



Case No. SCSL-2003-01-T

THE PROSECUTOR OF
THE SPECIAL COURT
V.
CHARLES GHANKAY TAYLOR

WEDNESDAY, 21 MAY 2008
9.30 A.M.
TRIAL

TRIAL CHAMBER II

Before the Judges:

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

For Chambers:

Mr William Romans
Ms Sidney Thompson
Ms Carolyn Buff

For the Registry:

Ms Rachel Irura

For the Prosecution:

Mr Stephen Rapp
Ms Brenda J Hollis
Mr Nicholas Koumjian
Mr Christopher Santora
Ms Maja Dimitrova

For the accused Charles Ghankay
Taylor:

Mr Courtenay Griffiths QC
Mr Terry Munyard
Ms Sanela Trzin

1 Wednesday, 21 May 2008

2 [Open session]

3 [The accused present]

4 [Upon commencing at 9.30 a.m.]

09:13:07 5 PRESIDING JUDGE: Good morning. I notice some changes of
6 appearance, Mr Rapp.

7 MR RAPP: Good morning, Madam President, your Honours.
8 Yes, indeed, there are changes on the Prosecution Bench. Today
9 the Prosecution is represented by myself, Stephen Rapp; by Brenda
10 Hollis; Nick Koumjian; Christopher Santora; and Maja Dimitrova.

11 PRESIDING JUDGE: Thank you, Mr Rapp. Mr Griffiths, I note
12 you too have a change.

13 MR GRIFFITHS: Good morning, your Honours, Madam President
14 and counsel opposite. Representation today is by myself,
09:32:50 15 Courtenay Griffiths; my learned friend, Mr Terry Munyard; and my
16 learned friend, Ms Sanela Trzin.

17 PRESIDING JUDGE: If there are no other matters I will
18 remind the witness of his oath and we will proceed with the
19 re-examination.

09:33:08 20 Mr Witness, I again remind you this morning, as I have done
21 on other mornings, that you have taken the oath to tell the
22 truth, the oath is still binding on you and you are to answer
23 questions truthfully.

24 THE WITNESS: Your Honour.

09:33:20 25 PRESIDING JUDGE: Very good. Mr Rapp, please proceed.

26 WITNESS: MOSES ZEH BLAH [On former oath]

27 RE-EXAMINATION BY MR RAPP: [Continued]

28 Q. Good morning, witness.

29 A. Good morning.

1 Q. At the break we were discussing radio stations, so let's go
2 to another kind of radio. Yesterday Defence counsel asked you -
3 it wasn't yesterday, I believe it was Monday afternoon - if you
4 were aware of Charles Taylor's radio conversations with rebels in
09:33:46 5 Sierra Leone. You said you were not. As inspector general of
6 the NPFL, were you aware with whom Charles Taylor carried on
7 regular radio communications?

8 A. Well, not in that case. Like in the case of the question
9 yesterday he had a radio, he had a communication, he had a
09:34:14 10 Thuraya phone and he had other means of communication, but in the
11 case with direct conversation with rebels in the RUF, no, I have
12 not listened to any one of that, but he had so many means of
13 communicating with whom he wanted to communicate with.

14 Q. Well, as ambassador to Libya and Tunisia, were you aware
09:34:39 15 with whom Charles Taylor carried on regular radio communications,
16 or telephone communications?

17 A. It went the same way. He used to communicate with
18 whosoever he wanted to communicate with, because he had the
19 capability, he had the phones, he had long range radios and he
09:35:06 20 had other phones like Thuraya, which is very international, and
21 when he was communicating I wouldn't listen to that, except for
22 the long range radios we used for war. At that time it was an
23 open radio that anybody could listen to, but I did not see him,
24 nor listen to him, communicating directly to anybody on the war
09:35:32 25 front.

26 Q. And as Vice-President did you have access to know with whom
27 he was communicating with by radio or telephone?

28 A. Just the same way again. He talked to anybody he wanted to
29 talk with. If I am leaving here he will communicate with me, he

1 will communicate with Mr Gaddafi, he would call him and have
2 conversations with him and with other people at Mataba and they
3 can call him and then they will just say, "Chief, just talk to
4 us", and you have to make haste and go home and then sometimes he
09:36:11 5 will call that you should come back. When I was on mission
6 outside, he always communicated with me by way of Thuraya, or any
7 other means of communication, or sometimes ordinary telephone.

8 Q. Just to be clear, because the question was: Did you know
9 with whom, other than yourself, he communicated?

09:36:36 10 A. Yes, he communicated with Gaddafi most of the time.

11 Q. Witness, the Defence asked you about several individuals
12 and put their names to you and you provided some brief answers
13 and I just wanted a little more detail on some of these
14 individuals. They put to you the name of an Elie Selebe - I

09:37:01 15 believe that was S-E-L-E-B-E - and you indicated he had been a
16 finance minister. Do you know when he had served in that post?

17 A. Elie Selebe served in the year - he was finance minister
18 and then the president of the bank, the National Bank. That is I
19 think 2000/2001.

09:37:45 20 Q. Was that when he was finance minister, or president of the
21 National Bank?

22 A. He was president of the National Bank. He was the finance
23 minister in the finance ministry in the year 1997 to 1998, to my
24 knowledge.

09:38:05 25 Q. And do you know what happened to him?

26 A. He left the bank. He left the bank and during the last war
27 there was fighting in Monrovia and he left the bank and went to
28 Ghana. He was partly living in Ghana and sometimes he will come
29 to Liberia. At one time President Taylor sent for him to leave

1 Ghana to come to Monrovia and that was in 2002 - 2001 and then he
2 came back to Monrovia, but from there I did not know where he
3 left to.

09:38:48 4 Q. Well, there was another individual identified as a finance
5 minister, a John Bestment, and you identified him as such. Do
6 you know when he served?

7 A. Bestment served shortly after Selebe. That was 2002. He
8 was there for about a year and I think he was sacked, or he was
9 removed.

09:39:16 10 Q. And do you know what happened with him after he was
11 removed?

12 A. No, I don't know.

13 Q. The Defence asked you about a man by the name of
14 Bon-Go-Ray, asking you whether he had been a bodyguard of yours
09:39:31 15 and you said no, but in your answer you said you remembered him.
16 How do you know him?

17 A. Bon-Go-Ray, Ray had been the first cousin to Benjamin
18 Yeaten and he was working around the commander in chief. I
19 cannot say exactly what his position was, but he was a very
09:39:57 20 strong man going to war from place to place and even in the war
21 in Tapita, against the MODEL rebels, he was there at the front
22 fighting in Tapita. That is the Bon-Go-Ray I know of, but he was
23 never my bodyguard. Since the war, the bodyguards I had are
24 still with me. Some are now in the university, they are going to
09:40:22 25 school, but Bon-Go-Ray had never been to school and he had never
26 worked with me as bodyguard, but he was a fighting man. He was
27 very close to Benjamin Yeaten. He is a brother, I can say, to
28 Benjamin Yeaten.

29 Q. Well, is he a brother or a cousin, or what do you mean by

1 brother?

2 A. In Africa we say brother. That would mean we are referring
3 to a cousin and your uncle would be your father, your auntie will
4 be your mother. That is our custom. That is what we say to our
09:40:57 5 closer relations. If you say cousin, most times they will think
6 you are trying to separate yourself from the family. So you will
7 say "my brother".

8 Q. And do you know where he is now?

9 A. Bon-Go-Ray is in Liberia.

09:41:18 10 Q. Mr Witness, the Defence asked you what you would have done
11 in the case of Moses Blah in June 2003 if you had been in Charles
12 Taylor's shoes and you responded to that question. If you had
13 been in his shoes what would you have done in the cases of John
14 Yormie and Isaac Vaye?

09:41:40 15 A. What I said was that I responded that if a man is accused
16 or reported that he has been involved in the coup I must take
17 this man to Court and have him properly investigated and the law
18 will take its course. But you cannot bring the law unto yourself
19 when you are investigated or when you, the accused person, will
09:42:05 20 serve as your own judge. You shouldn't be your own judge. If I
21 were Taylor I wouldn't have done that. The matter should go to
22 Court and then the law should take its course.

23 Q. Witness, the Defence referred to your detention in a room
24 at the Tuah residence as house arrest. What were the conditions
09:42:26 25 where you were held?

26 A. I also denied to say it was house arrest. I was like in a
27 jail. If you are under house arrest you have facilities, you can
28 move around, you can drink if you want to drink. But I was
29 really detained, door locked with a key and I always see someone

1 sitting in front of the door. So I cannot consider that to be a
2 house arrest.

3 That was why I said I was being detained as a prisoner. I
4 did not move freely, I was in a single room and the room was
09:43:00 5 locked, all the windows were protected by heavily armed gunmen
6 and they were speaking Krio, speaking this and that, threatening
7 me and they will say, "We will take the Vice-President to the
8 Robertsfield Highway tonight and he will be going to Europe". So
9 much intimidation. I was not free where I was held.

09:43:25 10 Q. And how many days were you there?

11 A. Eleven days.

12 Q. And were you able to step outside the house during that
13 time period?

14 A. The only time I stepped out of that house was the time I
09:43:38 15 was called to go to the Executive Mansion.

16 Q. Witness, in an answer to Defence counsel you recounted your
17 conversation with the US Charge d'Affairs about what was called
18 or what he called the notorious ATU. What behaviour made the ATU
19 notorious?

09:44:06 20 A. He was referring to the behaviour of the ATU. The ATU took
21 the law upon themselves. They behaved as though they were not
22 under control. They did not behave as a military unit. They
23 took everything on to themselves. Sometimes they left guard
24 posts, they would attack anybody in the street and take away from
09:44:28 25 them anything they had and they had no regard for anybody. As
26 long as you were not a member of the ATU they would not respect
27 you. I think that was what he was trying to refer to. It was
28 the behaviour of the men.

29 Q. And who did the ATU work for?

1 A. They worked for the former President Taylor. They were his
2 personal bodyguard unit.

3 Q. Witness, you mentioned that Benjamin Yeaten made a radio
4 address before Taylor's return from Accra in your answers to
09:45:01 5 Defence questions. What did he say in that radio address?

6 A. Benjamin said over the radio that the former President was
7 out of the country and that he dared anybody in Liberia if you go
8 out of the way of the law of this country or any groupings, or
9 any citizen of Liberia in any location, you will see the weight
09:45:38 10 of the military. And he said they will feel the - how did they
11 call it? In fact, they will feel the military vibration. That
12 was what he said. I did not know what he meant by vibration, but
13 that was what he said.

14 Q. Witness, yesterday the Defence invited your attention to
09:45:58 15 selected passages from official documents and asked you various
16 questions about their content. I would like to go to at least
17 three of those documents now, if I could have the assistance of
18 the Registry with MFI-31.

19 I think we should have on our screens MFI-31, which is the
09:46:58 20 Security Council document, fifth report of the Secretary-General
21 on the situation in Sierra Leone dated 9 June 1998. If we could
22 go to page 3 of that document, the one that ends with the ERN
23 4203, or the ERN ends with those digits. Okay, if we are there,
24 my monitor does not show it but I'm on the wrong channel, I will
09:47:39 25 get to there, but I presume we have in front of us page 3 and
26 directing your attention down to 13, and I don't want to spend
27 too much time on this because what I wanted to do was to read out
28 15, but it's important to understand the context and if you will
29 notice in 13, 13 begins, "Following the expulsion of the illegal

1 military junta from the capital Freetown" and then it goes at the
2 end to say, "ECOMOG forces also advanced eastwards towards the
3 Kono and Kailahun Districts where the forces of the former junta
4 were concentrated". But I wanted specifically then to read
09:48:18 5 paragraph 15 in that context:

6 "As ECOMOG troops approached, armed former junta elements
7 attacked the local civilian population killing, raping and
8 mutilating hundreds of them, causing tens of thousands of Sierra
9 Leoneans to flee into Liberia and Guinea in the last few weeks
09:48:39 10 and tens of thousands more to flee into the interior of Sierra
11 Leone. Hundreds of patients have been admitted to hospital
12 suffering from amputation of limbs and ears and severe
13 lacerations. Humanitarian organisations fear the actual number
14 of victims may be much larger."

09:48:58 15 Witness, my question to you is were you aware of these
16 events?

17 A. No.

18 Q. You indicated yesterday that you were familiar with these
19 reports that were put out by the United Nations regarding the
09:49:17 20 situation in Sierra Leone?

21 A. I said yes, on the newspaper reports. That means that some
22 of these papers, they will come out, you buy them, you read, but
23 that doesn't mean that you agree, because you were not at the
24 scene. That was only something said by the newspaper. You can -
09:49:40 25 if I can recollect from the newspaper and that I read it I will
26 say, "Yes, I saw the newspaper", but that doesn't mean that I
27 agreed with the things that happened, because I was not there, I
28 did not see them happen, but that was just how I agreed with most
29 of the newspaper reports, but that didn't mean that they

1 happened.

2 Sometimes in Liberia you will see the newspaper, you will
3 read them and you will read different things in them and then you
4 see different headlines and then you read them. Then sometimes
09:50:08 5 you see certain things and you just read them and sometimes they
6 are confusing, sometimes based on rumours, and they will write a
7 newspaper and say all kinds of things about what they cannot
8 prove.

9 Q. In terms of the content of this particular paragraph - and
09:50:25 10 I think we are talking about a date when you were ambassador to
11 Libya - were you aware about this reported fleeing of tens of
12 thousands of Sierra Leoneans into Liberia and Guinea during this
13 period?

14 A. This was also through radio that there was a war in Sierra
09:50:50 15 Leone and people were running up and down, they were running
16 helter-skelter and they were going to different locations. I was
17 not there and I cannot say yes completely to it, but I heard that
18 from radio communications, or radio.

19 Q. Well, let me just ask you about one more passage in this
09:51:07 20 document and that's at paragraph 36 and that would be at page 7,
21 4207 are the last four digits of the ERN number, and I am looking
22 at paragraph 36. Let me just read it to you and then ask you a
23 question:

24 "Of those victims who have received treatment most are male
09:51:36 25 ranging in ages from eight to 60 years. The youngest amputee
26 admitted to hospital is however a six year old girl, one whose
27 arms were completely severed. Victims also report that babies
28 have been taken from their mother's arms and burned alive. There
29 are numerous reports of rape, including one of the multiple rape

1 of a 12 year old girl. Doctors at one hospital state that
2 lacerations inflicted on one 60 year old woman are the result of
3 a failed attempt to behead her."

09:52:09 4 The question that I have is how does this compare to what
5 you heard about events in Sierra Leone?

6 A. All of these are news reports that you see them, you buy
7 papers, you read them. And all of these things, even when I was
8 in Libya, papers were sent to me by my wife. She will buy the
9 papers, some interesting headlines, she will buy them and send
09:52:37 10 them to me to keep me alert.

11 Q. And these were --

12 JUDGE SEBUTINDE: Mr Rapp, I don't understand the question,
13 much less the answer.

14 MR RAPP: The question was --

09:52:48 15 JUDGE SEBUTINDE: Because in paragraph 36 there are
16 specific events reported. Now I don't understand the question,
17 "how does this compare to what you heard?" And much less when
18 the witness says all these were newspapers sent to me. I don't
19 understand how that relates to the question you asked.

09:53:09 20 MR RAPP: Well, the question related - the witness in his
21 prior answer said that he had received information about what had
22 happened in Sierra Leone. Now he said he had received that by
23 newspapers and other means, not specifically from UN reports, and
24 so I put to him how this particular information compared to what
09:53:27 25 he had heard and that was the issue, rather than leading him
26 specifically asking whether it was correct or incorrect:

27 JUDGE SEBUTINDE: And you are satisfied with the answer he
28 gave?

29 MR RAPP: Yes, I am, your Honour:

1 Q. Let me then move to a document that was in the Defence
2 bundle if we can and that is the document at - I believe it was
3 given the MFI-36H meaning that it was one of several separately
4 labelled parts of tab 1 of that Defence bundle, specifically the
09:54:12 5 Human Rights Watch report of 3 November 2003. Now, if we can
6 move forward in that document to what had been page 23 of the
7 bundle, it would be the fourth page of MFI-36H, the page that
8 begins with the heading, "Arms abuses and Liberia's warring
9 factions". Let me invite your attention, witness, to the second
09:55:26 10 paragraph of that page and read it to you and then I would have a
11 question. It is a lengthy reading and I will attempt to read it
12 slowly. It is but a single paragraph, however:

13 "The forces of the former Taylor government and associated
14 militias have been responsible for war crimes and a long list of
09:55:45 15 serious human rights abuses. Using the power of the gun they
16 carry out rape, looting and forced recruitment of children
17 throughout the areas they control. For years Taylor's government
18 received weapons despite the embargo, often counting on regional
19 allies, such as Burkina Faso, to cover up its illegal arms
09:56:07 20 imports. A UN panel of experts has documented that arms dealers
21 supplying Liberia arranged arms deals in Kyrgyzstan, Moldova,
22 Serbia, Slovakia and Ukraine. On 8 August 2003 newly arrived
23 peacekeepers from the Economic Community of West African States
24 (ECOWAS) foiled an attempt by the then government to bring in a
09:56:30 25 large consignment of weapons by air. The seized consignment
26 contained 22 tonnes of weapons, including two brand new mortars
27 and numerous boxes of mortar rounds as well as eleven tonnes of
28 7.62 millimetre small arms ammunition and rocket propelled
29 grenades (RPGs). Had this cargo not been intercepted the

1 resupply of Taylor's forces might have plunged Monrovia back into
2 full-scale war, just as it was beginning to emerge from a long
3 period of fighting."

09:57:06 4 Now, my question, witness: This arms shipment that is
5 described as taking place there at the beginning of August 2003,
6 8 August, is this the arms shipment that you have told us about?

7 A. Yes, this is the one that was intercepted by the
8 peacekeepers, yes.

09:57:29 9 Q. Witness, the report here that the resupply would have
10 plunged Monrovia back into full-scale war, do you know what
11 Mr Taylor's plans were for the use of those weapons?

12 A. Except when he said on the national radio that he had no
13 intention of leaving the country, that he was not running away,
14 that he will fight from house to house until the last person
09:57:58 15 died. That was what he said. That was almost about the same
16 time when these weapons were intercepted. His plan was to fight
17 from house to house until the last person died.

18 Q. And that, you say, was a speech at about the same time, in
19 August of 2003?

09:58:22 20 A. Yes, sir. Yes, sir.

21 Q. Yesterday the Defence read out to you a long press
22 conference reported on CNN on 6 July, about a month before, 2003,
23 with President Obasanjo of Nigeria and President Taylor of
24 Liberia. Now, on 6 July 2003 did you believe that Taylor was
09:58:46 25 going to resign the presidency and leave Liberia?

26 A. It was not clear. I did not even believe that he would
27 have left at the time he left to go to Nigeria.

28 Q. Now, witness, the Defence also asked you, or put it to you
29 that you should have known, or should have had a clue, as they

1 put it in their manner, before 11 August 2003 that you were going
2 to succeed to the presidency and you said you did not. I would
3 like to ask the Registry to put before you another MFI, MFI-18,
4 and that is a CNN article also about the weapons plan being
09:59:40 5 intercepted and I am looking for page 2 of that document. Let me
6 go down the page here a bit, the paragraph that begins, "On
7 Saturday", which is I think the fifth full paragraph and read the
8 next four paragraphs there and ask a question to you based on
9 this content. This is an article dated 7 August 2003:

10:00:32 10 "On Saturday Taylor said he would hand over power to a new
11 President on 11 August and that the Parliament would meet
12 Thursday to approve the new President. Taylor had said that the
13 choice for President is between Vice-President Moses Blah and
14 House Speaker Nyundueh Monkomana, but on Thursday leaders of the
10:00:53 15 national assembly were told that Taylor would not address
16 Parliament. No reason was given for Taylor's cancelling his
17 plans, CNN Koinange reported. Taylor had been hedging lately on
18 whether he would accept Nigeria's offer of asylum. His
19 government has said he would leave only after peacekeepers were
10:01:12 20 on the ground and if a war crimes indictment against Taylor is
21 dropped."

22 Witness, how does this compare to your observation of
23 events at the time?

24 A. That was what I said, that I was not too sure of becoming
10:01:29 25 the successor of President Taylor at the time he was leaving. It
26 was Nyundueh Monkomana and Moses Blah, which was contradicting
27 according to our constitution, so that was why I said that I was
28 not informed and I was not told by anybody that I will be taking
29 over the country as President, because we were two men at the

1 time chosen and his intention was not even to go. He did not
2 have trust in Nigeria that he would have gone there to stay
3 peacefully. It sounded to him, according to him, that it was a
4 trick. That was what I heard him say at the point in time. He
10:02:17 5 said, "Maybe my going to Nigeria is a trap set in front of me."
6 So his going there, he did not cherish it, according to this
7 document, and that is what I said.

8 Q. Witness, you mentioned in your answers to Defence questions
9 that there had been, you said, discussions and resistance and it
10:02:39 10 is a lengthy answer that you gave, but it related to the Liberian
11 legislature and the question of whether you would be replaced in
12 the presidential succession by this Mr Monkomana. On 11 August
13 2003 had you received any information about the conclusion of
14 those deliberations, or those discussions?

10:03:07 15 A. No, I was not told about anything. No communication was
16 addressed to me. We were all hanging in the air until we shot
17 over the Executive Mansion and I was called in to be sworn in as
18 President of Liberia. There was no formal discussion. There was
19 no formal conference by the legislature, nor a communication with
10:03:34 20 the legislature.

21 Q. Witness, when you were called over there, to the Executive
22 Mansion, on 11 August 2003 and saw Charles Taylor and saw him put
23 the sash of office on you and leave, at that time, from your
24 observation, why did you believe he was leaving on that day?

10:04:07 25 A. This was something you could not actually imagine. Being
26 Vice-President and as usual we were at the Executive Mansion
27 parlour where there was a programme and I was called to be
28 present and everybody went there, and all of a sudden I was
29 called to - I did not even address the congregation, because I

1 was - of course, as I was called I was sworn in to become
2 President and immediately after I saw these four Presidents
3 around the former President, they went upstairs and maybe into
4 his office and they were there and everybody was just moving as
10:04:56 5 though somebody had come to take somebody away. I overheard
6 these Presidents saying that this time he must go, this time he
7 must go. So that was how I got to know that he was leaving that
8 moment and that was exactly what they said and then they took him
9 away. He was sitting in the car with Obasanjo and some other
10:05:19 10 Presidents, they were about three, and we all rushed to the
11 airport and it was strictly from the Executive Mansion direct to
12 the airport. That was how he left the Executive Mansion.

13 Q. Well, thank you, witness, for your answers. We can put
14 that document aside. I just have one final question, or two
10:05:37 15 final questions about a related subject. Witness, were you a
16 member of any secret society to which the accused, Charles
17 Taylor, belonged?

18 A. Yes, I remember a Poro society to which I was invited to
19 join, but I did not. I delayed because I did not want to be a
10:06:03 20 part of any society in Liberia. I am a Christian and I don't
21 join societies other than going to church. Poro society, the
22 headquarters was in Gbarnga and from time to time the government
23 officials will go and everybody joined a society save Moses Blah.

24 Q. Thank you very much.

10:06:27 25 JUDGE SEBUTINDE: Could we have the spelling of the first
26 society?

27 THE WITNESS: Poro, P-O-R-O. Poro society.

28 JUDGE SEBUTINDE: Also, Mr Rapp, I am not sure I know what
29 a Poro society is? I mean you asked the question and he

1 answered, but I have no clue what it is.

2 MR RAPP:

3 Q. Let's be clear. What is a Poro society in Liberia?

10:06:55

4 A. A Poro society in Liberia is a society of men and I have
5 not been in there to see what they do in the Poro society. So
6 what I know is that I hear people say Poro society. That is
7 where men, big men, are joined and children sometimes in fact.
8 It is a society which grew out of the tribe called Kpelleh.

10:07:21

9 There is Kpelleh, there is Mano and there is the Loma. These
10 three in the three counties, that is where you have the Poro
11 society.

12 JUDGE SEBUTINDE: Is it a religious society?

10:07:38

13 THE WITNESS: No, it is not religious. It is difficult to
14 say what they do in there except to join the society. The only
15 symbol that you will see for a common people are marks on the
16 back of the person. You will have marks on your back and if you
17 see those carvings on anybody you will know that that person is a
18 member of the Poro society.

10:07:57

19 JUDGE SEBUTINDE: So why did you say you would not join it
20 because you are a Christian? Is it incompatible with
21 Christianity?

10:08:15

22 THE WITNESS: Yes, it is contrary to Christianity. If you
23 are a Christian and believe in God, you would not want to go
24 initiated into another society, or any other organisation that
25 you think will not be compatible with your Christian religion.
26 You will be contradicting yourself.

27 JUDGE SEBUTINDE: How is it incompatible?

28 THE WITNESS: You will leave to go and join another society
29 and in the society they will have their own laws and suppose my

1 back is not supposed to be carved to waste my own blood and then
2 I say, "Well, I am not going to join it, because it has its own
3 rules and regulations and we will have to do these things."
4 Suppose you are in there and they compel you to do certain things
10:08:53 5 that a Christian shouldn't do, so I just decided to avoid the
6 whole thing and said, "I will not be part of this society because
7 I did not know what was happening in there." I had my Bible to
8 pray with.

