



Case No. SCSL-2003-01-T

THE PROSECUTOR OF
THE SPECIAL COURT
V.
CHARLES GHANKAY TAYLOR

MONDAY, 12 APRIL 2010
9.30 A.M.
TRIAL

TRIAL CHAMBER II

Before the Judges:

Justice Julia Sebutinde, Presiding
Justice Richard Lussick
Justice El Hadji Malick Sow, Alternate

For Chambers:

Ms Erica Bussey

For the Registry:

Ms Rachel Irura
Ms Zainab Fofanah

For the Prosecution:

Ms Brenda J Hollis
Ms Kathryn Howarth
Ms Maja Dimitrova

For the accused Charles Ghankay
Taylor:

Mr Courtenay Griffiths QC
Mr Terry Munyard

1 Monday, 12 April 2010

2 [Open session]

3 [The accused present]

4 [Upon commencing at 9.30 a.m.]

09:32:23 5 PRESIDING JUDGE: Good morning. We'll take appearances
6 first, please.

7 MS HOLLIS: Good morning, Madam President, your Honours,
8 opposing counsel. This morning for the Prosecution, Kathryn
9 Howarth, Maja Dimitrova and myself, Brenda J Hollis.

09:32:45 10 MR MUNYARD: Good morning, Madam President, your Honours,
11 counsel opposite. For the Defence this morning, Courtenay
12 Griffiths QC and myself, Terry Munyard.

13 PRESIDING JUDGE: Before we proceed this morning, I would
14 like to announce that Judge Doherty is, for medical reasons, not
09:33:09 15 able to sit for the next three days or so and the judges present
16 consider it to be in the interest of justice to continue in her
17 absence in accordance with Rule 16A of the Rules of Procedure and
18 Evidence. A written order will be published later on today. And
19 so we will proceed I believe with witness DCT-146,
09:33:44 20 Charles Ngebeh.

21 Good morning, Mr Ngebeh.

22 THE WITNESS: [Microphone not activated].

23 PRESIDING JUDGE: And I believe we were at the stage of
24 cross-examination, Ms Hollis, is that correct?

09:33:55 25 MS HOLLIS: That is correct, Madam President.

26 PRESIDING JUDGE: Okay. Mr Ngebeh, I'm going to - not
27 going to make you swear again your oath, but I believe --

28 THE WITNESS: Yes, madam.

29 PRESIDING JUDGE: -- at the beginning of your testimony you

1 took a solemn oath to tell the truth. That oath is still
2 binding --

3 THE WITNESS: Yes, madam.

4 PRESIDING JUDGE: -- as you continue in your evidence in
09:34:19 5 cross-examination.

6 Ms Hollis, please proceed.

7 MS HOLLIS: Thank you, Madam President.

8 WITNESS: DCT-146 [On former oath]

9 CROSS-EXAMINATION BY MS HOLLIS: [Continued]

09:34:29 10 Q. Good morning, Mr Ngebeh.

11 A. Yes, mammy, good morning.

12 Q. Mr Ngebeh, during your direct examination you talked about
13 an operation that the RUF conducted against Sierra Rutile. Do
14 you recall that?

09:34:50 15 A. You are correct.

16 Q. At the time of that operation you were based at the Western
17 Jungle; is that correct?

18 A. I was in Mile 91.

19 Q. And was that part of the Western Jungle?

09:35:08 20 A. No. Malal Hill.

21 Q. And you did not go on this operation against Sierra Rutile,
22 did you?

23 A. I did not go.

24 Q. There was another company by the name of Sierocom [phon]
09:35:24 25 that was also attacked as part of that operation. Isn't that
26 correct?

27 A. Repeat that question.

28 Q. There was another company by the name of Sierocom that was
29 also attacked as part of that operation. Isn't that correct?

1 A. I can't say much about that, mama.

2 Q. You didn't know about Si erocom being attacked as part of
3 the Sierra Rutile operation?

4 A. I was not part of that operation.

09:36:00 5 Q. During the operation against Sierra Rutile, foreign
6 nationals were taken hostage by the RUF; isn't that right?

7 A. You are correct.

8 Q. And in addition, Sierra Leone personnel were taken hostage
9 as well; isn't that right?

09:36:16 10 A. I heard it.

11 Q. What do you mean you heard it?

12 A. I heard about it. I was not there, but I heard about it.

13 Q. You heard about both foreign nationals and Sierra Leone
14 personnel being taken hostage?

09:36:33 15 A. You are correct, mama.

16 Q. That operation included looting Sierra Rutile, did it not?

17 A. I was not part of that operation.

18 Q. You must have heard about that, didn't you?

19 A. I can only tell you that at that time I was at Malal Hill.

09:36:56 20 I did not know what went on at Rutile. I don't know anything.

21 But I heard that some personnels were captured. One Peter White,

22 yes. But I can't tell you how the operation went on at Rutile

23 because I was not part of that operation.

24 Q. The looted goods would have been brought back to your area
09:37:15 25 as well as other areas. Isn't that right?

26 A. No. Just look at the map. From Mile 91 to Rutile, it's a
27 far distance. We were not able to receive anything from Rutile.

28 Q. Didn't you say your commander was in charge of that
29 operation?

1 A. He left us at International Boko and went to Rutile,
2 CO Mohamed. From there I moved with Gibriil Massaquoi to Mile 91.
3 From 91 I headed for Malal Hill. Whilst we were at Malal Hill,
4 they were at Rutile, that, is CO Mohamed. I was with Gibriil
09:37:56 5 Massaquoi.

6 PRESIDING JUDGE: Mr Ngebeh, I'm going to remind you to
7 talk a little slower for the sake of the recorders.

8 THE WITNESS: Yes, mama.

9 MS HOLLIS:

09:38:04 10 Q. So you really had no personal knowledge of what happened
11 during that operation; is that correct?

12 A. We heard about it. They said they were at Rutile, that
13 CO Mohamed was at Rutile. We were at Mile 91. That was it. But
14 I was not there. I don't want to tell lies, mama. What I did
09:38:24 15 not see I don't want to talk about. I am under oath.

16 Q. Now, before we adjourned for the recess we were talking
17 about Foday Sankoh going for peace talks. Do you remember that?

18 A. You are correct.

19 Q. And in 1996, when Foday Sankoh communicated to you and the
09:38:46 20 RUF about going for these peace talks, at this time the Sierra
21 Leone government had lost confidence in the SLAs. Isn't that
22 correct?

23 A. Repeat that question.

24 Q. [Microphone not activated] I'm talking about the time in
09:39:06 25 1996 when Foday Sankoh had gone for the peace talks and at that
26 time the Sierra Leone government had lost confidence in the SLAs.
27 Isn't that correct?

28 A. Confidence in what sense? I do not know understand the
29 confidence you mean.

1 Q. Mr Witness, have you ever told anyone that at the time
2 Foday Sankoh communicated he was going to enter into peace talks,
3 the Sierra Leone government had lost confidence in SLAs? Had you
4 ever told anyone that?

09:39:40 5 A. The statement is Pa Kabbah lost confidence in the SLA.
6 That caused him to disband the national army in '96. Then he
7 formed the Kamajors. Whilst the peace was going on - whilst we
8 had signed an agreement with the SLA, we had ceased fire and they
9 had restored democracy in that country in President Kabbah. He
09:40:04 10 was the one who disbanded the army and took the Kamajors to
11 replace the national army. Thank you.

12 Q. And the Sierra Leone government had lost confidence in the
13 SLAs because they blamed them for conniving with the RUF; isn't
14 that correct?

09:40:22 15 A. Yes. They said they were giving us ammunition. That they
16 were giving us ammunition to fight the war. They said all the
17 soldiers were rebels, that they were giving us arms and
18 ammunition to fight. The combat that was used by soldiers, the
19 RUF also used. The weapons they used, we also used. So for that
09:40:41 20 reason they said they were collaborating with us, but that was a
21 lie. We attacked the soldiers and got arms and ammunition from
22 them through ambushes, but never did a soldier take a weapon and
23 give us. But he made that allegation against them and that
24 caused him to disband the army and took the Kamajors to replace
09:41:01 25 them. That was what caused the problem. Thank you.

26 Q. Indeed, Mr Witness, the Sierra Leone government never
27 disbanded the army, did they?

28 A. By giving civilians weapons to defend their rights, that's
29 disbanding. The national army had been formed in that country

1 since 1961. After the election, Pa Kabbah said they do not have
2 trust in the soldiers, that they were giving us arms and
3 ammunition to fight. So the civilians to take up weapons to
4 defend themselves. So by doing that, that was disbandment,
09:41:38 5 disbanding intelligently, and the civilians had been frustrated
6 during the war. The RUF had disappointed the civilians. The
7 soldiers had disappointed the civilians --

8 PRESIDING JUDGE: [Microphone not activated] stop you.

9 THE WITNESS: Yes, mama.

09:41:53 10 PRESIDING JUDGE: The interpreters can't keep up with you.
11 Please slow down. Try to slow down, please.

12 THE WITNESS: Yeah.

13 PRESIDING JUDGE: And, Ms Hollis, when the witness answers,
14 give him a moment, because if you don't, with this switch between
09:42:11 15 your microphone and his, your first comments are lost. They are
16 not recorded.

17 MS HOLLIS: Thank you:

18 Q. Mr Ngebeh, remember to speak slowly, please, as Madam
19 President has asked you to. Indeed, Mr Witness, it was true --

09:42:27 20 A. Okay, ma'am.

21 Q. It was true that the SLAs were conniving with the RUF,
22 wasn't it?

23 A. They never connived with us. Since '91 to '96, they never
24 connived with the RUF. '91 to '96.

09:42:44 25 Q. And, indeed, they were assisting you in many ways, weren't
26 they, Mr Ngebeh?

27 A. From 1991 to 1996, we never got assistance from the
28 national army.

29 Q. And, indeed, one of those conniving with you was Johnny

1 Paul Koroma; isn't that correct?

2 A. After the coup, they called on the RUF. It was only in '97
3 that the RUF was able to connive with the SLA after the coup in
4 '97 by Johnny Paul Koroma by calling the RUF.

09:43:20 5 Q. Indeed, Mr Witness, in 1996 Johnny Paul Koroma was
6 conniving with you already, wasn't he?

7 A. No.

8 Q. And, Mr Witness, when you say the RUF had disappointed the
9 civilians, that was very true, wasn't it?

09:43:40 10 A. Yes.

11 THE INTERPRETER: Your Honours, can he repeat what he just
12 said slowly.

13 PRESIDING JUDGE: Please repeat your answer slowly.

14 THE WITNESS: Because of the arms - because of the
09:43:54 15 self-reliant struggle we were unable to maintain the civilians.
16 For that reason, the people were disappointed, yes, from '91 to
17 '95. You said you were freeing somebody and you cannot take care
18 of that person, you cannot give him food, you cannot give him
19 anything. At the end of the day what the people depended on was
09:44:15 20 what you also depended on. That got them frustrated. From '91
21 to '96, the civilians were disappointed in the RUF because we
22 were not able to maintain them. Because of the self-reliant
23 struggle that Pa Sankoh had introduced to us, that was what
24 caused the problem and hence the disappointment of the people.

09:44:39 25 MS HOLLIS:

26 Q. Indeed, Mr Witness, the people were disappointed with the
27 RUF throughout the war, isn't that right?

28 A. Yes. Because of the self-reliant struggle they were
29 disappointed.

1 Q. And when you talk about self-reliant struggle, what you're
2 talking about is the extensive looting that the RUF conducted
3 against civilians throughout the war, isn't that right?

4 A. That is not what I mean. I can explain what I mean by the
09:45:06 5 self-reliant struggle. Pa Sankoh said --

6 Q. Mr Witness, I'm asking you about the disappointment the
7 civilians felt toward the RUF. They felt that disappointment
8 because of all the crimes you committed against them throughout
9 the war. Isn't that right?

09:45:23 10 A. Under self-reliant struggle, yes.

11 Q. So you committed those crimes under this concept of
12 self-reliant struggle. Is that what you're telling the Court?

13 A. You are correct.

14 Q. Now, Mr Witness, you've talked about Maada Bio. He
09:45:47 15 actually took over the leadership of the NPRC in mid-January
16 1996. Isn't that correct?

17 A. You are correct.

18 Q. And he continued in that leadership until about March 1996.
19 Isn't that correct?

09:46:11 20 A. I can't talk about date but that is what happened. I
21 didn't record the time, but that is what happened.

22 Q. And Maada Bio went to Ivory Coast to meet in person with
23 Foday Sankoh. Isn't that correct?

24 A. Repeat that question, please.

09:46:36 25 Q. Certainly. Maada Bio went to the Ivory Coast to meet in
26 person with Foday Sankoh. Isn't that correct?

27 A. Yes, in order for them to bring peace.

28 Q. And the contacts that they had in Sierra Leone were not
29 face-to-face, were they?

1 A. Repeat that question.

2 Q. Certainly. The contacts between Maada Bio and Foday Sankoh
3 that occurred in Sierra Leone, those contacts were not
4 face-to-face, were they?

09:47:10 5 A. No, it was through phone calls, a radio set.

6 Q. You have mentioned a person by the name of Agnes
7 Deen-Jalloh and you said she was captured in 1991 in Bunumbu.
8 Who captured her in 1991?

9 A. The RUF.

09:47:36 10 Q. And do you know the nationality of those who captured her
11 in 1991?

12 A. He would be the only person to answer that question because
13 I was not the one who captured her. Deen-Jalloh herself, she
14 would be the right person to answer that question.

09:47:56 15 Q. So you don't personally know that?

16 A. No, because I was not there when she was captured.

17 Q. Mr Witness, after Zogoda was overrun, where did you go?

18 A. I went to Kailahun.

19 Q. And where in Kailahun did you go?

09:48:18 20 A. I went to Buedu.

21 Q. When did you go to Giema?

22 A. After I had recovered. That was the time I went to Giema.

23 Q. And Giema that you went to is in what district?

24 A. Kailahun District.

09:48:40 25 Q. Do you know what chiefdom Giema is in?

26 A. It's under Kailahun District. It's under Kailahun
27 District.

28 Q. Do you know what chiefdom it's in?

29 A. Upper Bambara. I can't guess, but I'll recall later.

1 Let's go ahead. I'll provide you an answer later.

2 Q. Thank you. Mr Witness, you've also talked about a unit
3 called the STF. Do you remember talking about that unit?

4 A. Yes.

09:49:31 5 PRESIDING JUDGE: Sorry, Ms Hollis to interrupt. The
6 witness did say the name of a chiefdom that doesn't appear at all
7 in the record.

8 MS HOLLIS: I believe he said Upper Bambara.

9 PRESIDING JUDGE: Yes, Upper Bambara.

09:49:48 10 MS HOLLIS:

11 Q. Mr Witness, after the coup that occurred in May 1997 the
12 STF became part of the junta government. Isn't that correct?

13 A. You are correct.

14 Q. And when the junta government was pushed out of Freetown in
09:50:09 15 February 1998, the STF members retreated with the junta. Isn't
16 that correct?

17 A. You are correct.

18 Q. During your testimony on direct examination you told the
19 Court about looting of an embassy during the junta period. Do
09:50:30 20 you remember telling the Court about that?

21 A. You are correct.

22 Q. And in your testimony you said that Issa Sesay was arrested
23 for that looting and that Sam Bockarie came and got him out of
24 jail. Do you remember telling the judges that?

09:51:01 25 A. Repeat the question. The interpreter did not end the
26 question. Repeat it so that the interpreter would interpret it
27 well.

28 Q. Okay. You also said, did you not, that Issa Sesay was
29 arrested because of that looting and that Sam Bockarie came and

1 got him out of jail?

2 A. You are correct.

3 Q. Now, it was the Iranian embassy that was looted. Isn't
4 that correct?

09:51:22 5 A. I did not know the embassy because I was not in Freetown
6 when the incident occurred, but I heard about it.

7 Q. So your information about this incident is what you heard?

8 A. They said an embassy. One embassy. I heard. That's what
9 I heard, but I cannot guess the correct embassy where the
09:51:44 10 incident took place. I don't want to tell lies.

11 Q. Mr Ngebeh, if you think back to what you were told, in fact
12 you were told that Issa Sesay resisted arrest and as a result he
13 was never arrested. Isn't that correct?

14 A. I heard that he was arrested. He and this guy Gibri I
09:52:11 15 Massaquoi and one civilian. About three personnel who were RUF.
16 They were arrested. That's what I heard.

17 Q. Who told you this?

18 A. After they had been released when Sam Bockarie came and
19 released them he said if they do not release them --

09:52:33 20 THE INTERPRETER: Your Honours, can the witness repeat his
21 answer more clearly.

22 PRESIDING JUDGE: Mr Ngebeh, pause, please. You have to
23 repeat your answer for the interpreter.

24 THE WITNESS: Okay. After Sam Bockarie had come to
09:52:49 25 Freetown he said Johnny Paul Koroma should not arrest those men
26 unknown to him. He then released Issa Sesay in Freetown. That's
27 all I know, mama.

28 MS HOLLIS:

29 Q. Who told you that?

1 A. The man was released. I saw him. I saw Issa Sesay. He
2 said they had released him. He met me in Waterloo.

3 Q. Mr Witness, I'm asking you who told you that Issa Sesay had
4 been arrested and then Sam Bockarie released him?

09:53:32 5 A. When that incident occurred it was not in secret.
6 Everybody was aware of it, that they had looted an embassy. It
7 was not a hidden secret. Later when he was released I saw him.
8 He - Issa Sesay himself. He himself told me that he was arrested
9 and he has been released. I told him that we had heard about it.
09:53:54 10 He met me in Waterloo, Issa Sesay himself. Thank you.

11 Q. Now, while you were in the RUF certain categories of
12 property were considered to be government property or RUF
13 property, correct?

14 A. You are correct.

09:54:13 15 Q. And arms and war materials were considered to be government
16 property?

17 A. Correct.

18 Q. Meaning that those were to be handed over to the top
19 leadership of the RUF, yes?

09:54:30 20 A. Yes.

21 Q. And during the time of the RUF, diamonds were considered to
22 be government property. Isn't that correct?

23 A. You are correct.

24 Q. And during the time that the RUF and the AFRC were
09:54:45 25 together, diamonds were considered to be government property.
26 Isn't that correct?

27 A. At that time that government property was no longer in
28 existence. It was the AFRC soldiers who told us diamonds were
29 not government property. If our government that we were running

1 had the diamonds as their government property? No, government
2 property - diamonds were not government property. When you get
3 your diamonds you can sell them wherever you want to sell them.
4 After the coup diamonds no longer were government property.

09:55:20 5 Everybody took his. In spite of the fact that we had centralised
6 areas where we mined for different authorities, but it was not a
7 government property. Everybody had right to carry it. Except if
8 you take a big one that you were not able to be in control of you
9 would hand over that to the government. That ban was lifted in
09:55:39 10 1997 after the AFRC.

11 Q. Have you ever told anyone that diamonds were government
12 property including after --

13 A. Yes.

14 Q. [Microphone not activated] became part of the junta?

09:55:56 15 A. No. Diamonds from '91 to '96 were purely government
16 property under RUF. But after the coup when we joined the AFRC,
17 diamonds no longer were government property. Everybody took it
18 to be theirs. Except if you took a big one that you were to hand
19 over to the authorities. Civilians used to mine and get theirs.
09:56:18 20 We used to mine for ourselves and get ours. We will sell them to
21 different areas. Thank you.

22 Q. Now, after the intervention - after the junta was pushed
23 out of Freetown, the RUF and AFRC mined in Kono District. Isn't
24 that correct?

09:56:37 25 A. You are correct.

26 Q. And this mining was for diamonds?

27 A. Correct.

28 Q. And those diamonds at that time were considered government
29 property. Isn't that correct?

1 A. Some areas where RUF was mining, it's government property
2 where it's supported. But if you are mining as an individual, it
3 was for you. Except if you got a big one. RUF had their areas
4 that they were in support of, those were government diamonds.

09:57:11 5 But if you had your own workmen whom you support and they get
6 diamonds it's yours, except if it's a big one because it's a
7 state diamond. Diamond above let me say 7 carats upwards, those
8 were state diamonds. But 2 carats, 4 carats, those were private.
9 But above that you should hand over to the government or the
09:57:33 10 authority in charge. If you don't do that and you sell it and
11 you are discovered that you had a state diamond you would be
12 arrested. It was not everywhere that was controlled by the RUF.
13 They had their own areas in which - which they supported.
14 Thank you.

09:57:49 15 Q. Mr Witness, when you fled after the junta was pushed out of
16 Freetown, did you flee with Isaac Mongor?

17 A. I passed through Kabala. I passed through Kabala. All the
18 senior authorities in the RUF passed through the highway from
19 Makeni to go to Kono. Isaac Mongor and others, Superman --

09:58:25 20 Q. Listen to my question. When you retreated after the junta
21 was pushed out of Freetown, did you retreat with Isaac Mongor?

22 A. I did not retreat with him. I, Charles, did not retreat
23 with him.

24 Q. Did you ever tell anyone you retreated with Isaac Mongor?

09:58:49 25 A. I have never told anybody that I retreated with Isaac
26 Mongor. I did not retreat with him.

27 Q. Who was CO Konowa?

28 A. CO Konowa was a commander.

29 Q. Commander of what?

1 A. Of the RUF in Hastings.

2 Q. What was his nationality?

3 A. He spoke Mende, he spoke Krio and English and Liberian
4 English. But I can't tell you the nationality he belonged to,
09:59:29 5 but he spoke Mende very well.

6 Q. Do you know where he was trained?

7 A. I don't know.

8 Q. When did you first meet CO Konowa?

9 A. CO Konowa? You know, I was in the Western Area from '94,
09:59:54 10 '95, '96. I was not in the Kailahun District. When I went to
11 Peyama, I went to the north and to the Western Area. After '97,
12 that was when I knew CO Konowa in Hastings in '97.

13 Q. And was he your commander at Hastings in 1997?

14 A. He was a commander at Hastings in 1996.

10:00:22 15 Q. Was he your commander at Hastings in 1997?

16 A. Yes.

17 Q. Did you retreat with him after the junta was pushed out of
18 Freetown?

19 A. You are correct.

10:00:38 20 Q. So you retreated with him not with Isaac Mongor?

21 A. I retreated at Konowa.

22 Q. And when you retreated, you went through Waterloo to
23 Masiaka. Isn't that correct?

24 A. Correct.

10:01:01 25 Q. And in addition to CO Konowa, who did you travel with when
26 you travelled to Masiaka?

27 A. Mmm, a lot of authorities. Because in Masiaka we stayed
28 with all the officials who were in Freetown because they had been
29 cut off on the highway.

1 THE INTERPRETER: Your Honours, can he kindly repeat his
2 answer slowly.

3 PRESIDING JUDGE: Please repeat your answer slowly.

4 THE WITNESS: During that intervention, the first thing
10:01:36 5 that ECOMOG did was to cut off the highway from Freetown to
6 Hastings. When we retreated, we based in Masiaka. They said we
7 should wait for our authorities because they were trying to use
8 the peninsula. When they got to the peninsula, they came to
9 Tombo. All the officials who were in Freetown used that route
10:02:00 10 and they met us in Masiaka. But we the officials who were in
11 Hastings, all of us retreated and came to Masiaka. The other
12 officials who were in Freetown met us there. Thank you.

13 MS HOLLIS:

14 Q. So some of the RUF and AFRC personnel took the Peninsula
10:02:20 15 Road when they retreated; is that correct?

16 A. Correct.

17 Q. And they went to Tombo or Tombu and crossed in boats; is
18 that right?

19 A. You are correct.

10:02:35 20 Q. And then on their way to Masiaka they went through Fogbo,
21 correct?

22 A. You are correct.

23 Q. And that group that took that route included Johnny Paul
24 Koroma, correct?

10:02:53 25 A. You are right.

26 Q. It also included Gullit?

27 A. You are right.

28 Q. Do you know another name for Gullit?

29 A. I don't know.

1 Q. It also included a person called Bazzy; is that correct?

2 A. All the AFRC personnel were there and the RUF.

3 Q. And, Mr Witness, it included a person called Bazzy; is that
4 correct?

10:03:27 5 A. I heard of all those names, but I was not familiar with
6 these people. I heard Bazzy. I heard Gullit, but I was not used
7 to them. I used to hear that name, anyway.

8 Q. But did you hear that Bazzy was among those who took the
9 Peninsula Road?

10:03:46 10 A. Mama, I did not retreat with those people. I don't want to
11 tell lies. I did not retreat with those people. I retreated
12 through the highway. All of them met us at Masiaka. I have
13 taken an oath here. Ask me a question that I can answer
14 peacefully. I was not with these men.

10:04:03 15 Q. Mr Witness, have you ever told anybody that Bazzy was among
16 the group who took the Peninsula Road?

17 A. I have never made that statement to anybody.

18 Q. Brigadier Mani was also among those who took the Peninsula
19 Road; isn't that correct?

10:04:22 20 A. They met me in Masiaka.

21 Q. Mr Witness, that wasn't the question.

22 A. Yes, mama.

23 Q. Brigadier Mani was also among those who took the Peninsula
24 Road; isn't that correct?

10:04:35 25 A. You are right.

26 Q. When the AFRC and RUF personnel assembled at Masiaka, the
27 purpose was to regroup and reorganise. Isn't that correct?

28 A. Yes. We were in Masiaka in order for us to regroup and
29 re-attack Freetown.

1 Q. You were there to regroup as well as reorganise, correct?

2 A. You are correct.

3 Q. And you say that you were reorganising to re-attack
4 Freetown; is that right?

10:05:19 5 A. You are correct.

6 Q. From mid-February 1998 until June 30, 1998, were you
7 assigned at Hastings?

8 A. Tell me the time once again.

9 Q. From mid-February 1998 to 30 June 1998, were you assigned
10:05:52 10 at Hastings?

11 A. I was in Hastings. That was my assignment area until the
12 time that we retreated.

13 PRESIDING JUDGE: Ms Hollis, you mentioned a Brigadier
14 Mani. It's spelt in the record as M-A-N-I. Is that the way it
10:06:11 15 should be spelt?

16 MS HOLLIS: That's the spelling I have as well.

17 MR MUNYARD: Madam President, that's the spelling that
18 we've had throughout the entire trial for that particular
19 individual.

10:06:20 20 PRESIDING JUDGE: Thank you.

21 MS HOLLIS:

22 Q. Now, Mr Witness, you recall that it was in mid-February
23 that the junta was pushed out of Freetown and the personnel
24 retreated. What I'm asking you is this: From mid-February 1998
10:06:36 25 until 30 June 1998, were you in Hastings?

26 A. I was in Hastings, but the dates that you are talking
27 about, I was not keeping records of the dates. But I was in
28 Hastings until the time that I pulled out, until the time that
29 ECOMOG dislodged us. But the dates that you are talking about, I

1 did not record the time. But I was in Hastings up to the time
2 that we pulled out.

3 Q. Mr Ngebeh, have you ever told anyone that from mid-February
4 1998 to 30 June 1998 you were at Hastings?

10:07:20 5 A. I was in Hastings. That was my assignment area. I was
6 there.

7 Q. And after you retreated, you were initially based in
8 Masiaka; isn't that correct?

9 A. Yes, for a few time.

10:07:42 10 Q. And how long were you there?

11 A. I did not spend up to - I spent two weeks there. What
12 caused me to leave there was the jet that raided us. That caused
13 me to move. I spent two weeks in Masiaka. Two weeks.

14 Q. And then from there you went on to Makeni; is that correct?

10:08:10 15 A. You are correct.

16 Q. And when you retreated to Makeni you saw Superman in
17 Makeni; isn't that correct?

18 A. You are correct.

19 Q. Now, during this retreat from Freetown all the way to Kono,
10:08:27 20 during that retreat there was looting by the AFRC and RUF all the
21 way; isn't that correct?

22 A. You are correct.

23 Q. And that even included Masiaka; isn't that correct?

24 A. You are correct.

10:08:46 25 Q. And there was also looting in Makeni; isn't that correct?

26 A. You are right.

27 Q. And that looting also occurred on that Peninsula Road
28 route; isn't that correct?

29 A. Right.

1 Q. And also when they crossed over to Fogbo, the looting
2 continued from Fogbo onward; isn't that right?

3 A. I was not part of that group. I was not part of the Fogbo
4 issue. But looting went on.

10:09:28 5 Q. And even when you went into Kono to Koidu, looting was
6 occurring there as well; isn't that right?

