?
23 A. In the interview with Corinne I was asked certain questions
24 and I was restricted to answering whatever I was asked.
17:16:07 25 Q. So your answer is, "I wasn't asked"; correct.
26 A. I was not asked to explain that one.
27 Q. To be fair, you are probably right about that. In fact,
28 I'm sure that you're right, you weren't specifically asked to
29 comment on Kamajor atrocities, but you were asked to give a

1 history of your involvement with the external delegation. As you
2 have told us, that external delegation met again in Abidjan in
3 February 1997 which is, as you have told me earlier on today,
4 when you learned about many of these Kamajor atrocities. Why is
17:16:54 5 it, given you had spent so much time talking about the Kailahun
6 massacre, you failed to mention anything committed by forces on
7 the other side, that is to say, Kamajors and CDF?
8 A. I want to make a point clear.
9 Q. Please do.
17:17:23 10 A. While I was a member of the xxx RUF xxxxx I was
11 not a member of the xxx. It was the xxxxxx that was residing here
12 in Sierra Leone that I used to get an update of whatever was
13 happening and take these issues with the two leaders. And I
14 didn't know anything about the activities because there was no
17:17:52 15 communication between me and them. And they opt to meet with
16 Pa Sankoh in February. Their motives were not that clear because
17 this was an organisation of which I was not a part.
18 Q. Yes, and what's --
19 A. So they went to meet Mr Sankoh.
17:18:12 20 Q. xxxxxxxxxxxx, what is the point you are trying to make here?
21 A. The point I am trying to make here, you are making it look
22 like I was a xxxxxxxx so I was au fait with whatever atrocities
23 or cease-fire violations that were happening in Sierra Leone,
24 whether on the government side or on the RUF side --
17:18:29 25 Q. No.
26 A. -- which is not the case.
27 Q. xxxxxxxx, I'm not trying to --
28 A. Then, secondly, in interviews I was restricted to certain
29 questions. "When you went to meet your brothers, what happened?"

1 Then I explained. "After that, what happened," then I explained.

2 "There is an incident that happened in ~~xxxxx~~. What do you
3 know about it." I explained.

4 Q. Yes.

17:18:59 5 A. So whatever I was asked, that was my terms of reference to
6 talk on.

7 Q. Mr Witness, my point, and I'm sure you can see it, is
8 simple. As you have stated in this room this afternoon, by
9 February of 1997 you were aware, you were made aware by your
17:19:19 10 colleagues in the mission, of Kamajor atrocities taking place
11 since the accord was signed. My question is: Many years later
12 in 2003 when you were asked to account for your activities with
13 that mission you said nothing about what you learned in
14 connection with those atrocities and I am simply asking you why
17:19:43 15 that is?

16 A. Well, you are comparing it to an incident that I hear to
17 incidents that I witness. The ones that I witnessed, I am very
18 sure or positive of what I say. But I can't be positive about
19 something that I didn't witness, you see.

17:20:10 20 Q. It's not that you were deliberately giving an unbalanced
21 account to the Office of the Prosecutor in 2003 then?

22 A. No. If the Prosecution had asked me and I refused to talk
23 about it, then you will say I held onto information. But I was
24 not asked to explain anything about that.

17:20:32 25 Q. Right. It wasn't that you were trying to perhaps minimise
26 the wrongdoing of other parties in this conflict?

27 A. No. In fact, nobody asked me about whether I know about
28 atrocities committed by other parties to the conflict.

29 Q. All right.

1 JUDGE ITOE: So, Mr Witness, what you are saying is that if
2 the Prosecution had asked you about these atrocities you would
3 have mentioned them in your statement?

4 THE WITNESS: Yes, I would have even said I learnt or I
17:21:02 5 heard, even if I did not witness them. But nobody asked me about
6 other atrocities.

7 MR CAMMEGH: But.

8 Q. You wrote a book, didn't you? Did you write a book about
9 the conflict or about the RUF within the conflict?

17:21:22 10 JUDGE THOMPSON: You mean which he submitted to the
11 Prosecution?

12 MR CAMMEGH: Yes, which is, I think, an exhibit in the
13 case.

14 JUDGE THOMPSON: Which he submitted to the Prosecution?

17:21:32 15 MR CAMMEGH: I'm sorry. Sorry, I misunderstood Your
16 Honour's meaning.

17 JUDGE THOMPSON: That's exactly what I -- when you say you
18 wrote a book.

19 MR CAMMEGH: I thought you meant admitted as in admitted as
17:21:43 20 an exhibit, but I misunderstood Your Honour.

21 JUDGE THOMPSON: Yes, in short term or are you referring
22 rather figuratively to his statement in April as book.

23 MR CAMMEGH: No, I am referring to the fact that xxxxxxxx
24 is the author of a book which I think is within the Prosecution's
17:22:03 25 possession. I know it is within the Prosecution's possession.

