



Case No. SCSL-2003-01-T

THE PROSECUTOR OF
THE SPECIAL COURT
V.
CHARLES GHANKAY TAYLOR

WEDNESDAY, 27 AUGUST 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

For the Registry:

Ms Rachel Irura

For the Prosecution:

Mr Nicholas Koumjian
Ms Maja Dimitrova

For the accused Charles Ghankay
Taylor:

Mr Courtenay Griffiths QC
Mr Terry Munyard
Mr Morris Anyah

1 Wednesday, 27 August 2008

2 [Open session]

3 [The accused present]

4 [Upon commencing at 9.30 a.m.]

09:25:23 5 PRESIDING JUDGE: Good morning. Mr Koumjian, I notice your
6 bar is as before yesterday afternoon.

7 MR KOUMJIAN: Yes, your Honour, good morning.

8 PRESIDING JUDGE: Good morning. Thank you. Mr Munyard,
9 appearances please.

09:29:01 10 MR MUNYARD: Good morning your Honours, good morning
11 counsel opposite. This morning the Defence are represented by
12 Courtenay Griffiths QC, myself Terry Munyard and Morris Anyah.

13 PRESIDING JUDGE: Thank you, Mr Munyard. Unless there are
14 other preliminary matters I will remind the witness of his oath.

09:29:19 15 No. Mr Witness, I again remind you as I did on other mornings
16 that you are still under oath, you are obliged to answer
17 questions truthfully. You understand?

18 THE WITNESS: Yes.

19 WITNESS: TF1-375 [On former oath]

09:29:31 20 PRESIDING JUDGE: I again remind you of the need to speak
21 slowly so that both the interpreters and the transcribers can
22 record what you say. Mr Munyard, please proceed.

23 CROSS-EXAMINATION BY MR MUNYARD: [Continued]

24 Q. Mr Witness, we broke off yesterday in August 2006 when we
09:29:53 25 were looking at the money that you had been paid by the
26 Prosecution for the most part for information and I would like
27 you please to go back to tab 19 and if we look at the second page
28 yesterday we calculated that by July, by the end of July 2006,
29 you'd had 575 US dollars almost entirely for information, just

1 \$25 for transport or lost wages, and then in addition to that tab
2 8 another 100, that's 675, tab 9, 200, that's 875 and then tab 10
3 you are given \$100 for your family's accommodation and food,
4 that's 975. Then we get to tab 11, the one that you were looking
09:31:53 5 at when we were actually considering the previous - sorry, not
6 tab 11, paragraph 11, when we were all looking at the previous
7 paragraphs. Paragraph 11 is another \$700, US dollars, for your
8 family support while you were away from home and then not \$200 as
9 you were telling us yesterday, but \$250 to get you from Monrovia
09:32:24 10 to Freetown. Do you remember yesterday saying that you
11 remembered well that the first time you were given \$200 it was to
12 take you from Monrovia to Freetown?

13 A. Yes, but I made a correction there later. Yes, I recall
14 that I said that, but later I told you that it was a mistake.

09:32:49 15 Q. We know that. Now, apart from earning some money in ways
16 that you told us at the beginning of my questioning you, were you
17 earning any other money apart from money earned from rental
18 income of one sort or another?

19 A. Yes.

09:33:21 20 Q. Were you earning a living of any other sort?

21 A. Yes.

22 Q. You just tell the judges what other sources of income you
23 had by the end of July 2006?

24 MR KOU MJIAN: May I just caution the witness not to give
09:33:38 25 any information that would particularly identify himself.

26 PRESIDING JUDGE: Yes, Mr Witness, you have heard
27 Mr Koumjian. You should answer the question, but avoid giving
28 the kind of detail that would show who you are.

29 THE WITNESS: Yes, apart from my rent I had motorbikes and

1 I was also getting money from the Sierra Leone embassy at that
2 time because at that time I was working along with the ambassador
3 and I was getting support from abroad. Let me just say from
4 abroad, because I was getting family support from there, so every
09:34:31 5 month I used to get money from there.

6 MR MUNYARD:

7 Q. Well, you said in fact, "I was getting money from over
8 here" - no, no, no, I heard - I am just going to put the question
9 if I may. I was listening to the words you were using and you
09:34:47 10 used the words "over here", didn't you?

11 A. I said overseas.

12 Q. Overseas, I beg your pardon. You were getting money from
13 overseas. Was that from anybody to do with this Court?

14 A. No.

09:35:11 15 Q. All right. So the fact that you move from Liberia to
16 Sierra Leone would not affect the money that you were receiving
17 from overseas, would it?

18 A. It did not affect the money I was getting from overseas,
19 but it affected the money that I was making from my motorbikes
09:35:35 20 and the money that I was getting from the embassy.

21 Q. And how much were you getting from the embassy for doing
22 precisely what?

23 MR KOUMJIAN: I just caution that, the witness would know
24 better than myself, this may particularly identify him.

09:35:58 25 PRESIDING JUDGE: Mr Munyard, first of all you have asked
26 how much he was getting and you have asked what he was doing.
27 There are two questions in it. Secondly, Mr Witness, when you
28 are answering these questions take care not to identify yourself.

29 MR MUNYARD:

1 Q. How much were you getting from the embassy?

2 A. I cannot disclose that one here, because if I disclose that
3 one here the ambassador will know exactly because I was one of
4 the people who were working with him. He will know exactly who
09:36:43 5 is the person testifying here now.

6 Q. Where was the embassy? I mean in what city was the
7 embassy?

8 A. Monrovia.

9 Q. Were you living in Monrovia at the time?

09:37:04 10 A. Yes, sometimes I used to come to Monrovia. Yes.

11 Q. So when you were living in Monrovia and working for the
12 embassy was somebody else running your rental business elsewhere
13 in Liberia?

14 A. I used to go and collect my money myself, my rent. I was
09:37:29 15 doing my business for myself.

16 Q. But there was nothing to stop you using one of the people
17 that you told us about a few days ago who had the use of some of
18 your property one day a week - there was nothing to stop you
19 using them to collect your rent, was there, or your rental
09:38:00 20 income?

21 A. At that time I was there I only trusted myself to go and
22 collect my money. I did not trust any other person, so I used to
23 go and collect it myself.

24 Q. You trusted them with your property one day a week, didn't
09:38:16 25 you?

26 A. I did not understand that question, please.

27 Q. You trusted those other people with your property one day a
28 week, or have you forgotten telling us that earlier on in your
29 evidence?

1 PRESIDING JUDGE: He may not understand the word "property"
2 in this context.

3 MR MUNYARD: Well, as your Honour will appreciate, I am
4 being deliberately broad in the terminology I am using.

09:38:49 5 PRESIDING JUDGE: I see. I thought it was for reasons of
6 security.

7 MR MUNYARD: It is, yes.

8 PRESIDING JUDGE: He has mentioned the type of property you
9 are referring to, but --

09:39:00 10 MR MUNYARD: I can do it equally vaguely, I hope, in a way
11 that I believe anybody would be able to understand:

12 Q. Now, Mr Witness, you told us some days ago that you
13 received rental income from two particular sources. I am not
14 going to mention the sources. Can you remember telling us that
09:39:20 15 now?

16 A. I can't remember saying that.

17 Q. Is there any truth in the suggestion that you received
18 money by renting two different kinds of things?

19 A. Yes, yes.

09:39:45 20 Q. One of the things that you rented you allowed the people
21 who operated them for you to use for themselves one day a week.
22 Do you remember telling us that?

23 A. Yes.

24 Q. So you trusted them to use and look after your property one
09:40:13 25 day a week, yes?

26 A. Yes, with conditions.

27 Q. Were you there when they had your property one day a week
28 or were you in some other part of the country?

29 A. I would be there, but I gave them condition.

1 Q. Well, what about on the occasions when you went to work for
2 the embassy? You wouldn't be there, would you?

3 A. When I was working for the embassy I was going doing an
4 external job. It was not always at the office. If they had
09:41:08 5 something for me to go and do they will call me to go and do it,
6 but they used to pay me.

7 Q. Stay with the other items of your property for the time
8 being. We will come on to the embassy. When you left Monrovia
9 and went to Freetown - when you left Liberia and went to Sierra
09:41:29 10 Leone, that is - did you carry on getting rental income from two
11 different sorts of property that you owned in Liberia?

12 A. When I left Liberia, I had problem with one of the
13 properties because of my absence and I was concerned and I blamed
14 the Court for that, because I said they forced me and they asked
09:42:01 15 me to go to Sierra Leone and that now I am facing problems with
16 my properties. And even before I left I reminded them of that
17 concern about one of the properties.

18 Q. When you left Liberia and went to Sierra Leone, did you
19 carry on getting rental income from the two different sorts of
09:42:26 20 property that you owned in Liberia, yes or no?

21 A. No.

22 Q. None of it?

23 A. One of them.

24 MR MUNYARD: Your Honours, I am concerned to pursue this in
09:42:51 25 a little more detail and also the embassy matter and I am quite
26 content to go into private session for this.

27 PRESIDING JUDGE: Mr Koumjian, you have heard the
28 application and the Bench is minded to grant the application.

29 MR KOUMJIAN: Thank you.

1 PRESIDING JUDGE: For purposes of record under the rules
2 there are matters now relating to private details of the witness
3 which may affect his security if made public and the Court will
4 go into a short private session for that evidence to be adduced.

09:43:28

5 Madam Court Attendant, please put us in private session.

6

7

[At this point in the proceedings, a portion of
8 the transcript, pages 14681 to 14696, was
9 extracted and sealed under separate cover, as
10 the proceeding was heard in private session.]

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

1 [Open session]

2 MS IRURA: Your Honours, we are in open session.

3 PRESIDING JUDGE: Thank you. Please proceed.

10:20:14

4 MR KOUMJIAN: Your Honours, could the witness just be
5 advised? Thank you.

6 PRESIDING JUDGE: Indeed, Mr Koumjian. Mr Witness, we are
7 now going back into open session. I remind you not to mention
8 names or other details that could identify you. Please proceed,
9 Mr Munyard.

10:20:30

10 MR MUNYARD:

11 Q. As has been noted, Mr Witness, you have already agreed that
12 you were being paid money for providing information in the years
13 2004 to 2006. Now in 2005 in September you were given another
14 opportunity to earn money for providing information, weren't you?

10:21:03

15 A. I disagree with you, because I have said I disagree with
16 you by you saying that I was selling information. I don't know
17 what you are talking here when you say in September I was selling
18 information or that I used to sell information to somebody. I
19 said I disagree with that.

10:21:20

20 Q. Go back to paragraph 1 of tab 19. Do you see that on the
21 screen?

22 A. Yes.

23 Q. 50 US dollars for information, Friday 9 September 2005, the
24 same thing that you had already been doing for well over a year;
25 selling information. Do you agree?

10:22:15

26 A. I disagree.

27 Q. Well, we have been through all these paragraphs. I am not
28 taking you through them again, but let us go to where we broke
29 off yesterday. Tab 10, accommodation and food for your family,

1 100 US dollars on 19 August 2006. Where were you on 19 August
2 2006?

3 A. I was returning from somewhere to Monrovia and I was on a
4 trip.

10:23:01 5 Q. And were your family in either that "somewhere" or
6 Monrovia?

7 A. In Liberia.

8 Q. Yes, were they in the place - I don't need to know the
9 name. Were they in the place you have referred to as

10:23:23 10 "somewhere"?

11 A. I was not coming from my family area on the 19th.

12 Q. Were your family living in the family home on 19 August
13 2006?

14 A. Yes, they were living in their family home.

10:23:48 15 Q. Did your family come with you to Sierra Leone, or did they
16 stay back in Liberia?

17 A. Some stayed in Liberia, yes. Some stayed in Liberia.

18 Q. Well, when you say some stayed in Liberia, when you - when
19 we talk about family here are we talking about you, your wife and
10:24:13 20 your children, or are we talking about you, your wife, children
21 and other relatives?

22 MR KOUJIAN: Your Honours, I would just again caution the
23 witness not to reveal the current whereabouts of any family
24 members.

10:24:28 25 MR MUNYARD: I am not asking about current times at all. I
26 am asking about two years ago at the moment.

27 MS IRURA: Your Honours, I am informed LiveNote is now
28 functional again.

29 PRESIDING JUDGE: Thank you.

1 MR MUNYARD: Can I enquire does that mean we have to get
2 out of P1 and go back to our screens?

3 MS IRURA: Your Honours, if you could go back to live feed
4 and then press the switch button at the bottom of your monitors,
10:24:57 5 the select button.

6 MR MUNYARD: Thank you. My LiveNote went, so I will take
7 me just a moment, if you wouldn't mind, while I connect.

8 PRESIDING JUDGE: Mine went with it. Mr Koumjian?

9 MR KOUMJIAN: Can I briefly respond to Mr Munyard's
10:25:28 10 observation. It's possible that the locations two years ago have
11 not changed, so I am cautioning again the witness not to reveal
12 the current whereabouts of any family members.

13 PRESIDING JUDGE: Mr Witness, you have heard Mr Koumjian.

14 THE WITNESS: Yes.

10:25:59 15 MR MUNYARD: Yes, I am sorry about the delay. It's now
16 coming back on my screen.

17 PRESIDING JUDGE: Mr Munyard, please proceed.

18 MR MUNYARD: Thank you:

19 Q. Yes, I was actually not asking you about where your family
10:26:33 20 were. I was asking you about what you mean by family when you
21 said some stayed in Liberia. By family, what category of
22 relatives are you talking about?

23 A. I am talking about my wife and children.

24 Q. Right. Did they come with you to Sierra Leone?

10:27:00 25 A. No.

26 Q. So did they all stay behind in Liberia, your wife and
27 children?

28 A. Yes.

29 Q. Right. And without telling us where it is, did they all

1 stay in the family home?

2 A. Yes, but the children are not staying together in the same
3 place.

10:27:35

4 Q. Right. But they are all still in Liberia? That's all I
5 want to know.

6 MR KOUJIAN: Objection, that's irrelevant. [Overlapping
7 speakers] irrelevant, but there is a security issue.

10:27:48

8 MR MUNYARD: Liberia is a big country. He has already
9 given a great deal of evidence about how he lived in Liberia. I
10 really --

11 PRESIDING JUDGE: Mr Koumjian, we don't even know the
12 numbers or the sex or anything else or their location. I allow
13 the question.

14 THE WITNESS: They are living in Liberia, yes.

10:28:05

15 MR MUNYARD:

16 Q. Thank you. Now, Saturday, 19 August 2006, box 10, tab 19,
17 100 US dollars for accommodation and food for family. You were
18 travelling, you have just told us, from somewhere to Monrovia.
19 Were your family on that particular day at home? This is the day
20 before you leave to go and live in Sierra Leone.

10:28:42

21 A. No, no.

22 Q. Was there any particular reason why they weren't at home?

23 A. Home? I answered no, whether it was on the same day that I
24 left, 19 August 2006, but they were living in their homes.

10:29:14

25 Q. Right. Thank you. So what did you get \$100 for for their
26 accommodation and food?

27 A. Because they used me on 18 August I recall to go and get
28 them somebody from outside Monrovia and when I went there I
29 passed the night there and on the 18th in the morning - I left on

1 the 18th in the morning hours and I returned on the 19th around 6
2 p.m. in the evening, so I think that money was for those two days
3 that they used me.

10:30:10 4 Q. So for going off to find somebody and coming back again the
5 next day you got 300 US dollars, is that what you're telling us,
6 from the Prosecution?

7 A. I got 100 US dollars to take care of the two days. The
8 \$200 was not for me, but to use for their own purpose, for the
9 Prosecution's own purpose to go and get the person and bring the
10:30:33 10 person to them, transportation, blah, blah, blah, everything.

11 Q. What part of \$200 pays for blah, blah, blah?

12 A. To charter a jeep from Monrovia to the area where I went to
13 get the man to pay for lodging, because I did not get there that
14 same day. When we were going the road was so bad and the car got
10:31:09 15 to the point it could not move, so we asked people to assist us
16 move it. So sometimes I went through certain areas and things
17 were really difficult, but I tried to talk to people for them to
18 understand to help me so that I can pass my way through. So that
19 is what I am referring to as blah, blah, blah; just for me to go
10:31:27 20 and get the person.

21 Q. To charter a jeep, to get the man, to pay for lodgings.
22 You just told us you had 100 US dollars for your accommodation
23 and food as part of this trip because it was an overnight trip,
24 or have you forgotten that, that you've just told us that?

10:31:58 25 A. It was on my return that they gave me the \$100 because they
26 knew that I had spent two nights for their own purpose and they
27 did - and I was not supposed to have spent two nights with them,
28 but they appreciated what I did for them, so on my return they
29 gave me that hundred dollars and it was after I had returned from

1 the trip that they gave it to me. I think it was just something
2 like appreciation from them.

3 Q. It was appreciation. It was an appreciation gift, was it?

10:32:38

4 A. Yes, they said so that I can go and maintain my family with
5 it, because I had left my family for two days and --

6 Q. Well, when this story began you only spent one night
7 overnight. Now it has expanded to two nights. Can you explain
8 how that has come about?

10:32:57

9 PRESIDING JUDGE: "Two days" I heard and see on the record,
10 Mr Munyard.

11 MR MUNYARD: Would your Honour give me a second while I
12 check that?

13 PRESIDING JUDGE: I am referring to page 32, line 5.

10:33:14

14 MR MUNYARD: Well, I am looking at page 31, line 21. At
15 line 20, "It was on my return that they gave me the hundred
16 dollars because they knew I had spent two nights for their
17 purposes".

18 PRESIDING JUDGE: I see. Very well. Put the question.
19 Unfortunately that part is blanked out on my screen.

10:33:29

20 MR MUNYARD:

21 Q. Your story has grown from one night spent overnight to two
22 nights now, Mr Witness. How is it that you have suddenly
23 remembered a second overnight that they had to give you an
24 appreciation hundred dollars for?

10:33:47

25 A. I said two days. Two days. From the 18th in the morning
26 hours I left. I returned on 19th in the evening hours around 6.
27 Around 6. And how come I said two nights? Because I said I
28 returned at 6. That was the blank night because I was not able
29 to do anything. That was - those were the two nights, because

1 when I returned at 6 I just slept, so there were two nights. It
2 is all under it, because when I returned they used me again to go
3 and get hotel for them, for the same person that I went and
4 called, so it was two nights. I left there about 7 to 8, so it
10:34:35 5 was two nights.

6 Q. And where was it that you went to?

7 A. Out of Monrovia. I can't show the location, because if I
8 show the location you will know exactly what I am talking about.

9 Q. Well, with great respect we won't. We want to know anything
10:34:55 10 other than you went to a particular location. Now answer the
11 question. Tell us where it is you claim to have gone to for
12 which you got \$300 between 18 and 19 August?

13 A. [Redacted].

14 MR KOUMJIAN: I would ask that the witness's answer be
10:35:38 15 redacted from the record. This explanation apparently would
16 identify him. He is saying his name was broadcast on this
17 particular - and he has associated it with a particular
18 broadcast.

19 JUDGE LUSSICK: Well, Mr Witness, you have just given us an
10:35:57 20 answer. Do you think that answer is going to identify you?

21 THE WITNESS: Yes.

22 [Trial Chamber conferred]

23 PRESIDING JUDGE: We will have the passage redacted and the
24 name that counsel is seeking to elucidate can either be written
10:37:35 25 or recited in private session.

26 MR MUNYARD: Madam President, can I just clarify I am only
27 asking for the name of the place, or the area, for that matter,
28 the broad, general geographical area. I haven't asked for any
29 name of --

1 PRESIDING JUDGE: That's what I mean. I am quite clear in
2 my mind you are asking for a location name, not for a person's
3 name. I have never been in doubt about that.

4 MR KOUMJIAN: Can I just suggest so perhaps the witness can
10:38:05 5 understand counsel, he is only asking for a general area, a
6 county of Liberia, or general area where you went, where the
7 witness went, as I understand the question.

8 MR MUNYARD: If we are going into private session then we
9 can be as detailed as the Court thinks appropriate, but in public
10:38:23 10 session if the Court thinks it's appropriate I am quite content
11 with the area.

12 PRESIDING JUDGE: I have suggested writing it to save time.

13 MR MUNYARD: Writing it. I am perfectly happy with that.

14 PRESIDING JUDGE: Mr Witness, would you be able to write
10:38:38 15 the name of the place or the general area that you went to on a
16 piece of paper if it was given to you.

17 THE WITNESS: Let somebody come and assist me, please.

18 PRESIDING JUDGE: Very well.

19 MR KOUMJIAN: Your Honours, I am probably intervening
10:39:49 20 unnecessarily. I just want to make sure that the redaction order
21 was understood that it was beginning on page 33, I believe line
22 16 - that witness's answer is redacted. Thank you.

23 PRESIDING JUDGE: It is being implemented, Mr Koumjian, as
24 we speak. Mr Witness, have you written that? You are waiting
10:40:53 25 for assistance.

26 THE WITNESS: I have written it, but I want to enquire
27 about something.

28 JUDGE LUSSICK: Madam Court Officer, I note that the
29 witness has written something on a piece of paper, but before he

1 did that he wanted to enquire of you about something. Can you
2 tell the Court what he said to you?

3 MS IRURA: Your Honour, he wanted me to guide him as to
4 spelling.

10:42:25 5 JUDGE LUSSICK: I see, thank you.