7 A. Yes.

8 Q. And, indeed, both the ex-SLA members of the AFRC and the
9 RUF were involved in this looting. Isn't that correct?

10:09:50 10 A. You are right.

11 Q. And this looting that went on from the time they left
12 Freetown until they got to Koidu and even continued there, this
13 looting was called Operation Pay Yourself; isn't that correct?

14 A. You are right.

10:10:12 15 Q. And, Mr Witness, this conduct in Koidu included burning
16 civilian property; isn't that right?

17 A. Correct.

18 Q. And, indeed, in Koidu there was extensive burning of
19 civilian homes and property; isn't that right?

10:10:37 20 A. The burning down of Kono, it was not only the AFRC and the
21 RUF. We met the Kamajors. They had already attacked our men and
22 they started burning. Burning went on in all the chiefdoms, the
23 AFRC, the Kamajors and the RUF, yes. They said this was the
24 soldiers' property, this is the soldiers' family, they burnt

10:11:04 25 their houses. If you were a soldier in Kono or you were RUF,
26 they would burn your people's property. When we entered, it was
27 the same revenge that - the revenge that went on. It went on.
28 Part of revenge.

29 Q. Once those who were retreating reached Koidu, there was a

1 meeting that was held in Koidu; isn't that correct?

2 A. Repeat that question.

3 Q. Yes. Once the people who were retreating reached Koidu,
4 there was a meeting in Koidu; isn't that correct?

10:11:40 5 A. Yes. The AFRC and the RUF.

6 Q. And at that meeting a standing order was given that where
7 there was an RUF commander there would be an AFRC deputy,
8 correct?

9 A. You are correct.

10:12:00 10 Q. And the standing order was that where there was an AFRC
11 commander, there would be an RUF deputy, correct?

12 A. Correct.

13 Q. And it was Johnny Paul Koroma who gave that order; isn't
14 that correct?

10:12:17 15 A. In the meeting.

16 Q. Yes.

17 A. It was at the meeting that we concluded that we should work
18 as one body, yes.

19 Q. Are you saying you were present at that meeting with Johnny
20 Paul Koroma and other commanders in Koidu?

10:12:43 21 A. Well, I was not present when the meeting was held. I was
22 at Kurubonla, but when I got there, they explained to me how the
23 meeting went on, because at the time that I came there I had
24 captured Kono and they had based there before I entered. I heard
10:13:06 25 about the mission and they explained to me. Thank you.

26 Q. And it was Johnny Paul Koroma who gave this order that
27 there would be sharing of the commander and deputy commander
28 positions, correct?

29 A. I heard about it, but I can't say whether it is Johnny Paul

1 Koroma. But they said that was what was agreed, that we should
2 work as a body. I did not know who gave the order for us to work
3 as the body - as a body, where the RUF would be a commander, the
4 AFRC would be a deputy. I did not know who gave that
10:13:41 5 instruction, but that was what I heard. That was what they told
6 me when I came to Kono.

7 Q. Mr Witness, have you ever told anyone that it was JPK,
8 Johnny Paul Koroma, who gave that order?

9 A. Mama, that order, I can't recall.

10:14:05 10 Q. And in Kono, Superman was to be the top commander, correct?

11 A. We had series of commanders in Kono.

12 Q. And Superman was the first commander, correct?

13 A. Yes.

14 Q. And Bazzy Kamara was to be his deputy. Isn't that right?

10:14:35 15 A. Yes.

16 Q. And Bazzy Kamara was AFRC, correct?

17 A. You are correct.

18 Q. Superman had been responsible for the capture of Koidu.

19 Isn't that right?

10:14:51 20 A. Yes.

21 Q. And while Superman was the commander in Koidu, and the
22 Koidu area, he had both AFRC and RUF as his subordinates in that
23 area. Isn't that correct?

24 A. Yes, we were working as a team.

10:15:18 25 Q. And while Superman was the commander, he would have muster
26 parades, correct?

27 A. Yes, we used to have muster parades.

28 Q. And when Superman called a muster parade everyone had to
29 attend. Isn't that right?

1 A. Correct.

2 Q. And that included both the AFRC and the RUF. Isn't that
3 correct?

4 A. You are correct.

10:15:49 5 Q. And sometimes when Superman called these muster parades, he
6 would tell you that he had received orders from Sam Bockarie.
7 Isn't that right?

8 A. By then Issa was in Kono. He never called a muster parade
9 that he had received orders from Sam Bockarie, no.

10:16:18 10 Q. Mr Witness, have you ever told anyone that Sam Bockarie
11 would have muster parades and tell you that he had received
12 orders from Sam Bockarie?

13 A. The area where Superman had orders from Sam Bockarie, that
14 was after we had retreated from Kono and we were based at Tewa.

10:16:42 15 That is Superman Grounds. From there we used to have orders.
16 But when we were in Kono muster - muster parades, we used to hold
17 them once in a while because of the jet raid. That was where he
18 got that order, after we had retreated from Kono. But in Koidu
19 Town, no. The muster parade was only held once in a while
10:17:01 20 because the jet was giving us a tough time, yes, when we
21 retreated.

22 Q. Mr Witness, Superman Ground was located in Kono District,
23 correct?

24 A. Yes.

10:17:14 25 Q. And while you were at Superman Ground you had muster
26 parades called by Superman. Is that correct?

27 A. You are right.

28 Q. And sometimes at these muster parades Superman would tell
29 you that he had received orders from Sam Bockarie, correct?

1 A. You are correct.

2 Q. And he would pass these orders on to all of you. Isn't
3 that right?

4 A. You are right.

10:17:43 5 Q. While Superman was the commander in the area you call
6 Superman Ground, he had a radio communication set. Isn't that
7 correct?

8 A. You are right.

9 Q. And he had radio operators assigned there. Isn't that
10:17:59 10 correct?

11 A. Yes.

12 Q. Mr Witness, after you came to Kono you established an
13 artillery base on the Guinea Highway. Isn't that right?

14 A. You are right.

10:18:17 15 Q. And you were in control of the artillery at that base.
16 Isn't that right?

17 A. I was the arms specialist. Artillery arms specialists are
18 two different groups, but I was responsible for all the heavy
19 weapons, to repair them and for their safekeeping, to dismantle
10:18:42 20 and couple them up, I was responsible for that, but we had a
21 special artillery group.

22 Q. And who was the commander of this artillery group at this
23 artillery base on Guinea Highway?

24 A. Well, after we had retreated we had two groups. The SLA --

10:19:05 25 THE INTERPRETER: Your Honours, can he kindly repeat his
26 answer.

27 PRESIDING JUDGE: Mr Ngebeh, please repeat your answer
28 slowly.

29 THE WITNESS: I said after we had retreated we, the RUF,

1 had our own artilleries and the SLAs had their own artilleries.
2 They were in control of the shaker. But on our own end there was
3 a guy whom we called Sankoh Trouble, yes. Chinese Pepe, they
4 were our own artillery men. The man who was using the shaker was
10:19:46 5 an SLA but I cannot recall his name right now. He was the
6 commander for the shaker which we had retreated with. The
7 shaker, the twin barrel.

8 MS HOLLIS:

9 Q. Mr Witness, let's go back to my question. Who was the
10:20:01 10 commander at this artillery base? You have talked about Sankoh
11 Trouble, you have talked about Chinese Pepper and you have talked
12 about an SLA person. Who was the commander at this base?

13 A. The commander of that place was Chinese Pepe. He was RUF.
14 The SLA, I do not recall his name. He was in care of the
10:20:35 15 artillery as commander, but I can't recall his name now.

16 Q. [Microphone not activated] deputy commander at that base?

17 A. Where?

18 Q. At the artillery base?

19 A. Artillery base at the Guinea Highway, there they were
10:20:56 20 scattered all over. You who was operating this weapon was the
21 commander. Nobody was appointed as an overall. If you were a
22 twin barrel operator you would be a commander for that weapon.
23 The man who retreated with the shaker who was an SLA was the
24 commander, but nobody was appointed that the entire artillery
10:21:18 25 base there would be a commander. I did not know that person.
26 But all the commanders who controlled their weapons were the
27 commanders of their own weapons. The twin barrel had its own
28 commander. The shaker had its own commander.

29 PRESIDING JUDGE: Mr Ngebeh, slow down.

1 THE WITNESS: Okay.

2 PRESIDING JUDGE: Repeat the last bit of your answer,
3 please.

4 THE WITNESS: I said the artillery commanders whom we had,
10:21:48 5 all the weapons with which we retreated from Freetown if you were
6 operating a twin barrel and you retreated with it you would be a
7 commander for that twin barrel. If you retreated with a shaker
8 you would be the commander for that shaker. That was how it was.
9 But I did not know who the general artillery commander was. Only
10:22:08 10 that CO Rambo who was the deputy, we used to call him artillery
11 commander, by then he was a deputy to --

12 THE INTERPRETER: Your Honours, can he call the name to
13 whom he was a deputy.

14 PRESIDING JUDGE: Who was the deputy? Can you please
10:22:20 15 repeat the name of the deputy?

16 THE WITNESS: After we had retreated, the first
17 administration in town, in Koidu Town, when we retreated it was
18 dissolved.

19 PRESIDING JUDGE: You mentioned the name of a deputy, a
10:22:41 20 deputy I think to CO Rambo or something.

21 THE WITNESS: I'm coming to it. When we were in Koidu Town
22 the arrangement which we had where the RUF would be as commander,
23 he will be deputised by SLA. That existed in Koidu Town. But
24 after we had retreated into the bush the order changed.
10:23:03 25 Automatically Rambo became a deputy to Superman at the Guinea
26 Highway, yes. But this Rambo, we used to call him artillery
27 commander because he liked using heavy weapons, but by then he
28 was our deputy to Superman. Thank you.

29 MS HOLLIS:

1 Q. And CO Rambo, did you know him by another name?

2 A. It was just Rambo that I knew. We called him Short Rambo.
3 I did not know another name. It was only Rambo.

4 Q. Mr Witness, did you know a person by the name of Boston
10:23:52 5 Flomo?

6 A. No.

7 Q. So you did not know that name?

8 A. No. Not at all. I'm only hearing it here.

9 Q. How many artillery pieces did you have at this artillery
10:24:12 10 base?

11 A. We retreated with twin barrel, one. One shaker which was a
12 Nigerian weapon. One American 30 calibre. One 50 calibre of
13 Chinese make. I think about - and some mortar guns, 1
14 millimetre, 120 mortar guns. We had a lot of artilleries, those
10:24:54 15 which we were using in Freetown. When AFRC called us we
16 retreated with all of them. These were the heavy weapons that
17 were on record that I have called.

18 Q. Mr Witness, you talked about a 30 calibre. Was that a
19 heavy machine gun?

10:25:13 20 A. Yes.

21 Q. And you also mentioned a 50 calibre. Is that correct? 50
22 calibre?

23 A. Yes.

24 Q. And you had one of those?

10:25:25 25 A. Yes.

26 Q. And the 50 calibre, was that also a heavy machine gun?

27 A. It was an anti-aircraft single barrel.

28 PRESIDING JUDGE: Ms Hollis, was that 50 calibre or 150
29 calibre?

1 MS HOLLIS: That's why I was going back. My understanding
2 was he talked about one piece which was a 50 calibre. That's why
3 I was trying to clarify that.

4 PRESIDING JUDGE: And there's a word he keeps mentioning
10:25:53 5 that is interpreted as "shiker" or "sheker", I don't know. What
6 is that?

7 MS HOLLIS:

8 Q. Mr Witness, I have heard you talk about a shaker. At least
9 that's what I've heard. Is that the word you have used,
10:26:06 10 "shaker"?

11 A. A shaker is a sophisticated weapon. It was made in the
12 form of an armoured car. It had four tyres. It has a tank. It
13 has other missiles around it. But that's the main weapon.
14 That's how we heard them calling it, shaker. But it's made in
10:26:28 15 the form of an armoured car. It had four tyres and a big engine.
16 The shaker used an electronic system. It uses current. When the
17 engine is on that's the time it fires. But if you switch off the
18 engine it does not fire. It's an electronic system. It's a
19 sophisticated weapon, but those who were advanced in weaponry
10:26:50 20 would know. But that was the name we used to call it, shaker.
21 That's what I knew.

22 MR MUNYARD: Excuse me, Madam President. The witness
23 referred to a shaker weapon several times during his evidence
24 before we broke for Easter. And although he didn't go into quite
10:27:07 25 as much detail about it as he has now, he was describing a weapon
26 of an electronic/sophisticated sort.

27 PRESIDING JUDGE: Okay, thank you.

28 MS HOLLIS:

29 Q. Mr Witness, this weapon shaker, would that be S-H-A-K-E-R,

1 or a different spelling if you know?

2 A. Well, I don't know the spelling. Take it from my spelling
3 - from my pronunciation, shaker.

4 Q. Well, someone would have to have a better ear than I do to
10:27:43 5 take it from that. Perhaps the interpreters would know.

6 Mr Witness, was there a weapon mounted on this vehicle or was the
7 vehicle itself the weapon?

8 A. It was a tank. The vehicle itself was protected. It's a
9 tank. They made it in the form of a tank. It had a bulletproof.

10:28:12 10 It had RPGs on the engine. But if it goes through the bullet
11 cannot go through. It's a protected body, the shaker.

12 Q. Now, during the time that Superman was the overall
13 commander in the first Koidu and then Superman Ground areas, a
14 man named Savage was the commander at Tombodu. Isn't that

10:28:44 15 correct?

16 A. You are correct.

17 Q. And Savage reported to Superman. Isn't that correct?

18 A. Correct.

19 Q. And Savage was an ex-SLA. Isn't that right?

10:29:04 20 A. Correct.

21 Q. At some point Superman removed Savage from his command
22 position in Tombodu; isn't that right?

23 A. Correct.

24 Q. You have talked about the RUF and the SLA or the AFRC
10:29:36 25 joining together during the junta. At the time that they joined

26 together during the junta, Morris Kallon was on the Supreme
27 Council; isn't that right?

28 A. Correct.

29 Q. Going back again to the time period after you had retreated

1 from Freetown and first held Koidu and then Superman Ground,
2 Superman was the overall commander in that area from about
3 mid-February until 30 June 1998; isn't that correct?

10:30:33 4 A. I can't tell the time that you are talking about, but
5 Superman was there as the commander.

6 Q. And have you ever told in anyone that during this time
7 period, mid-February 1998 to 30 June 1998, Superman was the
8 overall commander in Kono? Have you ever told anyone that?

10:31:00 9 A. Superman was only commander, but I can't tell the time when
10 he was there. But after the first attack in Kono, he left.

11 THE INTERPRETER: Your Honours, can he repeat the name of
12 someone he has called slowly.

13 PRESIDING JUDGE: Mr Ngebeh, you have to repeat your
14 testimony. When you said "after he left", repeat your testimony
10:31:16 15 from there.

16 THE WITNESS: After that attack in Kono had failed,
17 Superman decided to leave Kono. Then Rambo took over as
18 commander. That's all I can explain.

19 MS HOLLIS:

10:31:32 20 Q. And, Mr Witness, this attack had failed that you are
21 talking about, this was the Fitti-Fatta operation, correct?

22 A. You are correct.

23 Q. And Superman was in charge of that operation, yes?

24 A. Correct.

10:31:50 25 Q. After the Fitti-Fatta operation had failed, Superman was
26 called to Buedu to meet with Sam Bockarie; isn't that correct?

27 A. You are correct.

28 Q. During the time he was in Buedu, he was not arrested, was
29 he?

1 A. You are right.

2 Q. Indeed, he came back to Kono after that meeting with
3 Sam Bockarie; isn't that right?

4 A. Yes, mama, you are right.

10:32:19 5 Q. And he came back with a message from Sam Bockarie; isn't
6 that correct?

7 A. Yes.

8 Q. And the message was that the fighters should end their
9 grudges between the AFRC and RUF; isn't that right?

10:32:36 10 A. You are correct.

11 Q. And Superman also brought back the message from
12 Sam Bockarie that the fighters should work together and turn to a
13 new page of the war; isn't that right?

14 A. Yes, that was the agenda. The AFRC and the RUF should work
10:32:59 15 as a team.

16 Q. And it was after Superman came back with this message that
17 Superman and others left for Koinadugu District; isn't that
18 right?

19 A. That message had existed even before Superman went to Sam
10:33:19 20 Bockarie, that we should work as a team. It had existed. The
21 AFRC and the RUF, it had existed as a team, as a family, before
22 he went to meet that man. They called him for certain issues;
23 why the mission failed. That was the reason Sam Bockarie called
24 him. When he came, he decided to go back to Kurubonla, because
10:33:43 25 his security was not paramount among us. He was afraid.

26 Q. And, Mr Witness, he came back with these messages from
27 Sam Bockarie; isn't that correct?

28 A. Yes. He said he had gone there. The man had called him to
29 present government property; what he had, for him to present;

1 what he had captured, for him to present when he retreated. That
2 was the message he got from Sam Bockarie. But the relationship
3 between the AFRC and the RUF had existed even before Superman
4 went to Buedu, that we should work as a team. But they called
10:34:18 5 him for him to present what he had and why the mission had
6 failed. That was the reason why Sam Bockarie called him. He
7 even planned to arrest him, but he was scared because that man
8 was a strong man. Yes, from there.

9 Q. And, Mr Ngebeh, when Superman came back, he came back with
10:34:39 10 these message from Sam Bockarie to reinforce the existing
11 arrangement between the RUF and AFRC; isn't that right?

12 A. He still advised that that relationship should continue.
13 It was to continue, but he was going.

14 Q. Superman went with both RUF and AFRC to Kurubonla to SAJ
10:35:09 15 Musa; isn't that correct?

16 A. Yes. He moved with some AFRC and RUF.

17 Q. And he said he was going there because those fighters up
18 there should not be there alone. Where AFRC was, there should
19 also be RUF. Yes?

10:35:30 20 A. Well, that was the reason he went there. But there was
21 something more to it. That was the main reason why he went to
22 SAJ, to work there as a team.

23 Q. So that the AFRC and the RUF would work as a team together,
24 yes?

10:35:52 25 A. Yes.

26 Q. And you have indicated that after he left, this individual
27 by the name of Rambo took over as commander of that area. Is
28 that right?

29 A. You are correct.

1 Q. This Rambo that you are referring to, he was a Liberian,
2 wasn't he?

3 A. He spoke Mende, he spoke Liberian and spoke Krio.

4 Q. Do you know if he was a Liberian, Mr Ngebeh?

10:36:22 5 A. Yes, he was a Liberian. But he spoke Mende. He spoke
6 Mende well.

7 Q. Now, the next time that you saw Superman was at Binkolo
8 during the December 1998 attack on Makeni, yes?

9 A. You are correct.

10:36:42 10 Q. And Superman took part in that attack; isn't that right?

11 A. Which one?

12 Q. The attack on Makeni.

13 A. On the 5th, yes.

14 Q. Now, Mr Witness, during your testimony on direct
10:37:05 15 examination you told the judges about various attacks that the
16 RUF carried out in 1995. Do you recall telling the judges about
17 that?

18 A. Yes.

19 Q. And you also told the judges that your mission in 1995 was
10:37:24 20 to capture Freetown. Do you recall telling them that?

21 A. '95? We were far away from Freetown. 1995, yes, Waterloo.
22 For us to capture Freetown. After we had joined CO Mohamed from
23 Rutile, those of us from the north together with Gibriil
24 Massaquoi, our mission was to capture Freetown, 1995, at

10:37:52 25 Waterloo. You are correct.

26 Q. So you came very close to capturing Freetown in 1995,
27 didn't you?

28 A. Correct.

29 Q. You came to Waterloo. Were you able to move beyond

1 Waterloo towards Freetown?

2 A. No.

3 Q. Who gave the RUF this 1995 mission to capture Freetown?

10:38:27

4 A. It was Sankoh. He said we should disturb the NPRC for them
5 to recognise peace. It was he who gave the order to CO Mohamed.

6 PRESIDING JUDGE: Ms Hollis, I think the witness said "we
7 should disturb the NPRC".

8 THE WITNESS: Government.

9 PRESIDING JUDGE: Not embassy.

10:38:45

10 MS HOLLIS:

11 Q. Mr Witness, you did indeed say that Pa Sankoh said you
12 should disturb the NPRC, correct?

10:39:04

13 A. Yes. For them - for the world to know the RUF was still in
14 existence in the country. He said, once we attack Waterloo, the
15 whole world would be concerned. That's all.

16 Q. Indeed, Mr Witness, the attack on Sierra Rutile and also
17 Sierocom in 1995, that attack also attracted world attention, did
18 it not?

10:39:35

19 A. You are correct. Because they said Rutile was where the
20 NPRC was getting ammunition from to support the war, that was why
21 Pa Sankoh said we should attack there. That was why Pa Sankoh
22 gave the orders to CO Mohamed to attack there, to stop them
23 bringing ammunition via the sea, yes.

10:39:54

24 Q. Actually, Mr Ngebeh, the reason that you attacked Sierra
25 Rutile and Sierocom was to capture hostages; isn't that right?

26 A. It was not our mission to capture hostages. Our mission
27 was to stop the ammunition that the company was sending to the
28 SLA. It was for us to stop that. But it was fortunate that when
29 they went they saw the hostages and captured them, but it was not

1 our mission to capture hostages. It was meant to sabotage the
2 NPRC. We went there on a sabotage mission, not for hostages.

3 Q. And capturing these foreign hostages gained international
4 attention to the RUF, didn't it?

10:40:40 5 A. No. Those hostages, it was humanitarian, because the area,
6 according to CO Mohamed, they hadn't security, yes. That was why
7 they captured them to provide them security and bring them back
8 to Pa Sankoh. After we had captured them, Pa Sankoh said he
9 needed them. They should sent them to Zogoda, and they sent them
10:41:04 10 to Zogoda to Pa Sankoh, but our mission was to sabotage the NPRC
11 so that they would not get ammunition, to stop Rutile from
12 sending ammunition. Because as long as they were getting
13 ammunition from Rutile, the war would continue. They should try
14 to bring peace. That was why we went to Rutile. But,
10:41:19 15 fortunately, we met those people there. And for their security
16 and because of the crossfiring, we protected them. Thank you.

17 Q. You actually --

18 PRESIDING JUDGE: Wait, Ms Hollis. The witness - I think I
19 heard the witness say, "According to CO Mohamed, they did not
10:41:36 20 have security."

21 MS HOLLIS: That's what I heard as well.

22 Q. Mr Witness, you said, "According CO Mohamed, they did not
23 have security." Is that what you said?

24 A. Yes, because look at their dignity, the whole manager, the
10:41:56 25 company manager, how could they have left those men to fall into
26 the hands of the rebels. It was because they lacked security.
27 That's why we got them, to provide security until we found a way
28 to release them. Thank you.

29 Q. That's just nonsense, isn't it, Mr Witness? You captured

1 them. You took them prisoner. You took them away from the area
2 and you held them to get international attention for the RUF.
3 That's the truth of it, isn't it, Mr Ngebeh?

4 A. That's not the truth.

10:42:28 5 Q. [Microphone not activated] Mr Ngebeh, the RUF were the
6 danger to their security. That's the truth, isn't it?

7 A. We were not a danger to them. The security failed them,
8 because look at dignitaries like those, where were they? If they
9 had known that Rutile was to be attacked, they should have
10:42:52 10 retrieved those people from there. They lacked security. We did
11 not capture them for the world to know. The world knew that the
12 RUF was existing minus international dignitaries. The world knew
13 that the RUF existed. Everybody knew that we had entered Rutile.
14 It was not our mission to capture those people so that the world
10:43:10 15 would know that the RUF had captured personnel. Unfortunately,
16 these people did not have security. They lacked security.

17 Q. Indeed, Mr Ngebeh, after the RUF attacked Rutile and
18 Sierocom, took these people prisoner and took them away from that
19 area, indeed, the UN sent an envoy to try to negotiate their
10:43:32 20 release; isn't that right?

21 A. They were with Foday Sankoh then.

22 Q. Mr Witness, the UN --

23 A. Yes.

24 Q. [Microphone not activated] to try though negotiate their
10:43:43 25 release; isn't that right?

26 A. I did not know about the negotiation that was going on
27 between Foday Sankoh and the UN because I was in the Western
28 Jungle. I cannot explain that area. But we did not capture them
29 as prisoners. That - it's that "prisoner" word that I want you

1 to forget about.

2 Q. So they were free to stay in Sierra Rutile. Is that what
3 you are telling the judges?

10:44:15

4 A. I have explained to you that Peter White was responsible
5 for giving arms and ammunition to the soldiers. He was
6 responsible. And he confirmed that to Foday Sankoh, that arms
7 were leaving from overseas through Rutile to the SLA. Why was
8 that to happen? That was why we went there, to stop that
9 immediately. It was not to do that. It was not to do that.

10:44:33

10 Q. Mr Ngebeh, let's try my question.

11 A. Yes, my Lord.

12 Q. You said we should forget the prisoner word. My question
13 to you is this: Are you telling the Court that these people were
14 free to stay in Sierra Rutile should they have chosen to do so?

10:44:52

15 Is that the story you're telling this Court?

16 A. How could they have stayed? The government troops that
17 were in control of Rutile, they'd run away and we were in
18 control. And that was the war front, we couldn't have kept such
19 important people there. In case of any crossfiring who would
20 have been held responsible. That was why we found the safe zone
21 for them and the only safe zone we found was Zogoda. That was
22 the only safe area. Rutile was a front line. We couldn't have
23 allowed someone to stay there. The jet was bombarding us there.
24 They attacked us there 24 hours. That was why we got them out.

10:45:08

25 PRESIDING JUDGE: Mr Ngebeh, for the nth time slow down.

26 MS HOLLIS:

27 Q. Now, Mr Ngebeh, this mission that took you toward Freetown
28 took you to Waterloo. You were driven back out of Waterloo. Is
29 that correct?

1 A. You are correct.

2 Q. And you also retreated through Fogbo, correct?

3 A. You are correct.

4 Q. And you went to an area between Fogbo and Songo, correct?

10:46:13 5 A. You are correct.

6 Q. When you talk about Fogbo, can you tell us what district
7 this Fogbo was in?

8 A. It was in the Waterloo district.

9 Q. And Songo, what district?

10:46:27 10 A. All these areas are in the Western Area.

11 Q. And this Fogbo that you retreated through, this was the
12 same Fogbo that some of the junta leaders retreated through when
13 they were pushed out of Freetown, correct?

14 A. Yes, that was the road you travelled it from the sea. From
10:46:49 15 the sea you come to Fogbo. Yes, that's the route. I agree with
16 you.

17 Q. So in 1995 Foday Sankoh ordered the RUF to take Freetown
18 and then of course after the coup in May 1997 the RUF joined the
19 junta and some RUF leaders moved to Freetown, correct?

10:47:15 20 A. You are correct.

21 Q. And the junta governed the country from Freetown, correct?

22 A. Repeat that question.

23 Q. Yes. And the junta governed the country from Freetown,
24 correct?

10:47:36 25 A. Yes.

26 Q. And after you had been pushed out of Freetown in February
27 1998 and had been pushed back into the bush, Sam Bockarie started
28 talking about taking Freetown again. Isn't that right?

29 A. You are correct.

1 Q. In fact, beginning as early as the fall of 1998, Sam
2 Bockarie made several threats about taking Freetown. Isn't that
3 right?

4 A. He talks. He's a man that talks. He did that. He is good
10:48:18 5 at that.

6 Q. And he also said that when you took Freetown, you would
7 clear every living thing. Isn't that right?

8 A. I did not hear that statement.

9 Q. You didn't hear that statement?

10:48:33 10 A. It did not happen. He did not say it, living thing - every
11 living thing. I did not hear that statement. Who would you
12 govern if you take every living thing? Who would you govern?
13 All living things? No. Who would you rule?

14 Q. In fact, Mr Witness, when Charles Taylor's --

10:48:54 15 A. Yes, my Lord.

16 Q. -- NPFL were killing people in Sierra Leone, Foday Sankoh
17 made the same complaint, isn't that right, that if they killed
18 everyone there would be no one left to govern?

19 PRESIDING JUDGE: Ms Hollis, your question was cut by the
10:49:12 20 witness interrupting and frankly I can't piece it together.
21 Please repeat your question.

22 MS HOLLIS: Thank you, Madam President:

23 Q. Mr Witness, I promise I will let you talk until you finish
24 if you are answering the question. Please let me finish my
10:49:29 25 question before you say anything, all right?

