



Case No. SCSL-2003-01-T

THE PROSECUTOR OF
THE SPECIAL COURT
V.
CHARLES GHANKAY TAYLOR

THURSDAY, 3 APRIL 2008
9:30 A.M.
TRIAL

TRIAL CHAMBER II

Before the Judges:

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

For Chambers:

Mr Simon Meisenberg
Ms Sidney Thompson

For the Registry:

Ms Rachel Irura

For the Prosecution:

Mr Nicholas Koumjian
Mr Mohamed A Bangura
Mr Alain Werner
Mr Christopher Santora
Ms Maja Dimitrova

For the accused Charles Ghankay
Taylor:

Mr Terry Munyard
Mr Morris Anyah

1 Thursday, 3 April 2008

2 [Open session]

3 [The accused present]

4 [Upon commencing at 9.30 a.m.]

09:30:07 5 PRESIDING JUDGE: Good morning. I notice a change on the
6 Prosecution bar, Mr Koumjian.

7 MR KOUMJIAN: Yes, your Honours. For the Prosecution:
8 Mr Mohamed A Bangura, Alain Werner and Maja Dimitrova and myself,
9 Nicholas Koumjian.

09:30:25 10 PRESIDING JUDGE: Thank you.

11 MR MUNYARD: Good morning, Madam President, your Honours.
12 Counsel opposite for the Defence, it is the same as yesterday:
13 Myself, Terry Munyard, and Morris Anyah.

14 PRESIDING JUDGE: Thank you, Mr Munyard. If there are no
09:30:44 15 other matters I will remind the witness of his oath. No.
16 Mr Witness, you will recall on Monday you swore to tell the
17 truth. That oath is still binding on you and you must answer
18 questions truthfully. You understand?

19 THE WITNESS: Yes, my Lord.

09:31:01 20 PRESIDING JUDGE: Please proceed, Mr Munyard.

21 WITNESS: TF1-532 [On former oath].

22 CROSS-EXAMINATION BY MR MUNYARD [Cont.]:

23 MR MUNYARD:

24 Q. When we broke off yesterday, Mr Mongor, I was asking you
09:31:07 25 questions about Jungle, a man who you told the Court, when you
26 started giving your evidence, you knew to be Mr Tamba, but a man
27 about whom you had previously told the Prosecution you had never
28 known the real name of. Do you remember my pointing that out in
29 the notes of the interview with you where you were asked about a

1 number of different people and whether or not you knew them? Can
2 you recall?

3 A. Yes, my Lord, I recall that.

4 Q. I want to make it clear that on behalf of the Defence we do
09:31:57 5 not accept a word that you have said about your dealings with, or
6 your knowledge of Jungle, or any of his activities.

7 PRESIDING JUDGE: Is that a question, Mr Munyard, because
8 it is phrased as a statement?

9 MR MUNYARD: Yes, I was simply putting our case in the
09:32:20 10 broad sense so that the Court understands, but I will put it as a
11 statement - sorry, I will put it as a question:

12 Q. What do you say about that?

13 A. I said I knew his name and that is Jungle.

14 Q. Yes, but did you know his real name?

09:32:48 15 A. I knew his real name, but that name had escaped off my
16 mind, but it was the name Jungle that was famous.

17 Q. We are talking about Jungle's real name. Did you ever know
18 his real name?

19 MR KOUMJIAN: Objection, asked and answered.

09:33:06 20 MR MUNYARD: Sorry?

21 MR KOUMJIAN: Asked and answered, yesterday and today. We
22 have been over this.

23 MR MUNYARD: Well, he has just said that he had forgotten.

24 MR KOUMJIAN: Exactly. He answered the question.

09:33:17 25 MR MUNYARD: All right. I am quite content with his
26 answer. Let us then move on to some other names. Well, your
27 Honour, at this stage I simply don't know the status of the name
28 I am about to put and out of an abundance of caution I am afraid
29 I am going to have to - it might actually be easier to do it in a

1 way that doesn't require the Court going into private session, if
2 I simply draw the attention of my learned friend opposite to a
3 name that I am about to put.

09:34:04 4 MR KOUMJIAN: May I just perhaps say that we skip this for
5 the moment, but I would say as a general rule - because it could
6 highlight the name. As a general rule, putting names, any name,
7 to a witness is not a problem as long as there is no association
8 of that name with proceedings that involve protective orders.

09:34:27 9 MR MUNYARD: Yes. I don't know in relation to the next
10 name that I am going to put because it was referred to in an
11 interview in September 2006. People's status change.

12 JUDGE LUSSICK: Mr Munyard, couldn't you write the name on
13 a piece of paper and just have it slipped over to Mr Koumjian?

09:34:46 14 MR MUNYARD: Your Honour, it is on a piece of paper already
15 in the sense that it is in a statement and so I was just going to
16 refer Mr Koumjian to the page. It is page 23037 and it is the
17 first name in - I will call them bullet points, these little
18 marks in the margin. It is the fourth bullet point down and it
19 begins with two initials.

09:35:09 20 PRESIDING JUDGE: Could we have a tab? Is it tab 3?

21 MR MUNYARD: It will be tab --

22 MR KOUMJIAN: Your Honour, the two initials and then the
23 name. It is not a problem for us, but if I could just repeat the
24 fact that a name is put to a witness, even if that is a witness -
09:35:30 25 if that is, and this person obviously I am not concerned about,
26 if that had been a name of a person who was a protected witness
27 and it is simply put to the witness regarding his knowledge, or
28 regarding events in the war in Sierra Leone and Liberia, that is
29 not a problem. The only issue that arises with protective

1 measures is the identity of an individual who has protective
2 measures regarding their cooperation with the Court and
3 testifying in Court, just for the future reference that we are
4 not concerned with just putting a name, any name, to a witness
09:36:07 5 without any association.

6 MR MUNYARD: There may be an association. That is why I am
7 acting out of an abundance of caution and it may amuse my learned
8 friend, but there is a reference to this person's level, or
9 otherwise, of cooperation with the Office of the Prosecution and
09:36:36 10 that is why I am concerned that I am on completely safe ground
11 before I put the name:

12 Q. Now, Mr Mongor, this I think is tab 2. I am sorry. I have
13 temporarily lost - no, I haven't. I have found it again.

14 JUDGE LUSSICK: It's tab 3.

09:37:02 15 MR MUNYARD: Thank you, your Honour.

16 JUDGE LUSSICK: Is this something, Mr Munyard, that's
17 appropriate to put on the projector there for the witness to see
18 and any members of the public?

19 MR MUNYARD: I think it is in the light of what Mr Koumjian
09:37:28 20 has said and so it can be put on the projector. Tab 3, page
21 23037, please:

22 Q. Halfway down the page, please, Mr Mongor, would you look at
23 the name C0 Tactical on the left-hand side of the page. It's the
24 fourth point down and can you tell us when you have identified
09:38:00 25 that?

26 A. Yes, I have seen it.

27 Q. Yes. And it says here in this particular set of notes of
28 interview from 17 September 2006 that you had seen him in Makeni
29 last week, that he is now a cab driver, he was a Liberian member

1 of the NPFL who had been sent by Charles Taylor to Sierra Leone.
2 You say that he is a Taylor loyalist who wouldn't cooperate - I
3 think that means cooperate - with the Office of the Prosecution
4 unless someone like Mongor convinced him to. What did you mean
09:38:52 5 by he wouldn't cooperate with the Prosecution unless somebody
6 like you convinced him to do so?

7 A. Because the Prosecution needed him and they asked me
8 whether I knew him. I said, "Yes, I know him". Well, they asked
9 me whether I would be able to work - whether he will cooperate
09:39:27 10 with the Prosecution. Then I told them that that man is
11 Mr Taylor's loyalist, but then I told them that I will take the
12 chance to go and talk to him and that if I did maybe he will
13 cooperate to work with you. That was what I said, because I have
14 been used to him for a long time. That was why I said so.

09:39:53 15 Q. How were you going to convince him?

16 A. Well, I would have met him to talk to him to tell him that
17 the Special Court investigators wanted to talk with him and that
18 they wanted to know the reason why he was in this country and
19 what he was doing in the country. So probably if I had gone to
09:40:40 20 him and decided to talk to him, putting to him those expressions,
21 maybe he will have been able to cooperate.

22 Q. What do you mean that the Special Court investigators
23 wanted to know the reason why he was in the country, Sierra
24 Leone?

09:41:11 25 A. Well, they came to know that this man was an NPFL member
26 and then they asked me whether I knew him. I said yes, I knew
27 him to be an NPFL and I was also an NPFL. So they wanted to get
28 more information about the man and about the war and how he
29 managed to move from the NPFL area and to settle in Sierra Leone

1 and that there were some other things that the investigators
2 needed to know from him.

3 Q. Are you suggesting that you were going to get him into
4 trouble for living in Sierra Leone when he was a Liberian unless
09:42:02 5 he cooperated with the Prosecution?

6 A. Well, that was not the intention I had and I don't think
7 that because he was a Liberian and came to live in the next
8 person's country he will be harmed. I don't think such things
9 have been happening before, so I never had such an intention.
09:42:41 10 That was not the intention that I had.

11 Q. Quite apart from anything else you have to pay special
12 taxes if you are a foreigner living in Sierra Leone, don't you?

13 A. Yes.

14 Q. Thank you. And if nobody realises you are a foreigner then
09:43:09 15 you probably wouldn't have to pay that money, would you?

16 A. Yes, nobody will ask you to pay the money.

17 Q. And were you going to report him to the authorities if he
18 didn't cooperate? Is that what you were getting at?

19 A. No, my Lord.

09:43:46 20 Q. Are you a man with a reputation for violence?

21 A. No, people don't know me for that.

22 Q. Were you accused during the war of killing a large number
23 of people in a particular village?

24 A. Yes, I was accused.

09:44:26 25 Q. And what was the village?

26 A. It was Sandiaru.

27 Q. And where is Sandiaru?

28 A. It is behind Kailahun Town and closer to the Guinea border,
29 but it is within the same Kailahun District.

1 Q. And you were accused of having killed up to 50 people or
2 more than 50 people who were trying to escape from Sandiaru to
3 Guinea, weren't you?

4 A. Well, the people were not up to 50. If that was the number
09:45:30 5 they gave you, then I don't think it was up to 50.

6 Q. How many do you say you killed?

7 A. Well, it has taken a long time so I cannot recall the total
8 figure.

9 Q. Give us an estimate?

09:45:57 10 A. Well, that is what I am saying, that if you say 50 then it
11 is too much. It is not up to that number.

12 Q. Give us an estimate?

13 A. It might be more than one dozen people.

14 Q. More than two dozen perhaps?

09:46:27 15 A. No, I said more than one dozen, but not up to two dozens.
16 I didn't tell you that.

17 Q. And Foday Sankoh wanted you dealt with after the war was
18 over for that massacre, didn't he?

19 A. Well, I did not get such an information and Foday Sankoh
09:47:01 20 himself did not tell me anything concerning that.

21 Q. Well, have a look, please, at tab number 10 and I am going
22 to ask you some questions about some of this. Tab number 10 is a
23 document that is said to be information relating to you, witness
24 TF1-532. Do you see that in handwriting near the top of the page
09:47:56 25 in the box at the top?

26 A. Yes, I have seen it.

27 Q. Right. It is to Peter Harrison in the Office of the
28 Prosecutor, it is from Umaru Kamara. Now you know Umaru Kamara,
29 don't you. I hope I am pronouncing his or her name correctly.

1 A. Maybe if I see him I will recognise him.

2 Q. Well, we looked yesterday at an interview with you on what
3 appears to be 25 and 26 July 2007, although it has that date and
4 August on it, and the investigator there was Umaru Kamara and the
09:48:53 5 attorney was the person you know as Mr Nick. We saw those names
6 either yesterday or the day before. Does that help you now?
7 Umaru Kamara, the person who interviewed you with Mr Nick in the
8 middle of last year?

9 A. Yes, I recall, yes.

09:49:21 10 Q. Right. And the information has come through, I am going
11 back to the page now if you look there, at the names at the top -
12 the information has come through John Vernon Berry. Now do you
13 know who Mr Berry is? I don't know if you do.

14 A. Well, maybe I know him, but it's the name, but if the
09:49:43 15 person is here present then I might recognise him.

16 Q. He is a Canadian police officer. Do you know a Canadian
17 police officer who works as an investigator for the Office of the
18 Prosecutor called Mr Berry, or maybe Mr John to you? Do you know
19 such a person?

09:50:13 20 A. Yes, I recall.

21 Q. All right.

22 A. I recall.

23 Q. Now, where it says "Subject" that's all blacked out and I
24 want to take you to the body of the text. The first paragraph

09:50:27 25 reads as follows: "Source said he was informed that this witness
26 was a training commandant in Liberia for all fighters who were to
27 attack Sierra Leone". Is that correct?

28 A. Yes, sir.

29 Q. This is you, "That he came with the first team of fighters

1 that attacked Sierra Leone in the beginning of the war". Is that
2 correct?

3 A. Yes, it's correct.

09:51:05

4 Q. "That after the NPFL fighters were driven out because they
5 misbehaved", is that correct?

6 A. Yes.

7 Q. "That the witness was made battle field commander next to
8 Foday Sankoh", is that correct?

9 A. Yes, it is correct.

09:51:33

10 Q. The next paragraph - sorry?

11 A. I want to make some corrections here. Where they said
12 battle field, it should be battle group, acting battle group, but
13 that battle field is different. There is a little bit of
14 difference.

09:52:00

15 Q. Don't worry too much about the name. The importance is
16 that you were next to Foday Sankoh and when you were acting
17 battle group commander you were next to Foday Sankoh, weren't
18 you?

09:52:28

19 A. Well, I was not the second person if you look at the
20 structure, because you had battle group and then you had battle
21 field.

09:53:06

22 Q. Bear with me for a moment. On 11 March this year, during
23 the course of your testimony Mr Koumjian said to the Court in
24 your presence, "Mr Mongor was one of the top commanders in the
25 RUF and in the AFRC/RUF. He was an area commander. At one point
26 he was the battle group commander acting the number 2 position in
27 the RUF." You didn't correct him when he said that during your
28 evidence, did you?

29 A. Maybe it slipped off my mind, but when you talk about

1 battle group and, looking at the structure, battle group is about
2 the third position.

3 Q. Mr Mongor, you were described by Prosecuting Counsel as
4 acting the number 2 position in the RUF. You were quite happy to
09:53:59 5 hear yourself described in that way, weren't you, in court on 11
6 March?

7 A. I was not happy.

8 Q. So why didn't you object?

9 A. Well, that is what I am trying to tell you. Maybe it
09:54:24 10 slipped off my mind and, if you look at the RUF structure that we
11 had, when you talk about the battle field, the battle field was
12 the second position and the battle group was the third position.

13 Q. Well, accepting for a moment that you were only acting
14 number 3, that is still an extremely high post, isn't it?

09:54:51 15 A. Yes.

16 Q. Close to Foday Sankoh?

17 A. Yes.

18 Q. Right, let us move on through the rest of this paragraph,
19 or the rest of this document. Second paragraph:

09:55:06 20 "At one time the witness was demoted by Foday Sankoh
21 because he killed civilians who were trying to escape from
22 Sandiaru to Guinea."

23 Is that right: That you were demoted by Foday Sankoh for
24 killing civilians who were trying to escape from Sandiaru to
09:55:26 25 Guinea?

26 A. Well, I was not in any position at that particular time to
27 say that I was demoted from a particular position. I was just a
28 front line commander at that particular time and the killing of
29 those people was through an order, so I don't think I was called

1 upon to come and to be demoted from any position.

2 Q. You don't think you were called upon to be demoted? Is
3 that what you are telling us?

4 A. They did not call me to be demoted.

09:56:27 5 Q. So this information that you were demoted by Foday Sankoh
6 is completely wrong, is it?

7 A. They did not demote me at all and I never went through such
8 discussions with Foday Sankoh.

9 Q. Well, you were once the subject of an investigation,
09:56:51 10 weren't you, within the RUF and you came quite close to being
11 executed at one stage, didn't you?

12 A. Yes, at one time I was investigated, but that was not based
13 on the particular subject that you are dealing with now. They
14 were about to kill me for a different subject.

09:57:20 15 Q. A different subject. Well, we will come back to that
16 different subject in due course. Let's concentrate on Sandiaru.
17 When was it that you killed these people in Sandiaru when they
18 were trying to escape from the civil war?

19 A. If I am not mistaken I think it was in 1992, but I can't
09:58:02 20 recall the particular month now.

21 Q. You were acting battle group commander in 1992, weren't
22 you?

23 A. Yes, I was acting battle group commander.

24 Q. It was you who was giving the orders in 1992, wasn't it?

09:58:30 25 A. Repeat, my Lord.

26 Q. It was you who was giving the orders in 1992, wasn't it?

27 A. Which orders, my Lord.

28 Q. You were giving orders to those beneath you from your
29 position as either number 2, as has been said on your behalf, or

1 number 3 as you now claim. You were the one who was giving out
2 the orders to the vast majority of the men underneath you,
3 weren't you? In fact all the men underneath you.

09:59:20

4 A. Yes, I was giving orders to those underneath me whenever I
5 received orders from those who were above me.

6 Q. Did you personally kill these civilians who were trying to
7 flee from the ravages of the civil war?

8 A. I was there myself. That particular time I was there.

9 Q. Now answer the question.

09:59:57

10 A. Yes.

11 Q. How many did you personally kill?

12 A. Well, I cannot recall the figure now because it is
13 something that has taken a long time.

14 Q. What were these people doing when you killed them?

10:00:39

15 A. Those people came from Guinea. We had had instructions
16 because at that time we received information, regarding the
17 border between Sierra Leone and Guinea and the area we occupied,
18 that people were about to move from that side to attack our
19 position, so we were on security alert and we had had

10:01:32

20 instructions that anybody who was coming from that side, coming
21 to our own side, we should deal with that person and we shouldn't
22 spare the person's life. So that was the area the people came
23 from.

24 Q. What people?

10:02:06

25 A. The people about whom you have just spoken. The people
26 that were killed. Those are the people I am talking about.

27 Q. You have told us just now that you were on security alert
28 and that people were about to move from that side, that is the
29 Guinea side, "to attack our position". You are talking about

1 fighters, aren't you, moving from the Guinea side to attack your
2 position? You are not talking about civilians.

3 A. I am talking about fighters, but civilians too had their
4 own roles that they played, because normally it is civilians who
10:03:04 5 come and take information and then carry those information to
6 other people. So we as fighters, we knew that those are the
7 things that normally obtain during a war.

8 Q. These people were not coming from Guinea. They were trying
9 to escape to Guinea. That is right, isn't it?

10:03:36 10 A. Well, I don't know whether they were escaping to go to
11 Guinea and I don't think so, but they were people who came from
12 Guinea.

13 Q. This incident in which you killed a large number, I
14 suggest, of civilians in Sandiaru is well-known, isn't it?

10:04:04 15 A. Yes, people know about it.

16 Q. And they know that these were people, ordinary civilians,
17 trying to run away from the fighters across the border into
18 Guinea. That is what is well-known, isn't it?

19 A. Well, I don't think people knew that those people were
10:04:30 20 trying to escape to go to Guinea.

21 Q. How is it that you killed them, Mr Mongor?

22 A. Well, I said I killed those people because they had come
23 from Guinea. They came from the Guinean side.

24 Q. I asked you how you killed them. Would you answer that,
10:04:59 25 please.

26 A. I used guns to kill them.

27 Q. How many did you personally kill? Try again with that one,
28 please?

29 A. Well, this is what I am trying to tell you. I said the

1 ones that I killed myself, I can't recall the figure because it
2 has taken a long time.

3 Q. Well, give us an estimate?

10:05:47

4 A. Well, I am unable to estimate any figure because it has
5 taken a long time and if I decide to give you any estimate now
6 that you do not have on paper and you have something different I
7 will be telling you something that will not be appealing to you.

8 Q. Don't worry about appealing me. We just want to know the
9 truth. Try the truth, would you, please, Mr Mongor?

10:06:24

10 A. Well, it is not that I am trying to please you, but I have
11 said it is something that has taken a long time so I cannot
12 estimate a figure to you now. I cannot tell you it's so and so
13 number of people. That is what I am trying to tell you.

10:06:48

14 Q. These were civilians. By civilians do you mean men, women
15 and children?

16 A. They were men and women.

17 Q. And children?

18 A. Well, I did not see children.

19 Q. Is that an honest answer, Isaac Mongor?

10:07:29

20 A. Well, I am saying that I did not see children. I am giving
21 you my answer. That was what I said.

22 Q. And you were acting battle group commander at the time,
23 weren't you?

24 PRESIDING JUDGE: I think that is well established.

10:07:57

25 MR MUNYARD: Right:

26 Q. So it was under your orders that these hapless civilians
27 were shot to death. That's right, isn't it?

28 A. I had told you that, yes, it was through my orders, but the
29 orders came from above and I executed it.

1 Q. And who did the orders come from, do you say?

2 A. I said the order came from the leader Foday Sankoh. He was
3 the person that gave the orders.

10:09:00

4 Q. Well, let us try and understand what you mean by that. Do
5 you mean that you had an order from Foday Sankoh as to how to
6 carry out your duties in this particular village near the Guinean
7 border? Are you saying that Foday Sankoh was actually
8 controlling every aspect of where the RUF were fighting?

10:09:28

9 MR KOUMJIAN: Excuse me, that is two questions. I think
10 both may be relevant, but one at a time, please.

11 MR MUNYARD: Thank you, yes, I accept that criticism:

10:09:47

12 Q. Are you saying that Foday Sankoh was - let me go back to
13 that. I will use exactly the same words as before, but I will
14 put them in two separate phrases. Are you saying that Foday
15 Sankoh was actually controlling every aspect of where the RUF
16 were fighting at the time that you committed this atrocity?