6 MR MUNYARD: Madam President, my only request would be that
7 he signs and dates the piece of paper.

8 PRESIDING JUDGE: We were just noting that ourselves,
9 Mr Munyard. Madam Court Attendant, when you have dealt with the
10:42:53 10 redaction I would be grateful if you would have the witness date
11 and sign this piece of paper.

12 MR KOUMJIAN: Your Honour, may that be given an MFI number
13 for identification and marked confidential, please?

14 PRESIDING JUDGE: I think we are up to MFI-3.

10:43:20 15 MS IRURA: Your Honour, it would be MFI-3.

16 PRESIDING JUDGE: Mr Munyard, please proceed.

17 MR MUNYARD: Thank you.

18 MR KOUMJIAN: Your Honour, may it be marked confidential,
19 please.

10:43:55 20 PRESIDING JUDGE: If and when it is tendered it will be
21 confidential, but I have noted carefully that you want it
22 confidential.

23 MR MUNYARD: There is no difficulty with that procedure as
24 far as we're concerned. It seems to be appropriate:

10:44:12 25 Q. Right. Can we have a look, please, at box 11, 20 August
26 2006, \$700 for family support while you are away from home for an
27 extended period and there is the \$250 in travel costs for your
28 relocation from Liberia to Sierra Leone. Now how was the \$700
29 worked out, do you know?

1 A. They proposed to me to leave Liberia for Sierra Leone and I
2 told them that, "How would I leave Liberia for Sierra Leone when
3 I have a small job here? I can do a job here and make money out
4 of that job". They said, "Oh, because of this particular reason
10:45:15 5 that we are using you to go and call this particular individual
6 we may not know - maybe he will comply with us or not. It would
7 be a threat to you. So we would like you to leave this country
8 and go over there". I told them I will think about that.

9 I called my pastor the phone and I told him the same thing
10:45:44 10 and he said, "Okay, if the people say you should go don't refuse
11 them, they know what they are talking about". So I too decided
12 that I would go. Then they said, "Okay, before you leave we know
13 that you will lose your job at the embassy. We will not be able
14 to pay you or accommodate you to be supporting your family so
10:46:00 15 that you will be able to support your family here". I said,
16 "Okay, I accept".

17 The hour and the minute that I was leaving Pete McLaren
18 came with \$700 came and said, "I want you to leave this money
19 with your family. You should give \$300 to your daughter and
10:46:23 20 other \$300 to the other girl and the \$100 to their mother. When
21 you go over there every six months maybe we will be sending
22 something to them" and I said, "Okay, I accept". That is how the
23 \$700 came about.

24 Q. All I wanted to know was did the Prosecution ask you how
10:46:44 25 much you would normally be paying or you would normally be
26 spending to support your family and when you told them what your
27 normal family expenses would be they agreed to pay that money, or
28 did they just turn up and say, "We reckon 700 US dollars should
29 cover your family expenses"? Which way round was it?

1 A. They just said they will give me \$700. They said it will
2 help me to cover my family's expenses.

3 Q. Thank you. So this wasn't a sum that was worked out as a
4 calculation of what your actual family expenses would be. It was
10:47:28 5 just a lump sum that was given to you, yes?

6 A. Yes, just a small sum of money.

7 Q. Now, you then get \$250 yourself to go to Monrovia and did
8 it cost \$250 - sorry to go from Monrovia to Sierra Leone?

9 A. I was not the one that proposed \$250 to them. The person
10 whom they asked to travel with me was the one who said that. Can
11 I finish, please? They asked him, "How much do you think you can
12 travel with this boy to take him to Freetown?" They were the
13 ones who spoke about this money, the \$250. I was not the one who
14 did it. Somebody travelled with me. Somebody took me along. He
10:48:15 15 handled the money.

16 Q. And how much profit did you make out of the \$250 on that
17 journey?

18 A. I used to eat. Whenever I am ready to eat I will eat. I
19 rode a good car because they hired a car for me, because they
10:48:31 20 said they didn't want people to disturb me in the car. These are
21 some of the profits I made out of it. And I slept in a beautiful
22 guesthouse, you know. Those were the only profits I made.

23 Q. Now on 20 August 2006 you were brought under the protection
24 of the Witness and Victim Section of this Court, weren't you?

10:49:02 25 A. It may be so, because I crossed over on the 20th. I know
26 on the 20th they started taking care of me. I think so, but I
27 can't remember the date any more.

28 Q. And from that day to this day the WVS has been paying for
29 your rent - has been paying for your accommodation, for your

1 medical costs, your transport, all sorts of miscellaneous
2 expenditure and all your bills and giving you subsistence
3 allowance, do you agree?

4 A. Yes, I agree.

10:49:46 5 Q. Right, box number 12, please. The same date as you
6 received \$700 for family support, \$200 to go to Sierra Leone, you
7 receive another \$400 for information from the Prosecution. What
8 did you get \$400 for on top of everything else that day?

9 A. I think this 20 August 2007, I think it was a mistake that
10:50:27 10 had been made there because I remember receiving 200 --

11 THE INTERPRETER: Your Honours, can he repeat, please.

12 PRESIDING JUDGE: Mr Witness, the interpreter asks that you
13 repeat. Pick up your answer, please, where you say, "I remember
14 receiving 200". Continue from there.

10:50:47 15 THE WITNESS: I remember receiving \$400, 20 August 2007,
16 \$400, but I don't remember receiving \$400 on 20 August 2006.
17 Maybe they just made they - maybe they've made their own profit
18 out of me, but I don't remember.

19 MR MUNYARD:

10:51:08 20 Q. "Maybe they've made their own profit out of me", do you
21 mean by that that they have put down that they paid you \$400 but
22 actually they kept it for themselves? Is that what you're
23 suggesting?

24 A. Or maybe you put it there, you who brought this document to
10:51:26 25 me, I don't know, because I don't remember. They didn't pay me
26 and I was not receiving pay and nobody gave me money at that
27 time. Maybe it is you who made this, I don't know.

28 Q. So now you're suggesting that I have put that figure into
29 the document to trick you, just like Varmuyan Sheriff you claim

1 tricked you into going to give information in September 2005?

2 You're claiming I have tricked you, are you?

3 A. Because the document, you are the one who asked for the
4 documents and I don't remember receiving this type of money 20th
10:52:05 5 2006. It may be you, I don't know.

6 PRESIDING JUDGE: Mr Witness, refrain from making
7 allegations that you cannot substantiate and are without
8 foundation and improper.

9 THE WITNESS: I am not making an allegation. I am just
10:52:23 10 proposing. I am suggesting.

11 PRESIDING JUDGE: Please do not argue with me.

12 MR MUNYARD:

13 Q. Let's go back to your first suggestion that it was the
14 investigators who have "made their own profit out of me". What
10:52:37 15 did you mean by that?

16 A. Because I do not remember receiving money on the 20th -
17 \$400 on the 20th, 2006.

18 Q. What did you mean by "maybe they are making their own
19 profit out of me"?

10:52:55 20 A. Because I did not receive money and when I see money here
21 it's an allegation against me and I am not aware of the money. I
22 don't know how comes that the money is here. Maybe they just
23 wanted to write it there, \$400, to try me, or they ate the money.
24 I do not know whether they wanted to try me or they ate the
10:53:17 25 money, so I don't know. They made this receipt. I am not aware
26 of this money.

27 Q. It's a huge sum, isn't it?

28 A. For me it's a small money anyway. Maybe for you it's big
29 money, I don't know.

1 Q. It's almost a year's rent of a house, isn't it?

2 A. It doesn't matter. It's small money to me.

3 Q. It is more than two months worth of doing almost nothing
4 for the Sierra Leonean government but being on the payroll, isn't
10:54:07 5 it?

6 A. Are you suggesting that I am doing nothing? I suggest that
7 I was not doing nothing. I have been paid money, I was doing
8 something.

9 Q. Look at the box, box 12. Sunday, 20 August 2006 you were
10:54:32 10 paid 400 United States dollars for giving information to the
11 Prosecution. You claim that you were given - first of all you
12 said 200 and then \$400 in August 2007. What were you given
13 either two or four hundred dollars in August 2007 for?

14 A. I did not say two or four hundred dollars. It was a slip
10:55:04 15 of tongue. I said two and then later I changed it immediately to
16 \$400 and I told you nobody gave me \$400, 20th 2006 August.
17 Nobody gave me this money.

18 Q. What were you given \$400 in August 2007 for?

19 A. They said I should send it to Liberia to my family.

10:55:35 20 Q. You see on the same day, 20 August 2006, you had already
21 been given \$700 for your family, hadn't you?

22 A. Yes.

23 Q. If \$400 is not a big sum to you, is it possible that you
24 were given it but, because it was so insignificant, you have now
10:56:01 25 forgotten about it?

26 A. It's not possible, because I remember \$200, \$250. Like I
27 remember \$50, \$25. If they gave me the \$400 I will remember it,
28 but I do not remember this.

29 Q. Over the page, please. Box 13. You are now living in

1 Sierra Leone. It is January of 2007 and you were given local
2 currency, leones, 50,000 leones for transport. Can you remember
3 why you were given transport costs in January 2007?

4 A. Yes.

10:56:59 5 Q. And what was the reason?

6 A. Because the area that they put me, I was not happy with the
7 area. I told them that the distance from there to go to town, I
8 won't be able to live here. Let them move me from here. They
9 said, "Oh, for the security this is the only convenient place for
10 you" and they told me I should live there. I said if you want to
11 live here I proposed to them they would need to help me out with
12 transportation because to leave there to go to town I actually
13 did not have the money. You give me 10,000, but I pay 5,000
14 every day for transport, you actually brought me here to keep me
10:57:41 15 suffering. So they gave me that for transport.

16 Q. Box 14, please, 22 March 2007 you were given 700 US dollars
17 for further family assistance. Do you agree with that, or is
18 that something I have invented or they have just put in there so
19 they could eat the money?

10:58:07 20 A. I agree with that.

21 Q. Box 15, you were given money for top-up cards, local
22 currency, 30,000 leones by the Prosecution on 13 April 2007. Box
23 16, August 2007, not \$400 but \$700, further family assistance.
24 So where is the \$400 in August of 2007?

10:58:55 25 A. It is on the 20th and this one is on the 14th, so it's six
26 months later they gave me the other money.

27 Q. So you got \$700 in August of 2006 for the family, another
28 \$700 in March of 2007 for the family and then you say you got
29 \$400 on 20 August 2007 for the family. Is that what you're

1 telling us?

2 A. I think I made a mistake on the other 400. I made a
3 mistake on the \$400. That \$400 was in 2008.

4 Q. Well, in that case --

11:00:00 5 A. Yes, in March 2008. So I can remember making a mistake
6 over there.

7 Q. Well, in that case go back to the \$400 on 20 August 2006
8 and tell us what that was for.

9 A. I do not remember receiving this money on 20 August 2006.
11:00:50 10 I do not remember this money. I do not know what it was for.

11 Q. Right. 20 August 2007 you say you got \$400, yes?

12 A. It was a mistake anyway. It was not August 2007. It was a
13 mistake. It was in March 2008.

14 Q. Have a look at box 16. 14 August 2007, another round sum
11:01:27 15 of \$700. Did you get that for your family, or didn't you?

16 A. I got it, yes.

17 Q. Did you get any more on 20 August 2007?

18 A. No.

19 Q. Over the page, please. During September of 2007 the
11:02:04 20 Prosecution paid you various sums: 30,000 Leones on the 7th for
21 a top-up card; 75,000 for transport on the 7th also and on the
22 12th you were provided with a mobile phone at a cost of 120,000
23 Leones. Do you accept you were given all of that either money or
24 items such as a mobile phone?

11:02:42 25 A. Yes.

26 Q. And I should add for good measure another 30,000 for a
27 top-up card on the following day, 13 September. Now over the
28 page, paragraph 21, again on 5 October you are given 50,000
29 Leones for transport for October. Can you remember receiving

1 that?

2 A. Yes.

3 Q. The same amount in November and in December and in January
4 of 2008. Can you remember receiving that?

11:03:31 5 A. Yes.

6 Q. Over the page, box 25. 17 January 2008, 50,000 leones for
7 transport due to long distance for the month of January, another
8 50,000 leones in addition to what we saw - we didn't look at it
9 in detail - in box 24. 50,000 leones transportation due to long

11:04:06 10 distance for month of January 2008. Any reason why you got
11 double your money in January 2008?

12 A. I don't remember having double money for transport in one
13 month.

14 Q. Box 27. 1 February 2008, security for family, another 300
11:04:38 15 US dollars. Is this in addition to what you got in March of
16 2008?

17 A. This money was not all the money I was having in March. It
18 was this money that I was making mistake about. I was having
19 problems with this \$300.

11:05:02 20 THE INTERPRETER: Your Honours, can he repeat slowly and
21 more clearly.

22 PRESIDING JUDGE: Mr Witness, the interpreter asks you to
23 repeat your answer. Please pick up where you said, "I was having
24 problems with this \$300". Please continue from there.

11:05:15 25 THE WITNESS: I had problems with this money. That was -
26 that is why I am having problems with it in court, because they
27 refused to give me this money. They said Brenda went and said --

28 THE INTERPRETER: Your Honours, can he repeat again from
29 where he said "Brenda".

1 PRESIDING JUDGE: Mr Witness, your voice went down and the
2 interpreter cannot hear you clearly. Please repeat your answer
3 when you said, "They said Brenda went and said". Continue from
4 there.

11:05:49 5 THE WITNESS: They told me after six months every six
6 months they will give me something to be sending for my family.
7 After this other six months when I asked them they said they
8 cannot afford to give me any other money to send for my family
9 because, you know, so and so, blah, blah, blah, and I said no. I
11:06:08 10 said no. I said, "You should give me something. Whatever amount
11 you should give me, I know you are not paying me". They said
12 they were not able to afford anything and I said okay and I sat
13 down.

14 I was sitting down one day when one Mustapha called me and
11:06:22 15 said I should put my case across and I put my case across to WVS
16 and I think they forwarded the case to - I think they forwarded
17 the case and after that Brenda went to Freetown and called me up
18 and said, "We know that you have your family over there and there
19 is no way to support them. Sign for this \$300 and send it for
11:06:45 20 your family". So I signed for the \$300 and I gave it to one of
21 the Prosecutors to take for me to Liberia for my family.

22 MR MUNYARD:

23 Q. Right. "They told me after six months every six months
24 they will give me something to be sending. After this six months
11:07:06 25 when I asked them they said they cannot afford to give me any
26 other money to send for my family because so and so, blah, blah,
27 blah and I said no." First of all, who is the "they" who told
28 you they would give you something every six months?

29 A. When I came to Freetown I think it was an arrangement

1 between Prosecution, those that brought me to Freetown, and WWS.
2 They told WWS and witness management about my family in Liberia.
3 So I met the witness management boss before. I think that was a
4 woman whom they called Sophie. I explained to her and she said,
11:07:53 5 "Okay, the money that they gave to you before you came every six
6 months - I think every six months we will be able to give you
7 that same money to be sending to your family", but when Sophie
8 left another management - witness management - another boss came,
9 Rosco. Rosco told me that he or she will not be able to give
11:08:17 10 that money to me at this time. And I said okay, I agreed. So it
11 was Brenda that gave me the money. She said they should give me
12 the money because I had my family over there in Liberia. They
13 should give me \$300 for me to send and I appreciated it.

14 Q. And who is Brenda?

11:08:42 15 A. I think she is a lawyer I know.

16 Q. Have you had other dealings with Brenda apart from this
17 telephone conversation about your money?

18 A. When she went there for this money I made complaints to
19 her. I put some concerns to her about my security, because at
11:09:08 20 the time they said they would soon be getting ready for me to
21 come and testify. I should come open and I said no, I was not
22 coming in the open. That was another conversation I had with
23 Brenda, about open and closed. She told me that she will work on
24 it.

11:09:23 25 Q. When you came to The Hague in June, and you were telling us
26 yesterday that during a four day period in the week before you
27 started giving your evidence you were in a room with a man, two
28 women and two interpreters and you were able to remember that the
29 man was Mr Koumjian and one of the women was Shyamala, the other

1 woman who you said wasn't writing anything and wasn't asking
2 anything, was that Brenda?

3 A. No.

4 Q. Are you quite sure about that?

11:10:07 5 A. Yes.

6 Q. Back to this answer that you gave us a moment ago. "They
7 cannot afford to give me any other money to send for my family
8 because so and so, blah, blah, blah". What do you mean by, "So
9 and so, blah, blah, blah"?

11:10:27 10 A. They were explaining things to me that I would not pay
11 attention to. They were saying, "You know that we told you
12 earlier that we will not pay you and now the Court hasn't got
13 money to give you another money", this and that, I said okay. I
14 was not paying attention to that, that was why I said blah, blah,
11:10:44 15 blah. I was not paying attention to all that they were saying.

16 I was just passing over my ears. I was not paying attention to
17 them. I said they should give me a car to take me back home.
18 That was why I said blah, blah, blah. I was not paying attention
19 to all that they were telling me. They were talking and it was
11:10:59 20 flying over my ears.

21 Q. Were they complaining that you were costing far too much
22 money?

23 A. I do not understand that question.

24 Q. Were they saying, "We are not giving you as much as we have
11:11:18 25 done in the past because we've had to spend far too much money on
26 you"?

27 A. They did not say it like that. They said we did not
28 arrange that they should be giving me something. I said, "No,
29 check your record. You used to give me and Sophie promised me

1 that the same money that they used to give me before I came here
2 they will be able to help me with that same money and now you are
3 telling me that you don't have any record about that". I said,
4 "Please, check your record". He was telling me something
11:11:47 5 different that I didn't understand.

6 I said okay. I made the complaints to WVS. I went back to
7 WVS and made the complaints there that the management is giving
8 me a problem and I am having problems with my family in Liberia.
9 So I think they worked on it. After Brenda went to Sierra Leone
11:12:04 10 she called me and gave me this \$300 and I signed for it. I was
11 Rob Hotston who gave me the money and I signed for the money. It
12 was the same Rob Hotston that I gave the money to take to
13 Liberia.

14 Q. Right. And so how much did you get in February 2008 for
11:12:22 15 your family?

16 A. \$300.

17 Q. Any more?

18 A. No, I was making a mistake on that \$400 business.

19 Q. Are you quite sure you got only \$300 in February of 2008
11:12:46 20 for your family?

21 A. Yes, I am sure.

22 Q. Over the page, please, to box 29. Same date, 1 February
23 2008, another 300 US dollars for your family. Is that something
24 that either I've written in there or they've put in in order to
11:13:19 25 make a profit for themselves?

26 A. I am not aware of this \$300. I don't know anything about
27 it.

28 Q. On Friday, 1 February this year you were given a total of
29 600 US dollars for your family. Do you agree?

1 A. I disagree, no.

2 Q. So what do you say this receipt that we see in box 29 is
3 all about?

4 A. I am unable to say what the receipt is about. I am not
11:14:07 5 aware of the money. You can go and ask them, the people who gave
6 you the receipt. I am not aware of the money.

7 JUDGE SEBUTINDE: Mr Munyard, to be fair to the witness box
8 29 gives a reason, family security.

9 MR MUNYARD: Your Honour, so does box 27. It is exactly
11:14:26 10 the same.

11 JUDGE SEBUTINDE: So it doesn't necessarily follow that the
12 witness received this money. Perhaps what you should explore is
13 if he knows what family security is.

14 MR MUNYARD:

11:14:45 15 Q. Do you? Do you know what family security is; what that
16 particular phrase means in a Prosecution receipt?

17 A. No, I do not know what they call family security.

18 Q. Box 28 we missed out. I just want to ask you about that.

19 Another 50,000 leones for transportation due to long distance for
11:15:44 20 the month of February 2008. Do you remember receiving that?

21 A. Yes, they gave me 50,000. Yes.

22 Q. And then I am going to move over the other boxes following
23 29. They are either transport due the long distance for March or
24 April or a top-up card and the same in box 33, 15 May,

11:16:19 25 transportation due to long distance, another 50,000 leones.

26 That brings us to the grand total, according to these
27 receipts at any rate, that you received from the Prosecution from
28 September 2005 to May 2008, do you agree looking at the last two
29 lines on the last page, that the Prosecution have paid you 4,325

1 US dollars and 825,000 Sierra Leone Leones?

2 MR KOUJIAN: Excuse me, that misstates the document. As
3 the document indicates on the first page it is a list of
4 disbursements for a witness and we have had this issue before.

11:17:11 5 MR MUNYARD: I completely accept the criticism.

6 MR KOUJIAN: Thank you.

7 MR MUNYARD: I will rephrase the question:

8 Q. Do you agree that the Prosecution have spent on you or your
9 family 4,325 US dollars and 825,000 Sierra Leone Leones according
11:17:33 10 to these official receipts?

11 A. I will agree. If they give me a calculator and we
12 calculate all the money, I will agree.

13 Q. Have you had any other money from the Prosecution from any
14 of the investigators or any of the people who ever met you at any
11:17:54 15 time?

16 A. I don't remember any longer.

17 Q. Tab 20, please. Now this document in tab 20, which is
18 dated 15 August 2008, sets out the amount of money that has been
19 spent either on your behalf or supplied to you directly by the
11:18:57 20 Witness and Victim Section of this Court. If you look at that
21 document in the middle of the page, paragraph 2 says:

22 "Subsistence allowance. Witness was brought under the
23 protection of the Court on 20 August 2006. To date he has been
24 paid a total of 13,122,800 Leones."

11:19:26 25 What is amusing you about that?