26 A. Okay, mama. I'll do that, mama.

27 Q. If we are both talking at the same time they can't hear
28 what we are saying, all right?

29 A. Okay, ma. I'll do that, mama.

1 Q. Mr Witness, you said that he, meaning Sam Bockarie, did not
2 say it "every living thing". You did not hear that statement.
3 And then you said, "Who would you govern if you take every living
4 thing? Who would you govern?"

10:50:09 5 A. Yes, that question goes back to you because you said Sam
6 Bockarie said he would take every living thing. Who would he be
7 able to govern? He wouldn't be able to govern everybody. If you
8 kill everybody who would you be President for? That statement is
9 false. It's false.

10:50:25 10 Q. Indeed, Mr Ngebeh, when Charles Taylor's NPFL were killing
11 civilians in Sierra Leone, Foday Sankoh made the same complaint,
12 didn't he; that if they killed everyone who would he govern.
13 Foday Sankoh made that complaint, didn't he?

14 A. I wish Foday Sankoh himself would have been alive.
10:50:51 15 Mr Taylor's NPFL was not killing. The killing that was going on
16 in Sierra Leone at the time that Mr Taylor was assisting the RUF
17 in 1991, you wouldn't compare that to from '92 to '96 when Pa
18 Sankoh said he will be able to take over the war. From '92 to
19 '96 the atrocities that were going on was terrible, caused by us
10:51:13 20 the Sierra Leoneans. Let's forget about Mr Taylor's issue. That
21 was terrible from '92 to 96, yes.

22 Q. My question, not your commentary: Do you know - and if you
23 don't, say you don't know. Isn't it correct that in 1991 when
24 Charles Taylor's NPFL were killing Sierra Leonean civilians,
10:51:37 25 Foday Sankoh made the complaint that if they killed everyone he
26 would have no one to govern. Isn't that correct? Or do you not
27 know that?

28 A. He did not say that to Pa Taylor. He said that to the
29 entire RUF, to us the Sierra Leonean brothers, that you are

1 coming for our people. The idea that I brought is not what you
2 are going by. Sankoh was advising us that way, the RUF. It was
3 not to Mr Taylor.

10:52:12 4 Q. Mr Witness, are you as sure of that as you are sure that
5 Sam Bockarie did not say that the RUF would clear every living
6 thing when he talked about taking Freetown?

7 A. Clear in what sense? When you are asking me, ask me a
8 question that I can understand. Clear? I want to understand the
9 question. Clear all living things? What things? Clear all what
10:52:35 10 things? I want you to make it simple for me so that I can
11 understand the question. It's difficult, ma'am. Clear all
12 living things? What do you mean in relation to clearing, ma'am?
13 Thank you.

14 Q. If we could please look at Prosecution exhibit 430B. It
10:53:09 15 was MFI-334C and it is a Sierra Leonean - Sierra Leone Web,
16 Sierra Leone News for November 1998, 19 November. Mr Witness:

17 "The Revolutionary United Front will destroy every living
18 thing if anything happens to their leader Corporal Foday Sankoh,
19 RUF commander Sam Maskita Bockarie told the newspaper For Di
10:55:11 20 People in a report published on Wednesday. Sankoh is currently
21 being held at Pademba Road Prison in Freetown where he is
22 preparing an appeal against his conviction and death sentence on
23 treason charges. 'I am a ruthless commander', Bockarie said in a
24 telephone interview. 'I am ready to damage but I am waiting
10:55:32 25 until something happens to Sankoh. When I take Freetown I shall
26 clear every living thing and building. To my God, I'll fight.
27 I'll kill and kill, and the more they tell me to stop, the more
28 I'll kill. Only Sankoh can tell us to stop.'"

29 Now, Mr Witness, you were aware that Sam Bockarie made that

1 threat in November 1998, weren't you?

2 A. Well, now you've come to the point that I want when you've
3 mentioned Foday Sankoh. I know that Sam Bockarie can - would
4 even say more than this. The date Foday Sankoh was captured he
10:56:19 5 made that threatening remark against the country, yes. Now that
6 you've mentioned Foday Sankoh, yes, Sam Bockarie would do that.
7 Yes, he said that. He would do it.

8 Q. Indeed, Mr Ngebeh, that wasn't the only threat that Sam
9 Bockarie made to attack Freetown in 1998, was it?

10:56:39 10 A. Yes, I told you Sam Bockarie - I told you that since '97 he
11 was a bad leader. I told you. I told you in my statement. He
12 was a bad leader. He can make any remark. Even those of us who
13 were fighting, he threatened us. Who else? Now that you've
14 called Pa Sankoh's name I have got the gist of it. He just made
10:57:02 15 that statement.

16 Q. In fact, Mr Ngebeh, several times in December 1998 Sam
17 Bockarie threatened to attack Freetown. Isn't that correct?

18 A. Hey mama, I don't want to tell lies. I have taken an oath.
19 I have seen - I have heard Sam Bockarie say words even more than
10:57:26 20 this. Let's go ahead. He was a wicked commander.

21 Q. Mr Witness, answer the questions that I give to you. In
22 fact, Mr Witness, several times in December 1998 Sam Bockarie
23 threatened to attack Freetown. Isn't that correct?

24 A. Yes, he used to attack not just Freetown. Kono,
10:57:47 25 everywhere, he said until Foday Sankoh is released. He said they
26 should release Foday Sankoh. If anything happened to
27 Foday Sankoh he will not spare anyone. He said that. He said
28 because he was the leader, he brought the war, if they wanted
29 peace they should release the Pa. He said that.

1 Q. And Sam Bockarie's plan for releasing the Pa from the fall
2 of 1998 onward included attacking Freetown. Isn't that correct?

3 A. Yes, so that Foday Sankoh could be released.

4 Q. This operation that you talk about that began in December
10:58:31 5 1998, you talked about the attack on Koidu and then attacks
6 beyond Koidu. You told the Court that Issa Sesay came to the
7 Guinea Highway to brief the commanders on that operation. Do you
8 remember telling the Court that?

9 A. You are correct.

10:58:54 10 Q. And this was a forum that was held on 11 December. Isn't
11 that correct?

12 A. I can't recall the time because I did not record it but
13 there was a forum. I did not - I cannot recall the time but
14 there was a forum.

10:59:13 15 Q. And at this forum, Issa Sesay briefed the mission, correct?

16 A. We captured Kono, yes.

17 Q. And at this time Issa Sesay was the battlefield commander
18 of the RUF. Isn't that right?

19 A. Correct.

10:59:35 20 PRESIDING JUDGE: Ms Hollis, you asked at this forum Issa
21 Sesay briefed the mission, correct? And the witness didn't
22 answer your question. He answered something else.

23 MS HOLLIS:

24 Q. Let's go back to that, Mr Witness. This forum that Issa
10:59:52 25 Sesay held, at this forum he briefed the mission. Isn't that
26 right?

27 A. Yes. For us to dislodge ECOMOG from Kono, to attack Kono
28 and to take Kono from ECOMOG, the Nigerian troops who were based
29 there.

1 Q. And, indeed, at this forum and this briefing, he indicated
2 that this mission would be referred to as a Do or Die mission,
3 correct?

4 A. This mission hadn't a code name, because that code name, we
11:00:33 5 used it once and it was not good for us. We just used it to
6 capture Kono by all means, not to do or die, because Fitti-Fatta
7 had failed us. I did not know any code name for that last
8 mission in Kono. I did not know it.

9 Q. Mr Witness, you were at this forum, were you not?

11:00:55 10 A. I have told you that I was at the forum. The code name
11 that you've given for this mission, I don't know about it. I
12 don't know.

13 Q. And Issa Sesay also referred to this mission as Operation
14 Free the Leader. Isn't that right?

11:01:15 15 A. Yes. We were to fight to free Pa Sankoh, yes, to free our
16 leader.

17 Q. At that time where was Pa Sankoh?

18 A. Pa Sankoh was in Nigeria in prison.

19 Q. In December 1998? Are you sure about that, Mr Witness?

11:01:39 20 A. 1998. I knew that Pa Sankoh, after the coup, we negotiated
21 for him to come. They did not bring him until the time we
22 retreated. He was in jail. It's the time that you've called.
23 You know, I was not recording dates, but it was in Nigerian
24 prison.

11:02:01 25 Q. That's not true, is it, Mr Witness? In fact, by December
26 1998, Foday Sankoh had been brought back to Sierra Leone, tried
27 and found guilty. Isn't that right?

28 A. I knew that Foday Sankoh was in prison. I knew that.

29 Q. But you didn't know where?

1 A. He was in Nigeria in prison. But the time that they
2 brought him and imprisoned him in Freetown was the time I do not
3 know, but he was in prison up to the time that we advanced.

4 Q. So you don't know when they brought him to Sierra Leone?

11:02:35 5 A. No. No, I did not know the time, mama.

6 Q. Now, when Issa Sesay gave this briefing, he came with
7 several other officers. Isn't that right?

8 A. Some personnel who were there, because it was a combined
9 force. We had our brothers who had retreated from the AFRC, they
11:02:57 10 were in Kailahun, yes. He was with some officers in Kailahun.

11 Q. And when he came, those officers included Colonel Morris or
12 Morrison Kallon. Isn't that right?

13 A. Morris Kallon was there. Morris Kallon was in Guinea
14 Highway and Gandorhun.

11:03:21 15 Q. He also came with Lieutenant Colonel Foday Lansana. Isn't
16 that right?

17 A. Foday Lansana? I can't say much about that. Some of those
18 men - I was not familiar with most of the SLAs. I'm not aware of
19 that.

11:03:42 20 Q. And he came with Major Samuel Jabba. Isn't that right?

21 A. Jabba was an adjutant, yes.

22 Q. He was Issa Sesay's adjutant. Isn't that correct?

23 A. That's correct.

24 Q. And the officers who were there to host the meeting, those
11:04:02 25 who were assigned to that area included at that time Major Christ
26 A Mannah. Isn't that correct?

27 A. I know - I don't know much about those men. I know a lot
28 about the RUF. I'm not used to the SLAs. I cannot identify
29 their names, but if it's an RUF personnel, I will be able to know

1 that person. I can't say much about those guys. I know about
2 the RUF. The meeting was composed of a lot of officers.
3 Thank you.

11:04:43

4 Q. And the meeting included the 2nd Brigade commander. Isn't
5 that right?

6 A. Commanders - commanders within all the areas.

7 THE INTERPRETER: Your Honours, can he kindly name the
8 places slowly.

11:04:59

9 PRESIDING JUDGE: Mr Ngebeh, you've got to repeat the names
10 of the places that you've just mentioned slowly.

11 THE WITNESS: Tombodu provided manpower. Gandorhun.
12 Kailahun brought their own manpower. It was a combined mission
13 to get rid of Kono.

14 MS HOLLIS:

11:05:17

15 Q. And the 2nd Brigade commander was there. Isn't that
16 correct?

17 A. Everybody was present, mama, yes.

18 Q. Listen to my question. The 2nd Brigade commander was
19 present, correct?

11:05:33

20 A. 2nd Brigade commander? CO Rambo was the brigade commander
21 in Kono. The 2nd Brigade commander who was present, I was not
22 aware of that. I did not know him. But CO Rambo was the brigade
23 commander in Kono. He was there. The 2nd Brigade commander that
24 you are talking about, I can't recall. Let me not tell lies.

11:06:07

25 Q. Did you not know that it was the 2nd Brigade that was
26 headquartered there in Kono? Did you not know that?

27 A. Mama, I have told you that it was a combined mission force.
28 The entire Kono - whether you were a brigade or not, everybody
29 was present. Even battalion commanders were there.

1 Komba Gbundema was there. Everybody was present. Yes.

2 Q. Did you not know that the 2nd Brigade was headquartered
3 there in Kono?

11:06:55

4 A. Mama, I have told you that all the brigade commanders -
5 battalion commanders --

6 PRESIDING JUDGE: Mr Ngebeh, nobody asked you about all the
7 brigade commanders. The question is quite specific. Answer the
8 question asked.

9 THE WITNESS: Yes. The 2nd Brigade was there.

11:07:08

10 MS HOLLIS:

11 Q. You had mentioned there were battalion commanders there.
12 That included Lieutenant Colonel Akim Turay. Isn't that right?

13 A. You are correct.

14 Q. He was the 1st Battalion commander. Isn't that correct?

11:07:28

15 A. I did not know how the battalions were formed, but I knew
16 that Akim was the battalion commander. But I did not know which
17 battalion - when we went there, the administration was not
18 steady. Today they would make an administration and tomorrow
19 they would change it. It was not steady. Akim was at the
20 meeting. All the authorities, we were there at the meeting.

11:07:48

21 Thank you.

22 Q. And Akim was AFRC. Isn't that correct?

23 A. Yes.

24 Q. Lieutenant Colonel Vanicious Varney was another battalion
25 commander who was present, correct?

11:08:00

26 A. Call the name once again.

27 Q. Perhaps it's my pronunciation, but let me try again.

28 Lieutenant Colonel Vanicious Varney, he was another battalion
29 commander who was present. Isn't that correct?

1 A. This name is strange to me.

2 Q. Lieutenant Colonel Kailondo S Banya, he was another
3 commander who was present, correct?

4 A. You are correct.

11:08:34 5 Q. Lieutenant Colonel Andrew B Kamara was another battalion
6 commander who was present, correct?

7 A. Correct.

8 Q. Andrew B Kamara, was he RUF or AFRC?

9 A. He was AFRC.

11:08:54 10 Q. Major Lansana Conteh was present as well. Isn't that
11 right?

12 A. Mama, I can't recall all the officers now. I can't recall,
13 mama. I can't. I don't want to tell lies.

14 Q. Do you recall Major Alpha Momoh being present at this forum
11:09:16 15 meeting?

16 A. I can't recall.

17 Q. Do you recall that he was the 2nd Brigade adjutant, Alpha
18 Momoh?

19 A. I know Alpha Momoh.

11:09:31 20 Q. Major Amara Salia was also present. Isn't that right?

21 A. Yes.

22 Q. And he was the 2nd Brigade operations officer. Isn't that
23 right?

24 A. You are correct.

11:09:54 25 PRESIDING JUDGE: You asked the witness if the 2nd Brigade
26 adjutant was Alpha Momoh and he says, "I know Alpha Momoh." Now,
27 how does that answer the question?

28 MS HOLLIS:

29 Q. Mr Witness, did you know that Alpha Momoh was the

1 2nd Brigade adjutant?

2 A. You are correct.

3 Q. Now, while you had this forum for this operation, you were
4 given some directives related to this operation. Isn't that
11:10:29 5 correct?

6 A. Yes.

7 Q. And one of these directives you were given was that no
8 looting would take place until the mission was accomplished.
9 Isn't that right?

11:10:41 10 A. You are correct.

11 Q. You were also given a directive that all government
12 properties should be reported to the mission commander. Isn't
13 that right?

14 A. That's correct.

11:10:55 15 Q. And it was the 2nd Brigade commander who was the overall
16 commander for this mission. Isn't that right?

17 A. Correct. Rambo.

18 Q. And the object of that operation was to go all the way to
19 Freetown. Isn't that right?

11:11:26 20 A. Correct.

21 Q. Now, you have told the Court that after Koidu was captured,
22 the operation continued to Makeni through Masingbi and other
23 places. Do you remember telling the Court that?

24 A. Yes.

11:11:45 25 Q. And at Masingbi, RUF and AFRC fighters had already taken
26 the town. Isn't that right?

27 A. You are correct.

28 Q. In fact, the CDF fighters had surrendered to the combined
29 AFRC and RUF forces. Isn't that right?

1 A. You're correct.

2 Q. And then moving on to Makeni, the RUF and the AFRC were
3 there fighting against ECOMOG. Isn't that right?

4 A. Right.

11:12:17 5 Q. And then after Makeni was captured, Superman led other
6 fighters on to Lunsar. Isn't that right?

7 A. You're correct.

8 Q. And these other fighters that he led on to Lunsar were both
9 RUF and AFRC. Isn't that right?

11:12:37 10 A. You're correct.

11 Q. Now, you eventually went to Makeni and then you remained in
12 Makeni. Isn't that right?

13 A. For some time, yes.

14 Q. And I think you told the judges that it was not until
11:12:53 15 1 February that you went on to Waterloo. Is that right?

16 A. You're correct.

17 Q. While you were at Makeni, did you establish an artillery
18 base there?

19 A. Mmm, when I attacked the base - I had a base at Teko Road
11:13:16 20 where I was based. That was an artillery base, because I was
21 dealing with heavy weapons. I repaired them. I coupled them up.
22 I dismantled them.

23 Q. You said this was at Teko Road. Is that T-E-K-O?

24 A. Correct, Teko Road.

11:13:35 25 Q. When did you establish artillery base there?

26 A. That same 1998.

27 Q. Was it shortly after the RUF and AFRC had recaptured
28 Makeni?

29 A. No. After we had gone up to Waterloo, I retreated again

1 and established that base.

2 Q. When you say you retreated again, you retreated from where?

3 A. From Waterloo. After we had captured Waterloo, I left my
4 men in Waterloo, RUF and some AFRC personnel, for them to receive

11:14:25 5 those who had entered Freetown, the AFRC men, because they said

6 they had been cut off. We were in Waterloo and they were in

7 Freetown. Then I went to Makeni and established a base there.

8 But I was still in that area. I used to leave Makeni and go to

9 Waterloo. But my headquarters was based in Makeni then.

11:14:47 10 Q. So was it sometime in February 1999 that you established

11 that artillery base at Teko Road?

12 A. After I had left that place - after February, you are

13 right. After February.

14 Q. The Black Guard - one of the functions of the Black Guard

11:15:15 15 was to provide personal security to Foday Sankoh initially,

16 correct?

17 A. It's correct.

18 Q. Then later the Black Guard also had the function to provide

19 security to other ground commanders of the RUF. Isn't that

11:15:32 20 right?

21 A. It's correct.

22 Q. And the Black Guard was deployed throughout all the areas

23 that were controlled by the RUF. Isn't that right?

24 A. The - not all over RUF, but the important areas they were

11:15:55 25 there.

26 Q. Another function of the Black Guard was to provide

27 intelligence reports to RUF commanders. Isn't that right?

28 A. You are correct.

29 Q. And they gave briefings to these commanders. Isn't that

1 right?

2 A. Correct.

3 Q. So they gave briefings to the high command of the RUF, yes?

4 A. They used to give intelligence reports.

11:16:29 5 Q. To the high command as well as other commanders. Isn't
6 that right?

7 A. You're correct. You're correct.

8 Q. And those reports included information about movements
9 within the RUF. Isn't that right?

11:16:43 10 A. Yes.

11 Q. Did you know a person by the name of Francis M Musa?

12 A. Francis? Francis what?

13 Q. Francis M Musa? Do you know that person?

14 A. I may know him. But you know this thing has taken a long
11:17:24 15 time so you can't recall everybody's name right now. I don't
16 want to tell lies. I may know him but I don't want to guess.
17 Maybe you will brief me a little. I don't want to tell lies.

18 Q. He was the district IDU commander in Kailahun. Did you
19 know him?

11:17:48 20 A. What year?

21 Q. In 1998 and 1999?

22 A. I had left that Kailahun area from '98. Up to the time
23 that I retreated I did not go to Kailahun. I can't tell you his
24 operational area. I don't know.

11:18:08 25 Q. But you did know him or know of him, or you did not?

26 A. Well, when you said IDU, I used to hear of it but I did not
27 know his appointment.

28 Q. Were you aware that he wrote a report to Foday Sankoh about
29 things that had occurred since Foday Sankoh left in 1996?

1 A. I did not understand the question.

2 Q. Were you aware that he wrote a report to Foday Sankoh about
3 events that had occurred since Foday Sankoh left Sierra Leone in
4 1996?

11:18:53 5 A. I don't know about that.

6 MS HOLLIS: If we could please look at exhibit D-85. If
7 you could first put the top of the first page on the overhead,
8 please:

9 Q. Mr Witness, you see the caption "Revolutionary United Front
10 of Sierra Leone, People's Army of Sierra Leone, Ops Segbwema",
11 the date "31 August 199" and the last number is hard to read, I
12 believe it's "9". And you see that this is to Corporal Foday
13 Saybana Sankoh, from Major Francis M Musa, district IDU
14 commander, Kailahun. It is a brief comprehensive report on all
15 salient activities that took place in the absence of the leader
16 from 24 March 1996 to 31 August 1999. Now, Mr Witness, when you
17 see this date, "In the absence of the leader from 24 March 1996"
18 - so, Mr Witness, it was late in March that Foday Sankoh left
19 Sierra Leone for Ivory Coast. Isn't that correct?

11:21:10 20 A. Yes.

21 Q. And in fact, Mr Ngebeh, it was after the elections had been
22 held in Sierra Leone that Foday Sankoh left for the Ivory Coast.
23 Isn't that correct?

24 A. Yes.

11:21:27 25 Q. Now, if we could please look at the second page of this
26 document. It ends in the large numbers 9766. And if we could
27 look at the bottom of that page, please. At the last paragraph
28 on that page, Mr Ngebeh, Francis M Musa reports this:

29 "Considering our military strength and the pressure that

1 was put on us by the Nigerian-led ECOMOG, we withdrew into the
2 bush (parts of Kailahun and Kono Districts) to reorganise
3 ourselves and regain strength. We still continue to thank and
4 praise Major General Sam Bockarie, Brigadier IH Sesay, Lieutenant
11:22:21 5 Colonel Boston Flomo (Rambo)."

6 So, Mr Witness, do you accept that Boston Flomo was also
7 known as Rambo?

8 MR MUNYARD: Madam President, I think that the question, in
9 the light of the witness's earlier answers, is better put the
11:22:42 10 other way round because the witness said he didn't know who
11 Boston Flomo was but he did know someone called Rambo.

12 PRESIDING JUDGE: Frankly I think it's the same. It's
13 semantic really. But, Ms Hollis, perhaps you can repeat your
14 question to the witness.

11:23:02 15 MS HOLLIS: Yes:

16 Q. Mr Witness, do you accept that Boston Flomo was also known
17 as Rambo?

18 A. Except that you're telling me today. I only knew Rambo.
19 Flomo, but I never knew that that was his name. It was a Rambo
11:23:21 20 name that was popular. It was not everybody that likes people to
21 know his surname or his full name. Except today. I used to hear
22 that name, but it's Rambo that I know for him. Rambo.

23 Q. And including those that Francis M Musa thanks and praises
24 he goes on:

11:23:38 25 "Brigadier Superman, Brigadier Morris Kallon Brigadier
26 Peter B Vandj and many others who stood firm and made sure that
27 the enemies did not overcome us."

28 Did you know Brigadier Peter B Vandj?

29 A. I know him. I know Peter Vandj very well.

1 Q. Did you know what his position was in late 1998 in the RUF?

2 A. We used to call him Brigadier Vandi. I did not know the
3 position that was given to him after we had retreated. I did not
4 know his position but he was a senior officer. I did not know
11:24:23 5 his appointment.

6 Q. Mr Ngebeh, Francis M Musa goes on:

7 "The rampant promotion of soldiers served as incentives
8 that motivated the combatants to double up their efforts."

9 Do you remember these rampant promotions that were given
11:24:40 10 after the retreat?

11 A. Mama, they were given promotions according to your
12 assignment. You got a promotion according to your assignment.
13 Thank you.

14 Q. Did you get a promotion after the retreat from Freetown in
11:25:00 15 February 1998?

16 A. I was a lieutenant colonel. It was that rank that I ended
17 the war with.

18 Q. Mr Witness, my question was did you get a promotion after
19 the retreat in February 1998?

11:25:24 20 A. You're correct.

21 Q. [Microphone not activated] that promotion was to the rank
22 of lieutenant colonel?

23 A. You're correct.

24 Q. [Microphone not activated] of the next sentence:

11:25:34 25 "The consultation, coordination and cooperation amongst
26 senior officers and other ranks brought about the recapture of
27 Joru Jungle, Kono, Makeni, Magburaka, Segbwema, Tongo Field,
28 Western Jungle, Freetown, and many other places from the end of
29 1998 to early 1999."

1 And that's correct, is it not, Mr Ngebeh, that all of these
2 areas were captured during that operation beginning in December
3 1998?

11:26:19 4 A. Mama, I want you to take your question slowly. If you give
5 me a long question I won't be able to understand. Cut it short.
6 If you ask an area and I do not answer then you can continue, but
7 when you do it like that you confuse me. I don't want to tell
8 lies here. Give me the time according to every question, I'll be
9 able to answer it. It's too long.

11:26:36 10 Q. Mr Witness, are you able to read the screen? I know the
11 print is a little difficult. Are you able to read the screen as
12 I'm reading?

13 A. I can't.

14 Q. Let me do that again then:

11:26:48 15 "The consultation, coordination and cooperation amongst
16 senior officers and other ranks brought about the recapture of
17 Joru Jungle, Kono, Makeni, Magburaka, Segbwema, Tongo Field,
18 Western Jungle, Freetown, and many other places from the end of
19 1998 to early 1999."

11:27:24 20 That's what Francis Musa wrote to Foday Sankoh. Indeed,
21 Mr Witness, all of those areas were captured during the operation
22 that began in December 1998. Isn't that correct?

23 A. I'm only seeing this document today here. I don't know
24 about this document.

11:27:48 25 Q. I'm not asking you about the document. I'm asking you
26 about these locations, Mr Ngebeh. Isn't it correct that during
27 the operation that began in December 1998 Joru Jungle was
28 captured? Isn't that correct?

29 A. Joru? 1998, let me explain the area --

1 Q. Answer my question. If you don't know, say you don't know.

2 A. I have told you that I don't have any idea about this one
3 that you've said about Joru. '98 we got Kono. '98 we entered
4 Makeni. '98 we entered Masiaka, up to Waterloo. Segbwema, they
11:28:36 5 were on their own operation. That area - I only know about the
6 area that I operated.

7 Q. You weren't aware of this other axis that was part of this
8 operation?

9 A. I used to hear about Segbwema but Joru area I can't say
11:28:56 10 because I was from Kono, Makeni - Makeni '97 up to this place
11 Waterloo. That was where my own operational area stopped. Other
12 areas advanced. But I can only say much about those areas from
13 Kono to Waterloo. Thank you.

14 Q. Now if we could look at the next page of this document
11:29:28 15 which would be large numbers 9767 on the side and if we could go
16 down to the bottom of the document and if we could look at the
17 second to the last paragraph on the page beginning "although."
18 We see that?

19 "Although about 90-95 per cent of the SLA brothers
11:30:06 20 including Colonel Akim Turay, Lieutenant Colonel Soriba,
21 Lieutenant Colonel Dumbuya, Lieutenant Colonel Bakarr, Major
22 Leather Boot and many others are loyal to this movement."

23 Mr Ngebeh, that was correct, what Francis Musa told
24 Foday Sankoh, wasn't it, that 90 to 95 per cent of the SLA
11:30:39 25 brothers remained loyal to the movement? That was correct,
26 wasn't it?

27 A. I myself know these people --

28 THE INTERPRETER: Your Honours, can he kindly repeat his
29 answer slowly.

1 PRESIDING JUDGE: Mr Ngebeh, repeat your answer slowly.

2 THE WITNESS: To my own knowledge apart from Francis Musa,
3 this is a statement that he's written, those men like Akim,
4 Leather Boot, they were loyal people to Foday Sankoh. But not
11:31:09 5 majority of them, but few of them. Not majority. Few of them
6 were loyal to us. But most of them were not loyal to us any
7 more, but few. Men like Akim, Leather Boot. Majority. Not 95
8 per cent. Few.

9 PRESIDING JUDGE: We'll have to take a break now because
11:31:31 10 the tape has run out. We will reconvene at 12 o'clock.

11 [Break taken at 11.31 a.m.]

12 [Upon resuming at 12.02 p.m.]

13 PRESIDING JUDGE: Yes, Mr Munyard.

14 MR MUNYARD: Madam President, a change of appearance on the
12:02:14 15 Defence bench. Mr Griffiths has left us, so it's just myself for
16 the time being.

17 PRESIDING JUDGE: Thank you. Thank you. Ms Hollis, please
18 continue.

19 MS HOLLIS: Thank you, Madam President.

12:02:26 20 Q. Mr Ngebeh, before the break we were looking at the report
21 Francis Musa had sent to Foday Sankoh about events it that
22 occurred after his departure in 1996 from Sierra Leone. We were
23 talking about the page on which Francis Musa reported to Foday
24 Sankoh that 90 to 95 per cent of the SLA brothers had remained
12:03:07 25 loyal to this movement, and you said that was not true.

