



Case No. SCSL-2003-01-T

THE PROSECUTOR OF
THE SPECIAL COURT
V.
CHARLES GHANKAY TAYLOR

MONDAY, 2 JUNE 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 Simon Meisenberg

For the Registry:

Ms Advera Kamuzora
Ms Rachel Irura

For the Prosecution:

Mr Nicholas Koumjian
Mr Christopher Santora
Mr Alain Werner
Ms Maja Dimitrova

For the accused Charles Ghankay
Taylor:

Mr Terry Munyard
Mr Morris Anyah

1 Monday, 2 June 2008

2 [The accused present]

3 [Open session]

4 [Upon commencing at 9.30 a.m.]

09:19:55 5 PRESIDING JUDGE: Good morning.

6 THE WITNESS: Good morning.

7 PRESIDING JUDGE: With a week's gap I can see we have had
8 some changes of appearance. So, Mr Koumjian, your Bar please.

9 MR KOUMJIAN: Good morning, your Honours: Nicholas
09:29:53 10 Koumjian, Christopher Santora and Maja Dimitrova for the
11 Prosecution.

12 PRESIDING JUDGE: Thank you. Good morning, Mr Munyard.

13 MR MUNYARD: Good morning, Madam President, your Honours.
14 We welcome you back from your no doubt extremely busy time in
09:30:10 15 Freetown and we note and congratulate Justice Winter on her
16 elevation to the presidency of the Court.

17 On the Defence Bench there is myself, Terry Munyard, Morris
18 Anyah and this morning we are joined by Emena Efeotor, who is an
19 intern in the Defence office, and I note also that Ms Advera
09:30:29 20 Kamuzora, whose name I might have got wrong, is now one of the
21 court officers, in fact I think the new senior court officer. We
22 welcome her too.

23 PRESIDING JUDGE: Thank you. I will welcome your interns.
24 Let me have the pronunciation again, I apologise.

09:30:49 25 MR MUNYARD: Emena Efeotor.

26 PRESIDING JUDGE: Thank you. As you correctly say, we have
27 been joined by with one of our former colleagues from Freetown.
28 Good morning. Welcome, both of you, to the court.

29 WITNESS: SAMUEL KARGBO [On former oath]

1 It is now a week since we sat. However, Mr Witness, I
2 remind you of the oath that you took a week or ten days ago.
3 Mr Kargbo, that oath is still binding upon you and you must
4 answer questions truthfully. You understand?

09:31:26 5 THE WITNESS: Yes.

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

7 MR KOUMJIAN: Yes, your Honour. Before we broke a week ago
8 I promised to search the Prosecution data bank to see if we had
9 another copy of the document that was marked MFI-19 that might be
09:31:45 10 complete with page 3 and, in fact, we did find such a copy,
11 although the quality of the other pages is not as good as the
12 document in evidence. It is complete with page 3 and in addition
13 the document MFI-19 had 13 pages, but this document also has the
14 resolutions of that meeting which are an additional six pages.
09:32:14 15 My suggestion is to mark this MFI-19B, the entire document
16 complete, and then we would have both to use since MFI-19,
17 already in evidence, is a better copy of those pages that it does
18 contain.

19 PRESIDING JUDGE: Thank you. Have you any comment on that,
09:32:34 20 Mr Munyard, the additional pages?

21 MR MUNYARD: None at this stage, save to thank the
22 Prosecution for digging out the full copy of this document. I
23 have just been handed it. I may well have some questions on it,
24 but I will hopefully be able to do those after we have had a
09:32:54 25 break and I have had a chance to look at it. But other than that
26 I think it is a sensible suggestion.

27 PRESIDING JUDGE: Very well. If that can be tabled and we
28 will mark it for identification MFI-19B. Is it the same title:
29 "Minutes of the family reunion", et cetera?

1 MR KOUMJIAN: It does appear to be the same title, although
2 the top of the first line is cut off in the photocopy. It is the
3 same document. It is simply a different copy of the same
4 document and it was provided to the Defence office last week when
09:33:29 5 we found it. I understand counsel just got a copy, but we
6 provided to the Defence office a copy last week.

7 JUDGE LUSSICK: I am not quite with you there, Mr Koumjian.
8 That MFI-19, has that been exhibited? It is now exhibit P-119?

9 MR KOUMJIAN: I believe it does not yet have an exhibit
09:33:53 10 number. It has an MFI number and my understanding is MFI-19 and
11 it was the minutes of the family reunion. It was in the direct
12 examination and also in cross-examination that we discussed it
13 and it was noted in cross-examination that page 3 was missing
14 from that document and those were the contributions particularly
09:34:17 15 of Idrissa Kamara, Leather Boot, and those are now included.

16 JUDGE LUSSICK: Yes, thank you.

17 PRESIDING JUDGE: If there are no other matters, please
18 proceed, Mr Munyard.

19 MR MUNYARD: Thank you, your Honour.

09:34:33 20 CROSS-EXAMINATION BY MR MUNYARD: [Continued]

21 Q. Mr Kargbo, can I ask you again to please tell us if you are
22 in any discomfort and we will take a break and please tell me if
23 there is any question I ask that you don't understand and I will
24 attempt to rephrase it in a way that's easier for you to
09:35:00 25 understand. Will you do that?

26 A. Yes.

27 Q. Thank you. When we broke off on Thursday, 22 May, the week
28 before last, I was asking you some questions about the allegation
29 made against you by the Sierra Leone government in 2003 that you

1 were involved in plotting a coup against them. Do you remember I
2 was asking you questions about that when we finished the session
3 that day?

4 A. Yes.

09:35:43 5 Q. Well, I am going to come back to that, if I may, and I want
6 to look at an answer that you gave when I first started to ask
7 you questions about that particular allegation. The question I
8 asked you - and this is on page 10620 of the transcript at lines
9 12 onwards. I asked you this question: "Just help us with this.
09:36:17 10 What was this allegation, as you put it, of your involvement in a
11 coup in 2003?" You gave quite a long answer and I want to read
12 part of it to you and then ask you a question about it. The
13 answer that you gave was this:

14 "If I can explain that briefly, from 2002 during the
09:36:38 15 elections my colleagues Tamba Alex Brima, alias Gullit, Santigie
16 Borbor Kanu, alias Five-Five, Abdul Sesay, they convinced me for
17 us to go to the running mate, that is during the last 2007
18 election, Momodu Koroma. They said he wanted to see us, but I
19 did not know who was that Momodu Koroma. We went there at the
09:37:13 20 time the elections were drawing nearer in 2002. Of course we
21 went to his house, he tried to convince us for us to join the
22 SLPP and by then I had a car. I transported them because I was
23 the only person with a vehicle so they convinced me. They said I
24 should give them a ride for us to go. When I went there he tried
09:37:38 25 to convince me to join the SLPP, but I said no and I even told
26 them, 'If I had known that you were calling me for such a rubbish
27 thing I wouldn't have come here'."

28 And then I am going to miss out a couple of lines. At the
29 end of that page it says:

1 "Gullit was trying to console me. He was telling me to
2 calm down. I told them, 'Look, if you had told me that I would
3 not have come here. I would never have joined the SLPP.' I said
4 to them instead of joining the SLPP I would go and join the RUF,
09:38:14 5 but they tried to calm me down."

6 I am missing a couple of lines:

7 "Immediately after the elections before 2003, January, they
8 went to my house more than ten times searching my place with high
9 police security alleging that I had arms and ammunitions that I
09:38:35 10 had buried in my house, but as God could have it almost all the
11 times they came they did not meet me at home."

12 Now can I just clarify something. Did you actually join
13 the SLPP in that period of time, early 2003?

14 A. No.

09:39:06 15 Q. Because in one part of the answer that I have read to you
16 you are saying to them, "Look, if you had told me that I wouldn't
17 have come here. I would never have joined the SLPP. Instead of
18 joining the SLPP I would go and join the RUF." What were you
19 trying to convey to us there?

09:39:31 20 A. I was saying that instead of me joining the SLPP, even
21 though they were convincing me, I would have joined the RUF, so I
22 did not join the SLPP.

23 Q. Right. So you didn't join them and you say that that is
24 the reason why the government in 2003 made allegations against
09:39:57 25 you of basically having an arms dump in your garden. Is that
26 right?

27 A. I did not say my garden. I said in my compound, in the
28 house where I was.

29 Q. In your compound. In your premises they were alleging you

1 had an arms dump. Is that right?

2 A. Yes, they alleged and when the police used to go there they
3 didn't see anything that was of interest to them.

4 Q. Right. And what was it they were saying about the arms
09:40:44 5 dump?

6 A. I don't understand the question.

7 Q. Was the allegation against you that you were simply storing
8 arms that you shouldn't have been, or was the allegation that you
9 were planning to take part in a plot - a coup - to overthrow the
09:41:10 10 government?

11 A. That was the allegation that they were making against me,
12 but since they did not see any arms so it never went --

13 Q. I've put two alternatives --

14 A. -- after that one. Since they did not see anything with me
09:41:31 15 the allegations didn't go further than that.

16 Q. I have put two alternatives to you. Was the allegation
17 against you that you were simply in possession of arms that you
18 shouldn't have been, or was the allegation against you that you
19 were in possession of arms with which you and others were going
09:41:48 20 to overthrow the government?

21 A. Well, I did not know what they had in their minds, but they
22 always alleged that I had arms in my house, but whenever they
23 will go and search there they didn't see anything. So I didn't
24 know what they meant, whether they thought I was about to plan a
09:42:13 25 coup or something, I didn't know.

26 Q. Well, did you learn that that was what the government were
27 accusing you of, that you were about to plan a coup?

28 A. It was only in 2003, January, that I was declared wanted.
29 It was in the newspaper and announced over the radio. It was

1 then that I knew that that was what they had in mind.

2 Q. That you and who else was being accused of plotting this
3 coup with you?

4 PRESIDING JUDGE: Just a moment, Mr Munyard.

09:42:54 5 MR KOUMJIAN: Objection, relevance to this question.

6 THE WITNESS: I don't know --

7 MR KOUMJIAN: As to who might have been alleged to be
8 planning a coup in 2003, my objection is it is irrelevant to this
9 case and this testimony.

09:43:12 10 PRESIDING JUDGE: Mr Munyard?

11 MR MUNYARD: Well, I am trying to establish, in part at any
12 rate, matters of credibility in relation to this witness, but
13 also in my submission if I am entitled to ask him about the coup
14 plot of which he has spoken I am entitled to find out if it was a
09:43:31 15 single-handed plot by him or were there some other perhaps ex-SLA
16 soldiers involved in that also.

17 PRESIDING JUDGE: I will allow the question. Please
18 proceed. Please answer the question, Mr Witness. If you wish to
19 have it repeated I will ask counsel to repeat it.

09:43:57 20 MR MUNYARD:

21 Q. Do you wish me to repeat it, Mr Kargbo?

22 A. Yes, repeat, thank you.

23 Q. Who else did the government say you were planning a coup
24 with?

09:44:14 25 A. I didn't know anybody. I only learned that through
26 announcement and the newspaper that Johnny Paul Koroma, myself
27 Samuel Kargbo, and some other SLA, Rambo, that were declared
28 wanted and there was a ransom put of 10 million that anybody who
29 could direct them to our location, they will give them that

1 money. I don't know any other person that was either arrested or
2 not arrested.

3 Q. Well, I am going to ask you if you know the following
4 people. Somebody called Gunboat, do you know him?

09:45:07 5 A. Yes, I know him.

6 Q. What's his real name?

7 A. I don't know his real name.

8 Q. Was he an ex-SLA soldier also?

9 A. I don't know if he was a soldier, but I used to see him,
09:45:22 10 after the accord I saw him around. I don't know if he was a
11 soldier.

12 Q. The next name, Captain Hindolo. H-I-N-D-O-L-O is the
13 spelling I have, your Honour. Do you know him?

14 A. Yes.

09:45:41 15 Q. Who is he?

16 A. He was once an officer whom I knew when I was in the army.

17 Q. So he is an ex-SLA member, yes?

18 A. Well, I don't know if he is still serving or not, but I
19 knew him when I was in the army that he was an officer in the
09:46:05 20 SLA.

21 Q. What about somebody called Hard Guy?

22 A. I don't know him.

23 Q. A person called Master Sergeant?

24 A. I don't know him. I don't know him.

09:46:21 25 Q. Gbanaloko spelled G-B-A-N-A-L-O-K-O?

26 A. I don't know him.

27 Q. And Sellu, S-E-L-L-U?

28 A. I don't know him.

29 Q. So the only ones you know are Gunboat and Captain Hindolo.

1 When you say you heard on the radio about the allegations against
2 you, where were you?

3 A. I was in hiding at that time.

4 Q. Why were you in hiding?

09:47:03 5 A. Because I had been made to understand that police were
6 searching for me, so that was why I was in hiding, because they
7 had done it many times, they did it in 2000, I was arrested and
8 taken to Pademba Road, alleged that - alleging about coups and
9 later --

09:47:23 10 THE INTERPRETER: Your Honours, can the witness slow down
11 and repeat this one.

12 PRESIDING JUDGE: Mr Kargbo, can you speak a little slower,
13 please. The interpreter cannot keep up with you. Please pick up
14 again where you said, "I was arrested and taken to Pademba Road".

09:47:36 15 Continue from there, please.

16 THE WITNESS: They arrested me in 2000, 22 May. They said
17 it was a coup and I was taken to Pademba Road where five soldiers
18 died in that incident. They said I led the men. They did the
19 investigation, but the best of the inspector general of the
09:48:06 20 police at that time, he was a British citizen, Keith Biddle.

21 Within three days I was released and from that time when I
22 understood also that police were searching for me, I decided to
23 go into hiding again because I didn't want to be arrested again
24 and be implicated for things that I didn't know about.

09:48:32 25 Q. So, Mr Kargbo, would it be right to say that you are a man
26 who has a reputation for being involved in coup attempts against
27 Sierra Leone governments?

28 A. Well, no, it was through your client, Mr Charles Ghankay
29 Taylor, who brought war into our country through the RUF, that

1 made our people who trusted us before - for all that he was
2 doing, his wicked deeds that he did through the RUF, that the RUF
3 implemented on his behalf, they pretended to be soldiers and
4 killed people in areas in Sierra Leone and did other things, so
09:49:24 5 the people did not have any trust in us any more. When the other
6 wicked government came to power, the SLPP government, they were
7 against the soldiers. The defence minister at that time, who had
8 an evil plan against the soldiers, so whatever moves they could
9 just - whatever moves the SLPP soldiers - the government wanted
09:49:49 10 to take, they will just take it against us, the soldiers, and, as
11 I explained before, since the time they came, within the first
12 three months, I was a victim from the time they came to power
13 until the time they left power. So those wicked intentions that
14 Mr Charles Ghankay Taylor brought into our country through the
09:50:08 15 RUF was the reason why our people never trusted us any more.

16 Q. Are you saying that Mr Charles Ghankay Taylor is
17 responsible for restoring the wicked government, the SLPP
18 government? Is that what you are trying to say in that long
19 answer?

09:50:29 20 A. Well, I am talking about his wickedness that he did through
21 the RUF, that the RUF implemented on his behalf. When the RUF
22 came killing us, killing soldiers, they wore uniforms, going and
23 doing different things to civilians, wickedness, they wore
24 military fatigues and when the SLPP government came to power, a
09:50:54 25 wicked government like that, and the defence minister had the
26 wicked plan against the soldiers, they too just continued
27 pursuing us like that, we the SLA, and I was a victim.

28 Q. Are you a man who nurses grudges, Mr Kargbo?

29 A. I told you the last time. I said no. I said I always pray

1 for those who have done wrong to me and that is why - that is a
2 blessing that made me to be here today, because if that was not
3 the case I wouldn't have been alive by now, but God knows my
4 hurt.

09:51:32 5 Q. I ask you to reconsider the answer you gave us two weeks
6 ago. You are a man who nurses grudges, aren't you?

7 MR KOU MJIAN: Asked and answered.

8 THE WITNESS: No.

9 PRESIDING JUDGE: Pause. Mr Koum jian?

09:51:51 10 MR KOU MJIAN: My objection was that the witness has given
11 an answer and counsel just asked him the same question again.

12 PRESIDING JUDGE: It has been answered, Mr Munyard.

13 MR MUNYARD: Your Honour, the reason I asked it again was
14 in the light of that very long answer that we have just had, in
09:52:06 15 which he has been railing against the wicked SLPP government.

16 PRESIDING JUDGE: Well, then phrase it in relation to that
17 answer.

18 MR MUNYARD: Certainly.

19 PRESIDING JUDGE: At the moment it is very general and the
09:52:16 20 general answer was answered.

21 MR MUNYARD: I am quite happy to.

22 MR KOU MJIAN: My understanding was the witness gave the
23 long answer, counsel then asked him to reconsider. He answered
24 no, he is not a person who holds grudges and then he asked him
09:52:31 25 exactly the same question from the line before.

26 JUDGE SEBUTINDE: And the witness has answered that second
27 question.

28 MR MUNYARD:

29 Q. Let's go back to the SLPP government, the wicked SLPP

1 government, the one that was making allegations against you in
2 2003. That didn't contain RUF members, did it?

3 A. Please repeat that. It did not get you clearly.

4 Q. The wicked SLPP government who made allegations against you
09:53:06 5 in 2003, that didn't contain RUF members, did it?

6 A. I don't know, because at that time I had left. If RUF were
7 there or not, I don't know.

8 Q. And the names that I mentioned, Gunboat, Captain Hindolo,
9 Hard Guy and the others, when you heard on the radio that you
09:53:43 10 were wanted for a coup attempt, were any of those men also named
11 in this alleged coup as being plotters together with you?

12 A. No.

13 Q. What were the circumstances of your return to Sierra Leone?
14 How was it that you were able to come back?

09:54:26 15 A. The first is for this particular thing that I am here for:
16 To come and prosecute Mr Charles Ghankay Taylor for the wicked
17 things that he did, through the RUF, to the people of Sierra
18 Leone and just after the new government came to power I decided
19 to come back home.

09:54:50 20 Q. Did you come back to Sierra Leone before the new government
21 came to power?

22 A. Yes, when it had already come into power, that was when I
23 came to Sierra Leone.

24 Q. Well, I asked you did you come back before the new
09:55:11 25 government came to power and you have answered, "Yes, when it had
26 come to power". Did you return to Sierra Leone before the
27 election of the new government last year, or after the election
28 of the new government?

29 A. It was after the new government had been in place.

- 1 Q. And you told us, when I asked you what were the
2 circumstances of your return to Sierra Leone, "The first is for
3 this particular thing that I am here for: To come and prosecute
4 Mr Charles Ghankay Taylor". So were you already in touch with
09:55:49 5 the Prosecution before you returned to Sierra Leone?
- 6 A. No, because where I was I didn't trust anybody.
- 7 Q. And where was it that you were?
- 8 A. I was in an isolated area, closed.
- 9 Q. In Sierra Leone, or outside of Sierra Leone?
- 09:56:24 10 A. Inside and then after outside.
- 11 Q. And how was it that you came to be in contact with the
12 Office of the Prosecution? Did they contact you, or did you
13 contact them? In other words, who made the first contact, you or
14 them?
- 09:56:51 15 A. Well, they contacted me, as they understood through friends
16 that I had come around. They contacted me. At that time I was
17 initially even reluctant. They contacted me and I came. They
18 explained to me and I accepted. I said, "No problem."
- 19 Q. So you had two friends, is that right, who put them in
09:57:23 20 touch with you?
- 21 A. I don't understand you.
- 22 Q. You said, "They contacted me, as they understood through
23 friends that I had come around. They contacted me." Are you
24 saying that it was friends of yours who were the intermediary
09:57:53 25 between the Prosecution and you?
- 26 A. That was what I learnt after they had contacted me. I
27 didn't even know the friends even now.
- 28 Q. I am sorry, you don't even know the friends? How can they
29 be friends if you don't know them? Just tell us simply, will

1 you, Mr Kargbo. You say that you were back in Sierra Leone when
2 you first were in contact with the Office of the Prosecution,
3 yes?

09:58:42 4 A. If I can explain that a bit. The first contact I had was
5 from the investigator who called me on the phone. He said he was
6 from the Special Court. I ignored the call and I switched off my
7 phone. Later I switched on my phone, he called me again. He
8 said he was an investigator for the Special Court, I should not
9 fear anything, that they wanted to get some information from me
09:59:05 10 and I said I didn't want any business with the Special Court. I
11 said, "Please, I have gone through a lot of problems, so I don't
12 want any business with the Special Court", and I said no. He
13 said, "No, Mr Kargbo, please, I would like us to meet and talk."
14 I said, "No, we will not see each other." I said, "How did you
09:59:25 15 get my number even?" He said it was through somebody. I said,
16 "Who?" He said, "A friend." I said, "Which of the friends?" He
17 said, "No, I am not going to tell you." He did not tell me the
18 friend. He called me to come.

19 Q. Right.

09:59:36 20 A. We made an appointment and I went. I met with the first
21 lawyer, Mr Chris. He convinced me, spoke to me and I reasoned
22 and I said, "No problem, I will accept."

23 Q. All right. That was a little diversion from the point I
24 was dealing with. I just want to summarise your involvement in
10:00:03 25 coups, or alleged coups. In 1992, as a member of the Sierra
26 Leone Army, you take part in the coup led by Captain Valentine
27 Strasser, is that right?

28 A. Just as a security.

29 Q. Yes, you took part in the coup, didn't you, the NPRC coup?

1 A. Yes, yes, as security.

2 Q. Not every member of the armed forces took part in that
3 coup, did they?

10:00:55

4 A. Well, after the coup it was everybody because all of us
5 were members, because the government ruled until they handed over
6 power and nobody attempted to overthrow them, or unseat them,
7 because they were not satisfied. So I believe that it was all of
8 us, the SLA, that agreed for that government.

9 Q. Well, what was the date of the coup in 1992?

10:01:25

10 A. 29 April.

11 Q. Can you remember the first time you saw the Prosecutors for
12 an interview, in November of last year, saying to them that you
13 remained in Daru until 29 April 1992 when you participated in the
14 NPRC coup in Freetown? Can you remember saying that?

10:01:54

15 A. Yes.

16 Q. And the government that you overthrew, that was the
17 government of President Momoh, is that right?

18 A. Yes.

19 Q. And was that an elected government?

10:02:11

20 A. Yes.

21 Q. And why did you take part in a coup to overthrow the
22 elected government? What was the problem with them?

23 A. Well, just as I told you, I was just a security officer, so
24 at that time I had been in the front for quite a long time and
10:02:38 25 I ate Captain SAJ Musa issued a pass to me to come to Freetown and
26 when I got there I didn't know that that was the plan. I didn't
27 even know that they had a coup as part of their plans.

28 Q. So it was SAJ Musa who invited you to take part in the
29 coup, was it?

1 A. He did not invite me. He did not say anything to me about
2 coup. He gave me a pass. I said I wanted to come and see my
3 family.

10:03:12 4 Q. Yes, he gave you a pass to see your family and you took
5 part in the coup, yes?

6 A. When I came after I had been issued the pass to come and
7 see my family, this was what they had planned that I didn't know
8 about and at that time I didn't have any power or strength to
9 stop them and so I just had to join them and they were my bosses
10:03:39 10 who were all operating in the same Daru axis.

11 Q. 1996 you're still in the army but you're dismissed, you're
12 court-martialled and jailed, yes?

13 A. Yes.

14 Q. Court-martialled and jailed, was that another suggestion
10:03:59 15 that you might be involved in taking part in a coup, Mr Kargbo?

16 A. To correct you, it was not a court-martial. It was not a
17 court-martial. We called it all others, we called it CO's
18 orders, company officer's orders. That was when those
19 punishments were meted out to me. That was at the Wilberforce
10:04:33 20 barracks. At that time it was Colonel Nelson Williams who was
21 the CO who took the orders against us together with some other
22 SLA members, me together with some other - five SLA members. All
23 of us were six in number. But they did not say it was a coup.

24 Q. Right. And you're saying it wasn't a court-martial either,
10:05:06 25 but you ended up being jailed, do you agree?