26 A. Nothing made me to laugh about that. It is just my usual
27 habit. I am not laughing. I am chuckling.

28 Q. We note your answer. Do you agree that you have been paid
29 a total of 13,122,800 Sierra Leone Leones as subsistence

1 allowance in the last two years?

2 A. I can't just agree because except they put a machine and
3 start calculating since the day they started giving me money up
4 to present. I can't just agree.

11:20:24 5 Q. Just help us with how you get paid your subsistence
6 allowance from the Court as opposed to the money you have been
7 paid from the Prosecution. How is it given to you, this
8 subsistence allowance?

9 A. They gave me it weekly, 70,000 Leones. 70,000 Leones
11:20:46 10 weekly. And they bought petrol for me for the generator, but
11 medical, they just used to take me to the hospital. I do not
12 know whether they paid this type of amount. I do not know. I am
13 seeing it now. They did not show me any receipt for medical, but
14 I know that they used to take me to the hospital at all times.

11:21:09 15 Q. We are going to look at those sums in a moment. I just
16 want to know from you out of your 70,000 Leones per week in the
17 hand what did you have to pay for out of that?

18 A. Food, soap, toothpaste, any other activity you can think
19 about apart from buying petrol for my generator. Any other
11:21:38 20 activity. For my clothing. Everything is in the 70,000 Leones.

21 Q. Did you ever complain that it wasn't enough?

22 A. Yes.

23 Q. Did they increase it when you complained?

24 A. No.

11:22:05 25 Q. How often did you complain?

26 A. So many times. Sometimes when they give me 70,000 I do not
27 - I didn't want to even sign for it. I said I didn't want it,
28 but they said this was what they were able to do for me.

29 Q. What, you didn't think it was enough on the one hand, but

1 you wouldn't even - you didn't even want it and wouldn't sign for
2 it on the other hand? Which version of events is the truth?

3 A. Because I thought that it was not enough for me.

11:22:53

4 Q. So medical expenses - you believe that whenever they took
5 you to the hospital they paid the bills, yes?

6 A. Yes, I believe, because they did a major thing on me and I
7 appreciated that. After we were --

8 THE INTERPRETER: Your Honours, can he kindly repeat this
9 area very slowly.

11:23:09

10 PRESIDING JUDGE: Mr Witness, you are going too quickly.
11 Repeat your answer slowly, picking up from the part where you
12 said, "After we were". Continue from there.

11:23:29

13 THE WITNESS: Okay. Yes, after they had taken me to
14 hospital they did something for me. After they had brought me to
15 Sierra Leone they did something for me that I appreciated. They
16 took me to hospital, I did an x-ray and they detected that I had
17 a bullet - a fragment in my body and Special Court helped me to
18 take everything out of my body and we were fighting a war for
19 President Taylor and Special Court did that for me. So I

11:23:48

20 appreciated that. That was the time I was more encouraged to
21 work with them. I appreciated that. I knew that they would pay
22 the bill, because you would not take somebody to hospital and not
23 pay the bill. I know that they paid the bills.

24 MR MUNYARD:

11:24:02

25 Q. Right. Now you were paid - sorry, they paid 775,000 leones
26 for your medical expenses. Would you have had to pay for those
27 yourself if the Court hadn't kindly agreed to pay for them?

28 A. They proposed that. They wouldn't advise for me to be
29 carrying that thing in my body, so I knew that they would pay.

1 They were the ones who proposed it. They took me to the hospital
2 because I was complaining about my legs, my arms, that I was
3 feeling pain and they asked me what happened and I said I was hit
4 by a bullet there, so I knew that they would pay. If they were
11:24:44 5 not going to pay they wouldn't have taken me there.

6 Q. Right. Which year did they pay your medical bills?

7 A. I think I can remember when I crossed - 2006, I think so, I
8 crossed.

9 Q. You think it was in 2006?

11:25:09 10 A. Yes, 2006. I can remember 2006 after I had crossed, it was
11 then that they did the operation on me.

12 Q. And so this is at a time when you are still earning rental
13 income from the two forms or the two sources that you have told
14 us about already, but you were no longer earning your \$175 a

11:25:34 15 month from the Sierra Leoneans, yes?

16 A. I do not understand that word, "Sierra Leoneans".

17 Q. The embassy?

18 A. Yes, I was not getting any money from them any more.

19 Q. Now transportation. The Court, as opposed to the
11:25:59 20 Prosecution, spent 1,132,700 leones on transportation. Without
21 specifying names of towns or anything of that sort, can you
22 assist us at all in relation to what these transportation costs
23 were concerned with?

24 A. Yes, they were paying my transportation. From where I was
11:26:41 25 living presently to come to the city is a far distance.

26 Sometimes I told them that I wanted to visit my family upcountry,
27 up in the interior, sometimes they used to help me to pay my way.

28 Q. Thank you. Now, miscellaneous 3,578,700 leones. Now that
29 wasn't all on gasoline, was it?

1 A. I think all was on gasoline. They gave me the money for
2 gasoline. It was on gasoline. It was on gasoline.

3 Q. If it was just on gasoline then we could expect to see that
4 under the heading "Utility bills", so you help us with this:

11:27:33 5 What did you get over three and a half million leones for over
6 the last two years for miscellaneous expenditure?

7 A. The money they gave you, when they say it is gasoline, if
8 this is the actual figure it was for gasoline. If this is
9 3,578,700 leones was for gasoline, it will be for gasoline. What
11:28:05 10 they gave me for gasoline was for gasoline. What was for this
11 was for this, as far as I'm concerned.

12 PRESIDING JUDGE: Mr Munyard, we have reached the end of
13 the tape, so if it is appropriate we will take the mid-morning
14 adjournment now.

11:28:19 15 MR MUNYARD: Certainly, your Honour.

16 PRESIDING JUDGE: Mr Witness, it is now time for the
17 mid-morning break. We will adjourn until 12 o'clock. Please
18 adjourn court.

19 [Break taken at 11.30 a.m.]

11:54:51 20 [Upon resuming at 12.00 p.m.]

21 PRESIDING JUDGE: Mr Munyard, please proceed.

22 MR MUNYARD: Thank you, your Honour:

23 Q. Mr Witness, your gasoline was a utility bill, wasn't it?

24 A. I don't understand the word utility bill.

12:00:09 25 Q. Fuel, electricity, gas, those things are called utilities.
26 Do you understand that?

27 PRESIDING JUDGE: Sorry, Mr Koumjian, I am not sure if you
28 are on your feet or not.

29 MR KOUMJIAN: [Microphone not activated]

1 THE WITNESS: I don't know what you call electricity,
2 because for me the area where I am I don't have electricity
3 there. We only use generator, so I don't understand. We don't
4 have electricity in that area - in that particular area at
12:00:43 5 present. We only use generators there.

6 MR MUNYARD:

7 Q. But a generator generates something called electricity and
8 that now reaches the boundaries of my knowledge of electricity
9 and generators, but that's what I mean. It's the power that the
12:01:00 10 generator generates, hence its name.

11 A. Okay, I agree.

12 Q. Well, then let's go back to miscellaneous. Over three and
13 a half million leones were spent on what?

14 A. I don't know what you're referring to as miscellaneous,
12:01:28 15 except if you can explain to me.

16 Q. I am sorry, I don't think the document was in front of you
17 and that was my error. Madam Court Officer is now going to show
18 it to you again. Do you see paragraph 2 in the middle of the
19 page? We've dealt with subsistence allowance, that's your
12:01:54 20 spending money. Then we have got medical expenses. We have
21 dealt with those. We have dealt with transportation and now
22 there is a large sum there under the heading "Miscellaneous".

23 Before we come back to it, just let me make clear that the
24 final amount specified there is rent, maintenance and utility
12:02:19 25 bills the equivalent of 19,750,000 leones. Now rent speaks for
26 itself. You don't need me to explain rent, do you?

27 A. Yes, I don't even know how much they pay for the house I am
28 living in because they just took me there and I was there. I
29 don't know. Maybe it could be 50 million or hundred millions, so

1 I don't know how much they are paying for the house.

2 Q. Don't worry about the amount. It's contained within this
3 figure of 19,750,000. Rent, maintenance. Now we've never been
4 given any explanation of what these terms mean, but I am assuming
12:03:17 5 maintenance means any bills for repairing the property that you
6 have been living in, that's paid for. And utility bills, I've
7 just explained what utility means, so generator fuel would be
8 paid for within utility bills.

9 So go back to the heading above that, "Miscellaneous". Can
12:03:44 10 you think of anything else that the Court has either spent its
11 own money on or has paid you for that you haven't yet mentioned
12 that could possibly have come to a total of over three and a half
13 million leones in a two year period?

14 A. Yes, I remember they did something for me that I was
12:04:09 15 grateful for actually.

16 Q. Are you going to let us into the secret?

17 A. Yes, I can tell you if you want to know.

18 Q. Tell us, please.

19 A. Well, when I got to Freetown they asked me, they said I
12:04:34 20 cannot just be sitting like that and I said yes. And they said,
21 "What to you want me to do for you?" And I said, "Okay, you can
22 help me by sending me to a computer school". They said, "Okay,
23 we will send you to the computer school". And then I am aware of
24 that. They sent me to the computer school and they paid - they
12:04:51 25 paid good money because I was attending a good computer school.

26 Q. How long were you attending the good computer school?

27 A. I don't know how long, but I started from Novice to Access
28 and each programme takes about a month or one and a half months.

29 Q. Roughly how many months were you attending the school?

1 A. Roughly eight to nine months.

2 Q. Were you going every day, every weekday that is?

3 A. No, but sometimes I made effort to go every day, but the
4 school did not want us to go every day, but with my own effort I
12:05:58 5 used to go there every day.

6 Q. About how many days a week on average did you attend the
7 computer school over this eight month period - sorry, eight to
8 nine months?

9 A. Well, the regular class was Monday/Tuesday and

12:06:24 10 Thursday/Friday, but we had a study class. If you like you will
11 go, so I used to go.

12 Q. And would you be there all day on those days of the week?

13 A. According to the school the class lasts for two hours, two
14 hours ten minutes, but because I did not have anything else to do
12:06:52 15 I can be there for about five to six hours because I will look
16 for somewhere where there is an empty computer and I will sit by
17 it and teach myself.

18 Q. And which year or years did this eight to nine month period
19 cover?

12:07:21 20 A. I think I started, I can remember, in late 2006 to 2007.
21 Up to the end of 2007 I was going to the computer school, but I
22 can't remember the actual time now that I started.

23 Q. And what language were you taught your computer courses in?

24 A. Both Krio and English. Both.

12:07:58 25 Q. What percentage of the course was in English?

26 A. About 90 per cent.

27 Q. Thank you. Any other things that you can think of that
28 might be said to fall under the heading of miscellaneous that the
29 Court provided the funding for?

1 A. First of all, I want you to break down this word for me,
2 miscellaneous.

3 Q. Miscellaneous means items that are not covered under the
4 following categories: Subsistence allowance, which I have called
12:08:52 5 spending money; medical expenses; transport costs; rent; repairs
6 and utility bills. Now you have come up with the computer
7 course. Do you know if the computer course cost over three and a
8 half million leones, or might there have been other things that
9 the Court either gave you money for or paid the bills for
12:09:23 10 themselves that you haven't so far mentioned?

11 A. Yes, they paid some bills that I have not yet made mention
12 of. Yes, like the buying of a memory stick for me, sometimes the
13 payment for certificates and statements because sometimes like in
14 the case of Naeem, he would want to see statements, so he will go
12:09:47 15 and pay for the statement, that I can recall. And during the
16 computer class they used to give me transport to go for the
17 computer course. At that time I had not yet moved to the area
18 where I was living and they used to give me 50,000 leones.

19 Q. Transport is covered under transportation. Who is Niemi?

12:10:20 20 A. I did not say Niemi. I said Naeem.

21 Q. And what is this statement that Naeem would want to see?

22 A. The result from the school, any of the results and how I
23 was doing, because he said they can cannot just be paying money
24 because maybe I was not making effort. So at any time we took an
12:10:50 25 exam he will say I should bring the statement for them to see.

26 Q. Who is Naeem who wanted to see these statements?

27 A. I used to see him in the WVS office.

28 Q. Right, so occasionally the Court would pay for a statement
29 from the school showing the results of the various courses you

1 had done, yes? Can you think of anything else that the Court
2 paid for out of this more than three and a half million leones?

3 A. I can't remember. It is possible they paid for other
4 things, but I can't remember really.

12:12:01 5 Q. Right. So, looking at the figures here, in addition to
6 what you got from the Prosecution you have been either paid in
7 your own hand or bills have been paid for on your behalf to a
8 total of 38,359,200 leones in a two year period. Do you agree
9 with that?

12:12:35 10 A. It depended on when they calculated the money in my
11 presence.

12 Q. And, for the sake of completeness, you have also been paid
13 subsistence for the time that you have spent in The Hague. Do
14 you know any other witnesses who have been paid even more money

12:13:04 15 than you have by the Prosecution and the Court?

16 A. The Prosecution did not pay me, so I don't know if there
17 was any other witness that they paid. I don't know if they paid
18 some other people, because for me they did not pay me, so I don't
19 know anything about payment.

12:13:26 20 Q. What about your big brother, Varmuyan Sherif? Do you know
21 how much he was paid?

22 MR KOUMJIAN: Objection. What is the relevance of this
23 witness's knowledge of that? Objection, relevance.

24 PRESIDING JUDGE: Yes, what is the relevance of that
12:13:40 25 question, Mr Munyard?

26 MR MUNYARD: Discussions between him and another witness.

27 PRESIDING JUDGE: On that basis I will allow the question.
28 Please put the question.

29 MR MUNYARD:

1 Q. Do you know how much your big brother, Varmuyan Sherif, was
2 paid for giving evidence?

3 A. I don't know whether they paid Varmuyan Sherif, or whether
4 he was even a witness for the Special Court. I don't really
12:14:17 5 know.

6 Q. Are you seriously claiming that you don't know whether
7 Varmuyan Sherif was a witness in this case?

8 A. At the time I used to see him in Liberia, yes, I did not
9 know. It was later, I think in January or February, that I heard
12:14:37 10 the name Varmuyan Sherif, but I did not know which Varmuyan
11 Sherif was that and at that time I had not been seeing him again.

12 Q. So this is another person, is it, who has a name that
13 applies to more than one individual? Is that what you're saying;
14 that there might have been another Varmuyan Sherif who was giving
12:14:59 15 evidence in this Court different from your big brother Varmuyan
16 Sherif?

17 A. Yes, because since I heard - I saw Varmuyan Sherif, after
18 that I did not know where he was again, so I cannot just conclude
19 or claim that that was him.

12:15:22 20 Q. How many ULIMO commanders do you know who were called
21 Varmuyan Sherif?

22 A. I was not a ULIMO fighter so I don't know anything about
23 ULIMO.

24 Q. You weren't a lot of things, but that has not stopped you
12:15:42 25 giving evidence about them. How many ULIMO fighters have you
26 ever heard of who were called Varmuyan Sherif?

27 MR KOUMJIAN: Asked and answered.

28 THE WITNESS: I don't know anything about ULIMO. I don't
29 know how many fighters in ULIMO were called Varmuyan Sherif. I

1 don't know anything about ULIMO. I only heard about ULIMO in
2 Liberia and at the time ULIMO was fighting war in Liberia I was
3 not there, I was not with them, I did not have any connection
4 with them. I don't know how many Varmuyan Sherifs were in the
12:16:20 5 ULIMO, whether they were one, or 1,000, or one million, I don't
6 know, except you help me.

7 PRESIDING JUDGE: The witness has answered the question,
8 Mr Koumjian. In any event he did not answer the previous
9 question. The answer he gave did not go to the essence of that
12:16:35 10 question. Please proceed, Mr Munyard.

11 MR MUNYARD: Thank you, your Honour:

12 Q. How many Varmuyan Sherifs do you know who were commanders
13 in the LURD?

14 A. I did not know how many Varmuyan Sherifs. I don't know.

12:16:57 15 Q. How many Varmuyan Sherifs did you know who were active in
16 the Johnson-Sirleaf electoral campaign?

17 A. I know one Varmuyan Sheriff.

18 Q. And that's your big brother, as you call him, correct?

19 A. Yes, I said I regarded him as a big brother, yes.

12:17:31 20 Q. Did he ever help you in your intelligence gathering for
21 which you were being paid by the Sierra Leonean embassy?

22 A. He did not have to help me and he did not help me, no.

23 Q. Did you ever share any of the money that you got from the
24 Sierra Leonean embassy or that you got from the Prosecution with
12:18:00 25 Varmuyan Sheriff?

26 A. No.

27 Q. Because it was Varmuyan Sheriff who got you your first
28 payment from the Prosecution, wasn't it?

29 A. I did not get any first payment from Prosecution. I only

1 got first transportation from Prosecution.

2 Q. I want to go back now to the early part of your account in
3 evidence. In what year were you first involved in active
4 fighting with the RUF?

12:19:16 5 A. I started fighting for the RUF in '95. I think '95.

6 Q. So you were an active fighter in 1995 with them, is that
7 what you're telling us?

8 A. That was the time I started firing gun at the front line.

9 THE INTERPRETER: Your Honours, the last bit of the
12:19:51 10 witness's testimony was not clear to the interpreter.

11 PRESIDING JUDGE: Mr Witness, the interpreter did not hear
12 the last part of your answer clearly. Please repeat from where
13 you said, "Started firing gun at the front line". Either finish
14 that sentence, or clarify it, please.

12:20:11 15 THE WITNESS: In 1995 I was at the front line and that was
16 the time I started involving myself in battles, but I was not as
17 active as the way he is claiming it to be, or the way he is
18 thinking.

19 MR MUNYARD:

12:20:30 20 Q. What way am I thinking?

21 A. You asked me whether I fought in '95. I don't know how you
22 are thinking, but it was the way you asked the question.

23 Q. The question I asked, and I will repeat it: "In what year
24 were you first involved in active fighting with the RUF?" Now
12:21:00 25 can you please deal with what you understand me to mean by that?

26 PRESIDING JUDGE: Mr Koumjian, you are on your feet.

27 MR KOUMJIAN: Vague, "involved in active fighting". I am
28 not sure what inactive fighting is and I am not sure what
29 "involved" means. If the question could be put much more - I

1 think the witness has indicated he would like it put more
2 precisely.

3 PRESIDING JUDGE: To me active fighting is something you
4 are actually doing. Mr Witness, do you understand the question?

12:21:33 5 THE WITNESS: Yes.

6 PRESIDING JUDGE: Please answer it.

7 MR MUNYARD: I don't know if my learned friend needs me to
8 explain it any further.

9 PRESIDING JUDGE: The witness understood the question.
10 There is no need for a further exchange. Please answer the
11 question.

12 THE WITNESS: I started fighting in 1995 at the battle
13 front.

14 MR MUNYARD:

12:21:55 15 Q. Firing guns, you just told us, yes?

16 A. Yes, I fired gun. Yes.

17 Q. So why did you tell the Prosecution when they were
18 interviewing you that you didn't take part in any active fighting
19 between 1991 and 1997?

12:22:21 20 A. Like I said earlier, I said active fighting and firing guns
21 at the front line did not mean that you have been taking part in
22 active fighting. I started --

23 THE INTERPRETER: Your Honours, could the witness still
24 slow down his pace and repeat from where I stopped.

12:22:40 25 PRESIDING JUDGE: Again, Mr Witness, you are speeding up.
26 You are going too fast. Speak more slowly, stop after each
27 sentence. Pick up where you said, "I started" and continue from
28 there, please.

29 THE WITNESS: My boss, the man with whom I was at that

1 time, he used to take me to the front lines since '95. He will
2 tell me how to shoot and how to get used to the sound of the gun.
3 But on my own at the time I started going on the front line when
4 they chose me to take my own manpower to the front line was in
12:23:18 5 '97. That was on my own without my boss.

6 MR MUNYARD:

7 Q. Are you just trying to wriggle out because you've committed
8 yourself to active fighting in 1995 and you have now been
9 confronted with my suggestion that you told the Prosecution that
12:23:36 10 you weren't involved in any active fighting between '91 and '97?

11 A. I believe with understanding you cannot just get up and do
12 something at the same time. You cannot just get up and become a
13 lawyer. You will go to school first and you go for your
14 practical before you become a lawyer, so I want you to put it
12:24:06 15 like in your own case, please.

16 Q. Tab 8, please. I don't want Madam Court Officer to show
17 the front page of this tab. I will simply establish the date.
18 It's an interview conducted on 22 November 2006 with this
19 witness, attorney present Alain Verner, investigator Brian
12:24:56 20 Hutchison and interpreter Mariama Bockarie. Of course --

21 A. Mariama Bockarie, please.

22 Q. I am going from what is written on the printed page.
23 Mr Witness, at the end of 2006 you were doing your computer
24 courses then, weren't you, 90 per cent in English?

12:25:32 25 A. Yes, I can remember. Yes.

26 MR MUNYARD: Now again I am going to refer the witness only
27 and not the public to the last page, which is page 25916, and
28 your Honours will see from your own copies why I am not having
29 that page put on the screen. It is just one line at the top of

1 that page:

2 Q. Do you agree that in that interview you told the
3 Prosecutors, lawyer, investigator, and you had the benefit of an
4 interpreter, that you did not take part in any active fighting
12:26:21 5 from 1991 to 1997?

6 A. I don't understand that question.

7 Q. Have a look at the page. Have a look at the one line under
8 the words "Interview notes". I don't want you to read it out,
9 but read it to yourself, please. Have you read it to yourself?

12:27:06 10 A. Yes.