26 Mr Ngebeh, are you saying that Francis Musa was lying to Foday
27 Sankoh in this report?

28 A. Yes, my Lord. This particular statement is a lie.

29 Q. And Francis Musa was a member of the RUF, isn't that right?

1 A. Yes.

2 Q. And this report was written in 1999, Mr Witness?

3 A. Yes, mama. If 95 per cent of SLA were loyal to the RUF, we
4 wouldn't have come to town - we wouldn't have left town. But
12:03:56 5 only few were dedicated to the RUF. The rest were not under our
6 control. It was that that caused us to leave Freetown because
7 there was a lot of sabotaging. Even when they called us, it was
8 it was not every one of them that was happy. Thank you.

9 Q. Mr Witness, you are just not telling the Court the truth
12:04:12 10 about that, are you?

11 A. I am telling the truth. A common example is SAJ. SAJ was
12 from the AFRC. He formed his own government. Soldiers were not
13 together. Only 20 per cent were loyal to us. The 80 per cent
14 broke away from us. Only 20 per cent, including Akim and Leather
12:04:40 15 Boot and others. Few.

16 Q. And Mr Ngebeh, in fact Francis Musa was telling the truth
17 to the leader in 1999 when he said that 90 to 95 per cent had
18 remained loyal; isn't that right, Mr Witness?

19 A. This particular unit, the IDU, it was one of the corrupt
12:05:02 20 units. They gave false information to the leaders. It was not
21 every report that they gave that was accurate. This statement is
22 wrong.

23 Q. And Mr Ngebeh, who led the attack on Freetown that
24 commenced on 6 January 1999?

12:05:20 25 A. It was the AFRC.

26 Q. The commander in charge of that attack?

27 A. It was SAJ.

28 Q. [Microphone not activated] Musa?

29 A. Yes.

1 Q. How long after that attack was SAJ Musa killed?

2 A. I can't explain that, because the RUF never participated in
3 that attack where SAJ Musa died up to the time they entered
4 Freetown. We never participated. Our mission stopped at
12:05:50 5 Waterloo. By then they were in Freetown. We never participated.

6 Q. You are telling the Court that SAJ Musa actually led that
7 attack into Freetown starting on 6 January 1999. Is that
8 correct?

9 A. Yes. But after that we heard that he died in Benguema.

12:06:13 10 Who took over as commander I do not know. But we knew that he
11 led from Kurubonla up to Benguema as commander for the AFRC.
12 When he died, who took over as commander I can't tell. But he
13 was the one we knew, the entire RUF, that he was responsible for
14 entering Freetown, and not RUF.

12:06:29 15 Q. So just so we are clear, I am not talking about Benguema.
16 I am talking about the attack on Freetown proper that began on 6
17 January. And you say SAJ Musa was in charge of that attack?

18 A. His troops led that attack on Freetown. His troops.

19 Q. [Microphone not activated] to me, Mr Ngebeh. I am asking
12:06:56 20 you if you are telling the Court that SAJ Musa was the commander
21 in charge of that attack against Freetown commencing on 6
22 January. Is that what you are telling the Court?

23 A. Under the instructions of SAJ Musa, the troops that entered
24 Freetown, he was responsible. They were under his command.

12:07:18 25 Under the command of SAJ Musa that they attacked Freetown.

26 Q. [Microphone not activated] 6 January?

27 A. You are correct.

28 Q. Mr Ngebeh, you don't really know who was in command when
29 that attack entered Freetown, do you?

1 A. I want you to know my question - my answer. Under the
2 command of SAJ Musa, whether he died or was alive, but it was his
3 instruction that led the men to enter Freetown. Whether he
4 appointed another commander or not, it was his instruction. He
12:07:52 5 gave command that they should enter Freetown by any means, but I
6 can't tell you who led the particular mission after the death of
7 SAJ Musa in Benguema, the commander who attacked Freetown, but it
8 was under his leadership. Thank you.

9 Q. But you have no knowledge of which fighters entered
12:08:11 10 Freetown, do you?

11 A. I know. I know. It was the AFRC soldiers. Only AFRC.
12 RUF did not participate. No senior commander of the RUF was
13 involved. It was only AFRC led by SAJ Musa. You can find that
14 out anywhere, if I am telling lies to the oath that I have taken
12:08:32 15 here. If we participated I will tell you, "Mama, we did it." We
16 are here to tell the truth; not to tell lies. If we
17 participated, the RUF, I would tell the whole world that we did
18 it - that we joined. But it was not us. I'm telling you true.

19 Q. You simply didn't know who was actually on the ground in
12:08:49 20 Freetown, did you?

21 A. AFRC soldiers entered Freetown. AFRC soldiers, they were
22 the ones.

23 Q. Just as you didn't know when it was that SAJ Musa died.
24 Isn't that right?

12:09:07 25 A. I knew that SAJ Musa died in Benguema. He died in the
26 Benguema attack. After they had attacked Benguema, he died. A
27 commander was appointed to lead the mission to Freetown under the
28 command of SAJ Musa that he had started. They would not say that
29 after SAJ Musa had died, they would stop the mission. They still

1 went ahead under SAJ Musa's instructions. Thank you.

2 Q. Mr Ngebeh, is it your testimony that the RUF reached no
3 closer to Freetown than Waterloo? Is that your testimony?

12:09:49

4 A. Yes. We entered the city. Freetown, Waterloo, Benguema,
5 Hastings, all are under Waterloo. Jui is part of Freetown. We
6 were not part of that area. Our operation was at Benguema,
7 Waterloo after SAJ had passed. They captured the place before
8 us. They were the first to enter those areas before we did.

12:10:13

9 Because it was that road that they used to attack Freetown. They
10 passed through Masiaka, Waterloo, up to Benguema. I want you to
11 know that. They passed before we entered. Thank you.

12 Q. And indeed, Mr Ngebeh, Boston Flomo was instructed to meet
13 up with the troops that had entered Freetown. Isn't that
14 correct?

12:10:39

15 A. We stopped at Waterloo.

16 Q. And indeed, Mr Ngebeh, under Boston Flomo's leadership, the
17 RUF attacked Masiaka on 5 January 1999; isn't that correct?

18 A. It's correct.

19 Q. They were successful in that attack; isn't that right?

12:11:02

20 A. You are correct. After the AFRC had first entered, they
21 did not leave and we entered before January, you are right.

22 Q. Actually, you entered Masiaka on 5 January 1999. Isn't
23 that right?

24 A. I believe so, in January.

12:11:21

25 Q. And then these forces moved under Boston Flomo to attack
26 RDF. Isn't that right?

27 A. Rambo was the commander for this mission. Rambo.

28 Q. They moved on to attack RDF. Isn't that right?

29 A. Yes.

1 Q. And we have talked about RDF before. You said that this
2 was a camp between Masiaka and Waterloo. Do you remember telling
3 the judges that?

4 A. Yes, you are correct.

12:11:55 5 Q. And they met no resistance at RDF, so they moved straight
6 on to Waterloo. Isn't that right?

7 A. Yes. That area - you know, the AFRC had passed that area.
8 The enemies who were in that area, the sooner they heard gunfire
9 they ran away because the AFRC had passed. They met no

12:12:16 10 resistance at the RDF.

11 Q. And indeed, Mr Ngebeh, it was the forces under Rambo, as
12 you call him, who fought for control of Waterloo on 6, 7 and 8
13 January 1999. Isn't that correct?

14 A. I did not record dates and times. But it was within
15 January that we were at that place.

12:12:43

16 Q. And they captured Waterloo on 9 January. Isn't that right?

17 A. I can't tell the date. But it was in January that we
18 entered Waterloo.

19 Q. And then on 9 January, the forces under Rambo, as you call
20 him, deployed at Hastings. Isn't that correct?

12:13:06

21 A. You are correct.

22 Q. Now, Mr Ngebeh, you say that you weren't recording dates,
23 so when you told these judges that it was the end of January that
24 Waterloo was captured, that was just a guess on your part, wasn't
25 it?

12:13:30

26 A. I had told you that I was not recording dates. I can only
27 recall some months. But I did not record particular dates. I
28 did not know we were coming to this, but I can still recall some
29 months, but it was in January that we were in that area.

1 Q. And, Mr Ngebeh, after the fighters under Rambo, as you call
2 him, had deployed to Hastings, then they began to attack Jui and
3 Kossoh Town. Isn't that right?

4 A. By then it was ECOMOG that was at Jui. ECOMOG was based at
12:14:21 5 Jui at the time that we entered Hastings. We were trying to
6 fight our way to join our brothers in Freetown, but there was no
7 way. God never gave us the opportunity. We tried, but we were
8 unable. I can't tell lies to you. We were trying to join the
9 AFRC in Freetown, but the ECOMOG blocked us at Jui. We attacked
12:14:38 10 them and we did not succeed. Thank you.

11 Q. You started attacking them as early as 9 January. Isn't
12 that right?

13 A. We attacked in January. That's what I know, mama.

14 Q. And these were the fighters under Rambo who had gone to
12:14:58 15 Masiaka, Waterloo, Hastings and then began attacking Jui and
16 Kossoh Town. Isn't that right?

17 A. It was only Jui. Only Jui. The troops under Rambo
18 attacked Jui. We couldn't go beyond Jui. We were not even able
19 to capture a single place from ECOMOG in Jui. We attempted twice
12:15:27 20 but we failed. So we made our defensive.

21 Q. When this was happening you were still in Makeni, weren't
22 you?

23 A. No, I was now at Hastings. I was now at Hastings.

24 Q. So in January 1999 you were in Hastings?

12:15:45 25 A. I used to come, Rambo had a weapon that I was the only
26 person that was able to use it, an electronic missile. It was
27 that weapon that caused me to go to Hastings. We had captured it
28 from the Guinea people. I used that to launch on the men in
29 Freetown. It was an electronic ground missile. It uses current.

1 We planted it in Hastings.

2 Q. Mr Ngebeh, why did you tell these judges in direct
3 examination that you went to Waterloo on 1 February? Why did you
4 tell them that if in fact you were already in Hastings in

12:16:23 5 January?

6 A. Mama, this is an event that we did not - I did not date.
7 If I told you I was at that place in January, it's January. It
8 was in January that we entered. It was with Rambo's troops and I
9 was with Rambo. That's the answer.

12:16:48 10 Q. But that's not what you told these judges on direct
11 examination. You said you stayed in Makeni when these other
12 troops advanced. You remember telling them that, don't you?

13 A. We captured Makeni on 25 December. Just think, 25th I was
14 in Makeni, 25th to January. After that some men advanced to this

12:17:15 15 place, Lunsar. I joined them in January up to the time that we
16 advanced to Hastings with Rambo. After all the deployment in
17 Hastings, I was the overall so I cannot just go with a commander,
18 so I established my base. But I used to move from Makeni to look
19 after the welfare of my men. But I established my base. Thank
12:17:43 20 you.

21 Q. Did you establish your base before you moved on to Waterloo
22 and Hastings?

23 A. No, no, no, no. After we had deployed men in Hastings,
24 those men had left Freetown, they were unable to make it up.

12:18:01 25 They met us in Benguema - I mean in Waterloo. I came now and
26 established my base because we had had reinforcement. The AFRC
27 had come from Freetown, they had failed. For that reason they
28 said - Sam Bockarie had said we should arrest them, they had
29 sabotaged the mission. Why should they have entered Freetown

1 when they were not going to be able. They should have waited for
2 us to enter. How could they form a government when we were not
3 part of it, so God did not allow them to do it. So I retreated
4 and established my base in Makeni, but I used to go to Waterloo
12:18:31 5 and return. That was how I used to do. Sometimes I will spend
6 one week there and come back to my base in Makeni. It was Makeni
7 that my base was until the time that we disarmed.

8 PRESIDING JUDGE: I am going to ask can you, Mr Ngebeh, to
9 slow down again. You are running again with your testimony.

12:18:50 10 Please make an effort to speak slowly.

11 MS HOLLIS:

12 Q. Mr Ngebeh, the fact is you simply don't remember those
13 sequence of events, do you?

14 A. What sequences?

12:19:06 15 Q. The sequence of events of the fighters moving toward
16 Freetown and when you joined them. You simply don't remember
17 that, do you?

18 A. We were not part of that group in Freetown. That's why I
19 don't know much about it. RUF was never part of that group that
12:19:22 20 entered Freetown. We only became - after they had failed, ECOMOG
21 had dislodged them from Freetown, we rescued them in Waterloo. I
22 want you to check with anybody. That's a living story I'm
23 telling you to the oath that I have taken here. I'm telling you
24 the truth, the true story. We never - RUF never participated in
12:19:42 25 that attack in Freetown.

26 Q. And, Mr Ngebeh, you simply have no idea of the timing of
27 any of these movements, do you?

28 A. January 6 was worldwide when they entered there. It was
29 worldwide. It was over the BBC. But those that were not on

1 Focus on Days, we did not think that after war we would appear in
2 court. It's just that some of us are brilliant that we could
3 remember some accurate times without referring to books or any
4 computer. It's just that we know the stories, but it's not easy
12:20:19 5 to talk about events that have passed for over two to five years
6 off head. Thank you.

7 Q. Mr Ngebeh, who was Lieutenant Raymond Kartewu?

8 A. Mama, I did not have a nickname, so I can't recall most of
9 the names in the RUF/AFRC. That name is strange to me.

12:20:46 10 Q. [Microphone not activated] Black Guard adjutant, wasn't he?

11 A. Call the name.

12 Q. Raymond Kartewu, K-A-R-T-E-W-U?

13 A. That surname is strange. Raymond, I know Raymond. I know
14 Raymond. But I don't know the surname. But I know Raymond. He
12:21:12 15 was an adjutant of Black Guards.

16 Q. And he was a lieutenant?

17 A. He was an officer.

18 Q. And Major Christ A Mannah, did you know him?

19 A. The problem that we had, some people refused to give their
12:21:36 20 surnames. Sometimes I would know their first name, but I
21 wouldn't know the last name. Like that last one, I don't know
22 that. That's the problem. Some people, we only knew their first
23 names and not the last ones. I am in doubt of that name.

24 Q. Well, he was the overall intelligence officer commander.

12:21:57 25 You didn't know him?

26 A. Call the name once again.

27 Q. Christ C-H-R-I-S-T, middle initial A, last name Mannah
28 M-A-N-N-A-H.

29 A. I used to know the G4s, IDU, I knew Bangali. RUF, there

1 were many. There were many.

12:22:49 2 Q. Well, were you aware that the overall intelligent officer
3 commander and the Black Guard adjutant provided a report to
4 Brigadier Issa Sesay in late January 1999? Were you aware of
5 that?

6 A. Mama, that was one of the corrupt agencies, that Black
7 Guards. All the problems that we faced was caused by them. They
8 were giving false information to the leaders. The Black Guards
9 from 1991 to 1995 that were trained by Pa Sankoh, they were
12:23:08 10 different after his departure. They were not giving accurate
11 reports. They became politicians and taking words from one
12 officer to the other. They were a corrupt agency after Pa Sankoh
13 had left and gone. They were not working according to what
14 Pa Sankoh had trained them. They were corrupt. That's the
12:23:26 15 answer to that question. That was the corrupt agency.

16 Q. Mr Ngebeh, so far the IDU, that's a corrupt agency because
17 Francis Musa gave information you didn't agree with, yes?

18 A. After Pa Sankoh had gone, all the security agencies were
19 corrupt because they were not giving accurate information any
12:23:54 20 longer. When Pa Sankoh was present from '91 to '96 he used to
21 monitor them and he used to train them how to give reports. But
22 after the departure of Foday Sankoh all the security agencies
23 failed us, the IDUs, the Black Guards, they failed the
24 revolution. Thank you.

12:24:11 25 Q. In fact, Mr Ngebeh, you are the one giving the corrupt
26 report. Isn't that correct?

27 A. Mama, I have taken a very big oath here. It is for my
28 generation. Whatever I say here, it's a living true story. The
29 story that you are getting from Charles it's not easy for you to

1 get from any other witness because I trust God. I believe in
2 God. I am afraid of only God. Not humans. Because if I die
3 today, I would only be judged by God. Whatever happened during
4 the war, we should say the true story. What actually happened.

12:24:45 5 I am the number one person for that. Thank you.

6 Q. And you have broken your oath here in this Court, haven't
7 you, Mr Ngebeh?

8 A. I don't think so. I have still maintained my oath.

9 Q. [Microphone not activated] Prosecution exhibit 149, please.

12:25:53 10 If we could first see the top of that report, please. The first
11 page of the report, please. And you see here, Mr Ngebeh, a
12 report from the overall intelligence officer commander and the
13 Black Guard adjutant to BFC Brigadier IH Sesay dated 21 January
14 9919.

12:26:30 15 Now, if we could go down to the bottom of that page,
16 please. For 9 January you see they report that the forces
17 deployed at Hastings on 9 January, and then they talk about "we
18 attacked Jui and Kossoh Town". So they are reporting that the
19 forces under Boston Flomo attacked both Jui and Kossoh Town. And
12:27:07 20 that is an accurate report, is it not, Mr Witness?

21 A. Mama, to the oath that I have taken here, this statement is
22 wrong. I have told you these guys are the people who caused
23 problems in the RUF. False information. RUF never attacked
24 Kossoh Town. We stopped at Jui. I was with Rambo. This is a
12:27:32 25 false information. It's not correct.

26 Q. Where you were depends on what day you are testifying,
27 because during direct examination you said you stayed at Makeni
28 until 1 February. So you simply do not remember when you finally
29 went, do you?

1 A. Mama, I am telling you in relation to time, I wouldn't be
2 very accurate. I can say that freely. But to the events that
3 occurred from Makeni to Hastings, I know everything. I was in
4 Hastings. I was the man whom Rambo trusted for that weapon.
12:28:14 5 This man was not present where this mission took place. They
6 were working on information - false information. It was this
7 false information that spoilt in RUF. These Black Guards and
8 IDU, they never cross-checked their information. Look at this
9 kind of information. This is a false information. Kossoh Town,
12:28:32 10 it never happened. No. How could we have passed the ECOMOG base
11 in Jui? We were not even able to capture any part of Jui. How
12 could they have passed through? This is false information. RUF
13 never participated in attacks on Freetown. It is impossible to
14 the oath that I've taken here to my God. Who do it? If we did
12:28:50 15 it, I would have said that I did it - we did it. But you should
16 know the true story. This statement is a lie. RUF never
17 participated in that attack in Freetown, to my God. The only
18 authority of the RUF that was in Freetown was Gibriil Massaquoi.
19 But he was in prison. He was a prisoner. Only Gibriil Massaquoi,
12:29:10 20 a senior officer, was in Freetown when AFRC entered Freetown. If
21 he is anywhere now, he would tell you that RUF never participated
22 in this. He was a prisoner. He was at Pademba. He was freed.
23 He was a prisoner. He was the only senior officer of the RUF
24 when these men entered Freetown. Thank you.
12:29:28 25 Q. Mr Ngebeh, you have just told this Court you don't know
26 Lieutenant Kartewu; you knew a Raymond; you said you didn't know
27 Christ A Mannah. So how did you know whether they were present
28 or not?
29 A. What I am telling you that those of us who entered

1 Hastings, Rambo and us, we were not many. Only few men. There
2 was no resistance in Hastings. There was no resistance, just a
3 few men. Mama, I have taken an oath here. What I am saying here
4 is a living, true story. It's not easy for you to get that story
12:30:06 5 from any other person. I believe my God. It's the true, living
6 story.

7 Q. Now, if we could look at the second page of this report,
8 please, the top of that page. The very top of that page where it
9 says "15 January". Here they are reporting on 15 January, 1999.

12:30:33 10 "It was agreed that the men in Freetown and the men at our
11 point were to do joint operation on Jui and Kossoh Town. The
12 Freetown men scheduled to attack Jui and we to attack Kossoh
13 Town. That night we attacked Kossoh Town clear the enemies, but
14 the Freetown men never turn up; therefore, the enemies with the
12:30:55 15 support of the Alpha Jet drove us from Kossoh Town."

16 Now, Mr Ngebeh, it is correct, is it not, that the fighters
17 under, as you call him, Rambo, communicated with the people in
18 Freetown and agreed to this joint operation on Jui and Kossoh
19 Town. That is correct, isn't it, Mr Ngebeh?

12:31:22 20 A. Mama, this is a wrong information. In fact, the men who
21 were in Freetown, that is the AFRC, the radio set that they were
22 using, we did not know theirs codes. The code that was used by
23 SAJ's men, they retrieved everything. This particular statement
24 from this man is a false information to my oath as a Christian.
12:31:44 25 He is lying. We never attacked. How could we have passed Jui?
26 I want you to inquire. ECOMOG was there; ask them. I want you
27 to investigate this statement that I am saying if I am telling
28 lies. The ECOMOG troops that were at that base were not able to
29 shake them up, including the SSDs. It's impossible. That man is

1 telling lies. It's a false information. RUF never passed
2 through Hastings. Thank you.

3 Q. [Microphone not activated] never passed through Hastings;
4 is that what you are telling the Court now?

12:32:17 5 A. Yes, to join the AFRC in Freetown. We did not pass there.
6 That's why we stopped. We were unable. We failed because of the
7 forces in Jui. It's a lie. This man is lying. A big lie. To
8 my God as a Christian, mama, to my oath that I've taken. If we
9 entered, I would have said, "Mama, we did it." At the end of the
12:32:37 10 day we have to come to the truth, but people have to know the
11 truth about the war. But this information given by this man is a
12 lie. It never happened. There are commanders, there are people
13 who could be identified. There is a commander in Jui.

14 Investigate that particular time that the RUF, if they were able
12:32:57 15 to attack that area. That was what caused the men to be
16 weakened. They were not able to maintain the city. Forces were
17 coming from Jui to attack them. They couldn't withstand it and
18 they were dislodged from Freetown. Thank you.

19 Q. Mr Ngebeh, are you telling the Court now that the RUF
12:33:13 20 forces never attacked Jui? Is that what you are telling the
21 Court now?

22 A. Mama, I don't want to tell lies here when I am answering a
23 question.

24 Q. Answer the question. Are you telling the Court now that
12:33:29 25 the RUF forces under, as you call him, Rambo, never attacked Jui?
26 Is that what you are telling the judges now?

27 A. We attacked Jui and we failed. We attacked Jui and we
28 failed.

29 Q. Jui is beyond Hastings, isn't it?

1 A. Just after Hastings, you have Jui.

2 Q. So when you just told the judges that you stopped at
3 Hastings, that was incorrect, wasn't it?

4 A. We were based in Hastings to attack Jui but we were unable.
12:34:06 5 We were unable.

6 MR MUNYARD: I object to that question. That's not a fair
7 way of summarising the witness's evidence. He says, "We attacked
8 Jui, but we failed"; therefore, he is not saying that they got
9 any further than Hastings.

12:34:24 10 MS HOLLIS: If we could look at - on my LiveNote it is page
11 84.

12 PRESIDING JUDGE: Yes, but in order to attack Jui you would
13 have to go beyond Hastings. That's the logic of the question.

14 MR MUNYARD: Because if you don't succeed, is my point,
12:34:43 15 then you haven't actually got beyond Hastings.

16 PRESIDING JUDGE: The point is to attack - whether or not
17 you succeed - you do attack, means you get to Jui and try to
18 attack it or attack it. Actually, they didn't try. According to
19 the witness, they did attack but failed. They were rebuffed, if
12:35:03 20 you like. They were defeated by the people they met there. So
21 this is all beyond Hastings, according to the witness. So the
22 question for me is quite logical.

23 MR MUNYARD: Well, let us hear the witness's full answer,
24 in that case.

12:35:21 25 MS HOLLIS: But before we do, so the record is clear, on my
26 LiveNote, page 84, line 21, "That man is telling lies. RUF never
27 passed through Hastings. Thank you." So quite clearly on page
28 84 that's what he said. That's was the basis of my follow-up
29 question, Madam President.

1 PRESIDING JUDGE: Yes. The objection is definitely
2 overruled.

3 MS HOLLIS:

12:35:53

4 Q. So when you told the judges that the RUF never passed
5 through Hastings, that was incorrect, wasn't it?

6 A. RUF entered Hastings.

12:36:30

7 Q. Now, if we could look at the bottom of the second page of
8 this report, please, under "Recommendation". And do you see
9 here, these two RUF personnel are giving bravos to Colonel Boston
10 Flomo, Major Bakarr - and Major Bakarr, he was AFRC, wasn't he?

11 A. Yes, yes, yes.

12 Q. And also to Lieutenant Colonel Victor. And was Lieutenant
13 Colonel Victor RUF or AFRC?

12:37:02

14 A. Well, I am a little doubtful about Salia, but I knew Amara
15 Peleto. We were together in Hastings. He stopped at Waterloo,
16 this Lieutenant Colonel Amara Peleto. Some people did not give
17 their surnames. We are only seeing surnames here. Some people
18 had nicknames, that's why I'm finding it difficult. Because if I
19 knew the first name, maybe I wouldn't know the last name. But I
20 was with Amara Peleto - we were together with Rambo - and he
21 stopped at Waterloo.

12:37:22

22 Q. Mr Ngebeh, please listen to the question I ask you and
23 answer that question.

24 A. Yes.

12:37:34

25 Q. Colonel Victor, was he RUF, or AFRC, or do you not know?

26 A. Lieutenant Colonel Victor, we had many. I cannot specify
27 which Victor you mean now. You can put a question mark on that.
28 I don't want to tell lies.

29 Q. Now, you have talked about an artillery base in Makeni, and

1 you have talked about going to establish that base after the
2 fighters were pushed out the Freetown and out of that area. How
3 long did you remain at that artillery base in Makeni?

12:38:46 4 A. In Makeni after I had established my base, I was there
5 until the time that we disarmed. I did not leave there in '98,
6 '99, up to 2001, but I used to go to Kono, I used to go on
7 patrols. But that was my headquarters, Teko Road.

8 Q. So from the time you were pushed back from Freetown until
9 disarmament, you were at Teko Road in Makeni at that artillery
10 base. Is that right?

11 A. No. I said after December. After the advancement of the
12 RUF in '98, '99, to the year 2001. You know, we had been
13 dislodged from Freetown and we had gone back to the bush. The
14 advancement in '98, we captured Makeni on 25 December 1998. From
12:39:33 15 then on after '97 after all the operations, I rested in Makeni.
16 That was where I was until we disarmed, '99, 2000 and 2001, that
17 is where I was. Thank you.

18 Q. Mr Ngebeh, you have talked about the judges about the RUF
19 receiving arms from ULIMO. Do you remember talking to the judges
12:39:56 20 about that?

21 A. Yes, yes, '96. '95, '96, I can remember.

22 Q. And you are sure about those dates?

23 A. '95, '96, I can still remember, yes. After Zogoda had been
24 fallen into the hands of the Kamajors and I retreated to Buedu, I
12:40:20 25 saw that transaction between Sam Bockarie and the ULIMO, '96.

26 Q. It was after Zogoda had fallen to the Kamajors that these
27 transactions began; is that the time frame?

28 A. It existed at the time that we were in Zogoda. But when I
29 got there on 2 December in Buedu, that transaction was going on

1 between ULIMO and Sam Bockarie in Buedu, '96.

2 Q. That's 2 December 1996. Is that correct?

3 A. Yes, when I got there. When I got there.

4 Q. And you told the judges that you would give the ULIMO

12:41:01 5 single barrels and in exchange you would get from them automatic
6 weapons and ammunition, correct?

7 A. You are correct, mama.

8 Q. And you said that the RUF did not want the single barrels,
9 correct?

12:41:19 10 A. You are correct.

11 Q. Why didn't you want the single barrels?

12 A. We were not trained to fight using single barrels. We were
13 trained to fight using automatic rifles, RPG, GPMG. That was why
14 we hadn't use for them.

12:41:40 15 Q. These single barrels, what were they? Were they shotguns?
16 Were they rifles that could only shoot one at a time? What was a
17 single barrel?

18 A. Single barrel had different types. There were shotguns,
19 there were long guns. Some could take one bullet, others could
12:42:02 20 take six, others could take up to 25 rounds, but they were all
21 using single barrel cartridges. They were of different types.
22 Thank you.

