



Case No. SCSL-2003-01-T

THE PROSECUTOR OF
THE SPECIAL COURT
V.
CHARLES GHANKAY TAYLOR

MONDAY, 31 MARCH 2008
9.30 A.M.
TRIAL

TRIAL CHAMBER II

Before the Judges:

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

For Chambers:

Mr William Romans
Ms Sidney Thompson

For the Registry:

Ms Rachel Irura

For the Prosecution:

Ms Brenda J Hollis
Mr Nicholas Koumjian
Mr Alain Werner
Ms Maja Dimitrova

For the accused Charles Ghankay
Taylor:

Mr Terry Munyard
Mr Andrew Cayley

1 Monday, 31 March 2008

2 [The accused present]

3 [Open session]

4 [Upon commencing at 9.30 a.m.]

09:30:21 5 MS IRURA: The Special Court for Sierra Leone is sitting in
6 an open session in the case of the Prosecutor versus Charles
7 Ghankay Taylor, Justice Teresa Doherty presiding.

8 PRESIDING JUDGE: Good morning and I welcome you all back.
9 I will start by taking appearances, please.

09:30:44 10 MR KOUMJIAN: Your Honour, for the Prosecution, good
11 morning, Brenda J Hollis, Alain Werner, Maja Dimitrova and
12 myself, Nicholas Koumjian.

13 PRESIDING JUDGE: Thank you, Mr Koumjian.

14 MR MUNYARD: Good morning, Madam President, your Honours,
09:31:03 15 counsel opposite. For the Defence there is myself, Terry
16 Munyard, and Andrew Cayley.

17 PRESIDING JUDGE: Thank you. And I note that witness
18 TF1-532 is in the witness box, is that correct? It is some weeks
19 since the witness was sworn and so I have in mind to re-swear the
09:31:25 20 witness. Has counsel any comment on that? No. It is your
21 witness, Mr Koumjian.

22 MR KOUMJIAN: No, thank you.

23 PRESIDING JUDGE: Very well. Thank you, Madam Court
24 Attendant. Please assist us.

09:31:55 25 WITNESS: TFI-532 [Resworn]

26 PRESIDING JUDGE: Thank you, Mr Witness. We welcome you
27 back as well and hope you had a good break and I will just check
28 that the appropriate interpreter is in position. Mr Interpreter,
29 have we got the right interpreter for this witness?

1 THE INTERPRETER: Yes, your Honours.

2 PRESIDING JUDGE: Very well. Mr Koumjian, please proceed.

3 EXAMINATION-IN-CHIEF BY MR KOUMJIAN [CONT.]:

4 Q. Good morning, Mr Witness. First of all, may I say we all
09:32:41 5 want to thank you for your patience and understanding that there
6 was a necessity to interrupt your testimony previously because of
7 a unique situation and we appreciate your patience with that.

8 When we were talking to you two-and-a-half weeks ago, when
9 we finished the testimony that day we were talking about the
09:33:08 10 invasion of Freetown in January 1999 and, sir, you indicated at
11 one point that once Gullit's forces entered Freetown ECOMOG
12 concentrated its forces on defending the city. Is that correct?

13 A. Yes, sir.

14 Q. Now once ECOMOG had concentrated its forces on Freetown,
09:33:40 15 the capital city, what effect did that have on the battle for the
16 city?

17 A. Well, our men who had entered could not stand the ECOMOG
18 forces in the place so they started retreating because they had
19 pressure. And they were communicating with the headquarters and
09:34:25 20 they did say that they were under pressure from the ECOMOG force,
21 so they received instruction from Sam Bockarie that if they were
22 under pressure they should set the Nigerian Embassy on fire,
23 including other places. So, that was how the communications went
24 on between the headquarters and those who were in town.

09:35:11 25 Q. Okay, thank you, Mr Witness, and by the way we appreciate
26 you speaking slowly. That makes it much easier for the
27 interpreter. Your pace was very good on that answer. Now, you
28 also indicated that at the same time that Gullit's forces were
29 being engaged by ECOMOG in the city there was fighting in the

1 Hastings area. Do you recall that?

2 A. Yes, I recall that.

3 Q. And can you remind us which forces were fighting in the
4 Hastings area?

09:35:57 5 A. Well, it was Rambo and other people who were fighters that
6 were around that Hastings area fighting.

7 Q. And just as we concluded, I was asking you about your
8 knowledge of the geography of the peninsular on which Freetown is
9 located and you told us you were familiar with that. My question
09:36:24 10 for you now is what importance did it have strategically that
11 Rambo's forces were in Hastings to the battle and the retreat of
12 Gullit's forces from Freetown?

13 A. Well, it was important because it was a forested area and
14 it was a hilly area. Therefore, when Rambo engaged the ECOMOG
09:37:11 15 troops around the Hastings area the men who were retreating from
16 Freetown were able to use the forest to come towards the Waterloo
17 area where our men occupied.

18 Q. Okay. And with that situation were Gullit's forces able to
19 largely withdraw intact from Freetown during the retreat?

09:37:52 20 MR MUNYARD: Well, that is a leading question.

21 PRESIDING JUDGE: Mr Koumjian, there has been an objection
22 to you leading, or --

23 MR KOUMJIAN: All right, I will rephrase the question:

24 Q. Were Gullit's forces able to withdraw or unable to withdraw
09:38:18 25 from Freetown when ECOMOG counter-attacked?

26 A. Yes, they were able to move from out of the town and come
27 towards the Waterloo area.

28 Q. Mr Witness, in general from your observations as an RUF
29 commander and from your monitoring of communications during the

1 period January 1999 can you tell us what was the relationship
2 between RUF and the AFRC forces during that month, January 1999?

3 A. Yes, the relationship that was between the AFRC and the -
4 the AFRC and the RUF was cordial and we had understanding. We
09:39:35 5 were together as one. We had no problems amongst ourselves.

6 Q. Okay, thank you. Now, Mr Witness, I want to talk to you
7 about now the period after the invasion of Freetown and the
8 retreat of Gullit's forces. Where were you assigned after that -
9 those events?

09:40:11 10 A. Well, after that time I had told you that I was in the
11 Kenema District at a place called Joru. That was the area where
12 I was at that time.

13 Q. And then were you reassigned to another area at some
14 point?

09:40:38 15 A. Yes, I went to Makeni. That was my next assignment that I
16 took.

17 Q. Okay, thank you. Were there other commanders in Makeni
18 with you?

19 A. Yes, I had other commanders who were there.

09:41:10 20 Q. Who else was there in Makeni with you?

21 A. Well, we were many. We had Brigadier Manneh, who was one
22 of our big men from the AFRC side. He was also there. We also
23 had Colonel T, who was also an AFRC man. Issa Sesay also was in
24 Makeni and we also had Rambo and Superman. He was also there.

09:42:00 25 Of course he was based in Lunsar, but he used to come to Makeni
26 and spend some time with us.

27 Q. Thank you. Sir, during 1999, in the period after the
28 Freetown invasion and before the Lome Accord was signed, was the
29 RUF engaged in any operations outside of Sierra Leone?

1 A. Yes, yes, they involved in another operation that did not
2 take place within Sierra Leone.

3 Q. Can you please tell us about that operation?

09:43:05

4 A. Well, that operation was in Liberia. That was where the
5 RUF went on an operation to fight.

6 Q. Who was the RUF fighting against in Liberia in that
7 operation?

09:43:44

8 A. Well they had one man who was called Mosquito Spray, that
9 was his operation, and they were fighting to kick Mr Taylor out
10 of power. So, those were the people that the RUF went to fight
11 against.

12 MR KOUMJIAN: Sorry, just a moment, your Honour. For some
13 reason my channel - I pulled my cord out and my channel changed:

14 Q. Sir, were you part of that operation yourself?

09:44:11

15 A. No, I did not go.

16 Q. Do you know under whose orders RUF forces went into Liberia
17 to fight against Mosquito Spray?

09:44:49

18 A. The order came from Liberia, according to Mosquito, because
19 he did say that Mr Taylor asked him that he should send some
20 people to go and fight against Mosquito Spray and his men in the
21 Lofa area.

22 Q. Okay, thank you. Mr Witness, there is a fact that has been
23 stipulated in this Court that there was a peace treaty signed in
24 Lome on 7 July 1999. Were you part of any peace talks or any
09:45:14 25 delegation to Lome in 1999?

26 A. Well I was one of the people who was selected to go, but at
27 that time I had a problem with my commander, Mosquito, so I did
28 not make it to go because I and Brigadier Manneh came from the
29 Makeni side to join them to go together with Gibriil Massaquoi

1 but, because of a certain problem that existed between the
2 commander and I, I didn't make it to go on the peace accord.

3 Q. Mr Witness, do you know where Foday Sankoh was when the
4 peace accord was signed?

09:46:20 5 A. Foday Sankoh was in Lome when the peace accord was signed.

6 Q. And do you know where Foday Sankoh went after the signing
7 of the peace accord in Lome in 1999?

8 A. Yes, after the signing of the peace accord he moved from
9 Lome and came to Liberia and that was the time they sent for
09:46:57 10 Johnny Paul for him also to go there.

11 THE INTERPRETER: Your Honours, could the witness kindly
12 repeat the last bit of his answer?

13 PRESIDING JUDGE: Mr Witness, the interpreter asks that you
14 repeat the last part of your answer. Could you please pick up
09:47:12 15 where you said, "Johnny Paul was also to go there", and then
16 continue from there, please.

17 THE WITNESS: Well I said Foday Sankoh, when he came from
18 Lome to Liberia and they called on Johnny Paul to join them in
19 Liberia so he also went to Liberia and from there they came to
09:47:51 20 Sierra Leone.

21 MR KOUMJIAN:

22 Q. When Foday Sankoh came to Sierra Leone, did you see him?

23 A. Yes, I saw him.

24 Q. And did you talk to him at all about his time in Liberia
09:48:10 25 just before coming or returning to Sierra Leone?

26 A. When he was in Liberia he communicated saying that they had
27 signed the peace accord and that they were now in Liberia
28 preparing to come to Sierra Leone. He communicated with me when
29 I was in Makeni.

1 Q. And when you say he communicated with you, by what means of
2 communication were you able to speak to Foday Sankoh?

3 A. Well we had the field radios that we used, and those were
4 the Yaesu radios, and so it was through that radio that I

09:49:14 5 received the call from him when I spoke with him.

6 Q. Did Foday Sankoh tell you whether he and Johnny Paul Koroma
7 met with anyone else in Liberia?

8 A. Yes.

9 Q. Who did he say that they met with?

09:49:40 10 A. He said they met with Mr Taylor and Mr Taylor spoke to both

11 of them for the two of them to join hands and to work hand in

12 hand and for Johnny Paul to forget about all the past, that the

13 things that happened in the past whilst Foday Sankoh was not

14 around, and that they should come together as one since the peace

09:50:30 15 was now signed and that they should work according to the

16 dictates of the peace accord. So, those were the advice he gave

17 to them and that was what Foday Sankoh told us.

18 Q. Okay, thank you. Now, Mr Witness, you indicated that you

19 met with Foday Sankoh when he came back to Sierra Leone. Where

09:50:55 20 exactly were you when you met Foday Sankoh when he first - when

21 you first met Foday Sankoh upon his return?

22 A. I was in Makeni.

23 Q. Do you know how Foday Sankoh travelled to Makeni?

24 A. He travelled by road, together with UN peacekeepers.

09:51:37 25 Q. Okay. Do you recall approximately when this was that you

26 first saw Foday Sankoh upon his return to Sierra Leone? Either

27 by giving us a date or telling us, if you can, approximately how

28 long after Lome was signed did you see Foday Sankoh?

29 A. Well I cannot actually give you a specific date now because

1 if I say I will give you a particular date then I will end up
2 giving you a date that will not be correct, but when the peace
3 accord was signed it did not take long. For example, I can say
4 like a week going towards maybe two weeks when Foday Sankoh went
09:52:48 5 to Makeni .

6 Q. Okay. What did Foday Sankoh do when he arrived at Makeni ?

7 A. When he reached Makeni , he called on all the commanders who
8 were resident in Makeni and he spoke to them. He told them that
9 the war had ended and that there was going to be no more fighting
09:53:38 10 and that no soldier should take upon himself to go to people's
11 villages again - people's places - to take their food and items
12 away from them, because they had now signed the peace and that
13 they should give the people peace.

14 Q. Now, earlier you indicated that Foday Sankoh had travelled
09:54:04 15 to Makeni with some other individuals. Were other persons not
16 members of the RUF or the AFRC present during this meeting?

17 A. I don't think other people were there because he spoke to
18 the soldiers first before he went to the civilians, because he
19 had soldiers and after he had completed talking to them and that
09:54:52 20 was at night. The next morning it was announced that all the
21 civilians should assemble at the Makeni field for him to speak to
22 them and, indeed, they all assembled there and then he spoke to
23 them, he apologised to them, he explained to them the things -
24 all the things that happened during the course of the war and
09:55:29 25 that he was apologising that they should forgive him for all the
26 things that happened, especially in the case of January 6th, and
27 that he was asking for forgiveness for himself and all of his
28 fighters. And he did say that it was now time for him to give
29 peace to them because there was no more war and that they had

1 signed the peace, so those were the things that he told the
2 civilians at the field.

09:56:26 3 Q. Okay, thank you. You had indicated earlier that Foday
4 Sankoh travelled together to Makeni with UN peacekeepers. Were
5 the peacekeepers present at either of the two meetings you have
6 described; Foday Sankoh's meetings with the commanders or the
7 second meeting with the civilians?

09:56:57 8 A. Yes, the soldiers were the peacekeepers who went together
9 with him from Freetown and they were there when he addressed his
10 own soldiers, and at the field where he was talking to the
11 civilians there were also peacekeeping troops who went with him
12 to Makeni. They were also there at the field. And, in fact, it
13 was on that day that he handed over the former President Joseph
14 Momoh to the peacekeepers.

09:57:34 15 Q. After your meeting with Foday Sankoh in Makeni, do you know
16 where Foday Sankoh went?

09:58:21 17 A. From Makeni Foday Sankoh travelled to Port Loko to also
18 talk to the civilians who were in the Port Loko area. He also
19 went to Lunsar and spoke to them there and it was from Lunsar
20 that he went to Port Loko and then from Port Loko he went to
21 Freetown.

22 Q. When Foday Sankoh was in Freetown, did you ever hear or
23 read any remarks of Foday Sankoh in the media? Do you know if he
24 appeared in the media, either radio or newspapers?

09:58:53 25 A. Well I did not read newspapers to say that I read
26 newspapers about all the meetings that Foday Sankoh had, but in
27 actual fact during all the meetings he had his adjutants. Like
28 in Makeni when he was talking he had his adjutants who were
29 writing about all that he said, like when he was apologising to

1 the civilians with regards all the things that happened during
2 the war.

3 Q. Okay. Did you ever hear Foday Sankoh speak on the radio
4 yourself? On the commercial radio?

09:59:46 5 A. Yes, I heard Foday Sankoh speak over radio. Like when he
6 spoke over the BBC, I heard him.

7 Q. Now, you mentioned that you were in Makeni in 1999. Were
8 you ever assigned anywhere else in 1999, or 2000?

9 A. Yes. When Foday Sankoh came to Makeni he did say that I
10:00:24 10 should go with him to Freetown, so Freetown became my next
11 assignment.

12 Q. Okay, thank you. Now, Mr Witness, you have indicated that
13 you knew Foday Sankoh since your time in Liberia before entering
14 Sierra Leone. Are you familiar with Foday Sankoh's signature?

10:00:50 15 Have you seen that on occasions?

16 A. Yes, I know Foday Sankoh's signature.

17 MR KOUMJIAN: Your Honour, I would like the witness to be
18 shown tab 1, the document on tab 1. It is a two page document
19 that is labelled, "Statement by [Corporal] Foday Saybana Sankoh,
10:01:20 20 Leader of the Revolutionary United Front", and it has the ERN
21 numbers 00009475 and - sorry, 9476 and 9477. I would like him to
22 be shown the second page, 9477, and if the bottom of that page
23 could be put on the screen:

24 Q. Mr Witness, do you recognise the signature on the bottom
10:02:25 25 right of this page?

26 A. Yes, I recognise it.

27 Q. Whose signature is it?

28 A. It is Foday Sankoh's signature.

29 Q. Thank you. Now I want to ask you about something on the

1 page before this, 9476. There is a sentence that states in the
2 third paragraph:

3 "You will recall, my sisters and brothers since my
4 detention in Nigeria in 1997-1998 and also being convicted of
10:03:36 5 treason with a pending appeal, much has taken place in my
6 absence, not least of which is the 6th of January (invasion)
7 attack of Freetown by the Rebels".

8 The word I want to ask you about, sir, is the word
9 "Rebels". Are you familiar with what Foday Sankoh - what - who
10:03:55 10 he referred to as rebels when Foday Sankoh used that word?

11 A. Foday Sankoh was talking about the fighting men and those
12 were the AFRC and the RUF because we were now one. So, we were
13 the rebels.

14 MR KOU MJIAN: Okay, thank you. I am done with this
10:04:25 15 document, thank you. May that receive an MFI number, your
16 Honours? It is a two page document.

17 PRESIDING JUDGE: I will just check. What number are we
18 now up to, Madam Court Attendant.

19 MS IRURA: Your Honour, it will be MFI-17.

10:04:51 20 PRESIDING JUDGE: Thank you.

21 JUDGE SEBUTINDE: I don't think so. 17 is the picture of
22 the diamond shape with the portrait of diamonds, isn't it, so
23 that will be 18 now I think.

24 MR KOU MJIAN: That was admitted, I believe. That was
10:05:04 25 another witness. You will remember we interposed another
26 witness.

27 PRESIDING JUDGE: Yes, 599 was the one who drew that
28 document. I think that is P-91.

29 MR KOU MJIAN: It is P-92 I believe, your Honours. Our

1 records show that that was P-92. That was given --

2 MS IRURA: Your Honour, that is P-92.

3 MR KOUMJIAN: That was Mr Marzah.

4 JUDGE SEBUTINDE: I do beg your pardon.

10:05:31 5 MR KOUMJIAN: Thank you, your Honours.

6 PRESIDING JUDGE: Well, this two page document headed
7 "Statement by [Corporal] Foday Saybana Sankoh" will become
8 MFI-17.

9 MR KOUMJIAN: Thank you:

10:05:45 10 Q. Now, Mr Witness, when Foday Sankoh returned to Sierra
11 Leone, at that time when he first returned to Sierra Leone what
12 was the structure - the command structure - of the RUF of the top
13 leadership?

14 A. Well when he came we had Johnny Paul, who was the Head of
10:06:27 15 State and he was our commander, and we had Sam Bockarie who
16 controlled the fighters in the field and we had Issa Sesay who
17 was next to Sam Bockarie and we had Morris Kallon who was next to
18 Issa Sesay.

19 Q. Thank you.

10:07:15 20 PRESIDING JUDGE: Mr Koumjian, what period are you
21 referring to in that question? I note you said "when he first
22 returned to Sierra Leone".

23 MR KOUMJIAN: Yes, I believe the witness indicated it was a
24 couple of weeks after the signing of the Lome Accord:

10:07:28 25 Q. So, Mr Witness, are you speaking of July, the end of July
26 1999? Is that correct?

27 A. Yes, that is what I am talking about.

28 Q. Thank you. Now, sir, you mentioned Sam Bockarie as being -
29 as controlling the fighters in the field. Did Sam Bockarie or

1 that position change during 1999?

2 A. Yes, in that 1999 it changed with the arrival of Foday
3 Sankoh.

4 Q. What happened with Sam Bockarie in 1999?

10:08:36 5 A. 1999 Sam Bockarie and Foday Sankoh had a problem. They had
6 an argument over the communication set and that was the time
7 Foday Sankoh commanded people to go and arrest Sam Bockarie and
8 to bring him over, and at that time Sam Bockarie packed all the
9 things that he had with him together with some fighters and he
10:09:27 10 crossed over to Liberia and he went to Mr Taylor.

11 Q. When Sam Bockarie left, who replaced him in the position
12 that he had held?

13 A. It was Issa Sesay who took over his position.

14 Q. Now, do you know whether these various changes in the
10:09:56 15 command structure affected in any way the RUF's relationship with
16 Charles Taylor in Liberia in 1999?

17 A. Well I can say, no, it did not affect it, because
18 communications still existed between Foday Sankoh and Mr Taylor
19 and they still lived as brothers.