11 Q. Have the Prosecution correctly recorded you telling them
12 that you didn't take part in any active fighting from '91 to '97,
13 or have they got that wrong?

14 A. The way they asked me the question at that time they got me
12:27:27 15 right. It was because of the way they asked me the question.

16 Q. So you claim to remember the specific question you were
17 asked on 22 November 2006 that led to that answer being recorded?
18 Is that what you are telling these judges?

19 A. Yes.

12:27:56 20 MR MUNYARD: Can I make it clear, Madam President, and
21 indeed to the witness, that I am now dealing with a whole series
22 of what I will call miscellaneous subjects. They don't
23 necessarily follow in chronological order, but they are subject
24 areas that the witness has dealt with in evidence:

12:28:23 25 Q. When did you first start to work for Benjamin Yeaten?

26 A. '99.

27 Q. When in 1999?

28 A. I can't remember the time.

29 Q. What part of the year?

1 A. I think it was late '99.

2 Q. Tab 2, please. This is an interview between you and the
3 Prosecution on 3 December 2005. If you have a look at paragraph
4 2, is this right, that they confirmed the information you had
12:29:59 5 given them in the first interview before they went on to ask you
6 further questions?

7 A. No, it is not true, because like I told you earlier in 2000
8 and --

9 THE INTERPRETER: Your Honours, the year pronounced by the
12:30:26 10 witness was not clear to the interpreter.

11 PRESIDING JUDGE: Mr Witness, the interpreters have not
12 heard the year that you mentioned. Please make sure you speak
13 into the microphone. I noticed you turned round. Repeat the
14 year, please.

12:30:40 15 THE WITNESS: 3 December 2005 I did not have any confidence
16 in the Special Court for me to give them correct information.

17 MR MUNYARD:

18 Q. Nevertheless you accepted 100 US dollars for giving it,
19 didn't you?

12:31:08 20 A. Yes.

21 Q. Now back to the question. Is it right that in that
22 interview they confirmed with you what you had told them in the
23 first interview? In other words, they went over the content of
24 the first interview with you in this second interview.

12:31:39 25 PRESIDING JUDGE: Mr Witness, did you hear the question?

26 THE WITNESS: I heard the question, but I thought he had
27 not yet finished. They did not go over what they interviewed me
28 during the first time and the second time. I can't recall them
29 going over it.

1 MR MUNYARD:

2 Q. Are you saying they didn't do it, or are you saying you've
3 now forgotten whether or not they did it?

12:32:10

4 A. They did not read back anything to me for the first and
5 second times. I don't remember that they read anything to me.

6 Q. Well, I just want to be absolutely clear on this. Are you
7 saying that you simply can't remember now, or are you saying they
8 definitely didn't go over the first interview with you at the
9 beginning of the second interview?

12:32:34

10 A. They did not go over any interview with me.

11 Q. Right. So that first sentence there is false, is it?

12 A. Except if you can confirm it, but I don't think they read
13 back anything to me. They did not read back anything to me.

12:33:09

14 Q. Carry on. "The interview was directed at your knowledge of
15 interaction between members of the RUF command structure and
16 Charles Taylor".

17 THE INTERPRETER: Your Honour, can counsel kindly repeat
18 the question, please.

19 MR MUNYARD:

12:33:19

20 Q. "The interview was directed at your knowledge of the
21 interaction between members of the RUF command structure and
22 Charles Taylor". Did they ask you to tell them what was the - I
23 am trying to think of another word for interaction - what was the
24 connection between members of the RUF high command and Charles
25 Taylor?

12:33:51

26 A. Yes, they asked me that question. I can remember, yes.

27 Q. And they told you they wanted to know about all the
28 connections that you could tell them between Charles Taylor and
29 the RUF high command, yes?

1 A. The ones that I remember, they asked me whether the ones I
2 can remember if I can help them with. I said yes.

3 Q. So did they tell you they wanted to know about all
4 connections that you could tell them about between Charles Taylor
12:34:36 5 and the RUF high command?

6 A. Yes, they told me that I should tell them the ones that I
7 can remember between the RUF and the Liberian government under
8 President Charles Ghankay Taylor, yes.

9 Q. Carry on. Where it says "the source" that means you. This
12:34:58 10 is the fourth line down in paragraph 2. You stated that you had
11 become a bodyguard to Benjamin Yeaten in 1998. Did you tell them
12 that?

13 A. I think all the other statements were correct, but that one
14 was a mistake from them, but I think I recall that I had
12:35:24 15 corrected that particular area before.

16 Q. Did you tell them in the interview on 3 December 2005 that
17 you'd become a bodyguard to Benjamin Yeaten in 1998?

18 A. No, it was a mistake from their side, because when I came
19 over to Sierra Leone they were reading out statements to me. I
12:35:51 20 said, "No, 1998 was the first time I crossed over into Liberia
21 and I returned". I think if you check all the other documents
22 you will find out that that is what is there.

23 Q. The Prosecution have been through all of your interview
24 notes with you, haven't they?

12:36:13 25 A. Yes.

26 Q. And you have made numerous corrections to what is recorded
27 in many of those interviews, haven't you?

28 A. Yes.

29 Q. And are you saying all of those mistakes were mistakes by

1 those who were writing down what you said?

2 A. Yes. If I am liable to make mistakes why do you think they
3 too cannot make mistakes? Yes.

4 Q. Tab 3, please, and again unless I invite Madam Court
12:37:29 5 Officer to put it on the screen I am working on the basis that
6 the witness himself will simply look at the document. This is
7 the next recorded interview on 21 February 2006. This is the one
8 you say was at the National Security Agency's headquarters. Now
9 I don't want you to mention any names here, but I'd like you to
12:38:13 10 look, please, at paragraph number 2 and does it say there that
11 the investigators had previously interviewed you in November and
12 December under one name, that I am not mentioning, and you were
13 later arrested by the National Security Agency under a different
14 name, but again a false name? Is that what is recorded there?

12:38:59 15 A. I don't remember. I don't even understand the question.
16 Could you please ask the question again.

17 Q. Recorded there is the fact that the investigators had
18 interviewed you twice before under a name that you have already
19 told us was a false name that you gave them, yes?

12:39:23 20 A. Yes, yes.

21 Q. It goes on to say that you were later arrested by the
22 National Security Agency under a different name which also is a
23 false name, isn't it?

24 MR KOU MJIAN: Excuse me, your Honours.

12:39:37 25 THE WITNESS: No.

26 MR KOU MJIAN: I just have one security concern. The issue
27 of the agency that has just been mentioned was covered initially
28 in my opening private session just with the witness's name just
29 as something that could possibly identify the witness, so we had

1 previously covered that, as far as I can recall, only in private
2 sessions and I am a little concerned that that could identify
3 him.

12:40:16 4 PRESIDING JUDGE: Mr Koumjian, I just don't see how that
5 can happen. There is an agency been mentioned and all it says is
6 that he was at an office. It doesn't say in what capacity,
7 et cetera, that he was at it. I am afraid it doesn't follow and
8 I think that agency has been named in open session too, although
9 I would need to check the record.

12:40:40 10 MR MUNYARD: We haven't said when he was arrested, we
11 haven't said any reason, we haven't said whether or not he is the
12 only person they ever had under arrest, et cetera.

13 PRESIDING JUDGE: I have ruled against the objection,
14 Mr Munyard.

12:40:54 15 MR MUNYARD: I am sorry, Madam President. Right. I will
16 carry on:

17 Q. Recorded there is that you were arrested by the National
18 Security Agency under, that's to say you gave them, a different
19 false name. Is that correct?

12:41:20 20 A. When they arrested me I gave them my real name because they
21 arrested me under my real name, because when they arrested me
22 they asked me for my real name. Maybe they got to know that when
23 I was arrested I was arrested under a false name.

24 Q. So have the investigators correctly recorded that when you
12:41:39 25 were arrested by the National Security Agency you gave them a
26 false name?

27 MR KOUMJIAN: Objection.

28 THE WITNESS: I gave them my real name.

29 MR KOUMJIAN: I withdraw it.

1 PRESIDING JUDGE: [Overlapping speakers] Mr Munyard.

2 MR MUNYARD: Thank you:

3 Q. Paragraph 5, please. In this paragraph it says that the
4 investigator told you that he wanted you to clarify certain
12:42:15 5 statements that you had made during the two previous interviews.
6 Did the investigator take you back over the two previous
7 interviews in this third one?

8 A. The first one at where? At NSA? At NSA they wanted to
9 read it to me. They started reading it out to me, but I said no.

12:42:50 10 Q. You said no to what?

11 A. That they shouldn't read anything out to me, because I did
12 not think that that place was the ideal place for them to read
13 out anything to me.

14 Q. I will be corrected if I am putting anything to you that is
12:43:16 15 wrong, but there is no indication in any of these notes that they
16 tried to read out previous interview notes to you and you stopped
17 them. Are you seriously saying that they tried to read out the
18 previous notes and you stopped them?

19 A. Yes.

12:43:37 20 Q. And you have a clear recollection of that now two and a
21 half years later?

22 A. Recall what?

23 Q. You have a clear recollection of that now two and a half
24 years and 23 different interviews later?

12:44:02 25 MR KOUMJIAN: I believe the witness asked for clarification
26 of recollection of what exactly.

27 MR MUNYARD:

28 Q. Of stopping them reading out the previous interviews so
29 that you could clarify what you had previously told them?

1 A. Yes, I can remember saying no and my no was too harsh at
2 that time. I said no, I was not there for that, I was there for
3 a different purpose. I was not there for that.

4 Q. What purpose were you there for?

12:44:38 5 A. Unlawful arrest. I was just there for unlawful arrest.

6 Q. Did you raise that with the Prosecutors?

7 A. Yes, yes.

8 Q. You told us yesterday that you didn't?

9 MR KOUMJIAN: That misstates the evidence.

12:45:03 10 THE WITNESS: Because he did not --

11 PRESIDING JUDGE: Pause, Mr Witness. Mr Munyard,
12 Mr Koumjian has objected. He said you are misstating the
13 evidence. Can you refer us to --

14 MR MUNYARD: Madam President, I think I am likely to go
12:45:17 15 over the lunch adjournment. I will check the transcript from
16 yesterday.

17 PRESIDING JUDGE: Very well. We will defer that point and
18 go to the next point.

19 MR MUNYARD: Your Honour, if I have I will quite happily
12:45:30 20 back down. If I haven't I will pursue the point.

21 MR KOUMJIAN: Thank you, your Honour. I will also try and
22 check but I am not sure it was yesterday. My recollection was it
23 was earlier. It will also check Monday's as well.

24 MR MUNYARD: Very well. And maybe Friday's too at this
12:45:48 25 point.

26 PRESIDING JUDGE: We will defer this point.

27 MR MUNYARD: Very well. I will move on:

28 Q. You say you wouldn't let them clarify your previous
29 statements or the contents of your previous interviews. The

1 second sentence in paragraph 5 reads as follows: "He confirmed
2 that he had entered Liberia in late 1999/early 2000 crossing the
3 Sierra Leone Liberian border at Foya." Did you tell them that?

12:46:27

4 A. At the time I was going to base in Liberia I told them,
5 yes. I told them that one according to the question that they
6 asked me.

7 Q. So is it right that you didn't enter Liberia until late
8 1999/early 2000?

9 A. No.

12:46:48

10 Q. So have they recorded that wrongly, or is that something
11 that you - hang on.

12 A. I think this is recorded rightly.

13 Q. So you told them that, is that what you're saying?

12:47:12

14 A. It may be that it was recorded rightly according to the
15 question that they asked me, but in the other way round the way
16 you are asking me it could appear wrong.

17 Q. Did you tell them that you didn't enter Liberia until late
18 '99/early 2000?

19 A. I did not tell them that.

12:47:32

20 Q. So they have got that wrong?

21 A. They may get it wrong, or right, depending on the type of
22 question I was asked and the type of question you are asking me
23 right now.

12:47:51

24 Q. Did you tell them that you had crossed into Liberia at
25 Foya?

26 A. Yes.

27 Q. What year did you first meet Jungle?

28 A. '97.

29 Q. Where?

1 A. Around Pendembu, Kailahun District in Sierra Leone.

2 Q. What was he doing there when you met him?

3 A. He was bringing ammunition, but the vehicle broke down.

4 The car was giving him some trouble.

12:49:14 5 Q. Did you first meet him in 1998?

6 A. I met him in '97 during the AFRC regime.

7 Q. Tab 9, please, and I am going to ask you to look please at
8 page 26459.

9 THE INTERPRETER: Your Honour, can counsel kindly switch on
12:50:19 10 his mic.

11 MR MUNYARD: I am sorry:

12 Q. This is an interview that took place on 24 November 2006
13 and I am going to ask you to turn to page 26459 first of all.

14 JUDGE SEBUTINDE: I am not sure the witness got the
12:50:45 15 interpretation of the tab number.

16 MR MUNYARD:

17 Q. It's tab 9, please. These particular documents don't bear
18 the witness's identification. Do you see on page 26459 there are
19 a series of bullet points? Do you see those, Mr Witness; little
12:51:45 20 dashes in the left-hand margin?

21 A. Yes.

22 Q. I am going to ask you to go to the last one, please, and it
23 reads as follows:

24 "That a few months after ECOMOG pushed the RUF out of
12:52:08 25 Freetown Superman told the witness that the arms they were
26 receiving, which the witness observed (RPG rockets, AK rounds and
27 GMG rounds) were sent by Charles Taylor and that it was a person
28 by the name of Jungle (who was a senior Taylor bodyguard) that
29 transported the arms and ammunition to Buedu, Sierra Leone by

1 road from Liberia."

2 Do you see that? Did you tell the Prosecutors that?

3 A. Yes.

12:52:58 4 Q. Carrying on 26460: "That the witness was best friends with
5 Jungle during 1998-1999". Did you tell them that?

6 A. No.

7 Q. No? So what is it that they have got wrong with that?

8 A. Best friend.

9 Q. Right. You tell us what you told them then.

12:53:23 10 A. After I had met him in '97 in Pendembu in '98 I saw him in
11 Gbarnga at the President's farm.

12 Q. I am going to stop you. I am going to stop you because I
13 don't think you're answering the question, you're telling us the
14 story. What I asked you was what did you tell the Prosecution,

12:53:42 15 not what actually happened. Did you understand that that was the
16 question I was asking you?

17 A. Yes, but the question you are asking me, what I told them
18 is what I'm telling you. I told them that in '97 I met Jungle in
19 Pendembu, in '98 I met him in Gbarnga at the farm and I knew him
12:54:03 20 from '97, '98, '99.

21 Q. So you told them all of that in this interview on 24
22 November 2006?

23 THE INTERPRETER: Your Honour, can counsel kindly --

12:54:24 24 THE WITNESS: I did not tell them in one go. At any time
25 they asked me about Jungle, sometimes they asked me, "How come
26 you knew him" and I would tell them.

27 MR MUNYARD:

28 Q. Have you listened to the question? I am asking you what
29 you told them on 24 November 2006 about your connection with

1 Jungle and whether they have correctly recorded what you told
2 them on that date. Do you understand that's what I am asking you
3 about, not what you told them over a period of time or what
4 actually happened?

12:55:03 5 A. I can remember telling them on this particular date that
6 you are talking about during this interview. I can remember a
7 few things. They asked me whether I knew Jungle, I said yes.
8 Where? At what time? I said '98 I met Jungle on the farm, but
9 before that I had told them about '97 before I told them about
12:55:24 10 '98.

11 Q. So they have failed to record that you met Jungle in 1997
12 in their notes of this interview, have they?

13 A. I think it could be in other papers because they have a lot
14 of documents that they took from me. I don't know if they gave
12:55:47 15 you all of them.

16 PRESIDING JUDGE: That is not the answer to the question,
17 Mr Witness. Is something that you said about Jungle not in this
18 record of interview?

19 MR MUNYARD: Your Honour, something that he said on that
12:56:05 20 day. He doesn't seem to have got that point.

21 PRESIDING JUDGE: It is this particular interview, this
22 particular record of interview on this particular day, and that
23 particular day was 24 November 2006. I would add, Mr Witness,
24 I'm finding your answers confusing, because when you were first
12:56:27 25 asked you said the words - when you were first asked what was
26 wrong you said the words "best friend" and you never clarified
27 that point.

28 THE WITNESS: Yes, what I said about best friend for the
29 first time, they said '98 and '99 I became best friends to him.

1 I said no, that word is not correct.

2 MR MUNYARD:

3 Q. Did you tell them that or not?

4 A. Not.

12:57:01 5 Q. So they have slipped in the word "best" next to "friend",
6 have they?

7 A. Maybe. It may be a mistake. I don't know if it's a slip
8 or a mistake. I don't know.

9 Q. The next bullet point on page 26460, you told them that
12:57:26 10 Jungle told you that during 1997 he used to bring arms and
11 ammunition to Sierra Leone from Liberia and that he would turn
12 the arms and ammunition over to Sam Bockarie in Buedu. Did you
13 tell them that?

14 A. Yes.

12:57:46 15 Q. So why didn't you say to the Prosecutors, "And actually on
16 one of those occasions in 1997 I actually met Jungle for the
17 first time"?

18 A. I told them that in 1997 I met Jungle. I told them that.

19 Q. On this particular date in the course of this interview?

12:58:18 20 A. I don't remember any longer, but I remember they asked me
21 at what time that you started seeing Jungle for the first time
22 and I told them. I don't remember if it was on this particular
23 interview.

24 Q. But why didn't you tell them when you were giving them the
12:58:33 25 information that Jungle had given you about his activities in
26 1997? If you had really met him in 1997 on one of his arms trips
27 why didn't you tell them that in this interview?

28 A. Because they did not ask me during the interview at what
29 time you met Jungle.

1 Q. Did they ask you what Jungle told you about, or is that
2 something you simply - is that simply information that you gave
3 them?

4 A. They asked me whether I knew Jungle and I said yes, whether
12:59:23 5 I knew about any arms transaction between Jungle and Sam Bockarie
6 during so and so period and I said yes. "When you were in
7 Liberia did you talk to Jungle", and I said yes. "Did Jungle
8 become your best friend", and I said he was my commander at the
9 time, my best friend. That was what I used to tell you about the
12:59:42 10 transaction between --

11 JUDGE SEBUTINDE: Mr Witness, do you think you could slow
12 down? You might not need to breathe, but the interpreter needs
13 to breathe between sentences. Please slow down.

14 MR MUNYARD:

12:59:52 15 Q. You are saying that they asked you, "Did Jungle become your
16 best friend"? Is that the truth?

17 A. Yes, they asked me before whether Jungle was my friend and
18 I said, "Yes, my best friend".

19 Q. No, what you just said, and I am reading from the
13:00:18 20 transcript: "'Did Jungle become your best friend?' I said he
21 was my commander at the time, my best friend". It's complete
22 rubbish to suggest they asked you if Jungle became your best
23 friend, isn't it?

24 A. That's not so. I don't think I am saying rubbish here. I
13:00:42 25 am saying something serious, something serious. I can't talk
26 rubbish.

27 Q. Let us move on, please, to page 25941 in the same tab.
28 It's the handwritten notes that were taken during the course of
29 this particular interview and I am going to ask you about the

1 second half of this page. The handwriting is not the easiest to
2 read and so I am going to read it out, but if you have any
3 difficulty following, please let me know.

4 About in the middle of the page the following words appear,
13:01:46 5 "Mosquito instructed them to go to Gbarnga" then there are some
6 names and then three lines below that, "To escort ammunition and
7 arms back to Sierra Leone". Now do you remember telling the
8 Prosecution about that in the course of this interview on 24
9 November 2006?

13:02:18 10 A. Yes.

11 Q. I am going to miss out some of the lines. I am just trying
12 to get a time frame for this. The next paragraph or bullet
13 point, "They took chopper from Foya to Gbarnga". Do you see
14 that? Did you tell them that?

13:02:40 15 A. Read the question, please. I do not understand.

16 Q. "They took chopper from Foya to Gbarnga". Do you know -
17 I'm sure you know what we mean by chopper.

18 A. Helicopter.

19 Q. Yes. Did you tell them that?

13:02:56 20 A. Yes, I said we boarded the helicopter from Foya to Gbarnga,
21 yes.

22 Q. What year was this?

23 A. '98.

24 Q. Next bullet point: "Landed in a field of President

13:03:12 25 Taylor's farm. Spent the night in Gbarnga. Eddie Kanneh went to
26 Monrovia". Did you tell them all of that?

27 A. Yes.

28 Q. Below that: "Ben Yeaten was there, first time witness met
29 him". Did you tell them that?

1 A. Yes.

2 Q. Over the page: "Jungle, Sampson Yai" and then in brackets
3 "Weah". did you tell them that?

4 A. Yes.

13:03:54 5 Q. Next line: "They were introduced to them here". Well, the
6 "them" obviously refers to Jungle and Sampson Weah, doesn't it?

7 A. Yes, Benjamin Yeaten also.

8 Q. So you were introduced to Jungle for the first time in
9 1998, weren't you?

13:04:23 10 A. They did not introduce me. Yes, they introduced me to
11 Jungle and Jungle was introduced to me in 1998, yes.

12 Q. You didn't need an introduction because you'd already met
13 him on your account in 1997, yes?

14 A. Yes, I met him in 1997, but it was not official, so when I
13:04:43 15 met him officially they needed to introduce him to me.

16 Q. That's your explanation for this, is it?

17 A. Yes, 1997 I met him, but it was not official. I met him on
18 the highway. They told me to go and meet him on the highway.