9 JUDGE SEBUTINDE: And you said you were invited. Who
10:09:10 10 invited you, sir?

11 THE WITNESS: President Taylor invited me. He asked me.
12 He instructed me to join the society on two or three occasions,
13 but I delayed the process. I would say, "I will come", I will do
14 this this time, I will do that the next time, but it never
10:09:29 15 happened.

16 JUDGE SEBUTINDE: Okay, thank you.

17 MR RAPP: Thank you very much, your Honour, and that will
18 conclude my re-direct examination.

19 PRESIDING JUDGE: Thank you, Mr Rapp.

10:09:46 20 JUDGE SEBUTINDE: Mr Witness, I have one question for you
21 that comes out of MFI-24, which is a news archive, a report about
22 your visit to Sierra Leone and what you are alleged to have said
23 to President Kabbah. This is what you are alleged to have said
24 to President Kabbah, it says:

10:10:14 25 "Liberian President Moses Blah expressed regret Friday for
26 his country's role in Sierra Leone's civil war and assured Sierra
27 Leoneans in a live television broadcast that, 'The past will not
28 be repeated.'"

29 Now, my question is: What was it that you were expressing

1 regret for exactly?

2 THE WITNESS: About the war in Sierra Leone. I told you I
3 saw our fighters Dpoe Menkarzon and Christopher Varmoh, they
4 were in Sierra Leone fighting and they themselves told me that
10:10:56 5 they were in Sierra Leone fighting. So that was what I was
6 referring to, that as I became President of Liberia I will never
7 send anybody to Sierra Leone to fight with any other group in
8 Sierra Leone, and even not to attack the country directly myself
9 as President. I told them that that will never happen and I
10:11:19 10 said, "Let bygones be bygones", and that we should live as good
11 neighbours.

12 JUDGE SEBUTINDE: What exactly did you mean by your
13 country's role in the civil war?

14 THE WITNESS: By sending people to fight. Like I told you
10:11:34 15 that the men were going and they had referred to a place called
16 Kuwait and later I found out what Kuwait was and they told us it
17 was a place in Sierra Leone and they brought riches, cars and
18 some other things from out of there. So that was what I was
19 talking about. They sent men in there to fight alongside with
10:11:55 20 the RUF and so that was what I promised, that it will never
21 happen as long as I remain President of Liberia. I was also
22 referring to the war in Sierra Leone in which Liberia was
23 involved.

24 JUDGE SEBUTINDE: Yes, but my interest is who had sent
10:12:09 25 these men to fight, do you know? These Liberians, these
26 individual Liberians, who had sent them there to fight?

27 THE WITNESS: According to Foday Sankoh, what he told me
28 was that President Taylor had sent his men and they were
29 misbehaving, killing his citizens and I concluded that that was

1 the fight that I am referring to.

2 JUDGE SEBUTINDE: Was it true that President Taylor had
3 sent these men?

4 THE WITNESS: Yes, because Dopoe Menkarzon told me, he said
10:12:45 5 it, and he was the man heading the command out there from the
6 NPFL side. He said it.

7 PRESIDING JUDGE: Mr Witness, I have one, maybe two or
8 three questions. You have described to us seeing the body of a
9 person you came to recognise as Sam Bockarie at the back of a
10:13:19 10 jeep. Could you tell us what time of the day did you see that?

11 THE WITNESS: That was about 10 o'clock in the morning.

12 PRESIDING JUDGE: And what was the visibility like when you
13 saw that?

14 THE WITNESS: When I --

10:13:40 15 PRESIDING JUDGE: 10 in the morning, yes.

16 THE WITNESS: 10 o'clock in the morning and the body was -
17 in fact I was so surprised to see someone who was living and he
18 just passed by my house and I offered them food to eat, I did not
19 take a clear look at his body, but he was lying on the back in
10:14:03 20 the pick-up.

21 PRESIDING JUDGE: Thank you, witness. Are there any
22 questions arising from the Bench's questions, Mr Griffiths?

23 MR GRIFFITHS: Can I just ask one matter:

24 Q. Former President, you were asked by the learned judge about
10:14:14 25 that article flowing from your visit to Sierra Leone. The period
26 you're talking about when Liberians were sent into Sierra Leone,
27 you're talking about 1991/'92, aren't you?

28 A. Yes.

29 MR GRIFFITHS: Thank you.

1 PRESIDING JUDGE: Mr Rapp, questions arising?

2 MR RAPP:

3 Q. Witness, how were you able to recognise the body that you
4 took such a brief glance at as Sam Bockarie?

10:14:46 5 A. Because I saw the man the previous night and he stopped by
6 my house. I identified him by the clothes he was wearing and I
7 knew that was Sam Bockarie's body because he was still dressed in
8 the same outfit he had on him when he stopped by my house
9 together with Benjamin that night and they were offered food and
10:15:09 10 drinks and after they left.

11 PRESIDING JUDGE: Thank you. If there are no other
12 questions - thank you, Mr Witness. Please pause, there may be
13 some procedural matters to be dealt with.

14 MR RAPP: Your Honours, we wanted to make offers of
10:15:28 15 exhibits. Having not been here for that before, do we do that in
16 the presence of the witness or do we excuse the witness?

17 PRESIDING JUDGE: There is no firm procedure. We normally
18 try and do it in the presence of the witness, but we have done it
19 in his absence. It's just in case some issue arises.

10:15:48 20 MR RAPP: Thank you very much, your Honour. At this point
21 then there are several exhibits that have been marked for
22 identification that we would like to move into evidence as
23 Prosecution exhibits and I see that the Registry has helpfully
24 prepared a list of Prosecution MFIs and I believe I would need to
10:16:09 25 go down through each one of them and move them separately.

26 PRESIDING JUDGE: Yes, if you make your application one by
27 one I will invite Defence to respond.

28 MR RAPP: Your Honours, we would move the admission as a
29 Prosecution exhibit of MFI-16, a document described as an

1 original roster of special force commandos, special force of
2 Liberia.

3 MR GRIFFITHS: Your Honour, it may be that I can assist my
4 learned friend in this regard: So far as all the Prosecution
10:16:47 5 items marked for identification is concerned, we have no
6 difficulty in them being exhibited. I don't know if that might
7 assist in shortening the process.

8 MR RAPP: I thank --

9 PRESIDING JUDGE: It certainly would - sorry, Mr Rapp.

10:17:04 10 MR RAPP: I thank my learned friend and it would indeed. I
11 would note that there are probably two on the Defence MFI list
12 that we would like the make sure are included and --

13 PRESIDING JUDGE: I will invite Mr Griffiths if he has any
14 application in relation to the Defence MFIs then he can make an
10:17:25 15 appropriate application if he so chooses.

16 MR RAPP: I just don't want to miss the opportunity to
17 move --

18 PRESIDING JUDGE: In that case you can move those.

19 MR RAPP: Right. So I would accept certainly the
10:17:35 20 stipulation of the accused not to object to offering MFI-16, 17,
21 18, 19, 20 and 21, MFI-22 an exhibit in seven parts, seven
22 different numbers or letters 22A, B, C, D, E, F, G, MFI-23, 24,
23 MFI-25, MFI-26, MFI-27, MFI-28, MFI-29 and I would move for their
24 admission as Prosecution exhibits and then ask after we do that
10:18:14 25 to raise two on the Defence list.

26 PRESIDING JUDGE: Thank you, Mr Rapp. I will just check
27 what number we are up to before I go through these one by one and
28 describe them for purposes of record.

29 MS IRURA: Your Honour, it would be P-116.

1 PRESIDING JUDGE: Very well. The first is a six page
2 document headed "Original Roster of Special Forces Commandos of
3 the National Patriotic Front of Liberia". It becomes Prosecution
4 exhibit P-116.

10:18:48 5 [Exhibit P-116 admitted]

6 The next document is a two page document headed "BBC News,
7 Bockarie died a wanted man". It becomes Prosecution exhibit P117

8 [Exhibit P-117 admitted]

9 The next document is a three page document headed
10:19:14 10 "CNN.com/WORLD" with a subheading "Liberia weapons plane
11 intercepted". It becomes Prosecution exhibit P-118.

12 [Exhibit P-118 admitted]

13 The next document is a one page document headed "Special
14 Court for Sierra Leone" dated Monday 30 October 2006 and signed
10:19:38 15 by James Johnson, acting Prosecutor. It becomes Prosecution
16 exhibit P-119.

17 [Exhibit P-119 admitted]

18 The next is a six page document headed "Special Court for
19 Sierra Leone, All Disbursements For Witnesses". It becomes
10:20:03 20 Prosecution exhibit P-120.

21 [Exhibit P-120 admitted]

22 The next document is a one page document headed "Special
23 Court for Sierra Leone" with an inter-office memorandum
24 subheading, "Addressed to all Defence teams" and it becomes
10:20:26 25 Prosecution exhibit P-121.

26 [Exhibit P-121 admitted]

27 The next set of exhibits are a series of photographs and
28 they have been given an MFI number with a sub-number and I intend
29 to adopt the same procedure in the exhibits unless there is an

1 application to the contrary.

2 MS IRURA: Your Honour, MFI-22A is an unmarked version of
3 exhibit P-68C.

10:21:01

4 PRESIDING JUDGE: Yes, that is correct. Well, subject to
5 anything counsel said it has been marked by this witness and
6 therefore becomes a separate exhibit in my view. It's a new
7 exhibit.

8 MR RAPP: That would be our position, your Honour.

9 MR GRIFFITHS: I have no objection whatsoever, your Honour.

10:21:14

10 PRESIDING JUDGE: Yes, have we got the originals? I will
11 call them from my records, but Madam Court Officer will note that
12 it is the original photographs that will actually be the
13 exhibits. I am going to hold up the copy I have so everyone
14 agrees what it is. The first photograph is a photograph in which
15 the witness has identified two persons, one Benjamin Yeaten, the
16 other Sylvester Willor. It becomes Prosecution exhibit P-122A.

17 [Exhibit P-122A admitted]

18 The next photograph, again I hold it up so people can
19 confirm, in which the witness has identified a person as John
20 Yanmayan. This becomes Prosecution exhibit 122B.

10:22:34

21 [Exhibit P-122B admitted]

22 The next document is a photograph in which the witness has
23 identified several persons including Benjamin Yeaten, Charles
24 Taylor, Musa N'jie and others and it becomes Prosecution exhibit
25 P-122C.

10:23:03

26 [Exhibit P-122C admitted]

27 The next document is another photograph in which the
28 witness has identified several persons including Musa N'jie,
29 Mr Charles Taylor, Joseph Montgomery and others. It becomes

1 Prosecution exhibit 122D.

2 [Exhibit P-122D admitted]

3 The next photograph has been identified by the witness as
4 having Mr Charles Taylor, Musa Cisse and Joseph Montgomery and a
10:24:26 5 lady who he was unable to recall. That becomes Prosecution
6 exhibit 122E.

7 [Exhibit P-122E admitted]

8 In the next photograph the witness has identified, among
9 others, Mr Charles Taylor, a senior ADC N'jie, a Gambian
10:24:47 10 gentleman and the Charge d'Affairs of the Ivory Coast and Joseph
11 Montgomery. It becomes Prosecution exhibit 122F.

12 [Exhibit P-122F admitted]

13 In the last photograph the witness has identified
14 Mr Charles Taylor, himself Mr Moses Blah, and a person called
10:25:12 15 Allen. That becomes Prosecution exhibit P-122G.

16 [Exhibit P-122G admitted]

17 The next document is a three page document headed "BBC
18 News" with a subheading "Freetown bears the scars". It becomes
19 Prosecution exhibit 123.

10:25:40 20 [Exhibit P-123 admitted]

21 The next is a one page document with a title "Sierra Leone
22 News Archives" and the date 22 August, the year is not specified.
23 It becomes Prosecution P-124.

24 [Exhibit P-124 admitted]

10:26:07 25 The next document is a one page document headed "Daily
26 News" with a date Friday, 24 July 1998. It becomes Prosecution
27 exhibit P-125.

28 [Exhibit P-125 admitted]

29 MFI-26 is a two page document headed "Monrovia Daily News"

1 and it becomes Prosecution exhibit 126.

2 [Exhibit P-126 admitted]

3 Then I go to MFI-27, which is the two page copy of The
4 Inquirer, volume 4, number 6, and that becomes Prosecution
10:27:50 5 exhibit P-127.

6 [Exhibit P-127 admitted]

7 The next document, which is MFI-28, is a constitution of
8 Liberia. We did record the number of pages when we first marked
9 this for identification and I think, Mr Rapp, you told me there
10:28:20 10 was one page, or was that the different document where there was
11 one - a different document where there was one page. Very well,
12 this is a 24 page document and it is the constitution of the
13 Republic of Liberia. It becomes Prosecution exhibit P-128.

14 [Exhibit P-128 admitted]

10:28:46 15 The next document, which is MFI-29, is headed, "Liberian
16 codes revised, volume 3", and I understand it is not an exact
17 numerical sequence. It becomes Prosecution exhibit P-129.

18 [Exhibit P-129 admitted]

19 Mr Rapp, you have indicated you would be moving two Defence
10:29:35 20 - two that were marked for identification.

21 MR RAPP: Yes, your Honours. We would move MFI-31, the
22 fifth report of the Secretary-General on the situation in Sierra
23 Leone, as a Prosecution exhibit.

24 PRESIDING JUDGE: Mr Griffiths, this document was marked
10:29:57 25 for identification by the Defence.

26 MR GRIFFITHS: MFI-31, which is the United Nations Security
27 Council fifth report?

28 PRESIDING JUDGE: Yes.

29 MR GRIFFITHS: We marked that document for identification,

1 your Honour. I don't know whether it matters whether it is
2 marked as a Defence exhibit, or as a Prosecution exhibit.

3 PRESIDING JUDGE: It doesn't in as much as that if there is
4 no objection to it being tendered it has now been moved by the
10:30:27 5 Prosecution and I will therefore give it a "P" number, but as you
6 correctly say, it is a public document. This is a 17 page
7 document which is headed "United Nations" and subheading
8 "Security Council fifth report of the Secretary-General on the
9 situation in Sierra Leone." It becomes P-130.

10:30:56 10 [Exhibit P-130 admitted]

11 MR RAPP: Your Honour, the reason we are doing this is we
12 are unsure whether the Defence will in fact offer them, having
13 read out certain passages. We just wanted to make sure the Court
14 had access to the entire document.

10:31:17 15 The other document was specifically MFI-36H and that is the
16 Human Rights Watch briefing paper of 3 November 2003. Now, I
17 know it was given a lettering, but I think that was simply
18 because it was behind tab 1, but it really is freestanding from
19 the newspaper articles, so we think it is appropriate that it
10:31:41 20 have a number as a Prosecution exhibit if there is no objection
21 from the Defence.

22 MR GRIFFITHS: Your Honour, in this particular instance I
23 would like it to be a Defence exhibit, please.

24 PRESIDING JUDGE: I see.

10:31:53 25 MR RAPP: We are indifferent to that. If the Defence
26 indicates they will be moving it as an exhibit, we will withdraw
27 our application.

28 PRESIDING JUDGE: Thank you, Mr Rapp. I note that and if
29 there are no other Prosecution tenders I will then invite

1 Mr Griffiths to see if he has any documents he wishes to tender
2 of those marked for identification.

3 MR GRIFFITHS: Well, I was proposing, your Honour, to
4 tender all of these to be exhibited and I don't know if my
10:32:21 5 learned friend has any objection to any of them. It might be
6 that we can deal most efficiently with this if my learned friend
7 indicates any specific objections that the Prosecution have.

8 MR RAPP: Yes, your Honours. Let me be plain, I think the
9 ninth item on the list, MFI-38, the affidavit of Jusu Momo, we
10:32:48 10 would have objection to and be happy to argue that separately, or
11 to present our objection. We essentially believe it would be
12 would have to be offered under 92 bis and it would be the kind of
13 individual that would be subject to cross-examination.

14 The eighth document, MFI-37, we really have no objection to
10:33:08 15 the autopsy report coming in, it is relevant, but it really
16 shouldn't come in through this witness who is totally unfamiliar
17 with it and our position is that it could be offered by the
18 Defence separately as a relevant document and we would have no
19 objection to its admission.

10:33:24 20 PRESIDING JUDGE: In that case what I will do,
21 Mr Griffiths, is I will go through this list and when we come to
22 the documents that counsel for the Prosecution has indicated he
23 will object to, we will deal with them individually.

24 MR GRIFFITHS: Your Honour, very well.

10:33:41 25 PRESIDING JUDGE: The first is a series of photographs
26 which the - let me first check what number we are up to on the
27 Defence list. Madam Court Attendant, if you could assist,
28 please.

29 MS IRURA: D-33, your Honour.

1 PRESIDING JUDGE: Thank you, D-33. The first of these is a
2 photograph on which the witness has identified certain persons.
3 It was marked for identification as MFI-30A and he has identified
4 himself, Mr Charles Taylor and Momoh Gibba. That will become
10:34:22 5 Defence exhibit --

6 MS IRURA: D-33, your Honour.

7 PRESIDING JUDGE: D-33A.

8 [Exhibit D-33A admitted]

9 The next is also a photograph. Again the witness has
10 identified certain persons as Mr Charles Taylor, General Cona and
10:34:39 11 the witness himself, Mr Moses Blah. It will become Defence
12 exhibit D-33B.

13 [Exhibit D-33B admitted]

14 The next is again a photograph in which the witness has
10:35:04 15 identified a gentleman as an ADC of the President, Mr Charles
16 Taylor shaking hands with a gentleman called Flomo, Mr Flomo.
17 That will become defence exhibit 33C.

18 [Exhibit D-33C admitted]

19 And the last of those photographs in which the witness has
10:35:25 20 identified certain persons: First is the bodyguard, the second
21 was President Charles Taylor and the third was a chief of staff,
22 Cona. That becomes Defence exhibit 33D.

23 [Exhibit D-33D admitted]

24 The next document has been tendered by the Prosecution and
10:35:53 25 following from that is MFI-32 which is, "Liberia's response to
26 allegations of our involvement in the Sierra Leone civil war",
27 issued by the Ministry of Information, dated 26 January 1999. It
28 becomes Defence exhibit D-34.

29 [Exhibit D-34 admitted]

1 The next document is a Security Council letter dated 22
2 March 2001 from the permanent representative of Liberia to the
3 United Nations with the annexure thereto. It becomes Defence
4 exhibit D-35.

10:36:43 5 [Exhibit D-35 admitted]

6 The next document is MFI-34. It is a letter from the
7 permanent representative of Nigeria, dated 10 July 1998, to the
8 Security Council and it and the annexures thereto are Defence
9 exhibit D-36.

10:37:11 10 [Exhibit D-36 admitted]

11 The next document is MFI-35. It is a letter dated 5 July
12 2001 from the permanent representative of Liberia to the United
13 Nations. The letter and the annexures there to become Defence
14 exhibit D-37.

10:37:40 15 [Exhibit D-37 admitted]

16 The next is a series of newspaper reports and the report of
17 Human Rights Watch, which were marked together and I will go
18 through them one by one. The present MFI-36A, a one page
19 document, AFP news article, dated 7 April 2008. I would suggest
10:38:13 20 that it would be appropriate to give them separate numbers as
21 they are not really coordinated documents, but I will --

22 MR GRIFFITHS: I am quite happy for your Honour to adopt
23 that course.

24 PRESIDING JUDGE: It will become D-38.

10:38:30 25 [Exhibit D-38 admitted]

26 The next is also a newspaper report headed 'All
27 Africa.com', with a subheading "Blah's testimony". It becomes
28 D-39.

29 [Exhibit D-39 admitted]

1 The next is a one page document headed "Star Radio
2 Liberia", with a subheading "Blah subpoenaed". It becomes
3 Defence exhibit D-40.

4 [Exhibit D-40 admitted]

10:38:54 5 The next is again a newspaper report, "The analysis", and
6 it is the subheading, "Monkomana wanted bucket of blood", a two
7 page document. It becomes D-41.

8 [Exhibit D-41 admitted]

9 The next document is a one page document "Christian Science
10:39:13 10 Monitor", with the subheading, "Liberian President plans to step
11 down". It becomes Defence exhibit D-42.

12 [Exhibit D-42 admitted]

13 The next document is a Sierra Leone News Archive, several
14 pages. It is August 2003 and it becomes Defence exhibit D-43.

10:39:36 15 [Exhibit D-43 admitted]

16 Next, MFI-36G, is the International Herald Tribune with the
17 subheading, "Peacekeeping and diplomacy". That becomes Defence
18 exhibit D-44.

19 [Exhibit D-44 admitted]

10:39:52 20 Now, Mr Griffiths, you have heard that the next document,
21 MFI-37, has been the subject - yes, 36H is the Human Rights Watch
22 report and I note it is not on the list, but it is clear to me
23 that you intend to have that exhibited.

24 MR GRIFFITHS: Certainly, your Honour.

10:40:21 25 PRESIDING JUDGE: Yes. It is a 33 page document headed
26 "Human Rights Watch, 3 November 2003", with a subheading,
27 "Weapons sanctions, military supplies and human suffering". It
28 becomes Defence exhibit D-45.

29 [Exhibit P-45 admitted]

1 Now, Mr Griffiths, you have moved to tender the autopsy
2 report. There is an indication that it will be objected to. I
3 will hear the objection and invite your response.

4 MR GRIFFITHS: I am grateful.

10:41:24 5 MR RAPP: Your Honours, I want to make sure that you
6 understand the nature of my objection and I am not attempting to
7 be pedantic here, but this witness did not have any knowledge of
8 an autopsy or of this document and questions were asked to him
9 about the body of which he did have some knowledge. We would
10:41:48 10 submit that it is inappropriate to base the admission of this
11 document on this witness's testimony. It would be like putting a
12 UN resolution to someone who had never heard of the resolution.
13 So we don't think it can be done that way.

14 On the other hand we think it can be offered as a relevant
10:42:09 15 exhibit and this Court, which is not bound by national rules of
16 evidence under Rule 89, could accept it on that basis. It could
17 be done in writing, but we certainly would not object to an oral
18 application for its admission.

19 JUDGE LUSSICK: Just, Mr Rapp, I accept what you say and
10:42:25 20 the document is definitely relevant, but it was presented to the
21 witness in cross-examination presumably to contradict him, or to
22 at least obtain his comments on it, and it seems to me that some
23 of the transcript would not be able to be understood unless that
24 document was put into evidence as well. My view is that if it's
10:42:52 25 used in cross-examination in the manner it was it should be
26 tendered now. I don't know whether you wanted to expand on your
27 original objection in view of what I have said.

28 MR RAPP: Well, your Honours, we are trying to make sure
29 that we are following the appropriate procedure before the Court

1 and when a witness is not familiar with the contents of a
2 particular document, basing its admission as an exhibit in this
3 Court on his testimony seems to us perhaps to suggest that it's
4 not as relevant or as probative as it should be, but again our
10:43:31 5 position is that it is a relevant document, it is important that
6 it be in the record and we have no objection to it being there.

7 PRESIDING JUDGE: There being no objection, shall I mark it
8 as an exhibit? Because Mr Griffiths has a right of a reply,
9 but --

10:43:54 10 MR RAPP: I would suggest under the circumstances, hearing
11 what the Honourable Justice has indicated, and hearing that
12 argument, let me just withdraw my objection and go ahead and say
13 let's have it admitted as an exhibit.

14 PRESIDING JUDGE: Thank you, Mr Rapp. In the circumstances
10:44:13 15 I will then mark this as a Defence exhibit D-46. That is the
16 autopsy report from the Central Laboratory Services with a note
17 Connaught Hospital dated 4 June 2003. It becomes Defence exhibit
18 D-46.

19 [Exhibit D-46 admitted]

10:44:42 20 Now the next document that was marked for identification
21 was a one page document headed "Affidavit of Jusu Momo". I note
22 the Prosecution has indicated there will be an objection. I will
23 hear that objection and invite a reply.

24 MR RAPP: Your Honours, this is the statement of an
10:45:04 25 individual sworn before a notary in Liberia, but that's not the
26 way in which we hear the evidence of persons in this trial and
27 under our procedure generally it's by oral testimony. There is
28 an exception under 92 bis for oral statements that are properly
29 verified when they don't go to the acts and conduct of the

1 accused.

2 Frankly it would be our submission under the law
3 established in the ICTY Appeals Chamber in the Milosevic case
4 dealing with 92 bis that since the issue here is Yeaten - whether
10:45:44 5 Yeaten took the body to the chief, to Taylor, or, as alleged
6 here, this witness took it, which would be something to the
7 contrary, it is an issue relating to Yeaten and it is possible
8 under 92 bis to bring in testimony relating to a subordinate or
9 an accomplice. However, the precedent if we were to follow the
10:46:09 10 ICTY would suggest in this kind of suggestion that
11 cross-examination would be necessary of this kind of witness and
12 under those circumstances we don't think it can be offered.

13 Additionally we note that this is not a business record or
14 some kind of public document created at some time in the past.
10:46:29 15 It is something prepared for this litigation. I think it bears
16 the date 15 May 2008, if I read the numbers correctly, just six
17 days ago, clearly prepared even while this witness was
18 testifying. So under those circumstances we would object to its
19 admission without this witness being available for
10:46:51 20 cross-examination.

21 PRESIDING JUDGE: Your reply, Mr Griffiths?

22 MR GRIFFITHS: Your Honours, in our submission the document
23 is relevant to an important aspect of this witness's testimony as
24 it directly contradicts an important aspect of the account that
10:47:13 25 he gives. It is therefore in consequence, we submit, important
26 and relevant in placing his account in context.