10:10:25

17 A. Foday Sankoh was the leader and any information that he had
18 from any particular location, he will give orders to be executed.
19 And that anything that the RUF was doing, Foday Sankoh knew about
20 it.

21 Q. Where was Foday Sankoh at the time that you committed this
22 massacre?

23 A. At that time Foday Sankoh was in Pendembu.

10:10:51

24 Q. What else was the RUF doing? Where else was the RUF, in
25 other words, in Sierra Leone or elsewhere at the time of this
26 particular massacre?

27 PRESIDING JUDGE: Again I think there are two questions in
28 this, Mr Munyard; what else was the RUF doing and where else was
29 the RUF in Sierra Leone.

1 MR MUNYARD: I will clarify what I meant, yes:

2 Q. Where else was the RUF fighting at the time that you
3 carried out this massacre?

4 A. Let him go over that again, my Lord.

10:11:27 5 Q. Where else - in what other parts of Sierra Leone or Liberia
6 or Guinea or anywhere else - was the RUF operating at the time
7 that you carried out these killings.

8 A. We were in Mobai, Pendembu, Baiima, close to the Daru
9 Barracks. We occupied all of those areas.

10:12:07 10 Q. Right. And you were saying that Foday Sankoh was giving
11 orders to the commanders in all of those areas about what they
12 should do? Is that what you're saying?

13 A. Yes, Foday Sankoh controlled all the areas that were under
14 our control. They had commanders there who reported to him and
10:12:37 15 they also received orders from him. There was no controlled area
16 that Foday Sankoh did not exercise his authority over.

17 Q. I see. And you maintain that that is the truth, do you?

18 A. Yes.

19 Q. You told us, page 15 I'm looking at, that the reason that
10:13:04 20 you killed these people is that you were on security alert. Who
21 gave you the security alert? Let me put it this way: Who gave
22 the security alert?

23 A. Well, we had people who were soldiers who patrolled the
24 border area between us and Guinea and they would bring back to us
10:13:51 25 informations. They give us information concerning that. And at
26 times we also used civilians to move across and then get
27 information for us and then we will get more details. So it was
28 based on that that we received reliable information concerning
29 the issue of people planning to attack us.

1 Q. Yes. So it was based on information from civilians and
2 some of your own soldiers at the border that you were told that
3 people in this area, civilians - sorry, that people in this area
4 were going to attack you and it's for that reason that you
10:14:42 5 slaughtered these people, wasn't it; nothing to do with Foday
6 Sankoh?

7 A. I did not just get up one day to kill them. The orders
8 came from the leader and the message later reached him and he was
9 the high command and it was because of the orders that he issued
10:15:16 10 that I carried out the execution of the people.

11 Q. I suggest to you, Mr Mongor, on the basis of what you have
12 told us, that this was simply an operational decision in the
13 field taken by you in the light of intelligence you had received
14 and it was nothing to do with the supreme leader Foday Sankoh.

10:15:39 15 What do you say about that?

16 A. I don't think I would have taken such a decision all on my
17 own without informing the high command, who was the leader, for
18 him to know about it.

19 Q. You didn't have to inform the high command. If you saw a
10:16:10 20 group of civilians who you thought was going to attack you you
21 would just shoot them or burn them or whatever, wouldn't you?
22 You wouldn't have to get in touch with Foday Sankoh before you
23 did that, would you?

24 A. No, I would get in touch with him first because it was an
10:16:36 25 order that was already in existence. So if I came across such an
26 intelligence I would have - I was supposed to inform him that
27 this is the kind of thing that is going on.

28 Q. Do you know what the expression passing the buck means?

29 A. To pass?

1 Q. If you don't know I will put it in a different way. Do you
2 know what that expression means or not?

3 A. Repeat it.

4 Q. I will try it a different way. You are just trying to pass
10:17:22 5 responsibility up to Foday Sankoh for this massacre that you
6 carried out, aren't you?

7 A. I am not trying to blame him.

8 Q. You were solely responsible for these killings, weren't
9 you?

10:17:53 10 A. I did it. I have not disagreed with the fact that I did
11 it.

12 Q. Let's go back to the page, please, and I will start again
13 at the beginning of the second paragraph:

14 "At one time the witness was demoted by Foday Sankoh
10:18:15 15 because he killed civilians who were trying to escape from
16 Sandiaru to Guinea. Source said the civilians killed were over
17 50 in number".

18 Now you disagree with that, don't you, that they were over
19 50 in number?

10:18:39 20 A. Well, I disagree.

21 Q. You have already agreed, however, that the story of the
22 Sandiaru massacre is a well-known story, yes?

23 A. People know.

24 Q. Yes?

10:19:01 25 A. I am not disagreeing with that.

26 Q. And how many people are said to have been killed by you by
27 others? What does the story say about the numbers of people that
28 you killed?

29 A. Well, I have said it here. It was when he said that it was

1 more than 50 people that I said no. I said it is not up to 50
2 people. It's more than one dozen, but in actual fact I cannot
3 estimate any figure now because it has taken a long time, but I
4 told you that it's more than one dozen. That is what I said.

10:19:59 5 Q. What is the story - what does the story say when people
6 talk about this massacre? How many do they say you killed?

7 A. Well, nobody approached me to put it to me that you have
8 killed so and so amount of number of people. They only know that
9 CO Isaac killed people in Sandiaru, but nobody approached me to
10:20:38 10 tell me that I killed so and so number of people, save that I am
11 hearing it here today.

12 Q. Next sentence, "Because of that Foday Sankoh was annoyed
13 and since then he was disregarded", that is you were disregarded
14 by Foday Sankoh and you were replaced by CO Mohamed Tarawalli.

10:21:10 15 Were you replaced by Mohamed Tarawalli?

16 A. Well, Mohamed Tarawalli had his own position. He was the
17 field commander.

18 Q. So you were replaced by Mohamed Tarawalli, were you?

19 A. It was not Mohamed Tarawalli who replaced me.

10:21:48 20 Q. Who were you replaced by?

21 A. Well, at the time I was acting battle group commander in
22 the year 1993, I said I handed over office to Mr Rashid Mansaray.

23 Q. Next sentence, "In 1993, when the RUF was suppressed by
24 government forces, witness was again assigned by Foday Sankoh as
10:22:33 25 area commander for the northern jungle Black Water between
26 Matotoka and Yele, is that correct?

27 A. Yes, that is where I was, but it was not in 1993.

28 Q. Well, in 1993 the RUF was suppressed by government forces,
29 wasn't it?

1 A. Yes, they suppressed us.

2 Q. Captain Strasser's forces, is that right?

3 A. Yes.

4 Q. Were you after that assigned by Foday Sankoh as area
10:23:27 5 commander for the northern jungle?

6 A. Well, it was not in that particular year.

7 Q. I am sorry, when you answer in English I jump in too
8 quickly. When were you assigned to the northern jungle?

9 A. Well, I recall that it was in 1995 that I went to the
10:24:18 10 northern jungle.

11 Q. So what were you doing between the government forces
12 suppressing the RUF in 1993 and 1995?

13 A. Well, I used to engage them in fighting. I was based in
14 Kangama village. That was where I was and sometimes I will move
10:25:03 15 with my troops and we will go towards the Koindu area because
16 they occupied those places. Sometimes I will go and engage them
17 at Dia and that was another town that they occupied. So those
18 were the kind of operations that I was undertaking. Sometimes I
19 will go very close to the Liberian border and some of those areas
10:25:32 20 again were occupied by them and sometimes when we went and hit
21 them we will retreat.

22 Q. So it wasn't immediately after the RUF was suppressed, it
23 was a little time after that, a year or so after that, that you
24 were sent to the northern jungle as area commander. Is that
10:25:59 25 right?

26 A. It was not for a year because it was in 1993 that we were
27 pushed to the border and I have told you that it was in 1995 that
28 I went there.

29 Q. Yes, but when in 1993 were you pushed to the border?

1 A. I don't recall the time.

2 Q. Try, please.

3 A. If I am not mistaken I think it was in late 1993. That was
4 the time we were pushed by the NPRC.

10:26:59 5 Q. And when in 1995 were you appointed area commander of the
6 northern jungle?

7 A. I can say I went to the jungle there at the beginning of
8 1995, early 1995.

9 Q. Thank you, so I was right when I said to you that it was
10:27:40 10 after a year or so from the time that the RUF was suppressed that
11 you were sent to the northern jungle.

12 MR KOUJIAN: Objection. The time period is clear. I
13 think we are just arguing semantics whether 1993 to early 1995 is
14 a year or so.

10:27:59 15 MR MUNYARD: With great respect the witness disagreed with
16 me when I said a year or so. That is why I have had to go
17 through the timing and I am now giving him a chance to agree with
18 me.

19 PRESIDING JUDGE: I will allow the question.

10:28:12 20 MR MUNYARD:

21 Q. Now, Mr Mongor, you have heard all of that exchange and you
22 know the point perfectly well, don't you, that we are talking
23 about? Do you understand the point that we are talking about in
24 these exchanges between counsel and the judges? If you don't
10:28:38 25 then I will explain.

26 A. Repeat it, my Lord.

27 Q. I will explain.

28 PRESIDING JUDGE: I think put your question and we will
29 leave that aside.

1 MR MUNYARD: Thank you, your Honour:

2 Q. I said to you it was a year or so after the RUF was
3 suppressed that you were appointed area commander of the northern
4 jungle. You said no, it wasn't. We then --

10:28:59 5 MR KOUMJIAN: That misstates what the witness said. The
6 witness said no, it was not for a year.

7 MR MUNYARD: Yes.

8 MR KOUMJIAN: Line 9 on the LiveNote.

9 PRESIDING JUDGE: What exactly is the objection,
10:29:22 10 Mr Koumjian? You are saying --

11 MR KOUMJIAN: The witness did not disagree it was a year or
12 so. He said it was not for a year because it was not - this was
13 line 9 of page 24, "Because it was in 1993 and then we were
14 pushed to the border and then it was in 1995." The witness
10:29:36 15 simply gave a more specific answer to the question.

16 PRESIDING JUDGE: Your reply, Mr Munyard, because I am
17 working the arithmetic out in my head here.

18 MR MUNYARD: The witness disagreed with the proposition I
19 put to him. I therefore found it necessary to try and establish
10:29:54 20 whether I was right, or whether I was wrong. It now appears that
21 I was right and I am going to ask the witness again. I am giving
22 him another opportunity to say whether a year or so is correct.

23 PRESIDING JUDGE: I will --

24 MR KOUMJIAN: Then I would ask counsel to define what "or
10:30:14 25 so" means. Does "or so" mean two years, three years?

26 MR MUNYARD: I don't believe for one minute that even
27 Mr Mongor needs me to explain what a year or so means and I don't
28 propose to reply to that objection any further.

29 PRESIDING JUDGE: I will allow the question as originally

1 put. Please put it again.

2 MR MUNYARD:

3 Q. Mr Mongor, it was only a year or so after the RUF were
4 suppressed by Captain Strasser's forces that you were appointed
10:30:46 5 area commander of the northern jungle, wasn't it?

6 A. Before answering that question I would like to say
7 something with my Lord's permission. It is now that you have put
8 the question to me directly that I have got it, because initially
9 you just talked about one year and I said it was not one year.

10:31:19 10 You initially did not talk about "so", but now you are saying "a
11 year or so" and now it means it was either one year, or more than
12 one year or so, more years. So now if that is it, I agree with
13 you. I say yes.

14 Q. Let us move on. What does the reference "Black Water" mean
10:31:45 15 in that paragraph? You were assigned as area commander for
16 northern Jungle and then in quotes "Black Water".

17 A. Well, the Black Water was because it was a water that is
18 black.

19 Q. In other words it describes the area, does it, that you
10:32:15 20 were assigned to?

21 A. Yes, my Lord.

22 Q. Thank you. Did you have a nickname, Mr Mongor, at any
23 stage during or after the civil war?

24 A. I don't think so. My only name is CO Isaac.

10:32:43 25 Q. Were you ever known as the Angel of Death?

26 A. No.

27 Q. Not even after the massacre at Sandiaru?

28 A. No.

29 Q. All right. The next paragraph:

1 "Source said the witness was at this base" - that is the
2 northern jungle - "until 1997 when the AFRC invited the RUF to
3 Freetown. The witness did not go to Freetown. He went to Makeni
4 and was based at Teko Barracks together with his fighters."

10:33:27 5 Now, first of all were you at the base in the northern
6 jungle until the AFRC coup?

7 A. Yes, my Lord.

8 Q. Is it right that after that coup you went to Makeni?

9 A. I went to Makeni and later proceeded to Freetown.

10:33:59 10 Q. And how long did you spend in Freetown during the AFRC
11 period, during the junta period?

12 A. Since I entered Freetown I remained there until the time we
13 left there.

14 Q. When did you go to Freetown?

10:34:39 15 A. I went to Freetown at the time the AFRC coup had taken
16 place. I received an instruction that I should join the
17 soldiers.

18 Q. Right. I just want to get an idea of how long after the
19 coup took place in May of 1997 was it before you went to Freetown
10:35:00 20 to join them?

21 A. Well, I can say almost a week.

22 Q. Right. Were you ever based at Teko Barracks, or a barracks
23 with a name like that?

24 A. Went there when I was initially received by the soldiers.

10:35:38 25 Q. And where is Teko Barracks?

26 A. It is in Makeni.

27 Q. Right. So when the AFRC first invited the RUF to join them
28 in Freetown, you didn't go immediately to Freetown. You went to
29 Teko Barracks at Makeni, is that right?

1 A. Well, the people who were sent to come and receive me, the
2 commander who was amongst them was the one who brought me to Teko
3 Barracks.

4 Q. So it is correct, is it, that when the AFRC first invited
10:36:26 5 the RUF to Freetown you did not go directly there, you went to
6 Teko Barracks at Makeni?

7 A. Well, the direct that you are talking about is what I am
8 trying to explain to you. It was a direction that from there we
9 came to Teko Barracks, but I did not actually come to Teko
10:36:56 10 Barracks to remain there. From there we went to Freetown.

11 Q. No, I am not suggesting that you remained in Teko Barracks,
12 but it is right, isn't it, that when the AFRC first invited the
13 RUF to Freetown you didn't go directly there, you went to Teko
14 Barracks at Makeni where were you welcomed?

10:37:20 15 A. Well, when you talk about the invitation extended to the
16 RUF by the AFRC, that is what I am trying to explain to you.
17 They invited me to go to Freetown. So the people who went to
18 receive me brought me for us to sleep - to pass the night there.

19 Q. Right. So that sentence that we have just looked at, "The
10:37:47 20 witness did not go to Freetown, he went to Makeni and based at
21 Teko Barracks together with his fighters" is correct insofar as
22 it relates to your first movement out of the northern jungle?

23 A. Yes, because when you talk about being based it means that
24 I was based there, but I have told you that I did not go there to
10:38:12 25 be based there.

26 Q. The next page, please, next paragraph, page 4977. The next
27 paragraph: "During the ECOMOG intervention the witness retreated
28 to Kono together with Issa, JPK and others". Is that right?

29 A. Yes, the time we were flushed out of Freetown.

1 Q. "Witness stayed in Kono while Issa, JPK and others went to
2 Kailahun". Is that right?

3 A. Yes.

10:39:02

4 Q. "Later he was joined by Issa, Rambo and other in Kono to
5 advance to Makeni". Is that right?

6 A. No.

7 Q. What's wrong with that?

10:39:24

8 A. The area where you said that I was there when Issa and
9 Rambo came to join us for us to go to Makeni, it is that area
10 that I disagree with, my Lord.

11 Q. Well, let's break it down. Were you later joined by Issa,
12 Rambo and others in Kono?

13 A. Issa did not join me in Kono.

14 Q. Did Rambo join you in Kono?

10:39:48

15 A. Rambo was in Kono, but Issa had gone across the Moa.

16 Q. Don't worry about Issa. We've dealt with him. Rambo was
17 in Kono with you, is that right?

18 A. Rambo came to Kono.

19 Q. Thank you. And did other people come to Kono to join you?

10:40:16

20 A. Other people like who?

21 Q. Any others, Mr Mongor?

22 A. I saw Rambo come with some men when they came to Kono.

23 Q. Right, thank you. And did you advance to Makeni from Kono?

24 A. No, my Lord.

10:40:43

25 Q. Where did you go?

26 A. Well, I was in Sewafe Town.

27 Q. Yes. Did you at any stage go to Makeni after Kono? Think
28 about it?

29 MR KOUMJIAN: Can I just ask, and I hope this is helpful to

1 the Defence, if the witness is simply asked has he ever been to
2 Makeni since Kono as opposed to after I believe he would
3 understand the question to mean at any time and not immediately.

4 MR MUNYARD: I am sure the witness has heard that:

10:41:29 5 Q. What do you say to Mr Koumjian's intervention, Mr Mongor?

6 A. Repeat, my Lord.

7 MR MUNYARD: I will let Mr Koumjian put the idea to you.

8 PRESIDING JUDGE: Let us not quibble about this.

9 MR MUNYARD: I will quote from the transcript if you wish,
10:41:55 10 if I can just stop the tape for a second:

11 Q. Mr Mongor, have you ever been to Makeni since Kono, which
12 is actually what I was asking you when I was asking you the
13 question? Have you been to Makeni since Kono?

14 A. After we arrived in Kono I did not move from there again to
10:42:35 15 go to Makeni during that intervention.

16 JUDGE LUSSICK: Well, that does not answer your question.
17 As I understand it, you are asking him has he ever been to Makeni
18 at any time since Kono.

19 MR MUNYARD: Yes, yes:

10:42:57 20 Q. You heard the Learned Judge, Mr Mongor. Have another go at
21 answering that, please?

22 A. The way I understand you is that you are now talking about
23 the intervention time when we were pushed out of Freetown when we
24 had gone to Kono. I am saying that when we had arrived in Kono I
10:43:22 25 did not move from Kono again to go to Makeni. That is what I am
26 trying to tell you.

27 Q. I don't think you are going to get help by looking over at
28 the Prosecution benches. Would you look, please, at the judges
29 when you are answering questions. It's to them that you are - it

1 is to them that you ought to direct your evidence?

2 A. I am not looking at them, my Lord. I am not looking at
3 them.

10:43:55

4 Q. Mr Mongor, are you saying that after Kono you never went to
5 Makeni; yes or no?

6 A. Yes, the time we retreated from Freetown and got to Kono I
7 never left Kono to go to Makeni.

8 Q. Okay, that's clear enough. All right.

10:44:28

9 PRESIDING JUDGE: I just want to be clear what we are
10 talking about here. The way the question was phrased it appears
11 to be did you ever, since the time you left Kono, up until today,
12 go back to Makeni. He's talking about the time into the
13 intervention which I think is a recognised date. Now what are we
14 talking --

10:44:49

15 MR MUNYARD: With respect, your Honour, the chronology, the
16 time scale, that we are looking at in this particular paragraph
17 is the intervention, his retreat to Kono, his being joined at
18 Kono --

19 PRESIDING JUDGE: By Rambo.

10:45:05

20 MR MUNYARD: -- by Rambo and others and then did he ever go
21 after that. Now I am not talking about since the end of the
22 civil war. I am talking about any time after that.

23 PRESIDING JUDGE: Well, that's where it wasn't clear to me.

10:45:20

24 MR MUNYARD: Well, it was actually Mr Koumjian who
25 introduced the idea of did you ever go. I am talking --

26 PRESIDING JUDGE: As long as your question is answered and
27 we have a record we will move on.

28 MR MUNYARD: I am happy to move on:

29 Q. Next sentence, please: "They captured Makeni from the

1 ECOMOG". Did the RUF, or the SLA, or the AFRC, or a combination
2 of any of them capture Makeni from the ECOMOG after the
3 intervention?

4 A. Yes.

10:46:04 5 Q. Thank you. I am carrying on with the sentence, "And later
6 the witness went to Lunsar". Did you later go to Lunsar?

7 A. I went to Lunsar.

8 Q. Thank you. And then it goes on, "And was later lifted to
9 Freetown by UNAMSIL", that's the United Nations, "to broker

10:46:36 10 peace". Were you taken by the UN to Freetown to help take part
11 in peace talks, or discussions, or activities?

12 A. Repeat, my Lord.

13 Q. Very well. Were you later taken to Freetown by UN troops
14 or UN personnel to assist in establishing peace?

10:47:13 15 A. It was not the UN that took me, that carried me.

16 Q. Who was it?

17 A. I recall that I went to Freetown for peace programmes at
18 the time they had signed the Lome Peace Accord. That was the
19 time Foday Sankoh took me to join him to go to Freetown.

10:47:44 20 Q. It is right, isn't it, Mr Mongor, that at some point in the
21 year 2000 you went with a deputy UN commander to try to negotiate
22 the release of hostages? That's correct, isn't it?

23 A. Yes.

24 Q. Final paragraph, please: "Following the June the 16th
10:48:17 25 crisis at the residence of Foday Sankoh at Spur Road Freetown the
26 witness was arrested and detained at Pademba Road Prison". I
27 will read the rest in due course, but - now, was there a crisis
28 at the residence of Foday Sankoh?

29 A. Well, I was not there.

1 Q. No, I didn't ask you that. Was there a crisis at the
2 residence of Foday Sankoh at Spur Road in Freetown?

3 A. I wouldn't know that because I was not there. At that time
4 I had been arrested and put in jail.

10:49:06 5 Q. So you do know because you can tell us the time that you
6 were in jail, yes? Well, let me put this in another way. When
7 you were in jail that didn't stop you hearing about things, did
8 it?

9 A. I never had access to the outside.

10:49:27 10 PRESIDING JUDGE: Mr Witness, that doesn't really answer
11 the question. Did you hear about an incident whilst you were in
12 the prison at Pademba Road?

13 THE WITNESS: Yes, I heard about what happened.

14 MR MUNYARD:

10:49:46 15 Q. Thank you. And who did you hear about it from?

16 A. I heard it from the prison officers whilst they were
17 discussing it. They did say that something was happening at
18 Foday Sankoh's residence. That was what I heard the prison
19 officers talking.