19 The day I met him it was official. His boss was there and my own
13:05:06 20 boss was there so they did the introduction.

21 Q. What do you mean by it wasn't official when you met him in
22 1997?

23 A. Nobody was there for him to be introduced to me as, "This
24 is Jungle". He himself told me he was Jungle but it was not

13:05:35 25 officially as it was done in Gbarnga on the farm.

26 Q. How long did you spend with him in Pendembu area in 1997?

27 A. We just went and collected something from him and all of us
28 drove to Kenema.

29 Q. Including him?

1 A. Yes.

2 Q. Who was at Kenema?

3 A. Sam Bockarie, Mosquito.

4 Q. And did Sam Bockarie have any need to introduce you

13:06:12 5 officially to Jungle when you all arrived at Kenema, or was it
6 obvious to Sam Bockarie that you'd already been introduced?

7 A. It was so urgent - he was so urgent --

8 THE INTERPRETER: Your Honours, can he kindly repeat
9 slowly.

13:06:33 10 PRESIDING JUDGE: Mr Witness, the interpreter needs you to
11 repeat your answer. Speak much more slowly and repeat from where
12 you said, "He was so urgent". Pick up from there, please.

13 THE WITNESS: No introduction was done because at the time
14 Mosquito was so urgent and he was trying to say that we should
15 bring the ammunition quickly to Freetown. There was no official
16 introduction there.

17 MR MUNYARD:

18 Q. What's involved in an official introduction? Do you get a
19 certificate?

13:07:10 20 A. No, they do not give certificate.

21 Q. Tell us what's involved in an official as opposed to an
22 unofficial introduction.

23 A. Like when I entered here I said, oh, hello, I am so and so
24 person. That's not official. But if I enter here through the
13:07:37 25 Prosecution, the Prosecution introduced me that this is so and so
26 person I think that's official. That is what I mean.

27 MR MUNYARD: I am moving on to a different subject now:

28 Q. There was considerable infighting within the RUF itself and
29 between the RUF and the AFRC from the time that they joined

1 together as a junta. Now I am going to break that down into two
2 questions. Do you agree that there was infighting within the RUF
3 itself from an early stage?

4 A. Yes.

13:08:49 5 Q. Tab 8, please, and for the avoidance of any concern I am
6 not going to ask for the pages to be put on the screen. Page
7 25913, please. Now again there is a number of bullet points on
8 this page and I am going to deal with a number of the bullet
9 points on page 25913 and since we are on this page I am dealing
13:10:11 10 with more than one topic. Do you see the second bullet point
11 that starts with the sentence, "There was always infighting
12 between the Sierra Leoneans and the Liberians"?

13 A. Yes.

14 Q. This is an interview on 22 November 2006, two days before
13:10:35 15 the last one that we were looking at, and again you had the
16 assistance of an interpreter in addition to Alain Werner and
17 Brian Hutchison. Did you tell the Prosecution that, that there
18 was always infighting between the Sierra Leoneans and the
19 Liberians because of repeated atrocities committed by the
13:11:05 20 Liberians on the civilian population of Sierra Leone?

21 A. Yes, there was infighting. Yes.

22 Q. And did you tell them that this infighting came to a head
23 during '92 to '93 during operations Top 20 and Top 40 where a
24 vast number of Liberians were driven back to Liberia by the
13:11:28 25 Sierra Leoneans?

26 A. Yes.

27 Q. In fact those operations took place in 1992, didn't they?

28 A. I do not understand whether you are asking me a question.

29 Q. I am asking you do you agree that those operations took

1 place in 1992.

2 A. I can recall '92. I can recall '92, yes.

3 Q. Next bullet point. Did you tell the Prosecution there was
4 support from Charles Taylor in '91 to '92 because there were NPFL
13:12:28 5 commanders and fighters fighting in Sierra Leone with the RUF at
6 that time?

7 A. Yes.

8 Q. But there was no support from Taylor during '93 to '94.
9 Did you tell them that?

13:12:43 10 A. Yes.

11 Q. In fact, there was no support at all from Charles Taylor
12 during the whole of the time that ULIMO had cut off the Sierra
13 Leone - or had control of the Sierra Leone Liberian border, was
14 there?

13:13:05 15 A. I was not aware at that time. I was not aware of any
16 support.

17 Q. Thank you. And indeed the fifth bullet point down, if you
18 would have a look at that, please, do you see: "In 1993 ULIMO
19 took control of the Sierra Leone-Liberia border and so all supply
13:13:32 20 lines were cut off". Did you tell them that?

21 A. Yes.

22 Q. And the seventh bullet point down, did you tell them that
23 you had no knowledge of any communication between Sankoh and
24 Taylor after ULIMO took the border and so all supply lines were
13:13:55 25 cut off?

26 A. Yes.

27 Q. Over the page, please, 25914. The first bullet point, did
28 you tell them that CO Monica was a Liberian commander with the
29 RUF, but you don't know her full name?

1 A. I have not seen the page you are talking about.

2 Q. 25914. It should be on the back - well, it is either on
3 the back or on the next page.

4 A. Okay, okay.

13:14:44 5 Q. Thank you. Did you tell them that CO Monica was a Liberian
6 commander with the RUF and you didn't know her full name?

7 A. Yes.

8 Q. Has somebody told you her full name since 22 November 2006?

9 A. Yes, somebody from the investigation. He was saying
13:15:10 10 Monica, Monica, CO Monica, and they called the name, they said
11 Monica Pearson and I recalled it was Monica Pearson, yes.

12 Q. So one of the investigators for the Prosecution helped you
13 with her last name, did they?

14 A. Yes, they proposed whether it was Monica Pearson that I was
13:15:31 15 talking about and I said yes. They proposed, yes.

16 Q. And so that's how you were able to give her full name when
17 you gave evidence about this matter, is that right?

18 A. Yes, I said CO Monica and I think from the way I described
19 her and the things she was doing the person was able to recall
13:15:53 20 that from other background investigation that he was doing, that
21 he thinks he was talking about this and they described her and
22 they said Monica Pearson.

23 Q. Right. What was the background that they were able to tell
24 you about? Her background, I mean.

13:16:22 25 A. They did not tell me anything about her background, but I
26 knew that they talked to other people who knew Monica Pearson's
27 last name and I recall that it was Monica Pearson. I recalled
28 the last name. I told them the first time that I cannot remember
29 the last name, but after they called the last name, they said

1 Monica Pearson and I said yes.

2 Q. What else did they tell you about Monica Pearson?

3 A. Just Pearson name. Just the question, "Monica Pearson you
4 are talking about?" I said, "Oh, yes, yes, yes". I appreciated
13:16:57 5 it too much, yes.

6 Q. And you didn't like her because she was aggressive and a
7 very demanding commander, is that right?

8 A. Yes, she was too aggressive to us. I didn't like her.

9 Q. She was violent to the people under her command, wasn't
13:17:25 10 she?

11 A. Yes, when I was training under her command she was not
12 treating us fairly at all.

13 Q. And she either beat people or had people beaten up, didn't
14 she?

13:17:49 15 A. Yes.

16 Q. She had people beaten very violently indeed, didn't she?

17 A. Yes, she beat people.

18 Q. What did you see her do?

19 A. She did a lot of things. She trained people, she passed
13:18:16 20 instructions to --

21 THE INTERPRETER: Your Honours, can he repeat. I don't
22 know if he mentioned a name. It was not very clear.

23 PRESIDING JUDGE: Mr Witness, the interpreter is not
24 hearing you clearly. Please pick up your answer where you say,
13:18:33 25 "She passed instructions to" and then continue, please.

26 THE WITNESS: To go and fetch water for the other
27 commanders. She did a lot of things.

28 MR MUNYARD:

29 Q. Yes. When you said she beat people, did you see her

1 beating people?

2 A. Yes, so many times. Yes.

3 Q. Did she ever beat people to death?

4 A. I can remember they beat one SBU at the base. They took
13:19:06 5 him away and I did not see him any more and they did not tell us
6 anything about him, about his health or what. Everybody got
7 concerned that he is dead.

8 Q. And did you never seen him again? Give us other examples
9 of the beatings that you saw Monica Pearson carrying out?

13:19:43 10 A. She beat people with rubber. Sometimes they say the people
11 go free engine. She beat people mercilessly on the base. She
12 beat people and they said they go off, or goes free engine.
13 That's the term they used to use.

14 Q. You will have to help me with "free engine". What do you
13:20:09 15 mean by "go free engine"?

16 A. Sometimes when they beat you, you just lay down there
17 without breathing for some time. You become unconscious.

18 Q. Did you ever see her commit or order sexual violence on
19 anyone?

13:20:40 20 A. I did not see her commit sexual violence on anybody.

21 Q. Did you ever either hear her order any sexual violence to
22 be committed or hear of anyone who was sexually assaulted on
23 Monica Pearson's instructions?

24 A. I did not hear that.

13:21:22 25 Q. Back to page 25914, please. I want you to go, if you would
26 just count with your finger the number of bullet points in the
27 left-hand margin and if you count down to the ninth one - do you
28 see - can you count down nine bullet points and do you see a
29 sentence that starts, "That after the creation of battalion

1 system"? Do you see that?

2 A. Yes.

3 Q. And does it read as follows: "That after the creation of
4 battalion system in the RUF in 1994, Sam Bockarie and Superman
13:22:16 5 did not get along and this misunderstanding lasted until 1999".
6 Did you tell them that?

7 A. I am coming, please. Let me read for myself. I think they
8 have a small problem there. I told them something similar to
9 that, but they did not write it correctly.

13:22:48 10 Q. When they read it back to you, did you not correct what
11 they had written?

12 A. I think I corrected that area. I think if you check the
13 other documents.

14 Q. I have and as far as I can see in none of the 24 sets of
13:23:08 15 interview notes plus one extra document have I seen any
16 correction of that.

17 A. Okay.

18 Q. What is right about what is recorded there and what is
19 wrong about it?

13:23:28 20 A. Okay, before the forming of the battalion in 1994 Superman,
21 Sam Bockarie were having some conflict over weapons.

22 THE INTERPRETER: Your Honours, can he kindly repeat the
23 name of the pistol. It was very fast.

24 PRESIDING JUDGE: Far too quick, Mr Witness. The
13:23:47 25 interpreters can't keep up with you. Please repeat the name of
26 the pistol that you mentioned.

27 MR KOUMJIAN: Perhaps if he just starts over, because I
28 think we all got a little lost there.

29 MR MUNYARD: I agree.

1 PRESIDING JUDGE: Yes. Repeat your answer from where you
2 said, "Superman, Sam Bockarie were having some conflict over
3 weapons". Continue from there. We will start it from the
4 beginning. "Okay, before the forming of the battalion in 1994
13:24:25 5 Superman, Sam Bockarie were having some conflict over weapons".
6 Continue your answer from there.

7 THE WITNESS: Yes, before the formation of the battalion in
8 1994 Superman and Sam Bockarie were having a conflict over a
9 weapon, two pistol grips, they call it A0, two handles, it had
13:24:48 10 two handles. The conflict was not - was not amended until the
11 departure of the battalions in '95.

12 MR MUNYARD:

13 Q. Right. So is it your case that Sam Bockarie and Superman
14 did not get along for whatever reason and their misunderstanding
13:25:22 15 lasted until 1999, presumably when Sam Bockarie left and went to
16 Liberia? Is that your position?

17 A. No.

18 Q. What are you saying, Mr Witness, about this
19 misunderstanding between Bockarie and Superman? How long did it
13:25:49 20 last?

21 A. They had the misunderstanding between them and they were
22 still operating together, but each time they had a conflict they
23 will bring that particular thing out. Superman will talk about
24 that particular thing. So I knew that they had grudge for each
13:26:06 25 other, but they were operating together. Yes, Superman was
26 taking direct instructions from Sam Bockarie, so they were still
27 operating together.

28 Q. Superman had no choice but to take direct instructions from
29 Sam Bockarie, did he?

1 A. Yes.

2 Q. Thank you. And indeed you say that this grudge between
3 them lasted the entire time, is that right, until Sam Bockarie
4 left and went to Liberia in exile?

13:26:42 5 A. Yes.

6 Q. Thank you. Now is it right that in the RUF for a long time
7 there was no rank structure?

8 A. Individual ranks, yes, but they had positions.

9 Q. Is it right that there were no individual ranks until some
13:27:08 10 time around 1994?

11 A. Yes, yes. Individual ranks, they had individual ranks, but
12 individually command structure.

13 Q. What I mean is there is no colonels and majors and the rest
14 of it until about 1994?

13:27:31 15 A. No.

16 THE INTERPRETER: Your Honour, can he kindly repeat his
17 answer again.

18 PRESIDING JUDGE: First of all, Mr Witness, the interpreter
19 cannot hear you and the question is - well, you answered no when
13:27:44 20 you were asked there was no colonels. I would like that
21 clarified also, so repeat your answer in full, please.

22 THE WITNESS: He was asking me - I said no, they had
23 colonels in the RUF at the time before 1994.

24 MR MUNYARD:

13:28:03 25 Q. Right. When did they have colonels and other ranks?

26 A. 1994 before they constructed the formation of the
27 battalions they had lieutenant colonels, Zino Mohamed Tarawalli.

28 Q. When did that rank structure begin?

29 A. They had ranks second in command after the death of Rashid,

1 one Rashid Mansaray, I think so.

2 Q. When did that begin?

3 A. I can't remember really.

4 Q. Well, was it in 1991?

13:28:46 5 A. I don't think so. I can't remember exactly.

6 Q. '92?

7 A. I can't remember.

8 Q. '93?

9 A. I can't remember.

13:29:00 10 Q. So is this the best you can do: That by '94 you think they
11 did have these ranks, but you can't say when they started to have
12 a rank structure?

13 A. Yes, by '94 I can remember that CO Mohamed - when CO
14 Mohamed came and went to Zogoda he was lieutenant colonel then.

13:29:25 15 They used to call him lieutenant colonel.

16 PRESIDING JUDGE: Mr Munyard, Mr Witness, it's 1.30, so if
17 it's appropriate to adjourn now we will take the lunchtime break.
18 Please adjourn court until 2.30.

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

14:26:30 20 [Upon resuming at 2.30 p.m.]

21 PRESIDING JUDGE: Mr Munyard, please proceed.

22 MR MUNYARD: Thank you, Madam President:

23 Q. Mr Witness, since we were dealing with the question of
24 ranks just before we broke for lunch, I'd like you, please, to
14:31:10 25 turn to tab 15. This is an interview conducted on 17 and 18
26 October 2007, investigator Mustapha Koroma and also present was
27 Shyamala Alagenda, the lawyer. Now do you remember that
28 particular interview over those two days now, or not?

29 A. I can remember that Mustapha and Shyamala interviewed me,

1 yes.

2 Q. This is interviews number 16 and 17 and they started off,
3 as you can see - they started off by going through some of your
4 previous statements with you, yes? Do you agree?

14:32:40 5 A. Yes.

6 Q. And getting you to clarify different things that you had
7 previously been recorded as having said. Do you agree with that?

8 A. Yes.

9 Q. I'd like you, please, to turn to paragraph 26. It appears
14:33:07 10 on page 42200.

11 MR KOUMJIAN: Excuse me, your Honour, I believe this is a
12 matter that the Court had ruled would be touched in private
13 session - would be dealt with in private session.

14 PRESIDING JUDGE: I haven't actually got a question yet.

14:33:36 15 MR MUNYARD: Madam President, can I invite you to look at
16 what's in paragraph 26. I don't recall any of that. In fact,
17 I've got the ruling from 25 June. I've got the Court's ruling to
18 hand, which is on page 12741 of the 25 June's transcript, line
19 28. Yes, I will just give a synopsis. The following are in
14:34:14 20 private session - and I'm not going to read them out.

21 THE INTERPRETER: Your Honour, counsel is very fast,
22 please.

23 MR MUNYARD: I'll start again. Madam President, you gave a
24 synopsis of what was in private session and what wasn't. On line
14:34:30 25 29 of that page you deal with two issues, then over the page a
26 third issue, a fourth issue and a fifth issue, and then I went on
27 to deal with housekeeping which was about ordinary things.

28 PRESIDING JUDGE: Yes, I have that in front of me. As I've
29 noted I don't have a question yet and I don't have Mr Koumjian's

1 grounds of objection, other than - because how can you object if
2 you haven't heard the question, Mr Koumjian?

3 MR KOUMJIAN: I'm going by that the question will include
4 the contents of the paragraph that the counsel has indicated -
14:35:10 5 has directed the witness's attention to and I take Mr Munyard's
6 point that it was not part of the ruling and for some reason I
7 cannot find the transcript of the first day of my direct
8 examination. My belief is - I certainly have it on the computer,
9 but my belief is that when we dealt with the initial identifying
14:35:33 10 information that I covered that in the private session and I
11 thought that counsel had previously dealt with that in private
12 session. Excuse me, I do have the transcript.

13 MR MUNYARD: The relevant part for my learned friend starts
14 23 June, page 12469.

14:36:05 15 MR KOUMJIAN: Yes, I see that was - I'd covered on 12472 in
16 private session, so while I may have not asked for a direct
17 ruling on that before I had indicated I would cover identifying
18 information in private session and that was what we covered in
19 the private session. So consistent with that I would ask that
14:36:27 20 this be dealt with in private session as yet another means of
21 narrowing down the individuals and helping to identify the
22 witness. I'm sorry if I dropped my voice. I hope the transcript
23 got it.

24 PRESIDING JUDGE: It's all right. Mr Munyard, you have
14:36:44 25 heard the application.

26 MR MUNYARD: All I'm concerned about is a date. There's no
27 need to go into private session for a date, in my submission.

28 PRESIDING JUDGE: I don't think in the light of that reply
29 by Mr Munyard it's necessary to go into private session. I will,

1 however, keep my eye on the problem. Please put the question.

2 MR MUNYARD:

3 Q. Paragraph 26 of tab 15. By now I believe we're on 18
4 October 2007 and is it right that you told the Prosecution that
14:37:25 5 you received a certain rank yourself in the year 2000 in the
6 course of that interview?

7 A. I don't remember telling them that I received a rank in the
8 year 2000, in the year 2000.

9 Q. Was Shyamala in the habit of reading back to you, or one of
14:37:54 10 her colleagues there reading back to you, the contents of the
11 interview so that you could check that it was all correct?

12 A. Yes, when they interviewed me they would be writing. They
13 wrote it down with their hands, but --

14 THE INTERPRETER: Your Honours, the witness is still going
14:38:19 15 too fast.

16 PRESIDING JUDGE: Mr Witness, you have speeded up again.
17 Now repeat your answer very, very slowly. "They wrote it down
18 with their hands, but ..." Continue from there, please.

19 THE WITNESS: During the time of my interviews, when they
14:38:38 20 interviewed me they would be writing by hand. At present I am
21 seeing a document that has been typed from a typewriter, or a
22 computer, so I don't know where that is coming from and I did not
23 say that I was promoted in the year 2000, no.

24 MR MUNYARD:

14:38:59 25 Q. Did they read it back to you at the end of the interview?

26 A. Yes, the ones that they wrote by hand. Yes.

27 Q. Did it contain the information that we can see in the typed
28 version at paragraph 26?

29 A. Some are contained there, but there is one that was not

1 exactly what I said there.

2 Q. What did you say then about the date when you were given a
3 rank?

4 A. I told them that I was promoted in 2002.

14:40:12 5 Q. And when they read back to you what they had written down,
6 did you have to correct anything?

7 A. As far as the ones I understood I did not correct anything
8 there, but they did not make mention of 2000 to me.

9 PRESIDING JUDGE: Proceed, Mr Munyard.

14:41:01 10 MR MUNYARD: I wonder if your Honours would give me just a
11 moment to check something? Yes:

12 Q. Would you have a look, please, at page 42208 in the same
13 tab which is the handwritten notes that were taken as you were
14 answering questions in the course of that interview. Two-thirds
14:41:56 15 of the way down the page in the left-hand margin you'll see the
16 figure 26 in brackets. Do you see that? At the top of the page,
17 witness --

18 A. I have not yet seen it.

19 Q. -- there is a stamped number.

14:42:14 20 A. Page number 3?

21 Q. Madam Court Officer will assist you. Page 42208, go
22 two-thirds of the way down the page and do you see a paragraph,
23 it's the second paragraph from the bottom, numbered 26 in
24 brackets on the left-hand margin? Have you got that? Can you
14:42:49 25 confirm, please, that you've got that? Don't read it yet. Just
26 tell us that you've got paragraph number 26.

27 A. Yes.

28 Q. Thank you. Now it so happens that on the occasion of this
29 interview we have been supplied with the handwritten notes and

1 here they are, and is there any difference between what you have
2 just read in paragraph 26 in the handwritten notes and what we
3 have already seen in the typed version?

4 A. Can I look at it now? Am I to look at the notes?

14:43:41 5 Q. Do look at them again, yes.

6 PRESIDING JUDGE: Yes, please look at them, Mr Witness.

7 THE WITNESS: I disagree with the word 2000.

8 MR MUNYARD:

9 Q. These were the handwritten notes that you've just told us
14:44:09 10 were read back to you. When they were read back, did you make
11 any attempt to correct that particular date?

12 A. When they were reading the thing to me, any correction I
13 made they would put it on a quick note. They had a book and they
14 told me they would correct it later. I don't remember telling
14:44:37 15 them about 2000.

16 PRESIDING JUDGE: I find that answer unclear, Mr Witness.
17 Do you mean you did not remember telling them about 2000 when
18 they were read back to you?