27 We further submit that it is logically connected to the
28 witness's evidence and it is difficult to see how the witness's
29 evidence on what is undoubtedly perhaps the most important aspect

1 of his account could be understood without your Honours being at
2 the same time in a position fairly to juxtapose this document
3 against that account.

10:47:56

4 I appreciate the difficulties that my learned friend has
5 described. In our submission, no doubt your Honours will bear
6 those difficulties in mind in deciding how much weight to attach
7 to the document. Those are our submissions, your Honour.

8 PRESIDING JUDGE: Thank you. Allow me to consult.

9 [Trial Chamber conferred]

10:51:17

10 We have considered the submissions. We consider that the
11 document is relevant and the objections go to weight. The
12 document is therefore admitted and becomes Defence exhibit D-47.

13 [Exhibit D-47 admitted]

10:51:45

14 The next document is a three page document "CNN
15 Transcript", subheaded "Presidents of Liberia and Nigeria hold
16 press conference" and it becomes Defence exhibit D-48.

17 [Exhibit D-48 admitted]

10:52:23

18 The last document is, if I recall correctly, six pages. We
19 will check that for the record. It is headed "In the High Court
20 of Justice, Queen's Bench Division" with a subheading "Between
21 Charles Taylor and Times Newspapers Limited". It becomes Defence
22 exhibit D-49.

23 [Exhibit D-49 admitted]

24 MR GRIFFITHS: I am most grateful, your Honour.

10:52:43

25 PRESIDING JUDGE: That appears to be all of the documents
26 marked for identification. I will now release the witness,
27 unless --

28 MR RAPP: Yes, your Honour.

29 PRESIDING JUDGE: Mr Witness, that is the end of your

1 evidence. We thank you for coming to give your evidence to Court
2 and you are now free to leave.

3 THE WITNESS: Your Honour.

4 PRESIDING JUDGE: We wish you a safe journey home.

10:53:11 5 THE WITNESS: Your Honour.

6 PRESIDING JUDGE: Thank you. Please assist the witness.

7 I note a change of position on the Prosecution Bar, but I
8 understand there is an interpreter to be sworn in prior to the
9 calling of the next witness. If that can be done first and then

10:54:24 10 I will ask Prosecution for details of the incoming witness. If
11 the interpreter could come into the well of the Court, please.

12 [Interpreter sworn]

13 Thank you, Madam Interpreter. We welcome you to the Court
14 and I will ask for a record of your name for the purposes of the
10:55:28 15 record later.

16 THE INTERPRETER: Thank you, your Honours.

17 PRESIDING JUDGE: Mr Koumjian, I assume you have carriage
18 of the next witness as I see you have taken the hot seat.

19 MR KOUMJIAN: Good morning, your Honours. I will be
10:56:11 20 leading the next witness. The next witness is TF1-597. The
21 witness does have protective measures that were put in place by a
22 decision of this Trial Chamber on 10 January 2008, referring to a
23 decision on protective measures of 5 May 2006. The witness had
24 pre-trial protective measures in place. The witness has
10:56:35 25 indicated he is willing to testify openly and so because of that
26 the Prosecution would move to rescind paragraphs (a) through (g),
27 realising that paragraph (h) remains in place for the witness,
28 which guarantees confidentiality of confidential documents.

29 PRESIDING JUDGE: May I please have the date of that order

1 again, Mr Koumjian?

2 MR KOUMJIAN: The decision for this witness, TF1-597, was
3 issued by this Trial Chamber on 10 January 2008 and referred to
4 the decision of May, I believe 5 May 2006, and those protective
10:57:29 5 measures in that order were listed in paragraphs (a) through (h).
6 We are asking that all be rescinded except for the last (h). I
7 believe exactly the same procedure was used on the last witness.
8 We do have copies of that decision if the Court would like them.

9 JUDGE LUSSICK: I am probably not following it properly,
10:58:06 10 Mr Koumjian, but I have got - no, listen to me. I have got the
11 decision here. You are talking about (a) to (h) and rescinding
12 all except (h), but what I can't understand is if the original
13 protective order had provisions (a) to (m) and if we are looking
14 at (a) to (m), which are the ones you want to apply and which are
10:58:25 15 the ones you want rescinded?

16 PRESIDING JUDGE: It would be helpful if you have a copy.

17 MR KOUMJIAN: [Overlapping speakers] copy of that decision.
18 Let me see if I can get one.

19 MR MUNYARD: Madam President, your Honour, I will be
10:59:24 20 dealing with this witness from the point of view of the Defence
21 and I would be grateful to my learned friend if I could be
22 supplied with a copy, particularly now that I have heard Justice
23 Lussick's comment that this decision goes beyond letter (h). I
24 thought I had understood - I am very grateful - what the
10:59:41 25 protective measures were, but I didn't realise that they went
26 beyond letter (h). Thank you.

27 MR KOUMJIAN: Yes, well, I am grateful to the Court for
28 bringing the decision to my attention that goes through the
29 letter (m). I believe (i) through (m) refer to various measures

1 that the Trial Chamber imposed upon the Defence to ensure that
2 non-public materials remained non-public, so since we are asking
3 that (h) remain then we would ask that those remaining measures
4 also remain in place. So the Prosecution motion is to rescind
11:00:16 5 (a) through (g), while keeping in place (h) through (m).

6 MR MUNYARD: I can indicate that we don't have any
7 difficulty with that.

8 PRESIDING JUDGE: Thank you, Mr Munyard.

9 [Trial Chamber conferred]

11:01:01 10 MR MUNYARD: Madam President, can Mr Taylor be excused for
11 a moment for the usual reasons?

12 PRESIDING JUDGE: Yes, please have Mr Taylor escorted.

13 MR MUNYARD: Thank you.

14 [In the absence of the accused]

11:01:47 15 PRESIDING JUDGE: Mr Koumjian, there is a reference in the
16 decision to an annexure. Have you got a copy of the relevant
17 annexure?

18 MR KOUMJIAN: I am sorry, could your Honour repeat the
19 question? I didn't quite get it and my LiveNote is not up yet.

11:02:41 20 JUDGE SEBUTINDE: We are interested in the annex that
21 contains the witnesses, the witness pseudonyms.

22 [The accused present]

23 MR KOUMJIAN: I am sorry, could your Honour tell me the
24 annex to which decision?

11:03:15 25 JUDGE SEBUTINDE: Sorry, my attention has been drawn to the
26 specification of the witnesses in one of the paragraphs of the
27 decision. Therefore, the request for an annex does not arise.

28 MR KOUMJIAN: Thank you.

29 PRESIDING JUDGE: We note the application and, by consent,

1 order that the rescission of the protective measures listed in
2 paragraphs (a) to (g) of the decision of 5 May 2006 are hereby
3 rescinded.

4 Mr Koumjian, what language will the evidence be given in?

11:04:00 5 MR KOUMJIAN: The witness will testify in Sierra Leone
6 Krio, your Honour.

7 PRESIDING JUDGE: Please call the witness and,
8 Mr Interpreter, is the Sierra Leone Krio interpreter in position?

9 THE INTERPRETER: Sure, your Honours.

11:04:17 10 PRESIDING JUDGE: Very good.

11 MR KOUMJIAN: The Prosecution calls Samuel Kargbo.

12 PRESIDING JUDGE: Thank you.

13 WITNESS: SAMUEL KARGBO [Sworn]

14 EXAMINATION-IN-CHIEF BY MR KOUMJIAN:

11:06:26 15 Q. Good morning, sir. Would you please tell the Court your
16 name and spell your name for the record?

17 A. My name is Samuel Kargbo. S-A-M-U-E-L, Samuel.
18 K-A-R-G-B-O, Kargbo.

19 Q. Sir, can you tell us when you were born?

11:06:55 20 A. I was born on 6 June 1970.

21 Q. Thank you. Mr Witness, if you could try, when you are
22 testifying, to look at the judges. They are interested in having
23 contact with you. Can you tell us where you were born, sir?

24 A. Okay. Yes, I was born in Freetown, Sierra Leone.

11:07:19 25 Q. What is your nationality, then?

26 A. My nationality is Sierra Leonean and Limba by tribe.

27 Q. Sir, what languages do you speak or understand?

28 A. I speak Krio and understand it, I speak Limba and
29 understand it and I speak English and understand it.

1 Q. Can you tell us what your education has been?

2 A. I went to school at the Government Rokel Secondary School
3 and stopped at form 3.

11:08:03

4 Q. Thank you. Sir, have you ever performed any military
5 service?

6 A. Yes, I joined the army in 1990 and I served until 2001 and
7 I was discharged from the army.

8 Q. First let me ask you, which army did you join in 1990?

11:08:39

9 A. The Sierra Leone Army. On 1 December I joined the army in
10 1990.

11 Q. When you joined the Sierra Leone Army, did you undergo any
12 training?

13 A. Yes, I underwent training at the Daru, Moa barracks and at
14 that time it was in the 3rd Battalion of the Sierra Leone Army.

11:09:05

15 Q. Can you give us a brief description of the training you
16 underwent?

17 A. Yes, I underwent infantry training, basic training, at the
18 Daru, Moa barracks.

19 Q. How long did your training last?

11:09:26

20 A. Well, we started in December and the training stopped on 23
21 March when the rebel incursion started. That was when the
22 training stopped.

23 Q. And when you speak of the rebel incursion, can you just
24 make it clear what you are speaking of?

11:09:51

25 A. When the rebel incursion started, that was the time the RUF
26 invaded on 23 March and we stopped the training straight off and
27 we were there at Daru, Moa barracks on stand by and on the 25th I
28 was sent to Koindu to go there to serve as border guards. That
29 was where we were when the was training stopped and I was there

1 up to 27 March when the rebels attacked us and pushed us of the
2 of the town. That is the RUF.

3 Q. So you were in Koindu until the attack when you were pushed
4 out of the town. I'm sorry, did you give us the date when that
11:10:31 5 attack took place?

6 A. Yes, 27 March. That was the time the attack took place in
7 Koindu and we were pushed out of the town.

8 Q. Okay, so you were just in Koindu for a couple of days
9 before the attack. Is that correct? Do I understand you
11:10:54 10 correctly?

11 A. Yes, yes.

12 Q. After you were pushed out of Koindu by the attackers where
13 did you go?

14 A. We went straight to Buedu, but we did not stop at Buedu for
11:11:12 15 long, then we went straight to Kailahun Town. We went straight
16 to Kailahun Town and we were based there.

17 Q. And can you summarise for us where you were for the rest of
18 1990?

19 A. For the rest of 1990 I was at the Daru, Moa barracks and
11:11:37 20 after all we were - after they had pushed us we came and we
21 stayed in the Daru, Moa barracks. We were there in the barracks
22 up to 1991 - sorry, 1991 we were in Daru, Moa barracks. Up to
23 that time we were taken and we went to Benguema where they shot
24 me, and I was taken to the Daru, Moa barracks hospital and later
11:12:04 25 I was referred to Freetown and from Freetown I was in Freetown up
26 to December 1992 and up to - sorry, up to January 1992 and then I
27 was referred to go back to Daru and I returned to Daru. I was
28 there in 1992 up to 27 April and we went to Freetown with the
29 NPRC and we overthrew. Sorry, 29 April.

1 PRESIDING JUDGE: Mr Koumjian, I noticed you had asked the
2 witness about 1990, whereas in fact he said he joined in December
3 1990 and then the next - it would seem logical that the March
4 would be '91, but I think the witness himself has corrected the
11:12:52 5 situation.

6 MR KOUMJIAN: Thank you, yes. My apologies:

7 Q. Sir, you have just then explained where you were for the
8 rest of 1991 up until the NPRC coup on 29 April 1992. So during
9 that time you were in which district in Sierra Leone or
11:13:12 10 districts?

11 JUDGE SEBUTINDE: Did the witness refer to the NPRC coup at
12 all?

13 MR KOUMJIAN: I don't believe he said the word "coup", but
14 he said - "the 1992 overthrow" was the words he used for the
11:13:25 15 NPRC.

16 MR MUNYARD: He did refer to NPRC.

17 MR KOUMJIAN:

18 Q. So, sir, from the time you went to Daru barracks after
19 Koindu in March 1991 until you went to Freetown at the time of
11:13:42 20 the NPRC overthrow, what districts were you in within Sierra
21 Leone?

22 A. Well, I was in the Kailahun District during that time up to
23 the time I went to Freetown and I was referred again to come back
24 to the Kailahun District after the overthrow. And after the
11:14:06 25 overthrow I was referred back to go to Freetown, so I was now in
26 Freetown.

27 Q. Okay, sir, let's take it step by step and try not to get
28 too far ahead of me because I need to take things slowly. So I
29 am going to ask you about the time before the NPRC coup when you

1 were in the Kailahun District. Now you told us in March '91
2 there was an invasion. Were you involved in fighting in Kailahun
3 district between the time you went to Daru barracks in March and
4 the time you went to Freetown in April 1992?

11:14:47 5 A. We will fight against the rebels. By then I was with the
6 government force, the SLA, the Sierra Leone Army.

7 Q. Thank you. Now when you say "fight against the rebels",
8 can you tell us did you learn who you were fighting against?

9 A. Yes, I was fighting against the RUF. That is the
11:15:07 10 Revolutionary United Front. That was how they referred to
11 themselves at that time.

12 Q. Did you learn who these people were that you were fighting
13 against that were - that you referred to as RUF? What their
14 nationalities were?

11:15:29 15 A. Their nationalities mostly, that is the ones we rescued
16 from the bush, they told us they had Gios amongst them and most
17 of the others that they met were Mendes.

18 Q. Okay. I understand when you are answering about the tribe
19 and I'm sorry I used the word "nationality" which is ambiguous.

11:15:53 20 Do you know which country these people came from, the Gios and
21 the Mendes that you are talking about?

22 A. The Gios were from Liberia and the Mendes were Sierra
23 Leoneans.

24 Q. How do you know that there were Liberians that you were
11:16:16 25 fighting against?

26 A. Well, through the people that we rescued from the bushes,
27 they told us that these ones were Gios and they were Liberians,
28 together with their Mende brothers who were from Sierra Leone.
29 The Gios were from Liberia. They had some other names that they

1 referred to as Special Forces. They told us those were the
2 people.

3 JUDGE SEBUTINDE: Mr Koumjian, who are the people that they
4 rescued from the bushes? What does that mean?

11:16:51 5 MR KOUMJIAN: Thank you:

6 Q. Sir, can you explain to us what you mean when you talk
7 about the people you rescued from the bushes?

8 A. Well, by then they were our own citizens that we protected.
9 When they fled into the bush at the time of the war they ran into
11:17:12 10 the bush, so anywhere we liberated we would set up a team, a
11 patrol team, that will go to the bushes to get them out. Those
12 were the ones that gave us the information and they were the ones
13 who escaped from them.

14 Q. Did you capture any of the enemies that you recall?

11:17:36 15 A. Yes, we captured one in Koindu during the time we
16 re-advanced to repel them from Koindu. He was called Harrison
17 George and he gave us all their codes and their passwords that we
18 used to enter Foya. He told us that they came from there to
19 attack us and he said the code was "commando brave strong
11:17:59 20 intelligent". He told us that that was the password that we were
21 supposed to use so that we would be able to enter there. But we
22 did not do that. He told us about the person who was there. He
23 said he was a Sierra Leone by the name of Pa Morlai, but we said
24 we did not know that person and so we captured him and we handed
11:18:18 25 him over to government.

26 Q. Thank you. I want to ask you a few questions about your
27 last answer. First, can you repeat slowly the name of the man
28 you captured, or woman, whichever it was?

29 A. The name is Harrison George.

1 Q. That is Harrison, H-A-R-R-I-S-O-N, is that correct?

2 A. Exactly.

3 Q. This was a man or a woman?

4 A. That is a man.

11:18:51 5 Q. And, sir, you indicated that - there was a reference made
6 to Pa Morlai. Can you explain again who was that person?

7 A. Well, of late we later came to know that it was Foday
8 Sankoh, but by then he told us it was Pa Morlai, but of late we
9 had to pick up that the rebel leader he referred to was Foday
10 Sankoh.

11:19:17

11 JUDGE SEBUTINDE: Could we have a spelling of that, please?

12 MR KOUMJIAN:

13 Q. Pa is the two letters P-A. Morlai, M-O-R-L-A-I. Is that
14 correct, Mr Witness?

11:19:31 15 A. Yes, sir. It's correct, sir.

16 Q. Now, sir, you talked about rescuing people from the bush.
17 Can you tell us did you observe anything about how these invading
18 forces treated civilians during the time you were in the Kailahun
19 District before the NPRC coup?

11:19:57 20 A. Yes, they were treating them badly. They even used to take
21 them, carry them and recruit them. They took their loads, their
22 luggage from them. Most of the people in fact they captured were
23 women and children, were people that we rescued from the bushes
24 mostly, but we did not get people who were as strong as I am to
25 be rescued.

11:20:22

26 PRESIDING JUDGE: Mr Witness, because everything you are
27 saying is being interpreted could I ask you to try and speak
28 slowly to allow the interpreters to hear you properly.

29 THE WITNESS: Okay, Madam.

1 MR KOUMJIAN:

2 Q. Sir, what did you actually see that made you believe that
3 civilians had been treated poorly by the invading forces?

4 A. Well, they were actually treated badly, because they told
11:20:59 5 us that they even used to eat people, that is the Gios. And they
6 were killing people, they were burning down houses and most of
7 the areas where we patrolled we saw houses burnt down.

8 Q. You said that also that they were killing people. Did you
9 ever observe any killing or any bodies of people that appeared to
11:21:22 10 be civilians who had been killed?

11 A. Yes. I did not see it happen, because during the attack
12 when we were attacked we will pull out, but we mostly met the
13 corpses in the bush and they will tell us that these were the
14 people that the RUF rebels killed and they told us that the Gios
11:21:46 15 in fact used to eat some of those people.

16 Q. Sir, did you ever run across any checkpoints that your
17 enemies had set up?

18 A. Yes.

19 Q. Can you tell us anything you remember about those
11:22:09 20 checkpoints?

21 A. Yes, mostly we will meet human intestine crossed over the
22 road and they will decapitate heads and then put them on sticks
23 by the wayside so when you get to such areas you will know that
24 it was a dead zone.

11:22:33 25 Q. Okay, thank you. Now I want to move back to - you told us
26 that in 1992 you went to Freetown and you talked about the NPRC
27 overthrow. Sir, were you involved in those events?

28 A. Yes, I was involved in that. I was - I served as security
29 to by then second lieutenant Idrissa Kamara. I was with him by

1 then during the NPRC overthrow.

2 Q. So which side of that conflict between the NPRC and the
3 government were you on? Let me try and rephrase my question
4 because it assumes something that is not necessarily true. Sir,
11:23:21 5 were you part of the pre-NPRC forces when you say you served as a
6 bodyguard, or are you talking about after the NPRC overthrow that
7 you were serving as a bodyguard to Mr Kamara?

8 A. I was part of them in a group, but as a security to second
9 lieutenant Idrissa Kamara at that time.

11:23:48 10 Q. You were part of who when you say you were part of them?

11 A. I was part of the NPRC as a security when we went to
12 overthrow. I was part of the manpower that went down to
13 overthrow.

14 Q. Okay, thank you very much. Now after going to Freetown,
11:24:10 15 you said in April, how long did you stay there?

16 A. Well, I was there in April/May and by the end of May we
17 were sent to Daru to try to recapture all the areas where the
18 rebels were. So we were returned to Daru. And from Daru we
19 advanced and when we advanced the first point which was the 1st
11:24:37 20 Battalion by then of the rebels was at Qui va and at that time
21 again I was shot in my leg and up to this moment the bullet still
22 remains there. So I was returned to Freetown.

23 Q. Okay, just so the record is clear, who shot you, if you
24 know?

11:24:58 25 A. Well, it was the rebels, because during the time they came
26 and attacked us we had captured the town for about 72 hours.
27 They attacked us in the morning and they shot me in my leg and
28 then I was returned.

29 Q. And can you tell us again which district Daru barracks is

1 in?

2 A. It is in the Kailahun District.

3 Q. After returning to the Daru barracks in 1992 how long did
4 you stay in Kailahun District?

11:25:39 5 A. Well, I cannot exactly tell the right date when I returned,
6 but after I was shot I was taken back to Freetown and I was
7 admitted at the 34 military government hospital.

8 Q. What year was that?

9 A. Well, that was in 1992.

11:25:59 10 Q. Okay. How long did you stay in the hospital?

11 A. Well, I was in the hospital for about three months and I
12 was discharged and I was sent back to my State House.

13 Q. When you were posted - is that the State House in Freetown,
14 sir?

11:26:19 15 A. Exactly.

16 Q. When you were posted at the State House, were you in a
17 particular unit?

18 A. Well, after I was posted to the State House I was attached
19 to the public relations officer, by then Lieutenant Kari fa

11:26:43 20 Kargbo. He was the public relations officer. That was where I
21 was posted as security.

22 Q. Okay, sir, I want to jump ahead then to the 1996 elections.
23 Do you recall that there were elections in Sierra Leone in 1996?

24 A. Yes.

11:27:06 25 Q. Prior to the elections, where were you assigned?

26 A. Well, during the time the campaign drew near to the
27 election an attack took place around the Kenema area where they
28 were cutting people's fingers and they left the big thumb. So
29 they came closer to Joru which is very close to Kenema and they

1 took us from the secretariat at Freetown and they said we should
2 go and repel them from Joru. But by that time the RUF had
3 declared Operation No Election. So we went there and we repelled
4 them from Joru, we got people from out of the bush and some of
11:27:48 5 our colleagues were shot. Some of the our colleagues were shot.
6 We brought them to the Kenema hospital and we met those people
7 whose four fingers and only the thumb was spared. We asked them
8 and they told us it was the RUF that did that to them.

9 Q. Thank you. The proceedings will go a little bit smoother
11:28:06 10 if you give short answers that directly answer the question. So
11 I want to cover what you have just said, but let's go back to the
12 question I asked you. Prior to these events you are talking
13 about and prior to the election where were you assigned?

14 A. Before the elections I was in Freetown when they started
11:28:31 15 attacking Joru, so we were sent there.

16 Q. So you were sent to where exactly from Freetown after the
17 attack on Joru?

18 A. They sent us to Kenema exactly.

19 Q. Sir, when you went to Kenema can you tell - well, first of
11:28:48 20 all you said they were attacking. Who was it that was attacking
21 in that area of Joru, Kenema?

22 A. It was the RUF, the Revolutionary United Front, at that
23 time.

24 Q. Did you actually go to the town of Kenema?

11:29:11 25 A. Yes.

26 Q. Did you pass through villages on the way to the town?

27 A. Yes.

28 Q. Can you tell us what you saw on your way to Kenema and once
29 you got to Kenema?

1 A. Yes.

2 Q. Thank you. What did you see, sir, that you can recall now?

3 A. Well, during the time we were going to Kenema, it was
4 peaceful until the time we got into Kenema. The villages through
11:29:47 5 which we passed.

6 Q. When you got to Kenema, what did you see?

7 PRESIDING JUDGE: Sorry, Mr Koumjian, to interrupt you, but
8 in fact we are up to our time limit.

9 MR KOUMJIAN: Thank you.

11:29:58 10 PRESIDING JUDGE: It might be better to recommence.

11 Mr Witness, we normally take a mid-morning break at this time.

12 We will be adjourning for half an hour and we will be starting
13 court again at 12 o'clock. Please adjourn court until 12.

14 [Break taken at 11.30 a.m.]

11:54:02 15 [Upon resuming at 12.00 p.m.]

16 PRESIDING JUDGE: Mr Koumjian, if you wish to proceed.

17 I will just again ask the witness that, Mr Witness, I know we all
18 have a tendency to speed up as we speak, but if you could
19 remember the interpreters who are trying to keep up with you and,
12:02:11 20 as counsel has said, pause now and again in your answer. Please
21 proceed, Mr Koumjian.

22 MR KOUMJIAN: Thank you, your Honour:

23 Q. There was a point where you talked about the capture of
24 Harrison George. I believe I had it on page 52, line 11, but my
12:02:29 25 numbering may be different than your Honours's. You said,
26 "Harrison George, he gave us all their codes and their passwords
27 ...", and what the transcript that we have, sir, says is that,
28 "... we used to enter Foya. He told us that he came from there
29 to attack us", and so I am a bit confused by that answer. Can

1 you clarify what did Harrison George tell you about Foya and what
2 - well, first let me ask you that question.

3 A. Harrison George told us that - he said they were doing
4 training in Foya. That was where they were coming from to attack
12:03:11 5 us.

6 Q. Okay. Now did you, in other words the members of the
7 Sierra Leone Army at that time, use his information to cross the
8 border, or not?

9 A. No, we did not use his information to cross the border
12:03:31 10 because just after he gave us the information they came and
11 attacked us again and they were dislodged finally.

12 Q. Okay, thank you. Then referring to page 51, I believe it
13 is, lines 8 through 15 --

14 PRESIDING JUDGE: Could I just clarify, Mr Koumjian. "They
12:03:51 15 were dislodged finally", is that what the witness said? "They
16 were dislodged finally"?

17 THE WITNESS: Yes, they dislodged us finally, the RUF
18 rebels who were with the RUF. The Liberians who were with the
19 RUF, the Gios, the Special Forces.