10:50:16 20 Q. Thank you. And presumably you met many of the people who
21 had been brought into the same prison arrested during the crisis
22 at the residence of Foday Sankoh. Is that right?

23 A. I saw people who were arrested, yes.

24 Q. So you heard all about it from them, did you?

10:50:42 25 A. I heard it.

26 Q. Yes. You don't have to see it with your own eyes to learn
27 that something has happened, do you, Mr Mongor?

28 MR KOUMJIAN: Objection. Objection. It's irrelevant.

29 PRESIDING JUDGE: It's an observation. Mr Munyard, put a

1 question, please.

2 MR MUNYARD: Yes, I will move on:

3 Q. You were detained at Pademba Road Prison for quite some
4 time and later released, weren't you?

10:51:14 5 A. Yes, my Lord.

6 Q. Are you now a pastor living in Freetown? I am looking at
7 the last sentence, "Source said he was informed the witness is
8 now a pastor living in Freetown?"

9 A. Well, I have not yet got a certificate, but I am trying to
10:51:41 10 become one because I am learning.

11 Q. Right. So just go back to the date that is given there in
12 that paragraph of the crisis at Foday Sankoh's residence. The
13 date in here is 16 June. Now, are you able to tell us, from any
14 information you have received, what date you understand the

10:52:03 15 crisis at Foday - well, what date or dates you understand there
16 to have been any crisis at Foday Sankoh's house in Spur Road?

17 A. Well, I later understood from the people who they brought
18 and what I heard from them, they said that it was in May and at
19 that time I had been put in prison and it was in that same May
10:52:49 20 that they brought people who said they saw groups of people who
21 went to Foday Sankoh's house. They went there and fought. They

22 said they went there and started shooting. The people who they
23 brought, that was what they told me and as a result of that they
24 jumped into the bush, and there was one man amongst them who was

10:53:18 25 called Momoh Rogers who showed me a mark on his legs and he said
26 to me that it was a bullet that entered his leg, that was a
27 bullet mark. So that was how I came to know about what happened
28 at Foday Sankoh's house. They said it was a shoot out and
29 fighting that took place there.

1 Q. Right.

2 A. So when they brought those people to prison that was what
3 they explained to me.

10:53:50

4 Q. So you would say, would you, that the date there of 16 June
5 may not be correct?

6 A. No, I know about May.

10:54:26

7 Q. Thank you. So almost everything in this document
8 containing information you agree with. What you disagree with is
9 that over 50 civilians were killed by you at Sandiaru and you
10 disagree that you were second to Foday Sankoh, you say you were
11 third, and you weren't replaced by Mohamed Tarawalli, and nor did
12 you go to Makeni after you had retreated to Kono following the
13 intervention, and nor were you taken by United Nations people to
14 Freetown to take part in peace, but somebody else. Otherwise you
15 agree - and the date of the 16th is wrong. Otherwise you agree
16 with the information in this document, is that correct?

10:55:00

17 A. I want you to go over that again, please.

18 Q. I am just trying to do it in summary form. I don't want to
19 spend long on it.

10:55:27

20 PRESIDING JUDGE: I think, Mr Munyard, the record speaks
21 for itself.

22 MR MUNYARD: All right:

10:55:39

23 Q. Mr Mongor, do you understand that the judges already have
24 enough information about this and we are now going to move on to
25 something else?

26 A. Okay.

27 Q. Yes?

28 A. I said all right, sir.

29 Q. I just want to ask you --

1 PRESIDING JUDGE: Yes, Mr Munyard, please proceed.

2 MR MUNYARD:

3 Q. When you were in prison and you were told about this crisis
4 at Foday Sankoh's, were you told that by Foday Lansana, also
10:56:12 5 known as CO Nya?

6 A. Well, all the people who came brought their own version of
7 stories. Anybody who was arrested and brought, he will explain
8 his. It was not just one person. I spoke to different people.

9 Q. Yes, did you speak to Foday Lansana, also known as Nya? I
10:56:50 10 am talking about when you were in prison.

11 A. I talked to Foday K Lansana later.

12 Q. When you were in prison, or after you came out of prison?

13 A. No, when I was in the prison, but when they brought him I
14 was not staying with him in the same cell.

10:57:17 15 Q. What about Abu Keita? Did you talk to him?

16 A. Abu Keita was not in there.

17 Q. Did you talk to him when you came out of prison?

18 A. I saw Abu Keita when I came out of prison.

19 Q. And what did Abu Keita tell you he was now doing?

10:57:53 20 A. No, he did not tell me that he was doing any specific
21 thing, because where I normally go to church he was living around
22 that area and so it was just one day that I was going to church
23 that I met with him.

24 Q. How was it that you met with him, because he wasn't in the
10:58:15 25 RUF, was he?

26 MR KOUMJIAN: Can we just clarify, are we talking about
27 when he met him after prison or before prison?

28 MR MUNYARD: At the moment we are talking about when he
29 goes to church.

1 THE WITNESS: Yes, I said Abu Keita was living around that
2 area. That is as Ascension Town, so whilst I was coming from
3 church one day we met on the way and he told me that he lives
4 around that Ascension area and then I told him that, "This is my
10:58:57 5 church, this is the church that I attend", so I saw him.

6 Q. Yes, how was it that you happened to get into conversation
7 with this man in the first place?

8 A. I am talking about the Sunday that I was coming from
9 church. That was the day I spoke with that man after I had come
10:59:27 10 out of prison.

11 Q. Mr Mongor, I will be corrected if I am wrong, but I don't
12 believe that Abu Keita would be likely to be going to the church,
13 would he?

14 MR KOUMJIAN: Objection. That is irrelevant. That is not
10:59:41 15 what the evidence was.

16 MR MUNYARD: Right.

17 PRESIDING JUDGE: The subtlety of this is lost on me,
18 Mr Munyard. My understanding is he met him in a way --

19 MR MUNYARD: I would be grateful if you didn't give him any
10:59:56 20 lead.

21 PRESIDING JUDGE: All right, but he says he met him when he
22 came out of church.

23 MR MUNYARD:

24 Q. Abu Keita, had you ever met the man before this occasion
11:00:05 25 when you meet him coming out of church?

26 A. Do you mean before I went to prison? Is that what you are
27 trying to ask me? Because I want to get it clearly so that I
28 will be able to answer.

29 Q. Had you ever met him at any time before you met him on this

1 occasion when you come out of church, after you have been
2 released from prison?

3 MR KOUMJIAN: Then I understand that question to mean from
4 the time he was released from prison until he met him coming out
11:00:45 5 of church. That is the way the question reads to me and I
6 believe it is vague.

7 PRESIDING JUDGE: It means something different to me, so
8 let us clarify it.

9 MR MUNYARD: Let us see what it means to the witness.

11:00:56 10 MR KOUMJIAN: Well, there is a problem. If the question is
11 vague, we cannot understand the answer.

12 PRESIDING JUDGE: You can follow it up in
13 cross-examination, or counsel may follow it in cross-examination,
14 but it has been put that way and I will allow it even if you and
11:01:11 15 I both have reservations, Mr Koumjian. Please repeat the
16 question, Mr Munyard. I think it has got lost.

17 MR MUNYARD:

18 Q. Had you ever met Abu Keita at any time before this occasion
19 when you came out of church and fell into conversation with him?

11:01:47 20 A. I met him before I got the problem that sent me to prison,
21 but after my prison that was the first day that I met with him
22 again. That was coming from church.

23 Q. Right, and Abu Keita told you that he was now working with
24 the Office of the Prosecutor, didn't he?

11:02:22 25 A. He did not tell me that.

26 Q. Has he ever told you that?

27 A. He never told me that, not a day.

28 Q. You have told this Court that you are training to be a
29 pastor and you have sworn an oath on the Bible before giving your

1 evidence, haven't you?

2 A. Yes, my Lord.

3 Q. I am going to ask you this question one more time. Has Abu
4 Keita ever told you that he was working with the Office of the
11:03:00 5 Prosecutor for this Court?

6 A. My Lord, the time I met that man he did not tell me that to
7 say that, "I, Abu Keita, am at the Special Court. I am working
8 with the Special Court."

9 Q. Tab number 3, please, page 23038. Now, do you have that
11:04:02 10 page in front of you, Mr Mongor, 23038 in the top right-hand
11 corner. It is actually the last page in that tab. Do you see it
12 there now, Mr Mongor?

13 A. Yes, I have seen it.

14 Q. Starting at the top of the page, "Abu Keita, he is a
11:04:33 15 Liberian ULIMO rebel. He went to fight alongside RUF in Sierra
16 Leone but was not sent by Charles Taylor." Then in brackets,
17 "Mongor says Keita is now working with OTP and lives in
18 Freetown." Is that what you told the investigators in the course
19 of this interview?

11:04:58 20 A. Yes, I told the investigators, but --

21 Q. On 17 September 2006?

22 A. I told the Prosecutors something concerning that, but the
23 day, the first day - that day I met him was not the day that he
24 told me that he was working with the Special Court. That is what
11:05:28 25 I want to tell you, my Lord.

26 Q. Right, so when did he tell you he was working with the
27 Special Court?

28 A. He told me later. It was later that he told me, when I
29 went to his house in that same Ascension Town.

1 Q. On page 42 of today's transcript I asked you this question,
2 "Has Abu Keita ever told you that he was working with the Office
3 of the Prosecutor for this Court?", and you said, "The time I met
4 the man he did not tell me that to say that, 'I, Abu Keita, am at
11:06:26 5 the Special Court'." Why didn't you say, "He didn't tell me that
6 day, he told me later"?

7 A. I gave you that answer because of the way you asked me the
8 question. You asked me about the time that I had been set free
9 from prison when I met with Abu Keita and then I told you that on
11:06:57 10 a Sunday I was coming from church then I met with him and then he
11 later asked me whether he had told me that he was working with
12 the Special Court and I said no, at that time he did not tell me
13 that he was working with the Special Court. He did not tell me
14 that.

11:07:13 15 Q. Mr Mongor, what does the word "ever" mean to you when you
16 are asked the question, "Has Abu Keita ever told you that he was
17 working with the Office of the Prosecutor"?

18 A. The first time I was released from prison when I met with
19 that man he did not tell me that he was working with the Special
11:07:44 20 Court.

21 Q. Same page, please, 23038, four names down - no, we will do
22 three names down first of all. After the part we have just
23 looked at where it says, "Mongor says Keita is now working with
24 OTP and lives in Freetown" there is then a name CO Quick to Fire
11:08:14 25 that was put to you and you didn't know, then another name that
26 you said you didn't know and then Zigzag Marzah and this is how
27 the note reads: "Zigzag Marzah: Marzah was NPFL. Mongor never
28 heard of him being in Sierra Leone. Mongor knew him in Liberia
29 but hasn't seen him since 1991". Now in September of 2006 is

1 that right that you hadn't seen him, Zigzag Marzah, since 1991?

2 A. 1991 I did not see Zigzag Marzah in Sierra Leone.

3 Q. No, move on from Sierra Leone and look again at that part
4 of that page. After the word "Sierra Leone" a new sentence

11:09:08 5 starts, "Mongor knew him in Liberia but hasn't seen him since
6 1991". Was that true in September of 2006 when you were being
7 interviewed that you hadn't seen Zigzag Marzah since 1991?

8 A. When I talked about since 1991, that was the time I left
9 Liberia and since then I did not see him again.

11:09:41 10 Q. Right. And have you ever seen him since this interview in
11 September 2006 anywhere in the world?

12 A. I saw him, I think it was in 2006.

13 Q. Are you able to help us with when in 2006?

14 A. I said it was not in 2006 that I saw him.

11:10:25 15 Q. It may be me but I thought you just said, "I think it was
16 2006" and now you're saying it wasn't?

17 PRESIDING JUDGE: Mr Interpreter, what exactly did the
18 witness say in answer to the last question and what did he said
19 say in answer to the previous question?

11:10:44 20 THE INTERPRETER: Your Honours, that is exactly what he
21 said.

22 MR MUNYARD: All right:

23 Q. I will try one final time. Have you seen Zigzag Marzah
24 anywhere in the world since 1991 up to the present day?

11:11:12 25 A. In 1991 I saw him and then I left Liberia. Since then I
26 did not see him until this year.

27 Q. Right. And where was it that you saw him this year? I
28 don't want an address, I just want to know first of all the
29 country where you saw him?

1 A. I saw him in Sierra Leone.

2 Q. All right. And have you seen him in any other country?

3 A. No, I have not seen him in any other country except Sierra
4 Leone.

11:12:01 5 Q. Have you seen him in this country, the Netherlands,
6 Mr Mongor?

7 A. No, I did not see him here.

8 Q. Next name on that same page, "Varmoya Sherri ff also known
9 as Godfather". That name was put to you and the notes record
11:12:25 10 your answer as follows: That you know a person called Godfather
11 who was a special force, a Liberian, who you believe now to be
12 deceased. Is that right? Did you know a person called Godfather
13 who was a special force, a Liberian, who you now believe to be
14 deceased?

11:12:55 15 A. Yes, I know Godfather.

16 Q. Was he - sorry?

17 A. I know about him.

18 Q. Was he a Liberian special force who is now dead?

19 A. Yes, Godfather was a Liberian.

11:13:14 20 Q. And do you know how he is said to have died?

21 A. I don't know.

22 Q. Do you know when he is said to have died?

23 A. No, I don't know that.

24 JUDGE SEBUTINDE: Mr Munyard, it's not clear. The witness
11:13:37 25 has not answered the question whether he actually said this man
26 died. And the way he is continuing, it is not clear to me
27 whether he agrees with you that he has died or it is just a
28 suggestion that comes from you.

29 MR MUNYARD: No, it certainly isn't coming from me.

1 JUDGE SEBUTINDE: He didn't answer that particular
2 question.

3 MR MUNYARD: I am just dealing with what is on the printed
4 page. I will try again on that:

11:14:02 5 Q. Mr Mongor, look at the printed page, the section dealing
6 with Varmuyan Sheriff also known as Godfather. You have agreed
7 that you did know someone who was a Liberian special force called
8 Godfather. We have established that. Do you know if that person
9 is alive or dead?

11:14:28 10 A. Well, I got an information that he died, but I don't know
11 whether he actually died or not.

12 Q. Very well. Did you tell the investigator in September 2006
13 that the Godfather you know was now dead?

14 A. I said that was the information that I got.

11:15:01 15 Q. Very well. It goes on to say that you never knew of him to
16 fight in Sierra Leone or act as a liaison, et cetera. So were
17 you being asked questions by the investigator about Godfather?

18 A. Yes, they asked me about Godfather.

19 Q. Now, is this right: You claim to have known Sam Bockarie
11:15:41 20 quite well?

21 A. Yes, I knew Sam Bockarie.

22 Q. And you claim that Sam Bockarie told you of trips he had
23 made to see Charles Taylor in Monrovia, don't you?

24 A. Yes.

11:16:07 25 Q. Did Sam Bockarie ever tell you when was the first trip that
26 he made to see Charles Taylor in Monrovia and how he went to see
27 Charles Taylor that first time?

28 A. Well, he did not explain to me that this was what he did or
29 that was what he did. The only thing that he explained to me was

1 that he went to Liberia and when he returned - when he went to
2 Liberia he met with Mr Charles Taylor. That was what he
3 explained to me, but he did not actually explain to me that,
4 "This was how I went to Liberia" or what or whatnot.

11:17:09 5 Q. So Sam Bockarie never in any of the conversations he had
6 with you told you that he had first been taken to Liberia to meet
7 Charles Taylor by a man called Varmuyan Sherif. Is that right?

8 A. My Lord, I can't recall that, because all of the things
9 that we are talking about here and we are explaining here are
11:17:46 10 events that took place a long time ago, so I cannot recall
11 everything this moment.

12 Q. When you were based in the northern jungle between 1995 and
13 '97 were you in regular contact with Sam Bockarie?

14 A. Yes, at the time I was in the northern jungle I was in
11:18:13 15 contact with him.

16 Q. When you were part of the AFRC - I want to get the name
17 right, I think it's Supreme Council, but I will be corrected if I
18 have got that wrong. When you were a member of the ruling body
19 of the junta were you in regular contact with Sam Bockarie?

11:18:42 20 A. Yes, I was in contact with him.

21 Q. After the intervention when you were pushed out of Freetown
22 and up to the time before the invasion of Freetown in January
23 1999 were you in regular contact with Sam Bockarie?

24 A. Yes, I was in contact with him.

11:19:08 25 Q. And he never during any of those periods of time told you
26 about the circumstances in which he first came to meet Charles
27 Taylor?

28 A. Well, the contacts that I had with Sam Bockarie at that
29 time were not just to ask him about some other things, because by

1 then I was in the field. It was not actually too much of a
2 concern to me to ask him about what his movements were.

3 Q. Tab 1, please, page 23025. Mr Mongor, when you were
4 telling us this morning about the killings that you carried out
11:20:16 5 of civilians in Sandiaru you mentioned that there was an occasion
6 on which you had been yourself disciplined, if that's the right
7 word, within the RUF. Do you remember saying there was a time
8 when you were charged with something? Do you remember telling us
9 that?

11:20:41 10 A. Yes, I remember that I told you that I was investigated
11 with regards specific things.

12 Q. Yes, what were the specific things? Don't look at the
13 screen at the moment, just look at the judges and tell them?

14 A. In 1993 I was accused that I connived with government
11:21:29 15 troops, that is the soldiers, and I was arrested.

16 Q. Yes?

17 A. So I was arrested and I was put in jail in Kailahun.

18 Q. And how long were you in jail?

19 A. Well, I was in there for over one week.

11:22:00 20 Q. And what happened to you?

21 A. Well, an investigation board was set up and they carried
22 out the investigation and then they later found out that it was a
23 lie and that I never had any business with the government troops,
24 so I was released.

11:22:33 25 Q. And how close to your punishment was it when you were
26 released?

27 A. Well, I was in the jail for almost two weeks. They were
28 even about to come and pick me up and then go and kill me, but
29 that was the time the information reached Pa Sankoh when Pa

1 Sankoh said that nobody should be taken out of the jail to be
2 killed and it was at that time Pa Sankoh said that they should
3 set up an investigation board to investigate people and at that
4 time there was a brother called CO Francis who was one of the
11:23:27 5 IDUs. They set up an investigation board and then I appeared
6 before the investigation board.

7 So the person who had actually accused me that I had
8 business with the government troops, the person later came in
9 front of them and then confirmed to them that I had nothing to do
11:23:48 10 with that. And it was during that period that the NPRC were
11 advancing on us, so I was set free from that problem and then I
12 was sent to the front line.

13 Q. Well, were you given any sort of hearing? Were you given
14 any kind of trial before they were about to come and pick you up
11:24:23 15 and go and kill you?

16 A. No, at first I was not tried. They had already trusted the
17 information. So they came, they took me - they had already tied
18 me up and then they took me along.

19 Q. Right. And then someone came along and rescued you, CO
11:24:52 20 Musa - CO Francis?

21 A. It was not Francis who saved me. It was the battle group
22 that received a message and the message was that the people who
23 were in jail must be investigated.

24 Q. Right. You were then investigated. What happened to the
11:25:17 25 man who wrongly accused you in the first place?

26 A. Let him say that again, my Lord.

27 Q. You said that, "The person later came in front of the
28 investigation board and confirmed to them that I had nothing to
29 do with that, the conniving, and I was set free". What happened

1 to him, the person who came in front of the investigation board
2 and confirmed that you had nothing to do with it?

3 A. He was killed.

4 Q. Just him, or others?

11:26:10 5 A. They killed him together with other people.

6 Q. How many others?

7 A. Well, I can't give you any specific number, but it included
8 Foday Sankoh's girlfriend who was Janet. They were all involved
9 in that problem of connivance.

11:26:42 10 Q. No, how many people were killed because of wrongly accusing
11 you of connivance?

12 A. Well, I said they killed many people, but the particular
13 man that I am talking about was the battle group commander and he
14 was the person who falsely accused me and he said I was involved

11:27:16 15 in the connivance for which we were arrested. And later he was
16 the same person who came before the investigation board and
17 confirmed that he will be ready to die but I will not want this
18 man - this man's blood be shed for nothing. But in actual fact
19 the things we have gathered here for, this man does not know

11:27:53 20 anything about it. So those people who were actually involved
21 were later killed together with him.

22 Q. Yes, but were they investigated before they were shot and
23 killed; the one who had wrongly accused you?

24 A. Well, he was also a member of the investigation board and
11:28:20 25 then when he proved to them that I was not involved I left and
26 went to the front line and I heard later that he was killed and
27 that his corpse was lying on the ground in Kailahun Town there
28 for over three days.

29 Q. Was he, as far as you knew, also given an investigation, or

1 was he simply killed for having wrongly accused you?

2 JUDGE SEBUTINDE: Mr Munyard, I don't understand this man
3 to have been killed for wrongly accusing the witness, but rather
4 for confessing to conniving along with the six people, it would
11:29:00 5 seem to me. I don't think he was given the death penalty for
6 wrongly accusing the witness, but rather for conniving.

7 MR MUNYARD: I see your Honour's point.

8 JUDGE SEBUTINDE: It appears to me.

9 MR MUNYARD: I see your Honour's point. I am looking at --

11:29:16 10 JUDGE SEBUTINDE: Am I wrong?

11 THE WITNESS: They killed him because he connived, but it
12 doesn't mean that it was because of the wrong accusation against
13 me that I was involved and later he confessed that I was not
14 actually involved. He was not killed because he confessed that I
11:29:44 15 was not involved. It was when they found out that he was also
16 involved in the connivance that he was killed.

17 MR MUNYARD: I see, thank you.

18 PRESIDING JUDGE: I think that's a convenient point,
19 Mr Munyard. We will now take the mid-morning break, Mr Witness.
11:30:01 20 We are going to adjourn the Court until 12 o'clock. Please
21 adjourn court.