19 THE WITNESS: Yes, I don't remember telling them that I was
14:44:58 20 promoted in the year 2000 when they read back this note to me,
21 because when they were reading back notes to me any correction
22 that I made they would write it on a quick note paper because
23 they had some yellow papers with them and they would check the
24 number and check.

14:45:15 25 PRESIDING JUDGE: Yes, I understand that.

26 MR MUNYARD:

27 Q. Right. You have no recollection therefore of what was read
28 back to you, is that right?

29 A. I remember that they read it back to me.

1 Q. Do you remember the date of early 2000 being read back to
2 you?

3 A. I remember the thing they read to me about promotion in the
4 year 2000 was the rank of major in Sierra Leone, but I can't
14:45:53 5 remember telling them that I was promoted with regards the one
6 that I saw over there at that particular time, 2000, on the other
7 hand.

8 Q. Where does it say that you were promoted to the rank of
9 major in 2000 in Sierra Leone which, according to your evidence,
14:46:20 10 you'd left by the end of 1999?

11 A. Yes, at the time --

12 THE INTERPRETER: Your Honours, could the witness slow down
13 and say again his entire --

14 PRESIDING JUDGE: Mr Witness, you're racing away there.
14:46:41 15 The interpreter cannot keep up with you. Please start your
16 answer and speak slowly. You said, "At the time ..." Please
17 proceed from there.

18 THE WITNESS: At the time I was in Liberia I heard that
19 they had arrested a UN peacekeeping force and I was sent there by
14:47:04 20 Benjamin Yeaten to go there and when I went there I received a
21 promotion.

22 MR MUNYARD:

23 Q. From who?

24 A. My promotion was - I was recommended by Komba Gbundema and
14:47:31 25 it was Denis Mingo, Superman, who gave me the promotion. I
26 remember.

27 JUDGE SEBUTINDE: Mr Witness, are you saying you were sent
28 to Sierra Leone when you say, "I was sent there by Benjamin
29 Yeaten"?

1 THE WITNESS: Yes, I was sent to Sierra Leone.

2 JUDGE SEBUTINDE: And this would be what period?

3 THE WITNESS: At the time they arrested the peacekeeping
4 force.

14:48:03 5 JUDGE SEBUTINDE: Yes, but that is what in terms of a
6 calendar year?

7 THE WITNESS: I remember 2000/2001. I just remember the
8 event.

9 MR MUNYARD:

14:48:24 10 Q. Are you claiming then that in the course of this interview
11 you told these prosecutors that you were promoted to the rank of
12 major in early 2000 and somehow they've got it all completely
13 wrong?

14 A. I don't understand that question, please.

14:48:48 15 Q. Is it your claim now, now that you've been shown not only
16 in typewritten form but also in handwritten notes, what you said
17 to the Prosecutors back in --

18 A. Yes, I said --

19 Q. -- October 2007 about receiving a certain appointment to a
14:49:12 20 certain rank in early 2000 - are you now claiming that in fact
21 the Prosecutors have got that mixed up with something else that
22 you told them in that interview about being promoted to major in
23 Sierra Leone?

24 A. I have not been able to understand the question you asked
14:49:37 25 me. The question is too long for me and fast.

26 Q. Are you now saying that you told the Prosecutors during
27 that interview that you were promoted to major whilst in Sierra
28 Leone either in 2000 or 2001?

29 THE INTERPRETER: Your Honour, can I learned counsel kindly

1 [overlapping speakers]. Can learned counsel repeat his question
2 slowly so that the --

3 THE WITNESS: I can't remember telling Prosecution that. I
4 don't remember telling Prosecution that.

14:50:11 5 PRESIDING JUDGE: Mr Munyard, you've heard the request from
6 the interpreters and it appears that the witness has answered the
7 question in any event. You see the answer before you.

8 MR MUNYARD: Yes, I do, thank you, Madam President.

9 PRESIDING JUDGE: So, I think in the circumstances there's
14:50:26 10 no need to repeat it.

11 MR MUNYARD: Indeed. I don't propose to pursue this:

12 Q. Mr Witness - I'll deal with it, if I may. I wasn't going
13 to, but I will. Mr Witness, is it right that you said to the
14 Prosecutors in the course of this interview in October 2007, "I
14:51:08 15 was promoted to the rank of major whilst in Sierra Leone in
16 either 2000 or 2001"?

17 A. No, I don't remember saying that to them.

18 Q. Thank you. So why are you telling this Court that the
19 reason that the date early 2000 appears in paragraph 26, both in
14:51:33 20 the typed version and the written version, that somehow the
21 Prosecutors have got that mixed up with your having told them
22 that you were promoted to major in Sierra Leone in 2000?

23 A. Because I only remember the promotion to major in 2000 and
24 I have seen another promotion that has nothing to do with a major
14:52:00 25 in 2000. That is what I'm saying here presently.

26 Q. Final point on this. So that we're absolutely clear, do
27 you claim that when these written notes were read back to you you
28 corrected the date that we see in handwritten paragraph 26?

29 A. If I did - I did not claim that. If I had corrected it

1 there, if I had done any mistake there, you would have seen it
2 scratched. If I made mistakes they had a paper that they called
3 quick notes. From there they would say they would do the
4 correction and they would add that on the page.

14:53:07 5 Q. Back to infighting, please. Tab 9, the interview of 24
6 November 2006 again please. You were dealing at some stage in
7 this interview with the question of diamond mining. Can you
8 remember being asked questions about the RUF and diamond mining?

9 A. Yes.

14:54:04 10 Q. Turn to page 26459, please. Do you have that page? Thank
11 you. If you look at the second bullet point down on that page,
12 did you tell the Prosecution that neither you nor Superman's
13 group went to Togo as this area was controlled by Issa Sesay and
14 Mosquito and there was tension between Superman and Mosquito?

14:54:55 15 A. Yes.

16 Q. When is this period of time that you're talking about?

17 A. '97.

18 Q. Was that during the junta period?

19 A. Yes.

14:55:13 20 Q. It's right, isn't it, that during the junta period the AFRC
21 regarded them selves as the senior partner in the junta with the
22 RUF?

23 A. I don't understand that question.

14:55:43 24 Q. It's right, isn't it, that the AFRC looked down on the RUF
25 as being men from the bush, whereas the AFRC were trained
26 soldiers?

27 A. Yes, yes.

28 Q. And that that position was reversed after the intervention
29 when ECOMOG pushed the junta out of Freetown and then the RUF

1 looked down on the AFRC, the SLA soldiers, who were not used to
2 fighting in the bush, do you agree?

3 A. Yes, in certain areas. Yes.

14:56:28

4 Q. Yes. And there were splits not just within the RUF, but
5 splits between the RUF and the AFRC, weren't there?

6 A. Yes.

7 Q. Tab 10, please. This is an interview on 21 and 22 December
8 2006 and I'd like you, please, to turn to page 26419. Do you
9 have that page?

14:57:31

10 A. Yes.

11 Q. And if you look at the last paragraph - well, before you
12 look at the last paragraph let's just put it in context. You're
13 dealing in this part of this interview with events that happened
14 after the intervention, aren't you? Do you remember being asked
15 about where the remnants of the junta went after the intervention
16 and which places they attacked and so on? Can you remember all
17 of that?

14:57:53

18 A. Yes, the various areas that they went to.

14:58:15

19 Q. Right. And if you look at the last paragraph on that page,
20 please, "Before the retreat to Yira Filai a an infighting broke
21 out between the forces of SAJ ..." --

22 THE INTERPRETER: Your Honours, can counsel kindly repeat
23 his question, please.

24 MR MUNYARD:

14:58:37

25 Q. "Before the retreat to Yira Filai a an infighting broke out
26 between the forces of SAJ Musa ..." --

27 THE INTERPRETER: Your Honours, the interpreter is not
28 getting the place name, please.

29 MR MUNYARD: It may well be my pronunciation. I'll say it

1 again slowly:

2 Q. "Before the retreat to Yira Filai a . . .", spelt here in the
3 Prosecution document as Y-I-R-A, F-I-L-A-I-A, "... an infighting
4 broke out between the forces of SAJ Musa and the forces of

14:59:13 5 Superman. Forces loyal to Brigadier Mani retreated with Superman
6 to Yira Filai a." Did you tell the Prosecution that?

7 A. Yes.

8 Q. So there was infighting between SLA led forces and RUF led
9 forces following the intervention, wasn't there?

14:59:48 10 A. SLA did not have LURD forces and RUF did not have LURD
11 forces. I don't know what you are talking about.

12 Q. We note your answer.

13 PRESIDING JUDGE: Just a moment. Mr Koumjian?

14 MR KOUMJIAN: I think I just would like - the transcript is
15:00:05 15 reading - I think we all understood that counsel was saying
16 "led", L-E-D, and I understood the witness to say L-U-R-D, but
17 the transcript does not reflect that.

18 PRESIDING JUDGE: Mr Munyard, did you refer to SLA, because
19 I'm just looking at the transcript? I see forces of SAJ Musa and
15:00:33 20 forces of Superman and SLA is not AFRC.

21 MR KOUMJIAN: Page 112, line 6, I believe was the question
22 which was misunderstood by the witness. Yes.

23 PRESIDING JUDGE: Yes, I see.

24 MR MUNYARD: I was trying to draw a distinction between
15:00:56 25 those --

26 THE INTERPRETER: Your Honours, can counsel --

27 MR MUNYARD: Yes, I have switched on now. I was trying to
28 draw a distinction between those remnants of the junta who had
29 originally been SLA, who were the AFRC on the one hand, and those

1 remnants of the junta who had originally been RUF. That was the
2 distinction I was trying to draw. It's a distinction that the
3 Court will remember has been drawn on many occasions by many
4 witnesses and I thought this witness might follow it.

15:01:28 5 PRESIDING JUDGE: Yes, I am aware of it. I just suspect
6 that the witness didn't - or whether it was the interpretation or
7 not, but I don't think the witness got your question clearly.

8 MR MUNYARD: All right.

9 PRESIDING JUDGE: Perhaps rephrase it.

15:01:41 10 MR MUNYARD: Yes, I'm afraid I've forgotten what it was
11 now.

12 JUDGE SEBUTINDE: Mr Munyard, when you made reference to
13 the "SLA led forces" it was interpreted as "SLA LURD forces" and
14 that is why the witness said, "The SLA did not have LURD forces".

15:02:08 15 MR MUNYARD: Now I understand. In fact, as I saw it I
16 thought it was written L-E-D which is why I missed the LURD
17 reference completely. We'll start all over again and I hope I
18 can deal with it quickly:

19 Q. Mr Witness, do you agree that after the intervention there
15:02:29 20 was continual infighting between members of the junta that had
21 been expelled from Freetown by ECOMOG and, in particular,
22 infighting between those who had previously been in the AFRC and
23 those who had previously been in the RUF?

24 A. It was not a continuous infighting. It was not a
15:03:05 25 continuous infighting. After the retreat the AFRC and the RUF
26 were working hand in glove.

27 MR MUNYARD: I'm grateful to my learned friend for giving
28 me an exhibit reference. I'm going to ask the witness to look at
29 exhibit D-9, please. Can I enquire of the Court if the Court

1 have been able to get copies of this on the screen? All right.

2 PRESIDING JUDGE: Perhaps you could tell us what it is.

3 MR MUNYARD: Well, in that case if it can be broadcast on
4 this screen then everyone can see it. It's a document that I

15:04:13 5 think has been put before the Court on more than one occasion:

6 Q. Now, Mr Witness, I'm going to put to you the content of
7 four of the paragraphs, or a few of the paragraphs in any event,
8 in this document. First of all, I'll read out what it is. It's
9 headed "Revolutionary United Front of Sierra Leone, RUF S/L

15:04:55 10 Defence Headquarters", it's dated 26 September 1999 and it's "To
11 -- The Leader of the Revolution, RUF S/L. From -- Major General
12 Sam Bockarie. Subject -- Salute Report".

13 I'm told, your Honours, that you have this in the bundle
14 for the next witness behind divider 1. If you happen to have
15:05:40 15 that to hand it's a matter for your Honours whether it's easier
16 for you to look at it in hard copy, or on the screen.

17 PRESIDING JUDGE: I have a collection.

18 MR MUNYARD: That's why I'm saying it's a matter for you.
19 You may find it easier just to look at it on the screen.

15:06:19 20 PRESIDING JUDGE: Continue reading, Mr Munyard.

21 MR MUNYARD:

22 Q. Now, has anybody ever shown you this document before?

23 A. I don't remember somebody showing me this document.

24 Q. On 26 September 1999, were you still part of the RUF in
15:06:41 25 Sierra Leone?

26 A. I don't remember the exact time that I crossed in 1999, but
27 late 1999 I don't remember whether I was in Liberia at that time
28 or in Sierra Leone. I don't remember, but I want to believe I
29 was in Liberia. September, October, November I was in Liberia.

1 I don't remember the actual date and so I cannot just answer like
2 that.

3 Q. Wherever you were, were you with Sam Bockarie's forces in
4 September 1999?

15:07:31 5 A. Sam Bockarie's forces when we crossed to go and fight in
6 Liberia, yes.

7 Q. And, as far as you're aware, was he a major general in
8 September 1999?

9 A. No.

15:07:56 10 THE INTERPRETER: Your Honours, the witness - the last bit
11 of his testimony was not really clear.

12 PRESIDING JUDGE: Mr Witness, you've started mumbling.
13 Please answer clearly and repeat your last answer. You started
14 saying "No" and then the interpreters have not heard the rest.

15:08:19 15 THE WITNESS: I don't know whether he is talking about me.
16 Please let him ask the question again. I was not too sure about
17 the question.

18 PRESIDING JUDGE: Mr Munyard, please put your question
19 again.

15:08:32 20 MR MUNYARD: Yes:

21 Q. The question was as far as you're aware was he, that's Sam
22 Bockarie, a major general in September 1999?

23 A. Yes, he was major general. He used to call himself major
24 general and we used to call him general, yes.

15:08:55 25 Q. Have a look, please, at the second page, number 9659, and
26 I'm going to read out the first paragraph on that second page and
27 see if you can help us with it. It reads as follows:

28 "Meanwhile in Bradford in the Western Area Jungle, Superman
29 had killed two of Colonel Mohamed Tarawalli's bodyguards whilst

1 others had run for fear of being killed. Commanders from all
2 fronts were outraged by this act and were about to move to
3 Bradford to arrest the situation when the AFRC overthrew the
4 government of Tejan Kabbah on 25th May 1997 and called on us to
15:09:44 5 join them a few days later."

6 Did you hear about Superman killing two of Tarawalli's
7 bodyguards?

8 A. Yes, I saw it and I was present there. I did not just hear
9 about it. I was present myself when he killed them, yes.

15:10:07 10 Q. So that's infighting within the RUF, isn't it?

11 A. I don't call that one infighting. They just arrested them.
12 They just misbehaved and they arrested them and killed them, so I
13 don't call that infighting. I think it was the law and order
14 that caught them up, so they were killed. It was not infighting.

15:10:35 15 Q. I see. The second paragraph on that page:

16 "On receiving instructions from the Leader calling on the
17 RUF to join the AFRC I decided to put the Bradford issue to rest
18 until the return of the Leader and instructed Superman to head
19 the advance team to Freetown from the Western Area Jungle, later
15:10:59 20 to be joined by Colonel Isaac and others from the Kangari Hills."

21 Pausing there, who was the leader at that particular time
22 when the AFRC overthrew Tejan Kabbah?

23 A. It was Sam Bockarie.

24 Q. The leader was Foday Sankoh, wasn't he?

15:11:26 25 A. At that time Sam Bockarie was in command, so we used to
26 take him as the leader. By then we did not know the whereabouts
27 of Foday Sankoh and so we did not have much concern over him.

28 Q. This is a document written by Sam Bockarie to the leader
29 and do you know which leader it was who called on the RUF to join

1 the AFRC?

2 A. I was not at the radio station when they did that call, but
3 I know that Johnny Paul Koroma was the leader of the AFRC, but I
4 don't know exactly who called upon the RUF to join the AFRC.

15:12:17 5 That I don't remember again.

6 Q. Really? You never heard anything about the leader of the
7 RUF calling on his fighters to join the AFRC in government, is
8 that what you're saying?

9 A. What I understood was that Superman told me that he had
15:12:38 10 received order from his boss, his current boss at that time Sam
11 Bockarie, that he should join the AFRC.

12 Q. I'll continue:

13 "After ensuring that our security was paramount, Brigadier
14 Issa and I entered the city to implement your instruction to join
15:13:01 15 the AFRC and ensure that the security of the nation was
16 paramount."

17 Next paragraph:

18 "Thus began the marriage of uneven and unequal partners
19 between the AFRC and the RUF."

15:13:24 20 Do you agree, Mr Witness, that the junta, the marriage of
21 the AFRC and the RUF, was a marriage of uneven and unequal
22 partners?

23 A. That area was too big for me at that time. I did not have
24 any knowledge about that at that time.

15:13:52 25 Q. I want to ask you about something else. I'm moving down
26 two paragraphs:

27 "Sir, within the marriage a diamond was sold by a Lebanese
28 businessman with a commission given to the government, out of
29 which an amount of nine million leones was given to Colonel

1 Superman for the entire RUF movement which he embezzled."

2 Did you ever hear an allegation during the junta period
3 that your boss, Superman, had embezzled nine million leones? And
4 by embezzled, it means taken unlawfully for himself.

15:14:47 5 A. I want you to break this word down for me, embezzled,
6 before I answer the question.

7 Q. I broke it down for you. I'll do it again. It means
8 unlawfully took the money for his own purposes.

9 A. I understood that Superman had a problem with money, but I
15:15:11 10 don't know if this is the money you are talking about, because
11 they arrested him and took him to the officers' mess, but I don't
12 know whether this is actually what you are talking about here
13 because I was not to that level.

14 Q. This isn't a problem in 1994. This is a problem at some
15:15:32 15 time during the junta period '97 to '98. Did you ever hear
16 anything about your boss being accused of doing this?

17 A. I heard that he was accused in 1997 and he was arrested and
18 taken to the officers' mess, but I don't know the actual reason
19 why he was accused. Whether this was the reason why he was
15:15:57 20 accused I don't know, but I know that he was accused before for
21 money and he was taken to the officers mess', but I don't know if
22 this is the money you are talking about now.

23 Q. Next paragraph: "On 2 June 1996 ...", so we're now going
24 back in time to before the junta period, "... our forces led by
15:16:21 25 Superman captured over 300 Nigerian ECOMOG soldiers and held them
26 under the terms and conditions of the Geneva Convention as
27 prisoners of war."

28 Did you hear about that?

29 A. I am not aware about ECOMOG soldiers in 1996. I was only

1 aware about ECOMOG soldiers at Bintumani Hotel in '97, but I
2 don't know about '96. I'm not aware about '96 ECOMOG Geneva
3 Convention. I am aware of ECOMOG in '97 at Bintumani, or another
4 hotel in Freetown. I don't know. We were the ones who went
15:17:09 5 there and fought them and we caught them.

6 Q. I'm going to deal with just a couple more matters in this
7 document. I'd like you, please, to turn over two pages to page
8 9661 and I'm going to read you something from the first paragraph
9 starting halfway down it:

15:17:48 10 "Without any investigation into the issue, JP Koroma
11 ordered that it be announced on National Radio that Brigadier
12 Issa had looted the Iranian embassy ...", the date being 31
13 January 1997, "... and that as a result he was suspended from the
14 Supreme Council of the AFRC. His arrest was ordered and it was
15:18:19 15 announced that the RUF had planned a coup. This situation led to
16 the heightening of tension in Freetown between the RUF and the
17 AFRC and an ultimate breakdown in its marriage."

18 Did you hear JP Koroma on national radio claiming that
19 Brigadier Issa had looted the Iranian embassy? I gave the date
15:18:49 20 of 31 January '97. It must in reality be wrong. It must be
21 1998. Did you hear Johnny Paul Koroma on the radio suspending
22 Issa Sesay from the Supreme Council and announcing that the RUF
23 was planning a coup against its partners in the junta?

24 A. I did not hear Johnny Paul Koroma over the radio, but I
15:19:19 25 heard --

26 THE INTERPRETER: Your Honours, the witness must be advised
27 to speak a little bit louder and stop mumbling.

28 PRESIDING JUDGE: Mr Witness, the interpreter tells us
29 you've started mumbling again. You'll have to speak louder,

1 speak slowly. Repeat your answer from the point where you said,
2 "... but I heard ...", and continue.

3 THE WITNESS: I did not hear any speech from Johnny Paul
4 Koroma over the national radio, but I heard rumours about that
15:19:54 5 from my immediate commander at that time at Jui, CO Konowa
6 [phon], that Issa Sesay had a problem with the government.

7 MR MUNYARD:

8 Q. And are you still claiming, as you did in evidence earlier
9 in this case, that relations between the RUF and the AFRC during
15:20:17 10 the junta period were cordial throughout that period?

11 A. Yes, it was cordial. In every other organisation they have
12 rules and regulations and if you don't abide by it you will be
13 arrested, but it didn't mean that when Issa Sesay was arrested
14 the relationship between the RUF and the AFRC at that time was
15:20:40 15 not cordial. I don't believe that. It was cordial.

16 Q. While we're on this particular page I want to move on to a
17 different subject now, please, and when say this page I mean in
18 the page in the bundle we've been looking at, not the document
19 we've just looked at. Go to the second paragraph on page 26419,
15:21:07 20 please. This is where you're dealing with the Red Lion
21 battalion. Do you remember telling the Prosecutors about the Red
22 Lion battalion?