12:04:15 20 MR KOUMJIAN:

21 Q. Sir, later I asked you --

22 JUDGE SEBUTINDE: So then the text should read "and we were
23 dislodged finally".

24 MR KOUMJIAN: Yes:

12:04:32 25 Q. Sir, and then I asked you - my question was:

26 "You said that they were also killing people. Did you
27 observe any killing or any bodies of people that appeared to be
28 civilians who had been killed?"

29 You answered:

1 "I did not see it happen because during the attack when we
2 were attacked we will pull out, but mostly met the corpses in the
3 bush."

4 Then you said:

12:04:57 5 "And they will tell us that these were the people that the
6 RUF rebels killed and they told us that the Gios in fact used to
7 eat some of these people."

8 So, sir, who is it that you are talking about when you said
9 that, "And they will tell us that these were the people that the
10 RUF rebels killed ..."? Who told you that?
12:05:19

11 A. It was after we had taken the people from out of the bush
12 when we were dislodged we went and we came back to repel the
13 attack, but we were unable. We got some people from the bush and
14 they told us that the RUF rebels came to - it was the RUF rebels
15 who had come to attack and they said they dislodged us and they
16 killed people and burnt the town down.
12:05:43

17 Q. Sir, these people from the bush that you are talking about,
18 were they fighters, military people, or civilians?

19 A. They were civilians.

12:06:03 20 Q. Thank you. And then you went on to say, "... and they told
21 us that the Gios in fact used to eat some of those people". Who
22 told you about the Gios eating some people?

23 A. It was the civilians whom we took from out of the bush.

24 Q. Okay, thank you. When we left off I was asking you about
12:06:27 25 the 1996 elections and you had explained that you had been sent
26 to Kenema and gone to the town of Kenema. Sir, did you get to
27 Kenema before, after, or during the election?

28 A. Before the elections.

29 Q. When you got to the town of Kenema, can you tell the judges

1 what you saw?

2 A. When we got to Kenema there were a lot of displaced who had
3 come to Kenema, some others were in the bush and we went to the
4 secretariat where we were all assembled.

12:07:08 5 Q. When you say there were a lot of displaced in Kenema, what
6 do you mean?

7 A. The civilians who had managed to escape from the other
8 areas.

9 Q. And what about the town of Kenema itself? Do you now have
12:07:23 10 any recollection of anything you observed in the town?

11 A. There were a lot of people in the town. It was full. We
12 did not even pass there and they told us that we were to go to
13 Joru.

14 Q. Now when you talked to the civilians in Kenema, what did
12:07:50 15 they tell you about what had been happening prior to your
16 arrival?

17 A. Well, when we got to Kenema we did not even talk to the
18 civilians. It was after we had been sent to Joru, when we went
19 we attacked and repelled the attackers, but some of our
12:08:16 20 colleagues were shot. Even when we came back to the Kenema
21 hospital it was then that we had some talk with one or two of
22 them. Some of them their fingers were cut off. They only had
23 the thumb left and they told us it was the rebels and they said
24 the rebels had told them that it was 1-love to the soldiers and
12:08:36 25 they said the operation was called non-election.

26 MR MUNYARD: I didn't rise to object because the witness
27 was halfway through his answer, but as far as I could tell the
28 witness had not said that the civilians in Kenema had told them
29 anything. My learned friend's question was, "When you talked to

1 the civilians what did they tell you?" I don't believe that was
2 based on any foundation. I am simply rising at this stage after
3 the fact to remind my learned friend to make sure that no leading
4 questions are put, or no questions without foundation are put in
12:09:14 5 examination-in-chief.

6 JUDGE SEBUTINDE: I am looking at line 16. The witness
7 said, "It was 1-love to the soldiers." What does that mean?

8 MR KOU MJIAN:

9 Q. Mr Kargbo can you explain what you meant - the transcript
12:09:37 10 indicates you said the civilians said it was 1-love to the
11 soldiers. Did you say that?

12 A. It was not the civilians. It was the way their fingers
13 were cut off. All of the four fingers were cut off. It was only
14 left with the thumbs. So they told them to go and tell the
12:09:59 15 soldiers that it was 1-love, there was going to be no elections.

16 When we came to Kenema and met some of our colleagues who had
17 been shot in the Kenema hospital, government hospital in Kenema.

18 Q. Mr Kargbo --

19 PRESIDING JUDGE: Just before you proceed, Mr Koumjian, you
12:10:16 20 have noted that Defence counsel will be objecting to leading, so
21 for purposes of record we have noted that.

22 MR KOU MJIAN: I thought the witness had said that and
23 I haven't reviewed the transcript, but I will take counsel's word
24 for it that it wasn't said before:

12:10:32 25 Q. Sir, it would be helpful to us to try not to use the words,
26 the pronouns "he" or "they", if you can. Instead of saying
27 "they" you can explain who it is you are talking about. First of
28 all, when you talked about people talking about the fingers being
29 cut off, who was it who was telling you that?

1 A. The civilians in the Kenema government hospital. They said
2 the RUF rebels had cut off their forefingers and it was only left
3 with the thumb.

4 Q. Then at one point, I am reading from line 17, you said,
12:11:13 5 "They told them to go and tell the soldiers love" - or something
6 like that you said. Who was speaking to who and told them to go
7 and tell something?

8 A. The rebels said they were to go and tell the soldiers
9 1-love. That was the Sierra Leonean government soldiers. That
12:11:39 10 they should tell them it was 1-love, they did not need any
11 elections. It was Operation No Elections. That was why they cut
12 off the four fingers and it was only left with the thumb. That
13 was done by the RUF rebels.

14 Q. And the rebels told that to who?

12:11:54 15 A. They told the civilians whose fingers had been cut off.

16 Q. Thank you. Did you actually see civilians with their
17 fingers cut off?

18 A. Yes.

19 Q. And where was that that you saw that?

12:12:15 20 A. At the Kenema government hospital.

21 Q. After the elections what happened to your assignment?

22 A. After the elections they hand power over to the SLPP
23 government and within three months I was assigned to Bradford and
24 at that time there was a Lieutenant Colonel Yira Koroma who
12:13:01 25 addressed us. We were the special security and we were referred
26 to as Junglers to the NPRC. We used brown beret. We were
27 assigned to the defence headquarters. That was where we were.
28 From there they told us that they wanted Superman from the RUF
29 side who had come around the 91 Highway --

1 THE INTERPRETER: Your Honours, can the witness repeat that
2 last bit.

3 PRESIDING JUDGE: Pause, Mr Witness, please. The
4 interpreter asks that you repeat the last part of your evidence.

12:13:39 5 Please pick up where you said, "They wanted Superman from the RUF
6 who had come around the 91 Highway". Continue from there.

7 THE WITNESS: We did not know how the army got in touch
8 with them, but as I was saying one Lieutenant Colonel Yira Koroma
9 was the one who addressed us at the defence headquarters at

12:14:03 10 Cockerill. He said Superman wanted to surrender and he was an
11 RUF, but he said he will not surrender to the Kamajors. He said
12 he would only surrender to the soldiers who were in that Special
13 Forces brown beret Junglers, they said we were to go to Bradford
14 for Superman to come and surrender to us. When Lieutenant

12:14:31 15 Colonel Yira Koroma was addressing us he said even if we had our
16 weapons we should - in alert position we would be
17 court-martialled, all of us should string our weapons at our
18 back, and we were taken to the Sumbuya that was called RDF
19 battalion around the Masiaka, 91 Highway. That was where we met
12:15:01 20 a Lieutenant Colonel Sinah who addressed us. He said we were not
21 going to stay there. We were to go to --

22 MR MUNYARD: Sorry to interrupt. Before we get too far
23 into this answer there is a "them" at the beginning of it and
24 I have no idea who the "them" refers to. It starts, line 13 on
12:15:21 25 page 65: "We did not know how the army got in touch with them."
26 I am sorry to interrupt, but we will lose sight of it completely
27 if the answer carries on.

28 MR KOUMJIAN:

29 Q. Sir, actually I want to stop you for a moment. You

1 mentioned Lieutenant Ndolo Koroma. Am I say the name correctly?

2 A. Lieutenant Colonel Yira Koroma.

3 Q. Can you please help us with the spelling of the first name?

12:16:05

4 A. Well, it was Lieutenant Colonel Yira. I would not know how
5 he spelt it, but I know how to spell the Koroma. He is still
6 part of the army continuing his service.

7 JUDGE SEBUTINDE: Mr Interpreter, can you spell Yira?

8 THE INTERPRETER: Yes, your Honour. It's Y-I-R-A.

9 MR KOUMJIAN: My appreciation to the interpreters for that:

12:16:27

10 Q. Sir, actually this incident you are talking about, I want
11 you to try to summarise it very briefly. You talked about being
12 sent because Superman wanted to surrender to the SLA, not the
13 Kamajors. At the end of this incident did you get arrested?

14 A. Yes.

12:16:48

15 Q. Did other members of your unit get arrested?

16 A. Yes.

17 Q. And what happened?

12:17:20

18 PRESIDING JUDGE: You haven't addressed Mr Munyard's
19 question who is the "them". It is line 15 of page 65 in my
20 script, the very beginning of the answer.

21 MR KOUMJIAN: For some reason I am on page 200. Could your
22 Honours assist me because I am on page 200 for some reason on my
23 LiveNote. I don't understand it. If you could read the answer.

12:17:47

24 PRESIDING JUDGE: Of course. The witness was referring to
25 Superman who had come around the 91 Highway and the witness
26 continued, "We did not know how the army got in touch with them."

27 MR KOUMJIAN:

28 Q. Sir, who were you referring to when you said "them"?

29 A. I was referring to the RUF. We did not know how the army

1 got in touch with the RUF rebels.

2 Q. Thank you. Now you indicated at the end of this incident
3 you and other members of your unit were arrested. How many other
4 members of the Jungler unit were arrested?

12:18:29 5 A. They arrested six of us who were the most senior of men and
6 some other people were in our care, but later they came and took
7 them away and were sent to Liberia. That was the Sierra Leone
8 contingent, part of the ECOMOG, and six of us were dismissed and
9 jailed for 56 days IHL in the army.

12:18:57 10 Q. Thank you. Can you help us with when you were arrested?

11 A. We were arrested around the end of June 1996.

12 Q. After being released from detention, or prison, were you
13 then dismissed from the army?

14 A. Yes, we were dismissed on 12 July 1996 and we were jailed.

12:19:36 15 Q. After being dismissed from the army what did you do
16 briefly?

17 A. Well, I ran the jail term and afterwards I went to my house
18 living there quietly.

19 Q. Now I want to take you to 1997, to May of 1997. Did
12:20:00 20 something happen in May 1997 to you?

21 A. Yes.

22 Q. Can you tell us what happened?

23 A. Well, from '96 to '97 when we were dismissed my salary was
24 still running and I still used to - even my rice was being given
12:20:29 25 out, but one lieutenant colonel --

26 THE INTERPRETER: Your Honours, the witness has called a
27 name that the interpreter needs.

28 PRESIDING JUDGE: The interpreter asks you to repeat the
29 name of the lieutenant colonel, Mr Witness, please.

1 THE WITNESS: Lieutenant Colonel Davis used to receive my
2 rice and salary at that time.

3 MR KOUMJIAN: Your Honours, forgive me but my colleague is
4 trying to help me get the right transcript up. Thank you:

12:20:58 5 Q. Sir, what happened then in May 1997?

6 A. I was at my house when one of my colleagues called Abu
7 Zagalo Sankoh came to my wife at that time who was at Brookfields
8 in the evening, but I was not present, I had gone to church. So
9 when I came from church she said Zagalo had come to look for me.

12:21:34 10 He said he wanted to see me. So the two of us met the following
11 day and he explained to me that things were not working right,

12 "Especially for you guys who have been dismissed from the army
13 and you are hearing about the incidents that are happening, the
14 Kamajors are killing soldiers and there is nobody to ask. Look

12:22:00 15 for example when Oscar Bright [phon] was killed and Kamajors
16 attacked you, nobody asked any questions. So I want us to topple
17 the government. I want us to demonstrate and topple the
18 government."

19 MR KOUMJIAN: Your Honours, just a spelling for the record
12:22:18 20 Abu A-B-U, Zagalo Z-A-G-A-L-O, Sankoh S-A-N-K-O-H:

21 Q. Sir, just so we are clear from now on, can we both agree to
22 call this person Zagalo and we will know who you are talking
23 about?

24 JUDGE SEBUTINDE: Brookfields is as in the English
12:22:41 25 spelling?

26 MR KOUMJIAN: Yes, your Honours.

27 THE WITNESS: I did not get that clearly. Please repeat.

28 MR KOUMJIAN:

29 Q. We were just asking about the spelling of Brookfields, that

1 is the usual spelling. So sir --

2 A. You want me to spell it?

3 Q. It is not necessary, thank you. So after speaking to
4 Zagalo - first of all, do you recall the date it was that Zagalo
12:23:10 5 came and spoke to you?

6 A. Well, Zagalo came on Tuesday but I can't recall the exact
7 date, but it was on Tuesday. We did not meet on that day. We
8 met on Wednesday.

9 Q. And who was Zagalo? Was he a civilian, or a soldier?

12:23:33 10 A. Zagalo was a soldier. He was a sergeant. He was the coach
11 for the military team at that time.

12 Q. Was he serving in the army - the Sierra Leone Army - at the
13 time that he spoke to you?

14 A. Yes, he was serving in the army. He was the SLA coach for
12:23:56 15 the football team.

16 Q. What was his tribe?

17 A. Limba.

18 Q. So after speaking to Zagalo on this Tuesday, what happened
19 next?

12:24:11 20 A. I did not talk to him on that Tuesday, because we did not
21 see each other. We saw each other on Wednesday. So, he told us
22 to meet and that we should assemble at a place where he gave to
23 me the address. That was Wilkinson Road, Cockerill, closer to
24 the defence headquarters at that time.

12:24:38 25 Q. Did you then meet with him at Cockerill?

26 A. Yes. I together with the other colleagues met with him,
27 those who were the AFRC supreme members.

28 Q. Was that the same Wednesday?

29 A. No, that happened on Saturday night going towards Sunday

1 morning.

2 Q. Do you recall the date?

3 A. Yes, 25 May 1997.

4 Q. You indicated you met with other colleagues also at

12:25:18 5 Cockerill. Do you remember some of the names of those present?

6 A. Exactly.

7 Q. Please?

8 A. Yes, like he, Zagalo; Brima Kamara, alias Cobra; Tamba Alex

9 Brima, alias Gullit; Ibrahim Bazy Kamara; Hassan Bangura, alias

12:25:50 10 Papa; Foday Kallay; and others.

11 Q. Do you remember how many of you were there?

12 A. Well to be frank we were many, but those of us who were
13 able to agree on whatever we were about to do were 17 in number.

14 Q. What did the 17 of you agree on?

12:26:20 15 A. We agreed that the things that were happening when soldiers
16 were killed and no senior officer could say anything, soldiers
17 were killing Kamajors and they were put into prison and no senior
18 officer could say anything, we said we were going to demonstrate
19 against the government because we were not happy with what was
12:26:43 20 going on.

21 Q. Just so everyone listening is clear, which government was
22 that at that time?

23 A. It was the SLPP government at that time.

24 Q. Headed by who?

12:26:58 25 A. Headed by at that time it was Dr Ahmad Tejan Kabbah.

26 Q. So, how exactly did you implement this plan that you made
27 at Cockerill?

28 A. We entered the defence headquarters and we put the security
29 under control, the officers whom we met there, and we moved

1 straight to the Central Prison, Pademba Road. At that time we
2 had hundreds of soldiers in there as inmates. We broke into the
3 Pademba Road Prison and entered there and released every
4 prisoner.

12:27:44 5 Q. What happened after you released all the prisoners,
6 including the soldiers, that had been held at Pademba Road?

7 A. When we released all of them at that time we saw one Major
8 Johnny Paul Koroma, who was the most senior amongst all of us.
9 Just when we came out he told us not to kill anybody, because at
10 that time we were really desperate. He said - every single
11 officer whom we saw we planned to execute all of them, but he
12 told us not to execute any of them. We arrested them and put
13 them into the military guardroom by force. That was what we did
14 and all of us drove to the place.

12:28:27 15 Q. You drove to which place?

16 A. We drove and came up to the Wilberforce military barracks.
17 When we had taken them from Pademba, we took them to the State
18 House and drove to the Wilberforce military barracks.

19 Q. What happened then?

12:28:44 20 A. So, we started arresting senior officers and putting them
21 into the guardroom. We started arresting them from their houses.
22 So at that time we were there and we had not made any list of
23 government officials would be, but we were there for about a
24 week. There was nobody again at that time the Head of State had
12:29:10 25 escaped and some of his ministers, so one of our colleagues went
26 to the station - his name was Gborie - and announced that we, the
27 other ranks, had toppled the government.

28 Q. Just can you - do you know Gborie's full name?

29 A. He was called Tamba Gborie.

1 Q. What was his rank prior to this action?

2 A. He was a full corporal.

3 MR KOUMJIAN: And Gborie, your Honours, is as it has been
4 spelt, G-B-O-R-I-E:

12:29:51 5 Q. Sir, you talked about originally there being 17 of you. In
6 these various actions at the prison and then at the barracks, did
7 anybody join the original 17 of you in these actions to take over
8 the government?

9 A. Yes, all the other soldiers had then joined us.

12:30:16 10 Q. Now, you indicated you had arrested some senior officers.
11 Is that correct?

12 A. Yes. The senior officers and even the other officers from
13 the rank of second lieutenant, anyone we saw was arrested and we
14 put them into prison and later some of them came and joined us
15 when Johnny Paul said we should release them.

16 Q. Now after taking over the barracks, did you take over other
17 parts of the government?

18 A. Yes, we took over the State House and all the other
19 barracks that were in the city. We took over them. And even the
12:30:57 20 ones that were in the provinces, they too gave us our support.

21 Q. Sir, were there any forces opposing --

22 THE INTERPRETER: I am sorry, your Honours, "They too gave
23 us their support". Interpreter's mistake.

24 THE WITNESS: Well, the --

12:31:14 25 MR KOUMJIAN:

26 Q. I am sorry, sir, it was my fault. The interpreter has made
27 a correction and I am not sure if you got the question.

28 THE WITNESS: I want to ease myself.

29 PRESIDING JUDGE: Please do, Mr Witness. Mr Koumjian, if

1 you wish to have a seat.

2 Mr Koumjian, if you wish to proceed.

3 MR KOUMJIAN: Thank you:

12:36:21

4 Q. So, sir, I believe I was asking you about Mr Gborie and you
5 gave us his name and rank. Were there any forces opposing you in
6 the takeover of the government?

12:36:54

7 A. Well except the force from the RDF, but they were
8 unsuccessful, but later they joined forces with us because they
9 had a Lieutenant Colonel Sinah and we arrested him, took him to
10 the guardroom and the forces joined us.

11 Q. You mentioned that someone had left the country. Did
12 members of the government stay or leave the country?

12:37:18

13 A. The Head of State together with his Vice we did not see
14 them and some of the ministers escaped, but there were some other
15 ministers who were still in the country.

16 Q. Sir, you have talked about a group called the Kamajors and
17 others have also mentioned them, but can you give your
18 definition. Who were the Kamajors?

12:37:39

19 A. They were the civil militia who were fighting alongside the
20 SLPP government forces.

21 Q. Who was heading the Kamajors, if you know?

22 A. At that time we knew it was Hinga Norman and the President
23 at that time, Ahmad Tejan Kabbah.

12:38:04

24 Q. Were there any international forces in Sierra Leone at the
25 time that you took over power?

26 A. The Nigerians were there, yes. The Nigerian soldiers were
27 in the country when we took over power.

28 Q. What were they called?

29 A. At that time they referred to themselves as ECOMOG force.

1 Q. Were the Kamajors - first let me ask you, did the group
2 that you were a member of that took over power, did you have a
3 name or give yourselves a name?

4 A. No, we did not give ourselves any name. It was when we
12:38:55 5 were ready to form a government, then we gave ourselves name.
6 When we went and assembled at Cockerill we gave the name Armed
7 Forces Revolutionary Council.

8 Q. Did you have any acronym to shorten that name that you went
9 by?

12:39:13 10 A. AFRC.

11 Q. Were the Kamajors that you mentioned supporting the AFRC?

12 A. No.

13 Q. Were the ECOMOG forces that you mentioned supporting the
14 AFRC?

12:39:33 15 A. No.

16 Q. Now you talked about arresting some senior officers and the
17 fact that many soldiers joined you. Did all of the members of
18 the Sierra Leone Army before the coup join the AFRC, or was there
19 any division?

12:39:52 20 A. Yes, especially the other ranks. The senior officers, it
21 was only later when we had released them that they had to reason
22 with us and they joined us, not willingly.

23 Q. Did any of the Sierra Leone Army, to your knowledge, remain
24 loyal to the Kabbah government and oppose your AFRC government?

12:40:22 25 A. Do you mean the senior officers or the soldiers?

26 Q. I am asking about both.

27 A. Yes, some of them escaped and they went and joined them and
28 some senior officers also went and joined them, like Tom Carew
29 who was the chief of defence staff for them when they returned.

1 Like Nelson Williams and a lot of others and some other soldiers.

2 MR KOUMJIAN: Carew, your Honours, is C-A-R-E-W:

3 Q. Sir, you mentioned a Mr Williams or an officer Williams.

4 Can you give his first name again, please?

12:41:15 5 A. Yes, it was Nelson Williams. At that time he was a
6 colonel.

7 Q. The transcript indicates that you said at one point RDF.
8 What did you mean by RDF?

9 A. Well, they called that battalion Rapid Deployment Force.

12:41:43 10 Q. And what was it?

11 A. They said it was a force that was there for in case of any
12 emergency they will respond rapidly. It was in Sumbuya Town
13 along the Masiaka 91 Highway.

14 JUDGE SEBUTINDE: I don't believe Sumbuya has been spelt.

12:42:12 15 MR KOUMJIAN: Sorry, your Honour? Which word?

16 JUDGE SEBUTINDE: Sumbuya.

17 MR KOUMJIAN: One moment:

18 Q. Witness, please correct me if I'm wrong, but Sumbuya is
19 S-U-M-B-O-Y-A [sic]?

12:42:33 20 A. Exactly.

21 Q. Thank you. Thank you, your Honour. Sir, you also
22 mentioned the RUF. What happened after you formed, or when you
23 were forming the AFRC government with the RUF? What was their
24 position? What occurred between the two of you?

12:42:59 25 A. After we had taken over power within a week to two I did
26 not know where Johnny Paul Koroma, who was our chairman then,
27 where he got Foday Sankoh's number. When he called him and told
28 him that he would like the RUF to come over and join forces with
29 us, because the Kamajors were fighting alongside the Nigerians

1 and we wanted total peace, we the soldiers particularly, we the
2 other ranks. That was what he told him. So he called him. We
3 don't know where he got the number. So Pa Sankoh told him and
4 the RUF that the RUF should come and join us. So within 72 hours
12:43:42 5 the RUF came and joined us.

6 Q. Sir, you indicated that Johnny Paul Koroma called Foday
7 Sankoh. How do you know that?

8 A. We were in the office. All of us were in the office,
9 because at that time we were the security to him. We did not
12:44:06 10 trust anybody to be closer to him because when we released him he
11 was the most senior officer amongst us. We were in the office
12 when he called. After calling they were talking on the phone,
13 because it was a landline. From there he said he had got Pa
14 Sankoh and Pa Sankoh had promised the RUF would come and join us
12:44:29 15 and he would send somebody to come and meet us.

16 Q. Where was the office with the landline where you heard the
17 call?

18 A. At that time it was in the office of the late Hassan Conteh
19 who was the chief of defence staff at that time.

12:44:49 20 Q. To be clear, Hassan Conteh, C-O-N-T-E [sic], was he chief
21 of defence in the prior government or in the AFRC government? In
22 the Kabbah government or the AFRC government?

23 A. He was chief of defence in the Kabbah government before we
24 overthrew.

12:45:11 25 Q. So where was that office?

26 A. It was at the defence headquarters, Cockerill.

27 Q. After Johnny Paul Koroma called Foday Sankoh did he tell
28 you what was discussed with Foday Sankoh?

29 A. Yes, after the telephone conversation he told us that he

1 had spoken to Foday Sankoh and said Foday Sankoh had said he will
2 send somebody who will come to meet us, then the RUF would
3 eventually come and join us. So within 72 hours - within 48
4 hours the person whom he said came and met us, Gibriil Massaquoi,
12:45:58 5 he brought with him telephone numbers and the RUF came and joined
6 us.

7 Q. Thank you. First taking that step by step, Gibriil
8 Massaquoi, did you know him before this incident?

9 A. No, I did not know him.

12:46:19 10 Q. Did you meet him when you said he came 48 or 72 hours
11 later?

12 A. Yes, I was not part of the group who went to pick him up so
13 he met us at Cockerill where all of us saw him, particularly with
14 the supreme members. He met with the chairman and spoke to him.

12:46:45 15 That was where we saw him.

16 Q. Did Gibriil Massaquoi introduce himself as a member of any
17 group?

18 A. Yes, he said he was a member of the RUF and that he was
19 sent - his leader had sent him, Foday Sankoh.

12:47:05 20 Q. You mentioned that he came with phone numbers. Did you
21 ever see the phone numbers, or the names associated with those
22 numbers?