26 A. Yes, I agree, but it was not a court-martial, it was CO's
27 order.

28 Q. And who did you blame for that? Did you blame the army or
29 did you blame the government?

1 A. Well, for the most part of it I will blame our selfish,
2 wicked and coward senior officers that we had at that time.

3 Q. For the most part. And for the lesser part you would blame
4 presumably the wicked SLPP government, is that right?

10:06:01 5 A. Yes, because they were in power at that time.

6 Q. Had you in fact done anything at all wrong?

7 A. Please repeat that. I did not get you clearly.

8 Q. Whatever the process was, court-martial or some other
9 system, you ended up being dismissed from the army and jailed.

10:06:31 10 Had you done anything wrong that justified your jailing and
11 dismissal from the army?

12 A. That was why I used the expression from the senior officers
13 who were with the government, I said they were selfish, they were
14 wicked and they were cowards, because at that time they had

10:06:57 15 killed one of our soldiers who was with us. He was Sergeant
16 Bright. In that same incident that I was dismissed Kamajors shot
17 the soldier Sergeant Bright and he was killed, all of us were in
18 a team, and even when that happened they still did that to us,
19 they dismissed us and we were disgrouped and we were jailed. And
10:07:26 20 so when I spoke about selfishness, they were earning more than we
21 were and they were earning more than myself. Even when I was
22 dismissed my salary was still running and they were --

23 PRESIDING JUDGE: Mr Witness - pause, Mr Interpreter - the
24 question was did you do anything? You haven't answered that
10:07:43 25 question.

26 THE WITNESS: No, I did not do anything. They just took
27 advantage of the situation.

28 MR MUNYARD:

29 Q. Right. 1997 you take part in the AFRC coup against the

1 elected government, yes?

2 A. Well, it was not a coup per se. It was a demonstration.

3 Q. I beg your pardon? It was a demonstration of what?

4 A. Well, we were protesting to show that we were not satisfied
10:08:33 5 with our senior officers about what was happening. Just as I wanted
6 to explain when your Honour stopped me from explaining, Kamajors
7 were killing soldiers and nobody was questioned. So we were
8 protesting for the government to know that we the other ranks
9 were not satisfied. But they knew their wicked deeds that they
10:09:00 10 had done against the army so nobody could stand up, they all ran
11 away. Only a few of them stayed behind - stayed in the city at
12 that time.

13 Q. Well, I am going to pursue this a little more, but just
14 tell us first of all what do you mean that the Kamajors were

10:09:16 15 killing soldiers and nobody was questioned?

16 A. It happened.

17 Q. Where did it happen and how many soldiers were killed by
18 the Kamajors?

19 A. I cannot tell the number now, but that friend of mine with
10:09:43 20 whom I was in the team, he was one that I knew, but even if you
21 ask the senior officers who were in the army they cannot tell you
22 now the number, but I can tell you that it was hundreds of
23 soldiers. When we went and broke into the prison they were in
24 the prison, they had key Kamajors and they were put into prison.
10:10:02 25 I can remember one Lieutenant Bangura whom we released, because
26 his men killed a Kamajor he was imprisoned, but I cannot tell you
27 now the exact number of soldiers that were killed by the
28 Kamajors.

29 Q. And why was there this battle between the Sierra Leone Army

1 soldiers on the one hand and the Kamajors on the other?

2 A. It was because of the wicked deeds of Mr Charles Ghankay
3 Taylor had trained the RUF to go and do to the people in Sierra
4 Leone and they will go and put on military fatigues, burn
10:10:48 5 villages, kill people, pretend to be soldiers and the people lost
6 confidence in us.

7 Q. Right, but now can you answer my question, please. Why was
8 there this battle between the Sierra Leone Army soldiers on the
9 one hand and the Kamajors on the other?

10:11:14 10 A. Because of the wicked things that the RUF whom Mr Charles
11 Ghankay Taylor had trained to go and do against the people of
12 Sierra Leone. That was how the people of Sierra Leone lost
13 confidence in us, the army of Sierra Leone.

14 Q. I see. Are you saying that the Kamajors were killing SLA
10:11:32 15 soldiers on behalf of the RUF?

16 A. Because of the strategies the RUF were implementing. They
17 had military uniforms, they had road blocks, go to villages
18 killing people and they said they were SLA. That was how the
19 people lost trust in us. And the Kamajors too said they didn't
10:12:05 20 trust anybody who had a military uniform on.

21 Q. Well, let's just go back to your demonstration as you
22 called it. Not a coup, a demonstration, protesting to show that
23 we were not satisfied with our senior officers. So it wasn't a
24 demonstration against the government or a coup against the
10:12:26 25 government. It was a demonstration to the government that you
26 were unhappy with your senior officers. Is that what you're
27 telling us?

28 A. Exactly, but there was nobody to listen to us. All of them
29 had run away. The SLPP government at that time, because they

1 knew the wicked things that they had done to the soldiers.

2 Q. Right, why do you think they ran away, the SLPP government,
3 just because you were conducting a demonstration?

10:13:05

4 A. Because they knew the wicked things they had done to the
5 Sierra Leone Army.

10:13:28

6 Q. Right. Can you remember telling the Office of the
7 Prosecution in fact in an interview in which the gentleman you
8 referred to as Mr Chris was present - can you remember telling
9 them in November last year that your friend or colleague Zagalo
10 came to your house, expressed dissatisfaction with the government
11 and advised you that a coup was to be staged and that you agreed
12 to participate in that? I will read it all back to you again if
13 you wish me to. Can you remember telling the Prosecutors that?

10:13:58

14 A. Well, maybe you got me wrong, instead of "demonstration"
15 the person used "coup", but it was a demonstration.

16 Q. What expression did you use?

17 A. I told him that the situation that I have found myself in,
18 military job was the only job I was to do and so I told him that
19 I was willing to join the demonstration.

10:14:30

20 Q. What expression did you use when you were talking to the
21 Prosecutors in November last year, just over six months ago,
22 "coup" or "demonstration"?

10:14:57

23 A. I said I would be willing to join the demonstration. It
24 was only when the politicians were not around and they took over
25 then it was called coup, but initially it was demonstration.

26 Q. I see. And was everybody involved calling it a
27 demonstration, Mr Kargbo?

28 A. Well, everybody was involved. They called it
29 demonstration. There was no announcement made for some time

1 before chairman Johnny Paul Koroma made an announcement, gave an
2 order that the announcement should be made over the --

3 THE INTERPRETER: Your Honours, can the witness slow down
4 and repeat this.

10:15:35 5 PRESIDING JUDGE: Mr Witness, the interpreter cannot keep
6 up with you. You are speaking too quickly. Please repeat your
7 answer starting from the point where you said, "Johnny Paul
8 Koroma made an announcement - gave an order that an announcement
9 should be made". Continue from there, please.

10:15:51 10 THE WITNESS: Well, Johnny Paul Koroma made an announcement
11 after a week or two. If it was a coup he would have made the
12 announcement on the same day and named our government, but we did
13 not do that. We waited for them to come and listen to us, but
14 nobody did. Especially - sorry, especially the President at that
10:16:17 15 time. He was not there.

16 MR MUNYARD:

17 Q. Well, just explain to the Learned Judges what form your
18 demonstration took on 25 May 1997?

19 A. We went to the prisons. We got our soldiers, our
10:16:39 20 colleagues out, those who had been imprisoned there.

21 Q. How did you get them out, Mr Kargbo? By what means?

22 A. Well, we used arms, because that was the only thing we had
23 in our hands. We used arms and we went there and we got the
24 soldiers out of the prison.

10:17:00 25 Q. And then what did you do in this demonstration?

26 A. And returned to our barracks, Wilberforce barracks.

27 Q. And did what when you got back to Wilberforce barracks?

28 A. We tried to deploy and keep security around, because at
29 that time the Kamajors were there together with some of the

1 government ministers and the Nigerian forces too were there in
2 the town. So we tried to put security in place in the city.

3 Q. And so all that happened was you releasing some unfairly
4 imprisoned soldiers from Pademba Road and then you retiring to
10:17:50 5 your barracks. Is that what you're telling us?

6 A. Repeat that.

7 Q. This demonstration that you described taking part in
8 consisted simply of going to Pademba Road and by force of arms
9 releasing your soldier colleagues from the prison and then you
10:18:15 10 just all returned to Wilberforce barracks and sat there, is that
11 right?

12 A. Exactly.

13 Q. And President Kabbah and the rest of his government fled to
14 Guinea because of this demonstration of yours, is that what you
10:18:35 15 are telling us?

16 A. Yes, sir.

17 Q. And so is this the position: That you and your colleagues
18 who took part in the demonstration felt that you had no option
19 then but to fill the gap left by the government and become the
10:18:56 20 government yourselves? Is that what happened?

21 A. After one to two weeks, because there was nobody to listen
22 to us and we didn't have left the country like that without any
23 command.

24 Q. So you never intended doing anything other than having a
10:19:16 25 demonstration to release your colleagues from the prison, yes?

26 A. Exactly. That is what we did. In fact, we did not kill
27 any minister, or any senior officer, or nobody. We did not kill
28 anybody.

29 Q. But you were going to, weren't you?

1 A. Do what?

2 Q. You were going to kill members of the previous government,
3 weren't you?

4 A. No, we did not do it.

10:19:54 5 Q. Who was it that Johnny Paul Koroma dissuaded you from
6 executing?

7 A. During the demonstration it was against our senior
8 officers, those who we were not satisfied with, but when he came
9 out he said, "No, don't do anything to them. Just arrest them
10 and put them into the guard rooms", and that was what we did.

10:20:15 11 Q. Do you remember telling us earlier in your evidence that
12 you were planning on executing a number of people, but Johnny
13 Paul Koroma persuaded you not to?

14 A. Yes, those were our senior officers, those who we were not
10:20:36 15 satisfied with.

16 Q. Right, so part of your demonstration was going to involve
17 killing senior army officers, is that right?

18 A. Yes --

19 Q. That is a very --

10:20:50 20 A. -- but he stopped us.

21 Q. That is a very violent demonstration, isn't it?

22 A. Well, I cannot say it was a violent demonstration. It was
23 a demonstration against things that we were not satisfied with,
24 but he stopped us, so we did not do it. I cannot say it was
10:21:12 25 violent.

26 Q. The group of you who were initially involved in this coup,
27 17 of you, were you all associated with the SLA football team?

28 A. I was not part of the team, because I had been dismissed
29 from the army. Then I was never part of the football team in the

1 army.

2 Q. What about the others, Mr Kargbo?

3 A. Well, some of them were not in the team, not all of them.

4 Q. Do you remember mentioning the football team when you were
10:22:00 5 giving your evidence a couple of weeks ago?

6 A. Yes.

7 JUDGE SEBUTINDE: Sorry, Mr Munyard. I am a little lost.
8 Did the witness say he had been dismissed from the army as of May
9 1997? Mr Witness, is that what you said?

10:22:24 10 MR MUNYARD: Your Honour had better ask him rather than me.

11 THE WITNESS: No, from 1996. I was dismissed from the army
12 in 1996, July.

13 JUDGE SEBUTINDE: Were you restored at some time back in
14 the army?

10:22:39 15 THE WITNESS: Yes, 25 May I came back to the army, after
16 the coup. Then in 1999 - 1997.

17 JUDGE SEBUTINDE: So at the time of the coup you were not a
18 member of the SLA?

19 THE WITNESS: No.

10:22:53 20 JUDGE SEBUTINDE: But you were demonstrating against --

21 THE WITNESS: Yes, I was not in the army, but I was
22 demonstrating against.

23 MR MUNYARD: Does that answer your Honour's question? Very
24 well:

10:23:07 25 Q. And by what right were you demonstrating against and
26 carrying arms when you weren't even a member of the army who were
27 concerned about their colleagues being unfairly imprisoned?

28 A. Because they met me and they knew I was a victim, I had
29 been dismissed and colleagues of mine were killed and we were

1 di smi ssed.

2 Q. I see. You told us on 21 May that Zagalo, the person who
3 got you involved in the demonstration, was a sergeant who was the
4 coach for the military team at the time?

10:23:59 5 A. Yes.

6 Q. The SLA coach for the football team. Were many of the
7 other 16 members of the football team?

8 MR KOUJIAN: The witness seems to be waiting for the
9 question. I don't know what happened. He seems to be

10:24:33 10 mi sunderstandi ng.

11 MR MUNYARD: Oh, it may be my fault. I asked a question.

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

13 THE WITNESS: No, no.

14 PRESIDING JUDGE: Mr Interpreter, was the question put? I

10:24:43 15 think maybe, in the circumstances, repeat the question,

16 Mr Munyard.

17 MR MUNYARD: Yes:

18 Q. I will go back to exactly what I said. Were most of the
19 others, the other 16, members of the football team?

10:25:07 20 A. As I said, I was not in the army at that time. If late
21 Sergeant Zagalo were alive he would have told you the members of
22 his team in the football. At that time I was a civilian and I
23 was invited to come, so I didn't know about the football team in
24 the army.

10:25:30 25 Q. Well, you knew he was the coach. Did you find out whether
26 any of your other colleagues in the demonstration were members of
27 his football team? It is a simple question?

28 A. I only know a few, but I didn't know all of them that were
29 in the army. I knew a few of them, like Zagalo and some others,

1 but I don't know if the others, or if all of them were in the
2 team. I don't know.

3 Q. Then when you went to the barracks you arrested the senior
4 officers and put them in the guard room, didn't you?

10:26:14 5 A. Yes.

6 Q. Then shortly after that, one of your colleagues, Mr Gborie,
7 announced that you had toppled the government. Tamba Gborie his
8 name was, wasn't it?

9 A. Well, except when we were told that he made the
10:26:41 10 announcement. I did not even listen to the announcement. They
11 told us that he was making the announcement and right there
12 Zagalo told us we should go and arrest me [sic] and we went and
13 arrested him.

14 Q. No, I am just reading from your evidence that you gave us
10:26:59 15 on 21 May that you started arresting senior officers and putting
16 them in the guard room. Nobody was Head of State at the time.
17 The Head of State had escaped and some of his ministers. What
18 did you mean by the Head of State had escaped? What did he have
19 to escape from?

10:27:27 20 A. Just as I said, they knew the wicked things that the Head
21 of State, President Ahmad Tejan Kabbah, and the other SLPP
22 ministers had been doing against the soldiers, so as soon as they
23 heard that we had the demonstration, they escaped. As soon as
24 they heard that we had got our colleagues out of the prisons,
10:27:53 25 they escaped.

26 PRESIDING JUDGE: Yes, Mr Koumjian.

27 MR KOUMJIAN: Can I just ask for a clarification on the
28 transcript. I believe this is what the interpreter said, but I
29 am not sure I follow this. Page 30, line 5, on my LiveNote,

1 "Zagalo told us that we should go and arrest me and we went and
2 arrested him."

3 PRESIDING JUDGE: Yes, I was going to ask that same
4 question. Mr Witness, you answered a question, you said the
10:28:20 5 following, or it was interpreted as follows, "Zagalo told us we
6 should go and arrest me and we went and arrested him." What
7 exactly did you say?

8 THE WITNESS: Well, my Lord, Zagalo gave us instructions
9 that we should arrest Gborie, that he had not told him to make
10:28:47 10 any announcement. Zagalo said we, the other members, should
11 arrest Gborie, that he had not given him any instructions to
12 announce anything.

13 PRESIDING JUDGE: Thank you, Mr Witness. Mr Munyard, we
14 have interrupted your cross-examination. Please proceed.

10:29:03 15 MR MUNYARD:

16 Q. So are you saying that Gborie was not supposed to have made
17 any announcement about the state of government of Sierra Leone
18 after your demonstration?

19 A. Yes.

10:29:22 20 Q. So the population were to be left sitting there wondering
21 what on earth was going on? Is that what you are saying?

22 A. I don't understand what you mean.

23 Q. Well, how long was it since your original demonstration and
24 then going back to barracks before Mr Gborie made this
10:29:46 25 announcement telling the people of Sierra Leone what was
26 happening to their government?

27 A. He did not take that long, before all of us were in the
28 barracks. Some of us were in the barracks and some were out. He
29 was one of them who was out and people said, "We are hearing

1 Corporal Gborie making an announcement", and Zagalo gave us an
2 instruction that we should arrest him. He said he had not told
3 him to make any announcements.

4 Q. How long after your demonstration and then return to
10:30:28 5 barracks was it that Mr Gborie made the announcement?

6 A. From around 5 in the morning to 10 we were back to the
7 barracks.

8 Q. Yes. I am asking you how long after that did Mr Gborie
9 make the announcement?

10:30:55 10 A. Before midday. I cannot tell you the exact time, but by 10
11 some of us were in the barracks and some of them were out of the
12 place, because we were now going helter-skelter, but most of us
13 were in the barracks.

14 Q. And the announcement that he made was that you, the other
10:31:18 15 ranks of the army, had toppled the government, wasn't it?

16 A. Just like I told you, I did not listen to the announcement.
17 It was an instruction that came out that we should arrest Gborie.
18 I was Abu Zagalo who said we should arrest Gborie.

19 MR MUNYARD: Your Honours, I am going from 10436, 21 May,
10:31:51 20 line 25 onwards. I am going to read you your own answer to this
21 court two weeks ago:

22 "So one of our colleagues went to the station, his name was
23 Gborie, and announced that we, the other ranks, had toppled the
24 government. He was called Tamba Gborie."

10:32:16 25 So if you didn't listen to the announcement, how could you
26 tell this court less than two weeks ago that he announced that
27 you had toppled the government?

28 A. Upon the report we received, where we were seated at that
29 time, that Gborie had announced that they had taken over and upon

1 Zagalo's instruction he said we should go and arrest him. That
2 was when I knew.

3 Q. And so within the first day your colleagues were saying
4 that you had toppled the government, weren't you?

10:33:07 5 A. Inside the forces - the first day, May 25, no, it was only
6 after Gborie had made the announcement and when somebody came and
7 told us that Gborie had announced that the other ranks had taken
8 over, it was then that we understood that Gborie had said so, but
9 we were in the barracks waiting on any senior person in the
10:33:37 10 government to come and talk to us.

11 Q. But you knew the government had all fled, didn't you? You
12 knew the government had gone, didn't you?

13 A. After some time between one to two weeks we knew that most
14 of the ministers had fled, but those of the ministers who stayed
10:34:15 15 within, they told us that they were unable to contact their
16 colleagues. So it was then that we learnt that they had escaped.

17 Q. I am going to move on, but this business in May 1997 wasn't
18 a demonstration, it was a coup to topple the government and
19 that's exactly what you did do by force of arms, isn't it?

10:34:44 20 A. We used arms to go and free our colleagues from the Pademba
21 Road prisons.

22 Q. And what was it therefore that you said made the government
23 of President Tejan Kabbah flee the country apart from the few
24 ministers left behind if it wasn't a coup against them?

10:35:10 25 A. Well, after the announcement, that was after a week, that
26 was when we came to know all that. But, like I said, on 25 May
27 it was just a demonstration.

28 Q. All right. I want to go back to the early part of the
29 evidence that you gave now and I will try to deal with things

- 1 chronologically from here on in. You have told us that when you
2 were in the Sierra Leone Army originally that you were fighting
3 against rebels and that the people that you were fighting
4 against, their nationalities included Gios. Do you remember
10:36:00 5 telling us that?
- 6 A. Yes.
- 7 Q. And the Gio people live around the border between Liberia
8 and Sierra Leone, don't they?
- 9 A. I don't know the tribe that live on the border area on the
10:36:23 10 Liberian side.
- 11 Q. So are you saying that you just don't know where the Gios
12 live on the border?
- 13 A. No, I don't know.
- 14 Q. All right. You told us that the first you heard of the
10:36:38 15 leader of the RUF was when you captured a man called George
16 Harrison. Do you remember that?
- 17 A. George Harris.
- 18 Q. George Harris. All right, I'm sorry, actually it was
19 Harrison George?
- 10:37:01 20 A. Yes, that is it. Harrison George.
- 21 Q. That was a Freudian slip on my part betraying my origins.
- 22 A. Harrison George.
- 23 Q. And he told you that the leader of the group was called Pa
24 Morlai, yes?
- 10:37:18 25 A. Yes.
- 26 Q. And you had never heard the name Foday Sankoh at that
27 stage, had you?
- 28 A. At that early stage, no.
- 29 Q. And when was that, can you recall, when you captured - let

1 me get it right this time - Harrison George?

2 A. Yes, that was in 1991. We were - they attacked us 27
3 March, no the 28th, and it was then that the civilians captured
4 him and brought him to us.

10:38:00 5 Q. Had you ever heard of a person called Alie Kabbah as a
6 Sierra Leonean dissident?

7 A. No.

8 Q. You also told us that the people who you rescued during
9 that time told you that the Gios used to eat people. Do you
10:38:37 10 remember telling us that?

11 A. Yes.

12 Q. Why was it that you mentioned that, Mr Kargbo?

13 A. Well, just like I had said, it was the people whom we
14 brought from the bushes that explained to us and said it was when
10:39:01 15 they were escaping from the rebels, the RUF, from those areas,
16 and when they went to the bushes and when we normally went to the
17 bushes, when we cleared the areas, when we got them they gave us
18 those information.

19 Q. Why did you tell this Court that?

10:39:21 20 A. It was because I realised that it was a vital information.
21 That was why I explained to the Court for them to know.

22 Q. Right. It was vital information to tell the Prosecutors,
23 presumably?

24 A. Yes, because those were the things that the people
10:39:39 25 explained to us and it was very important. That was why I tried
26 to let the Court know.

27 Q. Well, you were interviewed a number of times last year and
28 this year, weren't you?

29 A. Where?

1 Q. You were interviewed in Freetown on 13 November last year
2 and again on 16 November last year. Can you remember that?

3 A. Yes, yes.

10:40:17

4 Q. Two quite long interviews. Can you remember that they were
5 quite long?

6 A. Yes.

7 Q. Right. You didn't tell them that crucial information in
8 those interviews, did you?

10:40:42

9 A. Well, I reflect my mind the way the questions come. I am a
10 human being also. I am liable to forget certain things and
11 sometimes I can remember certain things. But I am a young person
12 for me to forget all of those things, but at that particular time
13 I did not recall that particular thing.

10:41:06

14 Q. You are interviewed again on 7 and 8 May this year. Were
15 you in Freetown or were you here in Holland for that interview?

16 A. Come again the date?

17 Q. The dates are 7 and 8 May?

18 A. I was here in Holland.

10:41:36

19 Q. And you didn't tell the Prosecutors this crucial piece of
20 information during that interview, do you agree?

21 A. Well, just as you can see in my interview, I did not recall
22 at that time just like I said. I am a human being. I did not
23 recall at that time, but the way your questions came I reflected.

10:42:05

24 Q. You were interviewed again by the Prosecutors on 9, 10 and
25 11 May in a proofing session. Can you remember that?

26 A. Yes.

27 Q. And you didn't remember this crucial piece of information
28 during that three days of proofing, did you?

29 A. I did not recall that.

1 Q. Now proofing, Mr Kargbo, does that involve the Prosecution
2 going through all your previous interview notes and asking you to
3 review them and correct anything that was wrong in there?

4 A. Well, they used to interview me, but they did not go too
10:42:53 5 far into the kind of questions you have been asking me and I know
6 that whatsoever thing I am saying here is the truth.

7 PRESIDING JUDGE: Mr Witness, pause. The question was when
8 you were interviewed by the Prosecution did they go through your
9 previous interview notes?

10:43:11 10 THE WITNESS: Yes, yes.

11 MR MUNYARD: Thank you, your Honour:

12 Q. That was all I wanted to know. Mr Kargbo, we have got the
13 notes from these proofing sessions and it's perfectly clear that
14 the Prosecution are taking you line by line, paragraph by
10:43:26 15 paragraph through all your previous statements and that's
16 actually what was happening, wasn't it, when you were being
17 interviewed here in the Hague?

18 A. Yes.

19 Q. And you still didn't remember about the eating human beings
10:43:45 20 by 9, 10 and 11 May?

21 A. Yes.

22 Q. And then in your last proofing session, between 13 to 15
23 May, you mentioned that you had heard when the RUF and NPFL were
24 in Sierra Leone in 1991 and 1992 Gios were engaging in
10:44:11 25 cannibalism. Now how is it that about two weeks ago you remember
26 this but you don't remember it through all those other proofing
27 sessions?