10:10:48 20 Q. Mr Witness, do you have any knowledge of whether or not
21 Issa Sesay at that time in 1999, and let us say in early 2000
22 after taking over Sam Bockarie's position, ever communicated with
23 Charles Taylor?

24 A. Well the communication that existed was between Issa Sesay
10:11:28 25 and Foday Sankoh and then Foday Sankoh and Charles Taylor, that
26 was how it was, and then later there was a time that Foday - that
27 Issa Sesay communicated directly with Mr Taylor, but that
28 actually happened later.

29 Q. Okay, thank you. Sir, do you recall in the year 2000 any

1 event involving UN peacekeepers and the RUF?

2 A. Yes, we were in Freetown when we heard that the
3 peacekeepers have got - have had a problem with the RUF and that
4 the RUF had arrested the peacekeepers in Makeni and Kailahun.

10:12:43 5 Q. Now at that time did anyone come from outside the country
6 to meet with Foday Sankoh to your knowledge, or to meet with you?

7 A. Yes, the Nigerian Foreign Minister came and there was also
8 a delegation from Libya that came and another delegation also
9 came from Liberia. They all came to Freetown to talk to Foday
10 Sankoh.

11 Q. Do you know who were the members of the Liberian delegation
12 that came to Freetown in 2000 during this UN peacekeeper issue?

13 A. I saw a woman, but I don't actually know her name. I also
14 saw a man that was called Joe Tuah, who was the artillery
10:14:16 15 commander for the NPFL, and I saw the Liberian ambassador who was
16 resident in Sierra Leone. It was the three of them who went to
17 Foday Sankoh's place that I saw and I even spoke to Joe Tuah at
18 that time.

19 Q. Did you know Joe Tuah before the year 2000?

10:14:47 20 A. Yes, I knew him well from Liberia.

21 Q. And perhaps you can tell us what did you tell Joe Tuah when
22 you spoke to him?

23 A. Well I told him something concerning the plans that some
24 groups had to go and fight against the government that was in
10:15:29 25 power in Liberia, and that is Mr Taylor's government, and that
26 the area and - and about the areas that they were planning to
27 assemble for them to move, because at that time I was one of the
28 men whom they wanted to recruit for us all to join hands together
29 to go and fight, but I was unable to go and when the delegation

1 arrived I explained to them the areas the people were coming from
2 and where they were going to assemble for them to go and fight
3 against the government that was in power. So, those were the
4 things that I discussed with Joe Tuah.

10:16:29 5 Q. Well, who tried to recruit you to join a force to fight
6 Charles Taylor's government? Who was the person who tried to
7 recruit you?

8 A. Well it was General Bropleh, who was also an ex-soldier in
9 Liberia who had run away into Sierra Leone. They formed a force
10:17:13 10 there that they referred to as STF and they were fighting
11 alongside the government before the government was overthrown and
12 that was the coup that brought the AFRC to power. That was the
13 man who was trying to recruit me.

14 Q. And after you provided this information - this intelligence
10:17:46 15 - to Mr Tuah, Joe Tuah, what did he say to you?

16 A. Well, he thanked me for the information that I had given to
17 him and he assured me that once he went back they would try and
18 work very hard on that.

19 MR KOUJIAN: Thank you. I see, your Honours, that Bropleh
10:18:23 20 is misspelt on the transcript, but I am trying to double check
21 the spelling previously.

22 PRESIDING JUDGE: I think we have had this spelling before,
23 Mr Koujian. I think it is B-O-R-P-L-E-H.

24 MR KOUJIAN: B-R-O, I believe, P-L-E-H.

10:18:38 25 PRESIDING JUDGE: B-R-O, yes, if the record could be
26 adjusted please.

27 JUDGE SEBUTINDE: Mr Koujian, what do the letters STF
28 stand for?

29 MR KOUJIAN:

1 Q. Mr Witness, do you know what STF stands for?

2 A. Special Task Force.

3 Q. Thank you. Now, you have mentioned that you were assigned
4 by Foday Sankoh to come be with him. You have mentioned,

10:19:19 5 Mr Witness, that you were assigned by Foday Sankoh to come be
6 with him in Freetown in 1999. Did you remain in that position in
7 the year 2000?

8 A. Which position, sir?

9 Q. Thank you. What exactly was your position in Freetown when
10:19:47 10 Foday Sankoh asked you to come back to Freetown with him?

11 A. Okay. When I came there I was staying with him in his
12 house, that was where I was, and anywhere he intended to move to
13 at a point in time he will ask me to go with him.

14 Q. Did you remain living in Foday Sankoh's house in the year
10:20:25 15 2000?

16 A. Well, I did not continue to stay in his house up to that
17 time. I used to go and come back. I was actually staying at
18 Lumley, but I will always make sure that in the morning he will -
19 I will come to his lodge, because he used to send a vehicle to
10:20:57 20 receive me to come and see him every morning.

21 Q. Okay. During that period of time were you aware of Foday
22 Sankoh communicating with others outside of the country?

23 A. Yes.

24 MR KOU MJIAN: And, your Honours, Lumley does not appear to
10:21:31 25 be spelt correctly this time in line 25. It is L-U-M-L-E-Y:

26 Q. What did Foday Sankoh use to communicate?

27 A. Foday Sankoh had a satellite that he normally used and he
28 also had the field radios. That Yaesu radio that we used during
29 the time we were fighting, he had one in his house.

1 Q. When you say he had a satellite, do you mean a satellite
2 telephone?

3 A. Yes, he had a satellite telephone.

10:22:30

4 Q. Do you know where Foday Sankoh got the satellite telephone
5 from?

6 A. He brought that satellite telephone with him the time he
7 came from Liberia. I mean the time they had signed the peace,
8 when he went through Liberia, and when he came he brought the
9 satellite phone with him.

10:22:57

10 Q. Thank you. Were you ever present when Foday Sankoh was
11 talking to someone on that satellite telephone?

12 A. Yes, I was present at the time when he spoke to somebody.

13 Q. Who was he speaking to when you were present?

10:23:38

14 A. He spoke to Mr Taylor. That is his brother, because that
15 is how he used to call him.

16 Q. Now, Mr Witness, in the year 2000 were you arrested on some
17 - at some point?

18 A. Yes, they arrested me.

10:23:58

19 Q. Can you tell the Court - the Judges - what happened when
20 you were arrested?

21 A. Yes, they arrested me the time when the RUF had started
22 arresting the peacekeepers in Makeni. That was the time the
23 deputy force commander, who was General Garba, came to Foday
24 Sankoh's house and said that he wanted to travel beyond the rebel
10:24:47 25 line and that Foday Sankoh should give some of his men for him to
26 go with for them to go and do some investigation with regards the
27 arrest of the peacekeepers. So I was one of the people selected
28 by Foday Sankoh, together with Lawrence Womandia, and we went
29 together with the deputy force commander to Lunsar and when we

1 went we investigated the issues that led to the arrest of the UN
2 peacekeepers and when we returned to Freetown I was arrested.

3 Q. Do you recall the date that you were arrested?

4 A. I was arrested on May 7th.

10:26:16 5 PRESIDING JUDGE: Mr Koumjian, the witness has referred to
6 "they arrested me" more than once, but I don't know who "they"
7 is.

8 MR KOUMJIAN: Yes:

9 Q. First of all sir, if I may your Honour, just to clarify one
10:26:27 10 point, you have referred a few times to the deputy force
11 commander. The deputy force commander for which force?

12 A. For the peacekeepers.

13 Q. And where were you exactly, Mr Witness, when you were
14 arrested?

10:26:54 15 A. I was in my house. That was where I was.

16 Q. Who was it that arrested you?

17 A. They were soldiers; the ones who were referred to as the
18 West Side Boys.

19 Q. Well, first --

10:27:23 20 JUDGE SEBUTINDE: Mr Koumjian, could we have the spelling
21 of this deputy force commander? We weren't given the spelling.

22 MR KOUMJIAN: Thank you:

23 Q. Sir, could you please repeat the name of the deputy force
24 commander that you conducted the investigation with regarding the
10:27:39 25 peacekeepers?

26 A. I said he was called General Garba.

27 MR KOUMJIAN: We will try to Google that and see if we can
28 come up with the spelling:

29 Q. Garba, is that correct, Mr Witness? Is that how you are

1 saying it?

2 A. Yes, sir.

3 Q. Thank you. Who were the West Side Boys? Can you explain
4 who they were?

10:28:21 5 A. These were people who were loyal to Johnny Paul Koroma.

6 Q. Now, at some point did the West Side Boys become
7 antagonistic towards the RUF?

8 A. Yes.

9 Q. Can you tell us when that happened that the West Side Boys
10:28:46 10 became antagonistic towards the RUF?

11 A. Well, it was the time that the peace accord was signed.
12 The soldiers thought that nothing was covered in that peace
13 accord that concerned them.

14 Q. When you talk about - first of all, your Honours --

10:29:21 15 PRESIDING JUDGE: Mr Koumjian, I just want to be clear.

16 This is not a legal arrest by a force of the United Nations, or
17 the government. This is by the West Side Boys?

18 MR KOUMJIAN: Yes, but there will be some additional
19 information coming up.

10:29:34 20 PRESIDING JUDGE: I see.

21 MR KOUMJIAN: Detention by the West Side Boys.

22 MR MUNYARD: Well with respect to your question, Madam
23 President, I have been following this carefully and on page 22,
24 line 3 I think or thereabouts, he is asked who arrested him and
10:29:54 25 he said he was arrested by soldiers and that earlier he had said
26 he was arrested by the deputy force commander of the peacekeepers
27 and then he was asked who the soldiers were.

28 THE WITNESS: No, no.

29 PRESIDING JUDGE: I had understood he was in the company of

1 the deputy force commander when they went to --

2 MR MUNYARD: Well may I check that for a moment, because it
3 is - the sequence that I have been following is somewhat
4 confusing, if I can put it neutrally. Would you bear with me for
10:30:28 5 a moment while I look at that?

6 PRESIDING JUDGE: Yes.

7 JUDGE SEBUTINDE: On page 21 the question was, "And who was
8 it that arrested you?", and the answer was, "They were soldiers;
9 the ones that were referred to as the West Side Boys".

10:30:48 10 MR MUNYARD: Yes, I am grateful. It is - because where it
11 begins on page 20 at line 1, "Were you arrested at some point?",
12 that was where - that was where it all started to become
13 confusing because he gives the date as May the 7th and he was in
14 his house. Well, yes, I have been confused by it and I am
10:31:38 15 content to see where it goes from here.

16 PRESIDING JUDGE: Thank you, Mr Munyard. Please proceed,
17 Mr Koumjian.

18 MR KOUMJIAN:

19 Q. So, Mr Witness, if I understand -- (Well first of all, your
10:31:50 20 Honours, we have the spelling for the deputy force commander
21 G-A-R-B-A.)

22 PRESIDING JUDGE: And there was also the spelling of
23 another name soon after that, Lawrence Womandia.

24 MR KOUMJIAN: Womandia. Yes, we had - it has been spelled
10:32:06 25 before --

26 PRESIDING JUDGE: Oh.

27 MR KOUMJIAN: -- and so I don't think it is necessary to
28 have it spelled again.

29 PRESIDING JUDGE: Right, thank you.

1 MR KOUMJIAN:

2 Q. Sir, you indicated that the West Side Boys were unhappy
3 with not getting what they wanted from the peace accord. Are you
4 referring to the July 7th 1999 Lome Peace Accord?

10:32:28 5 A. Yes, sir.

6 Q. And do you recall exactly what it was that these West Side
7 Boys had wanted to obtain from that peace accord?

8 A. Well they said they wanted to be reinstated into the army,
9 but that was not included in the peace accord.

10:32:57 10 Q. Okay, thank you. Now when you say the West Side Boys
11 arrested you, do you recall exactly or do you recall any of the
12 names of individuals who came to your house and actually detained
13 you on 7 May 2000?

14 A. Yes, those who went to my house and arrest me - and
10:33:24 15 arrested me on May 7th in the year 2000 were Five-Five, who was
16 called Santiki [phon] Kanu, and Gullit who is Tamba Brima. Those
17 were the people who went and arrested me in my house.

18 Q. When they arrested you, where did they take you?

19 A. They took me to the military headquarters that is
10:34:09 20 Cockerill. That is where they took me to.

21 Q. And can you tell the Judges what happened to you the rest
22 of the day? Well first of all, I am sorry, what time of day was
23 it that you were taken from your house?

24 A. It was the same time when we had left Lunsar together with
10:34:39 25 the deputy force commander that I have spoken about. It was that
26 same evening that I was arrested in my house and taken to
27 Cockerill.

28 Q. Can you tell us what happened once you were taken to
29 Cockerill?

1 JUDGE SEBUTINDE: I think for the record you should spell
2 this word.

3 MR KOUMJIAN: I am getting some assistance. The correct
4 spelling is C-O-C-K-E-R-I-L-L:

10:35:18 5 Q. What happened when you were taken there, sir, to the
6 military headquarters?

7 A. Well, I was tortured. They took me there and placed me
8 into a cell room where I met other brothers like Akim Turay,
9 Suliman Mansaray, Sesay, Mike Lamin and other people. There were
10:36:05 10 many and most of them were security; security for Foday Sankoh.
11 I met them all in that cell.

12 Q. Okay, let me ask you a few questions about the names you
13 gave. Akim Turay, who was Akim Turay? You have mentioned him
14 before, but just remind us.

10:36:27 15 A. Akim Turay was a soldier in the Sierra Leone Army, but once
16 the coup took place and they were the AFRC men he was later with
17 Foday Sankoh as head of his security.

18 Q. And I believe you said Suliman Mansaray, is that correct?
19 The first name was Suliman?

10:37:06 20 A. Soriba. Soriba.

21 MR KOUMJIAN: Mansaray is - well Soriba, excuse me, is
22 S-O-R-I-B-A and Mansaray is M-A-N-S-A-R-A-Y:

23 Q. Who was he?

24 A. He was also a security to Foday Sankoh. He was a soldier.

10:37:36 25 Q. When you say a soldier, do you mean again a former member
26 of the Sierra Leone Army?

27 MR MUNYARD: Can he ask him what he means, rather than
28 telling him what he means.

29 PRESIDING JUDGE: You are leading again, Mr Koumjian.

1 MR KOU MJIAN:

2 Q. What do you mean by soldier, sir?

3 A. He was a former Sierra Leone soldier.

4 Q. You mentioned a name Sesay. Who was that?

10:38:16 5 A. He was also a former SLA soldier.

6 Q. Do you know the first name of this Sesay?

7 A. Idrie Sesay.

8 MR KOU MJIAN: Sesay, Sierra Leone spelling S-E-S-A-Y, and

9 Idrie I-D-R-I-E:

10:38:41 10 Q. Excuse me, is it Idrie or Idris?

11 A. Idrie.

12 Q. Thank you. Now, the next day what happened to you?

13 A. That same day and later that night we were all taken to
14 Pademba Road. We were about to - we were 24 people in number and

10:39:17 15 we were all taken to Pademba Road.

16 Q. And can you explain for the record when you say Pademba
17 Road, what is Pademba Road?

18 A. When I say Pademba Road I mean we were taken to the maximum
19 prisons. That was the prison in Freetown, the Pademba Road
20 Prison. That was where we were taken to.

10:39:42 21 Q. Who was in control of that prison at that time?

22 A. Well the prison department had their head who was there,
23 but at the time we went there we met one man who was called
24 Mr Gobay. He was in charge of the prison yard.

10:40:25 25 Q. Can you please repeat the name of the person in charge of
26 the prison yard?

27 A. Gobay.

28 MR KOU MJIAN: The spelling in the transcript appears as
29 good as I can do it:

1 Q. But just to be clear, was the prison controlled by a
2 particular force or government? Who controlled the prison at
3 that time?

4 A. Well, it was the SLPP government that was in charge of the
10:41:03 5 prison.

6 Q. Thank you. Now, Mr Witness, I am sorry but I believe it
7 may not have been stated yet for the record in this case. When
8 you say the SLPP, what is the SLPP?

9 A. That is the Sierra Leone People's Party.

10:41:25 10 Q. Thank you. When you were taken to the prison, what
11 happened?

12 A. Well, when they took us to the prison I was there. I was
13 there, we spent the night there and the next morning, that was
14 May 8th, when they brought Foday Sankoh. In fact, I think it was
10:41:56 15 in the evening that they brought Foday Sankoh. And after that
16 they started arresting some other people who were RUF members,
17 they brought them all there and we were many in there and we were
18 there until we were charged to court. I did five years, three
19 months, 21 days and later the judge found out that I was just
10:42:47 20 attending the court, but in fact my name was not on the list that
21 was in front of the judge.

22 Q. Mr Witness, perhaps it might be helpful if we slow down and
23 I go back over some of the things you said. First of all, you
24 said you were arrested on 7 May. What were you charged with -
10:43:12 25 excuse me. Yes, first let me ask were you ever told of any
26 charges against you?

27 A. Well, when I was arrested and taken to Pademba Road, I was
28 not charged until we went to court and when that - when we went
29 to court the charges that were read to us were murder, intent to

1 shoot. So, those were the things that we were charged with.

2 Q. And the murder that was charged, when did that occur?

3 A. Well, they said it happened on May 8th when shootouts took
4 place around Foday Sankoh's house.

10:44:38 5 Q. Okay. I just want to ask you about one thing. You
6 mentioned that other RUF --

7 JUDGE SEBUTINDE: Mr Koumjian, could we have some years
8 here? May 8th of when?

9 MR KOUMJIAN:

10:44:49 10 Q. May 8th of which year was - are you speaking of?

11 A. May 8th in the year 2000.

12 Q. Thank you. And then can you tell us again what year you
13 were released? You gave us the amount of time, but when were you
14 released from prison?

10:45:14 15 A. I was not left in the prison. They took me out of the
16 prison, because I had already said that the judge had realised
17 that my name was not on the list and so after I had spent five
18 years, three months they also sent me to the police. They sent
19 me to the police station. So I was in the police station and in
10:45:50 20 the police cell for 21 days, and after that they brought a paper
21 saying that the President had signed a paper asking that I should
22 be released and so I was released in 2005, the 1st August.

23 Q. Okay. Now, Mr Witness, after your release in August of
24 2005 did you ever see Issa Sesay again?

10:46:44 25 A. Yes, I saw him.

26 Q. When was it that you saw Issa Sesay?

27 A. I saw Issa Sesay in the Special Court Detention Centre.
28 That was where I saw him.

29 Q. And why was it that you were at the Special Court Detention

1 Centre?

2 A. I went to visit the brothers who were there. That was Issa
3 Sesay, Morris Kallon and Augustine Gbao. I went to visit them.

10:47:38

4 Q. Just to be clear did anyone send you, or was it your own
5 idea to go and see these people?

6 A. Nobody sent me. I did it on my own accord.

7 Q. When you spoke with Issa Sesay, what did you talk about?

10:48:14

8 A. Well, I went to Issa Sesay. I went to visit them for them
9 to know that I had been released. And when they saw me they were
10 happy, they sympathised with me and Issa Sesay started explaining

11 to me what had been happening at the time we were arrested
12 already. He told me that he was in communication with Mr Taylor,
13 that he sent people to Mr Taylor the time the disarmament had
14 been going on and elections were coming closer so campaigns were

10:49:12

15 on. So, he sent people to Mr Taylor for him to send some money
16 so they could carry on with the campaign.

17 What he told me was that the people he sent were arrested
18 and were put in a cell. After some time they were released and
19 they came back. And he too they wanted him to go to Monrovia,
20 but he said at that time he did not go. He refused to go. He
21 said even before the campaign could start he, together with
22 Gibril Massaquoi, went to Mr Taylor, together with Morris Kallon.

10:50:13

23 All of them went to Monrovia and he said the Pa, who was
24 Mr Taylor, invited them for a meeting for them to allow

10:50:53

25 Sam Bockarie to return.

26 Q. Okay, Mr Witness, let me interrupt you so we can clarify a
27 few things. What you are talking about right now, this meeting
28 in Monrovia that Issa Sesay said he went to discussing
29 Sam Bockarie, did Issa Sesay make it clear to you - did he tell

1 you - what year this happened?

2 A. He told me that it was the time - it was the year 2002.
3 That was the elections time, before the elections. That was when
4 they went on that meeting for Sam Bockarie to be allowed to
10:51:46 5 return.