23 A. No, we did not ever see the numbers, but he was explaining
24 when he had given the numbers to Johnny Paul, he said that was
12:47:26 25 the number of Mr Charles Ghankay Taylor, the number of Mainassara
26 from Niger and the number of Blaise Compaore from Burkina Faso
27 and the number of Mohamed Gaddafi for Libya.

28 MR KOUMJIAN: Your Honours, the leader of Niger Mainassara,
29 M-A-I-N-A-S-S-A-R-A:

1 Q. Sir, did Johnny Paul Koroma discuss with you and other
2 members of the AFRC why the RUF was being invited to come to
3 Freetown and join you?

12:48:30

4 A. Yes. The discussion was we needed their support, their
5 manpower and the contacts that they had before.

6 Q. Do you know at this time did your government, the AFRC -
7 did it have recognition from the international community,
8 countries like European countries, the United States or the
9 United Nations?

12:48:54

10 A. We did not get recognition from the international
11 community, but we got from Liberia, we got recognition from
12 Burkina Faso, we got recognition from Niger and Libya.

13 Q. Thank you. What was your assignment in these early days
14 with the AFRC in May/June of 1997?

12:49:27

15 A. Well, the first assignment that was given to all of us,
16 I was the monitoring officer who was for housing and tourism.

17 Q. Did you spend any time with Johnny Paul Koroma?

18 A. Many times.

12:50:16

19 Q. Sir, can you tell us under what circumstances you would be
20 meeting with Johnny Paul Koroma?

21 A. Well, most of the times we were with him at the house
22 because at that time we used to sleep at Cockerill and from there
23 we will go to his house and from his house we will come back to
24 the office.

12:50:36

25 Q. Where was Johnny Paul Koroma's house at that time?

26 A. At that time he was at pipeline, Wilkinson Road.

27 Q. Were you present when Johnny Paul Koroma made any attempts
28 to contact anyone outside of Sierra Leone besides the call to
29 Foday Sankoh that you mentioned?

1 A. I did not get that clearly.

2 Q. Were you present when Johnny Paul Koroma made any attempts
3 to contact, communicate, with persons outside of Sierra Leone?

4 A. Yes.

12:51:20 5 Q. Can you tell us slowly about those attempts to communicate
6 that you know about?

7 A. We were in the office, that is Cockerill, the defence
8 headquarters, that was the chief of defence staff's office which
9 he was using and he ordered his control officer, Banjah Marrah
10 and gave him a number to dial.

11 Q. First let me spell Banjah Marrah. That is B-A-N-J-A-H and
12 Marrah, M-A-R-R-A-H. Who was Banjah Marrah?

13 A. He was the control officer in the office of Johnny Paul
14 Koroma.

12:52:14 15 Q. Was he a Sierra Leone soldier?

16 A. Yes, he was a captain in the army.

17 Q. Okay, this conversation that you had begun to tell us
18 about, or this incident where Johnny Paul Koroma ordered Banjah
19 Marrah to dial a number, can you give us an approximate date or
12:52:36 20 tell us about how long this was after 25 May 1997, after the
21 coup?

22 A. It was within one to two weeks after the coup when RUF had
23 joined us, when Gibriil Massaquoi had brought those numbers.

24 Q. Approximately how long after Gibriil Massaquoi brought the
12:53:01 25 numbers did Johnny Paul Koroma ask Banjah Marrah to make this
26 call?

27 A. It was not even up to 48 hours when Gibriil Massaquoi joined
28 us from Nigeria.

29 Q. What happened after Johnny Paul Koroma asked Banjah Marrah

1 to make a call?

2 A. When Banjah Marrah had made the call, he gave the phone to
3 Johnny Paul in the office and Johnny Paul was explaining, asking
4 for recognition from Mr Ghankay Taylor in Liberia. He was
12:53:44 5 talking to him, but we did not hear where the other side was
6 saying. We only heard him saying, "Yes, sir. Yes, sir. We need
7 a recognition." He said a lot of things that I cannot recall
8 now. Afterwards, the call went off and he said he had spoken to
9 Mr Ghankay Taylor and he had advised us to work with other
12:54:05 10 brothers who had come to join us. He said in case there were any
11 hiccups we should just give him a call, so that was what he was
12 explaining to us just after the telephone conversation with him.

13 Q. Was this the first call that you were present for that
14 Johnny Paul Koroma made?

12:54:23 15 A. Exactly.

16 Q. And you have indicated it was to Taylor. How do you know
17 that?

18 A. Well, I knew that after the conversation he explained to
19 us. The supreme members who were in the office, he explained to
12:54:48 20 us.

21 Q. I want to go through this a little bit more slowly and try
22 to avoid the use of the words 'we' and 'they' and 'he', if you
23 can, so we are clear on who was talking to who and who said what.
24 Johnny Paul Koroma, what did he explain to you about what had
12:55:09 25 been discussed with Mr Taylor in that phone conversation? Try
26 not to use the words "he" or "they".

27 A. Well, after the telephone conversation, Johnny Paul Koroma
28 told us in the office that he had spoken to Mr Charles Ghankay
29 Taylor, he had explained to him asking him for recognition and

1 some other things and Mr Charles Ghankay Taylor had encouraged
2 him, asking him to work as a team with the RUF brothers. So, he
3 said for that one there was not going to be any problem.

12:55:54 4 Q. Okay, thank you. Do you recall anything else that
5 Mr Taylor said about the RUF in that phone conversation?

6 A. It was much. That was what I can recall. A lot was told
7 to us, but that is what I can recall now that Johnny Paul Koroma
8 told us. This is what I can recall now.

12:56:24 9 Q. You said on line 8, your Honours, "He said in case there
10 were any hiccups we should give him a call." Now, can you
11 explain again who said what to who and what do you mean by
12 hiccups?

13 A. Johnny Paul said if there were any problems between us and
14 the RUF Mr Charles Ghankay Taylor had told him to call him.

12:56:43 15 Q. Charles Taylor had told Johnny Paul Koroma to call who?

16 A. Johnny Paul Koroma said Charles Taylor said he should call
17 him in case we had a problem with RUF. That was what he
18 explained to us in the meeting.

12:57:08 19 MR KOUMJIAN: Are the pronouns clear to your Honour? I try
20 to avoid them, but there is still a "him" in there:

21 Q. After this phone call to Charles Taylor, do you know if
22 Johnny Paul Koroma made any other calls to persons outside of
23 Sierra Leone?

24 A. Yes.

12:57:28 25 Q. Can you tell us about those calls, please.

26 A. Yes, he made calls to the Niger President, Mainassara, he
27 made call to the Burkina Faso, President Blaise Compaore, and he
28 made a call to the Libyan President, Ahmed Gaddafi - Mohamed
29 Gaddafi, sorry. He told us that all of them had said they were

1 ready to assist us.

2 Q. Do you recall approximately how long these four phone calls
3 took, the ones to Taylor and the other three to Gaddafi,
4 Mainassara and Blaise Compaore?

12:58:16 5 A. As I am saying, just after Gibril Massaquoi came the RUF
6 had come to join us and we had those numbers, all of these calls
7 were made within 48 hours. At that time we will go with him -
8 Johnny Paul Koroma, I mean - and we will take him to his house
9 and we will bring him back to the office, because at that time we
12:58:34 10 did not trust anybody to be around him. So, whenever he would
11 discuss after the conversation he would explain to us in the
12 office.

13 Q. Okay, thank you, but in my question perhaps I was not
14 clear. It is not when it happened, but did these calls take one
12:58:52 15 minute, one hour, the calls to Charles Taylor, Blaise Compaore,
16 Colonel Gaddafi and Mainassara? If you recall, can you estimate
17 the length of the calls?

18 A. It took some time. I cannot recall now how many hours. It
19 was not even up to an hour, but it took some time close to an
12:59:13 20 hour. They will speak for about an hour.

21 Q. Were all of the calls approximately the same length of
22 time, or was there any difference in the amount of time spent
23 with the different leaders?

24 A. The times were different. They were not the same.

12:59:27 25 Q. Which was the longest call?

26 A. It was the one when he spoke to Mr Taylor. That was long.

27 MR KOUMJIAN: Your Honour, if the witness could be shown
28 tab 8 and perhaps in the interests of saving --

29 PRESIDING JUDGE: Was there a bundle with this witness's --

1 MR KOUMJIAN: I believe a bundle was distributed for the
2 week.

3 PRESIDING JUDGE: Oh, for the week.

4 MR KOUMJIAN: Your honour, I can easily do this at a later
13:00:21 5 time. Your Honours, I will do this after lunch, that is fine, or
6 after the next break. It is no problem. It is Week 18's bundle:
7 Q. Who else was present during these phone calls that you have
8 just spoken about, if you recall?

9 A. We, the Supreme Council members, Banjah Marrah and AK
13:00:52 10 Sesay, who is dead now. He was a colonel at that time.

11 MR KOUMJIAN: I see your Honours do all have the bundles
12 now.

13 PRESIDING JUDGE: No, we have Week 17. We are a week
14 behind you, Mr Koumjian. We will sort it out at the break.

13:01:05 15 MR KOUMJIAN: Sure:

16 Q. Now, sir, do you recall an incident involving the Iranian
17 embassy?

18 A. Yes.

19 Q. What happened, to your knowledge?

13:01:30 20 A. On 1 January 1998 I was at home with my wife, having my
21 radio handset with me, and I heard Gborie calling Zagalo for
22 reinforcements to go to Murray Town. So I intercepted and
23 I said, "What is the problem around the Murray Town area?", and
24 Zagalo told me to go and reinforce Gborie. I said, "What was the
13:02:07 25 problem?", and he said, "When you get there you will know." But
26 at that time on that day it was my wife's birthday and so I sent
27 my security to go and buy drinks using the vehicle, so they did
28 not come right up to two/three hours and after that time when
29 they brought the vehicles before they could even get - arrive at

1 the house I heard Chairman Johnny Paul Koroma talking over
2 the set saying that all of those who had gone to the Iranian
3 embassy should be arrested. But I still went round with the
4 vehicle to see what had happened, so when I went I met an
13:02:54 5 officer, Captain Mandehreh, who explained to me that, "Your
6 colleagues have come and looted here, together with some RUF
7 commanders, so the Pa had ordered their arrest and none of them
8 should enter here anymore."

9 So I returned, went to the lodge to the Chairman, Johnny
13:03:18 10 Paul Koroma at that time, and he said we should arrest Gborie,
11 Issa Sesay, Hassan Bangura alias Papa, Foday Kallay. He said we
12 should arrest them, so we did. We arrested Gborie. I led the
13 team. I arrested Papa. We could not get Foday Kallay, so we
14 sent a team to arrest Issa Sesay and he resisted. He resisted

13:03:52 15 arrest. There was about to bring in fighting when his men
16 deployed from Hill Cut Junction to Uphill Station where his
17 residence was. He refused to be arrested. At that time all of
18 us went to the office, Chairman Johnny Paul Koroma's house at
19 Spur Road, and he called Mr Charles Ghankay Taylor and he told
13:04:21 20 control to call, Banjah Marrah. When he called they were
21 talking, "Yes, sir. Yes, sir. Yes, sir", he was responding
22 after he had explained - when the phone went off he said he had
23 called Mr Charles Ghankay Taylor. He said they were to set up an
24 inquiry who had gone and who did the looting and whosoever was
13:04:48 25 involved action should be taken against that person, or people.

26 Q. First of all, in this phone conversation with Charles
27 Ghankay Taylor what kind of phone was used?

28 A. At that time it was still the landline up at Spur Road,
29 Johnny Paul Koroma's house.

1 Q. You said that Charles Ghankay Taylor said - on line 3, "He
2 said there was a set up ..." --

3 JUDGE SEBUTINDE: It is not clear who said that.

4 MR KOUJIAN: I am sorry, it is not clear:

13:05:31 5 Q. Sir, can you repeat what did Johnny Paul Koroma tell you
6 that he had discussed with Charles Taylor?

7 A. Yes. He said he had spoken together with Charles Taylor
8 and Charles Taylor had said they should set up an inquiry team to
9 investigate the incident at the Iranian embassy; that whosoever
10 was involved action should be taken against that person. That
11 was what he explained to us after the telephone conversation.

12 Q. So, sir, after Johnny Paul Koroma had this phone
13 conversation with Charles Taylor and you have told us
14 Charles Taylor said a board of inquiry or inquiry should be set
15 up, was any inquiry set up?

16 A. Yes, the board of inquiry was set up. It was Lieutenant
17 Colonel SAJ Musa who headed it and amongst us, the Supreme
18 Council members, I was fortunate to be a member. Amongst us, the
19 17, I was the only one fortunate to be a member of that inquiry
20 team. SYB Rogers and other high command of the RUF and SLA - so
21 the decision that came out --

22 Q. Just to be clear you said "SYB Rogers and other high
23 command of the RUF and SLA" and that sentence is not completed.
24 What about SYB Rogers and other high command of the RUF and SLA?

13:07:18 25 A. They were all part of the board that was set up. SAJ Musa
26 headed the inquiry board to investigate the Iranian looting.

27 JUDGE SEBUTINDE: Mr Koumjian, before we lose sight of
28 this, what was the name of the captain who said that the
29 witness's colleagues had looted; the spelling that is?

1 MR KOUMJIAN: Yes, I believe he said Mansaray:

2 Q. Mr Witness, please correct me if I am incorrect, Mansaray,
3 M-A-N-S-A-R-E-Y [sic]?

4 A. I did not get that clearly. Wait. What?

13:07:58 5 JUDGE SEBUTINDE: Mr Witness, can you tell us the name of
6 the captain who first informed you that your colleagues had
7 looted? What was that name again?

8 THE WITNESS: Captain Mandehreh.

9 JUDGE SEBUTINDE: Now, can you spell that name please.

13:08:14 10 MR KOUMJIAN:

11 Q. Mr Witness, do you know how to spell Mandehreh?

12 A. Yes, M-A --

13 MR KOUMJIAN: Could the witness be given a piece of paper?
14 It's understandably easier to spell when you can write it out.

13:09:16 15 THE WITNESS: M-A-N-D-E-H-R-E-H.

16 MR KOUMJIAN:

17 Q. Mr Witness, you said that this board of enquiry was set up
18 after a phone call from Johnny Paul Koroma to Charles Taylor. Do
19 you know why Johnny Paul Koroma would call Charles Taylor about
13:09:41 20 this incident?

21 A. Yes, because Issa Sesay had resisted arrest and the RUF had
22 taken to the streets, as I said from Hill Cot Junction right up
23 to Hill Station, that no SLA should cross that particular area.
24 At that time Issa Sesay's residence was up at Hill Station.

13:10:10 25 Q. Okay, but why the fact that the RUF had deployed and Issa
26 Sesay was taking those actions would Johnny Paul Koroma call
27 Charles Taylor in Liberia, if you know?

28 A. Yes, because we had arrested Gborie and we had arrested
29 Papa and taken to the central prisons and we were about to arrest

1 Issa when he resisted that nobody should arrest him. At that
2 time Sam Bockarie was not in town, he was out of town in Kenema.

3 Q. So why then Charles Taylor if Sam Bockarie is out of town?

13:10:59

4 A. Well, we knew that Charles Taylor was the godfather for
5 RUF, so whatever the situation was we needed to call him to let
6 him know that that was what was going on.

7 Q. Sir, you talked about the going back to the phone call to
8 Foday Sankoh and the invitation to the RUF to join. Did the RUF
9 arrive in Freetown after that phone call?

13:11:26

10 A. Yes.

11 Q. And can you tell us some of the names of people that
12 arrived and what positions they took up?

13:11:50

13 A. Yes, Denis Mingo alias Superman was the first to come and
14 meet us in Freetown. After him Issa Sesay followed and he met us
15 in Freetown. Then most other commanders came whose names
16 I cannot recall now. And Sam Bockarie. Issa Sesay was the
17 Supreme Council member, Sam Bockarie alias Mosquito too was a
18 Supreme Council member and other members in the RUF were members
19 of the Supreme Council, Mike Lamin and others whose names
20 I cannot recall now.

13:12:15

21 Q. Thank you. We will go over a document involving the
22 Supreme Council after lunch, but let me ask you: How long did
23 Sam Bockarie stay in Freetown approximately, if you recall?

13:12:38

24 A. Well, I cannot give you an exact period of time, but he
25 stayed with us for about one to two months and he decided to go
26 and stay in Kenema and Issa remained in Freetown.

27 Q. Thank you. Sir, you told us this morning about two phone
28 calls from Johnny Paul Koroma to Charles Taylor during the time
29 of the AFRC in Freetown when he first contacted Taylor, and the

1 second involving the Iranian embassy. Do you know if there were
2 any other phone calls during the time that the AFRC was in
3 Freetown between Johnny Paul Koroma and Charles Taylor to your
4 knowledge?

13:13:19 5 A. Yes, when he had taken me to the Iranian embassy because
6 before the Iranian embassy thing --

7 THE INTERPRETER: Your Honours, can the witness repeat
8 this.

9 PRESIDING JUDGE: Pause, Mr Witness, please. The
13:13:35 10 interpreter needs to catch up with you. Please repeat starting
11 from, "When he had taken me to the Iranian embassy", continue
12 from there please. I think start the answer again, Mr Witness,
13 because the record doesn't look correct to us.

14 THE WITNESS: When he had asked me question regarding the
13:14:07 15 Iranian embassy, that was why I went there straightaway. But
16 before that he had a telephone conversation that he was to send
17 delegates to him, to Charles Taylor in Liberia. He said he was
18 to send delegates to Charles Taylor in Liberia headed by SYB
19 Rogers and other high command of the RUF and SLA commanders and
13:14:37 20 officers then, one Colonel Charles Conteh who is dead now and AK
21 Sesay, all of them were part of the delegation to Liberia.

22 Q. Thank you. So I understand from your answer that this
23 phone call was before the phone call involving the Iranian
24 embassy, is that correct?

13:14:57 25 A. Exactly.

26 Q. Can you tell us how do you know about this phone call, or
27 calls?

28 A. That one where the thing that was supposed to be discussed
29 with Charles Taylor, the delegation to discuss, that was

1 discussed in the Supreme Council meeting and he made a call even
2 before the delegates left.

3 JUDGE SEBUTINDE: Who is he?

13:15:34

4 THE WITNESS: Johnny Paul Koroma made the call before the
5 delegation left.

6 MR KOUJIAN:

7 Q. So if I understand - let me make sure we all understand.
8 Johnny Paul Koroma discussed this phone call at the Supreme
9 Council, is that correct?

13:15:47

10 A. Yes, that is correct.

11 Q. Then am I correct you were not present yourself when Johnny
12 Paul Koroma made this phone call about the delegation to
13 Charles Taylor? Is that correct?

13:16:04

14 A. No, I was not present, but he wrote the letter and he said
15 he will call before the delegation would leave.

16 Q. Can you tell us in a little more detail whatever you can
17 remember now about what Johnny Paul Koroma discussed at the
18 Supreme Council meeting regarding the purpose of this delegation
19 that you are talking about?

13:16:26

20 A. It was a letter that they were supposed to take with them
21 for us the AFRC government to be recognised, and some other
22 things that he had discussed privately with the delegation that
23 was to go, that he did not discuss in the meeting, but they
24 discussed that before they left, a letter that they were to go
25 and deliver to Mr Charles Ghankay Taylor.

13:16:52

26 Q. I want to ask you again to try to remember names of any
27 members of the delegation, but first let's be clear: Did a
28 delegation go? Do you know if a delegation actually was sent?

29 A. Yes, SYB Rogers led the delegation.

1 Q. Where did the delegation go to?

2 A. They used the road through Kenema and Kailahun District
3 from Freetown and they crossed into Liberia.

4 Q. Do you know where in Liberia they went?

13:17:33 5 A. Yes, they went to Monrovia, the city. At that time I don't
6 know whether it was at the house or the office of Mr Ghankay
7 Taylor. That was where they met.

8 Q. Okay. So now you discussed the initial call to
9 Charles Taylor after the seizure of power followed by calls to
10 other leaders of other countries. Then you've discussed this
11 phone call that Johnny Paul Koroma spoke about prior to sending a
12 delegation to Liberia and you've discussed the Iranian embassy
13 phone call. Are you aware whether there were other
14 communications between Johnny Paul Koroma and Charles Taylor
15 during the period that the AFRC was in Freetown?

16 A. Yes, the calls were many, but the other one that I can
17 recall was pertaining to the arms shipment, that a delegation was
18 supposed to go again headed by Mike Lamin and Sam Bockarie
19 recommended one General Ibrahim in a meeting for arms and
13:18:53 20 ammunition, that he would be able to go and facilitate it.
21 General Ibrahim came, but he did not come to the supreme meeting
22 after he had been recommended. Then --

23 THE INTERPRETER: Your Honours, can the witness repeat
24 this.

13:19:15 25 PRESIDING JUDGE: Mr Witness, the interpreter asks that you
26 repeat. Take up your answer from the bit where you said,
27 "General Ibrahim came but he did not come to the supreme meeting
28 after he had been recommended." Continue from there, please.

29 THE WITNESS: After General Ibrahim had been recommended

1 that he will facilitate the arms and ammunition movement, in the
2 evening we came to the lodge and met General Ibrahim. He had
3 come two days after. We met him at the lodge to chairman. That
4 was where I saw him and that was where I knew him.

13:20:05

5 MR KOUMJIAN:

6 Q. Was that the first time that you had seen this General
7 Ibrahim?

8 A. Yes.

9 Q. Do you know what his nationality is?

13:20:20

10 A. At that time I did not know his nationality.

11 Q. Did you hear, or do you recall any second name, or was it
12 just General Ibrahim that you know?

13 A. I only knew General Ibrahim. That was the name I knew for
14 him.

13:20:38

15 Q. When you say you don't know his nationality, could he have
16 been a Sierra Leonean? Do you know whether or not he was from
17 Sierra Leone?

18 A. No, the way he spoke he had some Liberian English accent
19 and he spoke some French too.

13:21:11

20 Q. After this delegation came did the delegation ever come to
21 the Supreme Council? Or General Ibrahim, did he ever come to the
22 Supreme Council meeting?

23 A. No.

24 Q. When you say a delegation was being sent, do you know again
25 where were they sent exactly?

13:21:27

26 A. The delegation that went to Liberia, from Liberia they went
27 to other countries, Niger, Libya and Burkina Faso. That was the
28 delegation headed by SYB Rogers, not the one headed by Mike
29 Lamin. It was the delegation headed by SYB Rogers. From Liberia

1 they went to some other countries.

2 Q. Thank you for that clarification and I'm sorry if I'm
3 confusing these two with my questions. I now want to ask you
4 about the delegation where you mentioned Mike Lamin. Do you know
13:22:08 5 where that delegation - if it was sent anywhere and where it
6 went?

7 A. Well, the delegation that went, there was Fonti Kanu, Mike
8 Lamin, General Ibrahim, but after that we went to Magburaka
9 airstrip and the ammunition arrived with a soldier who had a
13:22:40 10 uniform on in green with a black hat and the crown on the hat was
11 a Burkina Faso crown. That was the insignia. And Lieutenant
12 Colonel Fonti Kanu came and the ammunitions were off-loaded and a
13 soldier also called Musa --

14 JUDGE SEBUTINDE: Mr Koumjian, you asked the witness if he
13:23:08 15 knows where this delegation went. He has not answered that
16 question. He is answering something else.

17 MR KOUMJIAN: Yes, thank you:

18 Q. Sir, you are getting a bit ahead of where I am and I want
19 to take it slowly step by step, understand? We will go over the
13:23:25 20 information you just provided, but first this delegation that you
21 mentioned of Fonti Kanu, Mike Lamin and General Ibrahim. I want
22 to ask you some questions about it. First of all, who was Fonti
23 Kanu? The spelling I don't know if we need as I believe we have
24 had it before.

13:23:47 25 A. Fonti Kanu was a lieutenant colonel in the Sierra Leone
26 Army. I said that they went to Liberia with that delegation
27 headed by Mike Lamin. They went to Freetown, Kenema, Kailahun
28 and crossed into Liberia by road.

29 Q. Thank you. Can you explain to us that, when you discuss

1 sending this delegation at the Supreme Council you mentioned,
2 what was the purpose of the delegation's trip, do you know?

13:24:34 3 A. Well that particular delegation, which was headed by Mike
4 Lamin, that went to Liberia was to go and obtain some arms and
5 ammunition. That was why Chairman Johnny Paul Koroma assigned
6 Fonti Kanu to go and tell them the kinds of ammunition we needed
7 at that time.

8 Q. Thank you. Was there any discussion of how the arms and
9 ammunition would be paid for, or obtained?

13:24:52 10 A. Well he just discussed in the meeting that they will give a
11 parcel, but they did not discuss what parcel it would be in that
12 meeting.

13 Q. The word "parcel", does that have a meaning to you? When
14 you say "parcel", what does it mean?

13:25:15 15 A. Well, it has a meaning. At that time we hadn't money, we
16 only had diamonds, so I believe that that was what they meant by
17 parcel. That we meant, that Johnny Paul Koroma meant.

18 Q. Now, you have indicated that this was - am I correct that
19 this was discussed at a Supreme Council meeting, is that right?

13:25:39 20 A. Yes.

21 Q. How long after that meeting did the delegation go, if you
22 know? Go to Liberia?

23 A. The delegation left - between 48 and 78 hours they left for
24 Liberia.

13:26:02 25 Q. Do you know if any arms or ammunition ever arrived?