28 A. Yes, during the time I was with the Prosecution they asked
29 me to make statements, but it is the questions that you are

1 asking me that made me to reflect my mind.

2 Q. No, I'm asking you how did it come about that just two
3 weeks ago, between 13 and 15 May, here in Holland, you suddenly
4 remember that people told you that Gios had a habit of engaging
10:45:04 5 in cannibalism?

6 A. Well, it was as a result of the questions you asked me that
7 I reflected my mind to those.

8 PRESIDING JUDGE: Mr Witness, counsel is not asking about
9 his questions or the questions in court. He is asking about the
10:45:23 10 questions when you were being interviewed by the officers from
11 the Prosecution before coming to court.

12 THE WITNESS: Yes, I did not recall to tell them that. It
13 was when I came to court that I recalled.

14 MR MUNYARD:

10:45:44 15 Q. No, you actually said to them at some point during 13 to 15
16 May that you had been told that Gios were engaging in
17 cannibalism. I just want a simple answer to the question why was
18 it that you couldn't remember that until the last series of
19 proofing sessions here in The Hague?

10:46:12 20 A. Well, if you could go through my statements and the things
21 I said, there are so many things that I have said. It is when I
22 have been in court here that I have been able to say that I
23 recall them to say. And you are somebody - you are a human being
24 also. You are liable to forgetting certain things and when you
10:46:32 25 recall them at a point in time you will have to say them. And it
26 was when I came here in court that I recalled them.

27 Q. You described it to us as a crucial piece of information,
28 but it's a piece of information that you had forgotten until very
29 recently. Do you agree?

1 A. Yes.

2 Q. Were you in that last proofing session asked the question,
3 "Do you know anything about cannibalism?"

4 A. Well, I can't recall. They did not ask me that, because if
10:47:11 5 they had asked me I would have mentioned that in my statement,
6 but I don't think they asked me that.

7 Q. You did mention it in your statement on 13 to 15 May. Was
8 it as a result of their asking you the question, or was it
9 something that just suddenly popped into your mind?

10:47:37 10 A. It was as a result of the questions you asked me.

11 MR MUNYARD: I will just try one more time on that and then
12 I will move on:

13 Q. When you say it was because of the questions you asked me,
14 do you mean it was because of the questions that the Prosecutors
10:47:53 15 were asking me about two weeks ago in my last proofing session
16 here in The Hague before I gave evidence?

17 A. Yes, it was because of the questions that I reflected my
18 mind back.

19 Q. Finally this: Did you hear anything about the evidence of
10:48:19 20 Zigzag Marzah before this court just before Easter?

21 A. No.

22 Q. Now, you know Zigzag Marzah, don't you?

23 A. No.

24 Q. You know of him, don't you?

10:48:42 25 A. I heard his name, but I don't know him.

26 Q. Have you ever met him?

27 A. No.

28 Q. What have you heard about him?

29 A. I heard his name, Zigzag Marzah, Zigzag Marzah. They said

1 he was the death squad commander even when I was in Liberia, but
2 I did not meet with him. I did not see him.

3 Q. And when he gave evidence before this court in late March,
4 mid to late March, did you hear anything on the radio, or the
10:49:25 5 television, or in the newspapers in Sierra Leone about what he
6 was saying?

7 A. I did not hear anything about that and I did not see
8 anything concerning that. It is only when you are speaking about
9 him now that I have been able to know that he came here. I don't
10:49:48 10 know whether he came here.

11 Q. And nobody has told you before I have just put the question
12 today that Zigzag Marzah came to this court and talked about
13 cannibalism?

14 A. Nobody has ever told me that.

10:50:20 15 Q. Now, you also told us that in the bush you had seen human
16 intestines crossed over the road and decapitated heads on sticks
17 by the wayside, in areas where the RUF had been. Do you remember
18 telling us that?

19 A. Yes.

10:50:36 20 Q. It is right, isn't it, that when the SLA were in retreat
21 after the intervention in February of 1998, that they also
22 executed civilians and displayed their bodies by the roadside?

23 A. I did not know about that. I was not anywhere where that
24 happened.

10:51:10 25 PRESIDING JUDGE: Just to clarify this, Mr Munyard, when
26 you refer to the SLA after the intervention, are you talking
27 about the AFRC, or the loyal army?

28 MR MUNYARD: No, I am talking about the AFRC, your Honour,
29 but I thought it appropriate to use SLA to this witness because

1 of his close connection with them:

2 Q. Is that what you understood me to be saying, Mr Kargbo,
3 that your part of the SLA, when you were in retreat from Freetown
4 after the intervention - that that was who I was talking about?

10:51:46 5 When you answered the question did you understand me to mean your
6 group of the army?

7 A. Yes, I know that is the name, SLA, Sierra Leone Army, and
8 then I answered no. I said I was never present there and I did
9 not see it happen.

10:52:02 10 Q. Do you know someone called Alimammy Bobson Sesay?

11 A. Yes, I know somebody by the name Bobson Alimammy and he was
12 SLA.

13 Q. Yes. Was he one of the group who retreated from Freetown
14 after the intervention?

10:52:29 15 A. Yes.

16 Q. And was he with you at any time?

17 A. No.

18 Q. When did you next see him after the intervention?

19 A. Except in Liberia.

10:52:48 20 Q. Now I just want to ask you, what is your nickname?

21 A. Commonly called Sammy.

22 Q. Are you also called Jungler, is that right?

23 A. Yes.

24 Q. Right. Now I want to move forward to the time of the AFRC
10:53:17 25 coup. When the AFRC decided to make Johnny Paul Koroma its Head
26 of State, how long after what you call the demonstration did that
27 actually take place?

28 A. Just like I have been saying, I cannot recall the exact
29 time, but it was between one to two weeks.

1 Q. How long after Johnny Paul became Head of State did the RUF
2 agree to join you?

3 A. The RUF joined us within a week before the government
4 announced.

10:54:18 5 Q. Right, I am going to have to clarify that. Johnny Paul
6 becomes Head of State within one or two weeks. Do the RUF join
7 within a week of him becoming Head of State?

8 A. Yes, the RUF had come before that.

9 Q. So the RUF are in there as part of the government within
10:54:46 10 three weeks of the coup, yes? I am calling it a coup, not a
11 demonstration, do you follow?

12 A. No.

13 Q. The RUF are part of the government within three weeks of 25
14 May. That is what you are saying, isn't it?

10:55:10 15 A. The RUF joined us within one to two weeks. No, even within
16 a week the RUF had joined us, even before the announcement.

17 Q. So certainly within three weeks of 25 May, by the middle of
18 June, the RUF were part of your government, whether that happened
19 earlier, but certainly by the middle of June they are part of
10:55:36 20 your government, yes?

21 A. Yes, yes.

22 Q. And Johnny Paul speaks to Foday Sankoh in order for that to
23 happen? That is how it came about, isn't it?

24 A. Yes, yes.

10:55:57 25 Q. Do you know how Johnny Paul got Foday Sankoh's number?

26 A. No.

27 Q. Do you know if it was Johnny Paul ringing him, or Foday
28 Sankoh ringing Johnny Paul?

29 A. It was Johnny Paul who called Foday Sankoh where he was in

1 Nigeria.

2 Q. And he called him on a landline, you have told us.

3 A. Yes.

4 Q. All of you were in the office when he made that call. By
10:56:38 5 all of you, are you talking about the entire Supreme Council?

6 A. At that time the council had not yet been formed, but we
7 were all present in the office.

8 Q. And so apart from you, you have told us earlier that Hassan
9 Conteh - it was Hassan Conteh's office. He wasn't there
10:57:06 10 obviously. Who else was in there when that call took place?

11 A. Those of us who were involved - as you are now referring to
12 it as a coup, those of us who were involved in the coup, like you
13 call it now, we were there together with Johnny Paul and his
14 control officer at that time called Banjah Marrah.

10:57:38 15 Q. So is that the 17 of you, plus Johnny Paul, plus his
16 control officer?

17 A. Yes, but even with that some of them were outside, but the
18 bulk of us were in.

19 Q. And there was therefore no need for Charles Taylor to
10:58:11 20 encourage the AFRC to work with the RUF, was there? It had all
21 been agreed in the course of the phone call with Foday Sankoh?

22 A. I did not get you clear.

23 Q. You told us in your evidence that later on there was a
24 conversation between Charles Taylor and Johnny Paul Koroma, in
10:58:38 25 which Charles Taylor encouraged the two groups to work together
26 and said, "If there are any problems just let me know." There
27 was no need for that to happen, was there, because you had
28 already agreed to work together?

29 A. Well, that happened after Gibril Massaquoi had brought the

1 numbers.

2 Q. Gibri I Massaquoi came to discuss the joint operation of the
3 two groups, didn't he? He was sent by Foday Sankoh to discuss
4 how the two organisations would work together, isn't that right?

10:59:26 5 A. He sent him to bring numbers and how to get in contact with
6 their godfather, by then Mr Charles Ghankay Taylor, and that was
7 the time we were supposed to form the council in whom Foday
8 Sankoh was supposed to serve as the deputy chairman.

9 Q. Well, can you remember saying to the Prosecutors that you
11:00:04 10 were present when Johnny Paul Koroma had a telephone conversation
11 with Foday Sankoh, The conversation concerned AFRC and RUF
12 cooperation, Sankoh advised Johnny Paul Koroma he would be
13 sending someone to speak about this issue and that Gibri I
14 Massaquoi arrived for this purpose three days later? Can you
11:00:28 15 remember telling the Prosecution that?

16 A. Yes.

17 Q. So that is why Gibri I Massaquoi arrived, isn't it?

18 A. Yes, yes.

19 Q. Do you also remember telling the Prosecutors that you
11:00:46 20 believed that Johnny Paul Koroma received the telephone numbers
21 of Mr Taylor and other people in West Africa and North Africa
22 from Foday Sankoh?

23 A. Well, I don't know for those other places. He brought
24 numbers from North Africa and West Africa, but after that I was
11:01:16 25 made to understand that Mr Charles Ghankay Taylor, Blaise
26 Compaore and Mainassara's and some other people.

27 Q. In other words, what I am suggesting, Mr Kargbo, is Gibri I
28 Massaquoi didn't bring phone numbers with him. Gibri I Massaquoi
29 turned up to discuss the working together of the two

1 organisations. Do you agree?

2 A. No, no, no, I disagree. He brought the numbers.

3 Q. Why didn't you tell the Prosecutors that back in November
4 last year, when you said Gibril Massaquoi arrived to talk about
11:02:04 5 AFRC and RUF cooperation and that you believed Johnny Paul

6 received the phone numbers for the leaders from Foday Sankoh?

7 A. I told the Prosecution that. It should be in my statement.

8 Q. You can have a look at your statement in a moment, but let
9 me first ask you this: How long after Gibril Massaquoi turned

11:02:28 10 up, you say with the phone numbers, did you hear Johnny Paul

11 speaking to Charles Taylor?

12 A. Within 72 hours and after the conversation with Foday
13 Sankoh at that time.

14 Q. So this is all within the first three weeks of the coup,

11:02:51 15 yes?

16 A. You mean before, or after?

17 Q. This is all within three weeks following 25 May?

18 A. Do you mean before, or after? It was after 25 May.

19 Q. Within three weeks after 25 May?

11:03:24 20 A. Yes, it was after.

21 Q. And in the course of that conversation you have told us
22 that Johnny Paul Koroma asked Charles Taylor for recognition by
23 Liberia of his government. Do you remember telling us that?

24 A. Yes.

11:03:51 25 Q. And did you actually hear that conversation?

26 A. After the conversation, Johnny Paul who was the chairman by
27 then explained to us, because we did not actually overhear what
28 Mr Ghankay was saying.

29 Q. Were you in the room?

1 PRESIDING JUDGE: Mr Munyard, the witness has his hand up.

2 THE WITNESS: I want to ease myself.

3 PRESIDING JUDGE: Please assist the witness. Have a seat,
4 Mr Munyard.

11:08:46 5 Are you ready to proceed, Mr Witness?

6 THE WITNESS: Yes, ma'am.

7 PRESIDING JUDGE: Please proceed, Mr Munyard.

8 MR MUNYARD: Thank you:

9 Q. So Johnny Paul told you that after he had spoken to
11:09:03 10 Mr Taylor - what did he tell you? Did he tell you that

11 Mr Taylor's government recognised the AFRC government?

12 A. Yes, that was the exact thing. He said Mr Taylor was ready
13 to recognise us, that is the government that we were going to
14 form.

11:09:30 15 Q. And did Mr Taylor recognise you when you formed the
16 government a short time later?

17 A. Yes.

18 Q. We have seen a document that was shown to you before the
19 break dated 19 July setting out a list of ministers at a meeting.
11:09:51 20 When was the government actually formed?

21 A. I can't recall the exact date.

22 Q. Well, I have been reminded of your evidence earlier when
23 you were giving evidence to the Prosecution, page 10444, line 22.
24 This is what you said earlier. Over here, Mr Kargbo. Can you
11:10:24 25 hear me? This is an answer that you gave to the judges two weeks
26 back: "It was within one to two weeks after the coup when the
27 RUF had joined us when Gibriil Massaquoi had brought those
28 numbers." So he brings the numbers within one to two weeks of
29 the coup, Johnny Paul Koroma makes the telephone call and can you

1 help us how long after that phone call was your government set
2 up?

3 A. Well, after that, like I have said, it was within a week
4 after Gibril Massaquoi had arrived. That was why I said it was
11:11:07 5 between one to two weeks. And by then the government had already
6 been put in place.

7 Q. All right. And the Liberian government then recognised it,
8 did it?

9 A. Well, by then it was Mr Charles Ghankay Taylor that the
11:11:29 10 chairman Johnny Paul Koroma spoke to, but after the delegates
11 went and led by Mr SYB Rogers we later realised that the Liberian
12 government headed by Mr Charles Ghankay Taylor had really
13 recognised us.

14 Q. Well, I am just interested to know about your seeking
11:11:52 15 recognition from Mr Taylor, or Johnny Paul Koroma seeking
16 recognition from him, in the middle of June at the latest. Was
17 it your understanding that the Liberian government had recognised
18 your government as a result of that telephone call?

19 A. Well, he had recognised us because Mr Charles Ghankay
11:12:21 20 Taylor was the godfather of the RUF and that we had called the
21 RUF to come and they brought the numbers to chairman Johnny Paul
22 Koroma, so when he called them he said he recognised us, because
23 by then we considered that he was the sole owner of the RUF.
24 That is Mr Charles Ghankay Taylor.

11:12:46 25 Q. What else was he at that stage? Apart from being the
26 godfather and sole owner of the RUF, what was he in Liberia?

27 A. He was President of Liberia at that time.

28 Q. Do you know of a woman called Ruth Sando Perry? Ever heard
29 of her?

1 A. This is my first time hearing that name.

2 Q. You see, she was President of Liberia at the time that
3 you're talking about?

4 MR KOU MJIAN: Your Honour, I believe that misstates
11:13:29 5 Ms Perry's position. She did not have the title President.

6 PRESIDING JUDGE: And in your submission what was the
7 title?

8 MR KOU MJIAN: I would have to look it up, but I believe she
9 was chairman of the transitional government or words to that
11:13:39 10 effect.

11 PRESIDING JUDGE: Right.

12 MR MUNYARD:

13 Q. Who was the head of government you say - well, you have got
14 the answer now so there is little point in me asking you the
11:13:47 15 question.

16 PRESIDING JUDGE: He may or may not know, Mr Munyard. You
17 are entitled to put the question.

18 MR MUNYARD: I will give it a try:

19 Q. Who was the head of government in Liberia at the time of
11:13:56 20 this telephone conversation that you claim took place between
21 Johnny Paul and Mr Taylor?

22 A. I knew Mr Charles Ghankay Taylor to be the head of the
23 government.

24 Q. Well, would it surprise you to learn that he wasn't?

11:14:20 25 A. Yes, it would surprise me.

26 Q. And I suggest that you have invented this story of Johnny
27 Paul Koroma telling you that he had been on the phone to Charles
28 Taylor and obtained the recognition of the Liberian government
29 for your government?

1 A. No, it is not an invention.

2 Q. Because at that time it was still the Liberian National
3 Transitional Government running the country under the
4 chairmanship of Ruth Sando Perry and there was no way that

11:15:05 5 Charles Taylor could recognise your government on behalf of the
6 Government of Liberia, do you follow?

7 A. Well, I don't understand.

8 Q. Well, I am suggesting to you that Mr Taylor wasn't head of
9 government at the time that you say this phone call took place on

11:15:32 10 Johnny Paul's say so to you?

11 A. Well, just like I had said, the conversation took place and
12 it was the chairman, Johnny Paul Koroma, who explained to us that
13 Mr Charles Ghankay Taylor had said that he had accepted and will
14 recognise us.

11:15:52 15 Q. Did Johnny Paul Koroma say where he was ringing Mr Taylor?
16 I mean where Mr Taylor was at the time?

17 A. I knew that he was in Liberia at that time. He did not
18 actually tell us a particular area where he was located, but I
19 knew he was in Liberia, Monrovia.

11:16:21 20 Q. Didn't he tell you, "I have just spoken" - well, did he
21 tell you, "I have just spoken to President Taylor"?

22 A. That is what he said exactly.

23 Q. Right. "I have just spoken to President Taylor". Did he
24 tell you he was speaking to him in the Executive Mansion in

11:16:38 25 Monrovia?

26 A. No, he did not explain that to us.

27 Q. Did he tell you on what kind of telephone Mr Taylor was
28 when Johnny Paul rang him?

29 A. No, I only know that Johnny Paul used a landline. He did

1 not tell us what Mr Taylor was using.

2 Q. Now just before we move off this subject on to something
3 else, when Gibri I Massaquoi turned up shortly after Foday Sankoh
4 had spoken to Johnny Paul did he have anything with him apart
11:17:33 5 from phone numbers, according to you?

6 A. It was just phone numbers. I did not know whether he had
7 anything personal that he discussed with Johnny Paul, but I only
8 knew about phone numbers that he brought.

9 Q. Did Johnny Paul say that Foday Sankoh had given him a
11:17:56 10 letter for him, for Johnny Paul?

11 A. No, he did not tell us that. I only know about phone
12 numbers.

13 Q. Did Johnny Paul not tell you that Gibri I Massaquoi had been
14 given letters by Foday Sankoh to give to various leaders in
11:18:21 15 Africa?

16 A. I know about phone numbers. I don't know about letters.

17 Q. One of the people who the AFRC were particularly interested
18 in getting the approval and recognition of was Jerry Rawlings of
19 Ghana, is that right?

11:18:48 20 A. Yes.

21 Q. Did Gibri I Massaquoi turn up with Jerry Rawlings' telephone
22 number?

23 A. Like I had said before in my statement, the numbers that he
24 brought were Mr Charles Ghankay Taylor's number, Mainassara's,
11:19:15 25 Blaise Compaore's and some other leaders whom I did not know and
26 there were some other people I did not know. So I don't know
27 whether he brought Jerry Rawlings' number.

28 PRESIDING JUDGE: Before you move on Mr Munyard, this name
29 Mainassara, have we got a spelling for that?

1 MR MUNYARD: We had it last time, yes. I can tell you what
2 it is, but it is there. Yes, it is M-A-I-N-A-S-S-A-R-A, the
3 leader of Niger.

4 PRESIDING JUDGE: Thank you.

11:19:55 5 MR MUNYARD:

6 Q. Well, did Johnny Paul or any of the Supreme Council get in
7 touch with Jerry Rawlings?

8 A. I don't know whether he got in touch with him, but what I
9 knew is that the Supreme Council - the football team went to
11:20:24 10 Ghana to play football and one of the Supreme Council members who
11 went with them, Abdul Sesay, I knew that he got in touch with
12 him. That was when he went there with the Sierra Leone football
13 team.

14 Q. You were very concerned to have the support of Jerry
11:20:45 15 Rawlings, weren't you?

16 A. Well, he did not tell us that in meetings. Johnny Paul
17 never used to tell us that in meetings.

18 Q. Right. Now I am going to ask you a little bit more about
19 Ghana in a moment, but so as to try to retain some sort of
11:21:13 20 chronological sequence can I just very briefly revisit the
21 question of 25 May. Where were ECOMOG forces in Sierra Leone on
22 25 May 1997?

23 A. They were deployed in the city. They had their base at
24 Jui.

11:21:45 25 Q. And what did they do as a result of your demonstration?

26 A. Well, they were deployed with the Kamajors at the
27 President's residence and the Vice-President's residence and some
28 other strategic areas, like the State House, and they actually
29 tried to stop the demonstration, but they did not make it. So

1 they all took back to their base at Jui.

2 Q. How did they try to stop your demonstration?

3 A. Well, they wanted to use force to do that, but they did not
4 find it easy, so they resolved to go back to their base at Jui.

11:22:35 5 Q. You mean, do you, Mr Kargbo, that there was firing between
6 your group and them?

7 A. Exactly.

8 Q. So, you didn't just protest against senior officers, you
9 also engaged in a fire fight with the ECOMOG forces, yes?

11:22:58 10 A. No, they tried to fire at us and they tried to fight
11 against us.

12 Q. And you fired back, is that what you're saying?

13 A. Yes, yes.

14 Q. And it was ECOMOG who flew President Kabbah out of the
11:23:20 15 country to safety in Guinea, wasn't it?

16 A. I don't know.

17 Q. All right. I would like you to turn now, please, to a
18 document and it is in tab 4 and we have already looked at it. In

19 fact, Madam President, this is the document where you were
11:23:46 20 correctly saying it is headed "AFRC secret" and I was saying
21 secretariat and I am afraid I didn't manage to mark the MFI
22 number.

23 PRESIDING JUDGE: I have it as MFI-16, but I will be --

24 MS IRURA: That is correct, your Honour.

11:24:13 25 MR MUNYARD:

26 Q. Now, Mr Kargbo, this is the first meeting of the AFRC held
27 on 19 July 1997, we have already looked at those present

28 including yourself and all the senior people in the AFRC in the
29 government - AFRC and indeed others who were invited to join it.

1 Captain SAJ Musa we see is chief secretary of state, so that
2 meant that he was in effect second in command, is that right?

3 A. No.

4 Q. Who was second in command?

11:25:05 5 A. It was Foday Sankoh, but at that time he was not yet
6 released. He had not yet been released from Nigeria.

7 Q. Right. Well, we know he was under house arrest in Nigeria
8 at this time. So where then in the hierarchy does SAJ Musa come?

9 A. SAJ Musa was the chief secretary of state.

11:25:32 10 Q. Yes, I see that. How senior was he? In other words, you
11 have got Johnny Paul Koroma as the top man, Foday Sankoh the
12 second. Would it be right to say that SAJ Musa was the third?

13 A. Well, if Foday Sankoh had come by then exactly we can say
14 he was the third person, but because he had not yet come that was
11:25:57 15 why his name was not included.

16 Q. We understand that. I am trying to establish how important
17 a figure in the AFRC SAJ Musa was from the beginning of the coup.
18 Now I want to ask you about some of the contents of this
19 document, your first formal meeting. If you look at the second
11:26:18 20 page, page 7082, in paragraph 1, the chairman's opening remarks,
21 he emphasises the need for punctuality. In paragraph 2 he also
22 emphasises - and I am looking at halfway down paragraph 2 - that
23 the principal liaison officers must make sure that looting is
24 stopped. Who was doing the looting?

11:27:00 25 A. Well, complaints filtered into the chairman and he knew
26 exactly what the complaints were and he knew who were the people
27 doing the things. That was why he was giving his advice during
28 this meeting.

29 Q. Was there a lack of discipline within the AFRC in these

1 early days of the new government?

2 A. There was discipline. That was why he directed that
3 strictly to the principal liaison officer who were our senior men
4 amongst those of us who were junior ranks in the Supreme Council
11:27:41 5 membership.

6 Q. Right. Very briefly can you tell us in paragraph 3 the
7 question of the release of Reverend Pratt from Pademba Road was
8 raised, no-one was able to tell who authorised his release. Who
9 was the Reverend Pratt and what was the significance of his being
11:28:04 10 released?