6 Q. Okay. And at this meeting can you tell us again what Issa
7 Sesay told you Charles Taylor said about Sam Bockarie?

8 A. He said - what Issa Sesay told me was he said the Pa,
9 Mr Taylor, when he called them he told them that they should
10:52:20 10 allow Sam Bockarie to come back to take over the command, so
11 those were the issues that were discussed with them by Mr Taylor.

12 Q. Did Issa Sesay tell you how he responded to Charles
13 Taylor's suggestion that Sam Bockarie come back and take over
14 command in Sierra Leone? What did Issa Sesay tell Charles Taylor
10:53:03 15 about that?

16 A. He responded saying, "Yes, sir", but that they had to come
17 and consult the combatants and other bosses that they were coming
18 to consult those people.

19 Q. And did Issa Sesay indicate whether or not he did go back
10:53:38 20 to Sierra Leone and consult with other commanders about the
21 return of Sam Bockarie?

22 A. Yes, they said they came back for them to talk to the
23 combatants and when they came they held a meeting, but Morris
24 Kallon himself gave a piece of advice that they should not accept
10:54:18 25 Sam Bockarie to return because if Sam Bockarie returned there
26 would be infighting because he was a man who was full of grudge
27 because Pa Sankoh had said to arrest him and he escaped to
28 Liberia. If he came back, he will still have that in his heart
29 and he would have that in his mind and would want to revenge.

1 That will bring a problem. So, he suggested that they should not
2 agree that the man should return.

3 Q. Okay. Now you mentioned that there was a further
4 delegation, I believe you used the word, regarding elections in
10:55:33 5 2000. Can you explain what Issa Sesay told you about the
6 elections in 2000? The elections in 2002, I am sorry.

7 A. Yes, the 2002 elections during the campaign he sent a
8 delegation so that the Pa would send some money and some
9 materials so that they could be able to go on with the campaign
10:56:08 10 and the people he sent were arrested.

11 Q. Just to be clear, can you tell us again who sent the
12 delegation? First, who sent the delegation?

13 A. It was Issa Sesay who sent - who sent the delegation to
14 Mr Taylor.

10:56:33 15 Q. Thank you. Do you know did Issa Sesay tell you the names
16 of any of the persons that were in the delegation?

17 A. He said he sent a man called FOC. His name was Francis.
18 He was a bodyguard to Foday Sankoh.

19 Q. Okay, thank you. And what else did Issa Sesay tell you
10:57:14 20 about what happened when these delegates were arrested? Did he
21 tell you anything else about that?

22 A. He said they were arrested and later they were released and
23 they returned. They did not bring anything because they wanted
24 him to go, but because he had seen those who he had said were
10:57:49 25 arrested he said, no, he was not going there because if he went
26 there maybe they would kill him. So, that was what he explained
27 to me.

28 Q. Okay. Again just to be clear, who was afraid that they
29 would kill him?

1 A. He said he was afraid that Charles Taylor would kill him.

2 Q. Yes. Who said that, just to be clear for the record?

3 A. It was Issa Sesay who told me that.

4 Q. Okay, thank you. Okay, Mr Witness, it just occurred to me
10:58:27 5 that during your testimony several weeks ago at one time I asked
6 you if you recalled the name of the adjutant to Issa Sesay in
7 1998 and you were trying to remember the name. By chance, do you
8 remember the name now?

9 A. Yes.

10:58:48 10 Q. Who was Issa Sesay's adjutant?

11 A. His name was Jabba.

12 Q. Do you recall his first name?

13 A. No, I cannot recall his first name. His name was Major
14 Jabba. He was a major.

10:59:10 15 Q. Okay, thank you. Now, Mr Witness, I would like to now move
16 on and discuss certain issues by topic and the first of these
17 topics is diamonds. Mr Witness, when did you first, if ever, see
18 diamond mining going on in Sierra Leone?

19 A. I witnessed it right at the start of the war.

10:59:44 20 Q. Where was it where you first saw diamond mining going on?

21 A. I saw it at Dia.

22 MR KOUJIAN: Your Honours, that is D-I-A:

23 Q. What year was that that you saw this diamond mining in Dia?

24 A. It was the year 1991.

11:00:17 25 Q. Who was doing the diamond mining in Dia?

26 A. It was the RUF who was doing the diamond mining, but we had
27 one man who was an adviser to Foday Sankoh. He was called Pa
28 Kallon. He was in charge.

29 Q. Who was actually physically doing the mining in Dia?

1 A. Well, the mining was done by the civilians for the RUF.

2 Q. Excuse me. Do you know how those civilians were
3 compensated, or if you don't know about this in Dia just say you
4 don't know?

11:01:18 5 A. Well, the civilians were not paid. The only thing they
6 provided them with some food to eat, that was it, but to say that
7 they were paid, no.

8 Q. Now --

9 JUDGE SEBUTINDE: Mr Koumjian, could we have some
11:01:41 10 indication of where this place is located in Sierra Leone?

11 MR KOUMJIAN:

12 Q. Mr Witness, can you tell us where Dia is? First, do you
13 know the district?

14 A. Yes, that is Kailahun District in Sierra Leone.

11:02:01 15 Q. Thank you. Do you know what other towns it might be near -
16 that it is near?

17 A. From Diaru you can travel to Sandiaru, because there is a
18 road there that leads straight to Kailahun Town.

19 MR KOUMJIAN: Sandiaru is S-A-N-D-I-A-R-U:

11:02:40 20 Q. Mr Witness, you talked in your testimony about a period of
21 time when ULIMO was occupying Lofa County. Do you recall during
22 that period of time was the RUF doing any diamond mining?

23 A. The time the ULIMO occupied the border that you are talking
24 about, we were not doing any mining because at that time we had
11:03:32 25 also been pushed.

26 Q. Okay. During that period of time do you know if the RUF
27 had any diamonds that it tried to take out of the country during
28 the time that ULIMO blocked Lofa?

29 A. Yes, we had diamonds that we tried to take out of the

1 country to be sold in Liberia.

2 Q. And do you recall what year that was?

3 A. If I am not mistaken it should be in 1994.

11:04:29

4 Q. But was it during the time that ULIMO blocked the Lofa
5 County? Are you --

6 A. Yes, it was the time that ULIMO had blocked that area. In
7 1993 they were there and they had occupied that whole border area
8 and we never had any chance at all sometimes to cross over, but
9 we tried to find a way so that we could sell these diamonds and
10 then get some ammunition and that was to be done in Liberia.

11:04:57

11 Q. How were you to get the diamonds to Liberia? What
12 happened?

13 A. Well we tried and there was one man called Mr Alhaji Kamara
14 and one Mama Er, who was Pa Kallon's wife. That is the Pa Kallon
15 that I have spoken about who was the adviser to Foday Sankoh.
16 His wife, who was Mama Er, and Alhaji Kamara travelled through
17 Guinea, but when they entered Guinea they were arrested. They
18 were arrested and taken to Freetown.

11:05:38

19 Q. Thank you. Just to help me with the spelling, when you say
20 the name Mama Er is that one word or two words?

11:06:26

21 A. Mama is a separate word and the Er is her name.

22 Q. Okay, thank you.

23 JUDGE SEBUTINDE: Perhaps the witness could spell some of
24 these names?

11:06:54

25 MR KOUMJIAN:

26 Q. Do you know how to spell Er, Mr Witness, in the last name?
27 Do you know how to spell the name Er?

28 A. Mama Er is M-A-M-A for Mama and we have Er, E-R, which is
29 Er.

1 Q. Thank you. Now, sir, I want to ask you about the period of
2 time that the AFRC invited the RUF to join them in Freetown.
3 From that time up until the intervention in February 1998, was
4 there diamond mining going on?

11:08:07 5 A. Yes, the time we joined the AFRC mining was taking place.

6 Q. Who was doing the mining?

7 A. It was the civilians who did it for us, the fighters.

8 Q. When you say "us, the fighters", which groups or factions
9 were actually doing the diamond mining during that period of
10 time?

11:08:44

11 A. Well when I said "us" you know that the AFRC and the RUF
12 were already one and so I mean we, the AFRC and the RUF. They
13 were doing the mining for us.

14 Q. Okay. Where was the mining going on during this period of
15 time between the coup and the intervention?

11:09:13

16 A. The time the coup took place when we had joined the AFRC we
17 did mining in Kono, in Koidu Town and we were also doing mining
18 in another place which was Tongo.

19 Q. Okay, thank you. Do you recall the names of any commanders
20 - any commanders of those doing the mining during that period of
21 time between the '97 coup and the '98 intervention?

11:10:10

22 A. Well the one that was organised by Johnny Paul, that is for
23 mining to go on for the movement, it was Gullit that he sent to
24 Koidu to be in charge. There were also other men whom he sent to
25 the Tongo Field area, but some of those minings that went on -
26 that went on in that area were individual minings. For instance,
27 there were people who were honourables. They sent their men to
28 the Tongo Field area and they were doing mining there.

11:11:01

29 Q. Was the RUF mining during this period of time between the

1 coup and the intervention?

2 A. Yes, the RUF was mining.

3 Q. Where was RUF doing mining during that period of time?

4 A. We did it in Tongo Field. We were doing mining there.

11:12:04 5 Q. Did you ever see diamonds during this period of time of the
6 - that the AFRC and RUF were in Freetown? Did you yourself ever
7 see diamonds during that period of time?

8 PRESIDING JUDGE: Are we still talking before the
9 intervention?

11:12:25 10 MR KOUMJIAN: Yes.

11 THE WITNESS: Yes, before the intervention I saw diamonds.
12 I saw diamonds that came out of mining that was going on.

13 MR KOUMJIAN:

14 Q. Did you see any individuals in Freetown with diamonds
11:12:50 15 during that period of time?

16 A. Yes, I saw diamonds with people, or let me say with
17 somebody in Freetown, and that was the Head of State, at that
18 time Johnny Paul Koroma.

19 Q. Where did you see Johnny Paul Koroma with diamonds?

11:13:20 20 A. I saw it at the time we were still in Freetown and that was
21 in his house. That was where I saw the diamonds that came as
22 proceeds of the mining that was going on in Kono where he had
23 sent Gullit to be in charge and they were brought to him by
24 Gullit. So, it was at that time he convened a meeting and all
11:13:52 25 the commanders came. That was the time he showed the diamonds to
26 the commanders.

27 Q. Can you describe what you saw that Johnny Paul Koroma
28 showed you and the other commanders?

29 A. I think I have described it here, the last time, but maybe

1 you want me to go over that. I did say that it was something
2 like a container, like a jar, where normally it is something like
3 - it was a jar in which the diamonds were and normally when they
4 brought them he will call the commanders all to come to be
11:14:54 5 present so he will show them to the commanders so after seeing
6 them before he kept it.

7 Q. Okay, thank you. You have reminded me that you did discuss
8 that previously. Mr Witness, who were the mining commanders for
9 the RUF?

11:15:28 10 A. Well, the commander who was there on behalf of the RUF was
11 Kennedy. Kennedy and Alpha were there. They were in charge of
12 the mining. I think I have said this before.

13 Q. Thank you. Now, you have mentioned seeing Johnny Paul
14 Koroma with diamonds. Did you ever see any RUF commanders with
11:16:01 15 diamonds?

16 A. Yes, RUF commanders had diamonds. Like Mosquito had
17 diamonds.

18 Q. Can you tell us when you saw Mosquito with diamonds?

19 A. The mining which was taking place in Tongo Field, the
11:16:34 20 diamonds that came out as proceeds from there were handed over to
21 Mosquito. I think I have said before that there was a point in
22 time when I also left Freetown, I went to Tongo Field and I met
23 with Mosquito in Tongo Field at that time and in fact he left me
24 there when he came back to Kenema Town. I think I have said that
11:17:02 25 before.

26 Q. Did Sam Bockarie ever tell you what he did with the
27 diamonds that he obtained?

28 A. Yes, he told me that the diamonds that he had been
29 receiving were always taken to Monrovia to Mr Taylor in exchange

1 of ammunitions. In fact it was the issue of the diamonds that
2 brought a problem between Mosquito and Foday Sankoh and, if you
3 can recall, I had said that when Foday Sankoh came from Lome to
4 Monrovia Mr Taylor showed him some diamonds that were taken to
11:17:50 5 him by Mosquito, but he did not take them from him.

6 And according to Foday Sankoh he said that Mr Taylor showed
7 him the diamonds that Bockarie had been taking to him in exchange
8 of ammunition, so Foday Sankoh went angry and on his return he
9 blamed some of us who were the commanders, especially me. He
11:18:25 10 blamed me, saying that the diamonds that we have been getting we
11 have not given any up-to-date report to him with regards all the
12 diamonds that we have been getting - that we have been gathering.
13 We have all taken the diamonds and taken them and handed them
14 over in Liberia and so he was angry with us, but I tried to clear
11:18:51 15 my own area because I told him that I never went to Liberia so I
16 had no hands in it. And then he said, "Well, when I am saying
17 that you have been taking diamonds over to Liberia I am not
18 accusing you specifically, but I am accusing all of you because
19 it is your commander who took those diamonds to Charles Taylor in
11:19:18 20 Liberia".

21 Q. Thank you. I want to move on to a different topic for a
22 short period of time and that is the military discipline system,
23 if any, in the RUF. Mr Witness, did the RUF have any kind of
24 internal discipline system?

11:19:43 25 A. Yes, they had it.

26 Q. Can you describe the system?

27 A. Yes, well we had the MPs who were in charge of discipline.
28 They were there to ensure that any soldier who intended to move
29 from one point to the other should have a pass. If you didn't

1 have a pass, you will be arrested and sent to jail. Sometimes
2 they will punish you. Sometimes they will punish you to go to
3 the field and scrape the grass, or they will send you to the
4 dungeon, that is they will ask you to dig a hole where they will
11:20:50 5 send you and then you will be there for some time, and from there
6 they will give you a different assignment. They wouldn't send
7 you to the place where you were initially. They would send you
8 to a different assignment point.

9 Q. Thank you. Now, you have mentioned a jail. What kind of
11:21:12 10 detention facilities, or jails, do you know about that the RUF
11 had?

12 A. Well we had the dungeon, that is a hole that we dug and we
13 covered it normally with zinc, and then we will leave some space
14 where we will place a ladder that somebody will use to go down
11:21:54 15 and then come up.

16 Q. Now, Mr Witness, you have discussed the military discipline
17 addressing the offences of soldiers not having a pass, or being
18 where they are supposed to be. Did the military - was that the
19 main - excuse me. What other offences do you know about that
11:22:15 20 were punished by the military discipline system?

21 A. Well, for instance if you are given orders and then you
22 fail to carry out the orders which was an order from a commander,
23 if you failed to carry out that order you will be disciplined for
24 that. Sometimes you will be charged and that sometimes will
11:22:51 25 involve your life and sometimes you might even be killed for
26 that.

27 Q. Mr Witness, was there any discipline if a soldier took a
28 diamond? Stole a diamond?

29 A. Yes, if they found out that a soldier had a diamond that he

1 did not present and he intended to keep it on his own, if that
2 was found out you would be arrested and you will be thrown into
3 the dungeon and you will stay with the MPs for investigation and,
4 if it is later proved that indeed it happened that way, you will
5 be killed.

11:23:46

6 Q. Thank you. I want to move on to another topic regarding
7 strategies - certain types of strategies - used by the RUF.
8 First, Mr Witness, did the RUF to your knowledge ever capture
9 uniforms of the enemy forces?

11:24:10

10 A. Yes.

11 Q. Whose uniforms were captured that you know about?

12 A. Well I know about the uniforms that the government troops,
13 that is the SLO troops, were using when we used to capture them,
14 and also the ECOMOG soldiers their own uniforms. We used to
15 capture them.

11:24:42

16 Q. Let us talk now about the ECOMOG uniforms. Do you know if
17 the RUF put those uniforms to use in any way? Were they used in
18 any way by the RUF?

19 A. Yes, we used them. We used them and sometimes we
20 impersonated as though we were ECOMOG, and there were even some
21 boys amongst us who will speak the Nigerian language pretending
22 as if they were Nigerians to confuse the people.

11:25:11

23 Q. And what would you do, or what would the RUF do, when they
24 pretended to be ECOMOG?

11:25:37

25 A. Well, we would use them when we wanted to attack. We used
26 them during attacks when we pretended to be ECOMOG and we carried
27 on some killings.

28 Q. Are you aware of any particular strategy used by Superman
29 involving the identity of his soldiers? Let me strike that and

1 Let me try and do this another way. First of all, are you aware,
2 Mr Witness, of any strategies used by Superman in fighting that
3 was used to confuse enemies?

4 A. Yes, he used some at one time in Kabala Town. Our men -
11:26:46 5 our men tied white bands, there were some who tied red bands and
6 they were at the back at the rear, and those who had on the white
7 bands raised their hands up and pretended as if they were going
8 to surrender to the ECOMOG in Kabala. So when they reached and
9 when the ECOMOG troops had assembled saying that, yes, indeed
11:27:29 10 these people have come to surrender, those who had the red bands
11 on were the real action men who went to attack.

12 So that was a strategy that was at one time used by
13 Superman which enabled them to capture some ammunition from the
14 ECOMOG troops in Kabala, and at that time a major, who was the
11:27:51 15 commander there, that is the ECOMOG major, died. That was the
16 time that the ECOMOG commander went over air and spoke over the
17 BBC when he said they would not accept any group of rebels coming
18 to surrender any longer, and he did say that if any rebel
19 intended to surrender they should come one after the other
11:28:26 20 because they had used that tactics against them when they went
21 pretending to surrender and attacked them. So, those were some
22 of the strategies that were used by Superman.

23 MR KOUMJIAN: Thank you. For the record, your Honours, and
24 Defence counsel, I would describe the witness raised both hands
11:28:47 25 above his head with the palms open and forward when describing
26 the - what the soldiers did.

27 PRESIDING JUDGE: We have put that on record that the
28 witness demonstrated by raising his hands with his palms forward.

29 MR MUNYARD: For the record, could we also have some sort

1 of time frame for this?

2 MR KOUMJIAN: That is my next question.

3 PRESIDING JUDGE: Yes, this is a very general --

4 MR KOUMJIAN: That was my question - next question - your

11:29:16 5 Honour:

6 Q. Mr Witness, do you know when this happened in Kabala with

7 Superman and the tactic of pretending to surrender?

8 A. I am unable to give you specific time now.

9 Q. Mr Witness, I understand that. Do you know if this was

11:29:43 10 before the AFRC coup, or after the coup?

11 A. It happened after the coup and after we had been pushed out
12 of Freetown.

13 Q. So, after the --

14 PRESIDING JUDGE: Mr Koumjian, I am sorry to interrupt, but
11:30:08 15 we have just been alerted that the tape has more or less run out
16 and it is now time to take the mid-morning break.

17 MR KOUMJIAN: Thank you.

18 PRESIDING JUDGE: Mr Witness, as you know we will take a
19 half-hour break now and we will resume Court again at 12 o'clock.
11:30:23 20 Please adjourn Court until 12.

21 [Break taken at 11.30 a.m.]

22 [Upon resuming at 12.00 p.m.]

23 PRESIDING JUDGE: Please proceed, Mr Koumjian.

24 MR KOUMJIAN: Thank you:

12:01:18 25 Q. Mr Witness, when we broke we were discussing the time of
26 the incident where Superman used the tactic of having soldiers
27 pretend to surrender and you said that it occurred after the
28 AFRC/RUF had been pushed out of Freetown. Can you tell us if
29 this occurred before or after the January 1999 invasion of

1 Freetown?

2 A. Yes, it occurred before that time.

3 Q. So then you're saying, am I correct, that it happened
4 between the intervention in February 1998 and the January 1999
12:02:21 5 invasion of Freetown?

6 A. Can you please repeat.

7 Q. So I understand you to be saying that this incident in
8 Kabala with Superman and the false surrender happened after the
9 intervention in February 1998 but before the January '99 invasion
12:02:46 10 of Freetown, is that correct?

11 A. Yes, after we had left Freetown.

12 Q. Okay, thank you. Now the incidents you described where the
13 ECOMOG uniforms were used, do you recall now any particular
14 places where this happened?

12:03:19 15 A. It happened in Mile 91 again. Mile 91, Zino did that.

16 Q. Okay. When you say Zino who do you mean?

17 A. One of our commanders who was called Mohamed Tarawalli.

18 PRESIDING JUDGE: Mr Koumjian, I notice it is written as
19 mine 91 but I think it's Mile 91.

12:03:51 20 MR KOUMJIAN: Yes, I think the witness - the interpretation
21 was mile, the witness said Mile 91:

22 Q. Sir, can you recall approximately when this was?

23 A. It happened in 1995.

24 Q. Thank you. Sorry, just going back to the incident with
12:04:24 25 Superman in Kabala, you said that first a group of soldiers with
26 white around their heads, tied around their heads and their hands
27 raised approached the ECOMOG forces and then those with red
28 started firing. What did the people with the white who were
29 pretending to surrender do when the firing started?