23 A. Yes.

24 Q. I'm going to take you to a sentence in the middle of that
15:21:40 25 second paragraph. Four lines down do you see a sentence that
26 starts - it's page 26419, Madam Court Officer, in tab number 10.
27 Now, Mr Witness, do you have that page in front of you and I'd
28 like you to look at the second paragraph? Can you confirm you
29 can see the second paragraph? Madam Court Officer will assist by

1 directing you to the fourth line down in that paragraph and a
2 sentence that starts in the middle of that line, "The entire
3 battalion which went to Bombali District was under the command of
4 0-Five and this battalion was known as the Red Lion."

15:22:32 5 Did you tell the Prosecution that?

6 A. No.

7 Q. What did you tell them, if anything?

8 A. The battalion that moved to go to Bombali District, the
9 commander was 0-Five and the battalion was called Red Lion
10 battalion. I remember that I told the Prosecution that.

15:22:57

11 Q. That is exactly what's recorded there. We'll read on, "It
12 was comprised of only 60 RUF fighters, the rest of the battalion
13 was made up of SLA fighters." Did you tell them that?

14 A. Yes, but not exact. I said roughly 60 RUF fighters.

15:23:43

15 Q. You mean the word "only" is completely wrong. It should
16 have said "roughly"?

17 A. Yes, it was a rough estimate that I did. Yes, roughly 60.

18 Q. Well we'll look at the handwritten notes in just a moment,
19 but let's move on through the typed version first. "The rest of
20 the battalion was made of SLA fighters", do you agree you told
21 them that?

15:24:07

22 A. Yes.

23 Q. Tab 16, please. I'm sorry, Madam Court Officer, I'm going
24 to have to ask you to go over there again. Page 47644. It's the
25 second page of this interview. This is a prepping session on 15
26 May this year. Paragraph 9 at the foot of that page. Now do you
27 have that, Mr Witness?

15:25:25

28 A. Yes.

29 Q. It starts off by talking about a meeting attended by

1 Superman, SAJ Musa and others. It says that you were present and
2 then over the page:

3 "Superman said that a battalion would be formed to go and
4 reinforce Gullit's group and join the attack on Freetown.

15:26:21 5 Superman appointed O-Five to lead the group. In addition to
6 those mentioned in paragraph 2 at page 26419 ...", that's the
7 statement we were looking at just a moment ago in tab 10, "...
8 the witness states that about 30 of the Liberian fighters that
9 came with CO Senegalese joined the Red Lion battalion."

15:26:46 10 Did you tell them that?

11 A. Yes, but I specified.

12 Q. What do you mean, "But I specified"?

13 A. When I said Liberians, later I told them that the Liberians
14 and the Sierra Leonean RUF were all referred to as RUF because
15:27:08 15 they took direct orders from Superman and so they fell under the
16 RUF.

17 Q. So you specified that in this passage, did you?

18 A. Yes, I told them that before. I don't know in which
19 passage they put that one, but I told them that before and I'm
15:27:26 20 sure of that.

21 Q. I am asking you about this passage that relates back to an
22 earlier interview that we've just looked at. This is an
23 interview you gave just a few months ago when you were being
24 prepped prior to giving your evidence.

15:27:51 25 Now, let us look at the rest of that passage:

26 "... about 30 of the Liberian fighters that came with CO
27 Senegalese joined the Red Lion battalion and about 10 STF
28 fighters joined the group."

29 Pausing there, STF is the Special Task Force of Liberians

1 Ied by General Bropleh, isn't it?

2 A. Yes.

3 Q. You went on to say that:

4 "CO Vensen joined the Red Lion battalion and moved with the
15:28:25 5 group to reinforce Gullit's group. The remaining 10 Liberian
6 fighters that came with CO Senegalese remained with Superman."

7 Do you agree that you said all of that?

8 A. Yes.

9 Q. So where is it in here that you have specified, as you
15:28:46 10 claim?

11 A. They asked me before. I remember that they asked me before
12 whether the Liberians who came for the arms and ammunition that
13 we captured in Kabala, whether all of them returned. I said,
14 "No, Senegalese - CO Senegalese and CO Vensen and some Liberians
15:29:07 15 that came directly from Kailahun and met Superman, they added
16 them to the other bodyguards that they took from the RUF and they
17 included them into the RUF to go and join Gullit's group before'.
18 I told them that before.

19 Q. Right. Look at the next paragraph, paragraph 10.

15:29:26 20 "Witness clarifies the last two sentences in paragraph 2
21 ...", of the page we started looking at, "... and states that
22 some of the bodyguards of Superman and Komba Gbundema were
23 Liberian and joined the Red Lion battalion, but they were
24 different from the Liberian fighters that came with CO Senegalese
15:29:44 25 and joined the Red Lion battalion. Witness clarifies that the 10
26 STFs that joined the Red Lion battalion were different from the
27 Liberian fighters that came with CO Senegalese."

28 Is that what you mean by specified?

29 A. Yes, I think this is one of the areas that I made a

1 speci fication.

2 Q. So how many people do you say were in the Red Lion
3 battalion?

4 A. Are you asking a question, a general question about the
15:30:29 5 whole Red Lion battalion, or - are you asking a question about
6 the whole of the Red Lion battalion, or the RUF fighters who were
7 in the Red Lion battalion? I don't know which one exactly you
8 are asking about.

9 Q. I asked how many people do you say were in the Red Lion
15:30:55 10 battalion?

11 A. When we talk about --

12 PRESIDING JUDGE: Mr Koumjian?

13 MR KOUMJIAN: He has just asked for it to be clarified what
14 the meaning of the question is and I think counsel could easily
15:31:07 15 clarify which of the two he's asking.

16 MR MUNYARD: I'm not asking one of two. I'm asking a
17 question of how many people were in the Red Lion battalion:

18 Q. What is your problem with that question?

19 A. Because you were talking about an individual group before.
15:31:29 20 We were dealing with RUF numbers and now you are asking about a
21 battalion. When we talk about a battalion we're talking about
22 both RUF group and the SLA group, so I don't know what you're
23 asking about the two groups.

24 Q. Mr Witness, tell us how many people were in the Red Lion
15:31:46 25 battalion in total?

26 A. When we talk about a battalion, maybe we can get like 150.
27 We did not have a specified number for a battalion. Anyone that
28 we were able to include, 150, 200, 175 can make a battalion. We
29 did not have a special number for a battalion.

1 PRESIDING JUDGE: Mr Witness, you are being asked about a
2 specific battalion, a named battalion. What were the number of
3 people in that named battalion, the Red Lion battalion? You're
4 giving a general answer.

15:32:23 5 THE WITNESS: I can't remember the figure any longer.

6 MR MUNYARD:

7 Q. Well, let's look at the totals that you've been giving in
8 these interviews. Only 60 RUF fighters, then about 30 Liberian
9 fighters that came with Senegalese and about 10 STF fighters and
10 then some of the bodyguards of Superman and Komba Gbundema, so
11 we've got 90, a hundred and some of the bodyguards that came with
12 Superman and Komba Gbundema. How many? How many bodyguards of
13 those two joined the Red Lion battalion?

14 A. I do not really know how you understand this writing. As I
15 specified before, the 30 men including the bodyguards of Superman
16 and Komba Gbundema added up to 60 manpower of the RUF and I
17 estimated 10 men from the STF because they asked for 10 men from
18 the STF and I knew them, including the remaining SLA soldiers
19 from the AFRC side, SAJ Musa's group, so I do not know how you
20 are asking about this and that. I do not understand what you're
21 talking about.

22 Q. I've just asked how many bodyguards of those two men joined
23 the rest of the numbers that you've given that make up the Red
24 Lion battalion. Are you going to help us with an answer, or
25 aren't you?

26 MR KOUMJIAN: Your Honours, I believe that's misleading
27 because the witness has explained that these were a subset of the
28 total number and counsel - I don't want to be overly technical,
29 but counsel is adding all of these as separate while the witness

1 has indicated that under the title RUF he's including several of
2 these subsets. He's stated this twice at least. It's actually
3 in the Defence's favour.

4 MR MUNYARD: I believe I asked a simple question about how
15:34:46 5 many bodyguards joined this group. I don't think we need to go
6 into equations in one side's favour, or another:

7 Q. I'm going to try one last time, Mr Witness. How many of
8 Superman and Komba Gbundema's bodyguards joined the Red Lion
9 battalion?

15:35:09 10 A. I do not know the exact number of men from Superman,
11 because Superman had the highest number of men, five to seven
12 men. Komba Gbundema gave some of his men and under Komba
13 Gbundema they had other senior officers in different battalions
14 who gave representatives to go and join Gullit - in addition to
15:35:32 15 SAJ Musa's group to go and join Gullit. But I know that Superman
16 gave the highest bodyguard group, but I can't say it's one, two,
17 three, four, five. No, I can't do that.

18 Q. One final matter on infighting. Tab 16, please, the same
19 prepping session in May of this year that we've just been looking
15:36:10 20 at, paragraph 1. It shouldn't be on the screen, this page. I
21 know that what's on the screen at the moment isn't this, but I'm
22 just indicating to Madam Court Officer. Paragraph 1, do you see
23 that?

24 A. Yes.

15:36:30 25 Q. Where you're clarifying something you'd said earlier and
26 you deal in that paragraph with a disagreement between Superman
27 and Sam Bockarie over a weapon.

28 THE INTERPRETER: Your Honour, can counsel kindly repeat
29 his question, please.

1 MR MUNYARD:

2 Q. In that paragraph you're dealing with this disagreement
3 between Superman and Sam Bockarie over a weapon. That I think is
4 the area that you've already told us about, is that right?

15:37:01 5 A. Yes.

6 Q. At paragraph 2 did you tell the Prosecution this, I'm
7 looking at the second line now, "That the tension between
8 Superman and Sam Bockarie referred to was because of an incident
9 that took place in Freetown in 1997"? Pausing there, if you'd

15:37:30 10 just look up from the page before you distract yourself,

11 Mr Witness. If you'd just look up, thank you. Was there an
12 incident in Freetown in 1997 that caused tension between Sam
13 Bockarie and Superman?

14 A. I stated that these were all the problems that continued
15 until Sam Bockarie left. Those were some of the incidents that
16 were developing until it became a battle between them.

15:37:52 15

17 Q. What was the incident in 1997?

18 A. Superman stated to me that he was not happy about his
19 arrest in Freetown and Sam Bockarie ordered his arrest and he was
20 not happy about that. He used to make comments about his arrest.

15:38:13 20

21 Q. And this arrest wasn't about an incident with a weapon.
22 This arrest was about one of Superman's group shooting an
23 SLA soldier.

24 THE INTERPRETER: Your Honour, can counsel kindly repeat
25 this question.

15:38:29 25

26 MR MUNYARD:

27 Q. This arrest was not about a weapon. This arrest was about
28 one of Superman's group shooting an SLA soldier dead, wasn't it?

29 A. Those were two different occasions. They arrested Superman

1 for the first time, I heard that.

2 Q. That's my point.

3 A. Yes, some time in '97 Superman had problems by shooting at
4 the army headquarters, Cockerill. I can remember that he was
15:39:02 5 arrested.

6 Q. During the period of the junta?

7 A. Yes, during the period of the junta, AFRC in Freetown.

8 Q. During what you describe as a cordial relationship between
9 the two groups, yes?

15:39:25 10 A. Yes.

11 Q. Is it right that Superman did not go to Kenema because he
12 was worried that if he did Sam Bockarie would have him arrested?

13 A. I did not say that. I said Superman advised us not to go
14 up there because it will not be safe for us to be going up there
15:39:51 15 when he and Sam Bockarie had problems, the misunderstanding. He
16 did not state it that way that if he goes there they would arrest
17 him, no.

18 Q. You didn't tell the Prosecution that?

19 A. What I mentioned to the Prosecution was that Superman and
15:40:05 20 Sam Bockarie were having some misunderstanding and that's why we
21 didn't go diamond mining in Tongo. It was because of the
22 misunderstanding. That was my own understanding too.

23 Q. Back to paragraph 2, please:

24 "An RUF fighter from Superman's group had shot an SLA
15:40:28 25 soldier. Sam Bockarie then ordered the arrest of Superman. JPK
26 intervened and resolved the issue between the two of them."

27 Did you tell them that?

28 A. Yes.

29 Q. "Superman did not go to Kenema during the time Sam

1 Bockarie was there because he was afraid that Sam Bockarie may
2 arrest him."

3 Did you tell them that?

15:41:01

4 A. Yes. Yes, some time ago he told me that he was not going
5 there.

6 Q. So why did you tell us a moment ago that you didn't tell
7 them that?

15:41:13

8 A. He said because of the shooting that took place that was
9 why Superman did not go to Kenema, and I said, "No". Some time
10 ago Superman, after he had been arrested, he had problems with
11 Sam Bockarie and Issa Sesay in Freetown and they uttered the
12 statement - they uttered the statement to him that they were
13 going. Sam Bockarie said that he was going to be based in Kenema

15:41:35

14 with Issa Sesay, so he told Superman strictly, openly, that if he
15 ventured into Kenema they would arrest him and they were having
16 information from Issa Sesay's bodyguards and Sam Bockarie's
17 bodyguards that whenever Superman goes to Kenema, or attempts to
18 go to Tongo, they will arrest him. That was why he didn't go
19 there. He told me that. Superman told me that.

15:42:05

20 Q. Now at any time when you were - at any time when you were
21 working for Benjamin Yeaten and you say that you saw arms and
22 ammunition taken from either White Flower or Gbarnga and sent to
23 the RUF, did you at any time see President Taylor involved in
24 those transactions?

15:42:41

25 A. I did not see him - any transaction taking arms from the
26 ammo dump, but the place I took the ammunition it was from his
27 house at White Flower, the ammo dump. I did not see him there in
28 person.

29 Q. Tab 2, please.

1 A. One minute, let me clean this - mop this water up.

2 PRESIDING JUDGE: Mr Munyard, I think the witness is ready
3 to proceed now.

4 MR MUNYARD: Thank you:

15:44:01 5 Q. At paragraph 7 on the second page of tab 2 I want to ask
6 you about various parts of this paragraph, and again there's a
7 name on here and even though it's a false name I don't think it
8 should be put on the overhead. Is it right that you told the
9 Prosecution that:

15:44:36 10 "Before the Kono invasion [you were] assigned by [Benjamin]
11 Yeaten to accompany a number of others to escort a convoy of
12 ammunition, including AK-47, machine gun and RPG, from White
13 Flower to Buedu in Sierra Leone"?

14 Did you tell the Prosecution that?

15:45:00 15 A. No.

16 Q. Did you tell them anything at all like that?

17 A. Yes, I told them that before the Kono invasion I was in
18 Liberia, but the first invasion, Fitti-Fatta, I was in Liberia
19 and I returned to carry out a mission in Sierra Leone.

15:45:25 20 Q. You were not assigned by Benjamin Yeaten to do anything at
21 all until you started to work for him in late 1999, were you?

22 A. Yes.

23 Q. You're agreeing with me?

24 A. I was not assigned with him at the time, yes.

15:45:47 25 Q. So how could the Prosecutors have written down that you
26 told them you were assigned by Yeaten to accompany others
27 escorting a convoy of ammunition?

28 A. I think it could be a mistake, that particular statement,
29 but - I think that mistake could have been corrected before, what

1 I can remember. I do not remember the date, anyway. I remember
2 them reading this particular one to me and I told them, "No, in
3 1998 I was not assigned to Benjamin Yeaten. I just went to
4 Liberia and returned."

15:46:42 5 Q. A completely separate issue now, please. You told us in
6 evidence about two different places, one called PC Ground and one
7 called Superman Ground, do you remember?

8 A. Yes.

9 Q. And you said that they were some miles apart, is that
15:47:00 10 right?

11 A. Yes.

12 Q. Is it not the case that PC Ground was another name for
13 Superman Ground?

14 A. No.

15:47:15 15 Q. Are you sure about that?

16 A. Yes.

17 Q. Now, again a completely different subject. I want to ask
18 you about some events in 1998, I believe it was. Were you
19 yourself involved in fighting at Mongo Bendugu?

15:48:09 20 A. Yes.

21 Q. Just help us again, please, with when that was?

22 A. After the Fitti-Fatta mission, after I had come from
23 Liberia, we attacked Kono for the Fitti-Fatta mission. From then
24 I think two days Superman sent us to Komba Gbundema at Wordu to
15:48:42 25 go and meet SAJ Musa in Kurubonla. After we had met SAJ Musa I
26 think two days they organised both SLA and RUF/STF for us to
27 attack Mongo Bendugu, and indeed we attacked and we succeeded.
28 We captured arms and ammunition.

29 THE INTERPRETER: Your Honours, can he repeat this last bit

1 that he mumbled.

2 PRESIDING JUDGE: Mr Witness, the interpreter did not hear
3 the last part of your answer. You said, "We captured arms and
4 ammunition.' Continue from there, please, and finish your
15:49:15 5 sentence.

6 THE WITNESS: Heavy artillery weapons, artillery weapons,
7 like 40 barrel missiles, armoured cars, 1 barrel missile, 50
8 calibre, mortar guns.

9 MR MUNYARD:

10 Q. Right, let's just deal with the 40 barrel missile. How
11 many 40 barrel missiles did you capture?

12 A. One.

13 Q. Are you aware of the RUF ever capturing any other 40 barrel
14 missiles?

15:49:48 15 A. Yes.

16 Q. How many 40 barrel missiles do you say the RUF captured?

17 A. We were the first that burnt --

18 THE INTERPRETER: Your Honours, can he please repeat and
19 answer clearly.

15:50:11 20 MR KOUJIAN: Your Honours, the interpreters apparently
21 have lost the witness and so I don't think they're interpreting
22 his answer.

23 PRESIDING JUDGE: Oh, I see. I didn't hear that.

24 Mr Witness, the interpreters who I haven't heard are saying -
15:50:29 25 want you to repeat your answer and they want you to speak more
26 clearly. Pick up where you said, "We were the first that burnt".
27 Continue from there.

28 THE WITNESS: Okay. Komba Gbundema, Colonel T and I, we
29 were the first that captured 40 barrel missile in Mongo Bendugu

1 and set it on fire since the RUF started, so the second one was
2 I, Rambo and other commanders who burnt the second 40 barrel
3 missile. We captured the second 40 barrel missile on the
4 Waterloo Highway and took it to Makeni, Makeni, Kono then Mano
15:51:16 5 River, that's where we parked it. The third 40 barrel missile
6 was captured by Komba Gbundema.

7 JUDGE SEBUTINDE: Mr Witness, have I not told you to allow
8 the interpreters to breathe. Why are you running? Please say
9 your answer again.

15:51:35 10 THE WITNESS: The third one was captured by Komba Gbundema
11 from the Kamakwie axis, Kambia-Kamakwie axis, so I can remember
12 three 40 barrels in the RUF and - I can remember three 40 barrels
13 in the RUF.

14 MR MUNYARD:

15:51:57 15 Q. Three 40 barrels? That's how many you remember the RUF
16 capturing, yes?

17 A. Yes, the ones I'm aware of. Yes.

18 Q. Did you tell the Prosecution about this 40 barrel weapon
19 before you came into court?

15:52:15 20 A. I mentioned 40 barrel before. Like the one we captured in
21 Mongo Bendugu, I mentioned that to the Prosecution. The other
22 ones I don't remember talking about that to them, but I can't
23 remember.

24 Q. And when is it you say you first told the Prosecution about
15:52:41 25 the capture of a 40 barrel gun by the RUF?

26 A. At the time they interviewed me about Mongo, because each
27 time we spoke about Mongo anybody who asked about Mongo he will
28 tell you about the 40 barrel missile. During the interview about
29 Mongo, that was the time I spoke about the 40 barrel missile that

1 we burnt there.

2 Q. So you first told them about the capture of the 40 barrel
3 gun when you first talked to them about Mongo Bendugu?

4 A. I did not tell them directly and they did not ask me
15:53:30 5 directly about the 40 barrel, as you've done. I just spoke about
6 the 40 barrel recently. It was the same way I spoke about the 40
7 barrel. When you they asked me if we captured Mongo Bendugu, I
8 said, "Yes, we captured Mongo Bendugu with the 40 barrel
9 missile", because the 40 barrel missile was one of the histories
15:53:50 10 in the RUF and so we always spoke about it.

11 Q. Let me just quote to you your answer as recorded here, "At
12 the time they interviewed me about Mongo, because each time we
13 spoke about Mongo anybody who asked about Mongo he'll tell you
14 about the 40 barrel missile." Do you remember saying that?

15:54:11 15 A. Yes, I said anybody who was in Mongo Bendugu, when we
16 captured Mongo Bendugu, if you asked him, "Were you in Mongo?",
17 he would say, "Yes, I was there when we captured the 40 barrel
18 missile".

19 Q. Well, the Prosecution asked about Mongo and did you tell
15:54:29 20 them, like anybody, about the 40 barrel gun when they first asked
21 you about Mongo?

22 A. Yes, when they asked me about Mongo, "Did you ever attack
23 Mongo Bendugu?", I said, "Yes, I attacked Mongo Bendugu and it
24 was Mongo Bendugu that we captured the 40 barrel missile". I do
15:54:46 25 not know if they put it in a document, but I spoke about it.