26 A. Yes.

27 Q. How long after the delegation left did the arms and
28 ammunition arrive, if you recall?

29 A. Between one to two weeks the arms and ammunition arrived.

1 Q. How did the arms and ammunition come to Sierra Leone?

2 A. They came on a flight, silver coloured, and it landed at
3 night around between 7 and 9. It was dark already. We used our
4 vehicles and we parked them far away from the flight so that they
13:26:57 5 could provide light. The arms and ammunitions were dropped. At
6 that time Lieutenant Colonel Fonti Kanu and a soldier who had on
7 the Burkinabe uniform and crown came down the flight.

8 Q. Where was it that the plane landed?

9 A. Magburaka airstrip.

13:27:22 10 Q. Do you recall approximately when this was that the plane
11 came to the Magburaka airstrip?

12 A. It was very fast.

13 Q. But can you give an approximate month of when this was?

14 A. I can't recall the exact month now, because it has taken a
13:27:49 15 while.

16 Q. Do you recall the Conakry Accord?

17 A. Yes.

18 Q. Was it before or after the Conakry Accord?

19 A. It was before the Conakry Accord.

13:28:11 20 Q. Do you recall if it was - how long approximately before the
21 Conakry Accord this plane landed?

22 A. I think it was within a month before the Conakry Accord.

23 Q. Thank you. Were you present when the plane landed?

24 A. Yes.

13:28:37 25 Q. Can you briefly give us - I don't know if we have time,
26 your Honours? Is this the time to break?

27 PRESIDING JUDGE: It is very close to the time for the
28 usual lunchtime adjournment, Mr Koumjian.

29 MR KOUMJIAN: Yes, okay, thank you.

1 PRESIDING JUDGE: Mr Witness, it is now time for the
2 lunchtime break. We will adjourn for one hour and we will start
3 court again at 2.30. Please adjourn court until 2.30.

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

14:27:15 5 [Upon resuming at 2.30 p.m.]

6 PRESIDING JUDGE: Mr Koumjian.

7 MR KOUMJIAN: Thank you, your Honours:

8 Q. Mr Witness, just a couple of preliminary matters regarding
9 the testimony this morning that I want to clarify. You said on

14:30:53 10 page 56, when you were talking about your arrest and detention -

11 I'll try to find the exact quotation. You said something about
12 IHL. Can you explain what that is, IHL?

13 A. Imprisonment of high labour.

14 PRESIDING JUDGE: I thought it used to be hard labour,
14:31:28 15 myself, but high it is.

16 MR KOUMJIAN:

17 Q. That refers to the type of imprisonment?

18 MR MUNYARD: Could my learned friend give us a line. On my
19 page 56 I can't at the moment see the reference to it. He's in
14:31:47 20 hospital, not prison, on my page 56.

21 MR KOUMJIAN: I have a page 67, line 22. 67, line 22, the
22 answer begins, "They arrested six of us who were the most senior
23 of men."

24 MR MUNYARD: Thank you, I've got that.

14:32:08 25 MR KOUMJIAN:

26 Q. Also, sir, can you clarify for us, tell us, when you were
27 arrested and dismissed from the army in 1996, prior to your
28 arrest what was your rank?

29 A. My rank was staff sergeant.

1 Q. Was that the highest rank you had attained up to that
2 point?

3 A. Yes.

4 Q. Thank you.

14:32:33 5 A. Yes, that was the highest rank I had attained.

6 Q. Sir, you talked about the Supreme Council. Can you tell us
7 what was the Supreme Council?

8 A. The Supreme Council was part of the 17 and some other
9 commanders from the RUF and some other senior men like SAJ Musa
10 and other senior officers who were included in the Supreme
11 Council. That was the highest body that took decisions during
12 the AFRC regime.

13 Q. Since you've just mentioned SAJ Musa, can you tell us who
14 he is?

14:33:20 15 A. SAJ Musa was the chief secretary of State at that time when
16 we invited him, when he came. He was the chief secretary of
17 state. He was in the Supreme Council.

18 Q. Was SAJ Musa part of the 17 of you that initiated the
19 takeover?

14:33:42 20 A. No, he was not there. He was out of the country at that
21 time.

22 Q. Thank you. Had he been a member of the Sierra Leone Army
23 before that time?

24 A. Well, before that time he was not a member of the Sierra
14:34:01 25 Leone Army any more, but when he came we reinstated him in the
26 army.

27 Q. Had he been at one time a member of the Sierra Leone Army?

28 A. Yes.

29 Q. Where did the Supreme Council meetings take place?

1 A. We used to rotate. We moved it from one place, State
2 House, it used to take place in the chief of defence staff's
3 office, Cockerill, and we used to hold the meeting at Johnny Paul
4 Koroma's house, the chairman, at Spur Road.

14:34:39 5 Q. Was there any regular interval for the meetings?

6 A. Yes.

7 Q. Can you explain how often the meetings would take place?

8 A. For example, if we entered at 10 o'clock we would be there
9 until 12 and we would have a break.

14:35:07 10 Q. Okay. How often did you meet? What I mean is did you meet
11 once a month, once a week? Was there any regular interval
12 between the meetings, or was there no regular interval? Can you
13 explain?

14 A. The exact day was a Friday every week, but there were times
14:35:33 15 we would just be invited and we would go there at any time,
16 because of the tension under which we were.

17 Q. Okay. So do I understand you to say that you met every
18 Friday, is that correct?

19 A. The normal time was every Friday, but there were times they
14:35:53 20 would call us on days that were not Fridays.

21 Q. Would anyone preside over the meetings?

22 A. Yes, at that time it was the chairman, Johnny Paul Koroma.
23 He was always the chair for the meetings.

24 Q. Was there anyone recording the information, or any
14:36:18 25 discussion, or findings, at those meetings?

26 A. Yes, it was late Colonel AK Sesay.

27 Q. In general what were the topics that you discussed at these
28 Supreme Council meetings?

29 A. It was - we were discussing the peace accord and how we

1 should push the country forward. At that time President Ahmad
2 Tejan Kabbah was in Guinea, issues relating to him, and we
3 together with our brothers who had joined us, how we would bring
4 ourselves together.

14:37:13 5 Q. Okay. When we are talking about these Supreme Council
6 meetings, can you tell us approximately when they began and when
7 they ended in terms of what month they began and what month they
8 ended, if you can?

9 A. Well, we started, if I can recall, around May when our
14:37:44 10 brothers joined forces with us and we stopped around 1998. It
11 stopped around 1998, January going to February.

12 Q. Did these meetings all take place in a particular city, or
13 did they move among different cities or towns?

14 A. No, it was in the same city, Freetown.

14:38:24 15 Q. Okay. It's a judicially noticed fact in this case that the
16 ECOMOG intervention took place approximately 14 February 1998.
17 Were there any Supreme Council meetings after that date?

18 A. Well, after that date we had a meeting, but it was not a
19 Supreme Council meeting because - but everybody was in the
14:38:54 20 meeting.

21 Q. Okay, thank you. So sticking to the meetings in Freetown,
22 perhaps I'd now like to have you shown tab 4, please. That is a
23 document that has the ERN stamp 0007081 through 0007086, so it's
24 a six page document. The top of the page is marked "AFRC secret"
14:39:36 25 and then the title appears to be, "Minutes of the first meeting
26 of the AFRC, held at the conference hall defence headquarters on
27 Saturday, 19 July 1997."

28 Sir, have you seen this document - I don't know if you can
29 look at it on your screen. Have you seen this document here in

1 The Hague in discussions with me?

2 A. Yes.

3 Q. On the very last page there appears to be a name and an
4 illegible signature: AK Sesay. Who was AK Sesay?

14:40:26 5 A. He was the secretary-general at that time in the meetings.

6 Q. Going back to the first page I'd like you to take a look,
7 just read to yourself, these 26 names that are listed. Perhaps
8 for the record I could quickly go through them: Major JP Koroma
9 number 1; Captain SAJ Musa; Staff Sergeant A Sankoh; Staff

14:41:02 10 Sergeant Tamba Alex Brima; Staff Sergeant Brima Bazy Kamara;
11 Major JB Katta-Tarawalli; Squadron Leader VL King; Colonel Denis
12 Mingo; Colonel Isaac T Mongor, spelled on this document
13 M-U-N-G-O-H; Lieutenant Colonel Issa H Sesay; Lieutenant Colonel
14 Gibril Massaquoi; Major Morris Kallon; Captain Lawrence S

14:41:43 15 Womandia; Lieutenant Eldred Collins; 15 is WO1 Franklyn Conteh;
16 16 WO1 --

17 A. Excuse me, excuse me. Not WO1, WO1, warrant officer class
18 1.

19 Q. Thank you.

14:42:05 20 A. WO1, Franklyn Conteh.

21 Q. Thank you. And number 16 is WO1 Samuel Kargbo. Who is
22 that?

23 A. That is myself.

24 Q. And can you explain again there's a WO1, warrant officer 1.
14:42:21 25 What does that mean exactly?

26 A. The WO1, that means warrant officer class 1. That is the
27 rank of RSM. WO2, warrant officer class 2, that is warrant
28 officer - that is sergeant major.

29 Q. Thank you. Number 17 is Staff Sergeant Brima Kamara; 18 is

1 Sergeant SB Kanu; 19 is Sergeant George Adams; 20 is Sergeant
2 Sahr Gborie, spelled G-B-O-R-I-E; 21 is Sergeant Sulaiman K
3 Turay, and here Sulaiman is spelt S-U-L-A-I-M-A-N; 22 is Corporal
4 Momoh Bangura; 23 is Lance-Corporal Ibrahim D Sesay; 24 is CSO D
14:43:23 5 Kabi a. Sir, what does CSO mean?

6 A. The chief security officer. I don't know why the D is
7 there, but we knew him as Chief Security Officer Moses Kabi a. It
8 should be chief security, that is the CSO, and it should be Moses
9 Kabi a, not D.

14:43:44 10 Q. And Moses Kabi a, did he have another name that he went by?

11 A. Rambo.

12 Q. And this Moses Kabi a, Rambo, who was he?

13 A. He was the chief security officer to Johnny Paul Koroma
14 during the first appointments. They were there up to the time

14:44:10 15 the AFRC was overthrown from the city.

16 Q. Well this person, was he a member of the Sierra Leone Army,
17 or any other faction, prior to the AFRC coup?

18 A. He was a member of the Sierra Leone Army.

19 Q. Number 25 is Abdul M Sesay and number 26 is Colonel AK

14:44:34 20 Sesay. Sir, do you recognise all of these names?

21 A. Yes.

22 Q. And what is this a list of?

23 A. Well during the times when we would meet for meetings
24 everybody would write his name, so I believe that was the list
14:44:59 25 you got.

26 Q. The document lists Major JP Koroma as chairman, Captain
27 SAJ Musa as chief secretary of state and then it lists three
28 individuals, Sergeant A Sankoh, Tamba Alex Brima and Brima Bazy
29 Kamara, as PLOs in order 1, 2, 3. What does PLO mean?

1 A. Principal Liaison officer.

2 Q. And what was the significance of that title? What did it
3 mean to be principal liaison officer?

14:45:38

4 A. It was very important. That was one of the higher ranks
5 within the council and the government.

6 Q. I want to turn to item number 5 on page 4 of this document
7 and I will read it and my question for you will be whether you
8 recall this discussion:

14:46:11

9 "Following the difficulties that came along with the
10 political impasse, an initiative was taken to send a team down to
11 Kono to do some mining. By all indications, the team was not
12 believed to have worked well and therefore the Chief Secretary of
13 State was mandated to go on the spot check and stop all mining
14 operations.

14:46:33

15 He was ..." --

16 A. Well --

17 Q. I am sorry, let me just finish the next sentence or two
18 sentences:

14:46:48

19 "He was able to come with the following: One (1) Piece of
20 Diamond weighing Fourteen (14) Carats and Two (2) Assortments of
21 Small Diamonds weighing Nineteen (19) and thirty-One (31) Carats
22 respectively. The Chairman reminded members that with the
23 mineral resources we have in this country, there should be no
24 need to rely on funding from external agencies."

14:47:08

25 PRESIDING JUDGE: Sorry, Mr Witness, I was reading this.
26 Yes?

27 THE WITNESS: I want to use the gents.

28 PRESIDING JUDGE: Please assist the witness. Mr Koumjian,
29 if you wish to have a seat.

1 [In the absence of the witness]

2 MR KOUMJIAN: Your Honour, I just have a request. My
3 colleague points out that he doesn't believe and I noticed in the
4 last few minutes that the witness appeared to be in some
14:49:03 5 distress. I don't know if it was just related to the break and I
6 would request that the Court could ask him about his condition,
7 rather than myself. Thank you.

8 PRESIDING JUDGE: When he returns, I will check.

9 MR KOUMJIAN: Just to let the Court know, he did indicate
14:49:43 10 to us that he had problems sitting for medical reasons and so I
11 don't know if that's occurring.

12 PRESIDING JUDGE: I did notice that he mentioned some past
13 - well, we can only check.

14 JUDGE SEBUTINDE: Mr Koumjian, what do you want the Bench
14:50:14 15 to do about his medical condition?

16 MR KOUMJIAN: Just to make sure he's okay to continue
17 today, I hope he is, or whether anything would ease his
18 discomfort if he has - he had mentioned I know when I spoke to
19 him that it was sometimes necessary for him to stand up and then
14:50:28 20 he felt better if he stood up.

21 [In the presence of the witness]

22 PRESIDING JUDGE: Are you all right now, Mr Witness?

23 THE WITNESS: Yes, I'm all right.

24 PRESIDING JUDGE: Please continue.

14:50:51 25 MR KOUMJIAN: Thank you:

26 Q. Sir, I was asking you about this discussion in paragraph 17
27 and 18 on page 4 about mining and about diamonds. Do you recall
28 whether diamonds were discussed in meetings of the Supreme
29 Council in your presence?

1 A. Yes.

2 Q. Was this something that was discussed on one occasion, or
3 more than one occasion, the general --

4 A. Many times.

14:51:28 5 Q. In general what was - why were diamonds being discussed at
6 these meetings?

7 A. Well some of my colleagues, after we had taken over some of
8 them sent their family members to be mining for them in Kono and
9 that was not going down well with the council. The chief
14:52:01 10 secretary of state brought the complaint to the Supreme Council,
11 and the chairman gave him the task to go and stop every mining
12 and that they should allocate sites where government should do
13 their mining and nobody should go there and he brought with him
14 some diamonds that he presented to the Supreme Council.

14:52:26 15 Q. Okay. I'd like to go to page 5 and to item 6, paragraph 22
16 (b), as in boy. Sir, I'm going to read this to you:

17 "In his contribution, Colonel Isaac reported about the
18 problem of recognition between the People's Army and other
19 service men. He emphasised that it is awkward to see the
14:52:55 20 People's Army on one side and the Armed Forces personnel getting
21 a confrontation in public".

22 First of all, do you know who this is? Colonel Isaac, who
23 was he?

24 A. Yes, I know him. He was one of the RUF high commands and
14:53:16 25 his nationality was Liberian.

26 Q. Going back to the first page, the first PLO, PLO-1, is
27 listed as Staff Sergeant A Sankoh. Who is that, A Sankoh?

28 A. Staff Sergeant Abu Zagalo Sankoh. That was the Zagalo who
29 was the most senior man amongst us.

1 Q. Thank you. And this is the Zagalo - is this the same
2 person that you discussed had first approached you about
3 participating in this action against the government?

4 A. Yes.

14:54:05 5 MR KOUMJIAN: Thank you. I'd like the witness to be shown
6 - well perhaps first this should receive an MFI number, this six
7 page document?

8 PRESIDING JUDGE: Very well. This is a six page document
9 with the heading "AFRC - Secret" and a subheading "Meeting of the
10 First ..." --

11 THE INTERPRETER: Can your Honour activate the mic?

12 PRESIDING JUDGE: I apologise. I will repeat. This is a
13 six page document headed "AFRC - Secret" and the subheading
14 "Minutes of the First Meeting of the AFRC Held at the Conference
15 Hall Defence Headquarters on Saturday 19 July 1997." It is MFI
16 16.

17 MR MUNYARD: Your Honour, it's not "AFRC - Secret". It's
18 "AFRC - Secretariat".

19 PRESIDING JUDGE: Oh, well then yours is - mine must not
14:55:00 20 have copied properly, because mine says "Secret".

21 MR MUNYARD: Mine definitely says in big bold letters
22 "Secretariat".

23 MR KOUMJIAN: I believe you are both correct.

24 PRESIDING JUDGE: There is a letter above that.

14:55:08 25 MR MUNYARD: Oh, I am so sorry.

26 PRESIDING JUDGE: I'm taking the very first line of the
27 document.

28 MR MUNYARD: I am very sorry. Yes, my mistake. I can
29 really only read big print.

1 MR KOUMJIAN: If the witness can be shown tabs 8 and 9 and
2 first tab 8, but just so that the Court Officer knows to bring
3 both with her:

14:56:05

4 Q. Sir, do you recognise the four individuals depicted in this
5 photograph?

6 A. Yes.

7 Q. Do you know where this picture came from?

8 A. We took this picture in Liberia.

14:56:23

9 Q. Do you know how it got into the possession of the
10 Prosecution, how we got it?

11 A. Yes.

12 Q. Can you tell us?

13 A. I gave it to the Prosecution.

14:56:40

14 Q. Sir, what I'd like you to do is can you name the four
15 individuals, starting at the left and going to the right? So
16 starting at the left with the person with the one hand down on
17 the right side with a white T-shirt and long pants.

18 PRESIDING JUDGE: Perhaps if the witness would move and
19 point on the screen so we can all see.

14:57:00

20 MR KOUMJIAN:

21 Q. Stand up and just go and point at the individuals.

22 JUDGE SEBUTINDE: Do we have an original of this photograph
23 in court? Is this the best that we have?

24 THE WITNESS: I'm not getting you clearly.

14:57:23

25 MR KOUMJIAN: Sorry, Mr Witness, that was directed to the
26 Prosecution. We do have an original. We do not have it in court
27 and we will get it, we hope, tomorrow. We will bring it. We
28 will have to check if it's actually here in The Hague, or whether
29 it's still in Freetown:

1 Q. Sir, going from left to right, starting with the person
2 with long pants and white shirt, can you identify these
3 individuals, pointing to each one?

4 A. This one with the long pants and the white shirt, that is
14:58:07 5 me. The one after me is one Mr --

6 THE INTERPRETER: Your Honours, can the witness speak into
7 the mic.

8 THE WITNESS: And this other man was a man who --

9 PRESIDING JUDGE: You need to speak into the microphone so
14:58:22 10 the record and the interpreters can hear.

11 JUDGE SEBUTINDE: And slowly please, don't rush. Start
12 again, please.

13 THE WITNESS: This one on the left is me. The one next to
14 me is one Mr Banao and this other man I cannot recall his name
14:58:41 15 now, he was a tailor, he used to sew for us in Liberia, and this
16 is one Brima Kamara, a member of the Supreme Council.

17 MR KOUMJIAN:

18 Q. Mr Witness, perhaps it would be helpful, if your Honours do
19 not object, if you write above the three people whose names you
14:59:07 20 know. Just draw a line and write their names, starting with your
21 own name. You can take it, I believe, off the overhead so you
22 can write on it.

23 JUDGE SEBUTINDE: I think we'll require the spelling of
24 that second individual that he named, at an appropriate time.

15:00:08 25 MR KOUMJIAN: I could give it now, your Honours, if you
26 want. It's B-A-N-A-O. I don't believe he gave the first name.
27 It's French, so there may be an accent over the A:

28 Q. Okay, if it can be pulled down a little bit so we can read
29 the names. Thank you. I see you have something written over the

1 third person, the person two spaces away from you. By "tailor"
2 you mean - what do you mean? Is that a name, or is that an
3 occupation?

4 A. That was his occupation.

15:01:31 5 Q. Okay, thank you. Now, the second individual, the one who
6 is next to you, Mr Banao, where did you first meet him?

7 MR MUNYARD: Sorry, before we get on to that can we just
8 have an explanation of what the second word is that's crossed
9 out. Is it a different spelling of the name, or is it something
10 else? I can't see it.

11 MR KOUMJIAN: That's fine:

12 Q. Sir, I see you have Banao and then you have something
13 crossed out. What is that? Did you spell it one way and then
14 change it?

15:02:08 15 A. Well, I spelt it in English, the English way, but when the
16 lawyer said it was a French name that's why I decided to spell it
17 the French way.

18 MR MUNYARD: Thank you.

19 MR KOUMJIAN: Thank you.

15:02:27 20 JUDGE SEBUTINDE: Are we now taking evidence from the Bar,
21 or which way is this name spelt?

22 MR KOUMJIAN: Your Honour, we have other documents so your
23 Honours usually ask us for the correct spelling and we believe
24 that is the correct spelling. This is not coming from the
25 witness, the B-A-N-A-O. I believe he did copy that from me:

26 Q. Sir, who was Mr Banao?

27 A. Well, the time we saw him was the AFRC period at Johnny
28 Paul Koroma's lodge, who was the chairman at that time. He said
29 he was a special assistant to him.

1 Q. What was his nationality, if you know?

2 A. He spoke more French. He was not that good in English, so
3 I didn't know the country he came from, but he spoke more French.
4 He was not that good in English.

15:03:35 5 Q. Okay. I'm going to jump ahead just to explain this picture
6 a little bit, but can you just tell us what year this photograph
7 was taken in?

8 A. Yes. We took this picture in 1999 after the accord, when
9 we went to Liberia.

15:03:56 10 Q. And when you say "the accord", which accord do you mean?

11 A. The Lome Accord.

12 Q. What town, or city, or village were you in when you took
13 this village, if you recall?

14 A. We were right in Monrovia city, Congo Town, where we were
15 lodged in a guesthouse close to Mr Charles Taylor's residence.

16 Q. You said this picture was taken in 1999 after the Lome
17 Accord. When was it that you first met Mr Banao? What year was
18 that?

19 A. The first time I met him was in 1997.

15:04:44 20 Q. Where was that?

21 A. That was at chair man Johnny Paul's lodge. That was where
22 I met him.

23 Q. The person on the far right with the hat on, who is that?

24 A. Brima Kamara, one of the Supreme Council members, he was a
15:05:07 25 colleague.

26 Q. Thank you. I believe we're finished with that photograph.
27 When you first met Mr Banao what was he doing, or what were the
28 circumstances?

29 A. He used to go out and come in into the lodge of chairman

1 Johnny Paul Koroma. He said he was his personal assistant.

2 Q. Okay, thank you. Now I'd like the witness to be shown tab
3 9, another photograph. Witness, can you tell us who are the two
4 individuals, first the one in the white shirt?

15:06:08 5 A. Yes, this first person is Captain Banjah Marrah. Then the
6 second one is myself, Samuel Kargbo.

7 Q. I believe we spelt Banjah Marrah earlier. You gave another
8 name for Banjah Marrah, or a title. Did he go by another name or
9 title?

15:06:39 10 A. Well, we used to call him Control because he was the one
11 who controlled all the telephone or communication sets for Johnny
12 Paul Koroma in Johnny Paul Koroma's office.

13 Q. Do you know what languages Banjah Marrah spoke?

14 A. He spoke Krio and he spoke English.

15:07:13 15 Q. And who else is in the picture, smoking the cigarette?

16 A. That is myself, Samuel Kargbo.

17 Q. Thank you. Can you just again quickly just write Banjah
18 Marrah's name and your own name on the photographs.

19 Sir, when we discussed the document of the Supreme Council
15:08:15 20 meeting there was an item regarding diamonds and we briefly
21 discussed diamonds and you mentioned that they were talked about
22 at the Supreme Council. Did you ever actually see diamonds at
23 any Supreme Council meeting?

24 A. Yes.

15:08:35 25 Q. Can you tell us the circumstances when you saw diamonds at
26 meetings of the Supreme Council of the AFRC?

27 A. It was the chief security at that time who was at Johnny
28 Paul Koroma's place, Moses Kabia, alias Rambo, when there was
29 complaint that the other family members of some council members

1 were mining in Kono, so the chairman sent Rambo to go and stop
2 them and he brought the government diamonds to the Supreme
3 Council meeting and presented it, but I cannot recall the exact
4 number of diamonds because he did it on two or three occasions.

15:09:30 5 Q. What were these diamonds contained in, if they were in any
6 kind of packaging or container?

7 A. It was in a plastic bag where drugs are normally put in
8 hospitals.

9 Q. So when the diamonds were brought to the meetings, who took
15:10:02 10 them, or what happened to them?

11 A. After the checking they handed them over and it was with
12 chairman Johnny Paul Koroma.

13 Q. Sir, did you ever receive any assignment related to diamond
14 mining?

15:10:30 15 A. Yes.

16 Q. What was your assignment? What was your involvement?

17 A. They sent me to Kono after the Iranian saga where Gborie
18 was. After they had dealt with them and a decision had been
19 taken against them Chairman Johnny Paul Koroma sent me to go and
15:11:00 20 take charge of the GGDO, and other colleagues, Ibrahim Bio Sesay
21 and other RUF commanders like Moriba, all of us went together
22 with Morris Kallon - he went with us and he returned - and so we
23 were there together with some other members of the Supreme
24 Council. I was there as the overall commander of the GGDO.

15:11:23 25 Q. First, sir, can you explain what does GGDO stand for?

26 A. Government Gold and Diamond Office.

27 Q. And what did that office do?

28 A. When we were in Kono I - we were in charge of all of the
29 gold and diamonds, but when we were there there was no gold in

1 Kono and so we dealt more with diamonds.

2 Q. You said this happened after - your appointment after the
3 Iranian embassy incident which you had earlier said was 1 January
4 1998, so do you recall approximately when it was that you took up
15:12:17 5 this assignment?