26 PRESIDING JUDGE: Mr Witness, can you answer that question,
27 please? Are you the author of a book on or about the RUF?

28 THE WITNESS: A pamphlet.

29 PRESIDING JUDGE: A pamphlet about what?

1 THE WITNESS: About the RUF.
2 MR CAMMEGH:
3 Q. Is this book called Inside the Revolutionary United Front?
4 PRESIDING JUDGE: The witness has said xxxxxxxx.
17:22:52 5 MR CAMMEGH:
6 Q. Is that pamphlet 113 pages long?
7 A. Well, it was not compiled. I mean, I don't want to say
8 it's a book. It's a pamphlet .
9 Q. All right, let's call it a pamphlet. Was it published?
17:23:06 10 A. No.
11 Q. Well, let me just read part of this document to you. I
12 have just been asking you questions about how balanced you are as
13 a witness and I want to read this to you and perhaps you can
14 confirm whether or not you xxxxxxxx. I think this was
17:23:25 15 xxxxxxxx in August xxxxxx, or written in 2001. Youxxxx this at
16 page 6.
17 JUDGE THOMPSON: Can you let him identify it?
18 PRESIDING JUDGE: I don't think it is fair to the witness
19 all of a sudden. I mean, the witness doesn't know if this is
17:23:41 20 what he may have xxxxxxxx at least. Can you say at page 6 of it
21 may or may not be --
22 MR CAMMEGH: I was just going to ask him if he can remember
23 writing those words.
24 PRESIDING JUDGE: In fairness to the witness, if this is
17:23:56 25 his document, ask him if that is what he xxxxxand maybe --
26 otherwise, Mr Cammegh, it is not much use to the Court.
27 MR CAMMEGH: I'll accept that. I wonder if it is actually
28 Mr Jordash's --
29 JUDGE THOMPSON: No, it is in addition to the fact that

1 that may not be a proper way to proceed when you want to use a
2 book as part of the records. I mean, there is a clearly
3 laid-down procedure which we follow in law.

4 MR CAMMEGH: Well, my approach, with respect, would be to
17:24:24 5 ask the witness to have a look, to see if he can claim or
6 authenticate --

7 JUDGE THOMPSON: Precisely.

8 MR CAMMEGH: Then I will put the relevant passage to him if
9 that's acceptable to the Chamber.

17:24:35 10 JUDGE ITOE: If he can claim xxxxxx of that document.

11 MR CAMMEGH: Yes.

12 Q. Can you just please take a look at this document,
13 Mr Palmer.

14 PRESIDING JUDGE: xxxxxx, look at it carefully to make
17:24:59 15 sure that if this is the document that you xxxxx -- that you are
16 satisfied that indeed it is that document, that pamphlet.

17 MR CAMMEGH:

18 Q. While you are doing that, xxxxxxxx, perhaps you would like
19 to look at page 6 and just read the top paragraph and tell me
17:25:13 20 whether you claim xxxxxxxx or xxxxxxxx of that.

21 PRESIDING JUDGE: What's your response to that, Mr Witness?

22 THE WITNESS: Yes.

23 PRESIDING JUDGE: Yes, this is the pamphlet that you xxxxx?

24 THE WITNESS: This is a copy. A photocopy.

17:25:39 25 PRESIDING JUDGE: Now, Mr Cammegh, do you intend to --

26 MR CAMMEGH: I intend to read one paragraph.

27 JUDGE ITOE: And thereafter?

28 MR CAMMEGH: Nothing.

29 JUDGE ITOE: Nothing.

1 MR CAMMEGH: No, I have asked the witness to check that
2 paragraph. I think he did.
3 PRESIDING JUDGE: I think he has, but have you checked
4 page 6?
17:25:58 5 THE WITNESS: No.
6 JUDGE ITOE: But to be fair to counsel, he asks you to look
7 at page 6.
8 MR CAMMEGH: Top paragraph.
9 JUDGE ITOE: Yes.
17:26:06 10 THE WITNESS: No, just read.
11 MR CAMMEGH:
12 Q. Well, I would like to follow the procedure please,
13 Mr Palmer, and perhaps you could just have a look at that top
14 paragraph and that's all I'm going to trouble you with?
17:26:21 15 A. The first paragraph, you mean>
16 Q. Yes, please. You don't have to read it out.
17 PRESIDING JUDGE: At page 6.
18 MR CAMMEGH:
19 Q. Just look at it.
17:26:29 20 A. You mean the heading?
21 JUDGE ITOE: Silent reading to yourself.
22 PRESIDING JUDGE: To satisfy yourself that this is indeed
23 what you have xxxxxxxx and to refresh your memory in that respect.
24 Yes, Mr Cammegh.
17:26:35 25 MR CAMMEGH: Thank you, Your Honour.
26 Q. xxxxxxxx, can you claim xxxxxx of that paragraph?
27 A. Yes.
28 Q. Thank you. What xxxxxxx then is this. There's a heading
29 "Corporal Alfred Foday Saybana Sankoh, What Manner of Man is He?"