11 A. Well, a saga took place during which he was arrested and
12 the chairman said that he should be put into Pademba Road, but we
13 did not know the person who went and released him from Pademba
14 Road. So during that meeting he gave instruction that he should
11:28:24 15 be re-arrested and put there again and he was a reverend in the
16 army, so he was very important.

17 Q. Right. So you regarded him in the same way as the senior
18 officers, did you?

19 A. Excuse me, whom were we guarding?

11:28:47 20 Q. You said that he was a reverend in the army and very
21 important and the question here was why was he - why had he been
22 released. So was he regarded, like the senior officers in the
23 army, as someone who had to be kept under control?

24 A. I have not been able to understand. Repeat.

11:29:18 25 PRESIDING JUDGE: Mr Munyard, first of all we are just
26 about out of time and, secondly, I suspect from the answer of the
27 witness "regard" has been translated as "guard".

28 MR MUNYARD: Very well, your Honour.

29 PRESIDING JUDGE: So may I suggest that after the brief

1 adjournment you --

2 MR MUNYARD: Yes, I don't want to spend long on this, I
3 just want to establish who he is.

11:29:45

4 PRESIDING JUDGE: I am not interfering in any way with your
5 cross-examination.

6 MR MUNYARD: Thank you.

11:30:04

7 PRESIDING JUDGE: Mr Witness, you know that we normally
8 have a break at this time and we are now going to take the 11.30
9 to 12 o'clock break, so we will adjourn and resume court at 12
10 o'clock. Please adjourn court until 12.

11 [Break taken at 11.30 a.m.]

12 [Upon resuming at 12.00 p.m.]

13 PRESIDING JUDGE: Mr Munyard, when you are ready to
14 proceed.

12:00:19

15 MR MUNYARD: Thank you, your Honour:

16 Q. Mr Kargbo, we were just discussing a reverend gentleman
17 Reverend Pratt. Can you help us with why it was important that
18 he remained in prison?

19 A. I don't understand. Please explain.

12:01:02

20 Q. Well, have a look at the document that we have - I'm sorry.
21 Madam Court Attendant, if you could put MFI-16 on the screen,
22 please. We are turning to page 7082. Now can you have a look at
23 that, Mr Kargbo?

24 A. Yes.

12:01:51

25 Q. Do you need your reading glasses to read the words?

26 A. Yes, I am okay.

27 Q. I am going to take you to paragraph number 3, halfway down
28 that page:

29 "The question of the release of Reverend Pratt from the

1 Central Prisons at Pademba Road was raised. No-one among the
2 council members was able to tell who authorised his release."

3 Indeed if you look at the next paragraph headed "Decisions"
4 we see under paragraph 6: "The release of Reverend Pratt from
12:02:38 5 the Central Prisons must be investigated." Why was it a problem
6 that a senior clergyman from the army had been released?

7 A. Well, that was an incident that happened during the AFRC.
8 It was not the early stage of 25 May. Then we had already been
9 in power. An incident happened when the chairman ordered his
12:03:16 10 arrest, but somebody went and released him. Could it have been
11 the PLO or one of the supreme members, but nobody knew.

12 Q. I don't want to spend time on it, but are you able to help
13 us with why he was being ordered to be imprisoned, arrested?
14 What had he done?

12:03:45 15 A. There was this refugee oil and bulgur saga that took place
16 during the AFRC time.

17 JUDGE SEBUTINDE: Mr Interpreter, a refugee what?

18 THE INTERPRETER: Oil.

19 JUDGE SEBUTINDE: And?

12:04:07 20 THE INTERPRETER: Bulgur. B-U-L-G-U-R, your Honour.

21 MR MUNYARD: Bulgur wheat I presume that means:

22 Q. Is that what you're talking about, Mr Kargbo? Is it oil
23 and bulgur wheat?

24 A. Yes. An incident that happened relating to refugee food
12:04:29 25 items that they said the reverend was involved in.

26 Q. What, in stealing them?

27 A. Well, I don't want to say he stole them because I didn't
28 know the exact thing that occurred. They said he was involved.
29 I don't know whether he was stealing or not. It was after the

1 arrest and they released the chairman --

2 Q. We can move on from the Reverend Pratt. I want to ask you
3 about what is headed item 2, "The People's Army", paragraph 7 at
4 the foot of that page. It reads as follows:

12:05:07 5 "The chairman observed that there is a problem among some
6 members of the People's Army which has to be addressed
7 immediately. He therefore asked what was the problem between
8 Lieutenant Collins and Colonel Issa.

9 In his reaction Colonel Issa blamed Lieutenant Collins for
12:05:30 10 bypassing, dodging and impersonating. In addition Lieutenant
11 Collins is reported to have failed to adhere to an order from
12 Colonel Sam Bockarie for him to report to Kenema with Colonel
13 Issa. Members had the view that jealousy may have arisen against
14 Lieutenant Collins for the several foreign trips he has made.

12:05:54 15 Colonel Issa, however, clarified that Lieutenant Collins is
16 responsible for foreign missions and that there is no need for
17 envy.

18 In his reaction Lieutenant Collins reported that he spoke
19 with Colonel Sam Bockarie who gave him orders in anger and
12:06:11 20 abruptly cut off the communication. Since then Lieutenant
21 Collins has been extremely worried. The question of Lieutenant
22 Collins going to report to Colonel Sam Bockarie in Kenema was
23 extensively discussed, the idea of giving him an escort for his
24 security was also examined."

12:06:32 25 What was the problem between - is this Lieutenant Eldred
26 Collins and Colonel Sam Bockarie?

27 A. Well, just as you have read exactly in these minutes
28 I think those are the things that created the problem, because at
29 that time that was why the chairman was there to address the

1 situation so that they could come together.

2 Q. Right. But was there a continuing problem between Eldred
3 Collins and Sam Bockarie?

12:07:24

4 A. Well, when they came to join us we didn't know if they had
5 a problem before, but when we were together I don't know if
6 anything continued after I was - because we were all working
7 amicably right up to the time we left to go to Buedu.

8 Q. Right until the time you left to go to Buedu which year?

9 A. That was in '98 after the intervention.

12:07:49

10 Q. Thank you. All right. So you say everybody was getting on
11 well up until the time of the intervention, yes?

12 A. Well, I was not close to them, but what we saw from the
13 outside, things were going on well between them. I didn't know
14 about any internal rifts between them after chairman had resolved
15 it, but I was not that close to them.

12:08:22

16 Q. What about SAJ Musa and Sam Bockarie, how did they get on
17 during the time of the junta government?

18 A. All I can say was that they were not very close, because
19 SAJ was either always at his house or he would come to the
20 supreme meeting and at the supreme meeting I will see them saying
21 hi to each other, but I can't say they had any grudge or
22 differences between each other, but they were not very close.

12:08:49

23 Q. Move down the page, please, to item 3, "Brief on the
24 Abidjan trip. Corporal Gborie ..." - is this Tamba Gborie that
25 you mentioned before who was supposed to be arrested for
26 announcing that you had taken over government? Is that who we
27 are talking about?

12:09:12

28 A. Yes.

29 Q. "Corporal Gborie joined the meeting at this point and

1 briefed members about the trip to Abidjan. He explained about
2 the initial difficulties they encountered with the Nigerian
3 Foreign Minister especially with the position he took on the
4 deliberations. He explained in detail how we went about things
12:09:42 5 until there was a change of mind by the Nigerian Foreign Minister
6 and the other delegates in favour of the Sierra Leone
7 Delegation".

8 A. There is a problem with the translation.

9 Q. I may be going a little fast.

12:09:53 10 THE INTERPRETER: Your Honour, counsel is going too fast
11 for the interpreters.

12 MR MUNYARD: I am sorry, I will do it again. I will
13 summarise it actually:

14 Q. Corporal Gborie briefed members about the trip to Abidjan
12:10:06 15 and explained about the initial difficulties with the Nigerian
16 foreign minister until he changed his mind in favour of the
17 Sierra Leone delegation:

18 "He however cautioned that, we can only retain the success
19 we made so far if we can maintain a very high standard of
12:10:28 20 discipline", going over the page.

21 Now, can you tell us what was the trip to Abidjan that
22 Tamba Gborie went on?

23 A. Well it was a trip that all of us agreed on to go and see
24 the ECOWAS leaders so we would be able to know how to solve the
12:10:58 25 problems between us and the SLPP government; that is the AFRC and
26 the SLPP government at that time.

27 Q. Yes, the ECOWAS leaders were refusing to recognise the
28 junta, weren't they?

29 A. Yes.

1 Q. Every single one of them?

2 A. Not all of them.

3 Q. Who do you say recognised your junta government?

4 A. Well in the ECOWAS there was Liberia, there was Burkina
12:11:38 5 Faso and there is Niger and those recognised us, so it was not
6 all of them. It was the others that did not seem to recognise
7 us.

8 Q. When was the meeting at Abidjan?

9 A. I cannot recall the right date.

12:12:00 10 Q. But the document that we are looking at is about your
11 meeting in the middle of July 1997, isn't it?

12 A. Exactly, if that is the date that is there.

13 Q. The Abidjan meeting must have been before 19 July. That
14 follows, doesn't it?

12:12:29 15 A. Well, this was the time that this - the time that these
16 minutes came I think it was - that is the date.

17 Q. Can you remember now how long before your first meeting of
18 the Supreme Council the Abidjan meeting was?

19 A. No, I can't recall.

12:12:56 20 Q. Do you know the date when Mr Taylor became the President of
21 Liberia?

22 A. No.

23 Q. Are you able to help us at all by giving us the month in
24 which he became the President of Liberia?

12:13:13 25 A. I can't recall dates, or months. I can't recall.

26 Q. Well he wasn't installed in office until 2 August 1997 and
27 so he was not President of Liberia or Chairman of the National
28 Transitional Council in Liberia at the time of the Abidjan trip,
29 do you follow?

1 A. Just as I am saying I cannot recall all of these things
2 that he was chairman or president, but I knew that he was a
3 president in Liberia and he was the godfather of the RUF,
4 Mr Charles Ghankay Taylor.

12:14:02 5 Q. Mr Kargbo, you have just told us that Niger, Burkina Faso
6 and Liberia had recognised your government by the time of the
7 Abidjan trip; the meeting at Abidjan of the ECOWAS states.
8 Mr Taylor was neither the chairman of the governing council, nor
9 the president at the time of the Abidjan trip. How do you say
12:14:31 10 the Liberian Government recognised the junta government by that
11 stage?

12 A. Because it is how the things happened. It was through
13 there that we passed to go the delegation, that is the AFRC and
14 the RUF, and even when they were returning they would come
12:14:57 15 through Liberia and Mr Charles Taylor before they could come into
16 the Sierra Leonean border.

17 MR MUNYARD: Sorry, your Honour:

18 Q. Do you know how Corporal Gborie travelled from Sierra Leone
19 to Abidjan from La Cote d'Ivoire?

12:15:41 20 A. I can't recall.

21 Q. Well, do you know if he went through Liberia?

22 A. This was an ECOWAS invitation. I can't recall how they
23 travelled.

24 Q. Are you aware that the junta members - representatives of
12:16:04 25 the junta - were not allowed to travel through Liberia and that
26 their delegation to the ECOWAS conference in Abidjan had to go
27 via a longer route to get to Abidjan because they were not
28 allowed to go through Liberia?

29 A. Well, I cannot recall. Just as I said if I was part of the

1 delegation I would have told you, but I can't recall. I have
2 told you.

3 Q. Now, help us with this if you can please. When was it that
4 you say SYB Rogers led a mission from the junta government to
12:16:47 5 Mr Taylor in Monrovia?

6 A. That particular time was when we discussed it at the
7 Supreme Council meeting before this meeting, the ECOWAS meeting.

8 Q. So, he went on his trip to Monrovia before this meeting
9 that we are looking at the minutes of now?

12:17:13 10 A. He went in the interests of the RUF and the AFRC in Liberia
11 to Mr Charles Ghankay Taylor.

12 Q. I am not interested in whose interests he went in. I am
13 interested in the time - the date - when he went. I understood
14 from your - hold on a moment. I understood from your earlier

12:17:38 15 reply that you are saying he went before this meeting of the
16 Supreme Council on 19 July. Is that correct?

17 A. Yes.

18 Q. Thank you. And you told us in evidence that when he went
19 on his mission to Monrovia that then you got formal recognition
12:18:04 20 of your government from Liberia. Do you remember telling us that
21 earlier today?

22 A. Yes.

23 Q. So by the time of this meeting Liberia, on your evidence,
24 had recognised your government and so had Burkina Faso and so had
12:18:26 25 Niger, yes?

26 A. Yes.

27 Q. And was that discussed at the very first meeting of the
28 AFRC?

29 A. We discussed it after the RUF had joined us, when they

1 formed the delegation before this ECOWAS meeting.

2 Q. Yes. Well when you say "after the RUF had joined us", what
3 do you mean by that?

4 A. When they joined the AFRC.

12:19:11 5 Q. Well we know they joined the AFRC, on your evidence, within
6 two to three weeks of the coup. We established that this
7 morning. I think in the end you were actually saying it was
8 within one to two weeks of the coup. Do you remember saying
9 that? You corrected me at one point, I think?

12:19:36 10 A. Yes.

11 Q. Right, so the RUF have joined you by the time of - well, by
12 19 July they had definitely joined you?

13 A. Yes, they joined us even before that.

14 Q. In fact if we look - if go back to the first page of this
12:19:57 15 document, 7081, and look at some of the names, when we get to
16 number 8, Colonel Denis Mingo, what group is he part of?

17 A. The RUF.

18 Q. Colonel Isaac T and it says "Mungo". Is that Isaac Mongor?

19 A. I don't know his surname. I knew him to be Colonel Isaac.

12:20:44 20 Q. Yes, well-known as Colonel Isaac, but his full name is
21 Colonel Isaac Mongor. There was only the one Colonel Isaac in
22 the junta, wasn't there?

23 A. Within the RUF he was the only one that I knew to be
24 Colonel Isaac.

12:21:04 25 Q. Thank you. And Lieutenant Colonel Gibri I Massaquoi, what
26 group was he?

27 A. RUF.

28 Q. Major Morris Kallon, what group was he?

29 A. RUF.

1 Q. Number 23, Lance Corporal Ibrahim D Sesay, what group was
2 he?

3 A. AFRC, SLA.

4 Q. So, the RUF are clearly part of the meeting that is taking
12:21:49 5 place on 19 July. I think you would agree with that, wouldn't
6 you, Mr Kargbo?

7 A. Yes.

8 Q. And so you say you discussed these important questions of
9 the recognition of your government by three foreign states at
12:22:09 10 this meeting, yes?

11 A. Yes.

12 Q. We have looked so far at the first three pages. I am going
13 to take you briefly over the next few pages. The fourth page,
14 7084, deals with Corporal Gborie's report saying the People's
12:22:48 15 Army have been doing very well and then a decision on maintaining
16 high standards of discipline. Then there is a film show. I am
17 going to come back to the film show. Then there is item 5, the
18 Kono issue, that's mining in Kono. I am going to come back to
19 that.

12:23:09 20 Over the page, page 5 - top of page 5 there has been
21 indications about secret deals between Tejan Kabbah and General
22 Sani Abacha, we will look again at that. Then there are
23 decisions about diamonds and that deal. Then item 6: "Any other
24 business. Quite a number of members contributed under this item.
12:23:40 25 Prominent among the issues included the following: Secrecy and
26 indiscriminate shooting." We will come back to that. Then (b)
27 "Recognition". Under "Recognition" it says this:

28 "In his contribution Colonel Isaac reported about the
29 problem of recognition between the People's Army and other

1 servicemen. He emphasised that it is awkward to see the People's
2 Army on one side and the armed forces personnel getting a
3 confrontation in public."

4 That's all on recognition. Then the final page, 7086, (c)
12:24:25 5 "Power of the People". Lieutenant Collins drew the attention of
6 the council to the importance of meeting the people and it deals
7 with that. It ends with this:

8 "(iii) Finally Lieutenant Collins drew the council's
9 attention to the fact that they must be prayerful at all times
12:24:51 10 and informed members that in the People's Army morning and
11 evening prayers are a standing order."

12 Nobody, Mr Kargbo, seems to have mentioned what is hardly a
13 minor matter: The recognition of your government that you claim
14 has taken place by Liberia, Burkina Faso and Niger. You said
12:25:17 15 that was discussed. Can you think of any reason why it wasn't
16 minuted?

17 A. As you can see in the minutes there is something about
18 secrecy. That was not included in the minutes. I know it should
19 be in front of you, something about secrets.

12:25:40 20 Q. Are you making that answer up as you go along?

21 A. I would like you to go over the minutes again. There must
22 be something about secrecy.

23 MR KOUMJIAN: Your Honour, I believe that counsel misquoted
24 the witness and, please anyone can correct me if I am wrong, but
12:26:01 25 the witness did not say that was discussed at this meeting. He
26 testified on page 67 line 17 on mine when he was asked, "Was this
27 discussed at the very first meeting" he said, "We discussed it
28 after the RUF had joined us when they formed the delegation
29 before this ECOWAS meeting." So he did not testify, as stated in

1 the question, as presumed in the question, that the discussion of
2 the recognition was at the meeting that is in this document
3 before the witness, this July meeting.

12:26:40 4 JUDGE SEBUTINDE: Yes, but, Mr Koumjian, if you look at
5 page 69 lines 6 to 9 the question was, "So you say you discussed
6 these important questions of recognition of your government by
7 three foreign states at this meeting, yes?" Meaning the meeting
8 of 19 July, the document in question. The answer, "Yes."

12:27:03 9 MR KOUMJIAN: Fair enough. I understand your Honours.
10 Thank you.

11 MR MUNYARD:

12 Q. That's what you were telling us about: The discussion at
13 this meeting, wasn't it, Mr Kargbo?

14 A. Yes.

12:27:22 15 Q. You say it was discussed but you are now claiming that it
16 may not have been minuted because I took you to the passage
17 headed "Secrecy and indiscriminate shooting" and you are now
18 trying to tell us, are you, that the reason that a public
19 recognition of your government by those governments, which is
12:27:49 20 what recognition is all about, was a secret? Is that what you're
21 telling us?

22 A. Exactly.

23 Q. So we have the great advantage of three West African
24 countries recognising us, the whole point being to tell the world
12:28:12 25 that they recognised our legitimacy as a government, but we are
26 keeping it a secret. Is that what you're saying?

27 PRESIDING JUDGE: Yes, Mr Koumjian?

28 MR KOUMJIAN: Argumentative.

29 PRESIDING JUDGE: I think he is entitled to put the

1 question.

2 THE WITNESS: Yes, that's why it is written there secrecy,
3 that there were some secrets. It was not everything that could
4 be included in the minute.

12:28:44

5 MR MUNYARD:

6 Q. Mr Kargbo, do you understand what recognition by one
7 government of another government is for, what is its purpose?

8 A. Yes.

9 Q. What is its purpose? You tell the learned judges.

12:29:05

10 A. The atmosphere would be different. Like in a situation the
11 atmosphere was different, so not everybody should know who and
12 who had recognised us.

13 Q. How is the atmosphere different if other governments in the
14 world who you are hoping will recognise you as well are kept in

12:29:28

15 the dark about three of your neighbours lending legitimacy to
16 your military coup?

17 A. That was why it was not included in any document.

18 Q. Because it was a secret?

19 A. Yes.

12:29:54

20 Q. Did it remain a secret?

21 A. Yes, except now. It remained a secret.

22 Q. So are you the first person to reveal to the world that
23 back in 1997 your junta got secret recognition from three of its
24 West African neighbours, but that was all kept under their hat
12:30:22 25 until your evidence in this Court?

26 A. I believe the Prosecution did their research. They had
27 known before. I am not the first person.

28 Q. Well, have you heard anyone announcing to the world this
29 secret has now been revealed?

1 A. No, I have never heard it. I have never heard it from
2 somebody.

3 Q. So as far as you're aware you are the first person to break
4 the secret and reveal these countries' recognition of the junta?

12:31:13 5 A. Yes.

6 Q. That must be right.

7 A. Yes.

8 Q. Thank you. Your government was never recognised by
9 Liberia, I suggest. You have made that up.

12:31:29 10 A. No, Liberia recognised our government because in fact they
11 recognised the rebels who were fighting, that was the RUF, before
12 the AFRC thing could even come up.

13 Q. Whose decision was it to keep it a secret? Was it your
14 junta's decision or was it these three governments themselves who
15 didn't want the world to know?

16 A. It was a combined decision, the RUF and the AFRC.

17 Q. Were you seeking recognition in order to persuade other
18 governments around the world, and in particular in Africa, to
19 also recognise you?

12:32:21 20 A. Yes, but it did not happen.

21 Q. Do you think it didn't happen because you had kept it such
22 a secret?

23 A. Yes.

24 Q. So it was pointless to have their recognition if you were
12:32:54 25 going to keep it secret, wasn't it?

26 A. Liberia recognised us. It was for the other countries to
27 whom they think the recognition was secret that did not recognise
28 us.

29 Q. That may all be right, but just go back and answer my

1 question, please. It was pointless to have the recognition of
2 these three countries if you were going to keep it a secret,
3 wasn't it?

12:33:43 4 A. No, it was not pointless because they too wanted us to keep
5 it a secret because that's why anything that ECOWAS wanted to do,
6 like it made a reference that they would want to pass through
7 Liberia, Mr Charles Ghankay Taylor's government would refuse
8 because he didn't want anybody to know that we had dealings with
9 them. But if it was done in secret he would accept us, the AFRC
12:34:04 10 and the RUF.

11 Q. All right. I am sorry, Madam Court Officer, but I am going
12 to have to go back to the document. We will have a look at the
13 paragraph headed "Secrecy and indiscriminate shooting". It is on
14 page 7085. Have a look at this paragraph, please, it is 22(a)
12:34:53 15 under item 6, "Any other business":

16 "(a)(i) In his contribution the chief secretary of state",
17 that of course is SAJ Musa, "emphasised the problem of secrecy on
18 issues relating to council. He intimated members that there is
19 always a temptation for members to be swayed into discuss council
12:35:21 20 affairs and cautioned members to be very vigilant."

21 Now what that means is that members of the Supreme Council
22 shouldn't go around talking about things that you had discussed
23 in private, doesn't it?

24 A. No, it was - yes, what you have said and together with the
12:35:50 25 things that I have said as well.

26 Q. Give us some examples, apart from the extremely important
27 issue of recognition by other states, of things that were to be
28 kept a secret that otherwise council members might be tempted
29 into discussing?

1 A. I cannot recall all of them except if you ask me a question
2 about them then I will answer, like this one I have just told you
3 now, you and the Court.

4 Q. All right.

12:36:26 5 A. And about arms and ammunition deals, diamonds.

6 Q. Right. Obviously you would want to keep secret where you
7 were getting your arms from, wouldn't you?

8 A. Exactly.

9 Q. And you were mainly getting your arms from Burkina Faso,
12:36:48 10 weren't you, during the junta period?

11 A. Through Liberia. Liberia and Burkina Faso.

12 Q. And what about Libya?

13 A. I knew about Liberia and Burkina Faso. I did not know
14 about any shipment that came from Libya, but we collected
12:37:17 15 whatever we needed from Liberia and Burkina Faso.

16 Q. Just briefly, if you can, can you help us with what this
17 problem with indiscriminate shooting was that's referred to in
18 that same section, item 6, "Secrecy and indiscriminate shooting"?

19 A. It was relating to the Alpha Jet because at that time we
12:37:47 20 didn't have much experience. Whenever it would fly over and it
21 will see any soldier working, the soldiers would fire at the jet.

22 Q. Then (b) "Recognition":

23 "Colonel Isaac reported about the problem of recognition
24 between the People's Army and other servicemen. He emphasised
12:38:17 25 that it is awkward to see the People's Army on one side and the
26 armed forces personnel getting a confrontation in public."