6 A. Well, I think that assignment was - I can remember it was
7 in second to the third week of January. That was when I took up
8 the assignment.

9 Q. How long did you stay in that assignment?

15:12:37 10 A. I was there until the intervention when we were ousted out
11 of power.

12 Q. When you were there, were you actually physically present
13 in Kono?

14 A. Well I was there until the start of the fight in Freetown
15:13:04 15 and I left to come, but I had no way to cross over to Freetown.

16 Q. When you say you were there, where were you actually based
17 when you had this assignment? Did you have an office somewhere?

18 A. I used my house as an office that was located at Masingbi
19 Road, close to Five-Five Spot.

15:13:36 20 Q. And where exactly are those two places you talked about?
21 Are they in another town? Are they in a town?

22 A. It is right in Koidu Town.

23 Q. At the time you were in this position, who was doing
24 mining? In other words, what factions or individuals or groups
15:14:03 25 were involved in mining?

26 A. We, together with the RUF, were doing the mining. We had
27 areas that were government spots. After the mining, in the
28 evening we would come to the house to meet. We had a meeting
29 room where we would come and everybody would give an account and

1 they would turn everything over to me.

2 Q. Thank you. Now, I want to go back to our discussion this
3 morning about the Magburaka plane that landed at Magburaka. Now
4 we've talked about the Supreme Council, was there any discussion
15:14:45 5 related to that plane coming at the Supreme Council before the
6 plane came that you can recall? Can you explain to us what you
7 recall now about that?

8 A. Yes. We discussed in the Supreme Council, the chairman
9 together with other members, that it was for arms and ammunition
15:15:10 10 that Mosquito had given the recommendation. Then the chairman
11 said that we needed to have somebody from the army, who would
12 know our needs, and that was why he recommended Lieutenant
13 Colonel Fonti Kanu to go with the delegation that was to go and
14 bring the arms and ammunition. They were to give something to
15:15:31 15 the delegation that was not disclosed to the Supreme Council.

16 The chairman only said he would give them a parcel to go with.

17 Q. Now, you said Fonti Kanu was recommended. Can you tell us
18 who it was that decided or recommended Fonti Kanu for this
19 operation?

15:15:57 20 A. Chairman Johnny Paul Koroma.

21 Q. Now you said Sam Bockarie recommended someone, or made a
22 recommendation. What was Sam Bockarie's recommendation?

23 A. Sam Bockarie recommended General Ibrahim. He said he would
24 be able to facilitate the bringing of arms and ammunition. At
15:16:26 25 that time he was not in the meeting, but when he came back we all
26 met at the chairman's, Johnny Paul Koroma's, house.

27 Q. Okay. Now this discussion in the Supreme Council, did it
28 take place in Freetown?

29 A. Yes, it took place in Freetown at Johnny Paul Koroma's

1 house. That is Spur Road.

2 Q. Now, earlier in your testimony you discussed some
3 delegations that went out of the country. Prior to this
4 discussion where Bockarie recommended Ibrahim Bah and Johnny Paul
15:17:00 5 Koroma and Fonti Kanu, had any delegation travelled related to
6 this shipment?

7 A. That was the delegation that was headed by Mike Lamin.
8 They went and crossed into Liberia.

9 Q. Now, why do you say that delegation was related to this
15:17:25 10 shipment when you discussed Ibrahim Bah and Fonti Kanu later at
11 the Supreme Council?

12 A. After they had left, when the plane came there was Fonti
13 Kanu and there was a soldier called Musa who had a Burkina Faso
14 insignia and a uniform that he wore on.

15:17:56 15 Q. Okay, thank you. You're getting ahead of me. I wanted to
16 ask you about who got off the plane, but first I want to go back
17 to you said, "Before this discussion in the Supreme Council ..."
18 - first of all, Mr Witness, are you okay? Are you all right?

19 A. No, no, I'm not all right.

15:18:17 20 PRESIDING JUDGE: What's the problem, Mr Witness?

21 THE WITNESS: I have a sore on my buttock. I am feeling
22 the pain at times, except if I go to the toilet and I apply my
23 drugs on it. I want to use the toilet.

24 PRESIDING JUDGE: Do you have the drugs immediately
15:18:40 25 available to you?

26 THE WITNESS: Yes, yes.

27 PRESIDING JUDGE: Please assist the witness.

28 Mr Witness, would you prefer to stand up at least part of
29 the time? Would you feel more comfortable?

1 THE WITNESS: If it's painful, I will stand up.

2 PRESIDING JUDGE: Very well. Please let us know and we
3 will facilitate that.

4 THE WITNESS: Okay.

15:23:30

5 MR KOUMJIAN:

6 Q. Mr Witness, if you need to stand up just pull the
7 microphone closer to you and speak into the microphone. Sir,
8 going back to the plane that landed, did you see any individuals
9 getting off the plane?

15:23:47

10 A. Yes.

11 Q. Who got off the plane?

12 A. Fonti Kanu and one Musa, whom I later came to know at the
13 lodge of Johnny Paul Koroma. He was in the military uniform.

14 Q. What else came off of the plane? Was anything unloaded
15 from the plane?

15:24:08

16 A. Yes. Arms and ammunition, large quantity.

17 Q. Can you recollect any types of arms or ammunition that you
18 remember seeing taken from that plane at Magburaka?

19 A. Yes, yes: RPG bombs, stinger missiles, AK rounds, G3
20 rounds, mortar bombs and the stinger missile bombs.

15:24:46

21 Q. Were there any weapons?

22 A. No, I did not see weapons.

23 Q. What happened to what you remember coming off the plane?

24 A. The arms and ammunition were all in something like a net,
25 so they dropped it and the plane took off. Musa, Lieutenant
26 Colonel Fonti came down --

15:25:28

27 THE INTERPRETER: Your Honours, can the witness repeat
28 this?

29 PRESIDING JUDGE: Mr Witness, the interpreter needs you to

1 repeat your answer. Please start where you said, "It was in
2 something like a net, so they dropped it and the plane took off."
3 Please continue from there.

4 THE WITNESS: The net contained all of the ammunition.

15:26:03 5 PRESIDING JUDGE: I think I heard you say something about
6 Musa and Colonel Fonti. Could you repeat that also?

7 THE WITNESS: Yes, Lieutenant Colonel Fonti Kanu came down
8 and Musa; he hadn't any rank on him but he had a uniform and a
9 crown from Burkina Faso.

15:26:25 10 MR KOUMJIAN:

11 Q. Okay, sir, to clarify a few things, you said Stingers. Can
12 you tell the judges what a Stinger is?

13 A. The Stinger missile was what we were supposed to use for
14 the jet, which this Musa from Burkina Faso had come to train some
15:26:47 15 of the security officers at Johnny Paul's place, that you put on
16 your shoulder to shoot at the jet, so that we would be able to
17 drop the jet, but unfortunately when he came the bombs were not
18 functioning.

19 Q. Okay, first, Mr Witness, thank you, try to speak a little
15:27:12 20 bit slower because it's difficult for the interpreters sometimes
21 to keep up with you. The Stinger missiles that were fired from
22 the shoulder, do you know how they were supposed to find the jet?
23 What they used to find the jet?

24 A. Yes, because during the training we too were there at the
15:27:33 25 lodge. You put it on your shoulder, then there is the trigger in
26 front, you put it on your shoulder, then you aim at the jet.
27 While the jet would be - while the jet would have passed then you
28 are supposed to shoot from the back, then it would trace the jet.
29 The heat that follows the jet is what the Stinger would trace to

1 meet the jet and put it down.

2 Q. Sir, you said this ammunition came in a net, or these arms
3 and ammunition you said. How did that get off the plane? Was
4 there a stairway on the side of the plane? How was the plane
15:28:24 5 unloaded?

6 A. From the back. It opened from the back and everything came
7 out and Lieutenant Colonel Fonti and Musa, all of them came out
8 of the plane running from the back.

9 Q. Now, you said you learned about these Stingers, I believe
15:28:44 10 you said at JPK's house, correct me if I'm wrong. Who was
11 teaching you about the Stingers?

12 A. No, I didn't - I was not taught, but the security men for
13 Johnny Paul Koroma, the chairman, some of his guys, his security
14 men were taught. We stood by looking as to how things were
15:29:06 15 happening.

16 Q. Who was doing the instruction on the use of a Stinger?

17 A. It was Musa.

18 Q. The Musa that you said came off the plane?

19 A. Yes, exactly.

15:29:22 20 Q. After the ammunition came down on the ground in the net,
21 what happened to it, the arms and ammunition?

22 A. Well, after the plane had left, we rushed. Everybody took
23 some and placed them in the vehicles fast, in order for us to
24 leave quickly, to depart the airfield quickly.

15:29:47 25 Q. If you can just clarify one thing. You said that it was
26 arms and ammunition and you've discussed a number of different
27 types of rounds and Stinger projectiles. What are the arms that
28 you're talking about as opposed to ammunition? What arms or guns
29 did you see?

1 PRESIDING JUDGE: I didn't hear guns.

2 MR KOU MJIAN: He didn't use the word "guns", he used the
3 word 'arms'.

4 PRESIDING JUDGE: I'm referring to your sentence,
15:30:17 5 Mr Koum jian, and I didn't hear the witness use the word "guns".

6 THE WITNESS: Well, anti-aircraft rounds, AKs, G3s, mortar
7 bombs, RPG bombs, Stinger bombs and the Stinger missiles, but no
8 arms came. But in common we used to call them arms and
9 ammunition.

15:30:41 10 MR KOU MJIAN:

11 Q. Okay, thank you. Now, sir, you've talked about being sent
12 to Kono and you said only for a short time because of the
13 intervention. Can you now tell us what happened with what you
14 called the intervention, from your point of view where you were

15:31:09 15 at? Sorry, excuse me. Your Honour, may I strike that question
16 because I've failed to follow through on something on Magburaka.
17 I've been meaning to you, sir, where did you actually take the
18 ammunition that was unloaded from the plane? Where did it go?

19 A. We drove down to Freetown and straight to the chairman
15:31:40 20 Johnny Paul Koroma's residence at Spur Road.

21 Q. And then what happened to the ammunition?

22 A. We brought everything and afterwards it was distributed to
23 each and every one of us, including the RUF high commands.

24 Q. Okay, thank you. Now going on to the intervention. Where
15:32:04 25 were you when you first heard of the events that you've called
26 the intervention?

27 A. Well, I was in Kono around the start of February. I cannot
28 remember the right date. Then the handset that I had was not
29 functioning, it can't get to Freetown at the time. So we got a

1 message from the brigade, which was the army base at the time,
2 that chairman Johnny Paul Koroma wanted to talk to us on the set.
3 So in the evening the message was brought directly to me, because
4 I was the senior commander on the ground. So I called my other
15:32:58 5 colleagues and we went to the radio room at the brigade in Kono
6 and he told us that if - he asked us if we heard what is
7 happening and he said that right now they were invading us, the
8 town. So he said we should get some manpower, arms and
9 ammunition from Kono to try and get to town, Freetown. So we did
15:33:22 10 that with the others. We came to a meeting and we decided that
11 we should go. We had fuel constraints and other things, so we
12 raised some amount, I distributed the money to everybody so that
13 we could procure fuel. Unfortunately, most of them did not go.
14 I was the only one who took up the venture and went. I went, but
15:33:44 15 I couldn't cross over. As soon as I got to Masiaka, Issa Sesay
16 too was coming from the Bo end and we met at Masiaka. So he said
17 that we should try to proceed to Waterloo. Unfortunately, when
18 we got to Waterloo there was a large troop there, the Guineans
19 and the Nigerians. They were deployed in Waterloo, on to the
15:34:05 20 refugee camp. We tried to put men together to bulldoze our way,
21 but we couldn't, so we lost some men there and we decided to
22 return to Masiaka whilst the intervention was still going on.
23 They ousted them from Freetown. Zagalo continued to call me
24 through the radio at the time the radio - the handset had come
15:34:28 25 on. So he spoke to me in our local language so that we can
26 locate an area where they could pass to find a way of joining us
27 because Waterloo was blockaded, because we too had told them that
28 we had no way of crossing over. We located an area around Fogbo
29 where a large troop was, the advanced team. We pushed the

1 Kamajors downwards. The troops came in and they supported us and
2 chairman Johnny Paul Koroma and his family, all of them crossed
3 over and met us and I drove them up to Masiaka.

4 Q. Thank you. Let me go back and ask you a few questions
15:35:10 5 about this. First of all, you said that Johnny Paul Koroma got
6 you on the handset and then - or got you on the radio and said
7 that they had --

8 A. No, no, it was not Johnny Paul Koroma. Abu Zagalo.

9 Q. Thank you. You said, "We went to the radio room at the
15:35:30 10 brigade in Kono", line 10, "and he told us that if we - he asked
11 if we had heard what is happening and that right now they were
12 invading us, the town." Can you explain that? Who was invading
13 which town?

14 A. Okay, if it was the one in Kono it was the CO then who sent
15:35:54 15 his adjutant who came and met us and told us that Johnny Paul
16 wants us on the set. That was the one in Kono. He went and
17 talked to us that the Nigerians and the Kamajors were invading,
18 so he said we should go to Freetown. The Nigerians and the
19 Kamajors.

15:36:09 20 Q. Okay, thank you. Now, just to understand this in context,
21 you've told us that the action of you and the other original 17
22 that overthrew the Kabbah government occurred in May 1997 and now
23 we're talking about February 1998. Between May 1997 and February
24 1998 was there fighting going on between you and other factions,
15:36:36 25 between your government and other factions?

26 A. Yes.

27 Q. And who were you fighting against during that period of
28 time before the intervention?

29 A. The Kamajors and the Nigerians were fighting against us and

1 we too were fighting against them.

2 Q. And when you say "we", at that time --

3 A. We, the AFRC, we were fighting against the Kamajors and the
4 Nigerians.

15:37:05 5 Q. When you say the AFRC, "we the AFRC", who do you mean?

6 A. The soldiers, all of those who were on our side and we the
7 Supreme Council members, because I too was on the front line.

8 Q. And when you say "all those who were on our side", I'm
9 sorry, but explain to us who were the people on your side?

15:37:27 10 A. All the soldiers who were loyal to us, who were with us.

11 Then including the soldiers who were with us and we the Supreme
12 Council members, all of us were on the front line fighting
13 against the Nigerians and the Kamajors.

14 Q. All right. What about the RUF? What was their position in
15 this fighting?

15:37:51 16 A. Including them too. All of them were loyal to us by then.
17 All of us were doing the same thing.

18 Q. Now, you've talked about how you went from Kono and
19 eventually met up with Johnny Paul Koroma. Can you remind us
15:38:12 20 where was it that you first saw Johnny Paul Koroma after the
21 intervention?

22 A. The first place I saw him was in Fogbo.

23 Q. Who was Johnny Paul Koroma with?

24 A. He was with his security guards, Banjah Marrah who was the
15:38:36 25 radio man, his security Salieu, Twenty, David and others and his
26 family members, wife and children, and other members of his
27 family.

28 MR KOUMJIAN: Your Honours, just the spelling Salieu,
29 S-A-L-I-E-U and Twenty is spelt like the number.

1 PRESIDING JUDGE: And the radio man? I think I heard a
2 name for the radio man.

3 MR KOUMJIAN: Yes, he said Banjah --

4 THE WITNESS: Yes, Banjah Marrah. The control officer.

15:39:22 5 MR KOUMJIAN:

6 Q. What happened when you met up with Johnny Paul Koroma, his
7 family and securities?

8 A. I immediately put them in my vehicle, which was a red Land
9 Cruiser, written on PRL5, and I took him to Masiaka, where I was
15:39:44 10 staying in Masiaka. That was where I took him.

11 Q. Can you tell us then where you went from Fogbo to Masiaka,
12 where you went next?

13 A. At around 3.00 to 3.30 in the morning Lieutenant Colonel
14 SAJ Musa met me and told me that he has understood that the
15:40:09 15 Guineans want to launch an attack against us, so he told me to
16 move with Johnny Paul Koroma. Straight away I put him in my car
17 and drove off to his village in Magbonkineh. First to Makeni,
18 then Makeni to Magbonkineh.

19 MR KOUMJIAN: Excuse me, I don't know if your Honours have
15:40:31 20 the spelling of Magbonkineh. I believe my colleague says it
21 already is on the record.

22 Q. What did Johnny Paul Koroma do once he got to Magbonkineh?

23 A. When I arrived in that village in the early hours, he told
24 Banjah to call. By then the satellite phone was under my seat,
15:40:57 25 because Banjah had given it to me to take care of it because I
26 was putting it under my seat. Because I normally do not alight I
27 keep it under the seat, so I took the satellite phone and gave it
28 to Banjah and then he called and he spoke on the BBC and told
29 them that he was up the hills and that we will soon come in

1 again. Then afterwards he called Mr Taylor and told him about
2 this helicopter shuttle, but then I did not know anything that
3 they had been conversing about that in town until he called me -
4 I called him and spoke about the helicopter. As they were
15:41:38 5 talking and after they had finished talking, Johnny Paul Koroma
6 asked how many of us were there and he said because the
7 helicopter would seen arrive because he's spoken to Mr Taylor.
8 He has to find out the number of us there, because we were going
9 to wait for the helicopter.

15:41:58 10 Q. Okay, thank you. Now, Mr Witness, you've talked about the
11 satellite phone. First, can you describe what this phone looked
12 like?

13 A. The phone was a small one like this. It just had the
14 receiver and it could be folded. It had a bag. But if I see one
15:42:16 15 I would be able to identify it, maybe in a picture or whatsoever.

16 Q. Where did you first see this satellite phone?

17 A. Well, when they crossed from Fogbo it was with him. From
18 the early morning, before we left, it was then that Banjah gave
19 me, because they were many in the back of the car and so he gave
15:42:47 20 it to me and I put it under the driving seat where I was sitting.

21 Q. Now, you talked about a phone call from Johnny Paul Koroma
22 to the BBC. What did he use to make that phone call?

23 A. He used the satellite telephone.

24 Q. And you said he was here above the hills, or words to that
15:43:16 25 effect. Can you explain again what Johnny Paul Koroma said to
26 the BBC?

27 A. Well he said he was above the hills in Freetown, if I can
28 remember. He said he was above the hills in Freetown and he
29 would soon get back to the city.

1 MR KOUMJIAN: Your Honour, could the witness now be shown
2 tab 7, which is a three page document with the ERN numbers
3 00100146 through 148:

4 Q. Sir, I'm going to read to you the first paragraph:

15:44:20 5 "As the Nigerian-led West African intervention force
6 ECOMOG consolidated its hold of Sierra Leone's capital, Freetown,
7 Major Johnny Paul Koroma, chairman of the toppled Armed Forces
8 Revolutionary Council (AFRC), vowed at the weekend his forces
9 would fight on, the BBC reported. Speaking on a satellite
15:44:46 10 telephone from a location he said was in the hills above
11 Freetown, Koroma denied ECOMOG had arrested senior AFRC
12 officials. 'We are going to fight back', Koroma said."

13 Sir, is this consistent with your recollection of the phone
14 call that you heard Johnny Paul Koroma make from his village,
15:45:10 15 Magbonkinneh?

16 A. Yes.

17 Q. So when he made that phone call, was he above the hills of
18 Freetown as stated - as reported he stated to the BBC?

19 A. No, we were in Magbonkinneh by then.

15:45:29 20 Q. Before we leave this document, I'd like to turn to page 2.
21 Actually before it's shown to the witness, let me ask a few
22 questions. When the intervention happened, sir, what did the -
23 your colleagues in the AFRC, what was the reaction of various
24 colleagues? Did all of them go with you, or what did they do, or
15:45:59 25 where did they go?

26 A. I have not got that clearly.

27 PRESIDING JUDGE: Mr Koumjian, you have about three
28 questions in there and so go through them one at a time, please.

29 MR KOUMJIAN:

1 Q. Did any of your colleagues - no, excuse me. Let me try
2 again, your Honour. Sir, did all of your colleagues remain in
3 Sierra Leone?

4 A. After the intervention?

15:46:25 5 Q. Yes, during and after the intervention.

6 A. Yes, we stayed, but after the intervention some crossed
7 over to Guinea and then later some went to Liberia. They came
8 back through Liberia and joined us in Kailahun, but I did not
9 cross over. I went on to Kailahun. I did not cross over to
10 anywhere. I was in the jungle with the RUF.

15:46:53

11 Q. Do you know someone by the name of Victor King?

12 A. Yes.

13 Q. Who was Victor King?

14 A. Victor King was the flight commander and then he was a
15 Supreme Council member.

15:47:12

16 Q. What did Victor King do, if you know, during or after the
17 intervention?

18 A. Well when we had made way for Johnny Paul Koroma and he had
19 come, as we were coming along the road in the vehicle I heard him
20 grumbling about why Victor had taken the helicopter to Liberia
21 without us knowing. He said, "Why has he taken the helicopter to
22 Liberia?", and so I heard the chairman grumbling thus about
23 Victor King.

15:47:36

24 Q. Did you ever later hear what happened when Victor King took
25 the helicopter?

15:47:56

26 A. Well, we listened to the BBC that the ECOMOG force has
27 arrested the helicopter in Monrovia at Roberts airfield.

28 MR KOU MJIAN: Now, if the witness can be shown page 2 of
29 this document with the ERN ending 147:

1 Q. It indicates in the top paragraph:

2 "Meanwhile in Liberia, President Charles Taylor demanded
3 ECOMOG hand over AFRC officials arrested on Friday, when two
4 helicopters they were using to escape Freetown were forced to
15:48:39 5 land in the capital, Monrovia, by an ECOMOG jet. In a radio
6 broadcast reported by AFP, Taylor said Liberia was a sovereign
7 state and should take charge of the AFRC detainees."

8 Then just to finish the paragraph:

9 "Taylor said that a low level flight by an ECOMOG jet over
15:49:00 10 the presidential Executive Mansion on Friday was 'an act of
11 provocation'. Taylor also demanded ECOMOG remove its tanks from
12 parts of Monrovia and Robertsfield international airport."

13 Sir, does this coincide with your recollection of what
14 Johnny Paul Koroma was telling you about Victor King leaving
15:49:30 15 Freetown?

16 A. Exactly. Exactly.

17 Q. So after the phone call to the BBC, you said there was
18 another phone call - excuse me, may this three page document be
19 given an MFI number?

15:50:05 20 PRESIDING JUDGE: That is a three page document headed
21 "University of Pennsylvania - African Studies Center" and
22 underneath that is a subheading "IRIN-West Africa update 146,
23 98.2.16". It becomes MFI-17.

24 MR KOUJIAN:

15:50:30 25 Q. Now at the village, in addition to the call to the BBC do
26 you recall any other calls around the same time that Johnny Paul
27 Koroma made on the satellite phone?

28 A. Yes.

29 Q. Can you tell us what you recall about that?

1 A. Yes. He called afterwards and he said Mr Taylor had told
2 him - because by then we were not hearing what Mr Taylor was
3 saying, but we heard what Mr Johnny Paul was saying. He said
4 Mr Taylor told him that it was not possible for the helicopter to
15:51:10 5 come to Magbonkineh to pick us up he said because of the Alpha
6 Jet raids from the ECOMOG forces. So with that Johnny Paul
7 Koroma decided that we should find a place by Kabala, so all of
8 us, including his family, his security, drove and went right up
9 to Kabala and the name of the village - the village was Banjah
15:51:40 10 Marraha's village that was bordering Guinea, but I do not know the
11 name of the village. I have forgotten the name. We got there.
12 The chairman, the Pa - the chairman got a place where he was
13 lodged and he went there with his family. His wife was hard
14 pressed for the ladies, so when she went out a man saw her and
15:52:04 15 they said he had been a batman to his father called Captain
16 Cambolie. She asked him, "Are you not ..." --

17 THE INTERPRETER: Your Honours, can the witness take this
18 last part of his testimony again?

19 PRESIDING JUDGE: Again, Mr Witness, I'm afraid you're
15:52:23 20 going too fast for the interpreter. Could you please speak more
21 slowly and also pick up where you said I think it was "a batman
22 ...", you said, "... to his father called Captain Cambolie."
23 Please continue.

24 JUDGE SEBUTINDE: I think you should start where you said,
15:52:43 25 "His wife was hard pressed for the ladies", and continue.

26 THE WITNESS: His wife wanted to use the ladies, so she
27 came outside and this man - an old man - came out and he had been
28 with her father. He was a batman to her father. So he asked
29 her, "Are you not Cambolie's daughter and your husband Johnny

1 Paul Koroma?", and the woman went back in hastily and explained
2 this. When she explained, we were all there with Banjah Marrah.
3 Then the Pa said, "What do we do?" Then I said, "We should pull
4 out", and so we all entered the vehicle and decided to come down
15:53:28 5 by Kabala.

6 By then, before we got there, it was around - it was time
7 for news hour over the BBC. It was then that we heard that
8 Johnny Paul was with a red Land Cruiser. Then the registration
9 plate was not there, so they couldn't identify any registration
15:53:51 10 plate. They just said he was with a red Land Cruiser. Straight
11 off we crossed Kabala and went down to the same Magbonkineh, but
12 we did not enter Magbonkineh. There was another village on the
13 other flank which we entered.