23 Q. So the automatic weapons had better fire power. Is that
24 correct?

12:42:17 25 A. There are differences. Single barrels, when you fire the
26 cartridge scatters and it spreads because it hadn't one bullet.
27 Automatic rifles have one bullet but very powerful. They are of
28 long range. They travel more than a single barrel. A single
29 barrel has a short range. But automatic has long range. Thank

1 you.

2 Q. [Microphone not activated] exchange for the RUF?

3 A. Yes. Since they had disarmed, single barrel was not under
4 disarmament in Liberia. Single barrel was important to them at
12:43:06 5 the time more than RPG. They had disarmed and they said no
6 soldier should carry AK-47s. So they decided to take single
7 barrels because it was not to be disarmed. So they gave us their
8 single barrels and they took the automatic rifles because we got
9 need for them.

12:43:24 10 Q. And, Mr Ngebeh, you said that these exchanges were
11 occurring in Lofa County. Is that correct?

12 A. It's correct.

13 Q. Are you aware that in November 1995, Charles Taylor and the
14 leader of ULIMO-K signed a memorandum of agreement?

12:43:48 15 A. I am not aware of that.

16 Q. And that included freedom of movement. Were you aware of
17 that?

18 A. From 1991, Sierra Leone and Liberia were in peace accord,
19 and were in ECOWAS, that is, another friendly country. That
12:44:12 20 freedom had existed from '91 up to '96. Sierra Leoneans lived in
21 Liberia and some would come and live here. Because it was the
22 Mano River Union. Even when President Taylor became President,
23 he maintained that agreement. Freedom of movement was even there
24 before the war and even during the war it existed. Thank you.

12:44:32 25 Q. Mr Ngebeh, you have told the Court that you remained in
26 Makeni at this Teko Road artillery base until disarmament. In
27 2000, at the time the UN peacekeepers were taken hostage, you
28 were under the command of Kailondo, yes?

29 A. Kailondo was a commander. Mama, I was an overall

1 commander. I respected commanders because they were vanguards,
2 but I was a commander for myself. Kailondo was a commander in
3 Makeni, yes.

12:45:17 4 Q. In fact, Mr Ngebeh, he was your superior officer. Isn't
5 that right?

6 A. Yes. The man was a vanguard. I was a junior commander.
7 He was my commander because he was a vanguard.

8 Q. And he was the commander at that time in Makeni. Is that
9 correct?

12:45:33 10 A. You are correct. Ground commander.

11 Q. In relation to the disarmament, you said that you were in
12 Makeni until the disarmament. As of August of 2001 there was
13 still no complete disarmament in Sierra Leone, was there?

14 A. What?

12:46:01 15 Q. As of August 2001 there was still no complete disarmament
16 in Sierra Leone, was there?

17 A. August 2009?

18 Q. 2001.

12:46:23 19 A. I know that we were disarmed in 2001. I did not know when
20 it ended, but it was in 2001 that we disarmed. The year 2001.

21 But the right time that it ended, I can't tell. I had men in
22 Kono. I had them in Makeni. Those who were - there are those in
23 Kailahun, but the one next to me took over Kailahun, Segbwema and
24 the other areas. Those who were armourers, my men, were in Kono
12:46:51 25 and Makeni.

26 Q. Mr Ngebeh, as of November 2001 there was still not complete
27 disarmament in Sierra Leone. Isn't that right?

28 A. I know that in the year 2001 disarmament had been completed
29 in Sierra Leone. I don't know when it finished, but it was in

1 the year 2001. Everybody had disarmed. We were now in calms,
2 DDR had come. That is my understanding. Thank you.

3 Q. Indeed, very late in 2001 this disarmament was not
4 complete, was it?

12:47:32 5 A. Well, the RUF that were in the Kailahun District, some
6 men - those of us who were in Makeni, Kono, we were the first to
7 start disarmament, and Port Loko and Lunsar. Tongo were the
8 last, and Kailahun. I don't know the right dates that they
9 disarmed but they were the last to disarm in the RUF, Tongo and
12:48:00 10 Kailahun.

11 Q. And indeed, Mr Ngebeh, in 2001 there was still fighting in
12 Sierra Leone, wasn't there?

13 A. Yes, because before we disarmed in Kono, the Kamajors that
14 had come from Guinea attacked us in Kono. They attacked us.
12:48:24 15 They said the RUF should leave Kono. They want their base. They
16 attacked us. The year 2001, yes. There was an attack on
17 Gandorhun between the Kamajors and the RUF in 1991. Thank you.

18 Q. And indeed, Mr Ngebeh, in 2001 the RUF was disrupting the
19 disarmament process, wasn't it?

12:48:49 20 A. We were not the ones. It was the Kamajors who were
21 attacking us because by right in 2001 we were at peace. They
22 came and they stayed in Gandorhun. The road that was coming from
23 Kono to go to Manowa, they occupied that place which they were
24 not supposed to do because we were on peace. They came and they
12:49:10 25 blocked the highway in the year 2001. That was in violation of
26 the ceasefire. Nobody had a right to come. You should have
27 stayed where they were up to the end of war. But they violated
28 it and they attacked us from the Guinea Highway. It was the UN
29 who tried their level best and stopped them and told them that

1 what they had done was not right. People can testify to that.
2 We maintained the ceasefire. We maintained the peace. But the
3 Kamajors were disturbing us too much, the year 2001. Thank you.

12:49:48

4 Q. And indeed the RUF was refusing to participate in the
5 disarmament at various times. Isn't that correct?

12:50:15

6 A. Well, we were trying to disarm, wherein the Kamajors were
7 attacking us. It was actually Kono that had the problem. Makeni
8 was peaceful. All the other areas enjoyed peace, but Kono was
9 the problem area. But even at that we still maintained the
10 peace. The UN tried their level best in Kono. They talked to
11 the Kono people and they advised the Kono people. Even when we
12 had disarmed they attacked us in Kono and they killed a lot of
13 RUF. At that time we hadn't weapons in Kono. Thank you.

12:50:34

14 Q. And indeed it was the RUF who was also instigating some of
15 these attacks by attacking the CDF and attacking civilians.
16 Isn't that right?

12:50:55

17 A. Mama, all these are allegations against the RUF. I'm
18 telling you the true story. 1991 December, what happened to the
19 RUF in Kono. It was a very big surprise. We had disarmed in
20 Kono. Kamajors had come from Guinea with single barrels and they
21 attacked us in Kono in 1991. They said they don't want any RUF
22 in Kono at the time we had disarmed. Had it not been for the
23 RUF, I in particular was rescued by the RUF - the UN.

12:51:18

24 PRESIDING JUDGE: Mr Ngebeh, slow down, please.

25 MS HOLLIS:

26 Q. And indeed in 2001 the RUF had continued to kill Sierra
27 Leonean civilians and to rape Sierra Leonean women. Isn't that
28 right?

29 A. That's false, mama. The UN that were in Kono can testify

1 to that. The massacre that the Kamajors massacred the RUF in
2 Kono in December, it was the UN that rescued us. I in
3 particular, I was with UN. A week completely I was in hiding.
4 They were looking for RUF to kill them. The UN can testify to
12:51:54 5 that in the name of justice. If you want to, I will let you
6 check into Kono. The said Konomokwe. Have you ever heard that,
7 Konomokwe. RUF should leave Kono. And that was not to happen.
8 We had become civilians. We had handed the weapons over to the
9 UN and we were attacked. They dislodged us and they killed a lot
12:52:18 10 of our brothers. Even one lieutenant - one Colonel Alpha, he was
11 killed in Kono in December 1991 - year 2001. Thank you.

12 PRESIDING JUDGE: What was that that the witness said? Is
13 that the name of a location, Konomokwe? What is that?

14 MS HOLLIS:

12:52:38 15 Q. Indeed, Mr Witness, when you talked about Kono, can you
16 tell us what location you are talking about? Tell us that again.
17 Kono what?

18 A. When the mammy said the RUF - in the year 2001 RUF was
19 still disturbing the peace, I told her that that's a lie.
12:52:59 20 December 2001, the Konos formed a group called Konomokwe. This
21 group, they said it was the returnees who were coming from Guinea
22 who wanted to reside in Kono. They brought single barrels. They
23 brought a lot of single barrels. They did not come peacefully.
24 They attacked us in Kono after we had already disarmed. It was
12:53:16 25 the UN who came into this issue. They were able to rescue a lot
26 of RUF commanders.

27 PRESIDING JUDGE: Mr Ngebeh, the question we simply asked
28 was what was Konomokwe. Explain that.

29 THE WITNESS: Konomokwe, it's the Kono language. It's a

1 Language in Kono.

2 PRESIDING JUDGE: What does it mean?

3 THE WITNESS: Well, they said, according to Konomokwe, they
4 said the Konos want their land back. RUF should leave their
12:53:52 5 town. That was their aim in December 2001. This incident
6 occurred in Kono and a lot of lives were lost. A lot of
7 commanders died because we no longer had weapons. We had given
8 all our arms to the UN. They came with weapons.

9 PRESIDING JUDGE: Thank you. I understand now. Please
12:54:14 10 continue, Ms Hollis.

11 MS HOLLIS: Thank you:

12 Q. And, indeed, Mr Ngebeh, when the refugees started returning
13 from Guinea in 2001, the RUF attacked them, didn't they?

14 A. RUF would not be able to attack refugees. 1991 - the year
12:54:32 15 2001 we were now at peace. We were now engaged in business. We
16 were mining and doing business. We couldn't have attacked them.
17 They attacked, brought Kamajors. They attacked Kono. It was
18 Kono that had the problem. All the areas with other areas were
19 peaceful. Makeni was peaceful.

12:54:52 20 Q. And, indeed, Mr Ngebeh, you attacked them, you raped them,
21 you killed them, you abducted them. Isn't that correct?

22 A. What year?

23 Q. 2001.

24 MR MUNYARD: With great respect, my learned friend ought to
12:55:10 25 make it clear what she means by the word "you" in a sentence as
26 bald as that.

27 MS HOLLIS:

28 Q. You the RUF.

29 A. In the year 2001, I can't tell you --

1 THE INTERPRETER: Your Honours, can he kindly repeat his
2 answer slowly.

3 PRESIDING JUDGE: Mr Ngebeh, your testimony is completely
4 useless as you keep running. Now can you please repeat it
12:55:37 5 because the interpreter didn't get you. The question was in the
6 year 2000 didn't the RUF rape and kill.

7 MR MUNYARD: I think it was 2001.

8 PRESIDING JUDGE: That is what I said, 2001.

9 MR MUNYARD: The transcript bears out 2000, your Honour.

12:56:05 10 THE WITNESS: In the year 2001 RUF was observing peace. We
11 were not raping any more. That's the answer. In the year 2001
12 we had a peaceful atmosphere. It was only Kono that was on fire
13 when the Kamajors came from Guinea and they said they wanted to
14 take their base in the town. I don't know, but Makeni was
12:56:30 15 peaceful. Kailahun was peaceful. Tongo was peaceful. All the
16 other areas were peaceful. It was only Kono that had the
17 problem. Thank you.

18 MS HOLLIS:

19 Q. Could we please turn to page 2 in the package that has been
12:56:48 20 provided?

21 MR MUNYARD: Madam President, I have an objection to this
22 particular document. Can I deal with that now?

23 PRESIDING JUDGE: Yes, Mr Munyard.

24 MR MUNYARD: My learned friend was good enough to give me
12:57:12 25 this morning, just before Court sat, this bundle of Prosecution
26 documents, 15 tabs in all, and I have been able to look quickly
27 through most of them.

28 It appears to us that the contents behind tab 2 go to
29 issues touching on the guilt of the accused in this broad general

1 sense, that it is the Prosecution's case that the accused was, in
2 effect, controlling the RUF at the relevant time. Although I
3 appreciate - I think, at any rate - that what my learned friend
4 wants to use this document for is to go to the credibility of
12:57:56 5 this witness, the contents of the document themselves are capable
6 of going to the guilt of the accused insofar as it's the
7 Prosecution's case that he was controlling the RUF, who were
8 committing the atrocities spelled out in this document.

9 PRESIDING JUDGE: Mr Munyard, do you have any particular
12:58:17 10 paragraph that you think goes to the guilt of the accused? Or
11 are you saying that the document generally goes to the guilt of
12 the accused?

13 MR MUNYARD: Madam President, the document generally goes
14 to the guilt of the accused. Because as you will see from the
12:58:31 15 very first words, the headline on the first page, "RUF still
16 kills and rapes Sierra Leoneans", and if you turn over - well,
17 actually to get a date on it, you have to go part of the way down
18 the column on the right-hand side of that first page, and you
19 will see a date 4 April 2001, "RUF still kills and rapes Sierra
12:58:57 20 Leoneans". And since this is the very matter on which Ms Hollis
21 is cross-examining, then obviously her introduction of this
22 document will go to that part of it, I anticipate, which deals
23 with killing and raping by the RUF.

24 May I take just one example. The opening paragraph on page
12:59:22 25 2:

26 "AFROL News, 4 April. While the RUF leadership is trying
27 to present itself as peace-seeking rebels, a new report from
28 Human Rights Watch documents that the rebels maintain their
29 terrorist methods. RUF are still raping, abducting and killing

1 refugees fleeing camps in Guinea, Human Rights Watch documents."

2 The rest of the contents of that deal with general and
3 specific examples.

13:00:03

4 PRESIDING JUDGE: Thank you. Ms Hollis, could we have your
5 response to that objection, please.

13:00:21

6 MS HOLLIS: Thank you, Madam President. First of all,
7 Madam President, the Prosecution is using this document to
8 impeach the denials of this witness. It goes to his credibility.
9 It goes to your Honours' ability to determine what weight, if
10 any, should be given to this witness's testimony.

13:00:57

11 This document is directed at the activities of the RUF in
12 several districts during the period of the end of December 2000
13 to March 2001. It is dated 4 April 2001 and, contrary to the
14 witness's testimony, it talks about the RUF attacking the
15 refugees coming back from Guinea, talks about them killing,
16 raping and abducting the refugees as they come back. That is the
17 purpose for which we are using this document.

18 We would suggest that it is for this purpose that
19 your Honours should review this document.

13:01:15

20 It makes no mention of Charles Taylor. It makes no mention
21 of Charles Taylor's support of the activities of the RUF, but,
22 rather, focuses on the continuing crimes of the RUF this late
23 into the conflict, 2001, which is denied by this witness. We
24 believe that it is relevant to the impeachment. That is what we
25 seek to use it for. We believe that in the interest of justice,
26 to be able to find the truth, as this witness has told you so
27 many times, these documents, which show this witness to be less
28 than truthful to your Honours, is very important for you to have.
29 Otherwise, you have evidence that is not tested to the degree it

1 can be tested.

2 We believe it is the interest of justice. We do not
3 believe that it unfairly impinges on any right of this accused.

4 This accused has no right to prevent impeachment of a witness.

13:02:18 5 This accused has no right to prevent contrary versions of events
6 from being put to witnesses who are testifying in the opposite
7 way. This accused has no right to prevent this Chamber from
8 being fully informed in determining the credibility if any, to
9 attach to evidence before it.

13:02:40 10 So first of all, it is for impeachment. We believe that
11 your Honours do not need to apply the additional test. Should
12 your Honours apply that test for use, we believe that it is in
13 the interest of justice and that it does not impeach the rights
14 of this accused, especially given that we are asking your Honours
13:02:59 15 to only consider it to impeach the credibility of this witness.

16 Thank you.

17 PRESIDING JUDGE: Thank you, Ms Hollis. Allow me to
18 consult my colleague.

19 [Trial Chamber conferred]

13:03:40 20 PRESIDING JUDGE: We have looked at this document and the
21 length and breadth of it. We do not see anything on the face of
22 this document that contains information that goes to the guilt of
23 the accused directly, so the objection is overruled.

24 Ms Hollis, you may refer the document to the witness.

13:04:03 25 MS HOLLIS: Thank you, Madam President:

26 Q. Now, if we could please put up the very first page that has
27 the caption. We see the caption "Sierra Leone - RUF still kills
28 and rapes Sierra Leoneans". And under the news article's listing
29 "04/04.2001, RUF still kills and rapes Sierra Leoneans". If we

1 could go to page 6 of this document. This is AFROL News, 4
2 April, and we see an internet Human Rights Watch (HRW),
3 "Refugees' testimonies" and IRIN Sierra Leone, Sierra Leone Web.
4 AFROL News, 4 April:

13:05:06 5 While the RUF leadership is trying to present itself as
6 peace-seeking rebels, a new report from Human Rights Watch
7 documents that the rebels maintain their terrorist methods. RUF
8 are still raping, abducting and killing refugees fleeing camps in
9 Guinea, HRW documents."

13:05:29 10 And then if we could look at the next - the third paragraph
11 on this page:

12 "The New York-based rights group reported that it had
13 documented the abuses from December 2000 through mid March in the
14 Koinadugu, Kailahun and Kono Districts of eastern Sierra Leone.

13:05:58 15 It said RUF soldiers are attacking returnees in Sierra Leone as
16 they trek for days, sometimes weeks, in an attempt to reach the
17 government-held towns of Kenema, Kabala and Daru."

18 Mr Ngebeh, this report saying that the RUF was attacking
19 these returnees in Koinadugu, Kailahun and Kono Districts, that
20 is a correct report, is it not, Mr Ngebeh?

21 A. The question - returnees from where?

22 Q. Returnees from Guinea.

23 A. All these things you are saying, mama, if I talk now, these
24 people came with the Kamajors. They had guns when they entered
13:07:01 25 Kono. They acted as if they were returnees, but they had single
26 barrels. We fought against with them. They attacked us. At
27 that time we had not yet disarmed, the year 2000. By the year
28 2001, that attack that you are talking about, at the time the RUF
29 had disarmed completely in Kono. We hadn't weapons. This is

1 just propaganda when they were trying to destroy RUF. We were at
2 peace. The entire area - Makeni was at peace. The only area
3 that was not peaceful was Kono. Tongo, there was no fighting
4 there; Kailahun, there was no fighting there; Makeni, there was
13:07:35 5 no fighting there in the year 2001. But Kono, there was problem
6 there. The UN who there, they tried their level best, but there
7 was a serious problem in Kono. That was what happened. I am
8 telling you the true story. To say that the year 2001 the RUF
9 was going to attack people and rape women, this is a false
13:07:55 10 information against us. If it happened, I will say it. The men
11 who did this thing, they have charged them. They are in jail.
12 Why would I deny them for the RUF? Issa is in jail. Kamajors
13 are in jail. They have been punished for that. I wouldn't deny
14 that. I am here to say what happened, the relationship between
13:08:15 15 RUF and Mr Taylor. The atrocities that were committed by the
16 RUF, Issa are now in jail. The Kamajors are suffering. The AFRC
17 are suffering. Indeed it happened. But most of these things in
18 the year 2001 we were on peace. Yes. Thank you.

19 Q. Mr Ngebeh, indeed, there was no fighting because you were
13:08:35 20 attacking unarmed civilians. Isn't that right?

21 A. Mama, you cannot attack someone in Sierra Leone when you
22 don't have weapons. You can't. They were our people. How could
23 you attack a civilian when you don't have weapons? For what
24 reason?

13:08:57 25 THE INTERPRETER: Your Honours, can he kindly repeat his
26 answer slowly.

27 PRESIDING JUDGE: Mr Ngebeh, you are running again. Can
28 you please repeat your answer --

29 THE WITNESS: Yes, mama.

1 PRESIDING JUDGE: -- slowly so the interpreter can get you.

2 THE WITNESS: I am particularly talking about the year 2001
3 when the whole world - the UN had deployed. We were now on
4 peace. Disarmament had started, but Kono was not at peace. And
13:09:31 5 most of the information that people had been given by - against
6 the RUF, how could you attack a civilian when he wasn't carrying
7 a weapon? This is false. It did not happen. In our territory,
8 where did we have refugee camps? How could we attack a refugee
9 to kill him? Kono hadn't a refugee camp. It's a false

13:09:54 10 information, mama. Thank you.

11 Q. These refugees were trying to return home after they had
12 been forced out by the RUF and AFRC. That's who you were
13 attacking during this time period, and you know that's true,
14 don't you, Mr Ngebeh?

13:10:13 15 A. Mama, I don't want to tell lies. I have told you what I
16 know. In the year 2001 RUF was on peace. They were the ones
17 attacking us. A common example is Gandorhun. Gandorhun had been
18 under the RUF commander, let me say what year? The year 2001
19 Kamajors came from Guinea and they based there. They blocked the
13:10:40 20 highway --

21 Q. I am going to interrupt you. I am talking about your
22 attacks on refugees.

23 A. We never attacked refugees in the year 2001. No, that's a
24 false information. I am still repeating that question. We
13:10:54 25 fought against the Kamajors in 2001, not refugees.

26 Q. Mr Ngebeh, you are giving the false information, aren't
27 you?

28 A. Mama, to my God as a Christian, to my living God, I am
29 telling you the true story, mama. To my God.

1 Q. Let's look at the bottom of this page, please, the very
2 last paragraph:

3 "Among the scores of returnees who gave detailed accounts
4 of serious rebel abuses to Human Rights Watch, numerous men who
13:11:28 5 passed through the diamond-rich district of Kono and the rebel
6 stronghold of Kailahun described the recruitment of able-bodied
7 men and boys as young as fifteen to fight with the RUF forces or
8 to carry out forced labour in the diamond mines or with the rebel
9 army."

13:11:52 10 That's correct, isn't it, Mr Ngebeh, the RUF was capturing
11 able-bodied men and boys and they were using them for a variety
12 of purposes? Isn't that right?

13 A. You uttered one statement, recruitment. I can't tell lies
14 to you. In 1999, in Kono - you talked about recruitment --

13:12:20 15 Q. Mr Ngebeh, I am going to direct you back to my question and
16 the time period.

17 A. Yes.

18 Q. [Microphone not activated] article talks about the time
19 period December 2000 through mid-March 2001, that is the time
13:12:36 20 period I am directing your attention to and I would like you to
21 address your attention to.

22 Now, it is correct, isn't it, that during that time period
23 the RUF was capturing able-bodied men and boys as young as 15 and
24 using them for various purposes? Isn't that correct?

13:13:02 25 A. The year 2000, there was no recruitment. No, no.

26 Q. And the RUF was doing this in Kono and Kailahun Districts.
27 That's the truth, isn't it?

28 A. The year 2001, that's not true. We were on no recruitment.

29 Q. And, indeed, you also used these able-bodied men and boys

1 to fight with RUF forces. Isn't that correct?

2 A. Mama, it was not pressure that caused the RUF to give up
3 weapons. We had said we wanted peace. If we wanted to fight, we
4 wouldn't have handed over our weapons. We wouldn't have spoken
13:13:43 5 peace. These are all false information against the RUF. In the
6 year 2001, we really stood for peace. We were tired of war. We
7 were not ready to fight. Where were we to recruit again? That's
8 a false information, mama. It's a lie.

9 Q. And, indeed, during this time period you also used these
13:14:01 10 able-bodied men and boys for forced labour. Isn't that right?

11 A. Mama, all of these --

12 THE INTERPRETER: Your Honours, can he repeat his answer
13 slowly again.

14 PRESIDING JUDGE: Stop. Please repeat your answer, none of
13:14:20 15 which was interpreted. Repeat your answer slowly.

16 THE WITNESS: I said, my Lord, capturing, raping, killing,
17 all the atrocities that occurred in that country that has led the
18 warlords to be in prison, and the Sierra Leoneans are aware of
19 that, all the atrocities that you are talking about, the RUF,
13:14:43 20 that is what has caused these men to be in jail. It's right.

21 It's true. But I am here. The relationship between Mr Taylor
22 and the RUF is what I am here for. RUF are under punishment for
23 their atrocities. Let us go to what I am here for. Let's forget
24 about that area.

13:14:59 25 MS HOLLIS:

26 Q. And, Mr Ngebeh, the report goes on at the bottom of this
27 page. "Four men were killed for refusing recruitment, disobeying
28 orders, or being physically unable to work." And you accept that
29 that happened, don't you?

1 A. What year?

2 Q. Let's try again, Mr Ngebeh. I am telling you the time
3 period. It's not changing. December 2000 to mid-March 2001.
4 You accept that these four men were killed, don't you, Mr Ngebeh?

13:15:39 5 A. I am not aware.

6 Q. Because these killings were not unique during that time
7 period, were they, Mr Ngebeh?

8 A. I was not aware.

9 Q. If we could look at the next page, please, the top
13:15:58 10 paragraph:

11 "The human rights group interviewed an elderly woman whose
12 25-year-old son was shot and killed in front of her in December
13 2000, after refusing to be recruited. A woman described how her
14 husband was executed in early December for refusing to hand her
13:16:31 15 over to the rebels, while another woman described how her ailing
16 husband was beaten to death in the mid-March 2001 for no apparent
17 reason."

18 And, Mr Ngebeh, you accept that the RUF was engaged in such
19 conduct during this time period, don't you?

13:16:54 20 A. This particular period is false. It's a lie. It's a lie.
21 It's an allegation against the RUF. It's a lie. The year 2001,
22 it's a lie. In fact, there was no place that has been mentioned.
23 Where? When you want to give information, give the place with a
24 point. No village, no area. He just said the year 2001. This
13:17:15 25 is not accurate. This is a false information, mama. The year
26 2001, can you believe this statement and take it for granted now?
27 You should show the area.

28 Q. [Microphone not activated] details were just made up, is
29 that what you are saying?

1 A. They just made it up. We were on peace. The year 2001,
2 the RUF had changed. We were ready to give up our weapons. I
3 did not say atrocities did not occur, but this particular year we
4 were on peace. We were ready to give up our weapons. This is a
13:17:47 5 lie.

6 Q. Mr Ngebeh, as of November 2001, the RUF had not completed
7 disarming, had it?

8 A. I had told you that Tongo was the last place to disarm.
9 Tongo was the last to disarm. Kono, we had disarmed. We had
13:18:10 10 disarmed in Makeni in the year 2001. All those areas were on
11 peace. It was only Kono, after we had disarmed in December, they
12 attacked us. Massive killings went on. Nobody spoke about that.
13 How the rapists were killed, how families were killed, nobody
14 spoke about that in December in the year 2001. It happened. The
13:18:29 15 UN were there. We were on peace. It was Tongo that was the last
16 to disarm.

17 Q. We are talking about the period December 2000 to mid-March
18 2001. If we could look at the next paragraph, please:

19 "One woman described how she was gang-raped by RUF rebels
13:18:47 20 in Kailahun in late January 2001, after she and five other women
21 were chosen from a group of returnees detained at a rebel
22 checkpoint. 'The rebels said they were not going to kill us, but
23 that they would use us until they would be satisfied. They also
24 said they wanted peace,' the woman told Human Rights Watch."

13:19:12 25 Now, Mr Ngebeh, this crime of gang rape of women, that had
26 occurred throughout the conflict committed by members of the RUF.
27 Isn't that right?

28 A. Mama, let me tell you, Kailahun District, the discipline
29 that was in Kailahun District was nowhere during the war. This

1 particular statement that this person has uttered here "in
2 Kailahun District there was rape", that was a lie. Kailahun
3 District was well organised. Family members were there. Who
4 would you rape? Your sister or your brothers, family member?
13:19:50 5 Impossible. This is a false information. It did not happen in
6 2001. To rape somebody, this statement is false. Kailahun was
7 under control.

8 Q. [Microphone not activated] these details were made up, is
9 that what you are telling the Court?

13:20:06 10 A. This particular year, 2001, in Kailahun District is false.
11 It's a lie. To my God it's a lie. It's false. Year 2001, it's
12 false.

13 Q. Mr Ngebeh, you are the one lying, aren't you?

14 A. If I am lying, the oath that I have taken here should fight
13:20:27 15 me up to my generation. It's a lie. Kailahun District, we took
16 it as our area because that was where we had all come from. The
17 discipline that was in Kailahun District was nowhere else. The
18 year 2001 when there was peace, they would rape somebody in the
19 year 2001? It's false. It's an allegation against the RUF. I
13:20:47 20 am not saying it did not happen, but this particular year, 2001,
21 it's a lie. It's a lie. Thank you.

22 Q. Next paragraph:

23 "Numerous women returnees described being abducted, raped
24 and/or sexually abused. Human Rights Watch interviewed six women
13:21:05 25 who had been raped and numerous more who were either held or
26 taken away to rebel bases for a time span varying from a few
27 hours to several weeks. The group also interviewed a man who
28 managed to escape in mid-January after two weeks of forced
29 labour, but had to leave his wife behind in a rebel base in

1 Kono."

2 Mr Ngebeh, this conduct was being carried out by the RUF
3 against returnees during this time period. Isn't that correct?