1 A. Well, they too joined with the firing because it was a
2 joint strategy that was applied.

3 Q. And how - if these men had their hands raised where were
4 their weapons?

12:05:09 5 A. The weapons were strung at the back.

6 Q. Okay, thank you. Now you told us about following the
7 events of the invasion of Freetown by Gullit's forces. Did you
8 learn of any strategy used during that invasion to confuse the
9 enemy?

12:05:39 10 A. Yes, they too used a strategy. They let the civilians to
11 tie white head bands and they were singing and the gun men were
12 at - they were behind the civilians, the civilians were in front.

13 Q. Okay. The interpretation, Mr Witness, was that you said
14 they led the civilians --

12:06:26 15 THE INTERPRETER: Your Honours, the interpretation is let.
16 MR KOUJIAN:

17 Q. Did you say that they let the civilians tie the head bands?
18 Whose idea was it to tie the head bands and for the civilians to
19 walk ahead?

12:06:45 20 A. That was the idea of the fighters. They put the civilians
21 in front singing for peace and they, the gun men, were behind at
22 the back. That was the strategy they used to enter into the
23 town.

24 Q. And how, Mr Witness, did you learn about that strategy?
12:07:17 25 Who told you about it?

26 A. I knew about the strategy because we too used to do it and
27 the men themselves who entered Freetown told me.

28 Q. Thank you. I want to move on to a different subject and
29 ask you about several aspects of crimes. First, Mr Witness, when

1 you were with the RUF were the soldiers of the RUF paid?

2 A. No, we were not paid.

3 Q. How did the soldiers of the RUF get what they wanted and
4 needed?

12:08:27 5 A. Well, whatever we wanted we got it from the civilians.
6 Anywhere we would attack, whatever the civilians would have we
7 would take it away from them and that was what we used to live
8 on.

9 Q. Mr Witness, specifically you told us about being in Kono
12:08:52 10 after being pushed out of Freetown up until being called in late
11 1998 to the meeting in Buedu by Bockarie. When you were in the
12 Kono District did this looting of property from civilians take
13 place during that period of time?

14 A. Yes.

12:09:22 15 Q. When you were with the NPFL were the soldiers in the NPFL
16 paid?

17 A. Well, from the beginning the NPFL was not paying the
18 soldiers.

19 Q. Did you see any looting take place by NPFL soldiers?

12:09:49 20 A. Yes, NPFL soldiers looted vehicles and all the things. The
21 things that we were using, even we looted them from the
22 civilians. Even Mr Taylor, the vehicles, some of them were
23 looted vehicles, the vehicles we were using.

24 Q. How did you know that some of the vehicles Mr Taylor was
12:10:21 25 using were looted vehicles?

26 JUDGE SEBUTINDE: The record says the vehicles we were
27 using. I'm not sure what I heard. Is it the vehicles he was
28 using or the vehicles we were using.

29 THE INTERPRETER: The vehicles he was using, your Honour.

1 THE WITNESS: The vehicles which the NPFL - that we were
2 using.

3 MR KOUMJIAN:

4 Q. My question is about you - we understood you to say that
12:10:56 5 Mr Taylor was using looted vehicles. How do you know that? How
6 do you know that the vehicles he was using were stolen?

7 A. Because the vehicles which we captured from the front line
8 were those we would bring to him and those were some of the
9 vehicles that were part of his convoy.

12:11:31 10 Q. Thank you. I want to go on and ask you now, Mr Witness,
11 about how civilians were used by the RUF. First you discussed
12 mining. In the mining for diamonds were civilians compensated in
13 any way?

14 A. Well, later on they said the mining was a two pile system
12:12:18 15 where the gravel is divided into two, one of which was for the
16 soldiers and the other was for the civilians. But any diamond
17 that would come from the civilians' pile, they were supposed to
18 present that to the soldiers.

19 Q. So were civilians who were doing the mining compensated in
12:12:40 20 any way?

21 A. It was just food that was provided for them to eat, but
22 there was nothing else that could satisfy them. It was just food
23 that was provided for them.

24 Q. Mr Witness, did the RUF ever engage in any construction
12:13:11 25 projects that you know of?

26 A. To construct, is that what you mean?

27 Q. Yes, to make something.

28 A. No, we were not engaged in any of those things.

29 Q. When you went to Buedu did you ever witness any projects

1 being undertaken in Buedu, or near Buedu?

2 A. Yes, what was happening in Buedu, or what they were doing
3 there, was a place that they were preparing an airfield that was
4 being prepared by Sam Bockarie. The civilians were working
12:14:17 5 there.

6 Q. Were the civilians who were working on this airstrip
7 compensated, to your knowledge?

8 A. No, in the RUF we had nothing like payment. The only thing
9 we did - when the civilians were brought together the only thing
12:14:48 10 we did was to provide food for them, but that they were paid
11 money, no, that was not done.

12 Q. What other kind of work did civilians do for the RUF?

13 A. Well, they used to cultivate farm for the RUF and they will
14 do some other work like harvesting palm oil for them and as well
12:15:26 15 processing coffee. They used to do all of that. Harvesting
16 coffee for the RUF.

17 Q. Mr Witness, did you ever use civilians for any tasks in
18 your job as a front line commander?

19 A. Yes, I used civilians to work for me.

12:15:56 20 Q. How would civilians work for the front line commanders?

21 A. Well, at times if I wanted to construct my hut where I will
22 sleep I will instruct the G5 to give me some civilians, because
23 he was in charge of the civilians. If I needed 10 people I will
24 ask him to give me 10 or maybe five to go and erect my hut.

12:16:31 25 Q. How did the RUF move ammunition?

26 A. While we were in the jungle the civilians would carry our
27 ammunition. We hadn't vehicles so we walked, so we used the
28 civilians to carry the ammunition for us.

29 Q. In all these tasks that you've talked about, carrying

1 ammunition, farming, mining, the airstrip, did the civilians have
2 a choice of whether or not to work for the RUF?

3 A. No, no, they hadn't any option.

4 Q. Thank you. I want to move on to SBUs. Now you mentioned
12:17:35 5 you were at Camp Naama, you were training soldiers, and forgive
6 me if I have asked you this before, but what was the ages of the
7 youngest soldiers you were training?

8 A. I spoke about 10 which was the age of the SBUs who were at
9 the training base. I think I said that before.

12:18:10 10 Q. Do you recall the name of any of the SBUs, the young
11 children that you trained in Camp Naama?

12 A. I spoke about Kona Lakbo and I spoke about Old Pa Harris,
13 I spoke about Base Marine who were the SBUs that I could recall
14 their names.

12:18:55 15 MR KOUMJIAN: Your Honours, Base Marine is B-A-S-E Marine,
16 two words, and I am sorry but I didn't get the first two names:

17 Q. Can you repeat those slowly for me, Mr Witness?

18 A. I spoke about Old Pa Harris.

19 Q. Okay, the last name Harris H-A-R-R-I-S and the first name
12:19:21 20 was Old Pa?

21 A. Yes, Old Pa.

22 Q. Old Pa?

23 A. Yes, Old Pa. Old Pa, yes. Somebody who is old, an old
24 person.

12:19:36 25 Q. Was this a child or an old person?

26 A. Yes. No, he was a child but that was just a name given to
27 him. That was the name he carried.

28 Q. Approximately how old was old Pa Harris when you trained
29 him?

1 A. Let's say almost 10 years.

2 Q. And how about Base Marine, about how old was he?

3 A. Base Marine at that time, maybe he was around nine going to
4 10.

12:20:17 5 Q. And then the other name that you mentioned, do you recall
6 that?

7 PRESIDING JUDGE: It was Kona somebody.

8 JUDGE SEBUTINDE: The very first name, Mr Witness.

9 THE WITNESS: I spoke about Kona Lakbo.

12:20:35 10 MR KOUMJIAN:

11 Q. Do you know how to spell those names?

12 A. I am not familiar with the spelling.

13 MR KOUMJIAN: I will just take a guess. Kona K-O-N-A,
14 Lakbo L-A-K-B-O:

12:21:08 15 Q. How were the SBUs used in the RUF?

16 A. The SBUs were fighting.

17 Q. And how were they - how did they perform as fighters?

18 A. They were at the forefront, they were at the forefront
19 fighting, and we used them also to be at the checkpoints so that
12:21:49 20 they could restrict some of the fighters who want to retreat from
21 the front line, so they will push them back to go to the front
22 line.

23 Q. Was there any particular reason that the SBUs were used for
24 this task of stopping fighters from retreating from the front
12:22:06 25 line?

26 A. Yes. Yes, there was a reason.

27 Q. Please explain.

28 A. The reason was that the SBUs were brave more than most of
29 the adults. So we used them to ensure that they would capture

1 most of the men that were retreating from the front line and that
2 they would bring them back to the front line. The others were
3 fighting at the front line so they could help to put more
4 pressure on the enemy.

12:23:11 5 Q. During the time that you were with the RUF from the
6 invasion up until your arrest did the recruitment of SBUs ever
7 stop or did it continue throughout that period of time?

8 A. It continued throughout, right up to the end of the war.

9 Q. And how were most SBUs recruited into the RUF? How did
12:23:42 10 they come to become part of the RUF?

11 A. Well, if you went and attacked a place and if you captured
12 the place the people you would meet there, you would capture
13 them, bring them together and the SBUs would be among them and
14 you would take them because you know their use because you had
12:24:20 15 had SBUs and you had trained them, you knew they were brave. So
16 whenever you would capture a place and you saw people of that age
17 you would capture them and bring them to be trained.

18 Q. Did these boys that became SBUs have a choice? Did they
19 choose to become members of the RUF?

12:24:52 20 A. No, they hadn't any choice.

21 Q. Thank you. I want to go and talk to you now, Mr Witness,
22 about how women were treated in the RUF and some of this you
23 discussed previously in your testimony specifically regarding
24 Kono. First of all, can you tell us how women came to be with
12:25:24 25 the RUF troops?

26 A. Well, some of the women were trained and they became RUF
27 soldiers and some of them were taken by the RUF soldiers, the
28 fighters, to be their wives. That was how the women were with
29 the RUF.

1 Q. When the RUF attacked a village what would happen with the
2 women in the village?

3 A. Well, when we attacked any village or town and we saw women
4 we will take the women and turn them into our wives and some of
12:26:31 5 them we will send to be trained to become soldiers to fight.

6 Q. And did the women have a choice of going with - staying
7 with the RUF or not?

8 A. No, they had no choice. If somebody had a gun and you did
9 not have a gun there was no choice there. They had no choice,
12:27:02 10 no.

11 Q. You talked before about how commanders would get a choice
12 over someone lower ranked in choosing a woman. Did you ever see
13 any occasions where the women were traded among soldiers?

14 A. Yes, it happened. You the junior man, you will not attack
12:27:41 15 a place and you saw a woman - if your senior commander wanted the
16 woman you the junior commander should not say you wanted the
17 woman. Even if you are the first person to have the woman the
18 senior commander will take the woman away from you and you the
19 junior commander would have nothing to do in return.

12:28:00 20 Q. Did the woman have any role in deciding which commander she
21 was with?

22 A. No, that was not possible. Where gun men were and a woman
23 was among them she would have no choice to say this is the person
24 I prefer or I don't even want this person, no, she had no choice
12:28:29 25 in that circumstance.

26 Q. When the RUF entered a village and captured civilians did
27 you ever hear the woman being asked if she was married or anyone
28 being asked if a woman had a husband?

29 A. Yes, they would ask you if you were married. You would

1 still say yes, but if the person wanted you he wouldn't mind that
2 whether you were married or not, even if your husband was
3 present. In fact even the husbands at times would even deny
4 being their husbands. They would say, "Well, I am this woman's
12:29:15 5 brother" just so that their lives could be saved. Because if you
6 the husband said, "This is my wife" and they wanted the woman
7 they will just kill you the husband. So usually the men will
8 say, "Well, she is my sister."

9 Q. Thank you. Now you talked to us quite a bit in your prior
12:29:39 10 testimony about the Kono District and women taken to various
11 locations there. You talked about being present in Buedu on
12 occasions and visiting Kailahun, is that correct? You had been
13 present in Kailahun District when you were with the RUF?

14 A. Yes.

12:30:06 15 Q. What was the situation with women in Kailahun District at
16 the RUF locations?

17 A. Well, the women who were in the Kailahun District where the
18 RUF had occupied, some were the wives of the RUF. That is the
19 RUF fighters, the soldiers, they turned them into their wives.
12:30:47 20 Some were trained to become soldiers. So that was how the women
21 were in the Kailahun District.

22 Q. Thank you. Now you also talked to us about being pushed
23 out of Freetown in February 1998. Excuse me, strike that.

24 I want to move to another topic. I am now going to ask you about
12:31:15 25 your knowledge of specific killings of civilians by the RUF.

26 First in 1993 were you arrested at one time in a place near
27 Kailahun Town?

28 A. Yes, they arrested me once saying that I had connived. In
29 1993 when the enemies were advancing on the soldiers, they were

1 advancing on the RUF position, so I was arrested in Kailahun Town
2 and they were to take me to Gi ehun which is 10 miles away from
3 Kailahun Town.

4 MR KOUMJIAN: Gi ehun, your Honours, is G-I-E-H-U-N:

12:32:23 5 Q. Sir, what happened in Gi ehun that you observed?

6 A. Well, Gi ehun was the place where Sam Bockarie was doing
7 killings. I think I said here before that when Foday Sankoh's
8 girlfriend who was called Janet hailed from that town --

9 Q. Can you repeat the name of Foday Sankoh's girlfriend,
12:33:09 10 I don't think it was translated correctly?

11 A. I said his girlfriend's name was Janet.

12 Q. Sir, are you saying Janet?

13 A. Yes.

14 Q. Thank you. So please continue with what happened with
12:33:39 15 Janet, Foday Sankoh's girlfriend?

16 A. She was arrested, but she had connived with the government
17 troops, the SLA soldiers. She was arrested because the woman
18 hailed from that town. So they started arresting all the other
19 people who were related to that woman. So they arrested people
12:34:24 20 from both within that town and the surrounding villages that were
21 related to her. That was where Mosquito was based when those
22 people were arrested and it was the same place that the people
23 were killed.

24 Q. Okay. First let's deal with Janet. What happened to
12:34:48 25 Janet, Foday Sankoh's girlfriend?

26 A. She was arrested and her child was arrested and they were
27 put - placed in a house. They were detained there. After some
28 time she was taken out to be killed, but then they took out her
29 son for the two of them to have sex before they could kill her.

1 Q. So you're saying, Mr Witness, that the son of Janet had sex
2 with Janet before she was killed?

3 A. Yes.

12:35:56

4 Q. Who was it that did that, that forced that to happen and
5 killed Janet?

6 A. Mosquito did that.

7 Q. And just to be clear, it's Sam Bockarie when you say
8 Mosquito now?

9 A. Yes, sir.

12:36:13

10 Q. Now you also mentioned that Bockarie had arrested civilians
11 from Giehun and the surrounding area. What happened to the
12 civilians that were arrested?

13 A. Well, they were killed in Giehun at a bridge in that town.
14 That was where they were killed, the people.

12:36:41

15 Q. How do you know this, Mr Witness?

16 A. I went there.

17 Q. Did you see the people being killed?

18 A. Yes, in the town I saw them being taken to the bridge.
19 When they were shot and they were shot they fell into the river.

12:37:20

20 The corpses were there.

21 Q. Thank you. I want to move to a second incident and I want
22 to ask you about something during the time of the junta. Were
23 you aware of anything happening outside of Kenema?

12:38:09

24 A. Yes. Outside of Kenema Mosquito gave an order where some
25 civilians were killed going towards Tongo Field. It was in one
26 village where those people were killed.

27 Q. How do you know about that, Mr Witness?

28 A. I knew because when I came from Freetown and went to Kenema
29 to Mosquito one of my men who was at the place who was called

1 Momoh explained everything to me.

2 Q. Do you recall when this happened?

3 A. It happened before we left Freetown.

12:39:26

4 Q. So it was during the time of the AFRC/RUF presence in
5 Freetown?

6 A. Yes, that was the time.

7 Q. Was it early in that period of time, soon after the May
8 1997 coup or closer to the February 1998 intervention?

9 A. It was close to the intervention.

12:39:56

10 Q. Besides Momoh did anyone else tell you that they had
11 witnessed this?

12 A. Well, Momoh was my man who was - the only other people that
13 I saw who were shot too were the RUF soldiers because they
14 accused them of looting. I saw them in the hospital.

12:40:34

15 Q. So you saw some RUF soldiers that had been shot by who?

16 A. Mosquito shot them on their legs.

17 Q. On the legs. And they had been accused of looting what?

18 A. They said they went to the women's society bush, the Bondo
19 bush, and they looted their property so the people complained to
12:41:22 20 Mosquito. The men were captured. They took men whose legs were
21 shot, but later on after Mosquito had done an investigation he
22 found out that it was not the men whose legs he had shot actually
23 did the thing.

24 MR KOU MJIAN: Just for the record Bondo bush is B-O-N-D-O
12:41:54 25 bush:

26 Q. Mr Witness, did you speak to one or more of these men who
27 had been shot by Mosquito about the killing of the civilians?

28 A. Yes, I spoke to them when I met them in the hospital in
29 Kenema.

1 Q. What did they tell you about the killing of the civilians
2 that you have just told us about?

3 A. They said the civilians suspected them that they were
4 informants for the Kamajors, that they were taking information
12:42:45 5 from the RUF zone to the Kamajors, so they were suspicious of
6 them as being informants for the Kamajors.

7 Q. Do you know how many civilians were killed in this incident
8 outside Kenema near Tongo Fields?

9 A. I did not ask them for any figure.

12:43:19 10 Q. Okay, thank you. Who was it that ordered the killing of
11 these civilians according to what you were told by Momoh and
12 these soldiers who had been shot?

13 A. Mosquito ordered that they should be killed.

14 Q. Now I want to go to a third incident. Do you have
12:43:44 15 knowledge of another incident involving Mosquito in Kailahun?

16 A. Yes.

17 Q. Can you tell us approximately when this occurred?

18 A. Mosquito killed those people. He said the people were
19 Kamajors, but according to the information that we got, or that
12:44:25 20 I got, they said those people were people who had run away
21 because of the war so they were trying to return to their home,
22 but they came in a group and they were men so they accused them
23 of being Kamajors and they were killed.

24 Q. A couple of questions: First where did this occur, what
12:45:03 25 town, if you know, or village?

26 A. It happened in Kailahun Town, right in the town. That was
27 where the killings took place.

28 Q. When did this happen? Can you tell us in relation to other
29 events when did this occur, what year or before or after certain

1 events?

12:46:01 2 A. The killing took place during the time of peace, but when
3 they said those people were spies, that they were Kamajors, that
4 was the information that they said they got. But later one of my
5 friends Vandi Kossiah told me that those people were not
6 Kamajors. In fact, one of his uncles was among that group and he
7 was killed. They went to the base to plead with Mosquito to
8 release the people, but Mosquito did not listen to them because
9 he said he had suspected those people of being Kamajors so he
12:46:35 10 ordered their killing.

11 MR MUNYARD: Can we have a definition, please, of the time
12 of peace? He was asked to give a time and that was the
13 expression he used. I don't know what the time of peace is.

14 MR KOUMJIAN:

12:46:48 15 Q. Sir, what was translated is that you said that this
16 happened in the time of peace. Again can you tell us when did
17 this happen, this killing in Kailahun Town, before or after
18 certain events? Can you tell us?

19 A. It happened before we were dislodged from Freetown. At
12:47:26 20 that time Mosquito had retreated and had gone to Kailahun, but it
21 happened before the intervention.

22 Q. Okay. The intervention, did it happen just before the
23 intervention or many months before the intervention?

24 A. After it happened it took some time before we were
12:47:55 25 dislodged from Freetown.

26 MR KOUMJIAN: I'm sorry, I don't believe that was what the
27 witness said; what the interpretation was. Can we ask to have
28 that rechecked?

29 PRESIDING JUDGE: Mr Witness, could you repeat your answer

1 please.