27 Who are the armed forces other than the People's Army?

28 A. Well, the armed forces was the Sierra Leonean army.

29 Q. You mean those who remained loyal to President Kabbah?

1 A. They were not in the city at that time, but they were
2 different types of different armed men. They were there even
3 when the RUF was there, but we didn't know whether they were
4 loyal to Kabbah, but some of them were loyal to us and so it was
12:39:11 5 some of these problems that were occurring that Isaac brought up
6 so that we should address them at the Supreme Council meeting.

7 Q. And was the People's Army getting into confrontations in
8 public with armed forces personnel?

9 A. Yes, on one or two occasions we heard the reports at the
12:39:34 10 Supreme Council. We heard that and we tried to redress it.

11 Q. Right. And are we talking about firing at each other? Is
12 that what you mean by confrontation, exchanges of fire?

13 A. No, I never heard that they had exchange of fire between
14 each other, but I heard that they fought physically.

12:40:06 15 Q. Go back, please, to the previous page, 7084, the "Kono
16 issue", item 5.

17 A. I want to use the gents.

18 PRESIDING JUDGE: I see, Mr Witness. If you could assist
19 the witness, please.

12:40:23 20 [In the absence of the witness]

21 Yes, Mr Koumjian?

22 MR KOUMJIAN: May I ask if there is a possibility of an
23 adjudicated finding - adjudicated fact - that we lower the
24 temperature slightly in this courtroom, or do your Honours find
12:42:35 25 it comfortable?

26 PRESIDING JUDGE: I will have it checked in the course of
27 the lunchtime break. Perhaps I should take a vote on this
28 subject.

29 MR MUNYARD: Well, Madam President, may I exercise my right

1 of reply and completely endorse the application made by
2 my learned friend, Mr Koumjian.

3 PRESIDING JUDGE: In the light of that, I will have it
4 checked.

12:42:54 5 [In the presence of the witness]

6 Are you all right, Mr Witness?

7 THE WITNESS: Yes, I am all right, thank you. Thank you,
8 I am all right.

9 MR MUNYARD:

12:44:45 10 Q. Now, Item 5 "Kono Issue". Is that on the screen in front
11 of you? Do you have that, Mr Kargbo?

12 A. Yes, yes.

13 Q. Right, paragraphs 17, 18 and 19:

14 "Following the difficulties that came along with the
12:44:59 15 political impasse, an initiative ..." --

16 JUDGE SEBUTINDE: Witness, do you mind not breathing so
17 heavily in our ears if you can help it please.

18 MR MUNYARD:

19 Q. "Following the difficulties that came along with the
12:45:19 20 political impasse, an initiative was taken to send a team down to
21 Kono to do some mining. By all indications, the team was not
22 believed to have worked well and therefore the Chief Secretary of
23 State was mandated to go on the spot check and stop all mining
24 operations."

12:45:41 25 Can you help us with that? Who was in this team and why
26 did they not work well?

27 A. Well at first the team comprised Santigie Borbor Kanu, who
28 was also called Five-Five.

29 Q. Yes, anybody else?

1 A. No, at that time he was the one who was sent there as the
2 overall commander in Kono.

3 Q. Yes, but who was in this team? A team implies a group of
4 people rather like a football team, do you follow? Who are the
12:46:35 5 rest of them?

6 A. He was the only one who was appointed. That was the first
7 appointment to Kono. There was no other supreme member who was
8 attached with him, except the other RUF that I did not know.
9 There was the RUF representative who he went to join that I did
12:47:00 10 not know.

11 Q. Was there a problem, even at this early stage, between the
12 RUF and the AFRC in the mining fields in Kono?

13 A. At the early stage there was no problem. It was only
14 members of the Supreme Council who were sending their family
12:47:29 15 members to go and do mining in Kono and that was not going down
16 well with the Supreme Council and some members were going to
17 Kono.

18 Q. So members of the Supreme Council were sending their family
19 members to go and mine for themselves, presumably, is that right?

12:47:48 20 A. Exactly.

21 Q. We will return to mines and diamonds in due course, but
22 paragraph 18:

23 "He was able to come with the following ..." (this is
24 presumably SAJ Musa, the Chief Secretary of State) "... One (1)
12:48:07 25 Piece of Diamond weighing Fourteen (14) Carats and Two (2)
26 Assortments of Small Diamonds weighing Nineteen (19) and
27 Thirty-One (31) Carats respectively. The Chairman reminded
28 members that with the mineral resources we have in this country,
29 there should be no need to rely on funding from external

1 agencies."

2 How were these diamonds carried? What were they in?

3 A. Well, they were trying to get funds. We were looking for a
4 place to sell them so that we could get funds, but their people
12:48:46 5 were assigned to dealing these diamonds.

6 Q. It may have been my question, but I will try to put it
7 another way. You told us before the break that you had seen
8 diamonds wrapped in plastic - carried in plastic bags and you
9 demonstrated a similar kind of bag, albeit a different size, that
12:49:11 10 you had some medication in. How were these diamonds carried, do
11 you know?

12 A. The one I demonstrated the last time were the ones who were
13 taken from us that Mr Charles Ghankay Taylor sent vehicles for us
14 to be collected and taken to Liberia that RUF commander Sam
12:49:36 15 Bockarie, Issa Sesay and others took from us. That was the one
16 I demonstrated to you.

17 Q. Yes, I know that. I am asking you were these diamonds
18 referred to in paragraph 18 also in plastic bags, do you know?

19 A. Well by then it was the Chief Secretary of State, by then
12:50:01 20 SAJ Musa, that brought them, but they were not in the plastic.
21 They were wrapped in something like a tissue.

22 Q. Did you ever see diamonds in a glass jar, like a jam jar or
23 the water glass that is next to you on the table?

24 A. In a jar like this, you mean?

12:50:32 25 Q. Yes.

26 A. No, no.

27 Q. Paragraph 19, over the page, please. Oh, I am sorry, just
28 before - if you would leave it on the screen I will come back to
29 it. How many times were you at meetings of the Supreme Council

1 during the period of the junta government?

2 A. I was always present in a meeting, save for the time I was
3 sent to Kono. It was since then that I did not attend meetings.

4 Q. So, how many meetings out of the total did you not attend?

12:51:20 5 A. I can't recall that.

6 Q. Can you recall the total number of meetings of the council?

7 A. No, I can't remember.

8 Q. Can you give us any idea of roughly what proportion of
9 meetings you attended? What percentage?

12:51:43 10 A. It was only the time that I left to go to Kono that I did
11 not attend meetings, but I can't tell how often they held
12 meetings after that particular period and so I can't tell.

13 Q. You were still a member of the Supreme Council, were you,
14 at that stage when you had gone to Kono?

12:52:06 15 A. Yes.

16 Q. And therefore you presumably got the minutes, like the
17 document we are looking at, from each of the meetings even if you
18 were not present?

19 A. Well, since I had not joined them up during the
12:52:29 20 intervention I did not get any minutes from them because I did
21 not come to Freetown.

22 Q. And just help us with this again. When did you go to Kono
23 and how long were you there during the junta period?

24 A. Well, I went to Kono around mid-January 1998.

12:52:55 25 Q. So you were only in Kono for about a month out of the total
26 nine months of the junta's being in power, yes?

27 A. Yes, about that.

28 Q. Thank you. During the period you were there, from May to
29 mid-January of the following year, were diamonds ever produced at

1 any other council meetings apart from the one we have just been
2 looking at?

3 A. During the time I was in Freetown?

4 Q. Yes.

12:53:39 5 A. Yes, yes.

6 Q. How often were diamonds shown at Supreme Council meetings
7 during the time - the eight months of the junta that you were
8 present?

9 A. About one or two occasions the chief security by then told
12:54:05 10 Johnny Paul Koroma, that was Rambo Moses Kabia, he brought
11 diamonds and he was the one responsible to bring them from Kono.
12 He will go and bring them from Kono and by then the appointment
13 for Santigie Borbor Kanu who was there and with the appointment
14 of Gborie who was also there, he would go to Kono and collect
12:54:27 15 diamonds from there and bring them to be presented to the Supreme
16 Council.

17 PRESIDING JUDGE: I am not sure who the "he" is there,
18 Mr Munyard.

19 MR MUNYARD: It's Moses Kabia, I understand it. The chief
12:54:42 20 security. About one or two occasions the chief security that was
21 Rambo Moses Kabia, he brought diamonds. And then he elaborated
22 on the circumstances.

23 THE WITNESS: Yes.

24 MR MUNYARD:

12:54:55 25 Q. So just on one or two occasions in the first eight months
26 of the junta you saw diamonds at the Supreme Council meetings?

27 A. The ones that Moses Kabia brought, the chief security by
28 then.

29 Q. Yes, I am just asking you about all the occasions when you

1 saw diamonds and you've said one or two times and that's it, is
2 it, Mr Kargbo?

3 A. The ones that the chief security officer brought. But
4 diamonds used to come, like the ones Gborie and Five-Five used to
12:55:35 5 bring when they were appointed. At any time they brought report
6 to Freetown they would come with diamonds.

7 Q. I am talking about Supreme Council meetings?

8 A. Yes.

9 Q. I didn't ask you about any individual who brought them.

12:55:52 10 I asked you, page 82, line 12, "How often were diamonds shown at
11 Supreme Council meetings during the time, the eight months of the
12 junta that you were present?" Your answer was, "About one or two
13 occasions", and then you went on to say who brought them.

14 A. That is what I recall exactly and the one that the chief
12:56:21 15 secretary of state also brought, SAJ Musa.

16 Q. So you are now saying it was more than one or two
17 occasions?

18 MR KOU MJIAN: I believe that is unfair to the witness's
19 answer where he listed one or two occasions by Moses Kabia and
12:56:37 20 then he mentioned Barbue and someone else as also bringing
21 diamonds.

22 MR MUNYARD: I am accepting that he is now saying there are
23 other occasions:

24 Q. You say Rambo brought them on one or two occasions and
12:56:53 25 others you say brought them on other occasions. Is that right,
26 Mr Kargbo?

27 A. That was what I said exactly when you said you had interest
28 over that.

29 Q. Give us an idea of how many times, how many occasions you

1 saw diamonds brought to the Supreme Council?

2 A. The one brought by the chief security, SAJ Musa, and then
3 also Five-Five and Gborie, they also brought diamonds to the
4 Supreme Council and they were handed over to the chairman.

12:57:35 5 Q. How many times, please?

6 A. I cannot remember the times before I was sent there now to
7 be deployed.

8 Q. Don't worry about when you were sent there, that's at the
9 tail end of the junta. We are concerned with the eight months
10 that you were present. Rambo once or twice. How many times did
11 the others, Five-Five and Gborie and SAJ Musa, bring diamonds
12 roughly?

13 A. I recall that they all reported to the Supreme Council at
14 the time they went there. It was initially Five-Five, he was
12:58:21 15 changed. Later Gborie came also, he reported to the Supreme
16 Council and presented diamonds. And SAJ Musa himself, the chief
17 secretary of state by then.

18 Q. What were they in when all of these people presented
19 diamonds?

12:58:42 20 A. SAJ Musa, the one he brought was in a tissue and the one
21 that Five-Five brought and then - those were in plastics like the
22 ones I described the last time.

23 Q. Paragraph 19, please, on page 7085:

24 "The chairman further went on to note that there has been
12:59:12 25 indications about secret deals between Tejan Kabbah and general
26 Abacha which are being investigated."

27 This is under the heading the "Kono issue". General Sani
28 Abacha at the time was the President of Nigeria, wasn't he?

29 A. Yes.

1 Q. What was the secret deal that you understood was being
2 investigated between him and Tejan Kabbah?

3 A. Well, it was what they did by removing us from power in
4 1998.

12:59:54 5 Q. Well, how does this come under the Kono issue?

6 A. This was a meeting and I believe it's a minute.

7 PRESIDING JUDGE: Mr Munyard, the record shows and I think
8 I heard the witness say removing us from power in '98.

9 MR MUNYARD: Yes. I am wondering how this secret deal
10 being between Tejan Kabbah and Sani Abacha comes under the
11 heading Kono issue. What has it got to do with Kono? That's all
12 I am asking.

13 JUDGE SEBUTINDE: More importantly in July 1997.

14 MR MUNYARD: I was going to come on to that, your Honour.

13:00:45 15 PRESIDING JUDGE: Very well [microphone not activated].

16 MR MUNYARD: Yes:

17 Q. Tell us what the secret deal between Tejan Kabbah and Sani
18 Abacha has to do with Kono?

19 A. Well, that did not have to do with Kono. This was a minute
13:01:06 20 of a meeting during which people were giving contribution, making
21 their contributions, and we heard that Tejan Kabbah and Sani
22 Abacha were trying to put men together to remove us from power.

23 Q. Which didn't happen until January - in fact February 1998,
24 did it?

13:01:33 25 A. Yes, but by then we had been getting the information.

26 Q. Was there some information that Tejan Kabbah had diamonds?
27 Is that why it comes under item 5, "Kono issue"?

28 PRESIDING JUDGE: Mr Witness, did you hear the question?

29 THE WITNESS: Yes. I am reading over item 5 whilst he was

1 asking the question.

2 MR MUNYARD:

3 Q. Take your time, Mr Kargbo, but if you want me to repeat the
4 question I will.

13:02:30 5 A. No, you don't need to repeat that. I have read it and
6 I have understood it. I have reflected my mind.

7 Well, by then we had a report that some people who were
8 strong supporters of the SLPP and who were in Kono were
9 pretending to be loyal to us, the AFRC, and we allowed them -
10 they were mining and they were sending diamonds to Guinea at that
11 time. So that was the reason why that issue came under this item
12 5.

13 Q. They were sending items to Guinea which is where Tejan
14 Kabbah was with the rest of his government. Is that correct?

13:03:15 15 A. Yes.

16 Q. And so what was the deal that Tejan Kabbah was going to do
17 with the diamonds and Sani Abacha?

18 A. Well, by then we did not know, but that was the information
19 we got, that there were people who were mining and sending
13:03:35 20 diamonds to them in Guinea, that is the Tejan Kabbah SLPP
21 government in Guinea.

22 Q. You can't really help us, can you, about this deal between
23 Tejan Kabbah and Sani Abacha in connection with Kono and
24 diamonds?

13:03:53 25 A. Well, it was only when they tried to remove us from power
26 that we realised that it was those diamonds that they were
27 receiving that they used and that was through the information we
28 got.

29 Q. Well, they removed you from power in February 1998. We are

1 Looking at a discussion amongst the Supreme Council about some
2 secret deal that at the very latest had occurred by mid-July
3 1997. Are you able to shed any light on it or not; yes or no?

13:04:37

4 A. Well, that is the only explanation I have and that is
5 through the information we got.

6 Q. Go back finally, please, to the previous page, 7084, item
7 4, "Film show". Paragraph 16:

13:05:02

8 "A special film was played for council members to learn
9 from the experience of the Ghanaian fourth republic. The film
10 was to serve as an example from which all members can learn. In
11 the film very high standards of orderliness and discipline was
12 reflected among all service personnel."

13 I don't want to dwell on the film as such, but the Ghanaian
14 fourth republic is the Jerry Rawlings government, isn't it?

13:05:27

15 A. Yes.

16 Q. And the AFRC particularly looked to Jerry Rawlings as a
17 kind of godfather, didn't they?

18 A. We did not have anything to do with him, no.

13:05:55

19 Q. You didn't have anything to do with Jerry Rawlings of
20 Ghana?

21 A. No, I even wondered how this thing came to the Supreme
22 Council for us to watch it.

23 Q. Well, it's right, isn't it, that members of the Sierra
24 Leone Army who participated in the AFRC coup held Jerry Rawlings
25 and the fourth republic in very high regard, didn't they?

13:06:19

26 A. We had high respect for Jerry Rawlings yes.

27 Q. And the film was shown to members in order to try to
28 encourage you to behave in the way that Jerry Rawlings'
29 government and forces behaved, wasn't it?

1 A. Yes, that was why they played the film.

2 Q. And Jerry Rawlings sent his foreign minister Victor Gbeho
3 to meet the junta in June 1997, didn't he?

4 A. Yes.

13:07:07 5 Q. So why did you say when I asked you, "And the AFRC
6 particularly looked to Jerry Rawlings as a kind of godfather,
7 didn't they - why did you reply, "We did not have anything to do
8 with him, no" if he had sent his foreign minister to see you the
9 previous month?

13:07:27 10 A. He was the first foreign minister who came and even when he
11 came he tried to persuade us to hand over power. He did not come
12 for us to stay in power. He said we should hand power over back
13 to the SLPP government.

14 Q. That was before this meeting that we are looking at the
13:07:50 15 minutes of, yes?

16 A. Exactly. He was the first foreign minister who came and
17 met us. He said we should hand power over back to the SLPP.

18 Q. Did Ghana secretly recognise your government?

19 A. No, I never knew about that.

13:08:32 20 Q. I want to ask you a little bit more, please, about this
21 delegation that had already been to see Charles Taylor headed by
22 SYB Rogers. First of all, he was on the delegation. Who else
23 was on it?

24 A. The late Charles Conteh, a colonel.

13:09:05 25 Q. Right, yes. Who else?

26 A. The late Fonti Kanu from the SLA.

27 Q. Yes?

28 A. Those are the ones I recall.

29 Q. What about AK Sesay?

1 A. Exactly. He was the Secretary-General by then. He was
2 also present.

13:09:46 3 Q. Yes, you told us his name when you gave us evidence before
4 the Court break. You mentioned him and Colonel Charles Conteh,
5 and I will be corrected if I am wrong but I don't think you
6 mentioned Fonti Kanu as being part of that delegation. Is AK
7 Sesay still alive?

8 A. No, he is also dead.

9 Q. We know that SYB Rogers is dead. You agree with that?

13:10:05 10 A. Yes, when I returned that was what I later understood.
11 That is when I came back to Sierra Leone.

12 Q. Are there any members of that delegation who to your
13 knowledge are still alive?

14 A. Yes, Mike Lamin is alive.

13:10:26 15 Q. I am talking about the first delegation that you claim was
16 sent. Mike Lamin was part of that delegation, was he?

17 A. Yes, he was part of the delegation.

18 Q. And this was the delegation that went to see
19 Charles Taylor. You said when you were giving evidence-in-chief
13:10:50 20 about it to my learned friend for the Prosecution that you were
21 not sure where they met Mr Taylor, or I may be incorrect about
22 that, but have you certainly told the Prosecution you weren't
23 sure where they met Mr Taylor. Do you know how they got to
24 Liberia? Actually, no, you did tell us you don't know whether it
13:11:18 25 was the house or the office that they met.

26 A. No.

27 Q. Do you know how they got to Liberia?

28 A. It was by road from Freetown, Bo, Kenema, Kailahun District
29 and then they crossed to the border.

1 Q. And what was it that they had gone for?

2 A. At first it was a delegation seeking for recognition.

3 Q. But they already had had recognition from Mr Taylor in a
4 telephone call with Johnny Paul Koroma, hadn't they?

13:12:09 5 A. Well that was what he explained, but he did say that we
6 needed to send a delegation and so that was the delegation that
7 went.

8 Q. And why did he say you needed to send a delegation for
9 seeking recognition?

13:12:34 10 A. Well, that was the proposal made by the chairman in the
11 meeting and we supported. That is Chairman Johnny Paul Koroma at
12 that time.

13 Q. So, Mike Lamin and SYB Rogers and others go on this
14 delegation seeking recognition. What did they come back with?

13:12:56 15 A. When they came back they told us that Mr Charles Ghankay
16 Taylor agreed and they were welcomed. He welcomed them well.
17 When they came back they praised him a lot, the way he welcomed
18 them.

19 Q. Did they take anything with them?

13:13:24 20 A. I wouldn't know that, but the chairman was supposed to send
21 a letter. I don't know whether he prepared any parcel, but he
22 did say that they were supposed to go with a letter.

23 Q. And the letter was to ask for the AFRC government to be
24 recognised, yes?

13:13:48 25 A. I don't know what was in the letter.

26 Q. Well you told this Court on 21 May, page 10454, line 20,
27 "It was a letter they were supposed to take with them for us for
28 the AFRC government to be recognised." Do you remember saying
29 that, or have you now forgotten?

1 A. I have not forgotten. I am still saying that a letter was
2 sent, but what was in the letter I don't know.

3 Q. So when a president sends a delegation with a letter
4 seeking recognition, what do you expect the delegation to come
13:14:36 5 back with if the other government has agreed to recognise them?

6 A. Well, they must bring some word.

7 Q. Yes, words on paper presumably?

8 A. It could be words on paper, or maybe he would have just
9 said verbal words that they will come and explain just like
13:15:06 10 I have said before.

11 Q. Well you tell us, Mr Kargbo. When they went off with their
12 letter from your president to Mr Taylor and he recognised your
13 government, did he send a letter in reply saying words to the
14 effect, "Dear brother president, we recognise your government"?

13:15:33 15 Did you get the courtesy of a letter in reply?

16 A. Well on their return they only reported verbally, but I did
17 not see a letter written by him.

18 Q. Did they mention that he had written a letter recognising
19 your government?

13:15:59 20 A. Whether he wrote it, but I did not see such a letter during
21 Supreme Council meeting. And when the chairman buttressed when
22 they went what they saw there and what happened there, he did not
23 show us any paper. He only said them by word of mouth.

24 Q. Can you think of any reason why, when you were telling us
13:16:26 25 about this delegation on 21 May, that you didn't mention Mike
26 Lamin being on this delegation?

27 A. Well like I said on 21 May I did say I cannot recall all of
28 them, but I said the head of the delegation was SYB Rogers.

29 Q. So you are now saying that Mike Lamin went on it, are you?

1 A. Yes, they were all part of the delegation.

2 Q. Who else that you haven't mentioned previously can you now
3 remember today?

4 A. Well, the ones I called a short while ago that you had.

13:17:20 5 Q. Yes, I am asking you about others. I am trying to jog your
6 memory. You have come up with a new name today, Mike Lamin.

7 A. I can't recall any other person.

8 Q. Would you agree that that was a very important delegation
9 to go on?

13:17:43 10 A. I knew, but there were some other things that I also
11 committed myself to in town, so I can't recall all of those
12 things because it had happened for quite a long time ago.

13 Q. I am going to try again.

14 PRESIDING JUDGE: I am not quite sure that answers your
13:18:03 15 question.

16 MR MUNYARD: No.

17 PRESIDING JUDGE: Do you wish to put it again?

18 MR MUNYARD: Yes:

19 Q. Do you agree with me that that was a very important
13:18:10 20 delegation to go on for those who went on it?

21 A. Yes, that is why I recall the head of the delegation by
22 name, but for the others I cannot recall all of them.

23 Q. Well I am going to work on that as an answer, the "Yes" as
24 an answer, that it was an important delegation to go on. Then
13:18:47 25 you told us about another delegation. Who was on the second
26 delegation?

27 A. The delegation about the arms deal, you mean?

28 Q. Well, was there a second delegation?

29 A. Yes, yes, with regards the Magburaka arms deal that passed

1 through Mr Charles Ghankay Taylor in Liberia.

2 Q. And who went on that one?

13:19:30

3 A. If my memory serves me well I think Fonti Kanu, Mike Lamin
4 and even SYB Rogers was also part of that delegation, together
5 with some other RUF high commands that I cannot recall.

6 Q. So SYB Rogers goes on the first one and the second one and
7 Mike Lamin goes on the first one and the second one, is that your
8 evidence?

9 A. Yes.

13:19:52

10 Q. And where do the second delegation go?

11 A. Well, they went through Liberia.

12 Q. And who did they meet in Liberia?

13 A. Well, when they were leaving for Liberia I knew that they
14 were going to meet President Taylor.

13:20:21

15 Q. Did they meet him?

16 A. I was not part of the delegation and so I can't tell
17 whether they met or not, but I only know that they passed through
18 President Charles Taylor.

13:20:41

19 Q. Mr Kargbo, you were on the Supreme Council of the AFRC
20 junta government. You send - you, the Supreme Council, send - a
21 delegation to Charles Taylor to organise arms and ammunition, an
22 extremely important delegation and meeting, do you agree?

23 A. Yes.

13:21:07

24 Q. When the delegation came back they presumably reported back
25 to the Supreme Council of which you were a member, is that right?