22 [Break taken at 11.30 a.m.]

23 [Upon resuming at 12.00 p.m.]

24 PRESIDING JUDGE: Yes, Mr Munyard, please proceed.

12:01:33 25 MR MUNYARD: Thank you, your Honour:

26 Q. Now, Mr Mongor, I want to ask you please about other
27 incidents of the killing of civilians. Were you involved
28 yourself in any other incidents of killing civilians apart from
29 the one that you were talking about that we were looking at

1 earlier in Sandiaru?

2 A. Yes. I can say yes, because I was fighting war and the
3 places where I was fighting it is possible that civilians will
4 die.

12:02:32 5 Q. I am not asking about if it's possible. I'm asking about
6 other incidents when you were personally involved in killing
7 civilians. Are there any other examples that you can give us of
8 you being personally involved in killing civilians?

9 A. I can only recall something that happened in Kono District,
12:03:10 10 that was Kissy Town, and the people we captured there, they were
11 Kamajors and then we killed them and I was also involved in that
12 attack.

13 Q. So did you personally kill people in Kissy Town that you
14 had captured?

12:03:35 15 A. I killed people.

16 Q. And how did you kill them?

17 A. Well, I killed them at the time we attacked the place. It
18 was during the attack that I killed people. We burnt the place.

19 Q. You personally?

12:04:16 20 A. Yes, I did it myself.

21 Q. What, set fire to houses with people in them?

22 A. Well, I set fire to houses, but there were not people
23 inside. I can't recall that people were inside houses that I set
24 fire to.

12:04:49 25 Q. Well, you just said, "I killed them at the time we attacked
26 the place. It was during the attack that I killed people. We
27 burnt the place." I was asking you about killing and in the
28 context of you killing people you said, "We burnt the place."

29 A. Yes, then I said we burnt the place, but it doesn't mean

1 that people were inside the houses.

2 Q. So did you deliberately burn people's houses?

3 A. I did it.

12:05:42

4 JUDGE SEBUTINDE: Mr Munyard, I wonder if we could have a
5 time frame, some kind of time frame for this, please.

6 MR MUNYARD: Certainly. I'm talking about the whole of --

7 JUDGE LUSSICK: I'm sorry, Mr Munyard, but while you're at
8 it I would be curious to know as to how this witness knew that
9 the people that he had killed were Kamajors.

12:05:59

10 MR MUNYARD: I was in fact going to go back to that whole
11 issue, your Honour, but I will deal with it now.

12 JUDGE LUSSICK: Well, in your own time.

13 MR MUNYARD: All right. If I can I will just deal with the
14 burning of houses at the moment:

12:06:14

15 Q. How do you know that people were not inside the houses that
16 you burned?

17 A. Well, because when the houses were burning I did not see
18 anybody running out of the houses, so that was how I knew that
19 there was nobody in there.

12:06:38

20 Q. But you don't know if there were people in those houses who
21 were sick, or asleep, or unable to walk, or babes in arms who
22 couldn't walk because they were too young, do you?

23 A. Well, I don't know.

12:07:10

24 Q. So you're telling this Court that you personally killed
25 people and that you personally burnt people's houses, but - well,
26 is that right, first of all, that you personally killed people
27 and personally burnt houses?

28 A. Yes.

29 Q. And you're also telling this Court that you never saw

1 anyone running out of a burning house and so you assumed that you
2 didn't actually burn anyone to death that way? Is that what
3 you're telling this Court?

4 A. That is what I told the Court, yes, I did not see anybody.

12:07:50 5 Q. Did you see anybody running out of burning houses that you
6 personally had not set on fire?

7 A. It's possible it can happen.

8 Q. No, did you see it?

9 A. Well, I did not see it that moment.

12:08:23 10 MR MUNYARD: Your Honour, I don't think I have dealt with
11 the time question that you raised:

12 Q. I am talking about the whole of the civil war. During the
13 whole of the civil war. Do you understand? I am asking you
14 about your involvement in killing, in the destruction of houses
12:08:47 15 and villages and I want to know all the occasions that you can
16 think of when you personally were involved in killing people, or
17 destroying their houses by fire or other means. Do you follow?

18 A. I understand.

19 Q. Right. Now tell us about incidents when you saw houses on
12:09:17 20 fire with people running out of them?

21 A. Well, I did not see that. I did not see it during the war.

22 Q. Never?

23 A. I said I did not see it happen in my presence during the
24 war. I am not saying that it did not happen at all, but in my
12:09:47 25 presence I did not see it happen.

26 Q. I am only asking you about your presence, Mr Mongor, and
27 from March of 1991 until the peace was finally declared in,
28 I believe, early 2002 you are saying you never saw a single
29 person run out of a burning building that had been set on fire by

1 your troops, or troops associated with you. Is that your honest
2 evidence?

3 A. Yes, my Lord. I said it did not happen in my presence.
4 I did not see it, but I am not disagreeing with the fact that it
12:10:42 5 did not happen at all.

6 Q. Did you ever order your troops to burn houses?

7 A. Yes, I ordered my troops.

8 Q. Whether or not there were people in them, is that right?

9 A. Yes, my Lord.

12:11:08 10 Q. And why did you order your - sorry, these are the houses of
11 civilians, is that right?

12 A. Yes, they were houses of civilians, but when enemies
13 settled there and when we fought against the enemies we would
14 make sure that we made the place very inconvenient so that the
12:11:47 15 enemy will not be able to come and reoccupy that area.

16 Q. What does the phrase, "We would make the place very
17 inconvenient" mean in real terms? How did you make a place very
18 inconvenient for the enemy?

19 A. For instance, when we burnt down towns and villages that
12:12:34 20 will not allow enemies to come and settle there again.

21 Q. And you ordered your troops to burn these houses and
22 villages regardless of whether there was anyone inside them, is
23 that right?

24 A. Well, I gave orders and at any time we attacked a place
12:13:05 25 that I knew enemies were present I will order them to do it.

26 Q. Regardless of whether ordinary civilians were inside these
27 houses. That is what I am asking. Is that right?

28 A. Well, I will not just go and check whether civilians are
29 there and then give orders that they should burn down the houses.

1 Q. You just gave orders that they should burn down the houses,
2 period, didn't you?

3 A. Yes.

12:14:05

4 Q. You didn't care whether there was anybody inside, men,
5 women, or children, did you?

6 A. I did not care in the sense that that particular area was
7 occupied by the enemy, so we were going there to attack the
8 enemies, so anybody who was there was considered to be an enemy.

12:14:44

9 Q. So if some peasant villager living with their family in an
10 area that government troops or Kamajors came into was still in
11 their house you would burn down that house simply because
12 government troops, or the Kamajors, were in the area?

13 A. Yes, that is what I am saying.

12:15:18

14 Q. Even though the villagers would have no control over
15 whether or not government troops, or Kamajors, were in their
16 area, is that right?

17 A. Yes.

18 Q. Back to Kissy Town where you killed people.

12:15:55

19 A. Okay. The people I killed there, I was very sure that they
20 were with the Kamajors there and even some of them had on the
21 Kamajor uniforms, that is the country clothes that is normally
22 called ronko that the Kamajors used to wear. So when we saw them
23 we considered them all as enemies.

12:16:21

24 Q. Did you ask any of them? Did you undertake any
25 investigation before you killed them?

26 A. The investigation was over because as long as we had seen
27 the people putting on the uniform of the person against whom
28 I was fighting then I did what I did.

29 Q. You said some of them wore Kamajors' uniforms. What about

1 the rest that you killed? Why did you kill those?

2 A. Yes, maybe some of them died through crossfire, or maybe
3 somebody was trying to escape. Those things happen.

12:18:00

4 Q. No, Mr Mongor, let me just tell you what you said: "The
5 people I killed there, I was very sure that they were with the
6 Kamajors there and even some of them had on the Kamajor
7 uniforms?"

8 A. Yes, that was what I said.

12:18:17

9 Q. What about the ones that didn't have on Kamajor uniforms
10 that you had captured and killed? Why did you kill the ones
11 without Kamajor uniforms who you had captured?

12 A. Well, I killed them because I considered all of them as
13 enemies.

12:18:42

14 Q. You don't even know if the people who weren't wearing
15 Kamajor uniforms had themselves been captured by Kamajors, did
16 you?

17 A. I wouldn't know whether they were captured by the Kamajors,
18 but all I knew was that the Kamajors were there.

12:19:17

19 Q. And so they were killed in cold blood as captives without
20 an investigation. Is that right?

21 A. We did not investigate anybody on that particular front
22 line.

12:19:49

23 Q. They were captives and at that stage you killed them in
24 cold blood when they were not actually fighting you. That is
25 right, isn't it?

26 A. Yes, we fought at the place and when we captured the place
27 that was why we killed them.

28 Q. How many of these people did you kill in Kissy Town on the
29 assumption that you made that they were Kamajors?

1 A. Well I can't give you a specific number, but the people
2 were many and I want you to know that when you are fighting in a
3 war you will not have the time to go and count people just to
4 keep record.

12:21:01 5 Q. If they were captured, why did you kill them?

6 A. I said we considered them as enemies to us.

7 Q. Why kill them once they were captured?

8 A. We killed them because they were enemies. We considered
9 them to be enemies. That was what I told you.

12:21:39 10 Q. Tab 1, please, page 23024. Will you confirm, Mr Mongor,
11 when you can see page 23024?

12 A. I have seen it, my Lord.

13 Q. Thank you. Now, I am going to ask you about an interview
14 that took place on 5 September 2006 and we can see that date at

12:22:32 15 four lines down from the top. Would you go, please, to the last
16 paragraph on that page and do you see where it starts, "Mongor
17 says with respect to burning of villages ..."? Do you see that
18 paragraph?

19 A. I have seen it.

12:22:55 20 Q. And it reads as follows:

21 "Mongor says with respect to burning of villages that in
22 war sometimes houses were accidentally hit by bombs and caught
23 fire; he says both sides would destroy certain places to deny the
24 enemy the chance to occupy it or use it."

12:23:20 25 Did you say all that to the investigator?

26 A. Yes, I said it.

27 Q. "There were situations where he heard RUF personnel
28 intentionally burned down people's houses."

29 Did you tell them that; that you had heard of situations

1 when some RUF fighters had deliberately burnt down people's
2 houses?

3 A. I heard it.

12:24:01

4 Q. "Or ...", and this is you, "... situations where you came
5 upon houses that would have been burnt by RUF troops, but you
6 ..." - this is how it reads, "... he says he never ordered it and
7 it was never done in his presence." Is that what you told the
8 investigator on 5 September 2006?

12:24:41

9 A. Well, I told them that - what you have just read before you
10 come down a little, I think there is something there where I said
11 it did not happen in my presence. It will not apply here,
12 because if I went to Kissy Town where I have spoken about when
13 the thing took place there and I was also personally involved in
14 doing it.

12:25:06

15 Q. Mr Mongor, is this that I have just read what you told the
16 investigator on 5 September 2006, or is it another example of the
17 investigator getting wrong what you told him? Yes, or no? Did
18 you tell him, or has he got it wrong?

12:25:42

19 A. I got it wrong, my Lord. I want you to repeat the question
20 that you asked me.

21 Q. Who got it wrong?

22 A. What do you mean by who got it wrong?

23 Q. You just said, "I got it wrong, my Lord", or did you mean
24 by that that you didn't understand me?

12:26:08

25 A. Yes, I said I did not understand you. I want you to
26 repeat.

27 Q. I will repeat it. The passage I have just read, did you
28 tell the investigator that, or has he inaccurately recorded what
29 you actually told him?

1 A. Well, I said it.

2 Q. And it is a lie, isn't it, that you never ordered the
3 burning of houses and it was never done in your presence? That
4 is a lie, isn't it?

12:26:49 5 A. Well I did not lie, but as I sit down here and as you
6 continue talking I recall that those things had happened and
7 I tried to let the Court understand that I personally took part
8 in it.

9 Q. Mr Mongor, are you seriously telling these judges here that
12:27:17 10 in September 2006, when the investigator was asking you as he
11 went through the indictment - the charge sheet - that Mr Taylor
12 faced, that you forgot that you had personally burnt down
13 buildings and ordered your men to burn down buildings? Are you
14 saying you had forgotten that when the subject was raised?

12:27:51 15 A. The way you are going into details here, that is the
16 thing - that is the thing that made me recall that I did it, that
17 it happened. And the RUF did burning of houses in different
18 areas, and as we are talking now that is when I recall that, yes,
19 it happened and I did participate in it myself.

12:28:29 20 Q. This is 18 months since that interview now. 18 months ago
21 you were 18 months nearer in time to the events that you are
22 being asked about, so your memory is likely to have been better
23 18 months ago, isn't it?

24 A. Well, I want to tell you that all the things that happened
12:29:07 25 during the war I will not be able to narrate all the stories from
26 scratch to finish completely. I am also a human being. I am
27 liable to make mistakes or forgetting certain things, but as we
28 talk here now I recall certain things.

29 Q. Would you be good enough to explain to the learned judges

1 how it is that when a prosecuting investigator asks you if you
2 ever ordered the burning down of houses, or ever even saw houses
3 being deliberately burned, that you forgot that you had done it
4 and seen it? Just explain to the judges how it is that you could
12:29:56 5 have forgotten such a thing 18 months ago and then suddenly
6 remember it today?

7 A. If I have said that I have recalled it today it is because
8 you have gone deep into asking your questions and that is why
9 I said, yes, there was a time that I also took part in the
12:30:34 10 burning of houses.

11 Q. What question were you asked by the investigator that led
12 to your answer recorded here which reads as follows:

13 "There were situations where he heard RUF personnel
14 intentionally burned down people's houses, or came upon houses
12:31:00 15 that would have been burned by RUF troops, but says he never
16 ordered it and it was never done in his presence"?

17 What question, deep or shallow, were you asked by the
18 investigator that led you to give that answer?

19 A. Well I can't recall the question now, because if you look
12:31:29 20 at the time period that you are referring to I cannot tell you
21 exactly that this was the question that I was asked. I can't
22 recall.

23 Q. And what is deep about the question I asked you, "Did you
24 ever burn down houses yourself?" What is deep about that,
12:31:47 25 Mr Mongor?

26 A. When you said "yourself" and that is you are talking about
27 me personally.

28 Q. You referred to me asking deep questions. What is deep
29 about the question, "Did you burn houses yourself"?

1 MR KOUMJIAN: Asked and answered. I believe the witness
2 gave his best answer to that.

3 MR MUNYARD: I didn't understand him to give any answer to
4 it actually. That is why I have asked it again. His answer was,
12:32:30 5 "When you said "yourself" and that is you were talking about me
6 personally". How could that possibly be an answer to the
7 question, "What is deep about the question I asked you?"?

8 PRESIDING JUDGE: I will allow Mr Munyard's question. Put
9 it again, please.

12:32:46 10 MR MUNYARD:

11 Q. For the third time, Mr Mongor, what is deep about the
12 question --

13 MR KOUMJIAN: Is there any need for counsel to yell at the
14 witness? I really don't think it helps the proceedings.

12:33:00 15 MR MUNYARD: Can I just explain. I apologise if I was
16 yelling. I am - and I will certainly be corrected by anybody in
17 court. I am completely full of cold. I cannot - I can hear my
18 own voice in my head, as I am speaking, and it is very difficult
19 for me at the present time to gauge how loudly I am speaking. In
12:33:21 20 the course of this week, when I have been speaking out of court,
21 I have been repeatedly asked to raise my voice because I can't
22 tell the volume. I am quite happy to be told to control it.

23 PRESIDING JUDGE: You were a bit loud. There is a
24 microphone and, bearing in mind what you have said, I will keep
12:33:39 25 an eye on the levels.

26 MR MUNYARD: Thank you. I am very happy to be corrected
27 and to be given a volume indicator:

28 Q. What is deep, Mr Mongor, about the question, "Did you
29 personally burn down any houses"?

1 A. When you said myself.

2 Q. That is - well, it may be that Mr Koumjian was the only
3 person in court who understood that that was what you intended to
4 convey. All right. What is deep about the word "yourself"?

12:34:26 5 A. Myself and other people, those are two different things, or
6 the movement.

7 Q. Go back to page 23024, the bottom line, "But he says he
8 never ordered it and it was never done in his presence." For
9 that answer to have been recorded you must have been asked the
10 question, "Did you yourself ever order it, or did you yourself
11 ever see it?" Do you agree?

12 A. Yes, I agree.

13 Q. So you were asked the very same question by the
14 investigator in 2006 that I have just been asking you this
15 morning. That must be right, mustn't it?

16 A. Maybe it's right.

17 Q. And why did you lie in your answer?

18 PRESIDING JUDGE: When, because he has had answers today
19 and answers then?

12:36:05 20 MR MUNYARD:

21 Q. When the investigator asked the question why did you lie in
22 answer to that question?

23 MR KOUMJIAN: I object to that. The witness has not - it's
24 one thing to say that you made a different statement. It's
12:36:19 25 another thing to - that is a characterisation to call it a lie.

26 All of us here have made misstatements about evidence that we
27 have heard.

28 PRESIDING JUDGE: Your question does presuppose that he --

29 MR MUNYARD: Indeed it does. I will try it in a variety of

1 ways:

2 Q. The first reason that you gave to the Court today for the
3 answers that you gave to the investigator was that you hadn't
4 remembered when the investigator was asking you. Do you recall
12:37:01 5 that?

6 A. I recall that. I remember that.

7 Q. You said that you remembered now because the question
8 I asked you today was a deep question?

9 A. I recall.

12:37:20 10 Q. I am going to ask you directly: Are you lying - sorry,
11 were you lying to the investigator when the investigator asked
12 you the very same question back in September 2006?

13 A. Maybe I was not composed, or maybe it escaped my memory.
14 So if it occurs in my mind now that I also took part in that
12:38:07 15 I don't think I have committed a crime in that case.

16 Q. In which case?

17 A. In the case that I am now telling the Court that
18 I personally took part in burning of houses and did other
19 disturbances. I think if I should sit here and say them, I don't
12:39:00 20 think it should inconvenience you that I also took part in those
21 things.

22 Q. Mr Mongor, are you having difficulty explaining why it was
23 that in November 2006 you told the investigator the exact
24 opposite of what you have been telling the Court today?

12:39:36 25 MR KOUMJIAN: Objection, argumentative.

26 MR MUNYARD: I will put it another way:

27 Q. Is it difficult for you to come up with a reason why you
28 gave the investigator the exact opposite of the answer that you
29 have given today?

1 A. I said maybe at that time it did not occur to me, or maybe
2 at that time I had some fear in me. So if I was unable to come
3 up with the point at that time and now that I am in court talking
4 and you are also talking to me and it now occurs in my mind, for
12:40:37 5 me to tell the Court now that I was also personally part of the
6 people who burnt down houses, I think the thing I am telling you
7 now, this present moment, you should take it to be the truth.

8 Q. How many houses - let me put it another way. On how many
9 occasions during all the years of the civil war did you

12:41:09 10 personally burn down houses? I don't want an exact number,
11 I just want a rough idea.

12 A. Well, I want to tell you that it was not in all cases that
13 I personally participated, but sometimes I was present.

14 Q. Sorry to interrupt you, but I am going to deal with the
12:41:41 15 second half of the answer that you gave the investigator. We are
16 just concentrating at this stage on the first part of the answer,
17 or the first part of the issue, rather. How many times roughly
18 did you personally burn down houses during the whole of the civil
19 war?

12:42:04 20 MR KOUNJIAN: I would just ask to clarify with the witness
21 because he has testified to participating in two civil wars and
22 whether we are asking him about both civil wars, both Liberia and
23 Sierra Leone.

24 MR MUNYARD: I have no doubt in my mind that the witness
12:42:20 25 knows perfectly well what civil war I'm talking about. I already
26 defined it from 1991 to peace in early 2002:

27 Q. That's what you understand, isn't it, Mr Mongor, that I am
28 talking about the Sierra Leone civil war?

29 A. My Lord, if I tell you now that it was --

1 PRESIDING JUDGE: Just a minute, Mr Witness, before you
2 answer your question. You do appreciate we are talking about the
3 time from 1991 to the peace in early 2002? You understand that
4 is the time we are talking about?

12:43:05 5 THE WITNESS: Yes, my Lord.

6 PRESIDING JUDGE: Now answer the question, thank you.

7 THE WITNESS: From 1991 to the end of the war I cannot tell
8 this Court here now that these were the number of times that
9 I personally burnt houses, because attacks and burning of houses
10 took place in so many areas. Just imagine the areas that the
11 rebels covered. So I cannot recall now that these were the
12 number of times that I took part in the burning of houses,
13 my Lord.

14 MR MUNYARD:

12:44:08 15 Q. In 1991, March of '91, you claim to have been the commander
16 of the troops - the second group that invaded Sierra Leone, yes?

17 A. Yes.

18 Q. In the course of 1991 did you personally burn down any
19 houses in the first year of the civil war?

12:44:45 20 A. No, in that first year I did not burn houses. I did not
21 personally take fire to set it on houses.

22 Q. 1992, please?

23 A. I can't recall, my Lord.

24 Q. 1993, please?

12:45:16 25 A. 1993, I said I can't recall, my Lord.

26 Q. 1994?

27 A. I can't recall.

28 Q. 1995?

29 A. My Lord, I have told you, or I am telling this Court that

1 burnings took place and I was also part of that group that was
2 fighting since 1991. I have told you that, but for me to be able
3 to recall that it was this particular time, or this particular
4 year that I set houses on fire, I cannot go into that because
12:46:30 5 I have told you already that I can't recall. Just imagine since
6 1991 to the end of the war, I was not in position to have
7 recorded that in 1992 I burnt so and so number of houses here,
8 that in 1993 I burnt so and so number of houses there, or in 1996
9 I did so, so and so thing. These are not things that are
12:47:00 10 recorded that I have in mind now that I can tell this Court that
11 it was so and so times that I set houses on fire.