2 THE WITNESS: I would like them to ask the question again.

3 MR KOUMJIAN:

12:48:26

4 Q. Did this happen, this incident involving the killings in
5 Kailahun Town, did it happen just before the intervention or many
6 months before the intervention?

7 A. I said it happened and many months after that before the
8 intervention.

12:48:54

9 PRESIDING JUDGE: That is a very convoluted reply,
10 Mr Interpreter. Could you put it more clearly, please.

11 THE INTERPRETER: Your Honours, that was the exact way the
12 witness said it. Initially he said it took some time and now he
13 said many months after.

14 MR KOUMJIAN:

12:49:10

15 Q. Mr Witness, it's a stipulated fact in this case, I believe,
16 that the intervention was in the middle of February 1998. Can
17 you estimate, knowing that the intervention - you were pushed out
18 of Freetown in the middle of February 1998, when was it
19 approximately that this incident in Kailahun Town occurred?

12:49:34

20 A. I would like you to know that before the intervention
21 happened in Freetown Mosquito had already left Freetown. He was
22 in Kenema. He was there even before the intervention in
23 Freetown. I want you to know that.

12:49:57

24 Q. Thank you, we understand that, but we are just trying to
25 figure out when this incident happened and can you tell us,
26 knowing that the intervention was February 1998 - can you give us
27 an estimate of when this killing in Kailahun Town occurred?

28 A. Well, at that time Mosquito had left Kenema and had gone to
29 Kailahun. We were still in Freetown - but - for that killing.

1 But the information that we got, that they sent to us, they said
2 they had suspected those people to be Kamajors. But later on we
3 found out that those people were really not Kamajors. They were
4 just civilians who had run away from the war, but when the AFRC
12:50:46 5 and the RUF had joined forces those people wanted to go back to
6 their homes.

7 Q. Mr Witness, do you know how many people were killed?

8 A. They said they killed 69 people in Kailahun.

9 MR KOUMJIAN: Your Honours, a spelling, Vandi Kossiah, the
12:51:17 10 witness mentioned this name, V-A-N-D-I, Kossiah K-O-S-S-I-A-H:

11 Q. Who was, Mr Witness, Vandi Kossiah?

12 A. Vandi Kossiah was a relative to one of the people who were
13 killed.

14 Q. But aside from being a relative to one of those killed who
12:51:49 15 was he, how did you know him?

16 A. I knew Vandi Kossiah as a member of the RUF and before that
17 he was a member of NPFL. He was a driver and he was driving for
18 Foday Sankoh at the early stage of the war.

19 Q. Thank you. I want to move on to a fourth incident. Now
12:52:34 20 you had told us that after the intervention you went to the Kono
21 District. Do you recall a killing of any civilians that occurred
22 at that time after you retreated to the Kono District in 1998?

23 A. Yes, I can recall that there were killings in the Kono
24 District in Koidu Town and even outside of Koidu Town.

12:53:09 25 Q. Can you tell us about one or more of these incidents that
26 you specifically recall?

27 A. Yes, some people were killed in Koidu Town who were
28 considered to be spies who came from the Guinea border end and
29 entered Koidu Town so they were thought to be enemies. They were

1 considered as enemies and were killed. Superman shot them at the
2 Hill Station in Koidu Town.

12:54:14 3 Q. Now, this group of civilians, can you describe - tell us
4 what kind of people they were, were they men, women, the ages of
5 the group?

6 A. Yes, we had women and men. We had children amongst them
7 who were carrying loads on their heads.

8 Q. Approximately what were the ages of the children?

9 A. Well, some of the children could be around 11 to 12 years.

12:54:51 10 Q. You said that the execution occurred at Hill Station. Is
11 that - where is that Hill Station?

12 A. It is in Koidu Town.

13 Q. Did you actually witness the execution of these civilians?

14 A. Yes, I was there myself. I was present.

12:55:17 15 Q. Who ordered their execution?

16 A. It was Superman.

17 Q. Do you recall what month this occurred?

18 A. It happened the month we entered Koidu Town when we were
19 dislodged from Freetown.

12:55:52 20 Q. So immediately - the month you retreated from Freetown to
21 Koidu Town, is that correct?

22 A. Yes, sir.

23 Q. Now you said that the people were suspected of being spies.
24 Can you tell us what reason there was to suspect the people of
12:56:11 25 being spies?

26 A. Yes, because before we entered Koidu Town, when we
27 retreated from Freetown, we fought against the Kamajors in the
28 town before we could capture the town. So the direction towards
29 where the Kamajors were running while they were retreating, that

1 was the same direction from where we saw those people were coming
2 so that was why we said well those people were with the Kamajors.

3 Q. So the reason the people were killed was because they came
4 from the direction that the Kamajors retreated, is that right?

12:57:05 5 A. Yes.

6 Q. Now you talked - you said Superman ordered this killing and
7 earlier in your testimony you talked about Superman being
8 promoted in 1998. Was Superman promoted by Sam Bockarie before
9 or after killing these civilians?

12:57:34 10 A. No, it was after the killing had taken place and Koidu Town
11 was burnt down. That was the time they promoted those people,
12 that is Superman and Morris Kallon.

13 Q. How many civilians were killed by Superman in this
14 incident?

12:58:05 15 A. I can say it was about 13. I think 13 - 12 to 13 at that
16 Hill Station.

17 Q. Thank you. I want to move on to another incident. Now you
18 just mentioned Morris Kallon. Were you present with Morris
19 Kallon when any fighting took place around Koidu Town?

12:58:50 20 A. Morris Kallon was in Koidu Town.

21 Q. And what happened? What did you witness regarding Morris
22 Kallon and the fighting in Koidu Town?

23 A. Well, I was in Sewafe when the men were advancing and we
24 were communicating with Koidu Town to inform them that the men
12:59:23 25 were saying that they were fighting against the ECOMOG, they were
26 trying to contain them and that at the same time they were
27 advancing. But before we got to Koidu Town we realised that
28 somehow the same Koidu Town had already been set on fire and some
29 had already burnt down and that in fact human beings were inside

1 the houses and they got burnt together with the houses. And we
2 saw some people who had gone towards the Guinea road, a place
3 that was later referred to as the Superman Ground. In fact we
4 later realised that most of the people who retreated from that
13:00:15 5 side went to that ground.

6 So I spoke to Morris Kallon and Morris Kallon told me that
7 he received orders from Sam Bockarie that as long as the men were
8 advancing they should burn down the town so that the men will not
9 be able to enter there and occupy the town. So Morris Kallon
13:00:47 10 said that he had even told some boys who would help to set the
11 houses on fire and he will give them promotion. So some of the
12 boys who helped him to burn down Koidu Town, he recommended them
13 for promotion and they were promoted and he himself was promoted.

14 Q. Mr Witness, did you yourself see the results of the
13:01:19 15 burning?

16 A. I came and saw because houses were set on fire in Koidu
17 Town. I saw them myself, yes.

18 Q. When you saw the houses could you tell if the fires had
19 been recent or it had taken place some time before you arrived?

13:01:51 20 A. Yes, some - the fire that was set on some houses had
21 already subsided, in which case somebody could even go closer to
22 the houses and observe clearly. But in the areas where the fire
23 was still blazing nobody could go too close to the place to see.
24 That was what happened in the town.

13:02:23 25 Q. Did you look inside some of these houses that had been
26 burned?

27 A. Yes, I looked in some of the houses that had been burnt.

28 Q. What did you see inside the houses?

29 A. Well, I saw that people's properties that were in the

1 houses were burnt totally and I even saw some human beings who
2 died in the fire in the houses, so they got roasted. I saw them.

13:03:18 3 Q. Now you said that Morris Kallon had told some boys that
4 they would be promoted for cooperating. These boys were part of
5 what force?

6 A. They were RUF.

7 Q. Do you know if in fact they were promoted?

8 A. Yes, they promoted some people.

9 Q. After Koidu Town was burned by Morris Kallon and human
13:03:43 10 beings were roasted inside some of these houses what happened to
11 Morris Kallon in the position he held?

12 A. Well, I said that Morris Kallon himself was promoted.

13 Q. By who?

14 A. It was Sam Bockarie who promoted him.

13:04:14 15 Q. Thank you. I want to move on to another incident. Sir,
16 were you ever present in Kissy Town?

17 A. Yes.

18 Q. Where is Kissy Town?

19 A. Kissy Town is behind Koidu Town. That is the road leading
13:04:44 20 towards the Guinea border. That is where that town is.

21 Q. So what district is that, just to be clear?

22 A. It is the same Kono District.

23 Q. Did you observe any killing in Kissy Town?

24 A. Yes, killings went on in Kissy Town at one time when we
13:05:10 25 went to attack there.

26 Q. Do you recall when that was approximately?

27 A. At that time the ECOMOG had pushed us out of Koidu Town.
28 We were no longer in Koidu Town, but at that time we were
29 occupying Superman Ground when we carried out that operation.

1 Q. Okay, now you are talking about the time that you were in
2 Kono District, is that correct?

3 A. Yes, sir.

13:05:45

4 Q. You previously told us that you went to Kono after the
5 intervention and until you were reassigned in late '98, is that
6 correct?

7 A. Yes.

8 Q. So did this incident happen during that period of time in
9 1998 between the intervention and your reassignment?

13:06:08

10 A. Yes, it happened at the time when - that is 1998, when we
11 had entered Koidu when we were within the Kono District. That
12 was the time the Kissy Town incident happened.

13 Q. And tell us what happened in Kissy Town?

13:06:44

14 A. Well, on Kissy Town we carried out an attack because
15 Kamajors were occupying that area, so we went there to attack.
16 We attacked the Kamajors and even the people whom we met with the
17 Kamajors we killed them all because we considered all of them to
18 be enemies.

13:07:17

19 Q. So when you say that even the people whom we met were
20 killed, were any of the civilians that you found in Kissy Town
21 saved or were all of them killed?

22 A. No, all of them. We did not spare anybody because we had
23 considered all of them to be Kamajors.

24 Q. Why were they considered to be Kamajors?

13:07:40

25 A. It was because they were there with the Kamajors.

26 Q. These people that were killed, what were their sexes and
27 ages?

28 A. Well, there were women, men, children. It was a mixed set
29 of people.

1 Q. About how many people were captured and killed in Kissy
2 Town?

3 A. Well, I cannot actually give you any specific number but
4 they were many and I cannot tell you that I went there to start
13:08:25 5 counting people.

6 Q. Thank you. I want to move on to another incident. Sir,
7 are you aware of some killings that occurred in Tombodu?

8 A. Yes.

9 Q. What period of time did these killings take place in?

13:08:50 10 A. They took place in 1998 when we had retreated from Freetown
11 whilst we were occupying the Kono District.

12 Q. Who was the commander in that area?

13 A. It was Savage who was the commander in that area.

14 Q. Who was Savage?

13:09:19 15 A. Savage was one of the SLA soldiers. They were the AFRC
16 soldiers.

17 Q. Were there any RUF present in Tombodu with Savage, to your
18 knowledge?

19 A. Yes, RUF were there with Savage.

13:09:59 20 Q. When you testified earlier you talked about an order coming
21 in 1998 that each commander and deputy commander would be from a
22 different faction. Did these killings take place during the
23 period of time that that order was in effect?

24 A. The time we had just retreated and gone there that

13:10:38 25 structure had not yet been put in place. It was later that that
26 structure was put in place.

27 Q. Okay, thank you. Do you know how many - what happened in
28 Tombodu at that time?

29 A. Well, killings were going on in Tombodu and they were done

1 by Savage and at that time we were still in Kono District and we
2 were in Koidu Town, so we got the information and we received so
3 many complaints. So we decided that people should go and arrest
4 Savage and bring him over so that we could change the commander.

13:11:30 5 But it happened that it coincided with the fighting that took
6 place in Koidu Town and that they had pushed us out of Koidu
7 Town. So it became rather difficult to get Savage from that area
8 and bring him over. So later there was a confusion between an
9 RUF man who was called Rocky - between Rocky and Savage when
13:12:00 10 Rocky went there to attack Savage and later we realised that he
11 went insane and later he went towards the Kabala area. That was
12 what we understood.

13 JUDGE SEBUTINDE: Which of the two people went insane,
14 Savage or Rocky?

13:12:27 15 THE WITNESS: It was Savage who went insane.

16 MR KOUMJIAN:

17 Q. Mr Witness, where did Savage go after he left the Tombodu
18 area, do you know?

19 A. The information that I had was that he went to the Kabala
13:12:53 20 end, the Kabala area. That was where he went.

21 Q. I believe the witness gave a name for Rocky. Can you give
22 us that name again? We missed it on the transcript. What is
23 Rocky's real name?

24 A. Emmanuel Williams.

13:13:14 25 Q. Thank you. Now was Savage to your knowledge ever arrested
26 or punished for the killings?

27 A. No, he was not punished.

28 Q. Did you ever go to Tombodu after these killings?

29 A. Yes, I went to Tombodu.

1 Q. And what did you see?

2 A. Well, I saw the place where Savage used to carry out the
3 killings and the pit was referred to as Savage Pit and I saw
4 human bones. I saw some that was already rotten and I saw that
13:14:26 5 even the flesh was - the flesh was not moving off the bones.

6 Q. Thank you. I want to move on to one final incident. Sir,
7 you had told us when you were here before about Operation Spare
8 No Soul and the attack on Njai ama Nimi koro. Can you tell us did
9 you ever hear whether anything was done to civilians during that
13:15:01 10 attack, Operation Spare No Soul?

11 A. Yes, I think I had said it here that during Operation Spare
12 No Soul civilians were killed, civilians were amputated around
13 the Njai ama Nimi koro area and I had said that some of my men that
14 I sent who joined the operation, when they came back they
13:15:40 15 explained all of the things that took place there to me.

16 Q. Sir, you've already --

17 JUDGE SEBUTINDE: Could you repeat the name of the place?
18 What was - around which area?

19 MR KOUMJIAN: Njai ama Nimi koro. The spelling again -
13:16:03 20 perhaps my pronunciation is bad. N-I -J-A-I -M-A, Nimi koro
21 N-I -M-I -K-O-R-O:

22 Q. Can you just remind us, Mr Witness, in what district is
23 Njai ama Nimi koro?

24 A. In Kono District.

13:16:29 25 Q. Sir, in all of these eight incidents that we've just talked
26 about involving killing of civilians was anyone ever punished by
27 the RUF for killing these civilians?

28 A. No, nobody punished any RUF with regards those killings.

29 Q. You talked earlier about various orders to make an

1 operation fearful. Can you tell us what that means, to make an
2 operation fearful?

13:17:35 3 A. Yes, to make the area fearful, as we used to say it, it
4 meant that we should kill, we should burn down houses so that we
5 will make sure that even the people who were living in the areas,
6 when they saw those things going on they would be afraid and that
7 even the enemies against whom we were fighting will also be
8 afraid. So that was what we meant.

13:17:52 9 MR KOUMJIAN: Thank you. Correction from my colleagues on
10 the Njaiama Nimi koro. The first word is N-J-A-I-M-A, the
11 spelling:

12 Q. Mr Witness, in your experience with the RUF were there any
13 other tactics that were used to create terror in civilians in
14 areas that the RUF was present?

13:18:21 15 A. Yes, they marked people on their chests so that even when
16 you escaped and went to the enemy side they will also capture you
17 there and then you will be killed. So they wrote on people's
18 chests or sometimes on people's back "RUF".

13:19:03 19 Q. Mr Witness, did you ever witness any amputations yourself
20 while you were actually present and saw the amputation?

21 A. Well, I have told you here that it happened at the time the
22 war started when I had called the name of one soldier who became
23 victim of that, he was called Ngawojia. He was the first soldier
24 at that time. Momoh was in power so we used to call the soldiers
13:19:40 25 Momoh's soldiers. I think I have spoken about that. We chopped
26 off his hand and then we wrote a letter and hung it on his neck
27 and we told him to go and show it to Momoh so that Momoh should
28 know and that he himself should take his hands off the fighting.
29 And one other thing that happened in certain areas that I myself

1 was not there to witness them, but I heard them.

2 Q. I'm sorry, I didn't quite understand the end of your
3 answer. One other thing that happened that you didn't witness,
4 what was that that you were going to explain? Let me just start
13:20:33 5 another question. First this incident where the soldier was
6 amputated and a sign hung around his neck and he was sent back,
7 were you present when that amputation took place or when the sign
8 was placed on his neck?

9 A. Yes.

13:20:51 10 Q. Was one hand amputated or both hands?

11 A. Two hands.

12 JUDGE SEBUTINDE: Could we have some indication of when
13 this happened please?

14 MR KOUMJIAN: Yes, your Honour. First perhaps just a
13:21:09 15 spelling of the name the witness gave. It's N-G-A-W-O-J-I-A:

16 Q. Mr Witness, can you tell us approximately when this
17 occurred? You said that he was one of Momoh's soldiers. When
18 approximately did this happen.

19 A. It happened early 1991.

13:21:42 20 Q. Thank you. Did the RUF have checkpoints?

21 A. Yes, we mounted checkpoints.

22 Q. Was anything done at the checkpoints to terrorise or to
23 cause fear in those passing by?

24 A. Yes, we would displace - we would display the human skull
13:22:18 25 and then we will put it on a stick. And sometimes we would take
26 the human skull, human skulls, we put them on sticks and then we
27 would place them close to the checkpoints around.

28 Q. Thank you. When you say human skull do you I understand -
29 do you mean it was just the bone with no flesh or was there still

1 flesh on the heads that were displayed?

2 A. Well, both. There were some that never had flesh on them
3 and there were some that had the human flesh on it. We will put
4 them on the sticks.

13:23:07 5 Q. Mr Witness, how did this tactic compare with what you
6 observed when you were a member of the NPFL in Liberia?

7 A. Yes, during the NPFL we also used to do it. In fact, we
8 will tie the human head in front of the bumper of the vehicle.
9 Sometimes we used the human intestine like a rope and use it at
10 the checkpoints during the NPFL days.

11 Q. Mr Witness, I believe you indicated that your role in the
12 NPFL at one point was in the Executive Mansion Guard and, correct
13 me if I'm wrong, I believe you would travel with Charles Taylor,
14 is that correct?

13:24:14 15 A. Yes, I think I had said it here that I was one of his
16 escorts and at that time I used an AA gun which would always move
17 first before the convoy itself came behind and that any time the
18 Pa, that is Mr Taylor, was going to the front line we were the
19 ones who went with him.

13:24:44 20 Q. On these trips, these routes that you took in front of
21 Mr Taylor's convoy, would you pass these checkpoints with human
22 heads and intestines displayed?

23 A. Yes, we passed through checkpoints where you will see the
24 human heads or human skulls at the checkpoints. We saw them.

13:25:21 25 Q. I want to talk to you now about what you observed about the
26 relationship between Charles Taylor and Sam Bockarie. Can you
27 tell us what you observed about their relationship?

28 A. Well, Sam Bockarie and Charles Taylor were like father and
29 son.

1 Q. Did you hear Sam Bockarie talk about Charles Taylor?

2 A. Yes, he talked about him at any time he sat together with
3 some other commanders discussing and he will say he is his
4 father. He used to say it.

13:26:16 5 Q. Did you ever hear --

6 JUDGE SEBUTINDE: Mr Koumjian, which is the father, which
7 is the son?

8 MR KOUMJIAN: Thank you:

9 Q. Who would say that he was his father? Can you just give us
13:26:30 10 the names so we're clear?

11 A. Well, it was Mosquito who used to say that Charles Taylor
12 was his father.

13 Q. Were you ever present when Sam Bockarie was communicating
14 with Charles Taylor or did you ever learn about communications
13:26:58 15 between Bockarie and Charles Taylor?

16 A. I think I had said here some time ago something that has to
17 do with the communication that went on between Mr Taylor and Sam
18 Bockarie and I did say that the communication between
19 Charles Taylor and Mosquito went on on a daily basis. I think
13:27:33 20 I had said that. Because he used to give reports about all the
21 things that happened at the battle front and other command points
22 and all the reports that came from the defence headquarter, he
23 always reported it to Mr Taylor. And I had said that at one time
24 I came and I saw some of the reports that Sam Bockarie had
13:28:02 25 written, that he had been sending and he had the copies in his
26 hand. I have spoken about that I think. And those were some of
27 the reports - those were some of the daily reports about the
28 activities that used to take place in the field.

29 Q. Approximately when was it that you saw these reports?

1 A. Well, I saw these reports at the time I came to Buedu and
2 whilst I was talking with him. That was the time he showed me
3 some of the reports that he had been sending to the Pa, that is
4 Mr Taylor.