26 A. About the arms and ammunition?

27 Q. About what happened when they went to Liberia.

28 A. In the first instance, just like I said, they reported back
29 but they did not bring a letter. It was by word of mouth.

1 Q. Mr Kargbo, we are dealing with the second delegation. When
2 the second delegation, who had gone you say to get arms and
3 ammunition, came back, what did they tell you?

4 A. Well, when they came back they met us in Magburaka at that
13:21:57 5 time and they came on board a plane with the arms.

6 Q. How long after they had gone to Liberia did they return?

7 A. Within a week.

8 Q. So, they came back before the arms and ammunition came to
9 Magburaka?

13:22:23 10 A. Some of them came on board the aeroplane.

11 Q. Who came on board the aeroplane?

12 A. I can recall Lieutenant Fonti Kanu and a guy who had on
13 Burkina Faso military fatigue with head dress. They came down
14 with the arms.

13:22:54 15 Q. Well the Burkina Faso man wasn't a member of the delegation
16 that had gone from Freetown to Monrovia, was he?

17 A. He was not part of the delegation.

18 Q. No. I am asking you who went on the delegation and who came
19 back on the plane and I also want to know who came back before
13:23:12 20 the plane?

21 A. SYB Rogers and others returned before the arrival of the
22 aeroplane. Mike Lamin, Fonti Kanu and Musa were those who came
23 on board the aeroplane.

24 Q. Right, so Mike Lamin doesn't come back until he lands with
13:23:36 25 that aeroplane with materials?

26 A. Yes.

27 Q. So put him on one side, when SYB Rogers comes back did he
28 tell you what Mr Taylor had said?

29 A. By then he did not explain anything to the Supreme Council

1 during the meeting, but he had a close talk - a closed door talk
2 with the chairman and the chief secretary of state by then, SAJ
3 Musa. They had a closed door discussion, but they did not
4 actually explain that to the Supreme Council meeting.

13:24:17 5 Q. You knew he had gone to Monrovia to meet Mr Taylor, didn't
6 you?

7 A. Yes.

8 Q. So the first thing you would want to find out is, "Did you
9 meet Mr Taylor", isn't it?

13:24:36 10 A. Well, I was not there to find out anything about that
11 because my bosses were there and the chairman himself, Johnny
12 Paul Koroma.

13 Q. What is the problem with SYB Rogers telling the whole
14 council, "I went to Monrovia as mandated by you and I had a very
13:24:57 15 helpful meeting with Mr Taylor and, by the way, stand by for an
16 air shipment to Magburaka any moment now"? What's the problem
17 with him saying that to the whole council?

18 A. The only thing they said in the council was that everything
19 worked out well and at so and so point in time the aeroplane will
13:25:24 20 arrive. That was the only thing they said in the Supreme Council
21 meeting. Whether there was any other discussion, the chairman
22 and the chief secretary of state said that they will get back
23 onto us later.

24 Q. And did they tell you what Mr Taylor had said to the
13:25:45 25 delegation that you had all sent to see him?

26 A. No. With regards the arms they did not explain anything
27 during the meetings.

28 Q. What about John Kari fa Smart. Was he on this delegation?

29 A. Like I had said, I cannot recall everybody.

1 Q. I am asking you now that I have given you a name if you can
2 remember whether he was on the delegation?

3 A. I cannot remember.

13:26:30

4 Q. And when Mike Lamin arrived back on the plane at Magburaka
5 airfield did he tell you after he got back to the comfort and
6 safety of the barracks what Mr Taylor had had to say when he met
7 him in Monrovia?

13:27:01

8 A. He did not explain anything to us. I can't tell whether he
9 explained anything to the chairman, but for us he did not explain
10 anything to us.

11 Q. Just tell us this: When the plane arrived who was the
12 first off the plane of the three people that you have now put on
13 board?

14 A. It was Mike Lamin.

13:27:26

15 Q. And who was there to meet the plane?

16 A. I was there myself together with some other Supreme Council
17 members and some other RUF high commanders.

18 Q. Can you name any of the RUF high commanders who were
19 present?

13:27:51

20 A. There was one that I knew to be called CO Senegalese. He
21 was there. Lion was there, CO Lion was there.

22 Q. Where was Issa Sesay at this particular time? Was he there
23 or not?

24 A. Issa Sesay too was there.

13:28:23

25 Q. When the plane touched down and the three men got out, what
26 was the plan? What was expected to happen once the materials
27 were unloaded?

28 A. We tried to remove it as fast as possible from the airfield
29 by then because the jet was raiding and everybody hurried up to

1 put theirs into their own vehicle so that we will move out of the
2 place because the jet was always coming around.

3 Q. But did anybody go back on the plane when it left?

13:29:16

4 A. Except for the crew who did not alight and the pilot, but
5 Musa stayed, Lieutenant Colonel Fonti stayed and Mike Lamin. All
6 of them joined us and we went to Freetown.

7 Q. Was there ever a plan for Fonti Kanu to go back on the
8 plane?

13:29:38

9 A. No, there was not any plan for him to go back on the
10 aeroplane.

11 Q. Was there any plan for Issa Sesay to go back on the plane?

12 A. No, if there was any I did not know about it, but we all
13 drove back to Freetown.

13:29:56

14 PRESIDING JUDGE: Mr Munyard, I am just watching the time.

15 Is this a convenient --

16 MR MUNYARD: It is, yes.

17 PRESIDING JUDGE: Thank you. Mr Witness, it is now time
18 for the lunchtime adjournment. As you know we adjourn for one
19 hour and we resume at 2.30. So we will adjourn. Please adjourn
20 court until 2.30.

13:30:10

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

22 [Upon resuming at 2.30 p.m.]

23 PRESIDING JUDGE: Mr Koumjian, I notice a change of
24 appearance on your Bar.

14:31:11

25 MR KOUMJIAN: Yes, your Honours. We are joined by Alain
26 Werner and it's Christopher Santora, Maja Dimitrova and myself,
27 Nicholas Koumjian.

28 PRESIDING JUDGE: Thank you, Mr Koumjian. Mr Munyard,
29 please proceed.

1 MR MUNYARD:

2 Q. Right, Mr Kargbo, you were just telling us about the air
3 drop at Magburaka and I want to ask you a little bit more about
4 that, but can you help us with this. You say you didn't know of
14:32:00 5 any plan for Issa Sesay to go back on the plane with Fonti Kanu.
6 Before you set off for the airstrip at Magburaka, what had you
7 been led to believe was going to happen as far as an arms
8 delivery was concerned?

9 A. Well, we went there to collect the arms and bring them to
14:32:34 10 Freetown to the lodge of the chairman then.

11 Q. Yes, what were you told about the origin of those arms?

12 A. Well, they said nothing to me. It was to collect the arms
13 that all of us went there for and bring them to Freetown.

14 Q. Well, hold on a minute. You're a member of the Supreme
14:33:02 15 Council of the AFRC. You as a member of the Supreme Council
16 would have some idea of where your arms were coming from, your
17 materials were coming from, wouldn't you?

18 A. It was not at all times that I had an idea.

19 Q. Were the junta short of arms at that particular time?

14:33:35 20 A. We had, but we needed some other materials.

21 Q. Yes. Do you mean you had arms, or you were short of arms?

22 A. We had arms, but we needed more and we needed some other
23 things.

24 Q. And so what were you, the junta, doing about getting arms
14:34:01 25 at that particular time?

26 A. Well, like what happened when a delegation left to Liberia
27 and they came with a plane which we collected at Magburaka.

28 Q. And who was on that delegation? Oh, sorry, you've told us
29 who was on that delegation. Where did that delegation go to, do

1 you know?

2 A. As I have said to you before, they were heading for
3 Liberia.

14:34:45

4 Q. But did they go anywhere else at that time? That's what I
5 want to know.

6 A. I wouldn't know, because I was not with the delegates.

7 Q. No, but did they tell you that they were planning on going
8 somewhere else as well?

14:35:01

9 A. I didn't know where they were to go except to go and
10 receive the arms in Magburaka, but they went through Liberia.

11 Q. Was any mention made of Burkina Faso in the context of this
12 particular trip; that's to say the delegation's trip?

14:35:30

13 A. I only saw Musa, who was in Burkina Faso uniform, from
14 which I concluded that these arms may have passed through Burkina
15 Faso, but the delegates left for Liberia.

16 Q. Do you mean these arms may have originated in Burkina Faso?

17 A. I only saw a military man with a uniform - a Burkina Faso
18 uniform and crown - but I knew that the delegation left for
19 Liberia.

14:35:50

20 Q. And did the delegation include Ibrahim Bah?

21 A. Yes, because that was the proposal that Sam Bockarie made
22 at the supreme meeting.

23 Q. And Ibrahim Bah was an arms dealer, wasn't he?

24 A. I didn't know what his business was.

14:36:20

25 Q. Are you sure about that, Mr Kargbo?

26 A. That was what I said in my statement.

27 Q. Yes, but I'm asking you do you want to reconsider your
28 answer that you didn't know what his business was?

29 A. I did not know his personal business that he was doing.

1 Q. Where was he living at this particular time?

2 A. I never went close to him, but I was made to understand
3 that he was with the RUF high command and he was with Sam
4 Bockarie.

14:37:01 5 Q. Were you aware he was living in Ouagadougou at the time?
6 Did anyone ever tell you that?

7 A. Except that you're telling me now.

8 Q. Do you know how these arms were to be paid for?

9 A. It was through the package that the chairman said we should
14:37:36 10 give them. I did not know what the package was.

11 Q. And how many arms shipments were you expecting the package
12 to pay for?

13 A. Except the one that we collected in Magburaka.

14 PRESIDING JUDGE: Mr Interpreter, I don't find that a very
14:38:05 15 clear answer. Do you mean - when you're interpreting that from
16 Krio do you mean, "I expected it to pay for only one", or, "I
17 expected it to pay for one except maybe it might be something
18 else"? Be a little more precise in using English, please.

19 THE INTERPRETER: Your Honour, the word the witness used in
14:38:23 20 Krio means in English "except for the one that we collected in
21 Magburaka".

22 MR MUNYARD: Your Honour, I think I can clarify it with the
23 witness.

24 PRESIDING JUDGE: Please do.

14:38:36 25 MR MUNYARD: Are you saying, Mr Kargbo, that as far as you
26 were aware the arrangement was that this packet would pay for
27 just one arms shipment?

28 A. Well, except the one that we collected in Magburaka. That
29 was the one I knew about when the delegates left for Liberia

1 during the AFRC time.

2 Q. Yes, are you saying that you were only expecting one arms
3 shipment paid for by the packet?

14:39:17

4 A. Well I did not know if another came, but that was what I
5 saw when we went to collect them.

6 Q. I'm going to have one last stab at this. Just answer "Yes"
7 or "No". When the delegation left with the packet to buy arms
8 were you just expecting one shipment of arms, yes or no?

14:39:44

9 A. That was the only one I knew about. I did not know if
10 another came.

11 Q. Well, I wasn't asking you if another came. I was asking
12 you what you understood the packet was paying for. One arms
13 shipment only, or more than one?

14:40:01

14 A. That was the only one I knew. I did not know about any
15 other one.

16 Q. How involved were you in the top leadership of the junta?

17 A. I was just a Supreme Council member.

18 Q. Yes, but was there anybody higher - any group of people
19 higher - than the Supreme Council?

14:40:31

20 A. Yes, we had the senior men. The PLOs were senior to me.

21 The chairman was senior to me. The chief secretary of state was
22 senior to me.

23 Q. All right. So, you go that night to the airstrip. Was it
24 daylight still when the plane arrived?

14:40:51

25 A. No, it was getting dark.

26 Q. All right. The plane touched down and you told us that the
27 materials were brought out of the plane in some sort of net, is
28 that right?

29 A. Yes.

1 Q. So everything on board was brought out in this net, yes?

2 A. Yes.

3 Q. And you actually saw that happen?

4 A. Everything was in a net, yes.

14:41:26 5 Q. Yes, you saw that happen, did you?

6 A. When the plane landed, yes, I saw it.

7 Q. You see Mike Lamin and two others get out of the plane and
8 you see a net brought out of the plane. Who actually carried the
9 net with all the materials out of the plane?

14:41:50 10 A. It was not carried by anybody. It was a large quantity.

11 They opened the back and dropped everything, including the crews.

12 Q. Well when you say "including the crews", what do you mean?

13 A. I said the crews opened the back and they dropped the plane
14 - sorry, they dropped the arms and ammunition that was in the

14:42:17 15 net. It was Mike Lamin and others who came down.

16 Q. And you're standing near the back of the plane to receive
17 this, are you?

18 A. No, we were far off a little.

19 Q. Well, what was the point of you going there to get this

14:42:37 20 equipment with the likelihood of the ECOMOG jets overhead if you

21 weren't right by the plane and ready to unload the equipment and

22 go off with it? How close to the plane were you when this net of

23 materials was emptied out of the back?

24 A. It happened very quickly. When the plane took off, we just

14:43:04 25 rushed and took everything and put them in our vehicles and took
26 off.

27 Q. Right. And how many vehicles was this material put into?

28 A. I was unable to count the number of vehicles. I do not
29 know the number.

1 Q. Well, was there a lot of materials?

2 A. Yes, it was plenty because all the vehicles that we had
3 were all loaded.

14:43:41

4 Q. And you didn't see any arms in this air drop, did you? You
5 just saw ammunition?

6 A. Ammunition, bombs, Stinger missiles and the bombs.

7 Q. But no arms as such, you told us before we had the break?

8 A. Yes, there were no arms there. I mean there were just
9 ammunition.

14:44:08

10 Q. You said to us - it's 21 May, page 10479, line 19 - "Yes,
11 RPG bombs, Stinger missiles, AK rounds, G3 rounds, mortar bombs
12 and the Stinger missile bombs." Then you were asked a question,
13 "Were there any weapons?" "No, I didn't see any weapons."

14:44:42

14 Were you in a position to see everything that came out of
15 the back of that plane?

16 A. Everything was in boxes, so we took everything and went
17 with them to the chairman.

18 Q. Right. Did you see any heavy machine guns, for example?

19 A. No.

14:45:13

20 Q. Any anti-aircraft guns?

21 A. No, it was the rounds of anti-aircraft.

22 Q. Right. Did you see any AK-47s, for example?

23 A. You had asked me before and I told you I did not see any
24 weapon. I said I saw arms.

14:46:03

25 Q. Just ammunition?

26 PRESIDING JUDGE: There's a difference: Weapons, arms?

27 MR MUNYARD: I'm trying to define it a little better:

28 Q. You just saw ammunition, is that right?

29 A. Yes.

1 Q. And are you satisfied that you saw everything that arrived?

2 A. I can't see everything because it was not in my vehicle
3 that everything was packed. There were other vehicles in which
4 they were packed.

14:46:38 5 Q. But if there were very heavy weapons, you would have been
6 able to see those even though they weren't put into your vehicle,
7 do you agree?

8 A. But I told you that before.

9 Q. All right. Then this is all taken away and this is as a
14:47:17 10 result of a delegation led by Mike Lamin to Charles Taylor and
11 you don't know yet whether he met Charles Taylor, even though
12 this lot of arms followed this delegation. Did anyone ever tell
13 you that this arms shipment came from Burkina Faso?

14 A. Well, through the officer who came down I knew that some of
14:48:00 15 them had come from Burkina Faso, but the delegation left through
16 Liberia to Mr Charles Taylor, but a soldier who was in Burkina
17 Faso uniform, and had the crown, made me to conclude that they
18 had come from Burkina Faso.

19 Q. Now, I want to suggest to you that Mike Lamin was not on
14:48:23 20 that plane when it arrived from wherever it had flown. What do
21 you say about that?

22 A. Well, I will say it's not true. Mike Lamin was there.

23 Q. You say he wasn't only at the airfield, but he actually
24 arrived on board the plane?

14:48:53 25 A. Exactly. That's what I said.

26 Q. You would expect him to remember being on that plane,
27 wouldn't you?

28 A. Whom would I expect?

29 Q. If he had been on that plane you would expect Mike Lamin to

1 remember that, wouldn't you?

2 A. Well, I wouldn't know. If he were here maybe he would
3 answer to that, but what I can remember is what I'm telling you.

14:49:37

4 Q. And I suggest that there were heavy weapons as well as
5 ammunition in that air drop. You would disagree, wouldn't you?

6 A. I wouldn't deny that because it was not everything that was
7 packed in my vehicle. Those that were packed in my vehicle are
8 the ones I am talking about to you: Rounds, bombs, mortar bombs
9 and RPG bombs. Just as I said, we were many, those of us who
10 went.

14:50:05

11 Q. If there were two 75 calibre machine guns that's something
12 you couldn't really have missed when they came off the back of
13 that plane. That's right, isn't it?

14 A. Had I seen it I wouldn't miss it, but what I packed in my
15 vehicle and what I saw is what I'm explaining about to you.

14:50:21

16 Q. But if there were two such guns unloaded from that plane
17 you would have been bound to notice them, wouldn't you?

18 A. Yes, it would have been possible for me to notice it, but
19 that has shown to you that part of what I'm saying to you is
20 true.

14:50:44

21 Q. Now, while we're on the subject of Mike Lamin can you just
22 help us with this: We looked this morning at a document, I'm not
23 going to show it to you again unless you wish to see it again,
24 where there was a reference to Colonel Tamba Gborie going to
25 Abidjan. Do you remember that?

14:51:16

26 A. I do not remember anybody called Colonel Tamba Gborie.

27 MR MUNYARD: Well, it may be my mistake, but I was pretty
28 certain that was his name. Bear with me for a moment. It's
29 MFI-16, your Honours. Yes, Corporal Gborie. It's page 07083,

1 page 3 of the document, "Brief on the Abidjan trip", Corporal
2 Gborie, and I established that was Tamba Gborie. Does my learned
3 friend wish me to put it in front of the witness? I'm quite
4 happy to.

14:52:09 5 MR KOUMJIAN: I would just like everybody to note that
6 perhaps counsel misstated it at first. He called him Colonel
7 Gborie.

8 PRESIDING JUDGE: Yes, that's correct, Mr Munyard. You did
9 say colonel.

14:52:21 10 MR MUNYARD: I completely accept that. It may be that two
11 military titles both beginning with C-0 have got mixed up in my
12 mind:

13 Q. You do know a Corporal Gborie though, don't you?

14 A. Yes, I knew him.

14:52:35 15 Q. You could have said that when I got his rank wrong,
16 couldn't you?

17 MR KOUMJIAN: Objection, that's argumentative.

18 PRESIDING JUDGE: It is. You know it's a precise title.

19 MR MUNYARD:

14:52:47 20 Q. Mr Gborie, to make do without his title, Tamba Gborie
21 talked to you about the trip to Abidjan. Did Mike Lamin go on
22 that trip to Abidjan?

23 A. I can remember that Gborie went, but I cannot remember
24 everybody that went on that trip.

14:53:13 25 Q. Well, Mike Lamin was a very senior member of the RUF,
26 wasn't he?

27 A. Always, yes.

28 Q. One of the top men of the RUF. If he'd been on that trip
29 to Abidjan that's something you'd be likely to remember, wouldn't

1 it?

2 A. I could have remembered, but it's not everything that I can
3 remember.

4 Q. And Mike Lamin, the first delegation that he went on to
14:53:50 5 Monrovia, I suggest that that was in August of 1997. What do you
6 say about that?

7 A. All the delegates that went, I have told you that I cannot
8 remember the dates and the months.

9 Q. Well, you've told us that the delegation that went, with a
14:54:16 10 letter from Johnny Paul Koroma seeking recognition of your
11 government, was before the 19 July meeting. So, on your
12 evidence, if Mike Lamin was on that particular mission then it
13 must have been mid to early July at the very latest, mustn't it?

14 A. Well, I told you that the leader for that delegation was
14:54:47 15 SYB Rogers, so I remember the leader of the delegation, but I
16 cannot remember all of those who went and they all did not stand
17 before us to see them before they departed.

18 Q. You told us, in fact, this morning that Mike Lamin was part
19 of that delegation. I'm suggesting to you that you've got the
14:55:12 20 date wrong and that Mike Lamin, the first time that he went on a
21 delegation it was August. You disagree with that, don't you?

22 A. I won't disagree because I cannot remember the date.

23 Q. Well, you must disagree, Mr Kargbo, because you said that
24 mission took place before the council meeting of which we have
14:55:39 25 minutes for 19 July and you were clear on that, that the reason
26 that it wasn't minuted that Mr Taylor had recognised you was
27 because it was a secret. You do remember saying all that this
28 morning, don't you?

29 A. Yes, but you helped me out with dates, so I did not give

1 you dates.

2 Q. I asked you whether that delegation had gone before that
3 meeting and you said they had.

4 MR KOU MJIAN: Can I ask for a reference on that. It would
14:56:13 5 be helpful to me to have a reference for when counsel said that
6 the witness has stated that the delegation went before the
7 meeting.

8 MR MUNYARD: I can't give my learned friend a reference
9 right now, but I can remind the Court and my learned friend that
14:56:27 10 we established that the reference to secrets included the secret
11 recognition granted by President Taylor to the delegation that
12 was sent to see him, i.e. before the meeting of the Supreme
13 Council took place on 19 July:

14 Q. Now, when you say Mike Lamin went on a second mission to
14:57:10 15 Monrovia, did he take anything with him?

16 A. He and the chairman personally spoke, but I did not know
17 whether the chairman gave him anything to take along.

18 Q. So you don't know whether or not the chairman gave him a
19 letter to take along?

14:57:36 20 A. They discussed about a letter which SYB Rogers was to take
21 along. I did not know whether that was a particular delegation
22 that Mike Lamin went with.

23 Q. Mr Kargbo, I'll make it clear I'm now talking about the
24 second time. That was the mission that you say Mike Lamin
14:57:57 25 himself led. Do you remember this morning you said he was on SYB
26 Rogers' delegation, the first one seeking recognition, and then
27 he went on a second mission seeking arms and I just want to
28 establish from you do you know if the chairman, Johnny Paul
29 Koroma, sent any letter with that delegation?

1 A. We discussed at a meeting about a parcel. If it was the
2 delegation about arms we discussed a parcel, but the parcel was
3 not given at the council meeting. It was a private - it was a
4 secret.

14:58:47 5 Q. Was it a secret from you?

6 A. From the chairman, Johnny Paul Koroma.

7 Q. By a secret I mean did you learn what the parcel was, or
8 was that kept secret from you?

9 A. They kept it secret from me. I did not know what the
14:59:09 10 parcel was.

11 Q. All right. I want to move on, please, to just before the
12 intervention, the beginning of 1998. You say - I think you said
13 it was before the Iranian embassy incident and the Iranian
14 embassy incident was on - was that on 1 January 1998?

14:59:58 15 A. Yes. I want to ease myself.

16 Q. So something like --

17 PRESIDING JUDGE: Just pause, Mr Munyard. Yes, Mr Witness,
18 I didn't quite hear you?

19 THE WITNESS: I want to ease myself.

15:03:51 20 PRESIDING JUDGE: Certainly. Please assist the witness.

21 Mr Munyard, please proceed.

22 MR MUNYARD:

23 Q. Yes, Mr Kargbo, I think I put too many of the same words in
24 the question I asked you and I'm going to start again. The
15:04:05 25 Iranian embassy incident occurred before the intervention, not
26 terribly long before, about six weeks before the intervention is
27 what you've told us. Now you had been sent to Kono to oversee
28 the mining operations in January of 1998, hadn't you?

29 A. Yes.

1 Q. And what was your role in the mining operations?

2 A. Well, it was to see to it that all government diamonds that
3 were mined for the day was checked in the presence of the RUF and
4 I, the head, and some of my colleagues of the Supreme Council,
15:05:01 5 the AFRC, and then they would turn them over to me.

6 Q. And was there any reason for you to return to Freetown, or
7 was this supposed to be a permanent posting?

8 A. No, it was not permanent. There was a reason for me to
9 return. If the Supreme Council, the chairman, did not see - did
15:05:30 10 not see that I was doing well there was reason for me to be
11 changed because I was not the first person to go there.

12 Q. All right. Now, the incident occurs at the Iranian embassy
13 on 1 January. Had you already gone to Kono then?

14 A. As on the posting, or before that time?

15:06:03 15 Q. Had you been posted to Kono before 1 January, or after 1
16 January?