12 Q. All right, if we are not going to do it in years let's do
13 it in broad terms overall, right across the civil war period.
14 Roughly how many times did you set fire to houses yourself?

12:47:26 15 A. My Lord, I don't want to tell you this or that. I continue
16 to tell you that I can't recall when or how many times I set
17 houses on fire. I can't recall that. It was something that
18 happened, but the times - but the time it happened is a long time
19 ago, so I can't recall. I can't say that I will give you a
12:48:02 20 specific time to say I did it at this time, or I did not do it at
21 this time, or it was at that time that I did it, my Lord.

22 Q. Mr Mongor, you spent 10 and 11 March this year being taken
23 through your evidence by Mr Koumjian and you gave very detailed
24 evidence about all sorts of events in the years 1991 to 2000.

12:48:33 25 Hang on a minute. Now you claimed in the course of that evidence
26 to have very clear recollection of all the events you were
27 telling us about, didn't you?

28 A. Not everything. I have told you from the start of the war
29 to the end I would be able to narrate all the stories to finish.

1 Q. Are you saying that some of the evidence that you gave?

2 MR KOUMJIAN: Can we just get a clarification of the last
3 interpretation. He says, "I would be able". Is that what the
4 witness said, "I would be able to"?

12:49:28 5 PRESIDING JUDGE: Mr Interpreter, what did the witness say?

6 THE INTERPRETER: The witness said, "I am not saying that
7 since the time the war started up to the end I will be able to
8 give you - to tell you all the things that happened."

9 PRESIDING JUDGE: It's not - the answer recorded is in the
12:49:52 10 positive, not the negative so it needs to be corrected. Thank
11 you for that, Mr Koumjian. I had missed it. Mr Munyard, please
12 proceed.

13 MR MUNYARD: Yes, thank you:

14 Q. Give us, if you can, a rough idea. Are we talking in terms
12:50:18 15 of hundreds of houses that you personally burnt down during the
16 civil war?

17 PRESIDING JUDGE: Mr Munyard, whilst I don't want to
18 interrupt your cross-examination, you are talking of a cumulative
19 - for the entire period rather than a accumulation of events or
12:50:36 20 places?

21 MR MUNYARD: Yes, just a rough idea. We know that he goes
22 into prison in May 2000 and we know that he was in Freetown with
23 the junta for a while in the junta period.

24 Q. Well, bearing that in mind just give the judges a rough
12:50:56 25 idea. Were you personally involved do you think in the burning
26 down of hundreds of houses?

27 A. My Lord, I continue to tell you this: I told you the war
28 took a long time and I did not take time to count the number of
29 houses that I burnt down, so to say I counted them for me to come

1 and explain it here is not the case. I said I actually took part
2 in the things, but to say that it was this number of times that
3 I did them, I will not be able to say that. But the only thing
4 I want the Court to know is that I was also part of the people
12:52:17 5 that burnt down houses. That is what I am trying to tell you.

6 Q. My last attempt. Was it a lot of houses that you
7 personally burnt down?

8 A. I continue to tell you, my Lord, that I cannot tell you
9 anything with regards whether it was plenty number of houses or
12:53:02 10 not because these things happened a long time ago. I can't
11 recall, my Lord.

12 Q. Right, the next half of the issue, please. Roughly how
13 many times did you see houses being deliberately burnt down by
14 others in your presence but not by you?

12:53:30 15 A. Well, that is another question that poses difficulty for me
16 to tell you the number of times that I was present when I saw
17 people burning houses, because it was something that happened.
18 I have not said it did not happen, but I cannot give you an exact
19 figure to say these were the number of times that I was present,
12:54:05 20 or these were the number of times I was not present.

21 Q. Mr Mongor, I have never asked you for an exact figure. You
22 know that perfectly well, don't you? You know that, don't you?

23 A. What do I know, my Lord?

24 Q. I have never asked you for an exact figure. I have asked
12:54:25 25 you for a rough estimate.

26 A. Yes, it is because you are talking about a rough figure.
27 That was why I told you that I am unable to give you a rough
28 figure because it happened a long time ago and now I cannot give
29 you any rough figure. That is what I am trying to tell you,

1 my Lord.

2 Q. Did it happen a lot?

3 A. That the burning of houses took place many times?

4 Q. In your presence did that happen a lot?

12:55:08 5 A. Well, I cannot tell you that I was present when it happened
6 many times.

7 Q. Why can't you tell us that?

8 A. Because I was not in all the places. To say I was present
9 in all the places at all times, no.

12:55:44 10 Q. Last attempt on this one. I have never asked you about the
11 burning of houses in places where you were not present. I have
12 been asking you about the number of times you saw others
13 deliberately set fire to houses in your presence, or where you
14 came upon them where they had been burnt by RUF troops. Now,
12:56:10 15 last time, did that happen a lot in your presence?

16 A. I will tell you now that as a commander I would be present
17 in certain areas, but it was not every area where there was a
18 battle that I sent men that I will be present when they were
19 burning houses. That is what I am trying to say.

12:56:47 20 Q. Page 23025, please. Now, in order to understand this - I'm
21 sorry, we probably have to start where we had just left off on
22 the previous page. I am going back to the previous page for a
23 second to make sense of what we are looking at on page 23025:
24 The worst situations, you told the investigator, were you heard
12:57:27 25 that RUF personnel had intentionally burnt down people's houses,
26 or where you came upon houses that would have been burnt by RUF
27 troops, but you told them that you had never ordered it and it
28 was never done in your presence. Then: "In most cases, he says,
29 villagers would flee when they saw armed rebels coming so there

1 was no need to terrorise them by burning their houses." Is that
2 what you told the investigator, or has he wrongly recorded that?

3 A. When I talked about civilians who saw gun men and ran away,
4 yes, I told them that. I have not disagreed with that.

12:58:22 5 Q. So you were telling him, were you, that in most cases you
6 didn't burn down people's houses because the villagers had fled,
7 if that's English, the villagers had flown, fled, sorry. Let me
8 start again, sorry. In most cases you are saying, are you, that
9 you told the investigators, "Oh, we didn't need to burn down the
10 villagers' houses because they had already run away from them."

11 Is that what you were telling the investigator in September 2006,
12 Mr Mongor?

13 A. I want you to go over it again.

14 Q. Were you saying to the investigator in September 2006,
12:59:28 15 "Well, there was no need to burn down houses in most cases
16 because the villagers, the people, the human beings who lived in
17 them, would run away when they saw armed rebels coming"?

18 A. I said this and the reason why I said it, I want to give an
19 explanation if only I will be given the chance.

13:00:04 20 Q. Take as much time as you want, Mr Mongor. Just give your
21 explanation.

22 A. I did say that it was not in all cases that we will go
23 somewhere to burn houses, but because we were gun men, when
24 civilians saw us they ran away. I said that and that means there
13:00:47 25 were times that there were no gun men present in particular areas
26 and there were no soldiers, but we will go on food finding
27 missions and then when we went to such towns or villages we will
28 meet the villagers there and there wasn't any need for us to burn
29 down their villages, or their houses, or their towns.

1 Q. I am going to ask you about an answer that you gave
2 earlier. I am looking at page 57. You were being asked
3 questions about the burning of houses of civilians and what you
4 said was:

13:01:44 5 "Yes, there were houses of civilians but when enemies
6 settled there and when we fought against the enemies we would
7 make sure that we made the place very inconvenient so that the
8 enemy will not be able to come and reoccupy that area."

9 Do you remember giving that answer?

13:02:07 10 A. I recall that I gave that answer. Yes, I told you that.

11 Q. So even if the villagers had run away from their houses you
12 would still burn them down to make sure that the enemy could not
13 be able to come and reoccupy that area, wouldn't you?

14 A. That is not how it happened and I want to explain something
13:02:43 15 that will give details for your clear understanding if only you
16 give me the chance.

17 Q. I'm not holding you back. Have as long as you want.

18 A. Now, I want to tell you that while the fighting was going
19 on there were areas where civilians were present and we made sure
13:03:19 20 that soldiers were not in those areas and normally we will go to
21 those areas and get food from them - from the civilians - and
22 that will be different from places where we will go and attack
23 where enemies were present. Those were two different issues.

24 So, the areas where we went and did not burn down any house were
13:03:56 25 areas that they were no soldiers or fighters present and we did
26 not get any information with regards enemy settlements and we
27 never had problem with civilians who were settled in such areas
28 for us to go and burn down their houses.

29 PRESIDING JUDGE: Mr Munyard, just before you move on to

1 the next question, I note there appears to be a word missing on
2 page 77, line 2. I think the word "burn" should be inserted.

3 MR MUNYARD: I wonder if your line 2 is the same as my line
4 2?

13:04:44 5 PRESIDING JUDGE: Oh, I see. I have a different line 2.

6 MR MUNYARD: Can your Honour read out the sentence?

7 PRESIDING JUDGE: Yes, I will read it out. Just a moment.
8 It is an answer:

9 "But we will go on food finding missions and then when we
13:04:59 10 went to such towns or villages we will meet the villagers. There
11 was not any need for us to down their villages, or their houses,
12 or towns."

13 MR MUNYARD: Yes, "burn" is missing.

14 PRESIDING JUDGE: I think the word "burn" is missing.

13:05:11 15 MR MUNYARD: I can tell your Honour that that is between
16 line 6 and 7 on my LiveNote.

17 JUDGE SEBUTINDE: I have it.

18 PRESIDING JUDGE: Oh, my learned sister has it correctly
19 recorded and so there seems to be some variation.

13:05:23 20 MR MUNYARD: I haven't.

21 PRESIDING JUDGE: But, in any event, we will clarify it.

22 MR MUNYARD: It is not on mine. I have moved the margin
23 right across to check. Anyway, I am sure we all get the point.

24 PRESIDING JUDGE: Yes, we will sort it out.

13:05:41 25 MR MUNYARD: Yes:

26 Q. Now, Mr Mongor, that is your explanation, is it?

27 A. Yes, my Lord.

28 Q. Right, all right. Let us have a look at the rest of what
29 you said in this passage on page 23025. I think it is all there

1 on the screen. Well, I am not sure actually. Now, Mr Mongor,
2 I would like you to confirm that you can see the third line from
3 the top on that page that starts, "When the RUF were retreating
4 from Koidu ..." Do you see that?

13:06:35 5 A. You said what line, my Lord?

6 Q. Count from the top, the first line that starts with the
7 word "Presence", count down three to the third line and there is
8 a sentence that starts, "When the RUF were retreating from Koidu
9 ..." Do you see that?

13:07:00 10 A. Retreat. Yes, I have seen the word "retreat".

11 Q. I am going to read that passage out and then I am going to
12 ask you a question:

13 "When the RUF were retreating from Koidu in the face of
14 ECOMOG advance, Mongor heard that Morris Kallon had ordered RUF
13:07:19 15 combatants to burn homes; Mongor saw houses on fire and Kallon
16 later confirmed that he gave that order; Kallon said he did it so
17 the enemy would not be comfortable; Superman (Dennis Mingo) was
18 in charge of Koidu at that time and he was unhappy with Kallon's
19 decision to burn houses."

13:07:43 20 I am going to ask you two questions about that. The first
21 is this. That when - well, three questions. Is that an accurate
22 record of what you told the investigator, or has he made another
23 mistake in writing that?

24 A. I said this.

13:08:07 25 Q. When you were telling him about seeing houses on fire in
26 this passage after having heard that Morris Kallon had ordered
27 combatants to burn homes, were you picturing - did you have a
28 picture in your mind's eye of the houses that you had seen on
29 fire that you understood Morris Kallon to have ordered?

1 A. Yes, as we explain now it appears to me as if I have it in
2 mind that will appear as though it is a film show that I am
3 watching and then I recall.

4 Q. So why was it that when the investigator asked you in the
13:09:12 5 previous passage, "Did you ever personally burn houses, or order
6 your troops to do so?", did that not bring up a film show in your
7 own mind of the number of times that you had burned houses, or
8 ordered your troops to do so? Why was it that you could remember
9 something that Morris Kallon had ordered, but not remember
13:09:40 10 something that you yourself had ordered?

11 A. I want you to know that the questions that they asked me at
12 the time they came to Koidu, they asked me what were the things
13 that happened in Koidu, even before I talked about the burning,
14 because at that time we had retreated from Freetown and came to
13:10:11 15 Koidu. When they came they asked me what were the things that
16 happened in Koidu that I know about, or what did I see.

17 Q. It doesn't matter though, does it, what they were asking
18 you about? When the issue of burning houses came to your mind,
19 did you not get a little film show of occasions on which you had
13:10:35 20 burned houses as well?

21 A. Well, I was unable to tell the investigator that one.

22 Q. All right. Now, Morris Kallon. In September 2006, where
23 was Morris Kallon to your knowledge when you were being asked
24 these questions by the interviewer from the Prosecution?

13:11:19 25 A. At that time Morris Kallon was in the Special Court
26 detention.

27 Q. Had his trial started?

28 A. I can't recall that, my Lord.

29 Q. Try, if you would. September 2006 is only about 18 months

1 ago - a year-and-a-half ago. Had Morris Kallon's trial started a
2 year-and-a-half ago?

3 A. I can't remember whether the trial had started.

13:12:16

4 Q. I am going to try and jog your memory. Morris Kallon was
5 another of the senior RUF commanders along with you, wasn't he?

6 A. Yes, he was one of the commanders.

7 Q. Would you say that he was one of the top half dozen or so
8 commanders that you put yourself in in your testimony in this
9 Court in March?

13:12:40

10 A. Yes, he was also among the command group. Yes.

11 Q. Who was Morris Kallon to be tried with? If you want me to
12 explain that in a different way, I will. Tell me if you
13 understand the question. If you don't, I will put it in a
14 different way.

13:13:06

15 A. I have not heard the question and so I want you to carry
16 on, my Lord.

17 THE INTERPRETER: Your Honours, could counsel go over that
18 question slowly?

19 PRESIDING JUDGE: Just a minute, Mr Interpreter.

13:13:16

20 Mr Munyard, "Who was Morris Kallon to be tried with?"? Do you
21 mean who did the Prosecutor decide to indict?

22 MR MUNYARD: No, who - can I put it in another way, your
23 Honour. Hopefully it will be a lot clearer:

13:13:37

24 Q. You knew that Morris Kallon certainly was in detention in
25 2006, September, yes?

26 A. Yes, my Lord.

27 Q. And are you aware that he is on trial before the
28 Special Court in Freetown?

29 A. I knew he was in detention.

1 Q. Yes, but are you aware now that he is on trial in Freetown
2 before the Special Court?

3 A. I only know that he is in the detention centre at Special
4 Court.

13:14:32 5 Q. Were you living in Freetown in September 2006?

6 A. Yes, I was in Freetown.

7 Q. Were you living in Freetown in September 2005?

8 A. 2005, yes, I was in Freetown.

9 Q. Were you living in Freetown in September 2004?

13:15:04 10 A. No, my Lord. 2004 I was in Freetown of course, but I was
11 in prison.

12 Q. I had temporarily forgotten. You come out in August 2005
13 and you have been living there ever since. Is that right?

14 A. Yes, my Lord.

13:15:26 15 Q. Training as a pastor, yes, in Freetown?

16 A. Yes, I was in Freetown.

17 Q. And are you saying to these judges that you are not aware
18 that Morris Kallon is on trial in Freetown in the Special Court?

19 A. Well I know that Morris Kallon is in the Special Court
13:16:02 20 detention for him to be tried, but I don't know when his trial
21 was going on.

22 Q. Do you ever watch television in Freetown?

23 A. Not at all times, my Lord.

24 Q. Do you ever watch television in Freetown?

13:16:29 25 A. Yes, I do watch television, but not all the time.

26 Q. Do you ever see the news on television?

27 A. I see plenty news.

28 Q. Thank you. Do you read the newspapers in Freetown?

29 A. Yes, at times I read newspaper.

1 Q. Do you listen to the radio in Freetown?

2 A. At times I listen.

3 Q. And do you hear the news on the radio?

4 A. Well, I will tell you that I have not heard that news yet.

13:17:18 5 The only thing I know is that I know that Morris Kallon is in the
6 Special Court detention for him to be tried. I know that one.

7 Q. Do you know anybody else who is there in detention for the
8 Special Court to be tried?

9 A. Yes.

13:17:38 10 Q. Can you give us some names, please?

11 A. I saw Issa Sesay, Augustine Gbao.

12 Q. Is there anything about those three, Morris Kallon, Issa
13 Sesay and Augustine Gbao, anything that you have heard about them
14 and the Special Court?

13:18:27 15 A. Something like what? I want you to put me through,
16 my Lord.

17 Q. Mr Mongor, are you seriously telling this Court that you do
18 not know that Morris Kallon, Issa Sesay and Augustine Gbao are
19 being tried before the Special Court in Freetown and have been
13:18:49 20 since I think some time in 2004? Are you seriously telling these
21 judges that you don't know that?

22 A. Well, I told you that I heard that Morris Kallon, Issa
23 Sesay and Augustine Gbao are in the Special Court detention for
24 them to be tried, but at the time that their trial started I have
13:19:29 25 never been there to witness it, so I don't know when it started
26 because I have some other things that keep me busy. So it is not
27 to say that because Augustine Gbao, Morris Kallon and Issa are
28 tried I should focus my attention there. No, I have some other
29 things to do.

1 Q. You have been too busy learning the word of the Lord and
2 selling drinking water, is that what you're telling us?

3 A. Yes, I have been busy with my only personal things that
4 I do, but it is not because Augustine Gbao, Issa Sesay and Morris
13:20:18 5 Kallon are on trial at the Special Court I should pay attention
6 to that, or that I should always go into the news and try to know
7 more details concerning their trials, or not.

8 Q. Mr Mongor, you have just told this Court you did not know
9 anything about Morris Kallon apart from the fact that he was in
13:20:40 10 detention. Is that true?

11 A. I said I know that Morris Kallon is under detention in the
12 Special Court for him to be tried, but I don't know what time
13 they will try him, or whether they have been trying him already.
14 I don't know that.

13:21:09 15 Q. Because you have been too busy studying the Bible and
16 selling water. Is that why you don't know, or have there been
17 other things that have distracted your attention from their
18 trial?

19 A. Well, it is not because I am studying or I am doing some
13:21:29 20 other things. And apart from the studying and the selling of
21 water I have some other things to do. But it is not because
22 Morris Kallon, Issa Sesay and Augustine Gbao are in detention for
23 trials I should pay attention to that when I have some other
24 things to do. That is the reason why I told you that I did not
13:21:53 25 pay attention to that, trying to know when they were tried or
26 when they are going to be tried.

27 Q. Did you think you might be a witness in that case?

28 A. Which case are you talking about?

29 Q. The one we have just been discussing?

1 MR KOUMJIAN: Actually we have been talking about three
2 different individuals. It's not clear if the witness knows what
3 we are talking about - what counsel is talking about.

4 PRESIDING JUDGE: You started off with only Morris Kallon
13:22:33 5 and now the other two --

6 MR MUNYARD: I know, and then I moved to the others.

7 PRESIDING JUDGE: Yes, the other two are now included.

8 MR MUNYARD: And I also made it clear that their trial,
9 their trial, I believed started in 2004:

13:22:47 10 Q. You have no doubt whatsoever, have you, Mr Mongor, what
11 trial I am talking about when I asked you did you think you might
12 be a witness in that case? Have you any doubt about which case
13 I am talking about?

14 A. You are talking about trials and you asked me whether
13:23:14 15 I will serve as a witness in that trials, but the people who
16 were - who are there, they were three people, so on behalf of
17 whom am I going to be a witness? That is what I am asking you,
18 whether it is Morris Kallon, Issa Sesay or Augustine Gbao.

19 Q. What about the Prosecution? Did you think you might be a
13:23:42 20 witness in that case for any party; Issa Sesay, Augustine Gbao,
21 Morris Kallon, or the Office of the Prosecutor?

22 A. I want you to come out clearly to tell me whether with
23 regards those three people I will prosecute Issa Sesay, Morris
24 Kallon or Augustine Gbao.

13:24:20 25 Q. Did you think you might be a witness for any one of them,
26 or for the Prosecution in the trial of those three men which is
27 being held together?

28 A. They arrested them together, but I want you to make clear
29 to me what kind of prosecution.

1 PRESIDING JUDGE: Mr Witness, do you understand the
2 question that is being asked of you?

3 THE WITNESS: Let him ask, my Lord.

13:25:04

4 PRESIDING JUDGE: No, I'm asking you did you understand the
5 question that the interpreter read to you?

6 THE WITNESS: Yes, I heard it because he is talking about
7 prosecution for the three people. I said he should be specific.
8 Let him tell me which one amongst the three, whether it is Morris
9 Kallon, or Augustine Gbao, or Issa Sesay.

13:25:32

10 PRESIDING JUDGE: Counsel has already told you they are
11 being held together.

12 JUDGE SEBUTINDE: But also I think the interpreter is
13 getting it wrong. Counsel did not suggest that you are going to
14 prosecute any of the three, but rather to be a witness.

13:25:50

15 Mr Interpreter, there is a world of a difference between
16 prosecuting and being a witness in a case. What is it that you
17 are telling the witness?

18 THE INTERPRETER: Your Honours, it is no fault of the
19 interpreter.

13:26:07

20 JUDGE SEBUTINDE: What are you telling the witness, that he
21 was expected to prosecute?

22 THE INTERPRETER: That he was expected to be a witness in
23 that case.

13:26:22

24 MR MUNYARD: Your Honour, would it help if I ask it just
25 one last time?

26 PRESIDING JUDGE: Very well. We have to decide whether the
27 witness is clear in the question, or whether there is another
28 explanation. Please put it again.

29 MR MUNYARD: Indeed:

1 Q. Mr Mongor, did you think that you may be a witness in the
2 joint trial of your three former colleagues from the RUF,
3 Mr Kallon, Mr Gbao and Mr Sesay, either for any of them, or for
4 the Prosecution?