13:21:45

4 A. Let me tell you one thing, mama. I am not saying raping
5 did not occur in the RUF. It happened. But this particular
6 year, 2001, no, no, no, no, no. This year 2001 we were on peace.
7 I am not telling you that there was no raping. Raping occurred
8 in Sierra Leone. It happened. But the year, this year 2001, we
9 had given up. We had been tired with war. We were keeping the
10 peace. We had tried to wipe out most of the attitudes. Men
11 tried to wipe them out. Raping occurred. If I refute that the
12 oath would fight me. But the year 2001, RUF was on peace. Thank
13 you.

13:22:05

14 Q. Next paragraph, please:

13:22:22

15 "According to witnesses, the RUF routinely screened
16 returnees, and sometimes forced them to move to other locations
17 where they were pressured to settle within rebel territory.
18 Returnees who had been detained described being held for anywhere
19 from several hours to several weeks. In addition to the abuses
20 suffered along the way, most refugees described being robbed of
21 some or all of their possessions."

13:22:46

22 Mr Ngebeh, during this time period this is the conduct that
23 the RUF was engaged in against refugees returning to Sierra
24 Leone. Isn't that correct?

13:23:06

25 A. Mama, I am challenging any statement under the 2001 that
26 refers to atrocities by the RUF. It's a lie. I am not saying
27 during the war, but the year 2001, all these are false
28 allegations against the RUF. They are lies. I am not talking
29 about other years, but in the year 2001 we maintained peace. We

1 respected the law. We had the UN. We had dignitaries who were
2 watching our movement. We maintained. We feared that whatever
3 we did there would be justice. There were UN troops. There were
4 other civilians who had come from Freetown that were living among
13:23:41 5 us. So we took our time in what we did. There were women, which
6 woman would the RUF want and not get at that time? We were
7 living, we had become very handsome. Like me, which woman would
8 I want at that time that would refuse me? These are all
9 allegations.

13:23:59 10 Q. That's exactly right, isn't it, Mr Ngebeh, because no woman
11 could refuse the RUF, could they? They didn't have a choice, did
12 they?

13 A. At the time of war, raping was going on. But in 2001 in
14 particular when we had accepted that we would hand over weapons
13:24:19 15 and respect peace, we maintained - there was a rule of law at
16 that time. I won't tell you that during the war it did not
17 happen. It happened. You would meet a woman and tell her, "I
18 want to have sex with you," and it would happen. But this
19 particular year, 2001, the RUF had changed. It's an allegation
13:24:40 20 against the RUF. Thank you.

21 MS HOLLIS: Madam President, can I ask that this be marked
22 for identification.

23 PRESIDING JUDGE: The pages that you have referred to?

24 MS HOLLIS: Yes, Madam President.

13:24:58 25 PRESIDING JUDGE: That would include, of course, page 1.

26 MS HOLLIS: That is correct.

27 PRESIDING JUDGE: The article entitled "RUF still kills and
28 rapes Sierra Leoneans", and that is pages 1, 2 and 3 of this
29 article are marked MFI-1.

1 MS HOLLIS: Thank you:

2 Q. Mr Ngebeh, since 2008 what contact have you had with your
3 former RUF colleagues?

4 A. Repeat that question.

13:26:00 5 Q. Certainly. Since the year 2008 what contact have you had
6 with your former RUF colleagues?

7 A. In the year 2008 it was for us to return to power. That
8 was the only contact we had because they had pushed us out of the
9 town. We were to go back to the town. Yes, thank you.

13:26:36 10 Q. 2008, Mr Ngebeh. The war was declared over in 2002. So
11 from 2008 what contact, if any, have you personally had with your
12 former RUF colleagues?

13 A. I can't recall. Let me not tell lies. I can't recall.

14 Q. In this trial, the trial of Charles Taylor, have you
15 followed the trial proceedings?

16 A. Repeat that question.

17 Q. Certainly. In this trial, the trial of Charles Taylor,
18 have you followed the trial proceedings?

19 A. Yes.

13:27:31 20 Q. Have you watched the testimony of witnesses?

21 A. No.

22 Q. Have you listened to the testimony on the radio?

23 A. I was not concentrating too much on the radio, but I used
24 to hear that the testimony was going on. Once in a while, I used
13:27:58 25 to have chance, but some areas I didn't have time to listen to
26 everything.

27 Q. Have you reviewed any transcripts of testimony in this
28 trial?

29 A. Review what?

1 Q. Any transcripts, written records of testimony in this
2 trial.

3 A. I read a newspaper which said that they had arrested
4 Mr Taylor because he gave us arms and ammunition to fight the
13:28:37 5 war. I read that information, that that was why he was indicted.

6 Q. Have you read any recorded - written record - recorded
7 testimony given in this trial. Have you read any such thing?

8 A. No, no, no, no, no.

9 Q. Have you read summaries of any testimony given in this
13:29:04 10 trial?

11 A. No, no, no, no.

12 Q. How were you contacted to come to testify in this case?

13 A. Thank you. I don't want to go into detail because my
14 lawyer had taken preventative measures - protective measures.

13:29:32 15 When these men went to look for witnesses, they had information.

16 I do not know who told them that that man was an armourer or arms
17 specialist for the RUF. They knew that my statement for

18 Mr Taylor would be very nice because I was in control of arms and
19 ammunition, I would be able to give correct information about the

13:29:54 20 war. So I think that was the information the lawyers got that
21 made them to be able to look for me.

22 Q. And who was it who first contacted you about being a
23 witness in this case?

24 A. {Redacted}.

25

26

27 Q. Mr Ngebeh --

28 A. Yes.

29 PRESIDING JUDGE: [Microphone not activated] the comment.

1 I don't know what's happening to the recordings, whatever I am
2 saying is not being recorded, but please redact the reference of
3 the witness to the period that he has been with a certain
4 institution. And, Ms Hollis, I think we just have enough time to
13:31:03 5 sign that redaction, after which we have come to the end of the
6 morning session and we are now going to adjourn until 2.30.

7 MR MUNYARD: Madam President, can I ask that the whole of
8 his reply there, starting at line 19 on page 114 be redacted.
9 You referred to part of it, but I think the whole of it ought to
13:31:30 10 be redacted. It's not very long. It starts with the words
11 "Mama, I was".

12 PRESIDING JUDGE: Yes, that is the part that I asked
13 Madam Court Officer.

14 MR MUNYARD: Yes, your Honour only referred to the final
13:32:06 15 sentence in that. I wasn't sure if you meant the whole reply
16 should be redacted. That's now clarified. Thank you.

17 PRESIDING JUDGE: So we will sign this instrument, Madam
18 Court Manager, in chambers.

19 [Lunch break taken at 1.32 p.m.]

14:25:12 20 [Upon resuming at 2.30 p.m.]

21 PRESIDING JUDGE: Good afternoon. Ms Hollis, please
22 continue.

23 MS HOLLIS: Thank you, Madam President:

24 Q. Mr Ngebeh, I want to ask my question again and I want you
14:31:37 25 to give me only a name and no explanation. Who was it that first
26 contacted you about being a witness in this case, the
27 Charles Taylor case?

28 A. I just had a call from WVS asking that they wanted to see
29 me in Freetown and then I came there. When I came, it was Prince

1 who took me to the Office of the Defence, but it was WVS who
2 called me.

3 Q. And when you say Prince took you to the Office of the
4 Defence, who is Prince?

14:32:34 5 A. Prince Taylor.

6 Q. And was Prince Taylor with the RUF during the war in Sierra
7 Leone?

8 A. No.

9 Q. Are you sure about that?

14:32:55 10 A. Prince Taylor is working for the Taylor Defence team.

11 Q. Mr Ngebeh, my question was: During the war in Sierra
12 Leone, was Prince Taylor a member of the RUF?

13 A. I never knew him except the time they called me to come to
14 Freetown, but I never knew him before.

14:33:22 15 MR MUNYARD: Madam President, I hope it assists my learned
16 friend opposite for me to clarify that the Prince Taylor who
17 works for the Charles Taylor Defence team is not the same person
18 as someone with that name also who was, and, indeed, I think
19 we've heard evidence about, a member of the RUF.

14:33:43 20 PRESIDING JUDGE: Yes, but, Mr Munyard, the question is
21 pertinent. The witness can speak if he knows.

22 MR MUNYARD: The witness has answered the question, that's
23 why I waited for him to deal with that, Madam President. I'm not
24 suggesting that the question is improper in any way. I'm simply
14:34:01 25 clarifying because we know that there are more than one person
26 with that name. The person working for our Defence team as our
27 investigator is not the person of that name who was in the RUF.

28 PRESIDING JUDGE: I would have to take that from - we would
29 need to have heard from the witness, because, really, the

1 question was a pertinent one and I don't need to hear from
2 counsel telling the judges this was or wasn't the same person
3 that worked with the RUF. The witness's answer was he doesn't
4 know.

14:34:40 5 MR MUNYARD: All right. If there was a person --

6 PRESIDING JUDGE: And that suffices.

7 MR MUNYARD: If there was a person called Terry Munyard who
8 was in the RUF, then I think it would be quite proper for me to
9 stand up and say that person wasn't me.

14:34:54 10 PRESIDING JUDGE: Indeed, if Terry Munyard was the name in
11 question, but it isn't the name in question.

12 MR MUNYARD: Very well.

13 MS HOLLIS:

14 Q. Now, after you were called by WWS and you went to Freetown
14:35:12 15 and Prince took you to meet with the Defence, who in the Defence
16 did you meet with on this first occasion?

17 A. Logan.

18 Q. And who is Logan?

19 A. She works for the Taylor Defence team.

14:35:29 20 Q. And on this first occasion, for how long did you meet with
21 Logan?

22 A. That was my first day to see him.

23 Q. And is Logan a male or a female?

24 A. A woman. Miss Logan. Miss Logan.

14:35:56 25 Q. And on that first occasion, for how long did you meet with
26 Miss Logan?

27 A. It was just after the year 2008, going into 2009, that was
28 the time I first saw Logan. I never knew her except the day I
29 went to her office in the year 2008.

1 Q. And perhaps my question isn't clear. I'm talking about
2 that day that you went to see her for the very first time. That
3 meeting lasted how long?

14:36:49

4 A. I spent about three hours with her in her office. Three
5 hours.

6 Q. And on this first occasion, during these three hours, did
7 Miss Logan take notes about your conversation?

14:37:13

8 A. Yes. She asked me questions and I answered. She obtained
9 some statement from me. She asked who I was in the RUF. Yes,
10 she asked me questions and I made some statements, yes.

11 Q. And during this very first meeting, did Miss Logan show you
12 any documents?

13 A. No.

14:37:33

14 Q. This first meeting where she took statements from you, did
15 you sign those statements?

16 A. As I was talking, she was typing into the computer. I did
17 not sign on any papers. But whilst I was talking, she was typing
18 into the computer.

14:38:00

19 Q. And how many times after that first occasion did you meet
20 with Miss Logan?

21 A. The second time I met her was the time her husband was
22 graduating in Bo, that was the time I saw her, because where I
23 live in Bo is the area - the same area that her husband lives.
24 So when they got there, they were passing around my area and then
25 I saw her. I think two times. I met with her two times.

14:38:33

26 Q. Now, this occasion in Bo, was this just an occasion where
27 you just greeted each other or was it another interview with
28 Miss Logan?

29 A. No, I had no other interview with her. We just said hi to

1 each other, greetings, and then we spent some time together, but
2 no other interview was conducted.

3 Q. And after that time in Bo, did you meet again with Miss
4 Logan?

14:39:14 5 A. We did not meet any more until the end of last year.

6 Q. And the end of last year you met again with Miss Logan?

7 A. Well, it was the WVS who directly called me asking that
8 they wanted to see me. And then when I came to Freetown, I met
9 with her, and it was then that she told me that a lawyer from

14:39:42 10 here, who is Mr Taylor's lawyer, wanted to see me.

11 Q. And this time, the end of last year when you met with
12 Miss Logan in Freetown, how long did that meeting last?

13 A. Well, when we met, she told me that Mr Taylor had sent his
14 lawyer and the lawyer wanted to see me. So it was then that I
15 went to see the lawyer and that was Terry, the lawyer sitting
16 there, the Defence lawyer. We met in Freetown.

14:40:12

17 Q. And was this on the same day that you met with Miss Logan
18 at the end of 2009? Was it on the same day you also met with the
19 Defence lawyer Terry?

14:40:36

20 A. Well, when I came she told me that the reason why she
21 wanted to see me was that her boss was here and wanted to see me.
22 So from there she sent me to the lawyer. I went to see him. I
23 mean Terry now.

24 Q. So this was the same day, was it?

14:40:53

25 A. She was the first person I met with and it was from there
26 that she sent me to Terry.

27 Q. Yes, Mr Ngebeh, and my question is: Was your meeting with
28 Terry on the same day as your meeting with Miss Logan? That's my
29 question.

1 A. Just as I have answered you, because she was the one that I
2 knew. I did not know Terry before. That was - I think that was
3 the same day, yes.

14:41:40 4 Q. And when you met with the Defence lawyer Terry, for how
5 long did that first meeting with Terry last?

6 A. On the first day I spent up to - I can say I spent the
7 whole day with him and he was obtaining statements from me.

8 PRESIDING JUDGE: Didn't the witness say the rest of the
9 day? Mr Interpreter, did the witness not say the rest of the
14:42:12 10 day?

11 THE INTERPRETER: Your Honours, could the witness be asked
12 to repeat it.

13 PRESIDING JUDGE: Mr Ngebeh, the question you were asked is
14 how long did the first meeting with Terry last. Now, in terms of
14:42:27 15 minutes or hours, how long did it last?

16 THE WITNESS: I said almost the rest of the day I was with
17 Terry. The rest of the day.

18 PRESIDING JUDGE: Yes, but we don't know how much of the
19 rest of the day was. Like now the rest of the day is less than
14:42:45 20 two hours away.

21 THE WITNESS: Well, I can say we met at about 10 o'clock in
22 the morning and I was with him up to 4.30.

23 MS HOLLIS:

24 Q. And you said that Terry took statements from you on this
14:43:08 25 occasion. Is that right?

26 A. Yes, he started obtaining statements from me.

27 Q. And on that day, did you sign any statements?

28 A. I have never signed a statement.

29 Q. Now, after that day, did you meet with Miss Logan ever

1 again?

2 A. I never met with Logan any more.

3 Q. And after that day, did you meet with Terry on any other
4 occasions?

14:43:53 5 A. That was the last - from the first day we met, we never met
6 any more until the time I got here.

7 Q. So you had one meeting with Terry in Sierra Leone. Is that
8 correct?

9 A. I spent some days with him. During the first meeting, we
14:44:22 10 spent some days together.

11 Q. So during this first meeting, how many days total did you
12 spend talking with Terry?

13 A. Well, approximately I can say five - almost a week. Almost
14 a week. I spent nearly five to six days with him.

14:44:53 15 Q. And during each of these days you spent with Terry, was he
16 taking notes about what you were saying?

17 A. Yes.

18 Q. And during these days that you spent with Terry, did he
19 have documents that he was referring to when he talked to you?

14:45:19 20 A. No. I was the one who was giving him information and he
21 was recording it. He did not take documents from me. He only
22 obtained statements from me.

23 Q. No. Mr Ngebeh, was he, if you know, was Terry - did Terry
24 have documents with him that he was referring to when he was
14:45:43 25 talking to you?

26 A. He did not show me any documents whilst talking to me.

27 Q. Did you see whether he had any documents that he was
28 looking at while he was talking to you?

29 A. The only thing I was concerned about was that he was

1 obtaining statements from me and he was writing. My main concern
2 was the statement that I had given to Logan was what he asked me
3 about and I repeated what I said. So I did not know whether he
4 had documents with him, but he did not show me documents.

14:46:25 5 Q. Now, when you came here to The Hague, have you met with
6 Terry since you've been here?

7 A. Yes, my Lord.

8 Q. And how many times did you meet with Terry since you came
9 to The Hague?

14:46:42 10 A. Two times.

11 Q. And how long for those two times did you meet with him?

12 A. I reached here on the Saturday, and Sunday morning, WVS
13 took me to a place from let me say 10 o'clock. We were there
14 from 10 o'clock until 3 o'clock when we went back home and that
14:47:17 15 was on the Sunday. And the following day, within that same week,
16 I spent some hours with him.

17 Q. And during those two occasions, did Terry take notes about
18 what you were saying?

19 A. The first day we met, he asked me about my journey because
14:47:43 20 it was on a Sunday, and the following day we went through my
21 statements, all the statements that I had made to him. He asked
22 me questions about them and I explained everything to him to say.
23 And he said, "Okay, no problem." I explained everything that I
24 had said to him since last year.

14:48:04 25 Q. And on that occasion, did he take notes about what you were
26 saying?

27 A. He checked through the statement that I had given before.
28 He asked me whether I could recall the things that I had said
29 before. He did not take any new statements. We only went

1 through my old statements.

2 Q. And, Mr Ngebeh, I don't want you to tell me the content of
3 your discussions with Terry, but I want you to answer this
4 question: When you - all these times that you talked to the
14:48:40 5 Defence lawyer Terry, did you tell him about all the things you
6 testified to in this Court?

7 A. Please repeat that question.

8 Q. Certainly. During all the times that you talked to Terry,
9 did you tell him about all the things you have testified about in
14:49:01 10 this Court?

11 A. The points that Terry brought to me, I explained to him.
12 But some of the things I have said here, I did not say them in my
13 statement. Like, for instance, some of the questions that I was
14 asked in this Court, Terry did not know about them because I did
14:49:24 15 not say anything about them in my statements. There are some
16 questions you are asking me, he did not ask me those questions,
17 so I said things here that I did not say in my statements.

18 Q. Fair enough. Now, when you were answering Mr Terry's
19 questions here to the judges, all those things you were asked
14:49:42 20 about, had you told Terry about those before?

21 A. Most of them I had told him before and some I only answered
22 from the questions that reached me here in this Court. Some of
23 them were not in my statements.

24 Q. Those that weren't in your statement, are you referring to
14:50:08 25 the questions I have asked you?

26 A. Well, there are many, but I don't know the one you are
27 referring to. There are so many questions. If you had brought
28 my statement, then I would tell you which one was in my statement
29 or which one was not in my statements.

1 Q. Now, in addition to Miss Logan and Terry, have you spoken
2 to anyone else from the Charles Taylor Defence team?

3 A. Yes. Like Ibrahim. Ibrahim was with us - no, Lansana.
4 Lansana. He's an assistant lawyer. He was with Terry. The
14:51:02 5 first day I met him, that was the man that was with him. He is
6 an assistant lawyer. He is called Lansana. He is in Freetown.
7 That is him.

8 Q. Do you know, is that Lansana Kamara?

9 A. Well, I don't know his surname. I only used to call him
14:51:22 10 Lansana. I don't know whether he is Kamara or not, but I know
11 him by the name Lansana. Thank you. He is short. Fair in
12 complexi on.

13 Q. In addition to Lansana, Terry and Miss Logan, have you
14 spoken with anyone else on the Defence team?

14:51:40 15 A. Well, these are the people that I know that I've referred
16 to that I spoke with. Those are the names that I know and I
17 spoke to them; Logan, Prince, Lansana and Terry. And there was
18 another guy by the name of Ibrahim, but I don't actually know
19 what his function is in the court, but they are five in number,
14:52:10 20 Ibrahim. But I think they are all members of the Defence team.

21 Q. And on any of these occasions you have spoken with these
22 individuals, have you ever been shown any documents?

23 A. They never showed me a document.

24 Q. Mr Ngebeh, in relation to your testimony in this case, you
14:52:38 25 have received payments from the Special Court. Isn't that
26 correct?

27 A. That question, payment from Special Court. I have a
28 correct answer for that word, payment. I have a correct answer
29 for that word. My Lord, I would want you to excuse me whilst I'm

1 answering this question. Since the time I joined the Special
2 Court, nobody - nobody ever paid me.

3 Q. [Overlapping speakers]?

14:53:19

4 A. Please, give me chance to answer the question. I have a
5 correct answer for that.

6 Q. I want you to confine your answer to your appearance in
7 this case, all right? Your appearance in the Charles Taylor
8 case, please. So, with that in mind, please go ahead.

14:53:47

9 A. The only payment that I have received is you, because I
10 came here to spend only two weeks and I wouldn't have even
11 completed that two weeks. But by the grace of the almighty God,
12 you are the person who kept me here for over 30 days and that
13 meant a lot to me. You are the only person who have created
14 payment for me from the Special Court. But I have never had

14:54:11

15 anything from anyone telling me that he is going to pay me, or he
16 or she is going to pay me. I only thought I was going to spend
17 two weeks here, but through the almighty God and you, I have
18 stayed here for over 30 days and I have received a reasonable
19 thing. So I think that is the only payment I have received and
20 that - I think God for that. Thank you.

14:54:31

21 Q. First of all, Mr Ngebeh, was it explained to you that you
22 stayed here so long because it was determined that the summary
23 given to us was insufficient? Was that explained to you? So
24 that we were given additional time to prepare. Did anyone
25 explain that to you?

14:54:53

26 A. No, that is a reward. By rights, my testimony should have
27 ended in two weeks. That is what I expected to spend. I think
28 it's a reward. In such a country for me to have spent more than
29 one month, one month and two weeks here I think is a big reward,

1 and it is the almighty God who sent that for me. Being here one
2 month and 13 days, it's a big thing for me from God. But nobody
3 ever made me imagine that I was going to spend such a time here
4 and get what I got. So I think it's a big thing for me. I came
14:55:34 5 here to say the truth and to get my payment from only God. Thank
6 you.

7 Q. Mr Ngebeh, what you are referring to about your stay here
8 is the witness attendance allowance that all witnesses receive.
9 Is that correct?

14:55:52 10 A. That is the only thing. That is the only payment. When I
11 came, if I spent two or three days the WVS would give me
12 something. But nobody from Mr Taylor's team had ever given me
13 \$5. No one ever did. If I receive anything from them, I swear
14 to my almighty God, God will pay me the wrong way if I did. But
14:56:15 15 I know I did not. So as long as I know what I'm saying here is
16 the truth, God will pay me in the correct way.

17 Q. Mr Ngebeh, why do you mention getting money from the Taylor
18 team? I asked you about money from the Special Court.

19 A. You are asking me whether they promise paying me something.
14:56:37 20 And what are they going to pay me? It's only money, and nobody
21 is going to pay me anything, because the Defence does not have
22 money. If --

23 THE INTERPRETER: Your Honours, could the witness be asked
24 to slow down and then repeat that last bit.

14:56:52 25 PRESIDING JUDGE: Mr Ngebeh, you have to repeat your
26 answer. Repeat the entire answer. The interpreter didn't get
27 any of it.

28 THE WITNESS: Yes, I said the Defence does not have money
29 for any witness. {Redacted}

1 I wouldn't want to go too deep into that. The way
2 the Prosecution spent money on our brothers, if that was the way
3 the Defence was spending money on us, then I would have been one
4 of the youngest and one of the richest. But since I joined them,
14:57:29 5 they have not paid me anything. If you ask me, I will give you
6 my account number and if you want, you can send someone at my
7 house, they will check. I do not even have up to \$100 in my
8 house. Even if you check my properties in my home, my assets, I
9 do not have anything that will cost up to \$100. I did not
14:57:52 10 receive a cent from the Defence. I was only receiving certain
11 amounts of money from the WVS. So that is all I can tell you for
12 the moment. Thank you, my Lord.

13 PRESIDING JUDGE: Mr Munyard, did the witness say anything
14 in that statement that you would wish redacted?

14:58:07 15 MR MUNYARD: At the beginning - it was actually a little
16 bit earlier, your Honour. He made a reference to being with the
17 Court for a period of time. I'd be grateful, out of an abundance
18 of caution, if we redacted that.

19 PRESIDING JUDGE: That would be, Madam Court Manager, page
14:58:27 20 128 where I asked the witness to repeat his entire answer and he
21 says, "Yes, the Defence does not have money for any witness".
22 Now there is a sentence that follows after that. We would have
23 it redacted, please. Please continue.

24 MS HOLLIS: Thank you:

14:58:43 25 Q. Mr Ngebeh, why are you talking about not receiving money
26 from the Defence? I asked you about monies you received from the
27 Court.

28 A. You said - you asked whether I had been promised any
29 payment. You said it. You asked who promised to pay me

1 something. That was why I told you that I am not receiving money
2 from anyone. The Defence does not have money. It is you who is
3 talking about money here. Thank you.

14:59:17 4 Q. Mr Ngebeh, either you're not listening to the question or
5 it's not being translated to you. My questions to you about
6 payments have related to payments from the Special Court, and you
7 talked about being here for a month and being paid. Now,
8 Mr Ngebeh, in addition to the these monies you received for being
9 here and testifying, you have received other monies from the
14:59:39 10 Court. Isn't that correct?

11 A. No. I have never been bothered about any other amount of
12 money save for my daily allowance that the WVS normally give me.

13 Q. Mr Ngebeh, in fact in relation to this case the Court has
14 paid some 650,000 leones for medical care for you or your family.
15:00:08 15 Isn't that right?

16 A. Yes, that is from the WVS.

17 Q. And there was also an amount that was paid to you for
18 transportation. Isn't that correct?

19 A. Yes, yes, yes, yes. At any time I travelled from Bo, when
15:00:32 20 I got there they will refund the money that I used to travel.
21 Yes, the WVS used to do that. They do it.

22 Q. And there were also other expenditures that the Court made
23 on your behalf in the amount of some 368,000 leones. Isn't that
24 correct, Mr Ngebeh?

15:00:55 25 A. 360,000 leones? No. No. No, no, no. That figure is not
26 correct. 360?

27 Q. So if the chief of WVS included that figure in expenditures
28 for you, the chief of WVS would be wrong?

29 A. They assisted me to pay my house rent, and that was 200,000

1 that I received for my house rent. The medical that you have
2 spoken about, that one is correct and that was the highest
3 expenditure on me. But for the housing it was 200,000 that I
4 received and that, in fact, I received from my account. Yes.

15:01:48 5 That was all.

6 Q. Mr Ngebeh, as of 22 March of this year in relation to this
7 case the WVS had expended approximately 1,661,000 Leones for you.
8 Isn't that right?

9 A. From when?

15:02:15 10 Q. From 15 July 2009?

11 A. 15 July 2009 to this date?

12 Q. In relation to this case, Mr Ngebeh.

13 A. That might be true. Because they gave me something like
14 200,000 for my house rent, the daily allowance that they paid me
15 at the times I spent at Zulu. It might be up to that. I did not
16 receive it in bulk, but they used to give me in bits, yes.

15:02:42 17 Q. So you would accept that up unto 22 March of this year the
18 WVS had expended on your behalf 1,661,000 Leones; you would
19 accept that?

15:03:12 20 A. From when?

21 Q. I told you that, Mr Ngebeh. From 15 July 2009.

22 A. Well, I was not taking records because sometimes I received
23 150, because at any time you spent a week there with them they
24 will give you money. So, for instance, if I'm there for two
15:03:36 25 weeks I will receive 220, and then from there I will go. That
26 was at Zulu. I cannot say exactly whether it is up to that
27 amount. But maybe they were recording it, they calculated it.
28 It might be correct.

29 Q. If we could just quickly have the first document behind tab

1 1 put on the overhead. This is a document that is dated 22 March
2 2010. It shows an amount of 1,661,000. So, Mr Ngebeh, you see
3 this is from Saleem Vahidy, who is the chief of WVS. Do you know
4 Mr Vahidy?

15:04:41 5 A. March 22?

6 Q. [Overlapping speakers] Mr Saleem Vahidy?

7 A. Saleem Vahidy? Saleem? Well, I came here on 2 March. I
8 was there. This information, I was there by the 2nd. I was
9 collected from Bo on 1 March and I left Freetown 6 March. How
10 could they bring something about 6 March here, because I was
11 already here. I can come here on 6 March.

15:05:09

12 Q. And we see the subject is "expenses incurred on DCT-146"
13 and then under "1" we see:

14 "The witness first arrived on 15 July 2009. To date he has
15 been paid a total of Leones 576,000 as witness attendance
16 allowance."