14 Then we met his brother, who was the late SFY Koroma. He
15:54:10 15 was with his blue Range Rover. So when we got there he too was -
16 he laughed and said, "I have heard about you. They've spoken
17 about you over the BBC, that you are using a red Land Cruiser."
18 He said straight off, "Leave this car here and take mine, because
19 they've already identified this one." So we did that, took his
15:54:33 20 and we left the Land Cruiser there, but we were there for some
21 time and we decided to come back. We did not go to Magbonkineh.
22 We came close to the bush where I left them. From there he
23 assigned us with other men to go and put men together. He said
24 he had received a call from Mr Taylor that he should go and
15:54:58 25 capture Kono.

26 MR KOUMJIAN:

27 Q. Okay, thank you. I want to just ask you first one
28 question, something I didn't understand a term you used. You
29 said that this old man had been the batman to Johnny Paul

1 Koroma's wife. Can you explain what that means?

2 PRESIDING JUDGE: Her father. The wife's father.

3 MR KOUMJIAN:

4 Q. Father?

15:55:26 5 A. To Johnny Paul Koroma's wife's father. He was there to
6 clean the house, iron the uniform. In fact, in the military we
7 call them batmen. They iron the uniform, clean the house and
8 take care of his clothes.

9 Q. Okay, thank you. I didn't understand that term.

15:55:47 10 PRESIDING JUDGE: It's a very old term.

11 MR KOUMJIAN: Thank you:

12 Q. Sir, just going back, so you talked about the point where
13 you abandoned your red vehicle, but during the time that you were
14 in the red vehicle can you just tell us what the seating
15:56:07 15 arrangements were in that car? Who was in the car and seated
16 where? Excuse me, I'll ask you one question at a time. Who was
17 in the red vehicle?

18 A. I was driving. Johnny Paul Koroma and his family, Banjah
19 Marrah, the control officer, Salieu and Twenty, security, and
15:56:32 20 David, we were there.

21 Q. You said --

22 A. And the chief security Moses Kabia, alias Rambo, and Johnny
23 Paul's family.

24 Q. All of you were in that one vehicle?

15:56:48 25 A. Yes.

26 Q. You said you were driving. Where was Johnny Paul Koroma
27 seated?

28 A. He and his wife and small child were seated in the
29 passenger seat in front and I was in the driving seat.

1 Q. So if I understand the sequence that you've just talked to
2 us about, you came back then to Magbonkineh and this is the
3 second time during the sequence of events that you went to that
4 village, is that right, or near Magbonkineh?

15:57:28 5 A. We did not enter. When we came from up there we did not
6 enter. There was a bush that we had located. That was where we
7 kept it.

8 Q. You indicated, when you finished your last answer, your
9 long answer, that Johnny Paul Koroma said that he had talked to
10 someone about going to Kono. Can you explain that again?
15:57:49

11 A. Yes. He said he had called Mr Taylor and they've spoken
12 again. He said Mr Taylor says he should go and recapture Kono.
13 He said it would be better for them to do the pick up there with
14 the helicopter. He said we should go back to Kabala. By then
15:58:12 15 Superman had met him. I and Akim and the chief security and
16 Rambo, he said we should go. He said where we had left them is a
17 safe place, we should go and put - all the SLAs, all the SLA
18 officers and all the RUF's officers, commanders, he said we
19 should all come down to Makeni to go and capture Kono.

15:58:41 20 Q. When you say capture Kono, who was in control of Kono at
21 that time when Johnny Paul Koroma told you he talked to
22 Charles Taylor about capturing Kono?

23 A. Well, during the intervention when I had left and come to
24 town, within 72 hours, before Johnny Paul sent that message to
15:59:04 25 all of us to come, Gullit had met us in Kono, but he was not part
26 of our assignment. So when I left and came they said there was a
27 difference between them and the civilians in Kono, so the Kono
28 people went and called the Kamajors and joined them and dislodged
29 the soldiers from Kono. It was the Kamajors and the Kono people

1 who had been occupying Kono by then.

2 Q. So if I understand you correctly then the plan was to
3 recapture Kono from the Kamajors and the Kono people who lived
4 there, is that right?

15:59:43 5 A. Yes.

6 Q. After Johnny Paul Koroma told you that, was there any
7 discussion with any other commanders?

8 A. Yes. I, Superman, Rambo, Akim, we immediately drove off to
9 Kabala on to the villages and we tried to summon all the officers
16:00:07 10 who've been hiding in the villages, so we told them to come to
11 Kabala Town for a meeting. Some came and some did not, some
12 continued to stay in hiding. Those of us who did that, we came
13 together - they came together, we explained to them and there was
14 Superman for the RUF and we were for the SLA. There were some of
16:00:27 15 them who agreed with us and they joined us and we came over to
16 Makeni.

17 Q. At this meeting in Kabala, what exactly was discussed and
18 agreed upon, or ordered?

19 A. Well, it was the things that had been happening, that we
16:00:50 20 should put aside all differences to go and capture Kono and that
21 it was the chairman who was saying that we should come together.
22 That was what was arranged. We divided us into platoons so that
23 we could come to Makeni and we should organise ourselves to come
24 to Makeni and then onwards to Kono.

16:01:08 25 Q. You mentioned Akim. Do you know his full name?

26 A. No, I usually called him Akim. I do not know his full
27 name.

28 Q. That's fine. Who was he?

29 A. By then he was a captain in the Sierra Leone Army.

1 Q. Thank you. Then after this agreement to organise
2 yourselves and go to Makeni, what happened after the meeting in
3 Kabala?

4 A. Everybody came down to Makeni. We assembled as a team in
16:01:47 5 order to advance to Kono. Superman, Akim, Hassan Bangura, alias
6 Papa, and other SLA and RUF commanders were in the advanced team.
7 We were in the middle with Johnny Paul Koroma, SAJ Musa and other
8 senior ranks. Issa Sesay and others were at the back with Johnny
9 Paul. We brought him and we moved to Kono in order to capture
16:02:23 10 Kono.

11 Q. What happened on this first advance towards Kono?

12 A. Well, when we arrived we were unable to enter Kono. We
13 were unable to enter Kono. We stopped at Mamudu checkpoint, but
14 we were unable to bulldoze our way, so we decided to return
16:02:44 15 because we had had a lot of casualties.

16 Q. After that attempt to enter Kono was there any
17 communications by Johnny Paul Koroma that you're aware of?

18 A. Yes. When we returned he communicated to Mr Taylor and he
19 said we should try to capture there, "So that I will be able to
16:03:13 20 send a helicopter to pick you up." So he pressurised us and we
21 moved and finally captured there. At that time the satellite
22 phone - the credit in the satellite phone had finished.

23 Q. Thank you. I want you to go over that again and try not to
24 use "he", or "they", or "we". Try to use the names rather than
16:03:35 25 the pronouns.

26 PRESIDING JUDGE: Perhaps to clarify the "there"s.

27 MR KOUMJIAN:

28 Q. Let me just first ask you, sir, how do you know about this
29 communication?

1 A. During the advance I was close to Johnny Paul Koroma. I
2 was close by to Johnny Paul Koroma. Up to the time we got to
3 Buedu I was with him, so whatever happened I knew. But during
4 the communication we did not hear what Mr Taylor was saying, but
16:04:03 5 he used to translate it to us.

6 Q. Okay. When you say he would translate it to you --

7 A. That is Johnny Paul Koroma translated it to us, the
8 chairman.

9 Q. Okay and can you tell the judges again slowly, trying to
16:04:20 10 use the names, what Johnny Paul Koroma told you he discussed with
11 Charles Taylor on this occasion after the first unsuccessful
12 attempt to take Kono?

13 A. After the first attempt to take Kono and we were unable, we
14 came back to Makeni. Then Johnny Paul Koroma called
16:04:43 15 Charles Taylor and Charles Taylor told him that he should go and
16 capture Kono and when he would have captured Kono the helicopter
17 will come and pick him up together with his family. So Johnny
18 Paul told by then Superman, Akim, Rambo and me, he told us that
19 we should still go and talk to the RUF and the SLA in order to
16:05:07 20 make them move for Kono, so that we will capture there so that
21 things will be fine for us. So we moved, because he did not
22 expose - he did not reveal to them that a helicopter would pick
23 him up, but he used to tell us. So we went there and told the
24 men and they all agreed and all us of advanced again, the SLA and
16:05:27 25 the RUF. We went there and finally captured Kono.

26 Q. Okay, thank you. Now, you indicated earlier that at that
27 time the credit - you said the credit in the satellite phone had
28 finished. Line 3, page 141. Were you ever able, to your
29 knowledge, to recharge or get more credit for that satellite

1 phone?

2 A. No. When we captured Kono Johnny Paul I lodged at Gandorhun
3 Road in Koidu. We were unable to get any credit to recharge the
4 satellite phone.

16:06:09 5 MR MUNYARD: I have totally different pagination, as a
6 matter of interest. My reference to the credit running out is
7 page 142, line 14. I don't know if anybody else is on similar
8 pagination.

9 MR KOUMJIAN: Perhaps we could make a joint motion to ask
16:06:27 10 if it's technologically possible to get us all on the same
11 pagination on LiveNote.

12 MR MUNYARD: I completely agree.

13 PRESIDING JUDGE: I tend to rely on my own notes,
14 Mr Munyard, but I do recall the witness talking about the credit
16:06:41 15 running out. You're not challenging that aspect.

16 MR MUNYARD: Not all. Mr Koumjian was obviously trying to
17 be helpful by giving us the reference, but I'm afraid I'm out by
18 a page and a half on LiveNote.

19 PRESIDING JUDGE: Mine, if it's of any help to you, is page
16:06:58 20 142, line 16.

21 MS IRURA: Your Honour, it's the font that determines the
22 page number, so if everyone is on font 16, or font 14, or 12 then
23 everyone would have the same page reference.

24 MR MUNYARD: I'm on the same page as Madam President
16:07:12 25 because of my font, but changing font is a mystery I have yet to
26 unravel.

27 MR KOUMJIAN: Just for the Court's information we are all
28 on the same font and have different pages, so we'll deal with
29 the --

1 MS IRURA: Sorry, the font size, not the font. The font
2 size.

3 PRESIDING JUDGE: Perhaps we can leave it until after court
4 and some arrangement can be amicably arrived at.

16:07:44 5 JUDGE SEBUTINDE: Mr Koumjian, sorry to take you up a bit.
6 Page 141, there is something the witness said that doesn't make
7 sense and perhaps it was the interpretation. At line 10 it says
8 - this is the order he gave of how they were moving to Kono. He
9 says, "Everybody came down to Makeni. We assembled as a team in
16:08:02 10 order to advance to Kono. Superman, Akim, Hassan Bangura, alias
11 Papa, and other SLA and RUF commanders were in the advanced team.
12 We were in the middle with Johnny Paul Koroma, SAJ Musa and other
13 senior ranks. Issa Sesay and others were at the back with Johnny
14 Paul." So I'm just wondering that's Johnny Paul twice. I would
16:08:30 15 just like to know exactly where Johnny Paul was.

16 THE WITNESS: He was in the middle. He was in the middle
17 and we had a team at the rear, that is the back, and the advance
18 team was in front.

19 JUDGE SEBUTINDE: Where were you, Mr Witness?

16:08:49 20 THE WITNESS: I was with him in the middle. We were with
21 the Range Rover, because whilst we were advancing we advanced
22 with vehicles.

23 MR KOUMJIAN:

24 Q. Sir, just to clarify, to be clear on one thing, when you
16:09:11 25 talk about taking Kono you're talking about the district, the
26 town, or what are you discussing?

27 A. The entire district.

28 Q. And when you said you took Kono, which parts of the
29 district did you take, were you able to capture?

1 A. We captured Koidu Town.

2 Q. Now, when Johnny Paul talked to you about the discussions
3 with Charles Taylor, was there anything else discussed besides
4 Kono that you recall?

16:09:58 5 A. Well, he said that was where the helicopter would go to
6 pick us up. He did not tell us any other thing that they
7 discussed.

8 Q. Before the credit ran out you've talked about some phone
9 calls on the satellite phone. Have you told us about all the
16:10:23 10 calls that took place?

11 A. Yes, those were the calls that took place, the way I
12 understood it.

13 Q. How many calls do you think there were in total?

14 A. I cannot recall the number. It was many.

16:11:08 15 Q. Just to clarify one thing: When he was using the satellite
16 phone you've talked about Johnny Paul Koroma talking to
17 Charles Taylor, do you know of him talking to anyone else with
18 the satellite phone?

19 A. Yes, he talked to the President in Niger. He talked to the
16:11:35 20 President of Burkina Faso.

21 Q. After Koidu Town was taken, where did you go?

22 A. Well after we had taken Koidu Town, we were lodged at
23 Gandorhun Road. That was where we were lodged.

24 Q. How long did you stay there for?

16:12:13 25 A. Well, we stayed there for one or two weeks and then we were
26 at that time getting messages from Mosquito, who was in Buedu,
27 that Mr Taylor said the helicopter - it would not be possible for
28 the helicopter to come to Koidu because of the jet raids, so he
29 said we should find our way to Kailahun District. It was

1 Superman who used to bring the messages, because at that time
2 Johnny Paul never had a radio set.

3 Q. After receiving the message through Superman, what did
4 Johnny Paul Koroma do?

16:12:56 5 A. Before we left after the message had come, I cannot recall
6 the actual date, he decided to convene a meeting with us, the SLA
7 and the RUF commanders in the high command so that we should all
8 receive ourselves together as he was now on his way to go to
9 Buedu, to Kailahun District. So, he said anywhere so ever SLA
16:13:23 10 would be a commander the RUF would deputise and anywhere RUF
11 served as commander the SLA would deputise. He said we should
12 hold firm to the cause and he was going to meet Charles Taylor
13 and he will come back to meet us, but by then he appointed me to
14 go, Rambo and his family members. He said all of us who were
16:13:41 15 with him we should still continue to go with him, and the men
16 whom he said should continue to hold the ground they should work
17 as a team.

18 Q. This meeting took place where?

19 A. Outside where Johnny Paul was lodged on Gandorhun Road.

16:14:02 20 Q. And is that in or near Koidu Town?

21 A. It was in Koidu Town.

22 Q. You said he said that those who - the men he said should
23 continue to hold the ground. When Johnny Paul Koroma said he was
24 leaving, who did he appoint, if anyone, to hold the ground in
16:14:25 25 Kono, in Koidu?

26 A. Yes, he gave Superman the position of battlefield
27 commander. He said Superman should take care of the position,
28 because by then we had crossed over --

29 THE INTERPRETER: Your Honours, could the witness slow down

1 his pace a little.

2 PRESIDING JUDGE: Again, Mr Witness, I have to ask you to
3 speak more slowly. Please pick up where you said, "He said
4 Superman should take care of the position, because by then we had
16:14:56 5 crossed ..." Continue from there, please.

6 THE WITNESS: He said since we were crossing to go over
7 Superman will serve as the battlefield commander in Koidu Town,
8 that is Kono.

9 MR KOUMJIAN:

16:15:14 10 Q. Okay, sir, when you use the term "battlefield commander
11 in Kono" --

12 A. Battlefield. Battlefield Commander. Not battle group,
13 battlefield.

14 Q. What was that responsibility then? What did that mean,
16:15:28 15 that Superman was battlefield commander in Kono?

16 A. Well, he was in charge of all the operations in Kono.

17 Q. What other high level commanders, if any, were in Kono
18 under Superman?

19 A. Yes, we left so many SLA there and some RUF. Bazy was
16:15:52 20 there as the PLO-2, and the PLO-2 of the AFRC and some other RUF
21 commanders they all stayed in Kono.

22 JUDGE SEBUTINDE: Mr Koumjian, the witness said regarding
23 his own appointment he said, "He appointed me to go, Rambo and
24 his family members." What does that mean?

16:16:15 25 THE WITNESS: That we should cross to go to Kono with him
26 as securities. He said we should go with him as securities to go
27 to Kono.

28 JUDGE SEBUTINDE: Go with who?

29 THE WITNESS: With Johnny Paul Koroma, chairman.

1 MR KOUMJIAN:

2 Q. Sir, you said "to Kono". To go to where?

3 A. We were now in Kono and we were now heading to Kailahun,
4 and Chairman Johnny Paul said we should stay with him as
16:16:43 5 security. Myself, Rambo and some other people that he counted,
6 he said we should continue to go with him together with his
7 family to serve as securities.

8 Q. Thank you. Now this Rambo, again just so we're clear who
9 you're talking about, who is it when you say he said you and
16:17:01 10 Rambo and others should go with him?

11 A. Rambo was the chief security officer to him, Moses Kabia,
12 and Twenty was a security, Salieu was a security, David and
13 control - Banjah Marrah was the control officer.

14 PRESIDING JUDGE: Mr Koumjian, the witness has used the
16:17:21 15 term "SLA" a few times. Now, there is a distinction and I want
16 to be sure for the purposes of the record that we are talking
17 about - who we are talking about when he uses that term.

18 MR KOUMJIAN:

19 Q. Sir, why don't you give us your definition. When you say
16:17:40 20 "SLA", what do you mean?

21 A. Sierra Leone Army.

22 Q. Now you talked about a takeover by a group in May of 1997
23 and you said that was called the AFRC, correct?

24 A. Yes.

16:17:55 25 Q. The people that were SLAs before the takeover, did you
26 continue to call them SLAs, or did you call them AFRC, or what
27 did you call them?

28 A. They were SLAs. We were all in the Sierra Leone Army.

29 Q. But just to be clear about one other thing, you've

1 mentioned that at the time of the AFRC coup/takeover that some
2 groups of soldiers remained loyal to the Kabbah government. Is
3 that correct?

4 A. Yes, it's correct.

16:18:30 5 MR KOU MJIAN: I recognise that there's an ambiguity to the
6 term SLA and we'll just try to always clarify if there is.

7 PRESIDING JUDGE: Thank you, Mr Koum jian.

8 MR KOU MJIAN:

9 Q. How did you then travel when you left Koidu to go towards
16:18:47 10 Kailahun?

11 A. Well, we travelled on foot. We travelled by vehicle. We
12 travelled by vehicle when we got to Gandorhun Town, Gandorhun
13 village. From Gandorhun village all the vehicles stopped there,
14 because we could not travel by road and the Kamajors were
16:19:11 15 alongside the road, so we used the jungle together with Chairman
16 Johnny Paul Koroma, Issa Sesay, Mike Lamin, myself and others of
17 the RUF and SLA high command. We all travelled through the
18 jungle and we crossed. We travelled through the jungle and we
19 crossed the river to Kailahun District.

16:19:33 20 Q. And when you say you travelled through the jungle, what
21 does that mean?

22 A. We used the bush. We walked through the bush.

23 Q. Witness, if you're more comfortable standing up you can
24 just turn the microphone up and speak into it if you need to do
16:19:48 25 that. Besides the securities and Johnny Paul Koroma - well,
26 first, Johnny Paul Koroma's family, what happened to them? Were
27 they with you, or not?

28 A. We were all together with Johnny Paul Koroma's family.

29 Q. And then after going through the jungle, what happened

1 then?

2 A. Well we went through the jungle until we found ourselves in
3 Kailahun District and, whilst the fighting force was in the
4 front, just the same way we had set it, in the middle we were
16:20:26 5 there with Johnny Paul Koroma, us the securities, Issa Sesay and
6 some other fighting force were at the back, and we travelled and
7 we crossed the Moa River and then we got to a village. From
8 there we got to Kailahun Town and that was where a vehicle picked
9 us up and then we went to Buedu.

16:20:44 10 Q. What was Buedu at that time?

11 A. Well, the town was not that full. It was so quiet. We met
12 Sam Bockarie there. He sent vehicle for us. But by then we were
13 also unable to move around that much and then when we just got
14 there the jet sometimes came around and it raided. In fact,
16:21:12 15 almost all those people were in the bush. The town was very
16 quiet.

17 Q. Now, Sam Bockarie. You had just told us that at the
18 meeting in Koidu Town Johnny Paul Koroma gave an appointment to
19 Superman. What was Sam Bockarie's position at that time?

16:21:27 20 A. Well when we got to Buedu, after some time Sam Bockarie
21 said that was the defence headquarters and he was the chief of
22 defence staff by then.

23 Q. So if you put that into a hierarchy, where does the chief
24 of defence staff go in relation to, for example, Superman's
16:21:54 25 position?

26 A. He was the highest man, the chief of defence staff.

27 Q. When you got to Buedu, were there any SLAs - and by that I
28 mean AFRC former soldiers - present in Buedu Town? Commanders?

29 A. Well, soldiers were not many there. When we got there most

1 of them were at the Daru, Moya Barracks, but we met Mosquito in
2 Buedu and his RUF securities we met them there in Buedu. The SLA
3 - all of the SLA were in the barracks, including Gullit who had
4 reached there. We met him in the barracks. He said he was in
16:22:30 5 the barracks because we did not go there.

6 Q. Okay, I'm just a little confused when you said you met him
7 in the barracks, or he was in the barracks. What do you mean by
8 the barracks?

9 A. Mosquito gave us report that Gullit was in the barracks,
16:22:47 10 that is Daru Barracks. He said Gullit was in the Daru Barracks,
11 together with the other SLAs.

12 Q. And Daru Barracks is in Kailahun District?

13 A. Yes, in Kailahun District. Exactly.

14 JUDGE SEBUTINDE: Have we had evidence from this witness as
16:23:05 15 to who Gullit was, or who Mosquito was, yet?

16 MR KOUJIAN: I don't believe from this witness:

17 Q. Sir, when you use the word "Mosquito" - the name "Mosquito"
18 - who do you mean?

19 A. Sam Bockarie. That is Sam Bockarie, alias Mosquito. Tamba
16:23:25 20 Alex Brima, alias Gullit.

21 Q. Okay, thank you. I just want to ask you now about you had
22 mentioned that at the intervention some SLAs had, or AFRC members
23 had, fled Sierra Leone. Is that correct?

24 A. Yes. Yes, after the intervention. Most of them who were
16:24:02 25 in the Daru Barracks, after the Nigerians and the Kamajors went
26 to Daru Barracks they all ran away into Liberia. A few of them
27 crossed into Guinea and at a latter part they all passed through
28 into Liberia and from Liberia they came - they returned inside
29 again.

1 Q. Now, you say they returned. Was there any organised
2 attempt to get SLAs to return to Sierra Leone?

3 A. Yes, at first Sam Bockarie did not accept. He said all of
4 them who went, they should stay there. He said they should not
16:24:41 5 come. But at that time we were now in need of manpower and we
6 did not get - we did not have more manpower, so we decided that a
7 manpower that was hidden in a nearby village [sic] called Pa
8 Foday and he was nicknamed the Ndevuyama. He came out and he
9 said we should take those brothers, because most of them were his
16:25:05 10 own fighters. He said most of the SLAs that had gone, he would
11 be able to go and facilitate their coming. So we all met in
12 Buedu, we held a meeting and so we all agreed. Mosquito sent
13 him. He gave him some money for him to go and bring them back,
14 so he did that once. He brought a large amount of troops, which
16:25:24 15 included late Major Bakaar and some other officers, and he
16 brought them inside. He did that twice. He brought them again
17 and the third time we learnt to understand that he was executed
18 in Liberia.

19 Q. Okay, thank you. We need to go over these names that
16:25:43 20 you've mentioned. First of all this person who went and
21 organised the return and the third time you said was executed in
22 Liberia, what is his name?

23 A. He was a captain in the army. He was called Captain Foday,
24 but he was an old man. We used to call him Pa Foday and he was
16:26:03 25 nicknamed Ndevuyama. He was fighting around the Daru axis in the
26 Kailahun District.

27 JUDGE SEBUTINDE: Mr Interpreter, he was nicknamed what?

28 THE INTERPRETER: Ndevuyama.

29 JUDGE SEBUTINDE: Could you please spell that?

1 MR KOUMJIAN:

2 Q. Sir, if we gave you a piece of paper could you try to spell
3 that?

16:26:37

4 A. Well, that name is from the Mende local tribe, so I think
5 maybe Mr Interpreter would want to help me for us to get the
6 spelling clearly.

7 PRESIDING JUDGE: Mr Interpreter, can you help?

8 THE INTERPRETER: It's N-D-E-V-U-Y-A-M-A.

9 MR KOUMJIAN:

16:26:55

10 Q. Do you remember Foday's last name, Captain Foday?

11 A. No.

12 Q. Okay, thank you.

13 MR KOUMJIAN: Your Honour, I am moving to another topic and
14 this would be a convenient time.

16:27:12

15 PRESIDING JUDGE: Very well. That would be an efficient
16 time to stop then, Mr Koumjian. Mr Witness, we are now going to
17 adjourn until tomorrow morning at 9.30. Since you have taken the
18 oath, between now and the time that all your testimony is
19 finished you must not discuss your evidence with anyone else. Do
20 you understand?

16:27:30

21 THE WITNESS: I will do so.

22 PRESIDING JUDGE: Please adjourn court until tomorrow at
23 9.30.

24 [Whereupon the hearing adjourned at 4.30 p.m.
25 to be reconvened on Thursday, 22 May 2008 at
26 9.30 a.m.]

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29

I N D E X

WITNESSES FOR THE PROSECUTION:

MOSES ZEH BLAH	10376
RE-EXAMINATION BY MR RAPP	10376
SAMUEL KARGBO	10413
EXAMINATION-IN-CHIEF BY MR KOUMJIAN	10413

EXHIBITS:

Exhibit P-116 admitted	10397
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