13:27:01 5 A. Well, at the time I came out of prison I never had that in
6 mind at all, whether I will serve as witness for either of those
7 people. I never thought about that.

8 Q. Or for the Prosecution against them?

9 A. I did not think about that for both sides, whether the
13:27:41 10 Prosecution, or the Defence, I never even had that in mind.

11 Q. Have you ever had that in mind?

12 PRESIDING JUDGE: I think the record shows he said he never
13 had it in mind.

14 MR MUNYARD: I am trying to clarify, or pin him down:

13:28:07 15 Q. When you say you never had it in mind do you mean you never
16 had it in mind when you came out of prison, or you have never had
17 it in mind from the day you first heard about them being arrested
18 until the present date?

19 A. The time they arrested them I was in jail so I never had it
13:28:34 20 in mind that I will serve as either a Defence witness, or a
21 Prosecution witness. I did not think about that when they were
22 arrested and I was in jail. And even when I was set free I did
23 not have it in mind whether I was going to serve as witness for
24 the Prosecution, or the Defence.

13:29:02 25 Q. Never up to and including the present day?

26 A. I did not have it in mind. That is what I am trying to
27 tell you.

28 Q. Up to now?

29 A. What do you mean by up to now? I want to understand that.

1 Q. Up to the present day?

2 A. Well, I have not come here for them. They did not bring me
3 here for Morris Kallon, or for Issa Sesay.

13:29:49

4 PRESIDING JUDGE: No, Mr Witness, it's not what you're
5 doing here. It's have you in your mind, or, as you said, in your
6 heart, did you think you would ever appear either for the Defence
7 or the Prosecution of Kallon, Sesay, or Gbao?

8 THE WITNESS: It was not in my heart, because I had some
9 other things to do so I was not thinking about that.

13:30:26

10 PRESIDING JUDGE: Thank you.

11 MR MUNYARD:

12 Q. Neither in your heart nor your head, is that right?

13 A. It was not in my heart. I don't even think about it.

13:30:53

14 MR MUNYARD: Your Honour, I am going to continue but
15 I think it's probably --

16 PRESIDING JUDGE: Yes, we are just over the usual time for
17 the lunchtime adjournment. Mr Witness, we are going to take the
18 lunchtime adjournment now. We will resume at 2.30. Please
19 adjourn court.

13:31:08

20 [Break taken at 1.32 p.m.]

21 [Upon resuming at 2.30 p.m.]

22 PRESIDING JUDGE: Mr Munyard, your questions.

23 MR KOUMJIAN: Sorry, just a change of appearance for the
24 Prosecution.

14:29:23

25 PRESIDING JUDGE: Sorry, I didn't notice Mr Santora is with
26 us.

27 MR KOUMJIAN: Yes, your Honour. Mr Santora is with us,
28 Mohamed A Bangura, Maja Dimitrova and myself, Nicholas Koumjian.

29 PRESIDING JUDGE: Thank you, Mr Koumjian. Mr Munyard, I

1 notice your appearances are as before.

2 MR MUNYARD: It is, Madam President, and we welcome
3 Mr Santora back to the Court:

14:30:04

4 Q. Mr Mongor, back to the page we were on when we broke for
5 lunch. Madam President, it might be obvious that I can't
6 actually find the page that we were on before we broke.

7 PRESIDING JUDGE: My record is it is page 23025.

8 MR MUNYARD: Thank you very much. Yes, I had managed to
9 turn over two pages at once:

14:30:58

10 Q. Now, we had just dealt with you being - sorry, with
11 Superman being unhappy with Kallon's decision to burn houses.
12 Sorry, can I check on the volume of my voice because I'm even
13 more blocked now than I was before the break.

14:31:20

14 PRESIDING JUDGE: A little bit loud. One decibel down,
15 Mr Munyard.

16 MR MUNYARD: Thank you. It's coming back to me probably
17 louder than it's going out to the Court at the moment:

14:31:31

18 Q. I want to go on to the next paragraph, please, where you
19 deal on that page with looting or pillage, going into a village
20 and taking stuff, food stuff and the like. You said that, "No
21 RUF member would deny looting from civilians as that is how they
22 survived." Do you see that?

23 A. Yes, my Lord.

14:31:55

24 Q. And no honest RUF person would deny burning houses, would
25 they?

26 A. Repeat, my Lord.

27 Q. You've said here that no RUF member would deny looting from
28 civilians. No RUF member would deny burning houses, would they?

29 A. That they would deny burning houses? That they will not

1 deny whether they burnt houses? I did not get it clear.

2 Q. Well, I'm going to move on. Next paragraph, please:

3 "The murder or killing of civilians often happened. In
4 1993, near Kailahun Town, the RUF felt townspeople were conniving
14:33:03 5 with government troops so they shot and killed dozens of
6 civilians, men and women, 'arresting' them and killing them in
7 small groups all over the village of Gi ehun. Sam Bockarie
8 ordered this." Do you see that passage?

9 A. Yes, my Lord.

14:33:30 10 Q. Did you take part in that?

11 A. No, my Lord.

12 Q. Well, how did you know about it?

13 A. Because I was once a victim for such things, at the time
14 they arrested me that I connived. Foday Sankoh's girlfriend that
14:34:04 15 I have spoken about, whose name is Janet, she was also from that
16 village Gi ehun and people who were from that town where arrested
17 and they were killed in Gi ehun town there.

18 MR KOUMJIAN: Sorry, just a correction. I believe on the -
19 the interpreter's understanding of the witness's accent, he's
14:34:34 20 saying Janet for Jandai [phon].

21 PRESIDING JUDGE: I think we've had this is a few days ago
22 as well.

23 MR MUNYARD: We did and, Madam President, before you ask
24 the witness to clarify --

14:34:43 25 PRESIDING JUDGE: I wasn't, I was just merely going to ask
26 Madam Court Attendant to note that spelling.

27 MR MUNYARD:

28 Q. I want you, if you wouldn't mind, to spell out how you
29 think her name is spelled because we want to know from you, not

1 from anybody else, what her name was?

2 A. Well, I'm unable to spell it so if you can spell it in your
3 own way, the way I called it and the way you understood it, then
4 I would not mind.

14:35:18 5 Q. Well, let's do it this way: What I would like you to do,
6 Mr Mongor, is simply say the name directly to the judges, without
7 it being interpreted in other words.

8 A. I said the woman's name was Janet.

9 Q. Thank you. Right, that's clear.

14:35:59 10 JUDGE SEBUTINDE: Also, Mr Munyard, you might have noticed
11 I think the witness was answering a slightly different matter
12 than the question you asked.

13 MR MUNYARD: Yes, that's exactly why I'm scrolling back at
14 the moment to try and get back to the original question and try
14:36:16 15 and have that one answered:

16 Q. Yes, I asked you how you came to know about the killings of
17 dozens of civilians, men and women, arresting and killing them in
18 small groups all over the village of Giehun?

19 JUDGE SEBUTINDE: Mr Munyard, this is precisely the point
14:36:42 20 I've been trying to make to you. You asked the question, "And
21 did you participate in this?", which was ambiguous and I think
22 which the witness understood to mean did he participate in the
23 people that connived and caused the killing and his answer
24 relates to the people that connived, which I don't think was the
14:37:03 25 question you meant to ask.

26 MR MUNYARD: Yes, I'm trying to find it. It would appear
27 to be on page 92, "Did you take part in that?" Yes, I see it
28 now. He said, "No, my Lord", and I then said, "Well, how did you
29 know about it?" And that's when you said, "Because I was once a

1 victim for such things." That's where I think we went completely
2 off the question and so I'll try from that point, if I may,
3 again. I'll just ask that one question again if the Court is
4 content with that?

14:37:47 5 JUDGE SEBUTINDE: Because what do you mean in the "take
6 part in that"? In the conniving, or in the killing of the
7 connivers? There is the ambiguity, when you say, "Did you take
8 part in that?"

9 MR MUNYARD: I see the point that your Honour is making. I
14:38:00 10 had actually moved on from that, but I'll clarify that point if
11 you'd like me to, I'm quite happy to:

12 Q. Mr Mongor, about the killing of dozens of civilians, men
13 and women, arresting them and killing them in small groups all
14 over the village of Gi ehun, I asked if you took part in that.

14:38:20 15 Did you take part, first of all, in the killing?

16 A. I did not take part in that killing.

17 Q. Did you take part in any conniving?

18 A. I did not take part in any conniving, but they accused me.

19 Q. Yes. How did you know about the incident in the village of
14:38:58 20 Gi ehun?

21 A. I came to know it because I passed through there and even
22 when I was arrested, that was where they took me, because that
23 was where the killing was taking place. Anybody who was arrested
24 for that particular thing, it was that place that they took you
14:39:30 25 to kill you.

26 Q. So this is something that you didn't actually witness
27 yourself, but you remembered it in September of 2006 and you were
28 able to tell the investigator all about it, yes? You remembered
29 being told about it?

1 MR KOUMJIAN: I think the first part of the question was
2 "you didn't actually witness it yourself". I think the witness
3 should be allowed to answer that first.

14:40:02 4 MR MUNYARD: I'm simply summarising, in that phrase, what
5 he's just told us.

6 MR KOUMJIAN: I don't believe that's what he said. That's
7 my own understanding, to be honest. I could be corrected.

8 PRESIDING JUDGE: I think that's a valid observation,
9 Mr Munyard.

14:40:17 10 MR MUNYARD: Yes, I've accepted that, your Honour:

11 Q. Did you witness it yourself?

12 A. I saw where the people were killed.

13 Q. Right. Does that mean that you didn't actually witness the
14 killing, but you saw where the people had been killed? Is that
15 what you're telling us?

14:40:44 16 A. Yes, I am telling the Court that I was not there, but I saw
17 the people who were killed in that particular place, in that
18 particular town and I saw the place.

19 Q. And are you saying that you saw the bodies?

14:41:00 20 A. Yes, I saw the bodies.

21 Q. Why didn't you tell the investigator that when you were
22 describing this incident, if it's true that you saw the bodies?

23 A. I think I did say that I saw where the people were killed
24 and I saw bodies in the river where the people were killed. I
14:41:40 25 think I said that, if I am not mistaken, my Lord.

26 Q. Just have a look at the passage in the middle of the page.
27 Page 23025, it's the third point down:

28 "The murder or killing of civilians often happened. In
29 1993, near Kailahun Town, the RUF felt townspeople were conniving

1 with government troops so they shot and killed dozens of
2 civilians, men and women, 'arresting' them and killing them in
3 small groups all over the village of Giehun. Sam Bockarie
4 ordered this."

14:42:17 5 Why doesn't it go on to say, "And I saw the bodies myself
6 in the river afterwards", if you told him that?

7 A. Well, if they did not ask me such a question why would I go
8 there to tell them that I saw the bodies myself. It is because
9 you have asked me about it, that is why I am saying that I saw
14:42:44 10 the bodies in Giehun Town there.

11 Q. Mr Mongor, do you not remember saying within the past two
12 minutes, "I think I did say that I saw where the people were
13 killed and I saw bodies in the river where the people were
14 killed. I think I said that if I am not mistaken, my Lord"?

14:43:06 15 A. Yes, I said that just now. I said if I am not mistaken I
16 think I told them that I saw bodies.

17 Q. Can you see any reference in that passage there to you
18 saying, "I saw bodies"?

19 A. I'm not seeing it in the passage, but I saw - I saw corpses
14:43:34 20 of people who were killed in that Giehun because that was where I
21 passed through.

22 Q. We're now concerned with what you told the investigators,
23 not with what you actually saw. Are you saying that this is
24 another example of the investigator failing to write down what
14:43:51 25 you told him?

26 A. If I did not tell them at that time and now you are asking
27 me, so if I tell you this moment the one I'm telling you now is
28 what you are supposed to take into consideration.

29 Q. We've dealt with conniving. Can I move on to the question

1 of spying, please. Did you ever order that anybody be executed -
2 any civilians be executed - for spying?

3 A. Whether I ordered?

4 Q. That was what I asked you.

14:44:45 5 A. I don't think I gave such an order to somebody.

6 Q. You don't think you gave such an order to somebody? What
7 does that mean?

8 A. I said I can't recall whether I gave such an order to
9 somebody saying that if somebody spied on us they should kill

14:45:20 10 him.

11 Q. So are you saying that you might have given an order that
12 somebody should be murdered, but you've now forgotten - murdered
13 for spying, sorry, but you've now forgotten giving such an order?

14 A. Maybe it happened, but I can't recall it now. Whether I
14:45:50 15 gave that order or that I did not give such an order, I can't
16 recall now that I gave - I can't recall now that I gave such an
17 order that if somebody was a spy or not then they should kill
18 that person.

19 Q. I'm talking about civilians from villages. Can you
14:46:18 20 remember giving any orders that civilians from villages should be
21 murdered by your men on the basis that they were suspected of
22 spying?

23 A. Well I said I can't recall now whether I gave such an
24 order, but as time rolls on if I recall then I will tell you, my
14:46:50 25 Lord.

26 Q. And, Mr Mongor, is the reason why you can't now remember
27 because you gave so many orders that people be murdered for one
28 thing or another? Is that - do you think that's the reason why
29 you can't now remember whether you ordered that civilians from

1 villages be murdered on suspicion of their spying?

2 A. I can't recall now, but I have told you as time rolls on if
3 I recall I will tell you, my Lord.

4 Q. Did you get your promotion to the top level of command of
14:47:41 5 the RUF because you were such a brutal killer?

6 A. I don't think so.

7 Q. Page 23026, please, second point down the page that starts,
8 "There were many situations ..." Can you see that paragraph,
9 Mr Mongor? Do you see that paragraph?

14:48:42 10 A. Starting from where, sir?

11 Q. Madam Court Officer will show you.

12 A. Okay.

13 Q. I'm going to read it out and then you can tell the judges
14 whether or not the investigator has accurately recorded what you
14:49:00 15 said in this passage:

16 "There were many situations where RUF authorities, like
17 Mongor, would get information that people from a certain village
18 were giving food to Government troops, 'spying', moving from the
19 government side to RUF controlled areas, etc; in cases like that
14:49:24 20 the RUF commanders would order RUF soldiers to 'arrest' certain
21 members of those villagers and bring them back to be executed."

22 Now, did you tell the investigators that in September 2006?

23 A. Yes, I recall.

24 Q. So "There were many situations where RUF authorities like
14:49:56 25 yourself ...", that means such as yourself, doesn't it?

26 A. Yes, as you have been talking I have always told you that I
27 was also part of it. I have not denied that.

28 Q. How is it that you remembered in September 2006 that you
29 ordered villagers to be arrested and then executed for spying and

1 yet you can't remember now?

2 A. We talked about RUF authorities and then I said to you,
3 yes, I'm also part of that authority, but that I cannot recall
4 whether I passed such an order or I did not pass such an order.

14:50:58 5 But as time rolls on if I recall about the things - the things
6 that went on according to my orders - then I will tell you.

7 Q. Look at that passage again and read it to yourself and see
8 if it brings to your mind any occasions on which you ordered your
9 soldiers to seize ordinary civilians from their villages and

14:51:28 10 bring them back to be executed for spying or giving food to
11 government troops. Just think about it for a moment and then
12 help the Court, if you can, were there any such occasions that
13 you ordered that?

14 A. As time rolls on I will recall, my Lord. Just as I had
14:51:58 15 said earlier, whether if I gave orders with regards such things
16 if I recall I will tell you. I will not disagree with it. I
17 will not deny it.

18 Q. Have a moment to think about it now.

19 A. If I say I will sit here now and try to remember, I will
14:52:38 20 say maybe if it does not happen that way or maybe if you give me
21 some minutes to sit and think about it and I don't still recall
22 it, or I will end up telling you the same thing that I am telling
23 you now. But I have told you that as the process is going on if
24 I did such things, if I give orders for such things to happen,
14:53:03 25 then I will tell you. I will tell you that indeed I passed such
26 orders for them to do it. I will not be afraid to tell you that,
27 my Lord.

28 Q. Were these people given any kind of trial, or
29 investigation?

1 A. This issue of spying that we are talking about about
2 people, I don't think they did set up any investigations to do
3 inquiries about it. Most times they would only ask them to know
4 where they are from, or maybe they will ask them and say, "Have
14:53:54 5 you come here to get information from us so that you will take
6 that information to the enemies?"

7 Q. What if they said, "No, I haven't"?

8 A. Those were the only things that used to happen.

9 Q. What if they said, "No, I haven't"? Did you believe them
14:54:07 10 and let them go, or did you execute them?

11 A. Well that depended on the individual who was serving as
12 commander at that time, so whether he would allow the person to
13 go or not it was solely his decision. So if the people gave
14 explanation to him and if he wished to believe it then he will,
14:54:42 15 but if he decided not to believe it and if he decided to execute
16 them then he will carry out the execution.

17 Q. Do you know of any examples of any people - villagers -
18 accused of spying who said they weren't and who were then allowed
19 to escape with their lives?

14:55:12 20 A. I can't recall that now, my Lord.

21 Q. And how did you execute these people?

22 A. It's by the gun.

23 Q. Thank you. I think we all understood your English there.
24 And are we talking about men, women and children?

14:55:41 25 A. Yes, we spoke about men, women and children.

26 Q. Children executed on suspicion of giving food to government
27 troops, or spying, or simply moving from the government side to
28 RUF controlled areas, you ordered them to be shot dead, did you?

29 A. My Lord, I did not order them. When you are saying ordered

1 I have told you that I cannot recall whether I personally gave
2 such - issued such orders or not, but as time rolls on if I
3 recall that I did then I will let you know. But women and
4 children that you are talking about, yes, we carried out
14:56:46 5 executions on them as long as they suspected you of spying.

6 Q. No, as long as you suspected them of spying I think is what
7 you meant to say. Is that right?

8 A. Once they suspected them.

9 Q. How young was the youngest child that you're aware of that
14:57:20 10 your RUF troops shot dead because they were suspected of giving
11 food to government troops, or spying, or moving from the
12 government side to RUF controlled areas?

13 A. Well, I can talk about the age of 12.

14 Q. Any younger than that?

14:57:52 15 A. You have 10.

16 Q. Any younger than that?

17 A. Well, I can't recall that. I can only talk about those age
18 groups because I am estimating. I cannot tell when the person
19 was born, but I can say that they were within those age brackets.

14:58:25 20 Q. Look at that passage one more time, please, "There were
21 many situations where RUF authorities," like you, "would get
22 information that people from a certain village were giving food
23 to government troops, spying, moving from government side to RUF
24 controlled areas, et cetera. In cases like that the RUF
14:58:50 25 commanders would order RUF soldiers to arrest and execute." I'm
26 summarising the last line. You were one of the RUF commanders
27 who gave those orders, weren't you?

28 A. I was one of the RUF commanders. I have not denied that
29 fact. I have told you that I can't recall whether I had ever

1 issued such orders, or that I did not issue such an order, but I
2 have said that as the process rolls on, if I recall that I did
3 such things then I will be bold and say it in court and I will
4 tell them that I gave such and such orders before.

14:59:58 5 Q. Next paragraph, please. I want you to look at this one.
6 Do you see the paragraph that starts, "To clarify about the
7 burning of villages"? Do you see that?

8 A. Yes, I have seen it.

9 Q. "To clarify about the burning of villages Mongor
15:00:21 10 acknowledges that sometimes the RUF would burn houses of
11 villagers whom they believed were conniving, or spying, et
12 cetera, as a matter of reprisal."

13 Did you tell the investigator that?

14 A. I said that.

15:00:48 15 Q. So you wouldn't just murder the villagers themselves for
16 "conniving, or spying, et cetera" - and I presume "et cetera"
17 means including simply moving from the government side to your
18 side - you'd also burn down their houses, yes?

19 A. Yes, we used to burn their houses.

15:01:13 20 Q. And you wouldn't limit yourself just to burning the houses
21 of a few villagers in those situations, would you, Mr Mongor?
22 You'd burn down the whole village, wouldn't you?

23 A. I have not disagreed with that.

24 Q. You'd burn down an entire village just because a couple of
15:01:40 25 the villagers, maybe even children as young as 10, had been
26 believed to be moving from the government side to your side. Is
27 that the picture that you're painting?

28 A. Yes, my Lord.

29 PRESIDING JUDGE: I'm not quite sure, is it moving from the

1 government side to your side, or the other way round? Reprisal
2 for the other way round I think it is.

3 MR MUNYARD: No, it's there in the middle of that paragraph
4 above you'll see "moving from the government side to the RUF
15:02:27 5 controlled areas".

6 PRESIDING JUDGE: I see.

7 MR MUNYARD:

8 Q. Those people might have been moving away from the
9 government side because they were trying to get away from the
15:02:35 10 armed forces of the State, mightn't they?

11 A. Well, I don't - I did not believe it that way.

12 Q. So what were they executed for, simply because they'd moved
13 from the government side to your side?

14 A. They were suspected to be spies who came around to get
15:03:07 15 information and then they will take it to the other side for them
16 to come and know the positions we occupied.

17 Q. Were any of your soldiers ever disciplined for executing
18 ordinary civilians?

19 A. I don't think so, my Lord.

15:03:33 20 Q. There was no effective discipline system in the RUF at any
21 stage, was there?

22 A. Yes, there wasn't too much discipline.

23 Q. At any stage. From the beginning of the civil war in March
24 of 1991 until you went into prison in May of 2000, there was no
15:04:15 25 effective disciplinary system within the RUF, was there?

26 A. There was discipline, but not effective.

27 MR KOUMJIAN: Excuse me, I understood the witness to say,
28 and I'm just asking the interpreter - he used the word
29 "complete", which was translated as effective and I wonder if

1 that's the only translation for the word "complete".

2 PRESIDING JUDGE: Mr Interpreter, you've heard counsel's
3 question.

4 THE INTERPRETER: Your Honours, I'd rather use the word
15:05:05 5 "complete".

6 PRESIDING JUDGE: The interpreter said he prefers to use
7 the word "complete", so it would appear appropriate to amend the
8 record unless - it's your question and answer, Mr Munyard.