17 A. It was after the Iranian incident.

18 Q. Right. You've given us some evidence about a telephone
19 conversation between Johnny Paul Koroma and Mr Taylor that ended
15:06:35 20 with Mr Taylor suggesting that Johnny Paul set up a commission of
21 inquiry into the Iranian embassy incident. Do you remember
22 saying that?

23 A. Yes.

24 Q. How long after the Iranian embassy incident on 1 January
15:06:55 25 was it that you say Johnny Paul made that call to Charles Taylor?

26 A. Well, it was during the time of the incident. Within that
27 first week of January, it was then that that happened.

28 Q. So, it wasn't a case of you returning from Kono. It was a
29 case of you having not yet been to Kono when this phone call

1 happened, do you agree?

2 A. I had not gone to Kono then. I was in town.

3 Q. And how was it that you happened to be present when Johnny
4 Paul made that call?

15:07:46 5 A. Well it was through the instruction that he gave us that we
6 should arrest those who did the incident, Gborie, Issa and the
7 others, whereon we arrested our own SLA brothers, but Issa
8 resisted.

9 Q. But how did you happen to be present at his house when he
15:08:09 10 made the call to Charles Taylor?

11 A. Those of us who were not involved, we were all at his house
12 when he summoned us to a meeting. By then the RUF had taken over
13 the streets of Hill Cot Junction up to Hill Station, so all of us
14 went to his house just so that nothing will happen whereby they
15:08:32 15 will come and meet him down there. So, it was at that time that
16 he made the call.

17 Q. And whereabouts in his house was he when he made that call?

18 A. He had an office in his house at Spur Road. It was in that
19 office.

15:08:56 20 Q. Now did Johnny Paul Koroma have a satellite phone at this
21 time, January of 1998?

22 A. I did not see it. Even if he had it, I was not too
23 familiar with the inside of the house. We only met at the
24 office. I did not know. I only saw he used to call from a
15:09:17 25 landline.

26 Q. Just before we go into the detail of that particular
27 conversation, can you help us with this. If you didn't see a
28 satellite phone at his house, after the intervention you've told
29 us that he regularly used a satellite phone. Do you remember

1 telling us words to that effect?

2 A. Yes.

3 Q. Just help us with the size of the satellite phone that
4 Johnny Paul used. Can you describe what it's like?

15:09:55 5 A. It was something in the shape of a box like this. It
6 hadn't an aerial, only the receiver.

7 PRESIDING JUDGE: Mr Witness, the gesture you made was on
8 the desk and we didn't see it because of the screen in front of
9 you, so could you raise your hands up and do it again, please.

15:10:15 10 THE WITNESS: Just about this.

11 MR MUNYARD:

12 Q. We've all got a different perspective on that. If you use
13 the screen in front of you as a guide is it roughly the same size
14 as the screen, or is it bigger or smaller?

15:10:36 15 A. The screen is bigger than it a little.

16 Q. A little bigger, right.

17 A. The screen is bigger a little.

18 Q. Right. Is it much bigger, or just a little bit bigger? I
19 think you've said it's a little bit bigger. Are we talking an
15:10:59 20 inch or so bigger all round?

21 A. The screen is bigger than it slightly.

22 Q. Yes, I'm trying to find out by how much.

23 PRESIDING JUDGE: Mr Koumjian?

24 MR KOUMJIAN: I would offer that the witness appeared to me
15:11:11 25 to hold his hands apart about 15 inches. That's what it appeared
26 to me to be.

27 PRESIDING JUDGE: I was going to suggest that he put his
28 hands on the top of the screen and let us see. Put your fingers
29 up and show us. Can counsel see that?

1 MR MUNYARD: No, that's why I was saying about perspective.
2 I can only see the left hand, but I'm content for the --

3 PRESIDING JUDGE: Oh, don't worry. We're better off than
4 we thought. We have a proper tape measure. Mr Witness, please
15:11:41 5 do it again. Please give the indication again.

6 THE WITNESS: From this end to this end.

7 MS IRURA: Your Honour, the witness has indicated 24
8 centimetres.

9 MR MUNYARD: Are we able to have that in inches as well, or
15:12:10 10 not?

11 PRESIDING JUDGE: Nine inches.

12 MR MUNYARD: Thank you, your Honour. I don't know if the
13 tape measure has it, but I'm content to accept it from the Court:

14 Q. Now it hadn't an aerial, only the receiver - this is the
15:12:32 15 satellite phone that he used later - and so it's just this box of
16 nine inches. Was it a square box?

17 A. Yes, it's a square.

18 Q. Did it have any make on it? Did it have the name of the
19 make of satellite phone on it?

15:12:54 20 A. No, I was unable to read it. I did not read it at that
21 time.

22 Q. And it didn't have an aerial?

23 A. No, it hadn't an aerial.

24 Q. And on the occasions when you saw and heard Johnny Paul
15:13:13 25 using that satellite phone, where was he? Was he inside a house,
26 on a veranda outside, inside a building, outside a building?

27 A. The first time that he used it he was outside the building.

28 Q. After that?

29 A. We always used it outside. We never used it in a house.

1 It was outside the building that he used it.

2 Q. Did you ever see him use it on a veranda of a house?

3 A. Outside the veranda, that was where we stood.

4 Q. By a veranda I mean a balcony of some sort with a roof on
15:14:12 5 it? Do you understand that's what I mean by a veranda?

6 A. I understand. That's why I said at the side. Assuming
7 this is the veranda, at the side of that veranda, that is where
8 we always stood, outside.

9 Q. And did this particular item never have an aerial?

10 A. No, it hadn't an aerial, it only had a receiver.
15:14:38

11 Q. And, finally, was it accompanied by any larger piece of
12 equipment? I mean was there a larger piece of equipment inside
13 the building, or travelling with Johnny Paul when he went on his
14 way across Sierra Leone after the intervention, that was
15 something to do with the satellite phone?
15:15:05

16 A. I did not see anything that it had to use. It was only the
17 satellite phone that we only took out of the bag, then he will
18 make a call.

19 Q. Now, Mr Kargbo, do you remember speaking to the Prosecution
15:15:29 20 about this call that Johnny Paul made to Mr Taylor after the
21 Iranian embassy incident? Do you remember talking to the
22 Prosecution about it?

23 A. Yes.

24 Q. Do you remember telling them that he made the call on a
15:15:47 25 satellite phone?

26 A. I never - I can never - I cannot remember I told them that
27 he called through a satellite phone. I said he called through a
28 landline.

29 Q. You've told us in evidence it was a landline, but do you

1 recall ever telling the Prosecution that he made that call on a
2 satellite phone?

3 A. That was after the intervention.

4 MR MUNYARD: I'm going now to hand out bundles. I've been
15:16:27 5 trying so far to manage without, but I think I will have to put
6 these matters to the witness. There are the usual number of
7 bundles for the Court, your Honour, and a bound volume for Madam
8 Court Assistant.

9 THE WITNESS: For me?

10 MR MUNYARD:

11 Q. There's a bundle there for you, Mr Kargbo, and Madam Court
12 Officer has a looseleaf bundle so she can put them on the screen
13 and I'm going to ask you to look at tab 2 I hope it is. I'm
14 fairly confident it's tab 2: An interview on 16 November 2007
15:17:49 15 that starts on page 45455. Now, do we have that page on the
16 screen, please? Do you see that page, Mr Kargbo?

17 A. Yes.

18 Q. Can I just ask you, before we go to the point about
19 telephones, while we're on that page do you remember the
15:18:34 20 interview? Mr Stephen Streeter was conducting the interview
21 together with Joseph Saffa who was interpreting. Can you
22 remember those two gentlemen?

23 A. Yes, I can remember them.

24 Q. The language was English and Krio.

15:18:58 25 A. Yes, I can remember.

26 Q. Did you actually follow it in English, but the Krio
27 interpreter was there to help you with any possible
28 misunderstandings?

29 A. The Krio interpreter was there.

1 Q. Yes, were you able to follow the questions as they were
2 asked of you in English, even though they were being translated?

3 A. I understood more in Krio.

4 Q. Also present was Christopher Santora, Mr Santora who is
15:19:35 5 sitting over there, Mr Chris to you. He was the person you told
6 us earlier who finally persuaded you to cooperate with the Office
7 of the Prosecutor. So you'd seen him before, hadn't you?

8 A. Yes.

9 Q. Well, we'll come back to that. Now, on that first page,
15:20:01 10 45455, in paragraph 1 you're recorded as having said this: That
11 in May of 1997, a colleague of yours from the Sierra Leone Army
12 named Abu Sankoh, known as Zagalo, attended your residence in
13 Freetown, expressed dissatisfaction with the government and
14 advised you that a coup was to be staged and you agreed to
15:20:35 15 participate. Now, did you tell them that?

16 A. Yes.

17 Q. So he was saying he was angry or dissatisfied with the
18 government, not with senior army officers. Is that right?

19 A. Yes, with the government and the senior officers.

15:21:03 20 Q. And a coup was to be staged. Not a demonstration, a coup.
21 Is that what you told them?

22 A. Yes.

23 Q. And you agreed to participate. Did you tell them that?

24 A. Yes.

15:21:30 25 Q. You agreed to take part in a coup against the government.
26 Mr Kargbo, can you help us with why you, who were no longer a
27 member of the Sierra Leone Army, were asked to participate in a
28 coup against the government? Why did they come to you for help?

29 A. It was because they knew how I was dismissed from the army,

1 that I was disadvantaged. That was why he came and met me.

2 Q. Are you saying in effect they knew how angry you were about
3 the way you had been treated by the SLPP government?

4 A. I was not angry, but they knew how I was dismissed in the
15:22:23 5 army. That was why they came to get me to join them with Zagalo.

6 Q. And this coup against the government was quite possibly
7 going to expose you to risk of your life, wasn't it?

8 A. No, I never thought so.

9 Q. How do you overthrow a government that is being supported
15:23:01 10 by a multinational force, military force, ECOMOG, without there
11 being some risk of exchange of fire and thereby risk to your
12 life?

13 A. Well, it was a kind of dissatisfaction that was within the
14 rank and file of the army, whereby the senior officers were not
15:23:31 15 there to protect the other ranks.

16 Q. The second paragraph says that during this initial contact
17 with Zagalo there was no mention of the involvement of Johnny
18 Paul Koroma, or Steve Bio. Now, we know who Johnny Paul Koroma
19 is. Tell us who Steve Bio is.

15:23:54 20 A. I just knew him as Steve Bio. I don't know any personal
21 thing about Steve Bio.

22 Q. Well, was Steve Bio an arms dealer?

23 A. I don't know. You're only telling me now.

24 Q. In any event, they've got all this correct, have they, this
15:24:27 25 is what you told them?

26 A. Yes.

27 Q. Over the page to 45456:

28 "The witness was involved in the operation of the coup with
29 16 others. After the successful staging of the coup the witness

1 was appointed as a member of the Supreme Council. Johnny Paul
2 Koroma became chairman."

3 Did you tell them all that?

4 A. Yes.

15:25:08 5 Q. Then moving on from paragraph 3 to paragraph 5:

6 "The witness was present at Cockerill Barracks when Johnny
7 Paul Koroma had a telephone conversation with Foday Sankoh. The
8 conversation concerned AFRC and RUF cooperation."

9 Did you tell them all that?

15:25:28 10 A. Yes.

11 Q. "The witness states that during this conversation Sankoh
12 advised Johnny Paul Koroma that he would be sending someone on
13 his behalf to speak about this issue."

14 Did you tell them that?

15:25:43 15 A. Yes.

16 Q. "The witness states that Gibril Massaquoi arrived for this
17 purpose three days later." Did you tell them that?

18 A. Yes.

19 Q. So far everything you told them they've correctly recorded,
15:26:01 20 is that right?

21 A. Yes, it's correct.

22 Q. Why didn't you tell them at this point, "And by the way,
23 Gibril Massaquoi turned up armed with telephone numbers for all
24 the local West African countries' leaders"?

15:26:24 25 A. Well, I told them, but that did not happen openly. He
26 brought the numbers and gave them to the chairman.

27 Q. "Well, I told them." Do you mean you told the Prosecution
28 this?

29 A. Yes.

1 Q. Well, after each interview were the handwritten notes of
2 the interview read back to you?

3 A. No.

4 Q. Are you sure about that, Mr Kargbo?

15:27:00 5 A. Yes, I'm sure.

6 Q. So they interviewed you on that particular day from 1330
7 hours, that's 1.30 in the afternoon, on the first page, to 1645,
8 that's 4.45 in the afternoon, just over three hours, and they
9 didn't read any of it back to you so that you had an opportunity
10 to correct anything they'd got wrong, or add to anything?

15:27:32

11 A. I have not understood you.

12 Q. They didn't read it back for you to check that they'd
13 written down everything in the course of this rather long
14 interview, that they'd written it down correctly. That's what
15 you're saying.

15:27:55

16 A. They interviewed me again so that we can go over
17 everything.

18 Q. Well, that's a later stage and I'm going to ask you about
19 that in a moment. I'm asking you did they not - in these earlier
20 interviews in Freetown in the Office of the Prosecution did they
21 not read back their handwritten notes to make sure they'd
22 correctly recorded what you'd told them and to give you an
23 opportunity to clarify or add to all the points they'd written
24 down? Are you saying they didn't do that in these early
25 interviews?

15:28:16

15:28:42

26 A. They did it.

27 Q. So when you said earlier they didn't do it that was wrong,
28 was it? I just want to give you an opportunity --

29 A. I did not say they didn't do it. After they had compiled

1 everything, they did it for me to know. That's why I said you
2 should go over it so that I will get it clearly.

3 Q. I don't want to be unfair to you. We know that you were
4 then put through days of proofing sessions in May of this year,
15:29:14 5 when you got to The Hague, when all your previous interviews were
6 gone over. I'm only concentrating on the day of this, your
7 second interview now, with the Prosecution down in Freetown. At
8 the end of that interview, was it read back so that you could
9 correct anything they'd written down wrongly?

15:29:41 10 A. After it had been compiled - I can't recall in fact if it
11 was the very day, I think it was the following day - they called
12 me again to read it to me to know whether it was correct and I
13 said, yes, it was correct.

14 Q. Fine, all right. Well, let's carry on. They have missed
15:30:06 15 out, have they, that Gibril Massaquoi gave Johnny Paul these
16 phone numbers despite the fact that you told them that?

17 A. Well that is a mistake on their part, but I told them that
18 the - that he brought numbers.

19 Q. It's a mistake on your part as well, isn't it, when they
15:30:34 20 read it back to you and you don't correct them by pointing out
21 that they've omitted to say "Gibril Massaquoi brought telephone
22 numbers"? Do you agree that's also a mistake on your part?

23 A. No, I had told them and it was not everything that they
24 would read back to me that I could recall. It was a mistake on
15:31:02 25 their part.

26 Q. I'm going to have one last try, because you may not have
27 understood what I was saying. When they come to read it back to
28 you, did it contain --

29 PRESIDING JUDGE: Mr Munyard, you're talking about the same

1 day?

2 MR MUNYARD: Well, it's the next day in fact.

3 PRESIDING JUDGE: Possibly the next day.

4 MR MUNYARD: In November of 2007, yes:

15:31:20 5 Q. In November of 2007, when they read it back to you, they
6 don't appear to have written down, "Gibriel Massaquoi also turned
7 up with a number of telephone numbers", do they?

8 A. I told them that he brought numbers. If they did not write
9 it, then that is their mistake. I said it in my statement that
10 he brought numbers that he gave. I did not know about them, but
11 I know that the numbers included numbers for some African
12 leaders.

13 Q. And when they read the interview notes back to you you did
14 not point out that they had omitted to write down, "Gibriel
15 Massaquoi brought telephone numbers of West African leaders", do
16 you agree?

17 A. I did not pick that up, but it was not a mistake on my
18 part.

19 Q. Now, they then in the next paragraph say:

15:32:30 20 "The witness was also present in the chief of defence
21 office at Cockerill in the early weeks following the coup when
22 Johnny Paul Koroma conversed on the telephone with the following
23 individuals: Charles Taylor, Blaise Compaore, Mainassara, the
24 leader ..." (and it says "the leader of Nigeria", but you've
15:32:50 25 corrected that later to "the leader of Niger") "... and Muammar
26 Gaddafi."

27 Did you tell them that? Don't worry about the Nigeria and
28 Niger.

29 A. Yes.

1 Q. Yes, all right, so they've got that right. Then the next
2 paragraph says:

3 "His call to Charles Taylor occurred just after the
4 previously noted conversation with Foday Sankoh."

15:33:13 5 Did you tell them that?

6 A. Yes.

7 Q. "And the subject matter of the conversation with
8 Charles Taylor included planning and supplies and
9 Charles Taylor's assurance that an alliance between the AFRC and
10 the RUF would work."

15:33:30

11 Did you tell them that?

12 A. Yes.

13 Q. "And during that conversation Charles Taylor said that he
14 was to be notified if there were any problems with cooperation
15 from the RUF."

15:33:46

16 Did you tell them that?

17 A. Yes.

18 Q. Paragraph 8:

19 "The calls to the other leaders were asking for support for
20 the coup. The conversation with Charles Taylor was more
21 detailed, as described above."

15:33:55

22 Did you tell them that?

23 A. Yes.

24 Q. And then paragraph 9:

25 "The witness believes that Johnny Paul Koroma received
26 telephone numbers for these leaders from Foday Sankoh."

15:34:08

27 Did you tell them that?

28 A. Yes, we were there when Gibril Massaquoi brought them.

29 Q. Well, I'm not going back over Gibril Massaquoi. It carries

1 on: "All of these calls were facilitated ..." --

2 MR KOUMJIAN: Excuse me, your Honour, but I believe the
3 witness is making the point that that does directly relate to the
4 questions about Gibril Massaquoi.

15:34:46 5 PRESIDING JUDGE: His answer is certainly on record,
6 Mr Koumjian, and I think it could be picked up in re-examination.

7 MR MUNYARD:

8 Q. Well if that's going to be developed let me develop it,
9 Mr Kargbo. You said, "We were there when Gibril Massaquoi
10 brought them", but according to you you've told the Prosecution
11 in the course of this interview about Gibril Massaquoi bringing
12 the numbers and yet the Prosecution have failed to write that
13 down and you also have failed to point out their error when it's
14 read back to you. That's right, isn't it?

15:35:04 15 A. It is not correct because that is what you've read now.

16 Q. I am right in suggesting that there is nothing written down
17 in this interview of you saying, "Gibril Massaquoi brought the
18 telephone numbers", aren't I?

19 A. For the African leaders I said that.

15:35:56 20 Q. And I am right also, aren't I, in suggesting that you
21 failed to tell the Prosecutors that they hadn't written down what
22 you'd told them about Gibril Massaquoi and the numbers, aren't I?

23 A. No, you are not correct because it is down there that
24 you've just read.

15:36:20 25 Q. What is down there?

26 A. Because the previous one that we just read you said, "Foday
27 Sankoh did not come on his own. Gibril Massaquoi brought the
28 numbers." That was what you read before you turned over to this
29 next page.

1 Q. I'm very sorry, but if I'd got it that wrong you can be
2 absolutely certain that Mr Koumjian would be on his feet to point
3 out my error. I really don't want to labour this, Mr Kargbo, but
4 if you are saying that somewhere in this interview it's recorded
15:36:57 5 that Gibriil Massaquoi brought the numbers, please show me where
6 it is and show the learned justices, more to the point. But
7 might I suggest you don't waste your time, because if I'm wrong
8 objection will be taken by counsel opposite. Will you accept my
9 assurance that it doesn't appear there at all?

15:37:22 10 MR KOUMJIAN: Given that statement, I would ask that the
11 witness explain the answer in paragraph 9.

12 PRESIDING JUDGE: As I've indicated, Mr Koumjian, you have
13 a right to re-examine. Continue, Mr Munyard.

14 MR MUNYARD: Thank you:

15:37:47 15 Q. Now paragraph 9 says nothing at all about Gibriil Massaquoi,
16 does it?

17 A. The way it is written, yes.

18 Q. Well, is it written accurately? Is that what you told
19 them?

15:38:09 20 A. The way it is written there is nothing about Gibriil
21 Massaquoi, but they said from Foday Sankoh and Gibriil Massaquoi
22 was the one who came from Foday Sankoh and brought the numbers to
23 Johnny Paul Koroma.

24 Q. You see, Johnny Paul Koroma had had a telephone
15:38:22 25 conversation with Foday Sankoh at Foday Sankoh's hotel in
26 Nigeria, hadn't he? You've told us that in paragraph 5 on the
27 same page.

28 A. Yes.

29 Q. And Foday Sankoh was under a kind of house arrest, but in a

1 hotel in Nigeria. Did you know that?

2 A. I didn't know where he was, but I knew he was in Nigeria.

3 Q. And do you agree that, if you read paragraph 5 together
4 with paragraph 9, it looks as though you are suggesting that you

15:39:06 5 think that Johnny Paul Koroma received the telephone numbers from
6 Foday Sankoh in the course of the telephone conversation he had
7 had with him? Do you agree that that's what it looks like?

8 A. Yes, he got the telephone numbers from Foday Sankoh which
9 he said Gibril Massaquoi would bring.

15:39:37 10 Q. Because it goes on in paragraph 9, "All of these calls were
11 facilitated by Banjah Marrah." In other words paragraph 9 is
12 referring to a telephone call with, amongst other people, Foday
13 Sankoh?

14 A. Yes.

15:40:02 15 Q. And why did you say that you believed that Johnny Paul got
16 the telephone numbers for these leaders from Foday Sankoh if in
17 fact you were there when Gibril Massaquoi turned up armed with
18 these numbers to hand over to Johnny Paul?

19 A. I was there when he brought the numbers. For the others we
15:40:34 20 don't know, but when he came with them he made a call straight to
21 Mr Charles Taylor and he said there were other numbers about some
22 other leaders that he had requested from Foday Sankoh about them,
23 then in Nigeria.

24 Q. Just finish off paragraph 9 over the page on 45457:

15:40:55 25 "Others present during these conversations included other
26 Supreme Council members, Zagalo, Gullit, Bazzy Kamara and Foday
27 Kallay."

28 Did you tell them that?

29 A. Yes.

1 Q. So, they have got that right also?

2 A. Yes.

3 Q. Then it says:

4 "With respect to other communication between Johnny Paul
15:41:17 5 Koroma and Charles Taylor during the junta time the witness
6 provided the following information."

7 Paragraph 10:

8 "The witness was present at Johnny Paul Koroma's house when
9 Johnny Paul Koroma made a satellite phone call to Taylor after
15:41:36 10 the incident involving the looting of the Iranian embassy."

11 Did you tell them that?

12 A. I did not say "satellite telephone". I said "landline".
13 We only saw satellite telephone after the intervention.

14 Q. So, they've got that wrong?

15:42:04 15 A. Yes.

16 Q. You never said that?

17 A. I did not say so, no. I said "landline".

18 Q. So thus far, looking at these pages of this interview,
19 they've missed out you telling them about Gibriil Massaquoi having
15:42:22 20 the numbers and they've got wrong that Johnny Paul spoke to
21 Mr Taylor by satellite phone after the Iranian embassy. That's
22 what you are saying, isn't it? Everything else is right, but
23 they've got those two facts wrong, or two matters wrong, yes?

24 A. Yes, because I did not state it there. I spoke about a
15:42:47 25 landline.

26 Q. When they read it back to you, why didn't you correct them?

27 A. This particular one was not read to me.

28 Q. Well, that's not what you told us about 20 minutes ago. Do
29 you want to reconsider your answer?

1 A. I told them about the landline. I did not tell them it was
2 a satellite telephone. I told them about satellite telephone
3 regarding the incidents from after the intervention.

15:43:33 4 Q. We got that point. I'm asking you why didn't you point out
5 to them when they read it back to you that they'd put "satellite
6 phone" when you'd said "landline" all along and you've just said
7 they didn't read this interview back to you. Do you stand by
8 that, that they didn't read this back to you?

15:44:00 9 A. If they had stated it, that it was a satellite telephone, I
10 would have corrected it before now.