13:28:53 5 Q. When you testified earlier you talked about those two trips
6 to Buedu in 1998. That's what you're referring to?

7 A. Yes, I even talked about the trips that he made. I think
8 I even talked about them before we went on the recess.

9 Q. Do you know how Charles Taylor and Sam Bockarie were
13:29:17 10 communicating in 1998?

11 A. Mr Taylor and Mosquito - in fact Mosquito had a satellite
12 phone that he mostly used to communicate with Mr Taylor and
13 I have told you that I was not based in Buedu, but Sam Bockarie
14 had been explaining to me things regarding his movements with
13:30:09 15 Mr Taylor and sometimes when he was talking with Mr Taylor over
16 the radio mostly my own radio communicators would monitor what
17 they said and sometimes they will call on me, myself, I will go
18 to the radio room and I will monitor their discussion.

19 MR KOUMJIAN: Your Honour, I believe I can do it in one
13:30:34 20 question and I could finish the direct or I could do it after the
21 break.

22 PRESIDING JUDGE: If it's only one question we can take a
23 few minutes more.

24 MR KOUMJIAN:

13:30:43 25 Q. Sir, my question for you first of all is within the RUF how
26 did you refer to Charles Taylor?

27 A. Well, we called Charles Taylor as the CIC. He was the CIC.
28 He was the commander in chief. We called him CIC at the time he
29 was fighting. At the time he now became president we were

1 calling him Mr Taylor.

2 Q. My final question, what does the term commander in chief
3 mean? When the RUF called Charles Taylor commander in chief what
4 did that mean?

13:31:31 5 A. It means he had command over the RUF and we took it that
6 the RUF belonged to him, although he sent somebody to head the
7 RUF but he was the owner of the RUF. What I mean by saying that
8 he sent somebody to help the RUF, that was Foday Sankoh because
9 he was the one that prepared Foday Sankoh to carry out the
13:32:10 10 mission. So the RUF was in the hands of Mr Taylor.

11 MR KOU MJIAN: Thank you, your Honours.

12 PRESIDING JUDGE: I understand that's the end of your
13 examination-in-chief, Mr Koumjian, is that correct?

14 MR KOU MJIAN: Unless something very important occurs to me
13:32:26 15 over the break, yes.

16 PRESIDING JUDGE: Mr Witness, we will now take the
17 lunchtime adjournment of one hour and we will reconvene at 2.35.
18 There will be other questions for you. Please adjourn court
19 until 2.35.

13:32:44 20 [Break taken at 1.34 p.m.]

21 [Upon resuming at 2.35 p.m.]

22 PRESIDING JUDGE: Mr Koumjian, I just note Ms Hollis is -
23 there's a change of appearance on your Bar.

24 MR KOU MJIAN: Yes, your Honour. Present is Alain Werner,
14:35:57 25 Maja Dimitrova and myself, Nicholas Koumjian.

26 PRESIDING JUDGE: Thank you. Mr Munyard, are you taking
27 the cross-examination of this witness?

28 MR MUNYARD: I am, Madam President. Thank you.

29 CROSS-EXAMINATION BY MR MUNYARD:

1 Q. Mr Mongor, I'm now going to ask you some questions, please,
2 on behalf of Mr Taylor. I think you understand that, is that
3 right?

4 A. Yes, sir.

14:36:35 5 Q. I just want you to help us with this please: Do you
6 remember on one of the days when you were giving evidence before
7 we had our break, prosecuting counsel, Mr Koumjian, made the
8 point that you were one of the most senior RUF commanders in the
9 field during the civil war in Sierra Leone? Do you remember him
14:37:08 10 making that point?

11 A. Yes.

12 Q. That's right, isn't it, that you were one of the most
13 senior commanders of the RUF from a very early stage during the
14 civil war in Sierra Leone?

14:37:32 15 A. Yes.

16 Q. And therefore you are one of the people, are you not, who
17 bears the greatest responsibility for what went on during the
18 course of that civil war in Sierra Leone?

19 A. No.

14:37:54 20 Q. Why do you say that you were one of the most senior
21 commanders, but somehow that absolves you of the greatest
22 responsibility of the conduct of the civil war?

23 A. Because I was also under command.

24 Q. Yes, as were others, but you were part of the most senior
14:38:26 25 group in the hierarchy of the RUF, weren't you?

26 A. I was one of the senior people in the RUF command
27 structure, but I had people who were above me.

28 Q. Ultimately Foday Sankoh was the most senior figure in the
29 RUF, wasn't he?

1 A. Yes.

2 Q. But people below him such as Morris Kallon, Issa Sesay, Sam
3 Bockarie and yourself held positions of very great authority,
4 didn't you?

14:39:27 5 A. I had authority, but I was under the authority of some
6 other people.

7 Q. Yes and Morris Kallon and Issa Sesay and Sam Bockarie were
8 at times under the authority of other people, weren't they?

9 A. Well, they were under an authority who was Foday Sankoh,
14:40:10 10 yes.

11 Q. Let's just try and see where you fitted in to the
12 hierarchy. On the account that you gave us in the course of your
13 evidence before the break, you had spent around two months in the
14 Liberian army in the mid-1990s before you deserted and went back
14:40:44 15 to being a businessman. That is the start of your military
16 career, isn't it?

17 A. Yes.

18 Q. And you don't learn very much in two months starting from
19 scratch in the armed forces, do you?

14:41:16 20 A. Well, yes, I learnt so many things.

21 Q. Why did you run away from the armed forces of Liberia after
22 only two months?

23 A. Well, I just made up my mind that I shouldn't be there.
24 That was why I left there.

14:41:48 25 Q. Well, I'm going to come back to that in due course, but
26 let's just look at your military career as it progressed: Two
27 months in the mid-1980s in the armed forces of Liberia, then in
28 1989 you're captured by the NPFL, yes?

29 A. Yes.

1 Q. And you have some training with the NPFL before you go on
2 to be a trainer yourself, is that right?

3 A. Yes.

14:42:32

4 Q. How long were you being trained before you yourself became
5 a trainer?

6 A. Well, I did not spend a long time on the training that I
7 had from the NPFL.

8 Q. According to you you were training RUF recruits by March of
9 1990, weren't you?

14:43:07

10 A. Yes.

11 Q. When exactly is it you say that you were captured by the
12 NPFL, just so that we get a sense of how much training you had
13 with them?

14 A. Well, I have said that they captured me in Nimba County.

14:43:42

15 Q. I asked you when, not where.

16 A. Well, they captured me in December month and that was in
17 1989.

18 Q. Where were you captured, where in Nimba County?

19 A. Well, I said they captured me in a village.

14:44:17

20 Q. The name of the village, please?

21 A. Well, I don't know the name of the village and I don't
22 think I have called the name of any village here where I was
23 captured.

24 Q. Are you trying to avoid telling us where it was that you
25 claim to have been captured?

14:44:42

26 A. Well, I didn't try to avoid. I am not trying to avoid, but
27 I said I was captured in a village in Nimba County. That was
28 what I said, but I don't even know the name of the village
29 because that was not where I was staying.

1 Q. We'll come back to that. By 1991, the invasion of Sierra
2 Leone by the RUF - you are a lieutenant. You're the commander of
3 the 2nd Battalion, aren't you?

4 A. Yes.

14:45:29 5 Q. In early 1992 you're the acting battle group commander,
6 yes?

7 A. Yes, I was acting battle group.

8 Q. And it wasn't until 1993 that you go back to your other
9 rank of the battalion commander. That's right, isn't it?

14:46:03 10 A. No, I did not take a position that was battalion commander.

11 Q. Well, you were acting battle group commander in 1992
12 because of the absence of someone else, weren't you?

13 A. Yes.

14 Q. Who was that?

14:46:29 15 A. It was Rashid Mansaray.

16 Q. When did he return to take up his position of battlefield
17 group commander?

18 A. Are you waiting for me?

19 Q. I am. I asked you a question. The normal procedure is to
14:47:11 20 await the answer.

21 A. Okay, I would like you to go over the question one more
22 time.

23 Q. When did Mansaray return to his role of battle group
24 commander?

14:47:27 25 MR KOUMJIAN: Excuse me, your Honour, it assumes a fact not
26 in evidence: That Mansaray returned.

27 PRESIDING JUDGE: He is allowed to lead in
28 cross-examination.

29 MR KOUMJIAN: My objection is not leading, but the witness

1 has been asked the equivalent of, "When did you stop beating your
2 wife?" There is no evidence that Mansaray ever returned and the
3 question was when did he return.

14:47:51 4 MR MUNYARD: There doesn't have to be evidence. I can ask
5 the question and the witness can answer it.

6 PRESIDING JUDGE: He can.

7 MR KOUMJIAN: He cannot answer when if something never
8 occurred.

9 MR MUNYARD: We don't yet know whether or not it occurred.
14:48:02 10 This is not the United States, as we have been constantly
11 reminded by the other side. This is an international tribunal in
12 which other rules of evidence apply. As far as I'm aware, there
13 is no basis in any jurisdiction for my being denied the right to
14 ask the question, "What happened when this man returned?"

14:48:22 15 PRESIDING JUDGE: In cross-examination there is more
16 leeway, Mr Koumjian, and I allow the question. Please repeat the
17 question.

18 MR MUNYARD:

19 Q. When did Rashid Mansaray resume his role of battle group
14:48:44 20 commander in which you had been acting?

21 A. Well, Mansaray resumed duty in 1993.

22 Q. Thank you, so he did in fact return. You go back to being
23 battalion commander, don't you?

24 A. My Lords, I want you to understand that I was not battalion
14:49:24 25 commander and when I gave the office back to Rashid, I did not go
26 to take up a battalion commander position.

27 Q. All right, if I've got that wrong you tell me what your
28 position was when Rashid returned?

29 A. Well, when Rashid took over it was the same week that the

1 NPRC advanced on RUF positions, so we were all focused on the
2 front line. There was no function in office at that moment.

3 Q. So, would it be wrong to say that when Rashid Mansaray came
4 to Kailahun from Pujehun in early 1993 you went back to being a
14:50:38 5 battalion commander in the field? Would that be wrong?

6 A. Well, I did not occupy the position of battalion commander,
7 so I have not said I was battalion commander.

8 PRESIDING JUDGE: Mr Witness, I have a note here that you
9 were asked, "In 1991 were you commander of the 2nd Battalion of
14:51:07 10 the NPFL?", and you said yes. I understand that that's what is
11 being referred to. Am I correct, Mr Munyard?

12 MR MUNYARD: Your Honour is absolutely correct and I can
13 put more detail to the witness if he fails to understand the
14 questions I've put so far.

14:51:24 15 PRESIDING JUDGE: Mr Witness, are you saying that that
16 answer you gave was incorrect?

17 THE WITNESS: Well, my Lords, when you talk about 2nd
18 Battalion commander I want the Court to know that the battalion
19 that we were fighting with, it was the 2nd Battalion that
14:51:52 20 occupied Kailahun District and the 1st Battalion occupied Pujehun
21 District. So, in case of the 2nd Battalion, yes at the time we
22 entered I was the commander. That was prior to my occupying the
23 position of acting battle group commander. But when I left the
24 position of acting battle group commander, I did not return to
14:52:20 25 become the head of the battalion, but I was within the 2nd
26 Battalion and the man who came to take over as the acting battle
27 group commander was the man in charge of that whole battalion in
28 Kailahun District. So, I was within the 2nd Battalion, but I was
29 a commander at the front line. That is what I want the Court the

1 understand.

2 PRESIDING JUDGE: Thank you, Mr Witness, I am clear now.

3 MR MUNYARD:

4 Q. What I'd like you to do, Mr Mongor, is answer my question.

14:52:57 5 Would it be wrong, therefore, to say that when Mansaray came to
6 Kailahun from Pujehun in early 1993 you went back to being a
7 battalion commander in the field? Would it be wrong to say that?

8 A. Yes, it would be wrong because I was not the battalion
9 commander at that time, so I cannot say, "Yes, I was battalion
10 commander."

11 Q. You've just told us that you weren't the battalion
12 commander, but you were in the battalion and you were a
13 commander. What happened to you after Mansaray came back and
14 took on his previous role?

14:53:53 15 A. Well, I said I went to the front line and I was fighting
16 until the time the NPRC started advancing on us.

17 Q. And when is that, do you say?

18 A. Well, it was in the same 1993 when the NPRC advanced on the
19 RUF.

14:54:27 20 Q. What was your position, your rank, during that time?

21 A. At that time I have said I was fighting on the front line,
22 I was with the fighting - with the fighters and the rank I
23 carried at that time was captain.

24 Q. So who made you a captain and when?

14:55:06 25 A. Well, the promotion came from the leader. He gave me the
26 promotion.

27 Q. The leader being who?

28 A. It was Foday Sankoh.

29 Q. Now tell us, please, when you were promoted by Foday Sankoh

1 to captain.

2 A. The time I occupied the position as acting battle group
3 commander was the time I became captain.

4 Q. All right, that's 1993. Do you change your rank at all in
14:56:11 5 1993 from captain?

6 A. In 1993 I did not change to any other rank in that year.

7 Q. What about 1994, any promotions in 1994?

8 A. There was promotion in 1995. They gave promotions --

9 Q. You were a major then? Sorry, I interrupted. I'm sorry.
14:56:56 10 You were made a major in 1995, weren't you?

11 A. Yes, they made me major.

12 Q. And area commander of the north?

13 A. Yes.

14 Q. Who was above you when you were area commander of the
14:57:22 15 north? Who was higher up than you then?

16 A. It was Mohamed Tarawali.

17 Q. In 1996 you're promoted again, aren't you, to colonel?

18 A. Yes.

19 Q. That was the year that Camp Zogoda was routed, wasn't it,
14:58:05 20 that the RUF were chased out of Camp Zogoda?

21 A. Yes, sir.

22 Q. But you weren't there because you spent most of that year
23 in the northern hills, didn't you?

24 A. Yes, sir.

14:58:28 25 Q. How many times did you visit Camp Zogoda before the RUF
26 were driven out of it?

27 A. I visited there two times.

28 Q. Right. We'll return to that in due course. In 1997 the
29 AFRC coup takes place and you become a member of the Supreme

1 Council, don't you?

2 A. Yes.

3 Q. That's to say you become a member of the governing body of
4 the country of Sierra Leone. That's right, isn't it?

14:59:22 5 A. Yes, you are right.

6 Q. In the following year the junta is driven out of Freetown
7 by ECOMOG forces, 1998, but you were then promoted to brigadier,
8 weren't you, in 1998?

9 A. Yes.

14:59:50 10 Q. Who else was promoted to brigadier in 1998?

11 A. Superman, Morris Kallon, Issa Sesay and Mike Lamin was also
12 brigadier.

13 Q. And the group whose names you've just given to us,
14 including your own of course, were the most senior commanders
15:00:32 15 within the RUF at that time, weren't they?

16 A. Yes.

17 Q. And you remained as one of those most senior commanders in
18 the RUF until your imprisonment at Pademba Road in May of 2000.
19 That's right, isn't it?

15:01:04 20 A. Yes.

21 Q. And so until your imprisonment at Pademba Road, you were
22 one of those with the greatest responsibility for conducting the
23 civil war in Sierra Leone, weren't you, Mr Mongor?

24 A. I was one of the senior men, yes.

15:01:30 25 Q. The senior men are those with the greatest responsibility
26 for what went on in the course of the civil war, aren't they?

27 A. Not all of them.

28 Q. Who do you say amongst them does not bear the greatest
29 responsibility for the conduct of the civil war? Give us the

1 names of any of the brigadiers who you say do not bear that
2 responsibility?

3 A. I am number one and Mike Lamin is one of the people and
4 also the late Superman.

15:02:33 5 Q. Anyone else?

6 A. Like because some of them are dead like Mohamed Tarawalli,
7 Rashid Mansaray, they were commanders, but they are not living
8 now. I can say those people do not bear greatest responsibility.

9 Q. Why is it that you absolve yourself and Mike Lamin, both
10 brigadiers up to May of 2000, from the greatest responsibility
11 for the conduct of the civil war? Why is it you say that you're
12 not as bad as the others?

13 A. We were all brigadiers, but there were brigadiers amongst
14 brigadiers. That is what I want you to understand.

15:03:52 15 Q. Tell me if you don't understand any of the words I use, but
16 Mike Lamin was the ideological brains behind the RUF, wasn't he,
17 the ideas man. That's right, isn't it?

18 A. Yes.

19 Q. From start to finish he was the brains behind the RUF.
15:04:26 20 That's right, isn't it?

21 A. Well, I want you to know something. When you said from the
22 start to the finish, I do not want you to use those words.

23 Q. Well, you may not want me to, but I'm going to. When I say
24 from the start to the finish, I mean from the very early days
15:04:50 25 Mike Lamin was teaching the RUF revolution to the fighters right
26 up to the time that he was also imprisoned in 2000. That's
27 right, isn't it?

28 A. That is not correct at all: That he still had that
29 position until the time he was arrested and taken to prison.

1 Q. Well, let's deal with prison now. The one thing that you
2 and Mike Lamin have in common is that you were both granted
3 immunity from prosecution by this Court if you cooperated.
4 That's right, isn't it?

15:05:48 5 PRESIDING JUDGE: Have we evidence of this, or are you
6 putting it as a proposition?

7 MR MUNYARD: I'm putting it as a proposition.

8 THE WITNESS: My Lords, I want to tell you that I did not
9 sign any contract with this Court with regards that, nor did the
10 Court sign any contract with me with regards that.

11 MR MUNYARD:

12 Q. The Prosecution wrote you a letter saying that they did not
13 intend to charge you with any offence before this Court, didn't
14 they?

15:06:36 15 A. They wrote me a letter and I did not volunteer - they wrote
16 me a letter when I did not volunteer to testify in this Court,
17 but they served me a letter that I shouldn't fear anything. It
18 was not a contract that I signed with them, so to say I signed a
19 contract to come and testify and to say that you were not going
20 to do anything to me, that was not the case actually.

15:07:32 21 Q. Mr Mongor, I have not suggested that you have signed a
22 contract with anybody. I am suggesting, however, that you were
23 told, at an early stage in your cooperation with the Office of
24 the Prosecution, that you would not be charged with any offence
15:08:01 25 before this Court. That is correct, isn't it? Shortly after you
26 started to be interviewed by the Prosecution that letter was
27 presented to you, wasn't it?

28 A. First of all, my Lord, I want you to understand that the
29 Prosecution did not tell me that they were serving me the letter

1 for me to cooperate with them. I do not want you to say that. I
2 have said that I volunteered. I accepted that I was going to
3 come and testify before this Court to explain to the Court the
4 things that happened during the war.

15:09:10 5 Q. Well, let's look a little bit at the background of that,
6 Mr Mongor. On 7 May 2000 you were arrested after you had
7 returned to Freetown following your efforts to secure the release
8 of UN hostages. Is that correct? Have I understood your
9 evidence on that correctly?

15:09:39 10 A. I want you to go over that again.

11 Q. This morning you were telling us that you went off to try
12 to assist in securing the release of some UN hostages in May of
13 2000, is that right?

14 A. Yes.

15:09:59 15 Q. And you went in the company of a deputy commander from the
16 UN, is that right?

17 A. Yes, my Lord.

18 Q. Were you successful in helping to secure the release of
19 those hostages, or some of them?

15:10:26 20 A. We did not succeed at that moment at all. We did not
21 succeed for the people to be released.

22 Q. So, you returned to Freetown and how long after you
23 returned to Freetown were you arrested?

24 A. I went on 7 May in the year 2000. I went there in the
15:10:57 25 morning hours together with the first commander. We were there
26 until the evening and that same evening, when we returned to
27 Freetown in the helicopter, when I went to my house that was the
28 same day they arrested me.

29 Q. And you told us this morning, if I understood correctly,

1 that it was the West Side Boys who arrested you, is that right?

2 A. Yes, they arrested me.

3 Q. And you're saying that the West Side Boys, therefore, were
4 acting on behalf of the Government of Sierra Leone in arresting
15:11:36 5 you, is that right?

6 A. Yes.

7 Q. So they were acting on behalf of President Kabbah, yes? Is
8 that right?

9 A. Yes, they were working for the government.

15:12:08 10 Q. And you are put in prison and then subsequently charged
11 with murder, you told us today. Is that correct, that you were
12 subsequently charged with murder?

13 A. Well, I said those were the charges that they brought
14 before the groups for which we were arrested.

15:12:40 15 Q. When was this murder, or these murders, supposed to have
16 been committed by you?