1 And you xxxxxxx: "Corporal Foday Sankoh's controversial" --
2 PRESIDING JUDGE: Not too fast, please.
3 JUDGE ITOE: What is that paragraph again?
4 MR CAMMEGH: This is the heading.
17:27:48 5 JUDGE ITOE: Yes.
6 MR CAMMEGH: The heading is "Corporal Alfred Foday Saybana
7 Sankoh."
8 JUDGE ITOE: That's paragraph what?
9 MR CAMMEGH: No, this is the heading, Your Honour. To be
17:28:01 10 precise it, it's paragraph 1.1 on page 6 of this document and the
11 heading is:
12 "Corporal Alfred Foday Saybana Sankoh, What Manner of Man
13 is He? Corporal Foday Sankoh's controversial personality
14 makes it extremely difficult to adequately describe it in a
17:28:33 15 few words. However, for this overview Corporal Sankoh can
16 be described as follows: He is a pathological liar, a
17 rascal, peevish, absolutely corrupt, greedy beyond
18 description, callous, revengeful, intransigent, egocentric,
19 a megalomaniac, politically naive, very unreliable,
17:29:02 20 unpredictable, very inconsistent, enjoys living a sybaritic
21 lifestyle and is always mistrustful of people's motives."
22 It goes on in a similar vein, but it will perhaps get a bit
23 boring if I were to read much more. But, xxxxxx, you xxxxxxx
24 that in xxxxx. Do we take it that you didn't really approve of
17:29:33 25 Mr Sankoh when you xxxxx that xxxxx or xxxxxxx?
26 A. Approve in what sense?
27 Q. Well, is it fair to say that you didn't really like him
28 very much?
29 A. No, I have no subjective reason to say I didn't like him.

1 Q. But it is a very subjective series of remarks, isn't it?
2 Would you agree?
3 A. Well, we ~~xxxxx~~ it, it's true.
4 Q. Yes. Would it perhaps indicate --
17:30:27 5 JUDGE ITOE: I am not sure of the reply to that question.
6 He said "we wrote it," but is that a reply to the question you
7 put to him? I don't think he has replied to your question?
8 MR CAMMEGH: I can't remember what the question was. I am
9 sorry.
17:30:44 10 PRESIDING JUDGE: You did not really like him.
11 MR CAMMEGH: Thank you.
12 Q. I think what I said was: It was a series of very
13 subjective remarks, wasn't it, to describe a man?
14 A. That's what I am saying, I said we wrote it.
17:31:03 15 Q. Yes. And for the record "we" is who, you and?
16 A. Mr ~~xxxxxxxxx~~.
17 Q. Okay. Oh, another member of the ~~xxxxxxx~~? ~~xxxxxxxxx~~
18 ~~xxxxxxxxx~~.
19 PRESIDING JUDGE: So this ~~xxxxx~~ was ~~xxxxxxxxx~~ by ~~xxxx~~
17:31:18 20 and ~~xxxxxxxxx~~; is that what you are saying?
21 THE WITNESS: Yes.
22 PRESIDING JUDGE: Okay.
23 MR CAMMEGH:
24 Q. Now, since you have brought up the word subjective,
17:31:29 25 Mr Palmer, can I suggest this, that it indicates a complete lack
26 of objectivity on your part in your approach to the RUF?
27 A. No.
28 Q. Can I please ask you this: Is the account that you gave to
29 Miss Dufka in 2003 truly an objective one?

1 A. Yes.

2 Q. Is that true?

3 A. Yes.

4 MR CAMMEGH: Your Honours, that would be a convenient
17:32:15 5 moment.

6 PRESIDING JUDGE: Yes.

7 MR CAMMEGH: Thank you.

8 PRESIDING JUDGE: The Court will adjourn until 9.30

9 tomorrow morning. Thank you. The Court is adjourned.

10 [Whereupon the hearing adjourned at 5.32 p.m.,
11 to be reconvened on Tuesday, the 4th day of
12 April 2006, at 9.30 a.m.]

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

EXHIBITS:

Exhibit No. 100	39
-----------------	----

WITNESSES FOR THE PROSECUTION:

WITNESS: TFI-168	2
CROSS-EXAMINED BY MR JORDASH	2
CROSS-EXAMINED BY MR TAKU	40
CROSS-EXAMINED BY MR CAMMEGH	74