11 Q. Would you listen to the question, please. Did they read
12 this interview back to you either on the day, or the next day?

13 A. They read a lot of interviews to me and I cannot recall now
14 that this particular one was read, but if they had stated that it
15:44:23 15 was a satellite phone I would have corrected it right there.

16 Q. A few moments ago when I was asking you about an earlier
17 part of this same interview, you said that they read it back to
18 you, you thought, the next day. That's the interview that we are
19 talking about. Does that jog your memory, your earlier answer on
15:44:52 20 this point?

21 A. Yes.

22 Q. So it appears from your earlier answer that they did read
23 this interview back to you. Do you follow?

24 A. Yes, I follow.

15:45:12 25 Q. Why didn't you correct them?

26 A. Well, I don't know if they went and made the mistake, but I
27 told them that it was a landline.

28 Q. When they read it back to you why didn't you correct them?

29 A. Well, I couldn't pick it up.

1 Q. Why not?

2 A. Well, even you can make mistakes. You are a human being
3 and I'm a human being.

4 Q. This is a major error, isn't it?

15:46:02 5 A. I don't agree that it's a major mistake. It's a slight
6 one, because all of them are telephones.

7 Q. When did Johnny Paul Koroma get his satellite phone?

8 A. I can't tell you anything about the time he got it. I only
9 saw it after the retreat. I had never seen it in town. It was
15:46:29 10 only after the retreat.

11 Q. Did you ever learn from anybody when he'd acquired it?

12 A. No, I never knew it from anybody.

13 Q. Were you not curious to know how it was that Johnny Paul,
14 have been pushed out of Freetown by the ECOMOG forces, had
15:46:59 15 suddenly managed to get himself a satellite phone?

16 A. No.

17 Q. Were you aware of how expensive satellite phones were,
18 certainly back in 1998?

19 A. Yes, I know it, it was expensive.

15:47:33 20 Q. And I'm not going to dwell on it, but on 7 and 8 May of
21 this year, just last month, these statements were read back to
22 you, weren't they, so that you could correct them and they were
23 gone through line by line, as we can see in tab 3 I think it will
24 be, your Honours, starting on page 100506. I'm going to turn in
15:48:20 25 particular to page 100510 and we can see there three lines down,
26 16/11/2007 statement, "The witness reviewed this statement and
27 made the following clarifications and corrections", and there are
28 four corrections on page 45456 and there's three corrections on
29 45458 and there are no corrections on 45457, the one we've just

1 been looking at. So do you agree that you have had two
2 opportunities, one in November of last year and one in May just
3 three weeks or so back, to correct this error and that you've
4 failed to do so on both of those occasions?

15:49:20 5 A. Just as I am saying, everybody can make a mistake. Even
6 whilst we are here you yourself made a mistake. You called
7 Gborie colonel and he is a corporal, so you made a mistake.
8 Everybody is liable to make mistakes.

9 Q. Do you agree that you have failed twice to correct this
15:49:44 10 error?

11 A. Well, I cannot say I failed because I did not write it. If
12 I had written it I would have accepted that I failed. I did not
13 write it.

14 Q. All right. Let's carry on and see, as a matter of
15:50:05 15 interest, some of the other matters that are recorded in here.
16 Paragraph 11, you said you were present in the Supreme Council
17 meeting when the Magburaka arms shipment was discussed. Do you
18 agree with that? Have they got that correct?

19 A. Yes.

15:50:27 20 Q. "At this meeting Johnny Paul Koroma advised the Supreme
21 Council members that a shipment of arms was to be delivered to
22 the Magburaka airstrip."

23 Have they got that right?

24 A. Yes.

15:50:45 25 Q. "The witness states he believes that those involved in this
26 shipment were going through Liberia, although there was no
27 discussion about the specific origin of these arms."

28 Is that what you told them: That you believed that those
29 involved in the Magburaka shipment were going through Liberia,

1 although there was no discussion about the specific origin of
2 these arms?

3 A. Yes.

15:51:25

4 Q. "There were no Liberians at this Supreme Council meeting,
5 nor were there generally Liberians in attendance at the Supreme
6 Council."

7 Did you tell them that?

8 A. Yes.

15:51:38

9 Q. "Liberians who were present in Freetown, such as CO Lion
10 and Senegalese, stayed with the RUF high command leaders such as
11 Issa Sesay."

12 Did you tell them that?

13 A. Yes.

15:51:58

14 Q. Which of these delegations did you say that Lion went on to
15 Monrovia when you were giving us evidence earlier today?

16 A. Except you remind me a little, I have forgotten.

17 Q. Okay, I'll come back to Lion. Now I want to summarise some
18 of the rest of this page. I don't want to dwell too much on
19 every line. At paragraph 12:

15:52:25

20 "During this meeting Fonti Kanu was assigned to accompany
21 RUF commander Ibrahim Bah and other members of the RUF high
22 command to participate in this shipment."

23 Do you agree you told them that?

24 A. Yes.

15:52:40

25 Q. "Witness stated that they were advised that Ibrahim Bah
26 was responsible for making arrangements concerning this
27 shipment."

28 Did you tell them that?

29 A. Yes.

1 Q. Ibrahim Bah was not at this Supreme Council meeting, but
2 met with JPK separately at a meeting you were not present at but
3 only heard about. Do you agree with that?

4 A. Yes.

15:53:08 5 Q. The Magburaka arms shipment arrived a week after the
6 meeting and on instructions from JPK you went to the airstrip and
7 were present when the plane landed. Did you tell them that?

8 A. Yes.

15:53:32 9 Q. "The silver plane landed in the dark. Vehicle headlights
10 were used to illuminate the landing strip. The plane landed very
11 briefly, a net with materials was dropped and only one person
12 disembarked from the plane before it took off."

13 Did you tell them that?

14 A. No.

15:53:54 15 Q. Well, think about that for a moment. Did you tell them,
16 back in November last year, that only one person disembarked from
17 the plane before it got off?

18 A. I did not tell them that. I told them about Musa and the
19 others, Fonti and Mike.

15:54:20 20 Q. All at that time in November?

21 A. Yes.

22 Q. And they've managed not to get that down, those other two?
23 Was it their mistake? Is that what you're saying?

24 A. Yes.

15:54:46 25 Q. Now, I accept if you turn to tab 5 - I think it's tab 5.
26 100551.

27 PRESIDING JUDGE: Mr Munyard, I have that in front of me.

28 MR MUNYARD: I'm sorry, I think I might have the wrong
29 reference down. I will find the right reference in a moment:

1 Q. The point is that when you were here in The Hague and you
2 went through these statements, you corrected the one person and
3 you said that Fonti Kanu got off the plane also.

4 MR KOUMJIAN: Just to be of assistance to my colleague from
15:56:02 5 the Defence, paragraph 10 on the next page.

6 MR MUNYARD: Yes, thank you very much. I've written down a
7 1 where I should have written down a 2. Thank you:

8 Q. You see you were taken through these statements, these
9 accounts from November 2007, line by line, weren't you, while
15:56:26 10 you've been here in The Hague?

11 A. Yes.

12 Q. And we can see in paragraph 10 on 100552 that you said,
13 "Fonti Kanu also alighted from the plane with the previously
14 referred to individual known as Musa." So you've had a thorough
15:56:48 15 opportunity to go over every line of these earlier statements,
16 haven't you, Mr Kargbo?

17 A. I did not get that opportunity, because the document was
18 read to me and I was asked questions. I don't know whether what
19 you are saying now and what was read to me were the same.

15:57:14 20 Q. Not only have you had that opportunity, but you've taken
21 that opportunity and you have corrected parts of your previous
22 statements, haven't you?

23 A. Yes, wherever they made a mistake on the documents which
24 they had, I made corrections. I don't know for this one that
15:57:42 25 you've brought to me now. I don't know if the correction was
26 effected there.

27 Q. Well, where is Mike Lamin in these pages? Where is Mike
28 Lamin on the first interview we're looking at from November, page
29 45458? I can help you with that by taking you to paragraph 16 at

1 the foot of that page where you say, "Both AFRC and RUF high
2 command members, including Issa, Mike Lamin and Senegalese, were
3 present at the airstrip." Why didn't you correct that between 13
4 and 15 May, a few weeks ago, to say, "Well, actually he arrived
15:58:40 5 on the plane with the other two"?

6 A. I did not pick that up.

7 Q. Are you saying you didn't remember when you were going
8 through this in fine detail three weeks ago - in fact, two weeks
9 ago. Are you saying that you didn't remember that Mike Lamin
15:59:17 10 walked off that plane with the other two and this has just come
11 to you today?

12 A. Well, as you had asked me questions, I told you Mike Lamin
13 alighted. At that time when I was being questioned I told the
14 people who were present - the high command who were there. You
15:59:39 15 asked me who were on the plane and I told you Mike Lamin was
16 there. At the time they were asking me questions, they asked me
17 who were present --

18 Q. I suggest --

19 A. -- from the RUF high command.

15:59:49 20 Q. I suggest that Mike Lamin was back at the barracks awaiting
21 these arms. He wasn't even at the airstrip.

22 A. That is your suggestion, but I know that he was there.

23 Q. And so if anyone says that Mike Lamin was back at the
24 barracks awaiting the delivery of arms, would they be lying?

16:00:31 25 A. Yes, because I know that Issa was senior for him. Issa
26 would not be there and Mike Lamin being in the barracks waiting.

27 Q. Now, I don't want to take you to anything else in that part
28 of that interview. I want to try and keep, if we can, to a
29 chronological order of events. Just before we move on in terms

1 of the time that these events occurred over, can you just help us
2 with this. If you go back to tab 1 in this bundle, which starts
3 on page 45449, do you see on the second page, 45450, paragraph
4 11, that the witness states that in May 1997 one of his
16:02:14 5 colleagues from the army Abu Sankoh (aka Zagalo) approached you
6 suggesting a coup should be staged against the government, you
7 agreed to participate and the coup was successfully staged? Now,
8 you've already agreed you said pretty well the same in the later
9 interview which was three days later. Then paragraph 12:

16:02:41 10 "After the government was toppled on 25 May 1997, [you]
11 were made a Supreme Council member in charge of monitoring
12 tourism and culture and [you] held that position until the end of
13 November 1997."

14 Now, you told us that your job was tourism and housing when
16:03:01 15 you gave evidence a couple of weeks ago. What did it - I don't
16 want to take any time over that, but did it involve housing, or
17 was that a slip of your tongue?

18 A. It was not a mistake. That was the appointment given to
19 me.

16:03:20 20 Q. So is this wrong, "monitoring tourism and culture"?

21 A. Tourism, housing and culture.

22 Q. So, did you tell them that you were in charge of housing as
23 well then?

24 A. Yes, because even my office was located in the housing
16:03:42 25 ministry. I will not forget to tell them that. Maybe this
26 document is different from that.

27 Q. So they've made a mistake there that you haven't picked up
28 either then or in May when all of these interviews are being read
29 back to you, yes?

1 A. Well, just like I said, I can't tell you whether your
2 document and their document are the same, but that was something
3 I said.

4 Q. The Prosecution supply us with these documents. These are
16:04:17 5 the Prosecution documents. They're not ours. Do you understand?

6 A. Yes.

7 Q. Now, what I am really interested in is this at paragraph
8 13:

9 "In November 1997 the witness states that he was appointed
16:04:31 10 as overall commander for mining and security in Kono where he
11 worked with another Supreme Council member Ibrahim Bio Sesay and
12 various other people."

13 Did you at some point correct the November 1997 to January
14 1998?

16:04:57 15 A. No, it was 1998.

16 Q. So who got it wrong in this first interview, you or the
17 people who were interviewing you who were writing down the notes
18 which they then --

19 A. It was the ones who interviewed me, if they were the ones
16:05:15 20 who gave you the documents.

21 Q. They were. Joseph Saffa and Stephen Streeter, both of whom
22 you've agreed you know?

23 A. Yes.

24 Q. Now, then it goes on to say that - it deals with your
16:05:42 25 leaving Freetown after the intervention in paragraph 14 and it
26 describes your journey in paragraph 15. Over the page on 45451
27 it says on paragraph 17 that once you were in Johnny Paul
28 Koroma's village he began to communicate with Charles Taylor by
29 satellite phone. You were in charge of security for the

1 satellite phone and were present during conversations. Just tell
2 us did you say that to the Prosecution in that first interview?

3 A. Yes.

16:06:39

4 Q. And did the satellite phone only consist of that small box
5 like structure that you've told us about at all times?

6 A. Yes.

7 Q. All right. And what does being in charge of security for
8 the satellite phone mean?

16:07:03

9 A. It was kept under my driver's seat, so at any time they
10 needed it I would just take it from there.

11 Q. Well, let's just deal with that. I'm going to move now to
12 events after the intervention. You've already described the
13 journey that you went on across Sierra Leone and you were heading
14 for the Liberian border, weren't you?

16:07:27

15 A. At first we did not head for there.

16 Q. But your ultimate aim was to get out of the country, wasn't
17 it, you and Johnny Paul and his family?

18 A. Yes.

16:07:49

19 Q. And which way did you think was going to be the easiest and
20 safest way out of Sierra Leone?

21 A. Well, when he had joined me, through conversation I
22 understood from him that Mr Charles Taylor was going to send a
23 helicopter for us to go to Liberia.

16:08:16

24 Q. In fact the Liberian border in the east of Sierra Leone was
25 the only place where you were not expecting to find
26 pro-government forces including ECOMOG forces, wasn't it?

27 A. Say that again. I did not get you clear.

28 Q. The Liberian border was the only place that you were not
29 expecting to meet resistance from government troops, or troops

1 supporting the government. That's right, isn't it?

2 A. Yes, yes.

3 Q. You weren't heading there because Charles Taylor had
4 offered a helicopter. You were heading there because it was the
16:08:52 5 safest route out of Sierra Leone, correct?

6 A. No.

7 Q. Well, when do you say this phone call occurred that offered
8 the helicopter?

9 A. Well it was after the intervention, when I collected it
16:09:10 10 from his village in Magbonkineh when we got there, and it was
11 from there that I understood from that conversation that a
12 helicopter was going to come and pick him up, but it was after
13 that that Mr Charles Taylor said it was not going to be possible
14 because of the raids coming from the jet and so we decided from
16:09:29 15 that point to go towards the Liberian border through the RUF
16 territory, Kailahun.

17 Q. So you're in his, Johnny Paul's, village in the Bombali
18 District when you have this conversation about the helicopter.
19 Is that what you're saying?

16:09:49 20 A. Yes.

21 Q. And is that the only reason that Johnny Paul goes into the
22 RUF territory in Kailahun?

23 A. Yes, because of Mr Charles Taylor's call. He said he was -
24 except that he managed to go to Kailahun before he would send
16:10:11 25 something to pick him up.

26 Q. Was Johnny Paul trying to avoid the RUF held areas before
27 that?

28 A. It was only after the call, but he never had plans to go to
29 the RUF zone. It was only when Charles Taylor called.

1 Q. Are you saying that Johnny Paul was afraid of going to the
2 RUF controlled areas at that stage?

3 A. Well I wouldn't tell what was in his mind at that time, but
4 I did not see in his face that he had plans to go to that area.

16:10:49 5 Q. You were with him and his family trying to get out of
6 Sierra Leone, weren't you?

7 A. Through Charles Taylor's call.

8 Q. And he was reluctant to go into the RUF held area, wasn't
9 he?

16:11:11 10 A. He did not discuss that with me, whether he was reluctant
11 or not reluctant to go there. It was only as a result of that
12 call - Charles Taylor's call - that we went to that area.

13 Q. Did you give him your jeep?

14 A. I was driving him myself, together with his family.

16:11:37 15 Q. In your Nissan Patrol vehicle?

16 A. Johnny Paul Koroma's family, yes.

17 Q. What did he have before you turned up with your Nissan
18 Patrol jeep for him to escape in?

19 A. I did not give it to him. I drove him myself. I went and
16:12:03 20 picked him up from where he was and I took him up to the RUF
21 area.

22 Q. And if you hadn't turned up with your jeep he wouldn't have
23 been able to travel there, would he?

24 A. No, he would have found it difficult to move from that Koya
16:12:29 25 District area to go up to that area. It wouldn't have been easy
26 for him.

27 Q. And so you end up in Buedu, do you agree?

28 A. Yes, yes.

29 Q. Together with Johnny Paul and his family?

1 A. Yes.

2 Q. And together with all your diamonds and all of his
3 diamonds?

4 A. Yes.

16:13:00 5 Q. Where were his diamonds hidden, Mr Kargbo?

6 A. Repeat that question. You mean me, or Johnny Paul's own
7 diamonds?

8 Q. Johnny Paul's.

9 A. Well, it was only at the time they were doing whatsoever
16:13:30 10 things they did to take them off from us to rid us of the
11 diamonds that they took the briefcase.

12 Q. Where was he hiding his diamonds? That's what I want to
13 know.

14 A. Well, I can't tell where he hid it. It was only at the
16:13:51 15 time when they broke the briefcase and they took the diamonds out
16 of it that I knew. At that time we were now in Buedu.

17 Q. And you knew that he had a large quantity of diamonds on
18 him as you were fleeing across Sierra Leone, didn't you?

19 A. I never knew that.

16:14:14 20 Q. Did he never discuss with you the fact that he also had a
21 stash of diamonds?

22 A. No. He was my boss, he wouldn't have discussed that with
23 me.

24 Q. How many weeks had you been travelling with him by the time
16:14:37 25 that you were both discovered with hidden diamonds?

26 A. Well, from that February up to mid-March. I think it was
27 around that time, from that February when we were moved out of
28 town and up to middle of March, the time they took the money off
29 from us. I think it was mid-March at that time. I cannot tell

1 the exact amount that was taken from me, but for the diamonds
2 maybe I can.

3 Q. So they took money from you as well as diamonds?

16:15:33

4 A. Well, I don't know how much Johnny Paul had with him, but
5 the money that I had with me, I can't recall that I remembered
6 the amount actually to put it in a statement. I don't think I
7 did.

8 Q. I don't think you did. Was it a substantial amount of
9 money?

16:15:51

10 A. From me, or from chairman Johnny Paul?

11 Q. From you.

12 A. No, it was not a huge sum of money. I can't recall.

13 Q. And what about Johnny Paul? You say you don't know how
14 much he had with him. Do you know if he had a substantial amount
15 of money with him?

16:16:13

16 A. After the whole thing when Issa and others came in front of
17 me, the things I saw with them were diamonds. I did not see
18 money with them.

19 Q. Let's just look and see what you said about the diamonds in
20 that first interview. At the foot of page 45451, paragraph 21:

16:16:32

21 "Before these vehicles departed the witness states that RUF
22 and state security servicemen from Liberia, under the direction
23 of Issa Sesay and Jungie, took diamonds from the witness (214
24 pieces). A quantity of diamonds was also taken from Johnny Paul
25 Koroma."

16:17:11

26 Did you tell them at that stage about being flogged?

27 A. Yes.

28 Q. Did you tell them about Johnny Paul's family being
29 physically abused?

1 A. Yes.

2 Q. Where were your diamonds hidden?

3 A. In my waist bag.

4 Q. All right. What is a waist bag?

16:17:53 5 A. It's a small kind of bag that I always tied around my
6 waist.

7 Q. Inside your trousers presumably?

8 A. No, no, it was always out.

9 Q. So you had 214 pieces of diamonds in a bag worn around your
16:18:19 10 waist for all to see. Is that you're saying?

11 A. Yes.

12 Q. And whose diamonds were they? You've told us some were
13 yours and some were not. How many of them were yours?

14 A. I did not know the actual figure, the ones that were with
16:18:50 15 me for a long time, for me to take record of them. Initially we
16 were taking record before we left Kono, but before - the Kamajors
17 later came and attacked us, so the record was not with me, so I
18 wouldn't have known and the records were from government, but
19 what I had was 214 pieces.

16:19:11 20 Q. Were more of them yours, or more of them the government's?
21 When I say more, I mean either in numbers or in carats.

22 A. More of mine.

23 Q. And where did you get these diamonds?

24 A. I was doing personal mining.

16:19:34 25 Q. When?

26 A. Before my deployment in Kono as commander and even when I
27 used to go there I was doing personal mining. There was the
28 government pits and there were some other areas that were not
29 government pits. You go and register with the chiefs and then

1 you mine there.

2 Q. Were you one of the people that was being complained about
3 in that meeting on 19 July 1997 --

4 A. No.

16:20:21 5 Q. -- who had been getting diamonds?

6 A. No.

7 Q. Who gave you permission to get those diamonds?

8 A. Nobody gave me permission.

9 Q. Now, what about Johnny Paul, did you tell him that you had
16:21:09 10 all these diamonds with you?

11 A. No. It was only the chief security by then that knew that
12 I had diamonds on me: Rambo.

13 Q. Well, Rambo of course is now dead, isn't he?

14 A. Yes.

16:21:30 15 Q. So he can't confirm that you told him. Why didn't you tell
16 your boss, "I've got a load of government diamonds on me, Johnny
17 Paul, what do you think I should do with them"?

18 A. I did not deem it necessary to tell him by then.

19 Q. Mr Kargbo, you were in charge of diamonds in Kono, the two
16:21:57 20 of you had been crossing Sierra Leone ever since the intervention
21 threw you out of Freetown and you're carrying this valuable
22 package of diamonds, some of which belong to the government, and
23 you've got the government leader sitting there in your jeep. Why
24 not tell him that you had government property, in the form of
16:22:18 25 diamonds, secreted about your person?

26 A. I did not see it necessary by then, because there was a
27 shaky situation at that time and what I knew was that when you
28 had diamonds on you, the next moment when some other people knew
29 about it they would either kill you, or beat you to death. So

1 for that reason I decided to keep it on me secretly and it was
2 only the chief security, who was a brother and a close friend of
3 mine, that I chose to tell.

16:22:59 4 Q. So are you saying that you didn't tell your boss, the head
5 of government, that you had the diamonds on you because he'd
6 either kill you, or beat you to death?

7 A. Yes, exactly, and that was what the chief security did when
8 he revealed the information to the RUF. He told them that I had
9 diamonds on me because already I had told him that I had them on
16:23:28 10 me.

11 Q. Let me make sure you understood my question. Are you
12 saying you didn't tell Johnny Paul Koroma that you had diamonds
13 on you because you feared that he would either kill you, or beat
14 you to death?

16:23:42 15 A. Exactly.

16 Q. Is it not the case that those diamonds you were intending
17 to keep and use for your own benefit once you got out of Sierra
18 Leone?

19 A. Yes, I was going to use it.

16:24:08 20 Q. All of the diamonds, government diamonds included?

21 A. Yes.

22 Q. Over the page, please, 45452, paragraph 22, "The witness
23 states that after the diamonds were taken he was detained for 72
24 hours. Jungle and Sam Bockarie went together to Liberia with the
16:25:00 25 diamonds", according to you. Then after 72 hours of detention
26 you were advised that the orders had been changed and you were
27 released and at that time Johnny Paul Koroma and his wife were
28 taken to a nearby village called Kangama and Johnny Paul was
29 placed under house arrest.

1 A. Let me ease myself, please.

2 PRESIDING JUDGE: Just pause, Mr Witness. We've had an
3 indication there's only about two minutes left on the tape and if
4 the witness is to go out, perhaps it would be appropriate, if
16:25:33 5 that's convenient for you, Mr Munyard, to adjourn.

6 MR MUNYARD: It is.

7 THE WITNESS: Go ahead, just go ahead.

8 PRESIDING JUDGE: We are going to finish for the day,
9 Mr Witness.

16:25:50 10 THE WITNESS: Okay, yeah.

11 MR MUNYARD: Yes, it's an area that's going to take more
12 than two minutes.

13 PRESIDING JUDGE: Very well. Mr Witness, I will remind
14 you, as I've done on other afternoons, that you are under oath
16:26:01 15 and you are obliged not to discuss your evidence with any other
16 person until all the evidence is finished. We will now adjourn
17 for the day and we will resume court at 9.30 tomorrow. Please
18 adjourn court.

19 [Whereupon the hearing adjourned at 4.26 p.m.
20 to be reconvened on Tuesday, 3 June 2008 at
21 9.30 a.m.]

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I N D E X

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