9 MR MUNYARD: Yes, I'll do it again, if I may:

15:05:29 10 Q. If there was a system of discipline it didn't operate at
11 all well, did it?

12 A. It did not operate well.

13 Q. And most of the time it didn't operate at all, did it?

14 A. Sometimes it did not operate.

15:06:09 15 Q. Most of the time it did not operate, did it, Mr Mongor?

16 A. It was not operating well.

17 Q. Can you think of any occasion on which a disciplinary
18 system was operated well within the RUF?

19 A. Well, I said it did not operate well.

15:06:48 20 Q. All right. You can't remember any occasion when anyone was
21 disciplined for executing a civilian, can you?

22 A. I can't recall that now. I can't recall.

23 Q. Let's deal with sexual assault and rape of women. There
24 was no effective system of discipline of RUF soldiers who
15:07:27 25 sexually assaulted and raped women, was there?

26 A. No, there was effective discipline from the start and it
27 was not until when it got to a certain stage that somebody wanted
28 to bring in sentiment and that was what brought about some
29 problem.

1 Q. Now, I confess I don't understand any of that, so I'm going
2 to have another go at the question. There was no system of
3 discipline of RUF soldiers who sexually assaulted and raped
4 women, was there?

15:08:27 5 A. We did not have such discipline.

6 Q. You yourself sexually assaulted women, didn't you?

7 A. Yes, because the woman I had, I did not meet her people to
8 pay her bride price, so I can say I was part of that that you are
9 talking about, because that was rape.

15:09:12 10 Q. Did anyone ever report you for that?

11 A. I don't think somebody reported me for that.

12 Q. Right, I'm going to ask you to look at another page,
13 please. I just want to make sure I've got the right tab. Yes,
14 it's still tab 1, page 23030. Now, the top of this page has the

15:10:19 15 words, "Back to crimes listed in indictment". The indictment,
16 I've already explained to you, is the charge sheet, Mr Taylor's
17 charge sheet, that the investigator was going through with you in
18 the course of some of these interviews. You see here, in the
19 first paragraph of this page, it says, "At one point, perhaps in

15:10:49 20 1999 after the recapture of Kono and Makeni, et cetera, the high
21 ranking officers of the RUF, including Mongor, Morris Kallon,
22 Issa Sesay, Dennis Mingo, Mike Lamin, Brigadier Mani, Leather
23 Boot" - is Brigadier Mani Leather Boot, or is Leather Boot
24 somebody else?

15:11:16 25 A. Leather Boot is another person.

26 Q. I just wanted to make that clear:

27 "Akim Turay and others got together at a meeting to try to
28 deal with the problem of widespread or large scale raping. The
29 subordinate officers were supposed to go back to their men and

1 brief them about stopping the raping. It was also relayed on the
2 radio. However, the RUF culture was so used to the raping, et
3 cetera" -

15:11:42 4 THE INTERPRETER: Your Honours, could counsel go over that
5 slowly.

6 MR MUNYARD: Sorry. Does the interpreter want me to start
7 from right back at the beginning, or where I had just got to?

8 THE INTERPRETER: I mean you can go ahead from where you
9 stopped.

15:11:55 10 MR MUNYARD: Thank you:

11 Q. "The subordinate officers were supposed to go back to their
12 men and brief them about stopping the raping. It was also
13 relayed on the radio. However, the RUF culture was so used to
14 the raping, et cetera, that it still continued."

15:12:17 15 Now, did you tell the investigator that?

16 A. Yes, I told them.

17 Q. Was this meeting in 1999 the first time you'd ever got
18 together at the very top rank of the RUF to try to tackle the
19 problem of rape?

15:12:44 20 A. Yes, it was the time I also went to participate in that
21 meeting that I can recall.

22 Q. Yet this was the first time that the RUF at a high level
23 had attempted to deal with the problem of rape, do you agree?

24 A. Well, it was the time that I became part of this group for
15:13:25 25 this kind of meeting.

26 Q. Was it the first time that the RUF at a high level
27 attempted to deal with the problem of rape?

28 A. That was the time that I know that the commanders who were
29 authorities, they came together and I was part of it.

1 Q. I'm not going to try again, but can you just look back at
2 the list of names there, please: yourself; Morris Kallon; Issa
3 Sesay; Denis Mingo; Mike Lamin; Brigadier Mani; Leather Boot; and
4 Akim Turay. Was there anyone higher up in the RUF in 1999 who
15:14:21 5 wasn't at that meeting?

6 A. Yes, there were other people who were not there.

7 Q. I said anyone higher up than those - that group of people?

8 A. Because Mosquito was not there and he was the field
9 commander at that time.

15:14:55 10 Q. Anyone else, Mr Mongor?

11 A. I can say those were the people, because like Morris Kallon
12 too he was not there.

13 Q. Pardon?

14 A. Morris Kallon was not - was not there when the meeting took
15:15:31 15 place.

16 Q. Well I may be deaf, but I don't think I'm blind. Do we not
17 see the name "Morris Kallon" there in the list?

18 A. Yes, yes, I am sorry. Sorry, my Lord, I have seen it. I
19 am sorry for that. I have just seen it just after my name. Yes,
15:15:58 20 that is - if I am thinking about any other high commander, well,
21 I can say like, okay, Augustine Gbao was not there.

22 Q. Yes. Well, looking at that list Morris Kallon and Issa
23 Sesay who were there --

24 A. Yes.

15:16:34 25 Q. -- they are now on trial together with Augustine Gbao?

26 A. Yes.

27 Q. For their part - just listen to the question. For their
28 part as amongst the people with the greatest responsibility for
29 crimes committed in the civil war in Sierra Leone, and you fall

1 into the same class of persons, don't you?

2 A. I fall in that same class. I am a commander. I have not
3 disagreed with that at all, but there were people who had higher
4 ranks above me and I was below them. We were all in the class of
15:17:30 5 high commands, but the commanders were in different categories.
6 You would be a commander but serving under another commander, so
7 that is how it was.

8 Q. You knew when you were telling this investigator this list
9 of names on 8 September 2006 that Morris Kallon, Issa Sesay and
15:18:05 10 Augustine Gbao were on trial before this Court, didn't you?

11 A. That I told the investigator about what?

12 Q. I didn't say anything about - sorry, you knew that when you
13 were telling the investigator this list of names in September
14 2006 that Morris Kallon, Issa Sesay and Augustine Gbao were on
15:18:47 15 trial before the Special Court for Sierra Leone, didn't you?

16 A. I knew that they had been arrested and taken to the Special
17 Court, they were in detention and that they were there for
18 trials. I know that.

19 Q. This is the - if we look back to the previous page, this is
15:19:13 20 8 September 2006, interview number 6.

21 JUDGE SEBUTINDE: Mr Interpreter, did the witness say, "I
22 know that", or did he say, "I knew that"?

23 THE INTERPRETER: Your Honours, in the first instance he
24 said it in the past tense and at the tail end he said it in the
15:19:32 25 present tense.

26 MR MUNYARD: I see. That's how the transcript reads
27 certainly:

28 Q. You knew their trial had been taking place in 2006, didn't
29 you?

1 MR KOUMJIAN: Well, asked and answered. We went over that
2 this morning. It's not inconsistent with the answer, which is
3 that he knew that they were arrested and in detention that he has
4 just given, and we went over this in quite some detail this
15:20:08 5 morning.

6 PRESIDING JUDGE: Mr Munyard?

7 MR MUNYARD: Well first of all I don't accept that I can't
8 ask it again because I'm putting it into closer context now and
9 I'll develop the point in any event, but if you look at his
15:20:19 10 answer, "I knew they'd been arrested and taken to the Special
11 Court, they were in detention and that they were there for
12 trials." He's now acknowledged that he knows that they were
13 there for trials. I want to ask him a bit more about the fact
14 that the trials were taking place.

15 PRESIDING JUDGE: My memory doesn't extend to him actually
16 saying the trial had started and they were on trial, so I will
17 allow the question.

18 MR MUNYARD:

19 Q. Yes, Mr Mongor, you knew they were actually on trial and
15:21:00 20 indeed had been for quite some time at the time you were putting
21 your name in amongst at least two of theirs when you were telling
22 the investigators these things on 8 September 2006, didn't you?

23 A. I want to tell you that I don't know whether their trial
24 had started or when it is going to start, but all I know is that
15:21:43 25 they are there in detention and they are there for trial. I know
26 that.

27 Q. Where is the place where you were being interviewed in
28 September 2006?

29 A. You said where?

1 Q. I did say where. Do you have any difficulty understanding
2 that word?

3 A. Yes, I want you to ask clearly, please, so that I will be
4 able to understand it well.

15:22:25 5 Q. In what building were you being interviewed? And let me
6 help you before you answer the question to see if this assists
7 you in answering the question. You were interviewed first on 30
8 August 2006, second on 3 September 2006, third on 4 September
9 2006, fourth on 5 September 2006, fifth on 6 September 2006 and
15:23:06 10 sixth interview on 8 September 2006; rather a lot of days in
11 succession. Where were those interviews taking place?

12 A. The interviews were taking place in the Special Court
13 compound.

14 Q. Now, the first interview took place during the course of an
15:23:37 15 afternoon starting at 20-to-2 in the afternoon; the second
16 interview started at 10-to-10 in the morning; the third interview
17 started at half-past-2 in the afternoon; the fourth interview
18 took place just close to quarter-past-7 in the evening; the fifth
19 interview took place just after 10-past-1 in the afternoon; and
15:24:19 20 the interview we're considering now started at two-minutes-past-9
21 in the morning. Now when you went to the Special Court compound
22 for these different interviews at different times of day, did you
23 see anybody else passing through the compound?

24 PRESIDING JUDGE: What do you mean "anybody else passing
15:24:45 25 through the compound"?

26 MR MUNYARD:

27 Q. Did you see anybody else milling around near the Special
28 Court?

29 PRESIDING JUDGE: It's a public street.

1 MR MUNYARD: Yes, well its the compound I'm talking about:

2 Q. In the compound?

3 MR KOUMJIAN: Your Honour, I don't believe all of us who
4 know the layout would think that this would be helpful in any way
15:25:08 5 as there are - it's a very busy place.

6 MR MUNYARD: All right, I'll ask a direct question.

7 PRESIDING JUDGE: Yes, please do because the relevance of
8 this --

9 MR MUNYARD:

15:25:17 10 Q. Did you see anyone - I'm sorry, your Honour.

11 PRESIDING JUDGE: I don't see the relevance of this at all.

12 MR MUNYARD: The relevance - I'll go straight to it:

13 Q. Did you at any time see people who looked as though they
14 were lawyers going in and out of the Court building?

15:25:40 15 A. Well, I don't know how I can just see somebody then I know
16 that he is a lawyer.

17 Q. Did you see anybody who you thought was a relative of your
18 old colleagues Mr Kallon, Mr Sesay, Mr Gbao? Did you see any of
19 their family or friends around the Court compound during this
15:26:10 20 period of days that I've been asking you about?

21 A. Well the date you are talking about I can't recall
22 actually, but I told you that I had been - I had seen Augustine
23 Gbao in person, Morris Kallon in person and then Issa Sesay in
24 person in Special Court.

15:26:38 25 Q. So despite all the time - and we've only dealt with the
26 first six of the interviews. Despite all those trips to the
27 Special Court compound nobody ever made you aware that the
28 Kallon, Sesay and Gbao trial was actually underway during any of
29 the visits you made to the Special Court to be interviewed. Is

1 that the honest truth, Mr Mongor?

2 A. I think the interviews I went through there, yes, I can say
3 the investigators told me that Issa Sesay, Augustine Gbao and
4 Morris Kallon, they were under trial.

15:27:52 5 Q. The investigators told you that they were on a trial?

6 A. Yes, the investigators told me when I called these people's
7 names and then I asked him and said, "Where are they?" Then he
8 told me, he said, "They are here, they are undergoing trial
9 here." Because initially when I left prison I used to visit
10 them. I used to go there.

15:28:22

11 Q. When you left prison was 1 August 2005. Their trial, as I
12 understand it, and no doubt I'll be corrected if I'm wrong, had
13 started the previous year. So when you went to visit them in
14 prison you knew perfectly well that their trial had already
15 started, didn't you?

15:28:52

16 A. Well, I wouldn't know that their trial has started by just
17 talking to Augustine Gbao and even when I talked with him he told
18 me that he has not yet gone to court and he said they were trying
19 to put - they were trying to prepare to put his trial modalities
20 in place so that they will start going to court.

15:29:26

21 Q. His trial modalities they were trying to put in place. Is
22 that the expression he used?

23 A. For him to start appearing before the Court, to start his
24 trial, that was what he was explaining to me, because he said he
25 was not going to court. He said he had not yet started going to
26 court. He told me that.

15:29:51

27 Q. Right. How many times did you visit these men in prison?

28 A. If I am not mistaken, and I if I am not forgetting, I will
29 say I went there two times and I stopped going there.

1 Q. Who did you see, which of them did you see?

2 A. I went to visit the three of them there, the three of them
3 in the place there, especially the RUF, but I know the other AFRC
4 men who were there. So when I went there I just made it a visit
15:31:09 5 to all of them, so when I went Hinga Norman and his own men, I
6 was able to talk to all of them.

7 Q. So you talked to the RUF defendants, the AFRC defendants
8 and the CDF defendants, is that what you're saying? Tell me if
9 you don't understand any of the initials?

15:31:37 10 A. I want you to explain because I heard you say defence.

11 Q. Defendants, the accused. It may be my English accent, but
12 I meant the accused persons.

13 A. Yes, the accused people. When I went there I saw them and
14 then I greeted them.

15:32:02 15 Q. Why did you go and see them, Mr Mongor?

16 A. I went to see them because they are my brothers, they are
17 my friends and we were all members of the same movement, and even
18 when I had had that problem and now I was a free man, I heard the
19 information that they allow people to visit them there. That was
15:32:44 20 the reason why I also decided to go there and visit them to let
21 them understand that I was free, I was now a free man and I was
22 out of the problem.

23 Q. Were you worried that they might be saying things in their
24 trials that would cause you to get into trouble before the
15:33:04 25 Special Court?

26 A. I don't think I was worried that - whether they were going
27 to say something about me that will cause problem for me. I did
28 not go there for that reason. I only went there because they
29 were brothers and based on that brotherly relationship I decided

1 to visit them.

2 Q. When were these two visits?

3 A. Well, I made that visit in the same year, 2005. When I was
4 freed from prison, I went there.

15:34:14 5 Q. Did any of them tell you that their trial modalities were
6 in place and that they were actually in trial before the Court?

7 A. They told me because Augustine Gbao was actually the person
8 who sat with me and discussed with me for a long time because
9 those other men were busy talking with some other people and he
10 told me that he has not yet appeared in court, but that they were
11 trying to put things together for his trial to start and he will
12 start to go to court. That was what he told me at that time.

13 Q. What did Issa Sesay tell you?

14 A. Well, when I went to Issa Sesay he did not talk about
15 trials. He talked about the time we were in prison, we were in
16 problem. He said he felt it so much for us. He said they went
17 all out to press issues so that the government would sympathise
18 with us and free us, he said, but to no avail, but now that he
19 has seen us free men, he said, he says thanks to God for life.

15:35:57 20 Those were some of the things he said to me and he said I should
21 take care of myself and then the area where I live and those were
22 some of things he told me. Even the people with whom we were in
23 prison, he asked for some of them and I told him that it was only
24 three of us for the moment who were part of that case that have
15:36:33 25 been set free. So those were some of the things that I discussed
26 with them.

27 Q. Did you ask him how the trial was going?

28 A. I did not ask him. I did not ask him about the trials.

29 Q. Why not?

1 A. Well, nothing, but I was unable to ask him.

2 Q. Pausing there for a moment, I don't want any details of
3 addresses or anything, but after you'd finished giving your
4 evidence in March, 11 March, did you leave this country and go
15:37:19 5 back home?

6 A. March?

7 Q. I'm talking about this March. I'm just breaking in to what
8 you're telling us about your visits to these men and asking you a
9 question for a moment. Your evidence was broken into two parts:
15:37:38 10 Before Easter and now after Easter, yes?

11 A. I went back to Sierra Leone.

12 Q. Did people in Sierra Leone ask you, "How's the trial going
13 that you're a witness in?"

14 A. Well, I don't think I went to somebody to expose myself
15:38:04 15 because I don't think the thing I am doing should be something I
16 will go and start exposing myself for somebody to ask me, "How is
17 the trial going?", to tell them that I'm a witness, no.

18 Q. Friends and family, people who knew that you were giving
19 evidence in this case, wasn't it the very first thing they wanted
15:38:26 20 to ask you, "How's that trial going in The Hague, Isaac?"

21 A. Well, if you talk about my family, that is my wife and my
22 family, the other family members with whom I am living in
23 Freetown, before I - when I left here - when I went I told them
24 that we have not completed the case for which I was brought as a
15:38:57 25 witness and I told them that because this is holiday period I
26 have come back, but after which I will have to go back again to
27 complete the process. I sent the message even before I went.

28 Q. Back to what we were talking about. Your visit to all of
29 these accused persons in these various trials before the Special

1 Court for Sierra Leone, I think you told us that it was 2005 that
2 you went to see them on these two occasions, did you ask any of
3 them how the trial was going?

15:39:45 4 A. Well, I, in particular, did not go there to ask them, but
5 when they saw me they were happy with us, they started explaining
6 stories to us, and then they also asked us the way we were
7 suffering and I also started explaining my story to them, and
8 they said they felt it so much for us and that they were even
9 advocating for us to be set free and it was during that period
15:40:04 10 that they were arrested. So those were some of the stories that
11 they were explaining to me. The way elections went on and how
12 other things happened, those are some of the things they were
13 explaining. So I did not actually concern myself with asking
14 them such question about, "How is your trial?" I did not ask
15:40:29 15 them that.

16 Q. Mr Gbao, you've told us, on the account you're giving,
17 hadn't got into court for his trial yet. Did you ask him, "Well,
18 what about the others in your case, Morris Kallon and Issa
19 Sesay?" Did you ask Augustine Gbao were they in court on their
15:40:50 20 trial?

21 A. I did not ask Augustine Gbao about that.

22 Q. When he said he wasn't yet in court did he tell you that
23 the other two were in court already having their trial and had
24 been since 5 July 2004?

15:41:21 25 A. No, we did not go to that topic, my Lord. I want to tell
26 you that when I was set free from prison and when those guys saw
27 me, my attention did not even run there to say I was going to ask
28 somebody about some other questions. We were only explaining
29 stories about things that had happened. Those were the things

1 that we discussed, you know.

2 PRESIDING JUDGE: Mr Munyard, we'd started this line of
3 questioning when you were putting to the witness a prior
4 statement and I'm beginning to wonder the relevance of this line
15:42:02 5 that we have now wandered down into.

6 MR MUNYARD: I'll go directly to the point:

7 Q. You told this Court this morning that you did not know that
8 Morris Kallon, Augustine Gbao and Issa Sesay were on trial, all
9 you knew was that they were in detention and, indeed, when I
10 started this particular line of questioning on objection was made
11 that you had already answered the question this morning and made
12 it quite clear that you did not know they were on trial. You
13 then went on to say, within the last half hour it must be, that
14 the investigators told you that these men were on trial. Do you
15:42:52 15 remember saying that?

16 A. Yes, I recall that I told you.

17 Q. So, why did you say the opposite to the learned judges this
18 morning?

19 A. My understanding about what I told the judges this morning
15:43:18 20 is that I know that Augustine Gbao, Issa Sesay and Morris Kallon
21 had been arrested and they were in detention for trials. That
22 was what I told the judges this morning. And you were asking me
23 whether I knew that their trial was going on now, or whether
24 their trial has started, and then I told you that I don't know
15:43:46 25 whether their trial has started or it has not yet started, or -
26 and I did not know whether they have appeared or they have not
27 appeared. I told you that all I knew was that they were in the
28 Special Court detention centre for trial. That was what I said.

29 Q. Yes, and then this afternoon you said that you were told by

1 investigators that they were on trial?

2 A. Yes.

3 Q. Do you not remember that?

4 A. I can recall that I said that.

15:44:17 5 Q. I am not going to go into this any further. Yes, sorry,
6 there is one final point. You said that when you went to see all
7 these various accused in prison, "We said this". Who was "We"?
8 Who did you go with when you went to see these men?

9 A. I went there with one other brother called Ansumana Forwai.
15:45:00 10 The two of us went there.

11 Q. Can we have a spelling of that, please, if we haven't
12 already? I have a feeling we've had it already. Are you able to
13 spell that for us, Mr Mongor?

14 A. Well, you can spell it the way you understand it.

15:45:22 15 MR MUNYARD: Someone else is going to have to do that, I'm
16 afraid.

17 JUDGE SEBUTINDE: Mr Interpreter, could you give it a try?

18 THE INTERPRETER: Yes, your Honour. Ansumana is

19 A-N-S-U-M-A-N-A and Forwai is F-O-R-W-A-I.

15:45:55 20 MR MUNYARD: Now, back to this passage that your Honour
21 rightly reminded me we had started with:

22 Q. Back to this passage on page 23030, this meeting of all of
23 you high-ups in the RUF about rape, was it a serious instruction
24 that the subordinate officers were meant to go back and tell
15:46:16 25 their men to stop raping, or was it something that was just being
26 said to make the movement look good?

27 A. Well, as I said, it was something that had been happening
28 and made sure that - wanted to make sure that it was put under
29 control. That's why the commanders were invited to talk to the

1 junior soldiers who were in their areas of command to ensure - we
2 knew something that had been happening from the start of the war
3 could not be easily stopped immediately, but at least we could
4 put some limits to it. It could be minimised. That was the
15:47:15 5 thought that we had to ensure that it was minimised because the
6 people had already adapted to the system from the start of the
7 war, but it got to a point when we said this one is really too
8 much and so let's see if we could minimise it. So, that was what
9 we did.