15:05:33

17 And then, Mr Ngebeh, you see:

18 "Other expenditure: Medical, 652,000 Leones;
19 transportation, 65,000 Leones; miscellaneous, 368,000 Leones",
20 for a total of 1,661,000 Leones. Do you accept that as an

15:05:58

21 accurate number now that you have seen this document, Mr Ngebeh?

22 A. Does it include all the allowances that I received at the
23 times I spent at Zulu? Are they included in?

24 PRESIDING JUDGE: Ms Hollis, I think to be fair to the
25 witness, this first document that we're looking at spans over a
26 period from 15 July 2009 to 22 March 2010.

15:06:34

27 MS HOLLIS: That's correct.

28 PRESIDING JUDGE: When he says "to date", it doesn't mean
29 to today, but it means 22 March 2010.

1 MS HOLLIS: That's correct. And my questions have used
2 that date, as of 22 March.

3 PRESIDING JUDGE: So the witness seems confused, because
4 he's asking does it include expenses while he was at Zulu.

15:07:05

5 MS HOLLIS:

6 Q. Mr Witness, the document before you includes the expenses
7 for your appearance in this case from 15 July 2009 until 22 March
8 of this year. So your stays at Zulu during that time period
9 would be included on this document.

15:07:32

10 A. It might be true, but I did not take records of them. I
11 was not taking any records. But by 23 March I was already here.
12 I arrived here on 6 March. It was on 6 March that I came here.

13 MS HOLLIS: Madam President, could this be marked for
14 identification.

15:07:59

15 PRESIDING JUDGE: The document entitled "Expenses Incurred
16 on DCT-146" and this is a document dated 22 March 2010 comprising
17 one page, that is MFI-2.

18 MS HOLLIS: Thank you:

15:08:25

19 Q. Mr Ngebeh, in 1994 Morris Kallon was in Liberia. Isn't
20 that correct?

21 A. '94? I was at Malal Hill, International Boko. I left him
22 in Kailahun. I was in the jungle.

23 Q. Mr Ngebeh, let me ask the again question. In 1994 Morris
24 Kallon was in Liberia. Isn't that correct?

15:08:52

25 A. You are correct.

26 Q. And he had been sent to Liberia to assist the NPFL to open
27 the overland route between Gbarnga and Kailahun District. Isn't
28 that correct?

29 A. For that area. Yes, he was there. Yes, he was there.

1 Q. And he was unable to assist and to open the route, so he
2 was trying to make his way back to Sierra Leone. Isn't that
3 correct?

4 A. Yes. So many people came. Most of the people who went,
15:09:35 5 they came back.

6 Q. And they were sent to Liberia to assist the NPFL. They
7 were sent by Foday Sankoh. Isn't that correct?

8 A. I don't know about that.

9 Q. And if you know, did they make their way back to
15:09:54 10 Sierra Leone by travelling through Guinea?

11 A. Morris Kallon passed through Guinea. He passed through
12 Guinea whilst coming back, yes.

13 Q. And do you remember when that was that he actually arrived
14 back in Sierra Leone?

15:10:18 15 A. I was not there by then. I had left and we had gone to the
16 jungle.

17 Q. The question is: Do you know when Morris Kallon arrived
18 back in Sierra Leone from Liberia?

19 A. No, I did not know about that because I had left Kailahun
15:10:39 20 by then.

21 Q. Do you know if it was still in 1994 or was it in 1995 or do
22 you know?

23 A. I don't know. I don't know. I cannot tell the year that
24 he returned.

15:10:58 25 Q. Now, you have told the judges about the infighting between
26 the RUF and the NPFL, and you told them that during that
27 infighting Foday Sankoh was in Gbarnga. Do you remember telling
28 them that?

29 A. Yes.

1 Q. And at that time Foday Sankoh was headquartered in Gbarnga,
2 wasn't he?

3 A. Yes, 1991.

4 Q. He was headquartered in Gbarnga and he would travel back
15:11:32 5 and forth from Gbarnga to Sierra Leone, correct?

6 A. You are correct, 1991.

7 Q. And you said during this period of infighting that
8 Charles Taylor was in Monrovia at that time?

9 A. Well, that was the story we used to receive; that Taylor
15:11:55 10 was in Monrovia - I mean, Gbarnga, yes. That was what I used
11 hear, because I never went there.

12 Q. And according to you, this was in 1991 Charles Taylor was
13 in Monrovia and Gbarnga?

14 A. Correct.

15:12:13 15 Q. Do you know why he was in Monrovia in 1991?

16 A. I don't know because I was in Sierra Leone.

17 Q. Do you know, did Charles Taylor have an NPFL headquarters
18 in Monrovia in 1991?

19 A. I don't know anything about the NPFL administration.

15:12:40 20 Q. Now, during your direct testimony there was mention that
21 was made of Top 10. What was Top 10?

22 A. That was an infighting that took place between the RUF and
23 NPFL in 1991.

24 Q. Mr Ngebeh, I don't want to mislead you. Think carefully.
15:13:09 25 Have you actually heard of the term Top 10 in relation to this
26 infighting?

27 A. It is not Top 10, but Tap 10. I want you to understand
28 that. Tap 10.

29 Q. So it is T-A-P 10. Is that right?

1 A. Correct.

2 Q. And what was Tap 10 in relation to this infighting? What
3 occurred during Tap 10?

4 A. Well, it happened that during Tap 10 the RUF was killing
15:13:57 5 the Liberians, therefore they wanted to arrest them. That was in
6 a bid to arrest all personnel who were involved in killing the
7 Liberian fighters at that time.

8 Q. And, Mr Ngebeh, you also talked about a - and I may be
9 saying this wrong, you talked about a Top 20. Is it Top 20 or
15:14:23 10 Tap 20?

11 A. It's the same tap. The same tap. Tap 20.

12 Q. So, again, T-A-P, Tap 20? Or T-O-P, Top 20? Which of
13 those, Mr Ngebeh? Help us.

14 A. Tap 10. Tap 20. That is just the same spelling. They are
15:14:56 15 all tap. Tap. T-A-P.

16 Q. So it's tap?

17 A. T-A-P. Yes. Tap 10, Tap 20.

18 PRESIDING JUDGE: Ms Hollis, I wanted to seek clarification
19 from the witness. He said earlier that during Tap 10 the RUF was
15:15:16 20 killing Liberians, therefore they wanted to arrest them. Who
21 wanted to arrest who?

22 MS HOLLIS:

23 Q. Mr Ngebeh, you've heard Madam President's question. During
24 Tap 10 when the RUF were killing Liberians, who wanted to arrest
15:15:34 25 whom?

26 A. Kawi e.

27 Q. [Microphone not activated] Kawi e what?

28 A. He was an NPFL.

29 Q. And was he the one who wanted to arrest or was he the one

1 who was going to be arrested?

2 A. He sent men to arrest those who were involved in the
3 killing of Liberians.

4 Q. So he sent men to arrest members of the RUF?

15:16:07 5 A. To arrest those who were responsible. And it was during
6 the conduct of those arrests that infighting started, because you
7 have gun and the man has a gun, you cannot just go and arrest the
8 man like that. So that was where the fighting and infighting
9 started.

15:16:27 10 Q. So I want to be clear. You said that Jim Kawie sent men to
11 arrest those involved in the killing of Liberians. These people
12 who were to be arrested, were these Sierra Leone members of the
13 RUF?

14 A. It involved both Sierra Leoneans and Liberians, because
15:16:55 15 within the RUF we had both Sierra Leoneans and Liberians. Those
16 were the two groups. The Sierra Leoneans, the Liberians.

17 Q. So in Tap 10, Jim Kawie sent men to arrest Sierra Leoneans
18 and Liberians, or just to arrest Sierra Leoneans?

19 A. Tap 10 was a mission conducted to arrest those who were
15:17:29 20 responsible for the killing of Liberians. Sierra Leoneans who
21 were involved and Liberians alike who were involved were to be
22 arrested.

23 Q. So both Sierra Leoneans and Liberians were involved in the
24 killing of Liberians; is that what you're saying?

15:17:52 25 A. Repeat that question.

26 Q. The people involved in killing the Liberians, the people
27 who were going to be arrested, was it correct that both Sierra
28 Leoneans and Liberians were involved in killing Liberians?

29 A. Well, at the initial stage of the war, yes. The Liberians

1 who came, most of them were dying, so that was the reason why he
2 instructed that they should arrest all the men who were
3 responsible for the killing of the Liberians. Because he said
4 they had come to assist us, so why should they turn against them?
15:18:35 5 So that was James Kawie's instruction. So at that time they came
6 with weapons and the RUF people too had weapons. So they said,
7 "We have weapons and you have weapons, so you cannot arrest us."
8 So they did not accept the arrest. So that was where the
9 infighting started.

15:18:53 10 Q. Okay, I'm going to try it one more time. What was the
11 nationality of the people Jim Kawie wanted to arrest? From what
12 country did they come?

13 A. Most of them were Sierra Leoneans, those who were arrested.
14 Most of them. Most of those who were arrested, they were Sierra
15 Leoneans.

16 Q. And then some of them were Liberians. Is that correct?

17 A. Yes. But most of them were Sierra Leoneans.

18 Q. Mr Ngebeh, Tap 20 was actually when the NPFL was trying to
19 eliminate the top level of the RUF. Isn't that correct?

15:19:40 20 A. Yes.

21 Q. So this was when the NPFL was trying to eliminate the top
22 level of RUF; that was Tap 20, yes?

23 A. It was an investigation that they came to conduct during
24 the Tap 20. An investigation about those who were responsible.

15:20:08 25 After they had arrested some personnel, then we also retaliated
26 and fighting started. That was during Tap 20.

27 Q. So have you ever told anyone that Tap 20 was the NPFL
28 trying to eliminate the top level of the RUF?

29 A. I said there had been an infighting between the RUF and the

1 NPFL and the fighting caused a lot of damages on both sides. How
2 could those people have been able to eliminate us in our own
3 country? That was our country. But it was as a result of the
4 killing of the Liberians that brought about the arrest.

15:21:00 5 Liberians - who were Liberians to have done something to us in
6 our own country? We were Sierra Leoneans. Thank you.

7 Q. The question is this, and let me try to be even more clear:
8 Have you ever told anyone that during Tap 20 the Liberians
9 planned to kill the Sierra Leonean RUF? Have you ever told
10 anyone that?

15:21:25 11 A. Well, they conducted revenges because they said they had
12 killed their brothers, so they were revenging against the RUF,
13 yes.

14 Q. Mr Ngebeh, please answer the question I asked you. Have
15:21:43 15 you ever told anyone that during Tap 20 the Liberians planned to
16 kill the Sierra Leonean RUF?

17 A. I have already answered that question. I said Tap 10, the
18 killing of the Liberians and they too decided to revenge and that
19 was the Tap 20.

15:22:06 20 PRESIDING JUDGE: [Microphone not activated] the problem is
21 you do not listen carefully. The question was not what you're
22 answering. The question is have you told anybody the matters
23 that counsel put to you.

24 MS HOLLIS:

15:22:20 25 Q. Now, let me ask you again and I want a yes or a no. Have
26 you ever told anyone that during Tap 20 the Liberians planned to
27 kill the Sierra Leonean RUF?

28 A. Yes. It's in my statements.

29 Q. And have you ever told anyone that at this time, Augustine,

1 Kallon, Sesay and Tarawalli were arrested and put in detention in
2 Kuiuva for one month? Have you ever told anyone that?

3 A. You are correct. Yes, ma'am.

4 Q. Have you ever told anyone that Pa Jim was responsible for
15:23:04 5 this?

6 A. Repeat that name once more.

7 Q. Certainly. Have you ever told anyone that Pa Jim was
8 responsible for this?

9 A. That statement is not correct, no.

15:23:23 10 PRESIDING JUDGE: Perhaps you didn't - you pronounced it
11 like the same word. Is it Pa Jim?

12 MS HOLLIS: Pa Jim, P-A, J-I-M.

13 THE WITNESS: That's Jim, yes. Jim, that is the correct
14 answer.

15:23:46 15 MS HOLLIS:

16 Q. So you have said that Pa Jim, J-I-M, was responsible for
17 these arrests? Is that right, Mr Ngebeh?

18 A. You are right, ma'am.

19 Q. And Tap 40. Tap 40 was organised by Sam Bockarie to get
15:24:09 20 rid of the Liberians. Isn't that correct?

21 A. Yes, you are correct.

22 Q. And the Liberians were driven out - most of these Liberians
23 were driven out in 1992. Isn't that correct?

24 A. It was '91.

15:24:43 25 Q. Have you ever told anyone that the Liberians were driven
26 out in 1992?

27 A. It was '91. '91 to the end of '92, but it was '91 to '92
28 ending. That was the time the infighting ended when the
29 Liberians were withdrawn, '91 to the end of '92. '91, Tap 20.

1 Just after that Tap 20.

2 Q. You have told these judges before that the infighting ended
3 in 1991, so let's be clear about what your testimony is. Is it
4 your testimony that the infighting ended in 1991 or in 1992?

15:25:37 5 Which year?

6 A. 1991.

7 Q. Have you ever told anyone that the infighting ended in
8 1992?

9 A. No.

15:25:53 10 Q. Have you ever told anyone that the Liberians were driven
11 out of Sierra Leone in 1992?

12 A. I knew that to be 1991. 1991.

13 Q. So my question is have you ever told anyone that they were
14 driven out in 1992? Have you ever told anyone that?

15:26:31 15 A. I can't recall that now, but I know about '91.

16 Q. Dopee Menkarzon was in command of the NPFL in Sierra Leone
17 when most of the NPFL were taken out of Sierra Leone. Isn't that
18 correct?

19 A. Repeat that question.

15:26:56 20 Q. Yes. Dopee Menkarzon was in command of the NPFL in Sierra
21 Leone at the time most of the NPFL were driven out of Sierra
22 Leone. Isn't that correct?

23 A. It did not happen that way. At the initial stage of the
24 war he was the commander, but it was after Dopee Menkarzon left
15:27:25 25 when he went that Pa James Kawi e came, but after which Dopee
26 Menkarzon again was sent to come back and do some arrests and he
27 came after the infighting to investigate.

28 Q. In May 1992 Dopee Menkarzon was in Sierra Leone. Isn't
29 that correct?

1 A. April, May?

2 Q. [Microphone not activated] 1992?

3 A. Ma'am, the years and the times. Because most of these
4 things, 1991, he came after the infighting. He, the Dopoe
15:28:21 5 Menkarzon, came after the infighting, but I don't know whether it
6 was in '92. But he came immediately after the infighting and he
7 was the one who came to withdraw the NPFL, yes. But I wouldn't
8 know now whether it was in 1991 or '92, but it was immediately
9 after the infighting that Mr Taylor sent him to come and
15:28:45 10 investigate to know what exactly occurred. Thank you.

11 Q. Dopoe Menkarzon was involved in an operation to take
12 control of Daru Barracks. Isn't that correct?

13 A. It was not Dopoe Menkarzon. It was not Dopoe Menkarzon.
14 That was not him. It's a lie.

15:29:10 15 Q. That's a lie?

16 A. Yes.

17 Q. So if Foday Sankoh wrote in a letter that Dopoe Menkarzon
18 was involved in an operation to take control of Daru Barracks,
19 Foday Sankoh would have been lying?

15:29:30 20 A. It was not Dopoe Menkarzon. It's a lie. The person who
21 undertook that operation on the barracks was not Dopoe Menkarzon.
22 It was not. That statement is not correct.

23 Q. So if Foday Sankoh made that statement, Foday Sankoh would
24 be lying?

15:29:53 25 A. For me, the attack on Daru was not conducted by Dopoe
26 Menkarzon. The man who undertook that operation was Rambo,
27 Charles Timber. That was the name. He was the one who went
28 there.

29 Q. There were several attacks on Daru Barracks. Isn't that

1 correct?

2 A. Yes, Dopee Menkarzon was an administrator, but the man I
3 have referred to now was the actual combatant that I knew that I
4 am talking about now. But I did not get any experience of him
15:30:44 5 going on an operation. I only knew him to be an administrator.
6 That is all I know about him.

7 Q. Now, during the time period after you became a member of
8 the RUF until the end of 1992 - so from the period in 1991 when
9 you became a member of the RUF until the end of 1992 - would you
15:31:30 10 have known if Foday Sankoh had left Sierra Leone?

11 A. From '91 to '92 he used to travel. In '91 he used to
12 travel. He would travel to Gbarnga and he would go to Pendembu,
13 he would go to Kailahun, different different places around that
14 area. It was only after the infighting that he came and finally
15:32:06 15 rested in Pendembu.

16 Q. Mr Witness, the question was would you have known during
17 that time period if Foday Sankoh travelled outside of Sierra
18 Leone?

19 A. What time?

15:32:24 20 Q. Well, let's try it again. And listen carefully, please.
21 From the time you became a member of the RUF until the end of
22 1992 would you have known when Foday Sankoh travelled outside of
23 Sierra Leone?

24 A. At the end of '92, if Foday Sankoh ever travelled at that
15:32:53 25 time I would have known. But from the end of '92 he was with us
26 in Kailahun. At the end of '92 - at the end of '92 - he did not
27 travel out of Sierra Leone at the end of '92.

28 Q. I'm not sure if there's an interpretation problem or you're
29 not listening, but let me try this again. The time period I am

1 talking to you about - listen carefully, please - is from the
2 time you became a member of the RUF until the end of 1992.
3 During that time period would you have known if Foday Sankoh
4 travelled outside of Sierra Leone?

15:33:49 5 A. Yes, I would have known. I should have known. If he had
6 travelled out of Sierra Leone, I would have known.

7 Q. After Sam Bockarie became the ground commander for the RUF,
8 would you have known if he travelled outside of Sierra Leone?

9 A. I would know. I would have known, yes.

15:34:21 10 Q. Now, Mr Ngebeh, during the time period August 1991 until
11 May 1992, how many times did Foday Sankoh go to Liberia?

12 A. I cannot give you an estimated figure now because in 1991
13 he used to frequently go there, but after the infighting when he
14 came back and based in Pendembu, I don't think he ever went there

15:35:11 15 again, no.

16 Q. And during 1992 how many times did Foday Sankoh go to
17 Liberia?

18 A. I cannot tell you the amounts. He used to go there, but
19 I'm unable to tell you the exact amount of times. In 1991 he
15:35:37 20 used to go there frequently.

21 Q. [Overlapping speakers]

22 A. Yes.

23 Q. I'm not sure what the problem is, but I want you to listen
24 very carefully. I'll try to speak very clearly. I'm talking
15:35:49 25 about 1992. Not 1991.

26 MR MUNYARD: I'm sorry to interrupt. My learned friend
27 started with a period in 1991 to 1992, and it may well be that
28 Mr Ngebeh is still focused on that. If Ms Hollis has now moved
29 only to 1992, can I ask her to make that clear to him. I know

1 she's asked both questions, but I wonder if he's still stuck on
2 the first one.

3 PRESIDING JUDGE: Yes. Ms Hollis clearly asked, "And
4 during 1992 how many times did Foday Sankoh go to Liberia?" That
15:36:36 5 is the question we're dealing with. It's very clear. The year
6 is 1992.

7 MS HOLLIS:

8 Q. So, Mr Ngebeh, during 1992 how many times did Foday Sankoh
9 go to Liberia?

15:36:57 10 A. I don't know.

11 Q. Why don't you know?

12 A. He was now based in Pendembu after the infighting, and I
13 have told you that immediately after the infighting when he had
14 based in Pendembu, I do not recall him going out of the country
15:37:25 15 at that time. In 1992, yes, at that time he used to travel,
16 visit us in Kono, he will visit Kui va, Koindu. By then we were
17 in Daru. That is what I know about. And even if he went out of
18 the country, I don't know.

19 Q. Now, from August of 1991 until May of 1992 how many times
15:37:58 20 did the RUF get ammunition from Charles Taylor in Liberia?

21 A. In 1991 we used to get ammunition from Mr Taylor. That was
22 before the infighting. James Kawie brought some material from
23 Gbarnga. But immediately after the infighting I don't know if he
24 ever got ammunition from Mr Taylor any more, no.

15:38:31 25 Q. So you don't know if he got ammunition after the
26 infighting?

27 A. After the infighting he withdrew all of his men and he said
28 he had no more dealings with the RUF. So since then, since that
29 particular time when he said since they have come and they have

1 investigated that we have been killing their brothers, he said
2 all of his men should go back and that Pa Sankoh should cut off
3 from going to Gbarnga. And since then up to 1996 I did not see
4 any ammunition or arms coming from Mr Taylor. Thank you.

15:39:13 5 Q. Let me again, and if - let me ask again and if you don't
6 know, say so. I'm talking about the year 1992. During 1992 how
7 many times did the RUF get ammunition from Charles Taylor?

8 A. After Foday Sankoh had left Gbarnga and finally based
9 across we did not get ammunition from Gbarnga any more. We did
15:39:49 10 not get it.

11 Q. Are you hearing the question or you choosing just not to
12 answer it? 1992, Mr Ngebeh, how many times did the RUF get
13 ammunition from Charles Taylor in the year 1992? Please answer
14 that question. And if you don't know, say you don't know.

15:40:15 15 A. I have given you the answer, that in '92 I did not see
16 ammunition that came from Liberia, but in '91, I saw it. In '92,
17 I did not see.

18 Q. How many times did you yourself travel to Gbarnga with
19 Foday Sankoh?

15:40:39 20 A. I have never been to Gbarnga. I only stopped around Foya
21 and Vahun.

22 Q. What kind of lodging did Foday Sankoh have in Gbarnga?

23 A. I have never travelled to Gbarnga. I did not know whether
24 he even had a lodging there. I never went there, so I don't
15:41:09 25 know.

26 Q. Foday Sankoh had the use of NPFL radio communications
27 equipment while he was in Gbarnga, yes?

28 A. I cannot tell because Foday Sankoh was a signaller. He
29 knew communication. He knew codes. The only thing, we saw radio

1 with him. I did not know whether it was from Charles Taylor or
2 not. But the man himself was a communications man.

3 Q. During the time that Foday Sankoh came back to Sierra Leone
4 and stationed at Pendembu, were you there with him the entire
15:41:51 5 time he was there?

6 A. Yes. I was at the Executive Mansion Ground in Pendembu
7 because that was where our workshop was located. That was where
8 we were stationed.

9 Q. The entire time Foday Sankoh was in Pendembu, you were also
15:42:10 10 assigned to Pendembu, is that what you're telling the Court?

11 A. I was at the Mansion Ground in Pendembu and from there I
12 took up an assignment to go to Kono and I left my colleagues
13 there, but that was where our office and our workshop was, the
14 Executive Mansion Ground.

15:42:36 15 Q. So you were reassigned to Kono while Foday Sankoh was still
16 at Pendembu. Isn't that correct?

17 A. Correct.

18 Q. Now, during the time period from January until May 1992,
19 how many NPFL were in Sierra Leone fighting alongside the RUF?

15:43:09 20 A. After the withdrawal of the men, we still had few NPFL, but
21 we could not distinguish them. But those who remained, most of
22 them were saying sometimes they are RUF, sometimes they will say
23 they are NPFL, but all what we knew we considered them as RUF.
24 But as time rolled on, some started making distinction between
15:43:32 25 themselves and some will say, "This is RUF; this is not NPFL.
26 This is NPFL; this is not RUF." So that was how it used to
27 happen. But we were unable at that time to distinguish from
28 amongst the Liberians who was who.

29 Q. During the time period January to May 1992, how many NPFL

1 under the command of Charles Taylor were in Sierra Leone fighting
2 alongside the RUF, during that time period?

3 A. It was immediately after the infighting that those who were
4 loyal to Mr Taylor decided to withdraw. Some stayed. But those
15:44:22 5 who were loyal to Mr Taylor, all of them went. That is what I
6 know.

7 Q. Do you know, and if you don't say so, do you know --

8 A. No.

9 Q. Let me finish the question. Do you know how many NPFL

15:44:39 10 under the command of Charles Taylor were in Sierra Leone fighting
11 alongside the RUF from January until May 1992?

12 A. The ones I knew, like CO Nya, he was an NPFL. There were
13 others, but it was CO Nya that I knew most.

14 Q. And your testimony is during this period, January to May
15:45:13 15 1992, CO Nya was in the NPFL and under the command of
16 Charles Taylor. Is that your testimony?

17 A. No, he was no longer under his command. All those who
18 stayed with us did not take commands from Mr Taylor any more.
19 They were now taking commands from the RUF.

15:45:37 20 PRESIDING JUDGE: Ms Hollis, I want to seek clarification
21 from the witness around this subject. You have on various
22 occasions asked him when the Liberians were driven out of Sierra
23 Leone and the Tap 20, even Tap 40, and he has given various
24 answers, the first of which occurs at page 142 around lines 18.

15:46:06 25 The question was: "And the Liberians were driven out. Most of
26 these Liberians were driven out in 1992. Isn't that correct?"
27 The witness replied, "It was in 1991." In other words, he
28 disagreed with you.

29 And then you put it to him that: "Have you ever told

1 anyone that the Liberians were driven out in 1992?" He replies,
2 "It was in 1991. 1991 to the end of 1992." Which in my
3 understanding is a period of 12 months or a year. "But it was in
4 1991 to 1992 ending. That was the time the infighting ended,
15:46:53 5 when the Liberians were withdrawn, 1991 to the end of 1992.
6 1991, Tap 20, just after that Tap 20." Now, I have no idea what
7 that means.

8 So I will ask you, Mr Witness: When were the Liberians
9 withdrawn from Sierra Leone after the infighting, if you know?

15:47:20 10 THE WITNESS: Thank you very much, my Lord. The withdrawal
11 of the Liberians started in 1991, but it ended in 1992. But
12 immediately after the Tap 40, they started withdrawing. They
13 started withdrawing in '91 and most of the rest of them who later
14 left, they left in 1992. But I cannot recall the specific month.

15:47:51 15 That was why I said between '91 and '92. But orders came from
16 Mr Taylor that all the Liberians should withdraw. Thank you.

17 PRESIDING JUDGE: Are you saying, Mr Witness, that the
18 withdrawal lasted a year, from 1991 to the end of 1992? That
19 during that whole period the withdrawal was going on?

15:48:21 20 THE WITNESS: It was at the end of 1991 that the infighting
21 started. When I say the end I just estimate it at November,
22 December. I don't know the exact month now. But it was at the
23 end of '91 that the infighting started. And after the Tap Final,
24 James Kawi e - I mean, Dopoe Menkarzon came to do the
15:48:53 25 investigation. And after the conduct of the investigation, the
26 Pa decided that all of them should withdraw and it was in that
27 same late '91 that those who were loyal to Mr Taylor started
28 withdrawing, but the withdrawal continued on until 1992. It is
29 actually not up to a year. It's within a short period of time,

1 but I think it was around '91 - late '91, November, December, up
2 to '92, January going on. So is it clear now? Have you got it
3 right?

15:49:35

4 PRESIDING JUDGE: Do you know when the final withdrawal
5 happened in 1992?

6 THE WITNESS: I cannot tell because they were now leaving
7 and most of them were saying, "As long as our Papay has said we
8 should go, we are going." Most of them had gone in '92 because
9 they were no longer part of us, those of us who went to capture
10 Kono. They were not around any more.

15:50:03

11 PRESIDING JUDGE: So the answer is you do not know exactly
12 when in 1992 they finally withdrew? You don't know.

13 THE WITNESS: Yes.

14 MS HOLLIS:

15:50:20

15 Q. Mr Ngebeh, are you aware of a letter that Foday Sankoh
16 prepared for Charles Taylor, a letter that was dated 5 May 1992?
17 Are you aware of that letter?

18 A. No.

19 Q. It was signed by Foday Sankoh.

15:50:42

20 A. And what should be the content of the letter?

21 Q. Well, we're going to get to that right now. Now, first of
22 all, during 1992, to your knowledge, was Charles Taylor ever in
23 Sierra Leone in 1992?

24 A. No.

15:51:06

25 Q. Could we please look at Prosecution exhibit 65, please. Do
26 you see here, Mr Ngebeh, this is a letter, at the top it says
27 "Revolutionary United Front of Sierra Leone, 5th May 1992, His
28 Excellency, CIC Charles Ghankay Taylor"? Do you know what CIC
29 stands for?