17 A. Well, according to the charges that were brought against
18 the group and for which we were arrested, they said it was
19 because of the incident that took place on 8 May at Foday
15:13:22 20 Sankoh's house.

21 Q. Right, but you couldn't have been involved in that, could
22 you, because you were already under arrest by the West Side Boys
23 and carted off to Pademba Road prison on the evening of the 7th?

24 A. Yes, my Lord, that was how it happened, but I didn't
15:13:51 25 actually know myself the reason why I was arrested for the 8 May
26 incident - why I was charged for the 8 May incident.

27 Q. You would have been able to tell the authorities that the
28 whole of the previous day, 7 May, you had been in the company of
29 the deputy commander of the UN group and when you got home it

1 would be a matter of record that you were taken away to Pademba
2 Road prison, wouldn't it?

3 A. Yes, my Lord. It is exactly what you have said, it
4 happened that way, but --

15:14:46 5 THE INTERPRETER: Your Honours, could the witness go over
6 that last bit of his statement. Your Honours, could the witness
7 go over the last bit of his last answer before coming to this
8 one.

9 PRESIDING JUDGE: I heard you, Mr Interpreter. The witness
15:15:06 10 is repeating it already. Mr Witness, the interpreter has missed
11 part of your answer. Could you go back to the bit where you were
12 saying, "It is exactly what you have said, it happened that way",
13 and then continue from there giving your explanation.

14 THE WITNESS: My Lord, what I am saying, my Honours, I said
15:15:30 15 what the lawyer has said, that I should have explained to the
16 authorities that the charges put against me was that - and that
17 they had arrested me before the thing for which I was charged
18 for, I should have done that. Exactly like the lawyer said, that
19 was how it was supposed to happen, but that is not how they
15:15:57 20 looked at it at all. They looked at it that people who were in
21 Foday Sankoh's house, as long as you are an RUF and that an
22 incident like that took place at Foday Sankoh's house, they
23 concluded that everybody - every one of us were there when the 8
24 May incident occurred. I was actually not there, like the way
15:16:28 25 you said it, and I would have loved to explain to the
26 authorities, but at that time there was no chance for me to have
27 done that. I was not given chance by the authorities to explain
28 it that way, my Lords.

29 MR MUNYARD:

1 Q. Are you saying that for five long years and three months
2 you didn't get an opportunity to explain to the authorities that
3 you'd been with a UN commander and then you'd been arrested as
4 soon as you got home from your mission with him the day before
15:17:06 5 these murders, these killings happened? Is that what you're
6 saying: That for five years you didn't have an opportunity to
7 explain that to the authorities?

8 A. At all not. I did not have the opportunity because when
9 they threw me into the prisons I was there for two years even
15:17:38 10 before they started talking about court proceedings and even when
11 I went to court I was not given the opportunity for me to be able
12 to explain myself, but I continued to complain to the prison
13 officers who were the authorities that took - always took us to
14 court. I used to complain to them. They always told me "wait,
15:18:05 15 wait". Not until a point in time when we went to court that I
16 asked permission from the judges, telling them that I was not
17 there and in fact my name is not on the list, so that was how it
18 happened.

19 Q. Mr Mongor, were you really arrested by the West Side Boys
15:18:30 20 on the night of 7 May 2000, or were you in fact part of the group
21 who was involved in the killings on 8 May and arrested following
22 those deaths?

23 A. My Lords, I was not part of the people who were at the
24 lodge who did the killings. I said it was the West Side Boys
15:19:04 25 whose names I have called here. They were the ones who arrested
26 me and it was on 7 May that they arrested me and took me to
27 Pademba Road.

28 Q. You were a very senior military commander in the RUF at the
29 time of your arrest, weren't you? You weren't just a foot

1 soldier.

2 A. Yes, I was a commander in the RUF.

3 Q. People would know your name and who you were and what your
4 rank was, wouldn't they?

15:19:48 5 A. Yes, people would know me and they would know my rank.

6 Q. And on the evidence that you've been giving us, you knew a
7 fair number of influential people yourself, including
8 Charles Taylor, didn't you?

9 A. Let him repeat that question again.

15:20:16 10 Q. On the evidence you've given this Court, you knew a fair
11 number of influential people, including Charles Taylor, in May of
12 2000 and the years following.

13 A. That I had influence, is that what he's trying to say?

14 Q. That you knew people who had influence.

15:20:55 15 A. Well, I don't think that I had people, or that I knew
16 people who had influence, except Charles Taylor that you are
17 talking about.

18 Q. Right, so why didn't you get a message to Charles Taylor to
19 say, "Dear Mr Taylor, please help me sort out this mess. There
15:21:24 20 is a prison record that I was brought to Pademba Road on the
21 night of the 7th, but they are saying that I was at Foday
22 Sankoh's house on the 8th. Can you please help me?"

23 A. I want to tell you that I was not in the position to
24 communicate with Mr Taylor.

15:21:53 25 Q. Mr Mongor, even in prison in Sierra Leone it is possible to
26 get messages out, whether formally or informally. That's right,
27 isn't it?

28 A. It's not possible.

29 Q. So it took five years? Do you have family who were living

1 in Freetown at the time?

2 A. Yes, I had people, but when the thing happened they were
3 also afraid.

15:22:41

4 Q. Yes, did they visit you in prison during the five years and
5 three months?

6 A. Yes, I had a visit. That was the bishop of the church that
7 I used to attend. He visited me in the prison and later my wife
8 visited me.

9 Q. When was the first visitor that you had after 7 May?

15:23:20

10 A. After 7 May I was there for some years before my bishop
11 went to visit me in the Pademba Road prison.

12 Q. What efforts did you make to see a lawyer?

13 A. Well, I did not make any effort on my own because the case
14 was a State case, so it was not possible for me to secure a

15:24:00

15 lawyer for myself.

16 Q. You see, we've had evidence from an expert in this case
17 that the Sierra Leone courts were operating reasonably well after
18 the restoration of President Kabbah's government following the
19 junta.

15:24:22

20 MR KOUMJIAN: Can I ask for a citation to that?

21 PRESIDING JUDGE: I would ask for a citation for that,
22 Mr Munyard.

23 MR MUNYARD: I will get you a citation in the morning. I
24 won't pursue it now, but we heard evidence, when we were

15:24:36

25 discussing with a witness the treason trials in 1998, that the
26 courts were generally functioning well.

27 PRESIDING JUDGE: Was the treason trials - I'm thinking of
28 the court-martial. There was a different trial, treason trials.
29 It's quite different, yes.

1 MR MUNYARD: The court-martial that led to executions, but
2 at the same time there were treason trials of civilians and we
3 heard some evidence about the state of the judiciary. In fact, I
4 think part of a report was read out about the judiciary, but I
15:25:11 5 will get the citation:

6 Q. I'm not going to spend any more time on this, Mr Mongor.
7 You weren't in prison by accident for five years and the better
8 part of three months, were you? You were in prison because you'd
9 been involved in some sort of serious criminal offence. That's
15:25:44 10 right, isn't it?

11 A. I did not commit any criminal offence as far as I know.

12 Q. During that time you didn't get anything other than a visit
13 from a bishop about two years in and then some time after that
14 your wife saw you. Did you ever see a lawyer?

15:26:06 15 A. Well, I told you that it was a State case, so I did not
16 secure any lawyer for myself. That was what I told you.

17 Q. Well, then explain to us what you mean by the fact that
18 because it was a State case you didn't get a lawyer? Are you
19 saying that in Sierra Leone if the State brings a prosecution
15:26:35 20 against you you are not allowed access to a lawyer?

21 A. I am not denying the fact that if anybody had a case that
22 was a State case, government will not give you the opportunity to
23 hire a lawyer. I am not denying that fact, but to hire a lawyer
24 you should have money and I did not have money that I will use to
15:27:16 25 secure a lawyer for myself that will defend me. So, I never had
26 that money.

27 Q. What about asking the bishop to help out?

28 A. If I had asked the bishop to help me, yes, and I even told
29 him to help me secure a lawyer, but at that time they did not

1 give us the opportunity. The government had not given us chance
2 to hire lawyers to defend us. But when the bishop came to visit
3 me I put that across to him and I told him that I wanted him to
4 assist, secure a lawyer for me, so that at any time that the
15:28:24 5 people requested us I will be able to have the person and the
6 bishop agreed because he was a spiritual father and he agreed,
7 but I want to tell you he was somebody that had so many things on
8 his mind with regards his church and other things, so I was not
9 chanced to secure a lawyer for myself. Since I was not at the
15:28:59 10 lodge when the 8 May incident occurred, that I should have a
11 lawyer to defend me to say that, yes, I was not there so I should
12 be exonerated.

13 Q. Your bishop was too busy to help you establish that the
14 prison record would show that you entered the prison on 7 May, is
15:29:20 15 that what you're saying, and so you were left to rot in prison
16 for five years because the bishop was too busy to help you?

17 A. What I want you understand here is that the prison
18 officers, or the prison department, had their own procedure and I
19 was a prisoner that was below their way of functioning. They had
15:29:58 20 their procedures, how they went about, to forward a prisoner's
21 case. They cannot just see someone come to me and then they will
22 go and open their files to show that person to say these are
23 things that concern that person. They were - they did not care
24 about that.

15:30:23 25 Q. Now, you told us this morning that when you finally saw the
26 charges against you it was a charge of murder, yes?

27 A. Well, when I told the Court that I saw charges like murder,
28 it was not in the prison that I was shown those charges, but it
29 was in the courts.

1 Q. All right. You're shown a charge sheet with your name on
2 it accusing you of murder. Is that right, yes or no?

3 A. Well, my name was not there. My name was not included
4 there. But I told you that the group that was arrested as RUF,
15:31:13 5 those charges covered the whole group and it was in the court
6 that the charges were read out to us.

7 Q. What year was this?

8 A. I said we were charged in court in the year 2002.

9 Q. So in 2002 your name did not appear on the charge sheet,
15:31:40 10 yes?

11 A. My name was not there.

12 Q. Then it takes another three years to get you out of prison?
13 Is that what you're telling these judges?

14 A. That is what I am trying to say. That was something that
15:31:59 15 happened to me and that was how it happened to me.

16 Q. How did it happen that you got out of prison? What deal,
17 if any, was done to get you out of prison?

18 A. Well, I continued to lodge my complaints like I had been
19 saying, until one point in time that when we were in court I told
15:32:35 20 the prisoner officers - they had been telling me "wait, wait,
21 wait" and I said to them "I have waited for too long", and when
22 we were in court at the point in time I raised my hand up and
23 then they asked me to put it down and later I raised it up again.

24 I tried to call on the judge's attention. Later the judge paid
15:32:56 25 attention to me and that was Judge Hamilton and I told him that,
26 "My Lord, I am here and since the time I was arrested together
27 with this - under this group, I have been charged and we have
28 come to court, but my name is not on the list and when they
29 normally called people to go into the dock they never called my

1 name and I don't know what I am actually doing amongst this
2 group", and the judge told me that I should write my name. He
3 asked his clerk to give me a piece of paper so I could write my
4 name on it and from there he asked two other people who made the
15:33:43 5 same complaint, so we were now three whose names were not on the
6 list and then the judge said okay, we should wait. So, we were
7 still on that waiting.

8 Q. Who were the other two? What were their names?

9 A. The other man's name was Ansu Manna [phon] Folwa and the
15:34:12 10 other's name was Kenteka [phon]. Those were the other two people
11 who after me also said their names were not on the list.

12 Q. Can you spell those names for us, please, before we move on
13 to something else?

14 A. No.

15:34:57 15 Q. The first one that you told us, it's recorded here as Ansu
16 Mani Forway. Is that the name of the person?

17 A. Ansu Manna.

18 Q. Ansu Manna and the second name?

19 A. Vea [phon].

15:35:23 20 Q. No his, Ansu Manna's, second name.

21 A. Folwa.

22 Q. How do you spell that?

23 A. Folwa? It's F-O-L-W-A.

24 Q. And the second man?

15:35:49 25 A. Kenteka.

26 Q. Just try and spell that for us if you can?

27 A. Well, I am unable to spell that name because it's a French
28 name. The man was a Frenchman.

29 Q. A Frenchman. Does that mean that he came from a French

1 speaking African country?

2 A. Yes.

3 Q. And had those --

4 A. He was from Ivory Coast.

15:36:18 5 Q. Had those two been in prison, along with you, for five
6 years plus?

7 A. Yes.

8 Q. And they'd not been able to get any help either?

9 A. They were also not opportuned to get any help.

15:36:45 10 Q. All right. Now, the following year in 2006 you start to be
11 interviewed by the Office of the Prosecution of this Court, don't
12 you?

13 A. You said which year?

14 Q. 2006, less than two years ago, Mr Mongor. I presume you
15:37:17 15 remember the first time you were interviewed by the Office of the
16 Prosecution in this case, do you?

17 A. I don't think it was 2006.

18 Q. You tell us when it was. Was it the same year that you got
19 out of prison?

15:37:52 20 A. No, I don't think so. That was not the time because I was
21 released from the prison in the year 2005 and that was August.
22 Yes, you might be right, it was the following year. That was the
23 time I was able to get contact with the Court.

24 Q. Now, while you were in prison you presumably became aware
15:38:22 25 that this Court had been set up and that trials were starting of
26 people who were involved in the civil war, yes?

27 A. Yes, I was in jail when I heard about that.

28 Q. You, of course, were awaiting trial of your own on murder
29 charges at that time, weren't you, even though it turned out in

1 the end that you say your name wasn't on the list?

2 A. I am telling you that those were the charges that were
3 brought against the group that I was part of, that was under the
4 RUF.

15:39:23 5 Q. Were you worried when you heard that this Court had been
6 set up and senior commanders of the RUF were going to be
7 prosecuted before it?

8 A. I was not worried at all because I don't think I will just
9 hear about the Court then I become afraid. I never had that fear
10 in me.

11 Q. Well, the Prosecution wrote to you in September of 2006
12 telling you that in fact they were not going to bring any charges
13 against you, didn't they?

14 A. They did not write to me that - to say they wrote to me
15:40:31 15 before I went to the courts, that is what I want you to
16 understand, my Lord, because the way you are putting it to me it
17 was like you are saying that they wrote to me first before I
18 became willing to come and testify and I want to put this clear
19 to you that the Court did not write to me before I became willing
15:40:51 20 to come and testify.

21 Q. I accept - and I'm going to put the dates to you so it's
22 absolutely clear - I accept that you had already started being
23 interviewed two weeks before that letter was delivered to you.

24 A. Well, that is what I want you to understand, that I had
15:41:18 25 already volunteered to give testimony. But if you are saying
26 that they wrote me a letter, it would appear as though they had
27 written me the letter before I became willing to come and
28 testify. I had had the willingness even before they wrote the
29 letter to me. They had started taking statements from me prior

1 to that.

2 Q. Mr Mongor, why would anyone have to write you a letter
3 assuring you that they did not intend to bring charges against
4 you unless there was a realistic possibility that you were likely
15:42:03 5 to be prosecuted before this Court? Can you think of any reason
6 why they would need to write you such a letter?

7 A. You had started asking me whether when I heard about the
8 Court I had fear in me. I told you no, I never had fear in me
9 and I did not even think that the Court was going to arrest me.

15:42:29 10 I never had that in mind. Even before I decided to come and
11 testify I never had it in mind that the Court was going to arrest
12 me. I want you to understand that.

13 Q. Even if that's true, and I make it clear I don't accept
14 that it's true, but even if it's true that you had no fear that
15:42:52 15 you were going to be prosecuted, can you think of any reason why
16 the Prosecution should write you a letter saying, "Rest assured,
17 we are not going to prosecute you for crimes before this Court",
18 unless you were clearly an individual against whom such a
19 Prosecution was contemplated?

15:43:25 20 A. I am telling you that the Prosecution did not serve me the
21 letter to say that the Prosecution was not hunting me, but I have
22 said to you earlier that I had already started giving statements
23 before the Court wrote the letter to me to give me the assurance
24 and the letter was given to me, but it doesn't mean that they had
15:44:15 25 not already started obtaining statements from me. Like you have
26 already said, two weeks before they gave me the letter I had
27 already decided to testify. I was willing to testify before.

28 Q. So did the letter come as a great big surprise to you?

29 A. Well, what to you mean by surprise?

1 Q. I think it's a simple enough word. If you had no reason to
2 fear that you were ever in the firing line for a prosecution
3 before this Court, were you not amazed that they went to the
4 length of writing you a letter telling you that they didn't
15:45:07 5 intend to prosecute you?

6 A. You see I knew that I was not even thinking about that, to
7 say I did something and I knew that I did not do something that
8 will push the Court into arresting me. So, if I receive such a
9 letter from the Prosecution it was not a surprise to me. It was
15:45:36 10 not something that surprised me.

11 Q. Before you started being interviewed, and the first
12 interview was on 30 August 2006, did you enter into any
13 discussions, by which I mean talks, with anybody about
14 cooperating with the Prosecution if they would agree not to
15:46:02 15 charge you?

16 A. My Lord, I want to tell you that nobody went to tell me
17 that "I want you to come and testify" and that if I cooperated I
18 would not be arrested. I want to tell you that nobody went to
19 tell me that. The Court sent nobody to me to go and tell me that
15:46:30 20 before I admitted to come and testify. I have told you and I
21 have told the Court that I had already accepted and I was willing
22 to come before the Court and testify even before the letter
23 reached me, so when I received the letter I was not surprised and
24 I was not afraid because I never had anything in mind that will
15:46:56 25 let me feel that the Court has something against me.

26 Q. So you were not surprised when you received the letter?
27 That's what you've just told us.

28 A. Yes, I was not surprised.

29 Q. Did you know that the letter was on its way? Did you know

1 before you got it that it was coming?

2 A. Well, I don't know because the Court or the Prosecution had
3 their own ways of operating, the way they administered
4 themselves. I don't know how they operated, or how they went
15:47:41 5 about performing their duties. So, they did not tell me that
6 they were coming to serve me a letter.

7 Q. Who approached who? Did you approach the Prosecution, or
8 did the Prosecution approach you as a result of which you began
9 to be interviewed by them?

15:48:07 10 A. Well, people had been calling my name and when the
11 Prosecution heard my name, as one of the RUF men and somebody who
12 trained the people to come and fight in Sierra Leone from
13 Liberia, they tried to trace me and when they came initially I
14 did not accept to talk to them and I decided to wait for my own
15:48:52 15 time when I decided to accept them and I was now willing at that
16 time to go and testify.

17 Q. So when was this first occasion when they contacted you and
18 you were unwilling to cooperate with them?

19 A. Well, it was in the same year, that is 2006, when I was now
15:49:32 20 about leaving the prisons and when I was out I was trying to do
21 other things to settle myself.

22 Q. How long before the end of August, when you are interviewed
23 and you answer questions for the first time, did they first
24 approach you?

15:50:04 25 A. Did you say how long it took?

26 Q. Yes. How long was it between the first time they approach
27 you when you refuse to help to the occasion on 30 August 2006
28 when you are interviewed for the first time?

29 A. Well, when I was just released from prison they made the

1 move, but by then I was just from jail and I was thinking about
2 other things: The way I had lost communication with my family
3 and the position I left them, they were no longer there. So, I
4 tried to put myself together and to live in a place where I would
15:51:07 5 be able to put things together to do some business and be able to
6 help my family, so those were some of the things I was trying to
7 put in place.

8 Q. Did you move away from Freetown after that first approach
9 to you by the Prosecution shortly after you left prison?

15:51:28 10 A. No, I did not leave Freetown. I was in Freetown. I was in
11 Freetown.

12 Q. So how did it come about that you were interviewed on 30
13 August 2006? Did they contact you again?

14 A. Well, they contacted me through somebody who was
15:52:06 15 Mr Lawrence Womandia. He was in contact with one of the people
16 and I was living with him in the same area.

17 Q. Why was he in contact with them? Was he giving interviews
18 to them?

19 A. Well, I don't know why he was with the people, or how he
15:52:42 20 managed to be with them, I can't tell, but he told me that he was
21 the one that gave my contact number to the people when they
22 contacted me over the phone and later I met with one Mr Sesay who
23 was working with the Court.

24 Q. Mr Mongor, Mr Womandia wouldn't simply get in touch with
15:53:09 25 you and say, "By the way, Isaac, I've given your name to the
26 Prosecutors at the Special Court", and then not say any more
27 about it, would he? He'd have a lot more to say than that,
28 wouldn't he, when he explained to you why he was putting their
29 investigators back in touch with you?