15:47:47 10 Q. All right. And look further down that same page, please,
11 the next passage:

12 "There were situations where some RUF combatants were
13 disciplined for sexual assaults and some were even executed; for
14 example, Mongor witnessed Issa Sesay execute three young
15:48:17 15 combatants (in their early 20's) who allegedly gang-raped a girl;
16 Mongor thinks Sesay did this in this case because Sesay was from
17 Makeni and wanted to protect his own image amongst his tribal
18 people; this incident caused dissension in the ranks of RUF,
19 mostly among Mendes, who questioned why in that case Sesay could
15:48:44 20 take such severe action when similar things were so common."

21 Now, I've read all of that. Was it on the screen in front
22 of you? Thank you. Is that right, Mr Mongor? Is that what you
23 told the investigator?

24 A. Yes, I said it.

15:49:08 25 Q. And so when you were describing Issa Sesay's execution of
26 these three young men, it wasn't really in order to distill
27 discipline. It was in order to make Issa Sesay look good amongst
28 his own people, wasn't it?

29 A. Yes, that's how I took it to be.

1 Q. And I'd like you please to turn to tab 8, page 26281. This
2 is an interview on 28 January 2007, you're being interviewed by
3 Mr Kolot again and this is interview number 12. If we look at
4 that page, 26281, I want you to look at the last two lines there,
15:51:01 5 please. Do you see those last two lines, Mr Mongor?

6 A. Yes, I see them.

7 Q. I am going to read them out and then you tell me if
8 Mr Kolot has got it right this time, or is this another one of
9 his errors:

15:51:24 10 "Everybody in the RUF knew about the raping; for the most
11 part, no one was actually ever punished for such a thing. In one
12 of his interviews previously, Mongor did recount an incident in
13 Makeni where Issa Sesay had three RUF boys executed for rape.
14 That case was an exception to the rule however; it was the only
15:51:50 15 one Mongor heard of involving punishment. Rapes occurred all the
16 times; there was violence with 'bush wives' as they would have
17 been forced to have sex, etc."

18 Is that an accurate record of what you told the interviewer
19 in interview number 12 in January of 2007?

15:52:18 20 A. I said it, my Lord.

21 Q. Yes, and so apart from that one incident as far as you were
22 aware no-one was ever punished for rape. That's clear from what
23 you've said there. Would you go back, please, to tab number 1,
24 page 23028. This is the - I want to ask you about the last
15:52:57 25 bullet point on this page. It's the last paragraph on this page.
26 Now, do you see that where it says - it starts with the words,
27 "Mongor says rape was very common"? Do you see that?

28 A. Yes, I've seen it.

29 Q. And I'll read it out to you and tell me if Mr Kolot has

1 correctly recorded what you said:

2 "Mongor says rape was very common amongst RUF soldiers and
3 this remained the case for a long time; they started raping women
4 and girls right from the early [stages] of the war; Mongor
15:53:40 5 described it as rampant; he said there were rules against raping
6 and looting but it happened many, many times; even Mongor
7 acknowledges sexually assaulting women; if he tried to stop his
8 men from raping women and girls, he would have lost soldiers
9 because they would simply have gone to other commanders who
15:54:05 10 tolerated it."

11 Is that an accurate record of what you told Mr Kolot back
12 in August of 2006?

13 A. I said that, my Lord.

14 Q. That was interview number 1, we've just looked at interview
15:54:27 15 number 12 in January 2007 and so the picture as regards rape is
16 this. That even though there might have been some rules about
17 it, they were never enforced, were they?

18 A. Yes, my Lord.

19 Q. Thank you. There was in short no disciplinary system in
15:55:04 20 effect in the RUF, was there, for any serious offences?

21 A. The laws were there, but its implementation was limited.

22 Q. Extremely limited, would you agree?

23 A. I would say limited. I would agree to the word limited.

24 Q. Well, you have already said there was no discipline in
15:55:49 25 relation to killings. Your own words in the three passages that
26 we've looked at this afternoon make it clear that there was no
27 effective discipline in relation to rape. Was anyone ever
28 disciplined for any other serious offence that you can think of?

29 A. The only disciplinary action was, for example, somebody

1 killed another person, he will be put into a jail and after some
2 time he would be taken out of there and sent to some other
3 location. That was the only thing I could remember. You'd be
4 placed in a jail and after some time you'd be released and sent
15:56:47 5 to the front line.

6 Q. What do you mean if somebody killed another person? You've
7 been telling us today of numerous instances where civilians were
8 executed. Nobody was ever disciplined for those instances that
9 you were describing earlier, were they?

15:57:05 10 A. Yes, the person that I am referring to is if a soldier was
11 in the movement. For example if I were a soldier and another
12 commander killed any soldier, or another commander, he would be
13 arrested and put in a cell and you'd be there for some time and
14 later you would be sent to the front line. That was amongst
15:57:38 15 ourselves.

16 Q. Ah, right. As regards offences against the civilian
17 population there was no disciplinary system in place at all, was
18 there?

19 A. I agree with you, yes.

15:57:55 20 Q. Now I'm going to deal with a different topic at this stage.
21 I want you to tell us of your involvement in the various Top 10,
22 Top 20, Top Final operations. Now, I am right, aren't I, in
23 saying that by some time in 1992 there was a serious disagreement
24 between the RUF and the NPFL over the behaviour of NPFL members
15:58:32 25 in Sierra Leone?

26 A. Yes, we had a problem.

27 Q. And by the middle of 1992 there had been an order from
28 Liberia withdrawing all active NPFL personnel from Sierra Leone.
29 That's right, isn't it?

1 A. Yes.

2 Q. Is it the case that a few NPFL members decided to stay in
3 Sierra Leone and join up with the RUF as RUF members? Did that
4 happen, or didn't it?

15:59:27 5 A. Yes, it happened. Some stayed behind.

6 Q. But the NPFL as a body were withdrawn, as you've just
7 agreed, by the middle of 1992, back to Liberia. After that there
8 was little or no contact between the NPFL in Liberia and the RUF
9 in Sierra Leone for some years. That's right, isn't it?

16:00:05 10 A. No, my Lord.

11 Q. What is wrong with that proposition that I've just put to
12 you?

13 A. Because when you are saying that there was no contact I
14 said I disagreed, that the leader who was Foday Sankoh still used
15 to go to Liberia and return, so there was contact.

16:00:24 15
16 Q. When do you say the leader went to Liberia and returned
17 after the middle of 1992?

18 A. The 1992 you are referring to, when there were those Top
19 Top formations, when some of the men were withdrawn because they
20 were misbehaving, they were withdrawn from Sierra Leone, that is
21 the year that I'm referring to that Foday Sankoh still used to go
22 to Liberia and return because I can still recall when they came
23 for the people and went to them, he himself went to Liberia at
24 that same time.

16:01:20 25 Q. Foday Sankoh was publicly stating his anger with the NPFL
26 in 1992, wasn't he?

27 A. Well, he was not annoyed. He was not annoyed with the
28 NPFL.

29 Q. Are you seriously saying that Foday Sankoh was not annoyed

1 with the NPFL in 1992?

2 A. He was not annoyed with the NPFL that he would do anything
3 to them.

4 Q. He wasn't annoyed, but you drove them out in a military
16:02:16 5 operation, didn't you?

6 A. Well, he told - he said that they were to be withdrawn and
7 it was an agreement between himself and his brother. What Foday
8 Sankoh said was the outcome of an agreement that was between
9 himself and Mr Taylor. The two of them agreed and that's why

16:02:43 10 they brought vehicles, so that those men would use the vehicles
11 to go back.

12 Q. So what was Top Final all about, Mr Mongor?

13 A. It was the Top Final that finally led to Charles Taylor to
14 take those people back to Liberia.

16:03:13 15 Q. What happened in Top Final?

16 A. Well, Top Final, we had a strategy which was we intended to
17 disarm the men.

18 Q. Yes. It was some sort of battle, wasn't it?

19 A. Yes, it was some sort of battle which we fought among
16:03:59 20 ourselves.

21 Q. When you say "which we fought amongst ourselves", you mean
22 the RUF were fighting the NPFL?

23 A. Yes.

24 Q. But Foday Sankoh wasn't annoyed at all with the NPFL, he
16:04:20 25 was perfectly happy with them. That's what you've just said,
26 isn't it? You may not have used the words "perfectly happy", but
27 isn't that the impression you were intending to convey?

28 A. Repeat your question, my Lord.

29 Q. When you told us twice just a moment ago that Foday Sankoh

1 wasn't unhappy with the NPFL, were you trying to convey to the
2 Court a picture of Foday Sankoh being perfectly happy with the
3 NPFL in 1992?

4 A. When you are talking about NPFL, it's a whole organisation.
16:05:08 5 I would like you to know that. But within the organisation there
6 were people who did things that were contrary to what Foday
7 Sankoh wanted and those were the people that he requested their
8 withdrawal, but it was not the entire body, the entire NPFL that
9 Foday Sankoh was against. That is what I want you to know.

16:05:35 10 Q. Did anyone die in this battle between the RUF and the NPFL
11 that led to the NPFL being withdrawn in mid-1992?

12 A. I knew about an incident where two men from our own side
13 who - those of us who came from Pendembu and went to Kailahun,
14 two men from our side died.

16:06:13 15 Q. And yet this didn't make Foday Sankoh unhappy with the
16 NPFL, is that what you're saying?

17 A. I have told you that Foday Sankoh himself was an NPFL.
18 NPFL was an organisation. Foday Sankoh couldn't have been
19 against his own organisation which he was part of. But there
16:06:45 20 were certain people who were part of the NPFL whom he requested
21 for their withdrawal, but he was not annoyed with the entire
22 NPFL, not NPFL the entire organisation. That's what I'm telling
23 you, because that is a whole organisation, but there were
24 individuals within the NPFL whom Foday Sankoh requested for their
16:07:13 25 withdrawal and there was an agreement between himself and his
26 brother. That was what led to the withdrawal of those people
27 after that Top Final thing had occurred.

28 Q. By early 1993 ULIMO controlled Lofa County in Liberia,
29 didn't they?

1 A. Yes, 1993 ULIMO was along the border.

2 Q. Yes, and the RUF was cut off from Liberia?

3 A. Well, we were not cut off yet because the people had not
4 advanced to the border. They initially had come to Voinjama Town
16:08:21 5 and we who came from Sierra Leone, we went there and fought. So
6 at that time the border was not closed. I want you to know that.

7 Q. When do you say the border was closed by ULIMO?

8 A. It was in that 1993, but I cannot specify the month now, I
9 cannot recall that, but I can recall that that year when ULIMO
16:08:58 10 started invading that Lofa County, we went and fought there and
11 there was still a road from Sierra Leone and we used that road
12 from Sierra Leone, we entered Liberia and we returned.

13 Q. You fought there, but you were defeated by ULIMO, weren't
14 you?

16:09:21 15 A. It was later on, but from - it was the time that ULIMO came
16 to Voinjama, I went there and I was able to capture Voinjama from
17 the ULIMO and we were occupying the whole of Voinjama. That was
18 under our control.

19 Q. How long did you manage to keep it for?

16:09:52 20 A. I would say about a month because that was the time that I
21 spent around there myself then I returned.

22 Q. And what happened after the month?

23 A. Well, after that month I too was withdrawn from the place
24 and they sent another commander there and then ULIMO was able to
16:10:25 25 recapture the town from them.

26 Q. Was that because you'd been withdrawn and another commander
27 had taken over? Is that what you're saying?

28 A. Well, that is not what I'm trying to say because I was
29 withdrawn.

1 Q. In any event, ULIMO managed to chase both the NPFL and the
2 RUF out of Voinjama and they captured the whole of Lofa County by
3 relatively early 1993, didn't they?

4 A. Yes, in 1993 they were able to push the men, but the men
16:11:19 5 were still fighting there. They would push the men and the men
6 too would recapture. That was how the fighting was. There were
7 times the RUF - NPFL would capture the place and after some time
8 they would retake the place from them and after some other time
9 they would go there again. That was how the fighting was going
16:11:38 10 on.

11 Q. The border between the two countries, Sierra Leone and
12 Liberia, was closed off once ULIMO took control of Lofa County,
13 wasn't it?

14 A. It happened in 1993, but it took some time before they
16:11:59 15 could occupy the place before that advancement.

16 Q. You may not remember now, but on 11 March, on the second
17 day that you were giving your evidence, you actually referred to
18 when you ULIMO controlled Lofa from 1993. Do you recall telling
19 the Court that?

16:12:22 20 A. I told the Court that it was in 1993, yes, that ULIMO
21 occupied the border. Yes, I said it.

22 Q. Help us, if you can, with when in 1993?

23 A. No, my Lord, I cannot tell you the time now. It has taken
24 a long time. I cannot recall, but I am sure it was in 1993.

16:12:56 25 Q. Yes and so where were you, you the RUF, getting your arms
26 from in 1993?

27 A. In 1993 we were not getting arms. The arms that we used to
28 get were those that we captured from the enemies.

29 Q. You weren't getting them from Liberia, were you, from 1993

1 onwards?

2 A. We were not getting it after the border had closed. We
3 only got arms now from the enemies after we could have conquered
4 them.

16:13:57 5 Q. Now which enemies are we talking about?

6 A. We are talking about - at that time it was the SLA
7 soldiers.

8 Q. Yes, anybody else?

9 A. Those were the people that we were fighting against mainly,
16:14:27 10 the SLA soldiers.

11 Q. Right. Did you get arms or ammunition from any source
12 during the time that the border with Liberia was closed?

13 A. Yes, we got some amount of ammunition from the Guinea end.
14 We were transacting some business with the Guinean soldiers.

16:15:01 15 MR KOUMJIAN: Excuse me, your Honour. I understood the
16 witness to say in Krio "small small" and it was translated as
17 "some amount" and I'm just questioning whether that's the only
18 translation.

19 THE INTERPRETER: Yes, your Honour, some amount.

16:15:15 20 PRESIDING JUDGE: I understood "small small" to have a
21 particular meaning in Krio, Mr Interpreter.

22 THE INTERPRETER: No, your Honour, it has a variety of
23 meanings, but in this case it is "some amount".

24 PRESIDING JUDGE: Very well. That's now the official
16:15:30 25 transcript, Mr Koumjian.

26 MR MUNYARD:

27 Q. Would you like to tell us in English, Mr Mongor, for those
28 of us who don't speak Krio?

29 A. I will say it in Krio. That's why they have an interpreter

1 and the interpreter is there to interpret whatever I say. If I
2 say something and the people do not understand it, it is the work
3 of the interpreter to interpret it so that they can understand
4 me.

16:16:13 5 Q. Thank you. Did you get arms or ammunition from anywhere
6 else?

7 A. We had - we got ammunition from some other end.

8 Q. Which end is that?

9 A. We got it from Guinea.

16:16:41 10 Q. Yes, we just dealt with Guinea. Did you get any from
11 anyone else?

12 A. No, it was only from that Guinea border that we transacted
13 business. Besides that we didn't get arms from any other end,
14 except the one that we got when we would have fought against
16:17:07 15 enemies.

16 Q. Well, didn't you get arms from ULIMO?

17 A. The arm deal for ULIMO, that was later on and I was not
18 around the border at that time. I was in the jungle.

19 Q. Well, I'm not asking you whether you personally went and
16:17:34 20 got arms. A great deal of your evidence is about what other
21 people told you they did, or saw, or heard. Now just help the
22 Court with this, if you can: Did the RUF get arms from ULIMO at
23 any time?

24 A. Yes, the RUF had arms and ammunition from ULIMO.

16:18:05 25 Q. Did they get them because they were fighting ULIMO as the
26 enemy, or did they get them in some other way from ULIMO?

27 A. Well, they had it when there was ceasefire in Liberia, when
28 they were in readiness for their disarmament to start. That was
29 the time the RUF had a contact with the ULIMO to sell ammunition

1 to them.

2 Q. What year was this?

3 A. If I am not mistaken, my Lord, I would say it was 1996,
4 around there that I'm talking about, until around 1997 before the
16:19:25 5 AFRC coup. That is around the time that I'm referring to.

6 Q. Is this your evidence: That once the border with Liberia
7 was closed you didn't get any arms from Liberia, or ammunition
8 from Liberia until 1998?

9 A. I would like you to repeat that, my Lord.

16:20:12 10 Q. Yes. Is it your case that once the border was closed with
11 Liberia you didn't get any - you the RUF didn't get any arms from
12 Liberia until 1998? When I say arms, can I make it clear I'm
13 including ammunition.

14 A. Yes, when you are talking about Liberia it means - I said
16:20:49 15 that because it was the place that we had access to. It was the
16 place from where we got arms and ammunition. At that time that
17 supply was cut off, but from the - but to get the arms and
18 ammunition from the Liberian soil it was only through the deal
19 that was between ULIMO and the RUF. It was only through that
16:21:12 20 that we got ammunition and arms from the soil of Liberia. That
21 is what I want to tell you, my Lord.

22 Q. Until 1998?

23 A. Yes, until 1998.

24 Q. I want you to make it absolutely clear. When you say the
16:21:41 25 only arms and ammunition you got from Liberian soil during that
26 period of time was through the deal between ULIMO and the RUF,
27 you are talking about any source of arms or ammunition from
28 Liberia?

29 A. Yes, I am talking about whatever source that arms and

1 ammunition used to come from the Liberian soil. That's what I'm
2 talking about. We were not having that access to our own zone
3 from where we used to initially get those items.

16:22:38 4 Q. So although you got some through your deals with ULIMO, you
5 got nothing from Charles Taylor and the NPFL from the time the
6 border was closed until, you say, 1998. Is that your evidence?

7 A. Yes, my Lord.

8 Q. And when I say you got nothing from Charles Taylor during
9 that period of time, I mean by any means from Liberia, by any
16:23:28 10 method?

11 A. I cannot recall that - I cannot recall that when ULIMO
12 occupied that place we got arms from any other source.

13 Q. Did you ever get any arms from either Ghana or Libya?

14 A. What time are you referring to, my Lord?

16:24:13 15 Q. At any time did the RUF arm itself from either Ghana or
16 Libya?

17 A. I cannot recall that we got any arms from Ghana.

18 Q. Right. Let's just stay with Ghana for a moment. To your
19 knowledge was anyone from the RUF ever sent to Ghana with money
16:24:52 20 to obtain arms?

21 A. I cannot recall that one, my Lord.

22 Q. Well, let's go to Libya and deal with Libya. Did the RUF,
23 to your knowledge, ever get any arms or ammunition from Libya?

24 A. We did not have a direct dealing with Libya.

16:25:31 25 Q. Right. So that suggests, does it, that you had an indirect
26 dealing with Libya. Is that what you're saying?

27 A. We hadn't a direct dealing with Libya, but we had dealing
28 with Mr Taylor.

29 Q. When?

1 A. Well, from the start of the war. Since the start of the
2 war it was Mr Taylor who armed the RUF and he provided the
3 ammunition before the RUF could invade Sierra Leone.

16:26:38 4 Q. I'm asking you about Libya at the moment. Can we stick to
5 Libya, please?

6 A. I told you that we didn't have a direct contact. That the
7 RUF was in direct contact with Libya, no. All our contacts were
8 in Liberia and if any other connection existed between Liberia to
9 any other country that you are talking about, it couldn't have
16:27:16 10 been directly from RUF.

11 Q. All right. Can you turn, please, to tab 12. This is the
12 16th time that you were interviewed. This is the one where there
13 is Umaru Kamara, whose name we saw on that document we went
14 through this morning, and Mr Koumjian. And would you please turn
16:27:53 15 - your Honour, I think I can deal with this in the time that is
16 left - to page 39004. Now, on that page about a quarter of the
17 way down it says, "Interviewed recommenced at 10:30 a.m. on
18 26/7/07", and the paragraphs are numbered and would you look,
19 please, at paragraph number 52.

16:28:51 20 A. Okay.

21 Q. Now, that paragraph reads as follows, "In 1996 Jonathan
22 Kposowa ..." - am I pronouncing that correctly?

23 A. Yes, Kposowa.

24 Q. Kposowa, thank you:

16:29:05 25 "... Jonathan Kposowa travelled with [Foday Sankoh] to
26 Abidjan for the Peace Accord. Whilst there, Kposowa was sent by
27 [Foday Sankoh] to collect money somewhere ...", you think that it
28 was in Ghana, "... and to buy ammunition with the money.
29 Instead, Kposowa collected the money and converted it to his own

1 use. Because of that he was afraid to return to Sierra Leone, so
2 he went and stayed in Liberia." Now --

3 PRESIDING JUDGE: Mr Munyard, we've been told there's less
4 than a minute. Will you be able to complete the question?

16:29:39 5 MR MUNYARD: Yes:

6 Q. Forget about what he did with the money. Do you know who
7 he was going to see in Ghana to collect money and buy ammunition?

8 A. I cannot recall the person that he went to see.

9 MR MUNYARD: I'll finish there.

16:30:00 10 PRESIDING JUDGE: Thank you, Mr Munyard. I know it's very
11 irritating when we're used to trying to complete our line of
12 questioning, but these things are imposed upon us.

13 MR MUNYARD: That is quite all right, your Honour.

14 PRESIDING JUDGE: Mr Witness, I will again remind you that
16:30:13 15 it's now 4.30 and we are going to adjourn until tomorrow morning.
16 I again remind you, as I've done before, you should not discuss
17 your evidence with anyone. Do you understand?

18 THE WITNESS: Yes, my Lord.

19 PRESIDING JUDGE: Thank you. Please adjourn court until
16:30:36 20 tomorrow at 9.30.

21 [Whereupon the hearing adjourned at 4.30 p.m.
22 to be reconvened on Friday, 4 April 2008 at
23 9.30 a.m.]

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I N D E X

WITNESSES FOR THE PROSECUTION:

TF1-532 6507

CROSS-EXAMINATION BY MR MUNYARD 6507