1 A. CIC, chief - no, commander-in-chief. Commander-in-chief,
2 yes.

3 Q. And then it says:

4 "President PPRAG, Gbarnga, Liberia. Dear Brother, I am
15:52:35 5 thanking you very much for the brotherly help you are rendering
6 me in my liberation struggle."

7 So you accept, Mr Ngebeh, do you not, that Foday Sankoh on
8 5 May is thanking Charles Taylor for the assistance
9 Charles Taylor is providing? Do you accept that?

10 A. I don't believe this because by then the infighting had
11 taken place. I don't believe whether this is something serious,
12 because by then at this particular time Foday Sankoh had moved
13 from that place and he was now stationed across. So if someone
14 is making a statement like this, I am not sure of it.

15 Foday Sankoh was a man who stood by his words. When he
16 said without Charles Taylor he can fight his war, he continued
17 on, because we were capturing ammunition and we were making -
18 conducting ambushes. We captured some ammunition from the
19 Guineans and some other people and they were heavy weapons. So
15:53:31 20 this letter, by then we had had enough ammunition from the
21 Guineans at Baima. Thank you, my Lord.

22 Q. Mr Ngebeh, are you aware that Charles Taylor has told this
23 Court that he provided support to Foday Sankoh from August 1991
24 until May 1992? Are you aware of that?

15:54:18 25 A. I am aware of the 1991 support. That is what I am aware
26 of. By then - at this time now we are in Kono, we were fighting
27 and we had got some ammunition in Kono. We were with Sam
28 Bockarie. We captured so many ammunition when we were with Sam
29 Bockarie. In fact, we used to send the ammunition to them and

1 they used to keep them there. We never used to receive
2 ammunition from - we never used to receive ammunition in
3 Gandorhun. We were capturing from the enemies and then we would
4 send them back to them for safekeeping.

15:54:53 5 Q. You would send it back to whom?

6 A. Foday Sankoh. We used to present them to him.

7 Q. Mr Ngebeh, the question was: Are you aware that
8 Charles Taylor himself has told this Court that he provided
9 assistance to Foday Sankoh from August 1991 until May 1992? Are
10 you aware of that?

15:55:17

11 A. Well, if - I don't know whether he said so. I am only
12 hearing that from you now. I don't know whether he said so, and
13 I did not know about that. No, I never heard it.

14 Q. And, Mr Witness, if Charles Taylor told these judges he had
15 provided this assistance from August of '91 until May of 1992,
16 are you telling these judges that he would be wrong?

15:55:38

17 A. No, these times you are referring to I was no longer in
18 Pendembu; I was in Gandorhun. I wouldn't say he is lying because
19 I was no longer in Kailahun. I was in Gandorhun, and we did not
20 receive any ammunition coming from Pendembu to reach us in
21 Gandorhun. By then we were the ones who captured ammunition from
22 the front and used to send them backwards to those people. Thank
23 you.

15:56:08

24 Q. So you would not know that Charles Taylor was sending
25 support to Foday Sankoh during the time you were in Gandorhun.
26 Is that correct?

15:56:23

27 A. The ones I knew about are the ones I have explained about.
28 But after the Pa had come over, I don't know whether he received
29 any more from him, because we used to capture ammunition and we

1 sent them to the rear to them. We did not receive any ammunition
2 from them in Kono.

3 Q. Now, Mr Ngebeh, let's look at the second paragraph of this
4 letter:

15:56:56 5 "I appreciate the five boxes of AK-47 rifle ammunition and
6 the ten boxes of RPG gun rockets which I should receive from you
7 today."

8 Do you accept, Mr Ngebeh, that Foday Sankoh is telling
9 Charles Taylor that he, Foday Sankoh, expects to receive this
10 materiel from Charles Taylor on 5 May? Do you accept that?

11 A. This amount of ammunition made mention of in this
12 statement, we never received from Mr Taylor five box of AK-47 and
13 RPG bombs. We never received this from him. It's not true. Ten
14 boxes of RPG bombs, never. Even in 1991 when he was supporting
15 the RUF, he never gave us such a support, even at the time his
16 men were with us. Ten boxes of RPG? No, this is a lie. Thank
17 you.

18 Q. So Foday Sankoh would have been wrong when he was saying he
19 appreciated this materiel which he should receive from
20 Charles Taylor today. That's what you're saying?

21 A. Well, maybe he requested. Whether he received it, I don't
22 know. But this type of ammunition, this amount of ammunition,
23 ten boxes of RPG, I don't think we ever received it. Not a day.
24 We never received it from Mr Taylor. Even at the time his men,
25 the NPFL, were in Sierra Leone on the ground, we never received
26 such an amount of ammunition from him. Never did we receive
27 this. Ten boxes of RPG bombs? Never. We did not receive it.
28 And even when we used to attack - because these are weapons that
29 had we had them, we would have been able to penetrate anywhere

1 whatsoever. So that did not happen. Should Mr Taylor have been
2 giving us such a support, this kind of amount of ammunition, we
3 would have penetrated so many areas. No, never.

15:59:05

4 Q. And Mr Ngebeh, during the time that the NPFL were fighting
5 alongside you in Sierra Leone, you managed to capture quite a few
6 areas, didn't you?

7 A. Correct.

15:59:24

8 Q. And indeed, it's after they had been pulled out of Sierra
9 Leone that you began to have difficulties holding areas. Isn't
10 that correct?

15:59:51

11 A. Yes, we had a problem. But we were blessed by God because
12 we had captured some ammunition at Baima. That was what helped
13 us. As soon as we captured that ammunition, that was the time we
14 were able to penetrate to enter so many areas. Even Kono. That
15 was in 1992. We were blessed when we got enough of ammunition at
16 Baima, enough of AK rounds, G3 rounds, that was the ammunition
17 that assisted us to enter into Kono.

16:00:13

18 Q. Mr Ngebeh, this letter again is dated 5 May 1992. Let's
19 look at the next sentence in the second paragraph:

20 "But I have just received a radio message from General
21 Dopoe that our men have encircled the Daru Barracks and they are
22 awaiting materials to do the final assault. I believe that what
23 you have offered is not enough to carry out the Operation Capture
24 Daru."

16:00:43

25 Now, did you know of any other General Dopoe other than
26 General Dopoe Menkarzon?

27 A. It was only Dopoe - Dopoe Menkarzon. That was the only
28 general by that name that I knew.

29 Q. And Foday Sankoh in this letter to Charles Taylor is saying

1 that on 5 May, or close thereabouts, he had just received a radio
2 message from General Dopoe that our men have encircled the Daru
3 Barracks and they are awaiting materials to do the final assault.
4 Now, General Dopoe was involved in this attack on Daru Barracks.

16:01:36 5 Isn't that correct?

6 A. It was Charles Timber who attacked Daru Barracks. That is
7 what I knew. Charles Timber.

8 Q. And Charles Timber attacked Daru barracks, and was he
9 killed in that attack?

16:01:51 10 A. Yes.

11 Q. And that was an earlier attack, wasn't it, Mr Ngebeh?

12 A. It's correct. You are correct. No, I cannot actually tell
13 whether it was during the first attack, because Timber was based
14 at Baima. They used to attack the place frequently. They had
15 severally attacked that place. But since his death, nobody was
16 able to ever attempt after that again, and that was the guy they
17 called Rambo.

18 Q. And he was a Liberian NPFL fighter, isn't that correct?

19 A. Yes, 1991.

16:02:35 20 Q. Now let's skip this next sentence and go down to:

21 "This will sustain us for some time while awaiting the
22 long-term supply that you have promised us."

23 Mr Ngebeh, do you accept that this sentence indicates that
24 Charles Taylor had promised a long-term supply of materials to
16:03:02 25 Foday Sankoh?

26 A. I have told you that we used to receive support from
27 Mr Taylor in 1991. But in 1992 whether assistance was still
28 flowing from Liberia, that I don't know. I know about '91.
29 Anything after that I don't know.

1 Q. So you simply don't know?

2 A. '92, I don't know.

3 Q. Mr Ngebeh, in 1998 how many times did Sam Bockarie go to
4 Liberia?

16:03:53 5 A. In 1998 Sam Bockarie used to go to Liberia. That is this
6 place where the ULIMO were based, Foya. That was where he used
7 to stop in 1998.

8 Q. And how many times in 1998 did Sam Bockarie go to see
9 Charles Taylor?

16:04:17 10 A. 1998 after the AFRC - please, let me check. '98? After
11 the retreat I don't recall. I don't know, I never heard that
12 that man went to visit that man. In 1998? '98, no. '98 I was
13 in Kono. I was in Kono. I am unable to tell about that, ma'am.
14 I don't want to lie. No, '98, I don't know.

16:04:59 15 Q. So you don't know how many times Sam Bockarie would have
16 gone to meet with Charles Taylor in 1998?

17 A. Yes, I don't know. I don't know, ma'am.

18 Q. And do you know when the guesthouse was established for the
19 RUF in Monrovia in 1998? Do you know when that happened?

16:05:22 20 A. I never went to Monrovia. I did not know when a guesthouse
21 was established for the RUF. I can't say.

22 Q. So you were never told about that?

23 A. Never. I never heard of that, that the RUF had a
24 guesthouse in Monrovia. I never heard of that.

16:05:43 25 Q. Now I want to go back for just a moment, Mr Ngebeh.
26 Earlier today I asked you questions about Sierra Rutile, and I
27 asked you if it was true that another mining site was attacked at
28 the same time. And I'm afraid that I completely mispronounced
29 the name of this other site, so let me try it again with the

1 proper pronunciation and perhaps you will know.

2 When Sierra Rutile was attacked in 1995, do you recall that
3 that operation also included a mining site that was called
4 Sieromco, S-I-E-R-O-M-C-O; does that name sound more familiar to
16:06:40 5 you?

6 A. Yes, Sieromco and Rutile, they are two companies in Rutile.
7 There was Rutile and Sieromco. I know about that company.

8 Q. And Sieromco was also attacked during this operation on
9 Sierra Rutile, yes?

16:06:55 10 A. They are in the same area, yes, mama.

11 Q. And Sieromco was a bauxite mining site. Is that right?

12 A. I never used there, but that was what they used to say. I
13 don't know it.

14 Q. Indeed, at that time it was being operated by a Swiss
16:07:12 15 company. Isn't that correct?

16 A. I can't tell now. I don't want to tell lies. I knew that
17 Rutile and Sieromco were there.

18 Q. And personnel were taken from Sieromco as well as from
19 Sierra Rutile, yes?

16:07:28 20 A. I heard that they took hostages, they took people. That's
21 what I heard.

22 Q. And as a result of that, the Swiss ambassador from Ghana
23 actually came to Sierra Leone to try to negotiate the release of
24 the Swiss nationals who were taken. Do you remember that,

16:07:46 25 Mr Ngebeh?

26 A. I don't know about that, mama. I was in the north, Malal
27 Hill. I don't know.

28 Q. Mr Ngebeh, after Issa Sesay took over as the interim leader
29 of the RUF, you were the armourer for an AFRC and RUF operation

1 into the Pamelap area of Guinea. Isn't that correct?

2 A. Ask that once again.

3 Q. Certainly. After Issa Sesay took over as the interim
4 leader of the RUF, you were the armourer for an AFRC and RUF

16:08:30 5 operation into the Pamelap area of Guinea. Isn't that correct?

6 A. I had a representative there but I was not there. I had an
7 authority there. I sent my armourer personnel there. He was
8 there. I based in Makeni, but I used to go there. I had a
9 commander that I had assigned there as an armourer, but I was not
10 there.

16:08:53

11 Q. Do you remember who that was?

12 A. Yes, he was called Morrison Vandri. He was my armourer
13 commander who was with Bai Bureh. I was not there.

14 Q. When we talk about Bai Bureh as commanders in the RUF,

16:09:20 15 there was a Short Bai Bureh and a Tall Bai Bureh, yes?

16 THE INTERPRETER: Your Honours, can he repeat the answer.

17 PRESIDING JUDGE: Mr Witness, can you repeat what you just
18 said?

19 THE WITNESS: Yes, ma'am. The tall one, Tall Bai Bureh, he
16:09:36 20 was there as commander. Lukopo [phon].

21 MS HOLLIS:

22 Q. So Tall Bai Bureh was the commander for this operation into
23 the Pamelap area?

24 A. That's correct.

16:09:48 25 Q. And where was Komba Gbundema at this time?

26 A. Kamakwie, the same brigade. But Bai Bureh was based in
27 Lukupu [phon] but nobody was in Kamakwie.

28 Q. And both Komba Gbundema and Short Bai Bureh were involved
29 in this action against Pamelap. Isn't that correct?

1 A. That was what I heard, mama.

2 Q. And during this operation, the RUF were trying to establish
3 a safe haven area in that area of Guinea. Isn't that right?

16:10:52

4 A. I was in Pendembu. I was in Makeni. I did not know the
5 intention, whether they were finding a hiding place around there,
6 but I heard that Komba Gbundema and that man were involved in an
7 attack on that place. That was what I heard.

8 Q. And during this attack, civilians were killed by the RUF.
9 Isn't that correct?

16:11:15

10 A. Mama, fighting can occur anywhere. People died there, yes.

11 Q. Indeed, the RUF targeted civilians in that area. Isn't
12 that right?

13 A. It was the Guineans who were there. It was the Guineans
14 who fought against them. You know that Guineans have heavy
15 artillery, so they did not allow the RUF to take the --

16:11:32

16 THE INTERPRETER: Your Honours, can he repeat his answer
17 slowly.

18 PRESIDING JUDGE: Mr Witness, you said the Guineans had
19 heavy artillery. Now, what did you say after that? Please
20 repeat.

16:11:45

21 THE WITNESS: I said they had heavy artillery. When the
22 attack RUF attacked them, they did not allow the RUF to capture
23 that ground from them. They used the artillery against the RUF.
24 By using those heavy weapons, we lost a lot of men. A lot of
25 civilians died in the attack. That is the information that I
26 got.

16:12:05

27 MS HOLLIS:

28 Q. Mr Ngebeh, my question was that during this attack the RUF
29 targeted civilians in that area. Isn't that right?

1 A. Mama, that Pamelap area was full of civilians. There were
2 soldiers there. Guineans were there. Wherever fighting
3 occurred, civilians would suffer because they hadn't arms. They
4 suffered. Yes, a lot of civilians died.

16:12:34 5 Q. Mr Ngebeh, do you just choose not to answer my questions or
6 do you not understand them? The question is this: During that
7 attack on the Pamelap area, the RUF and indeed the AFRC as well
8 targeted civilians in that area. Isn't that right?

9 A. During that attack, civilians were not targeted. It was
16:12:58 10 the Guineans who targeted.

11 THE INTERPRETER: Your Honours, there is some ambiguity in
12 his answer. Can he take the answer again.

13 PRESIDING JUDGE: Mr Witness, try to answer the question
14 again more clearly and slowly. The question was: During that
16:13:13 15 attack on Pamelap area, the RUF and indeed the AFRC as well
16 targeted civilians in that area. Isn't that right?

17 THE WITNESS: That question is not correct. It was the
18 Guineans whom they targeted. But through that fighting,
19 civilians lost their lives, but the civilians were not targeted.

16:13:41 20 MS HOLLIS:

21 Q. Mr Ngebeh, the RUF and the AFRC were trying to drive the
22 civilians out of that area so that it could be a safe haven for
23 the RUF and AFRC. Isn't that right?

24 A. No. Komba said he attacked the Guineans because they've
16:14:00 25 understood that they wanted to attack them in Kamakwie. It was
26 not for - to force the civilians to hide there. Imagine from
27 Kamakwie to Makeni, all that area was for RUF. It was a big
28 area, a long area. Just look at the map between Makeni and
29 Kamakwie, it's a big area. We had forests. A lot of places.

1 Pamelap is an open place. What would RUF be doing there? That's
2 a false information, mama. That was not the reason. Thank you.

3 Q. Mr Ngebeh, you told the Court that you are presently
4 working for a security company called Trust, yes?

16:14:40 5 A. I'm getting you, yes.

6 Q. And you said you were working under Unicef in Bo. What is
7 Unicef?

8 A. UNHCR. UNHCR.

9 Q. Thank you for clarifying that. How long have you worked
16:15:10 10 for Trust, this Trust Security Company?

11 A. One year.

12 Q. And who owns that company, do you know?

13 A. Mama, all these questions that you are asking me - let's
14 come to the case. This is my personal issue. This is my
16:15:26 15 personal issue. I'm not here for security business. What I am
16 here is - that's my personal job. It's what happened to the RUF.
17 Let's forget about that.

18 Q. [Microphone not activated] that company, Mr Ngebeh?

19 A. My Lord, I am here to talk about Mr Taylor's connection
16:15:41 20 with the RUF. That's my personal job. I can't tell you. Thank
21 you.

22 PRESIDING JUDGE: Mr Ngebeh, I'm afraid [overlapping
23 speakers] answer that question. We will decide what is relevant
24 and what's not relevant. This question you will have to answer,
16:15:57 25 please. The question was: Who owns the company that you work
26 for?

27 THE WITNESS: It was founded by one ex-soldier, Mr Bunda,
28 but he's deceased. He was an ex-serviceman. Thank you.

29 MS HOLLIS:

1 Q. And was he part of the AFRC?

2 A. No.

3 Q. Do you know how to spell his name for us?

4 A. No. Mr Bunde. He was an old serviceman. When he formed
16:16:51 5 the agency, I was not part of the agency. It was after that I
6 learnt that. I was not part of it. I don't even know him. When
7 I went there, he had already died. It was someone else who took
8 over.

9 PRESIDING JUDGE: Mr Ngebeh, all you were asked was whether
16:17:08 10 you are spell Bende or, whatever, Bunda. Can you or can you not?

11 THE WITNESS: No, no, no.

12 MS HOLLIS:

13 Q. Mr Ngebeh, who is your direct supervisor for Trust
14 Security?

16:17:27 15 A. He is called Mr Vandi.

16 Q. And his first name?

17 A. VS Brima Vandi. VS Brima.

18 Q. And did he belong to one of the armed groups during the
19 conflict?

16:17:49 20 A. No, no, no. He's a civilian.

21 Q. When you became a member of the Trust Security Company, did
22 you tell them you had been a member of the RUF during the war?

23 A. No.

24 Q. Before you went to the Trust Security Company, what was
16:18:10 25 your occupation?

26 A. I was doing business.

27 Q. What kind of business?

28 A. Mining. I was doing mining after the war. I had some
29 workers and I was doing that until I went to do that job.

1 Q. And you were doing diamond mining?

2 A. Yes.

3 Q. In 2008 were you involved in diamond mining?

4 A. Yes.

16:18:52 5 Q. And where was this diamond mining that you were doing?

6 A. I was mining in Bo, Kenema. I had a small village in
7 Kenema, that was where I was mining to my in-law. That was where
8 I was working.

9 Q. And you had mentioned that you were mining before the war
16:19:27 10 for your in-law. Was this the same in-law?

11 A. No, no, no. That's another one.

12 Q. And this in-law that was you working for in this mining,
13 had this in-law been a member of the RUF during the war?

14 A. No. He was a civilian.

16:19:49 15 Q. And the mining that you were doing was diamond mining,
16 correct?

17 A. It's correct.

18 Q. In 2008, while you were doing this diamond mining, how much
19 income were you making?

16:20:07 20 A. I hadn't money to support myself. I was working for
21 people. I was working. And when I found diamonds, I will sell
22 it and they'll give me. I didn't have money to support mining.
23 I was working for people, for my in-law.

24 Q. And how much money did you make in 2008? And you can give
16:20:29 25 us an estimate.

26 A. I was not getting much money.

27 Q. Can you give us an estimate of how much you made in 2008?

28 A. I used to get 100,000, 200, that's the highest I got.
29 Sometimes I'll get 250. I used to get money in bits.

1 Q. So for the year of 2008, can you give us an estimate of the
2 total amount of money you would have received from this diamond
3 mining?

4 A. Mama, this question, it's my personal affair. I can't tell
16:21:17 5 you exactly. I cannot tell you exactly how much I was getting.
6 I can't tell you.

7 PRESIDING JUDGE: Why, Mr Ngebeh, can you not tell?

8 THE WITNESS: The money was not coming in bulk. It was
9 coming in bits. So I cannot tell you that I was getting this
16:21:37 10 much on the high. When I got the money I used it. When I got it
11 I used it.

12 MS HOLLIS:

13 Q. That's fair enough. Would you say in 2008 you made more
14 than 1 million leones?

16:21:51 15 A. I used to get, but I can't calculate it. I used to get
16 some money, but I was not calculating it. I used to get money.

17 Q. All right. Now, during your direct testimony you were
18 asked about the ideology of the RUF and you told the judges that
19 Foday Sankoh had said to you and others, "You Kailahun people to
16:22:18 20 whom I have brought this war, you are the people who suffered in
21 the hands of Siaka Stevens." And you said Foday Sankoh also
22 said, "I would want you to provide your children in order to
23 restore the SLPP back to power. I am against the APC." Do you
24 remember telling the judges about that?

16:22:41 25 A. I said that. I said that, mama.

26 Q. Foday Sankoh wanted the people of Kailahun to give him
27 their children. Isn't that correct?

28 A. Yes.

29 Q. You also said that in the RUF you were trained to liberate

1 the people of your country. Do you remember telling the judges
2 that? Indeed --

3 PRESIDING JUDGE: Mr Interpreter, we didn't hear anything.
4 What was the answer to that last question?

16:23:16 5 THE INTERPRETER: He has not said anything.

6 PRESIDING JUDGE: He did.

7 THE INTERPRETER: I didn't hear what he said.

8 PRESIDING JUDGE: Mr Ngebeh, can you repeat your answer,
9 please.

16:23:29 10 THE WITNESS: Correct. They said they had come to liberate
11 the country. They trained us to liberate the country, according
12 to Pa Sankoh, correct.

13 MS HOLLIS:

14 Q. And, Mr Ngebeh, in fact, the RUF did not liberate the
16:23:42 15 people of Sierra Leone, did it?

16 A. Repeat that question.

17 Q. Certainly. In fact, the RUF did not liberate the people of
18 Sierra Leone, did it?

19 A. We failed the people because we were not able to support
16:24:02 20 the war. We failed.

21 Q. Indeed, the RUF caused more suffering to the people in
22 Sierra Leone. Isn't that right?

23 A. The suffering, people did it because of failure. We failed
24 because of the self-reliant struggle. The self-reliant struggle
16:24:26 25 caused our people to suffer. It's correct.

26 Q. And, indeed, throughout the conflict the RUF committed many
27 serious crimes against civilians, didn't it?

28 A. Mama, these crimes that you're talking about, we've said it
29 ever since. The atrocities that were to occur occurred. Nobody

1 would tell lies about that. Those who did that have faced
2 justice. It happened. It happened in Sierra Leone. I can't
3 refute that. It happened. That's why those people are suffering
4 there today.

16:25:01 5 Q. And it was for that reason that the civilians in Sierra
6 Leone actually would run away from the RUF toward government
7 controlled areas. Isn't that right?

8 A. Civilians were still part of the RUF. They were there.
9 They were with us. '91, '92, '93, '94, they were there because
16:25:27 10 it happened that when you went to the government troops they will
11 kill you. It was on both sides. The suffering was on both
12 sides. As long as they knew that you were part of the RUF, if
13 you were a civilian and you went to the government, except if you
14 are fortunate. That was why everybody sat down and those who
16:25:46 15 were fortunate and went faced it. Every area, that was what
16 happened.

17 Q. Indeed the RUF tried to keep its civilians in its
18 controlled areas, didn't it?

19 A. Yes, we wanted to take care of our people but it was a
16:26:06 20 struggle because we didn't have money to feed them. It was the
21 food - the shortage of food that caused problem for people.
22 Food. RUF didn't have access to food for the civilians. Thank
23 you.

24 Q. And you also marked some of these captive people with "RUF"
16:26:24 25 or "AFRC" so they wouldn't run away. Isn't that right?

26 A. Mama, I don't want to tell lies to you. Atrocities
27 occurred. All these things that you are talking about, they
28 occurred. That's why these men now are on punishment. You are
29 right. They occurred. [Indiscernible] the same thing. The

1 atrocities really happened in that country, mama. I can't deny
2 that. It happened. RUF was marking people. We ourselves who
3 were captured, they marked us, we the soldiers. It happened. I
4 can't deny that. It was done by Sierra Leoneans.

16:26:59 5 Q. And throughout the conflict the RUF used children under the
6 age of 15 years. Isn't that right?

7 A. Mama, all this that you're talking about, the whole world
8 knows about that. It happened. It happened, you're right.

9 Q. And they used them for fighting. Isn't that correct?

16:27:26 10 A. Some children hadn't mothers so they had nowhere to go, so
11 they were with the RUF. All that you're saying is not a lie. It
12 happened. The children carried guns and they fought. It
13 happened.

14 Q. And you also used them for domestic labour. Isn't that
16:27:46 15 right?

16 A. Mama, atrocities and atrocities, I've explained to you.
17 We've been on this for how many years. All you've talked about
18 happened. RUF did it. I won't deny that. I can't deny that.

19 Q. Mr Ngebeh, you yourself were involved in crimes during the
16:28:10 20 war in Sierra Leone, weren't you?

21 A. No, I want you to check my personal character in the RUF.
22 I had a very good record before the war, after the war I had a
23 very good record. Check it out. I never raped a woman. I
24 hadn't anything to do with children. I had my wife with whom I
16:28:32 25 had struggled, with whom we were captured on the same day, she
26 was going to school and I was going to school. I knew that we
27 would face the Special Court. That was why I was taking my time.
28 If you don't believe it, check any authority in the RUF. They
29 will tell you about my personal character. That was the reason

1 why people do not know me much. Thank you.

2 Q. And you during the time you were in the RUF used civilians
3 for forced labour. Isn't that true?

4 A. I never used a civilian for forced labour. I in particular
16:29:10 5 did not do it. If I did it, you check my record. I did not do
6 it.

7 Q. And during the junta period you forced civilians to mine
8 for you in Tongo. Isn't that true?

9 A. The men who were with me were my brothers whom I met in
16:29:25 10 Tongo. They were civilians and they met me and asked me to go in
11 search of money. I did not force anybody. I was feeding them.
12 I never took a civilian to go and work in terms of slavery. I
13 did not do that, mama. I did not do it.

14 Q. [Microphone not activated] not telling the truth to these
16:29:43 15 judges, are you?

16 A. I am saying the truth. The civilians who were with me were
17 my brothers. We were working, whatever we got was what we ate.
18 I did not take ordinary civilians in the street. It was my
19 brothers whom I met in Tongo. We worked together. I did not
16:30:03 20 take long on that job and I left there and went to Freetown. I
21 did not stay long in Tongo.

22 Q. You also had members of the Small Boys Unit and the Small
23 Girls Unit under your command. Isn't that right?

24 A. I was a matured man. It was - I was dealing with matured
16:30:21 25 men. I did not have time for SBUs or small girls. How can I
26 take - how can you train a small child to dismantle a weapon? I
27 was dealing with matured men. All the men I had were matured
28 men. I was not dealing with small soldiers.

29 Q. Indeed some of these children under your command were as

1 young as 14 years old. Isn't that right?

2 A. I never had a 14 year old child under my command. I had
3 big people that I was dealing with.

16:30:58

4 Q. You're just not telling the Court the truth about that, are
5 you?

6 A. I was not dealing with small boys. I in particular, my
7 unit had responsible people, matured people. I did not do it.
8 My armourer unit did not have that. I did not have SBUs.

16:31:23

9 PRESIDING JUDGE: One more question, Ms Hollis, before we
10 close.

11 MS HOLLIS:

12 Q. Sam Bockarie used SBUs in the diamond fields for security.
13 Isn't that right?

16:31:36

14 A. Yes, Sam Bockarie did it. Sam Bockarie did it. That's not
15 a lie.

16 PRESIDING JUDGE: Thank you, Mr Ngebeh. We will adjourn at
17 this stage as we've come to the end of the day. I caution you as
18 I normally do not to discuss your evidence until you've finished
19 with your testimony. Is that clear?

16:31:54

20 THE WITNESS: Okay, my Lord.

21 PRESIDING JUDGE: The proceedings are adjourned to tomorrow
22 at 9.30 in the morning.

23 [Whereupon the hearing adjourned at 4.32 p.m.
24 to be reconvened on Tuesday, 13 April 2010 at
25 9.30 a.m.]

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I N D E X

WITNESSES FOR THE DEFENCE:

DCT-146 38620

CROSS-EXAMINATION BY MS HOLLIS 38620