1 A. Well, he did not explain in details, but himself and
2 Mr Sesay had been used before and when we were living together in
3 the same area, that is Mr Lawrence I am talking about, he was the
4 one that Mr Sesay spoke to so that he will talk to me for me to
15:54:07 5 agree to talk with Mr Sesay. So, he was the one who gave my
6 contact number to Mr Sesay.

7 Q. What do you mean when you said that Mr Lawrence himself and
8 Mr Sesay had been used before? Used before for what?

9 A. Well, I can take it that they had been friends before and
15:54:36 10 that he was his friend and they had known each before and that he
11 knew that Mr Sesay was working with the Court, but it was through
12 Mr Lawrence that Mr Sesay was able to come closer to me.

13 Q. But the Court already knew how to get hold of you, didn't
14 they, because they'd approached you just after you came out of
15:55:01 15 prison? They didn't need Mr Lawrence and Mr Sesay.

16 A. Yes, like you said, they might have got in touch with me,
17 but I denied them because I told them I was not in the position
18 because I was just from prison and I wouldn't be able to give any
19 vital points to them because I was just in prisons and my head, I
15:55:45 20 was - I had not been able to put myself together and I was far
21 off from my family for some time, I wouldn't be able to give
22 attention to any extra thing except to them.

23 Q. And by August of the following year had you sorted out
24 yourself and your family?

15:56:06 25 A. Well, through my church and my bishop I was able to get a
26 place through his help for myself and my family to live there and
27 I started doing some business. I opened a shop and I was
28 selling --

29 Q. Sorry, you opened a shop and you were selling. Was that on

1 behalf of the bishop? Were you employed by the bishop?

2 A. Well, it was the bishop that gave me the business. He did
3 it just to help me to be able to settle with my family.

15:57:10

4 Q. Is this the same bishop who was too busy to help you get
5 out of jail in 2002?

6 A. Yes, sir.

7 Q. And you say that he helped you to get somewhere. Are you
8 talking about work, or accommodation?

15:57:38

9 A. Well, he helped me with accommodation. He rented a place
10 for me for one year.

11 Q. And after that is it right that you then moved to somewhere
12 else because you weren't getting on with your neighbours?

15:58:09

13 A. Well, when I was initially released from jail I moved to -
14 I was living in that area, but later when my bishop rented a
15 place for me then I moved to the new place.

16 Q. Then did you eventually move to live with Peter Vandt?

17 A. No, no, no. I have never lived together with Peter Vandt.

18 Q. Or near to Peter Vandt?

19 A. I did not ever live near to Peter Vandt in fact.

15:58:39

20 Q. But you certainly are friendly with him, aren't you?

21 A. Yes, Peter Vandt was my friend and we were all members of
22 the RUF.

23 Q. And was it him who put you in touch with the Office of the
24 Prosecution, Peter Vandt?

15:59:04

25 A. No, no, no, no, no.

26 Q. So the bishop sorts you out with somewhere to live, he
27 gives you the money for a shop, or rents a shop for you,
28 whatever, and when everything is settled down are you earning
29 enough then to support your family and yourself by the middle of

1 2006?

2 A. Yes, in 2006 I was almost settled now. Like I said, my
3 bishop had rented a place for me where I was and he also rented
4 and put things in a shop where I was and that was where I was
15:59:58 5 feeding my family and I was - I can say I was now living
6 comfortably.

7 Q. And when Mr Lawrence contacted you and told you - what did
8 he tell you? Did he tell you that the Office of the Prosecution,
9 who you'd previously rejected, would really like to talk to you?

16:00:25 10 A. Yes, he told me that, "I have a friend of mine, Mr Sesay,
11 he wants me to talk to you because those people wanted to talk to
12 you but you refused to talk to him, so he asked me to talk to you
13 because he too wants to talk to you, so I should talk to you in
14 order for you to give him audience."

16:00:50 15 Q. Did he tell you there'd any benefit for you if you did
16 speak to the Prosecution?

17 A. He did not tell me about any benefit.

18 Q. What about loss of your earning capacity if you went off to
19 be interviewed by them for days on end? Did he say anything
16:01:14 20 about that?

21 THE INTERPRETER: Your Honours, could counsel please go
22 over that question.

23 MR MUNYARD:

24 Q. Did he tell you anything about you being remunerated for
16:01:26 25 loss of earnings while you were being interviewed by the
26 Prosecution?

27 A. He did not tell me that, that if I was interviewed and if I
28 lose something the Prosecution would give that to me. He did not
29 tell me that.

1 Q. Did anybody tell you that?

2 A. That if I lost something they would give it to me?

3 Q. Yes.

4 A. Well, nobody told me that.

16:02:09 5 Q. All right. How much --

6 A. Because I had a lot of things that if I lost any of them
7 nobody would tell me they would give that to me.

8 Q. How much were you earning on average per day from your shop
9 in August of 2006?

16:02:34 10 A. Well, that was business that I was doing and business is a
11 rise and fall thing. At times, say for example today you can get
12 some money and maybe tomorrow when you come you will not get what
13 you got yesterday and maybe what you get today, you will not get
14 the same tomorrow. That is business. Maybe if you sell on a
16:03:00 15 particular day, what you would get you would not get the same
16 thing the following day, or some other day, so I cannot give you
17 any specific amount of money that I used to get.

18 Q. Mr Mongor, that was the point of asking you, as I did, how
19 much were you earning on average per day from your shop in August
16:03:21 20 of 2006. Spread over a week, what would be your average earnings
21 from the shop, if any?

22 A. Well, that is what I am telling you because I am a
23 businessman and I know how business runs. For example, today I
24 will sell and I will get say 200,000 and maybe tomorrow I will
16:03:56 25 not be able to get that 200,000, you see. That's why I said
26 business is a rise and fall thing.

27 Q. Was the shop doing well or badly?

28 A. Well, the shop was an on and off thing. What I mean by on
29 and off, because of the location where I was there were days when

1 I will sell and I would actually get what I had spent for fuel
2 and some other things and there were some days that I will sell
3 and I am not even able to get what I have spent to buy fuel and
4 some other things.

16:04:47 5 Q. So, can we work on the basis that the shop wasn't doing
6 terribly well?

7 A. It was not doing as well as what I expected, but I thank
8 God for what I was getting, but I thank God for that because the
9 Bible said we should thank God for whatever condition you find
10 yourself and whatever you get you should be thankful to him.

16:05:16 11 Q. We do not need references to the Bible, we just want to
12 know whether or not the shop was doing well and we have your
13 answer on that. Now come --

14 A. Well, I --

16:05:31 15 Q. That wasn't a question. Come 30 August 2006 when you first
16 gave an interview to the Prosecution, you were perfectly able to
17 speak and understand English, weren't you?

18 A. I was not speaking English to them. When I would always
19 talk they had somebody who would interpret.

16:06:09 20 Q. At every interview?

21 A. Not at all the interviews interpreters were present.

22 Q. No, but put the question of whether or not there was an
23 interpreter present on one side for a second, you are perfectly
24 capable of understanding and speaking in English, aren't you?

16:06:41 25 A. Well, if somebody speaks English to me I can understand
26 that person.

27 Q. Just let me know if this is correct: That you speak
28 English, Bassa, Liberian English and Krio. Is that correct?

29 A. Yes.

1 Q. You were educated in Sierra Leone and Liberia up to the 9th
2 grade, is that correct?

3 A. Yes, sir.

4 Q. In school you spoke English?

16:07:24 5 A. Yes, sir.

6 Q. And you speak and understand English perfectly well, don't
7 you?

8 A. When you said very well, it is not very well. I don't want
9 you to use that word "very well".

16:07:42 10 Q. Right. You were interviewed on a total of 24 different
11 days between 30 August 2006 and 29 February this year, that's to
12 say four weeks and two days ago. I don't imagine that you've
13 counted the number of days, but if I'm wrong I'll be corrected.
14 I have recorded 24 separate days of interviews. According to the
16:08:20 15 notes, you had an interpreter present on only five of those 24
16 days, according to the notes. Does that sound right?

17 MR KOU MJIAN: Your Honour, if I can just clarify something
18 because sometimes the investigators are Sierra Leoneans that are
19 conducting the interviews, so I think the question could be
16:08:49 20 misleading where Sierra Leonean investigators, Krio speakers, are
21 present at the interviews.

22 PRESIDING JUDGE: Are they acting as interpreters as well,
23 Mr Koumjian, or conducting the interviews --

24 MR KOU MJIAN: I'm sorry, I cannot testify to that and I
16:09:04 25 wasn't present for those.

26 MR MUNYARD: If anything is misleading then it's the record
27 of interview because the record of interview states quite clearly
28 where there is an interpreter present:

29 Q. Now let me ask you again, Mr Mongor, does it sound about

1 right that on five of the 24 different days on which you were
2 interviewed you had an interpreter? In other words, in the vast
3 majority of occasions there was no interpreter present?

16:09:54 4 A. Maybe the person who was talking to me - and because when
5 he was talking I would understand him, even if there was no
6 interpreter, we could just continue.

7 Q. All right. I'll just try one more time. Does it sound
8 about right that in the vast majority of those interviews there
9 wasn't an interpreter present?

16:10:18 10 A. You mean many of them? Is that what the record is saying,
11 or that is what you are saying?

12 Q. I'm going from the records that we've been supplied with by
13 the Prosecution and on five of those it says that an interpreter
14 was present. I don't want to spend a long time on it. Does that

16:10:44 15 sound about right?

16 A. Just five?

17 Q. Yes, just five. I will happily be corrected if I'm wrong,
18 but that's what I've recorded.

19 A. Okay, but I know it is supposed to be more than five, but
16:11:13 20 if you're saying that the record says it's five then I will agree
21 with you.

22 Q. All right. When you were interviewed in English were there
23 ever occasions when you didn't understand the question that you
24 were being asked?

16:11:45 25 A. If there were questions that I did not understand I will
26 ask them to repeat it.

27 Q. Exactly, so the interview record should be an accurate
28 account of what you were telling the interviewers, do you agree?

29 A. What did you say?

1 Q. The written record of your interviews should be correct
2 because if there was anything you didn't understand you got them
3 to explain it in a different way and then you would give your
4 answer, yes?

16:12:32 5 A. Yes.

6 Q. Were notes being taken when you were being interviewed by
7 anybody?

8 A. Yes, they used to write.

9 Q. Did they read it back to you so that they were sure they'd
16:12:49 10 made an accurate record of what you were telling them?

11 A. Yes, they read it back to me.

12 Q. If there was anything wrong in what they'd recorded did you
13 correct that?

14 A. Yes, I would correct it.

16:13:09 15 Q. When was it that you discovered that you would be paid for
16 any transport costs, or for any meals, or for any loss of wages
17 that you had incurred by attending all of these interviews? When
18 did you first find out that you'd be remunerated financially for
19 those matters?

16:13:52 20 A. Well, I cannot tell you now that this was a particular date
21 because I cannot recall the exact date, but I will tell you that
22 they never told me that they will give back to me what I lost
23 because if I was to name that to them they wouldn't be able to
24 pay and if they were going to refund to me what I actually had
16:14:36 25 lost somebody would not just go and sit in an office and write a
26 document and say, "Okay, let me give you this because this is
27 what you lost." I was supposed to have given them an amount that
28 this is what I actually am losing, but that was not what
29 happened.

1 Q. Well, before we find out what actually happened, when did
2 you first find out that you were going to be paid for loss of
3 earnings if you were interviewed - if you agreed to be
4 interviewed by the Prosecution? Did you find out before the
16:15:08 5 first interview, or at the first interview?

6 A. Well, the first interview, when I went they gave me
7 transport fare, but nobody told me that, "What you'd be losing
8 per day is what we were refunding", and I think if that was what
9 they were giving me that money for they would have asked me,
16:15:42 10 "What are you losing when you are coming to us?" Then I would
11 have shown - I would have given them a figure. But if I went to
12 the place and they gave me money for transport fare and later
13 they said that they refunded what I had lost for the day, no.

14 Q. So did you ever tell them what you'd lost in earnings by
16:16:01 15 sitting in an interview room at the Court instead of in the shop?

16 A. No, I did not tell anybody that if I was in my shop this
17 and this was what I would lose and they too did not ask me that
18 question and I too did not ask them the question.

19 Q. Mr Mongor, we just need a simple yes or no.

16:16:33 20 MR KOUJIAN: Sorry, but I believe counsel was speaking
21 during the interpretation.

22 MR MUNYARD: I apologise for doing that, but I am trying to
23 keep what are essentially simple questions to try and provoke a
24 rather more simple answer. It did admit of a simple yes or no
16:16:52 25 and we got a very long answer. I was deliberately interrupting
26 in an attempt to try and cut things short. I won't do it again
27 if it's not appreciated.

28 JUDGE SEBUTINDE: The trouble is that the record won't
29 capture what you say. That is the problem.

1 MR MUNYARD: I appreciate that, your Honour. Yes. In that
2 case we will just have to plough on and I can tell you I'm not
3 going to plough on this particular furrow for very much longer,
4 not just because of the clock:

16:17:25 5 Q. So does it follow then that you were never given any money
6 for the earnings you lost in the shop on the occasions when you
7 went to the Court, or wherever it is you did go, to be
8 interviewed by the Prosecution, yes or no?

9 A. No, they did not give me money for anything that I had
16:17:51 10 lost.

11 Q. Did you lose money as a result of going to be interviewed
12 by the Prosecution?

13 A. Yes, I lost money.

14 Q. How much, just in broad terms?

16:18:20 15 A. Well, you know business. In my absence - I will not tell
16 you that it is this and that amount because if I said that there
17 they will say - well, I'll be telling you lies because I told you
18 before that business is a rise and fall thing. Say, for
19 instance, I was in the shop and nobody even came there to buy
16:18:43 20 anything, so I would not say that I would have had this and that
21 amount.

22 Q. Did you lose a large amount of money as a result of being
23 interviewed on 24 separate days, or a small amount of money?

24 A. The 24 different times, it was not always that I left my
16:19:06 25 shop to go there.

26 Q. Is the shop still running?

27 A. I closed the place for the meantime.

28 Q. Do you mean while you've been in Europe, or did you close
29 it before?

1 A. I had closed the place because I had a problem when my
2 generator was stolen.

3 Q. When did you close the place?

4 A. I closed the place in September, I think September, but I
16:20:09 5 opened it again because I got another generator and I used to
6 sell, but because business was not running the way I expected, so
7 I decided to close the place again, so the place is closed for
8 now, but from here I decide to open it again but at some other
9 location.

16:20:38 10 Q. Mr Mongor, I want to go back to the beginning of your
11 account now, please, and a little bit more of your own personal
12 history. You've told us that you are - you're basically
13 Liberian, aren't you?

14 A. I said I am a Sierra Leonean. My mother is a Liberian.

16:21:22 15 Q. So you're saying you're not Liberian?

16 A. Well, I grew up there and I have lived there all along, but
17 I was born in Sierra Leone.

18 Q. And you were brought up in Bassa County, were you?

19 A. Yes, sir.

16:21:57 20 Q. Which village?

21 A. It was in the town itself, Buchanan Town.

22 Q. Buchanan itself?

23 A. In the city. Yes, sir.

24 Q. And so do you speak Bassa fluently?

16:22:23 25 A. Yes.

26 Q. Do you have a Bassa tribal name?

27 A. No, I don't have any Bassa name except the name that I
28 have, which is Isaac.

29 Q. Now did you go to school in both Sierra Leone and Liberia?

1 I think you've already said that you did. How long did you go to
2 school in Sierra Leone?

3 A. I was a small boy when I was going to school there. I did
4 not spend a long time when I went to Liberia. My mother took me
16:23:10 5 to Liberia and I've been there all along.

6 Q. And when you say you left school in 9th grade, or you went
7 through school to 9th grade, at what age did you leave school?

8 A. I think I was around 22 to 23 when I stopped going to
9 school.

16:23:42 10 Q. Well, you were born in 1965.

11 A. Yes.

12 Q. So that would make it around 1987 when you stopped going to
13 school?

14 A. 19?

16:24:01 15 Q. If you were 22 - did I hear that correctly? Yes. About
16 1987. If you were 22 when you stopped going to school it would
17 be about 1987. Does that sound right?

18 A. Yes, 1987, yes.

19 Q. So what year did you go into the armed forces of Liberia
16:24:41 20 for your brief two month stint as a soldier?

21 A. I joined the army the time Doe became a president in
22 Liberia. That was when I joined the national army.

23 Q. I see. Well, Doe became president in 1980 when you were
24 15. Were you a child soldier?

16:25:13 25 A. I was enrolled in the army in 1985. When I left there it
26 was not too long when Quiwonkpa and others plotted the coup.

27 Q. Right, I am going to ask you about that. So, are you sure
28 that you joined the army in 1985?

29 A. Yes, I'm sure about that.

1 Q. Could it have been 1983?

2 A. 1983? No, my Lord.

3 Q. Now, when you joined the armed forces of Liberia how did
4 you apply to get in? Did you have to take any kind of test, or
16:26:20 5 examination?

6 A. Well, I went there through somebody who was a soldier with
7 whom all of us were together in Buchanan and the man was staying
8 - was living closer to our place.

9 Q. Was the armed forces of Liberia a volunteer army as opposed
16:26:58 10 to a conscripted army?

11 A. Well, they did not force anybody to join them, but if you
12 applied you would join them.

13 Q. And was it easy to get in, or was it difficult to get into
14 the armed forces of Liberia at the time you joined?

16:27:26 15 A. It was easy because at that time the military was
16 recruiting people frequently. They wanted people.

17 Q. And where did you do your training?

18 A. I went to Camp Todee, that was where we were taken.

19 Q. That's in Monrovia, isn't it?

16:27:59 20 A. Yes, but it is not in the city. It is outside of the city.

21 Q. And they knew that you had come from Buchanan, yes?

22 A. Yes, they knew I came from Buchanan.

23 Q. And then you escaped from the training camp and went back
24 to Buchanan, didn't you?

16:28:24 25 A. Yes, I came back to Buchanan.

26 Q. And the military police never caught up with you between
27 1985 when you escaped, or deserted, and Christmas 1989 when the
28 NPFL capture you?

29 A. Yes.

1 Q. Is that what you're saying?

2 A. Yes. They did not send anybody to look for me, to sight
3 for me, or that they sent people to capture me, no.

16:29:07

4 Q. What were you doing in Buchanan once you'd deserted the
5 army?

6 A. I was doing business. I was selling goods.

7 Q. Were you based in Buchanan the whole time you were doing
8 business?

16:29:32

9 A. I was not based in Buchanan. I was in Monrovia. I used to
10 visit Buchanan.

11 Q. So you're based in Monrovia near to the barracks from which
12 you deserted, but you are never arrested by the military police?

13 A. No, nobody arrested me.

16:29:57

14 Q. Is any of this true: That you joined the army and deserted
15 after two weeks and nobody ever caught up with you?

16 A. I am telling you the truth. Nobody arrested me.

17 Q. And it's not true either that you were captured by the NPFL
18 in December 1989, is it?

19 A. That is true, that NPFL captured me.

16:30:24

20 Q. You joined the NPFL briefly, didn't you?

21 A. I did not join the NPFL briefly as you are saying it.

22 Q. Before you went off to work with Foday Sankoh in the RUF,
23 that's what I'm suggesting: That you were never captured by the
24 NPFL, it's a story that you've made up to explain your

16:31:04

25 volunteering for the RUF. What do you say to that, Mr Mongor?

26 A. I did not volunteer to join the RUF and I did not volunteer
27 to join the NPFL.

28 Q. You were introduced to Foday Sankoh by your friend John
29 Kargbo, weren't you?

1 A. He introduced Foday Sankoh to me when I was an Executive
2 Mansion guard and that man too was an artillery man.

3 MR MUNYARD: Your Honours, I think that's a good time to
4 stop.

16:31:48 5 PRESIDING JUDGE: Yes, I think we're just up to the limit,
6 Mr Munyard. Mr Witness, we are going to adjourn until tomorrow
7 morning at 9.30. I will remind you, as I have reminded you on
8 previous occasions, that until all your evidence is finished you
9 should not discuss your evidence with anybody else. Do you
16:32:04 10 understand?

11 THE WITNESS: Yes, sir.

12 PRESIDING JUDGE: Please adjourn court to tomorrow morning.

13 [Whereupon the hearing adjourned at 4.32 p.m.
14 to be reconvened on Tuesday, 1 April 2008 at
15 9.30 a.m.]

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WITNESSES FOR THE PROSECUTION:

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