26 Q. Right, so you told them about it the first time you tell
27 them about Mongo Bendugu, but you realise, do you, that I'm about
28 to put the first time you told them about Mongo Bendugu and are
29 you guessing that I'm about to put a passage there that doesn't

1 mention the 40 barrel missile?

2 A. I am not guessing. I said maybe. Maybe it's not important
3 to them for their investigation. Maybe they did not write it
4 down. Maybe they wrote it down, I don't know, but I can remember
15:55:24 5 mentioning the 40 barrel missile.

6 Q. A 40 barrel missile is a rather large thing to forget to
7 put down, isn't it, when you've been told about it being
8 captured? It's a big item to forget to write down, isn't it, if
9 your witness is telling you about it?

15:55:56 10 MR KOUMJIAN: That's argumentative to the witness.

11 MR MUNYARD: Tab 10, please. The passage I'm going to put
12 doesn't contain any identifying information as far as I can tell.
13 The first page obviously shouldn't be put on the screen. The
14 date of this interview is 20 and 21 December 2006 and I'd like
15:56:50 15 page 26418 to be put up, please.

16 THE INTERPRETER: Your Honour, can counsel kindly call the
17 page number, please.

18 MR MUNYARD: 26418:

19 Q. Have a look at the second paragraph on that page, please.

15:57:31 20 Did you tell the Prosecution this, "Four days after their
21 arrival, Komba Gbundema and Colonel T formed a fighting force to
22 attack Mongo Bendugu town." Did you tell them that?

23 A. Yes, I said roughly four days. I told them roughly four
24 days.

15:57:53 25 Q. "The attack against Mongo Bendugu was successful and heavy
26 weapons from the Guinean forces that were based there were
27 captured." Did you tell them that?

28 THE INTERPRETER: Your Honour, can counsel kindly repeat
29 the question, please.

1 MR MUNYARD:

2 Q. "The attack against Mongo Bendugu was successful and heavy
3 weapons from the Guinean forces that were based there were
4 captured."

15:58:16 5 THE INTERPRETER: Your Honours, the mic is grinding,
6 please.

7 MR KOUMJIAN: He meant static. There was static on the
8 microphone.

9 MR MUNYARD: I think that's because I was trying to pull it
15:58:31 10 nearer to me so that the interpreter could hear:

11 Q. "The attack against Mongo Bendugu was successful and heavy
12 weapons from the Guinean forces that were based there were
13 captured." Did you tell them that?

14 A. Yes.

15:58:51 15 Q. So why no mention of what everybody knew, the famous 40
16 barrel being captured there, or are you saying as I think you
17 suggested a moment ago that you did tell them but they've managed
18 not to include it?

19 A. Maybe they didn't want to specify the weapons. At the time
15:59:16 20 we were talking about - when we were in court we would be talking
21 about higher people. When we're talking about heavy weapons I
22 believe they took it from the 40 barrel that was up to RPG. I
23 mentioned it directly because it was too plenty, so they did not
24 specify.

15:59:34 25 Q. You've lost me there completely. "I mentioned it directly
26 because it was too plenty." Do you mean that you mentioned the
27 40 barrel weapon then?

28 A. Yes, I said we captured heavy weapons from the Guinean
29 soldiers who were based in Mongo Bendugu, including 40 barrel

1 missile.

2 Q. But did they just manage not to write it down, yes?

3 A. I don't know. Maybe it was not important to them, that's
4 why they didn't write it down.

16:00:14 5 Q. Tab 11, please. This is an interview on 10 September 2007
6 and Mustapha Koroma and Shyamala Alagendra were interviewing you
7 to seek clarification of your previous statements on that day.
8 Can you remember them interviewing you in September last year?

9 A. Yes.

16:00:50 10 Q. Page 40431, please. Paragraph 63:

11 "Details of the communications between Superman and Sam
12 Bockarie was that Superman reported about the abduction of
13 civilians and capturing of weapons from Guinean ECOMOG force
14 during the Mongo Bendugu Town. Witness heard the instructions
16:02:01 15 given by Sam Bockarie to Superman that some of the captured
16 weapons should be sent to him in Buedu."

17 Do you agree you told the Prosecution that?

18 A. Yes.

19 Q. Why not mention the 40 barrel, the famous 40 barrel that
16:02:25 20 everyone in the RUF knew about, on this occasion?

21 A. Because it was burnt down, that's why.

22 Q. Why not tell them you even managed to get something as huge
23 as a 40 barrel, but it was burnt down?

24 A. They were aware of it already. It was burnt down, so they
16:03:01 25 were not interested in it. It was not important to them because
26 you can't take the burnt one to them.

27 Q. How would you know if it was important to them or not if
28 you hadn't told them about it?

29 A. Because I know that it was destroyed and they were not

1 interested in something that had been destroyed.

2 Q. Tab 16, please. These are the prepping notes again from 15
3 May this year. In fact, it's 15, 19 and 23 May and I'd like you
4 to turn, please, to page 47646. Now in May of this year we had
16:04:34 5 already heard evidence in the course of this trial about the
6 capture of a 40 barrel missile from at least one, if not more
7 than one, witness. When you were following the trial in May of
8 this year, did you pick up that piece of evidence either in a BBC
9 report in Focus on Africa, or from the CTN radio station, or any
16:05:07 10 other source?

11 A. No. I want you to understand something about the 40 barrel
12 event. I am telling you I know about it, the 40 barrel. I
13 didn't hear anybody talking about it over the BBC, fast track or
14 whatever. I didn't hear anybody talking about it. I myself know
16:05:33 15 about the three 40 barrels.

16 Q. Now if you'd have a look, please, at paragraph 16, at the
17 foot of that page it says, "With reference to paragraph 2 at page
18 5 of Statement dated 21 December 2007 ..." - in fact, that's a
19 typographical area and it should say 2006. It's tab 10 that we
16:06:04 20 were just looking at a moment ago. "... the witness states that
21 during the attack on Mongo Bendugu a large number of civilians
22 were killed. The witness participated in this attack on
23 civilians."

24 Do you agree you said that to them when you were shown that
16:06:22 25 paragraph in your interview in December 2006?

26 A. Yes, yes.

27 Q. No mention there of the 40 barrel gun, is there?

28 A. Because they did not ask me about it.

29 Q. They didn't need to. This is a piece of RUF history that

1 you said everybody knew about. Why didn't you say to them when
2 they took you back over that previous mention of Mongo Bendugu,
3 "Of course this was the attack when we got our 40 barrel
4 missile"?

16:07:16 5 A. They did not ask me about 40 barrel missile. I was being
6 interviewed. I was not giving a speech to them. If I was giving
7 a speech you would have allowed me - if you allow me to give a
8 speech, those that I forget I will still continue. Just give me
9 five minutes. Let me just continue with my speech.

16:07:37 10 Q. I'm going to move on from your speech. The 40 barrel that
11 was burned, were efforts made to repair that particular weapon?

12 A. No.

13 Q. Over the page, please, 47647, paragraph 17:

14 "The witness states that during the attack on Kamakwie the
16:08:28 15 RUF/AFRC forces captured a 40 barrel missile weapon from the
16 ECOMOG and this was sent to the Manowa River crossing point."
17 Did you tell them that?

18 A. I think they made some mistakes over there.

19 Q. Just answer the question. Did you tell them that?

16:08:55 20 MR KOUJIAN: The witness is pointing to his headset.

21 THE WITNESS: I'm having a problem with my headset.

22 MR MUNYARD: I'm sorry.

23 PRESIDING JUDGE: Did you hear the question, Mr Witness?

24 THE WITNESS: My headset is coming on and going off.

16:09:11 25 PRESIDING JUDGE: I see. Could you please assist the
26 witness, Madam Court Attendant, to see what's happening.

27 THE WITNESS: It's on again. It's going on and off.

28 PRESIDING JUDGE: Is the interpretation coming through?

29 Mr Interpreter, could you check with your colleagues, please?

1 THE WITNESS: Yes, I'm hearing you now. Let him please
2 state the question again.

3 MR MUNYARD:

4 Q. Did you tell them what's in paragraph 17?

16:09:54 5 A. I told them about 40 barrel, but I didn't tell them exactly
6 what is in paragraph 17. I think they made some mistakes there.

7 Q. Tell us what you did tell them then?

8 A. The 40 barrel that was captured by the Guinean ECOMOG in
9 Kamakwie was returned to them in Makeni and the other 40 barrel
16:10:22 10 that we captured from Waterloo to Masiaka was the 40 barrel that
11 we took to Manowa crossing point.

12 Q. How do you think the Prosecutors could have got that
13 information so mixed up?

14 MR KOUMJIAN: That calls for speculation.

16:10:45 15 MR MUNYARD: Well, it may be that it's something he told
16 them that could have caused them to get it mixed up.

17 PRESIDING JUDGE: There are several possible answers and
18 several of them would be within the witness's knowledge. Answer
19 the question as put, Mr Witness.

16:11:03 20 JUDGE SEBUTINDE: Mr Witness, did you say that the 40
21 barrel that was captured by the Guinean ECOMOG in Kamakwie was
22 returned to them in Makeni?

23 THE WITNESS: Yes.

24 JUDGE SEBUTINDE: The Guinean forces captured the barrel?

16:11:19 25 THE WITNESS: No, Komba Gbundema captured the 40 barrel
26 missile from the Guinean ECOMOG forces on the Kamakwie axis.

27 JUDGE SEBUTINDE: Mr Interpreter, you also should be
28 careful how you interpret.

29 THE INTERPRETER: No, your Honour, that is what exactly he

1 said and I shouldn't be changing what he's saying. You asked him
2 and he said "Yes".

3 THE WITNESS: We returned the 40 barrel missile to them in
4 Makeni.

16:11:50 5 JUDGE SEBUTINDE: Mr Witness, you should listen carefully
6 to the questions that are being put to you and you should answer
7 what you think is accurate.

8 MR MUNYARD:

9 Q. What did you say to the Prosecution that could possibly
16:12:08 10 have led them to write down that during the attack on Kamakwie
11 the RUF/AFRC captured a 40 barrel missile weapon from the ECOMOG
12 and this was sent to the Manowa River crossing point?

13 A. I want to say something, please. I want the first
14 interpreter that was there to take over. I think they've changed
16:12:36 15 over. I'm not getting this interpreter correctly.

16 Q. We could try English since you seem to speak English.

17 JUDGE LUSSICK: Mr Witness, what do you mean by saying
18 you're not getting this interpreter correctly? What didn't you
19 understand or what is he saying wrong? I just want to understand
16:13:00 20 the problem.

21 THE WITNESS: I think the first - I understand from the way
22 this one is talking and the way that other one is talking, they
23 are not the same people. I can understand the first one more
24 than the one that is talking. I think they've changed over. The
16:13:21 25 first person that was interpreting I was getting him clearer than
26 the other one that was there.

27 PRESIDING JUDGE: Mr Interpreter, can you check with your
28 colleague, has there been a change of interpreters in the last,
29 let's say, 15 minutes?

1 THE INTERPRETER: Your Honour, there was a change in the
2 last ten - yes, ten to 15 minutes but it has been changed over
3 again.

4 PRESIDING JUDGE: Changed to what?

16:14:01 5 THE INTERPRETER: The original interpreter that he is
6 referring to.

7 PRESIDING JUDGE: I see. Very well. Mr Witness, you've
8 heard that the original interpreter that you understood is back
9 in position. I will ask Mr Munyard to put his question again and
10 we will recommence. Mr Munyard, please put your question again.

11 MR MUNYARD: Thank you:

12 Q. What was it that you told the Prosecution that could
13 possibly have caused them to write down that you said during the
14 attack on Kamakwie the RUF/AFRC captured a 40 barrel from ECOMOG
15 which was sent to the Manowa River crossing point?

16:14:38 16 A. I think it was a mistake. I did not say exactly as it is,
17 that the 40 barrel from the Kamakwie axis was sent to the Manowa
18 crossing point. We are talking about two 40 barrels. That's why
19 they made the mistake. There was one in the Waterloo-Masiaka
20 Highway and the other was from Kamakwie-Kambia axis.

21 Q. Did you listen to my question?

22 A. Yes.

23 Q. My question was what was it that you told the Prosecution
24 that could possibly have caused them to write down what we see in
16:15:27 25 paragraph 17?

26 MR KOUMJIAN: Asked and answered.

27 PRESIDING JUDGE: He has answered the question, Mr Munyard.

28 MR MUNYARD: Well, he just says, "I think it was a
29 mistake". I suppose if you take what follows from that. All

1 right. Well, I'm not going to pursue that:

2 Q. You now claim that there were three 40 barrels. You have
3 never told the Prosecution before about a 40 barrel weapon being
4 seized in the attack on Mongo Bendugu, have you?

16:16:07 5 A. Mongo Bendugu, yes, I told them before about a 40 barrel,
6 heavy weapons, heavy artillery weapons including 40 barrel
7 missile.

8 Q. The first time you ever mentioned a 40 barrel weapon in
9 interviews, I suggest, was this three day prepping session in May
16:16:27 10 of this year some time after witnesses had given evidence in this
11 trial about a 40 barrel weapon being seized. That is right,
12 isn't it; that's the first time you mentioned it, May of this
13 year?

14 A. I do not know if anybody gave evidence about 40 barrel
16:16:49 15 missile. I think it was the time - it was the time that they
16 wanted to write it, but I'm not aware of anybody giving evidence
17 about 40 barrel.

18 Q. And I suggest that the only possible reason that Shyamala
19 and the investigator, Idri ss Sesay, could have written down
16:17:14 20 what's recorded in paragraph 17 is because you told them exactly
21 that. Do you agree?

22 A. I agree.

23 Q. And it's perfectly plain, I suggest, that you have been
24 adding in bits of evidence in the light of what you have learned
16:17:43 25 from one source or another about evidence that's already been
26 given in this trial. That's what you've been up to on a number
27 of occasions, isn't it?

28 A. I don't think so. I think in this Court - I am not
29 discrediting the other witnesses that have come. If only it was

1 not for security purposes if you call my name, only my nickname,
2 people would have said outside Sierra Leone or Liberia that well,
3 we think this man was one of the best witnesses Special Court has
4 ever got, I believe, in this particular case, so I don't need to
16:18:24 5 listen to other witnesses to come and testify. I don't need
6 that. I don't need that really.

7 Q. There's one matter I didn't deal with it and I can deal
8 with compendiously, I hope in one simple question. You gave
9 evidence back in June about Mr Taylor giving you his telephone
16:18:42 10 numbers. Do you remember telling the Court that?

11 A. Yes, I was having telephone numbers, yes.

12 Q. Yes, given you directly by the President of Liberia?

13 A. His chief bodyguard, Senegalese, Sea Breeze.

14 PRESIDING JUDGE: Mr Witness, that does not really answer
16:19:15 15 the question. You were asked were you given the number - well,
16 given directly by the President of Liberia and now you say, "His
17 chief bodyguard Senegalese, Sea Breeze".

18 THE WITNESS: No, no.

19 PRESIDING JUDGE: I don't really know from that answer if
16:19:34 20 you're saying no, it wasn't the President, it was these other two
21 people, or you're answering a completely different question.

22 THE WITNESS: No, it wasn't the President that gave me the
23 number.

24 MR MUNYARD: I'm very sorry but I've now lost my reference
16:20:08 25 in the transcript to that evidence. I think one of my post-it
26 stickers has floated away. If you'll bear with me for a moment
27 I'll just deal with one other matter:

28 Q. Are you insisting that you have not spoken to Varmuyan
29 Sheriff since he gave his evidence in this Court?

1 A. Yes.

2 Q. Either directly face to face, or on a telephone or other
3 form of communication?

4 A. Yes.

16:20:48 5 Q. Have you ever told the Prosecution that Varmuyan Sherif
6 took Sam Bockarie to Monrovia at some point?

7 A. Yes.

8 Q. When did you tell them that?

9 A. I cannot remember the actual date again, but it was during
16:21:21 10 the interview time.

11 Q. Are you able to tell us how long ago in just general terms?
12 Last year, the year before, 2005, 2006?

13 A. I do not remember the actual interview.

14 Q. Well, I'll be corrected if I've missed it but I suggest you
16:21:44 15 hadn't mentioned that in anything that was written down before.
16 How long ago - try again and help us with this: How long ago or
17 how recently was it that you discussed that particular matter
18 with the Prosecution before giving evidence?

19 A. I don't remember. I don't remember really.

16:22:21 20 MR KOU MJIAN: Your Honours, just to assist my colleague
21 from the Defence, the reference he was looking for is on 24 June,
22 the bottom of page - top of page 12643. Thank you.

23 MR MUNYARD: I'm very grateful. I'd just found my post-it
24 sticker again. I wonder if while we're on this - I don't want to
16:22:46 25 be unfair to this witness. If Mr Koumjian knows of a reference
26 in the 24 sets of interview notes and the proffer where this
27 witness did deal with the issue I'm now touching on I'd be
28 grateful, because it's perfectly possible I've missed it, amongst
29 everything else, and I don't want to mislead either the witness

1 or the Court, but I certainly believe as at present advised that
2 there is no reference to it in any of the interviews.

3 PRESIDING JUDGE: Mr Koumjian, are you prepared to assist
4 or will it be put to the witness?

16:23:24 5 MR KOUMJIAN: I'm unable to assist. I don't claim to have
6 memorised everything. I do not know of a reference off the top
7 of my head.

8 PRESIDING JUDGE: Thank you.

9 MR MUNYARD:

16:23:38 10 Q. So when do you say you discussed this matter with the
11 Prosecution before giving evidence in court?

12 A. I do not remember the actual time, but I remember telling
13 them. They asked me a question about that.

14 Q. What was the question they asked you?

16:24:08 15 A. I can remember they asked me if I knew who from Liberia
16 came and took Sam Bockarie from the border and I said yes.

17 Q. They asked you who from Liberia came and took Sam Bockarie
18 from the border.

19 A. I told them yes.

16:24:41 20 Q. Hold on. Hold on. In what context did they ask you that
21 question?

22 A. They asked me about Sam Bockarie's being in Liberia, if I
23 knew about that and how come he crossed over to Liberia.

24 Q. When were they talking about Sam Bockarie crossing over to
16:25:03 25 Liberia?

26 A. I do not remember the dates, but we were talking about this
27 particular one.

28 Q. Which particular one?

29 A. About involving Varmuyan Sherif to come and receive Sam

1 Bockarie from the border. I do not remember the time, the
2 particular date.

3 Q. Are we talking about when Sam Bockarie crossed over in
4 1999?

16:25:36 5 A. Yes, it was the time that Varmuyan Sheriff came - and others
6 came and collected him from the border.

7 Q. In 1999?

8 A. '99.

9 Q. Are we talking about the time Sam Bockarie crossed in 1999;
16:26:03 10 yes or no?

11 A. Yes, at the time Sam Bockarie crossed in 1999, that was the
12 time Varmuyan Sheriff and others came and collected him at the
13 border.

14 Q. Well, why did the Prosecution ask you - sorry, the question
16:26:30 15 is now disappearing at the top of the page. I just want to put
16 it directly. You say, "I can remember they asked me if I knew
17 who from Liberia came and took Sam Bockarie from the border and I
18 said 'Yes'." Why would anyone need to take Sam Bockarie from the
19 border when he and his troops crossed over in 1999? Why couldn't
16:27:15 20 he find his own way there?

21 A. He was not able to find his own way because in the country
22 they had different security. Something can be going on above
23 which other securities at the borders could not be aware of, so
24 when they sent the agents --

16:27:33 25 THE INTERPRETER: Your Honours, can he kindly repeat.

26 PRESIDING JUDGE: Mr Witness, please slow down and repeat
27 your answer from where you said, "... at the borders could not be
28 aware of, so when they sent the agents ..." Continue from there.

29 THE WITNESS: When something like that was happening Sam

1 Bockarie can't just cross into Liberia without communicating with
2 the higher level - from the higher level to the lower level, so I
3 think they didn't want to communicate that one over the radio and
4 so they sent special people who can represent the authorities
16:28:16 5 from above to go and collect Sam Bockarie.

6 MR MUNYARD:

7 Q. And who was Sam Bockarie crossing the border with at that
8 time?

9 A. He and his men, his group.

16:28:31 10 Q. How many?

11 A. I can't tell the exact number.

12 Q. Roughly.

13 A. I cannot do it roughly right now.

14 Q. And who went together with Varmuyan Sheriff to escort Sam
16:28:50 15 Bockarie and his men over the border in - this is late '99, isn't
16 it?

17 A. 1999, I do not know whether it was late or early. It was
18 Daniel Tamba, Jungle, Kamoh - one Kamoh from the SS, bodyguard to
19 the President, Varmuyan Sheriff I can remember.

16:29:12 20 MR MUNYARD: Madam President, I think there's just two
21 other areas I need to deal with, but I do see the time and I'm
22 grateful again to my learned friend for referring me to the page
23 reference. I'll deal with that in the morning.

24 PRESIDING JUDGE: Thank you. We are up to the time,
16:29:26 25 Mr Witness, so we are adjourning for today. We will resume court
26 tomorrow and again I remind you that you must not discuss your
27 evidence with any other person while you are under oath. Do you
28 understand?

29 THE WITNESS: Yes.

1 PRESIDING JUDGE: Please adjourn court until tomorrow at
2 9.30.

3 [Whereupon the hearing adjourned at 4.30 p.m.
4 to be reconvened on Thursday, 28 August 2008 at
5 9.30 a.m.]

6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

I N D E X

WITNESSES FOR THE PROSECUTION:

TF1-375 14674

CROSS-EXAMINATION BY MR MUNYARD 14674