



Case No. SCSL-2003-01-T

THE PROSECUTOR OF
THE SPECIAL COURT
V.
CHARLES GHANKAY TAYLOR

THURSDAY, 4 NOVEMBER 2010
9.00 A.M.
TRIAL

TRIAL CHAMBER II

Before the Judges:

Justice Julia Sebutinde, Presiding
Justice Richard Lussick
Justice El Hadji Malick Sow, Alternate

For Chambers:

Mr Artur Appazov

For the Registry:

Ms Rachel Irura
Mr Alhassan Fornah

For the Prosecution:

Ms Brenda J Hollis
Mr Nicholas Koumjian
Ms Kathryn Howarth
Ms Maja Dimitrova

**For the accused Charles Ghankay
Taylor:**

Mr Terry Munyard
Mr Silas Chekera
Ms Logan Hambriek
Ms Kimberley Punt

1 Thursday, 4 November 2010

2 [Open session]

3 [The accused present]

4 [Upon commencing at 9.02 a.m.]

09:02:58 5 PRESIDING JUDGE: Good morning. We'll take appearances,
6 please.

7 MR KOUMJIAN: Good morning, Madam President. Good morning,
8 your Honours, and good morning to Defence counsel. This morning
9 for the Prosecution, Kathryn Howarth, Maja Dimitrova, an intern
09:03:24 10 with our office Jacqueline Greene, and myself, Nicholas Koumjian.

11 MR MUNYARD: Good morning, Madam President, your Honours,
12 counsel opposite. For the Defence this morning, myself, Terry
13 Munyard, Silas Chekera, Logan Hambrick and our legal assistant
14 Kimberley Punt and intern Szilvia Csevar.

09:03:54 15 PRESIDING JUDGE: Mr Witness, we're going to continue with
16 your testimony this morning and I'm required to remind you that
17 you took an oath to tell the truth and that oath is binding on
18 you today.

19 THE WITNESS: Yes.

09:04:14 20 WITNESS: DCT-102 [On former oath]

21 CROSS-EXAMINATION BY MR KOUMJIAN: [Continued]

22 Q. Good morning, Mr Kolley.

23 A. Good morning.

24 Q. Now, Mr Kolley, when we left off, I believe I had made a
09:04:24 25 reference to testimony about Isaac Mongor and how he trained you,
26 the trainees, at Camp Naama, the RUF trainees, and I promised to
27 give a reference. First of all, before I do that, Mr Witness,
28 you said PI. Who was PI? He was a trainer there, correct?

29 A. Yes, he was also helping to train.

1 Q. And he was Liberian, correct?

2 A. Yes.

3 Q. He was an NPFL man, correct?

4 A. Yes.

09:05:13 5 Q. Okay. I'd now like to read to you from the transcript of
6 5 July this year, page 43601, and this is the testimony of
7 Issa Sesay. Mr Witness, you know who Issa Sesay is, correct?

8 A. Yes, I know Issa.

9 Q. He was asked in the middle of the page - well, I'll wait
09:05:48 10 for the transcript to come up. I don't know if I've given the
11 page number, 43601. Thank you. He was asked at line 16:

12 "Q. And who was responsible for that training?

13 A. The instructors who trained us were Rashid Mansaray,
14 Special Forces, Mohamed Tarawalli, Mike Lamin. They were
09:06:25 15 the main instructors who trained us, because the others,
16 they came in like - late - like Gonkanu, Isaac Mongor, Pl,
17 they came in late. In fact, some of them were not
18 effective instructors because I can recall at one time when
19 we had lectures from Isaac Mongor as to how to attack a
09:06:50 20 town, city attack, we talked about how to capture a town.
21 The lectures that he gave that day and later Foday Sankoh
22 knew about the lectures he had given, Foday Sankoh was
23 angry with him."

24 Then he was asked about what the lecture was and he said at
09:07:13 25 the bottom of the page:

26 "A. Well, Isaac Mongor was teaching us that, look, when you
27 were dividing a town, when you were dividing a troop to
28 attack a town, when you've captured the town you will call
29 all the civilians for them to come out of their houses and

1 you would assemble them."

2 First of all, let me just stop there. Mr Kolleh, was that
3 the practice when the RUF captured a town, or a village, to call
4 all the civilians out of their homes and hiding places and

09:07:45 5 assemble them in one spot?

6 A. I am not aware of other training.

7 Q. Sir, that's not my question, okay. Right now my question
8 to you is the practice of the RUF. You said you were with the
9 RUF from the invasion through disarmament. When you captured a

09:08:03 10 town or village, was it the practice to take all of the people
11 that you found there, in their houses or in their hiding places,
12 and assemble them in one spot?

13 A. Yes.

14 Q. And Mr Sesay went on to say that Isaac Mongor told them:

09:08:25 15 "You will call all the civilians for them to come out of
16 their houses, you would assemble them and you divide the group
17 into two. Kill one group. You kill everybody. And the other
18 group, they would stay with you. Those who want to train, you
19 would talk to them and others would stay in the town as
09:08:45 20 civilians."

21 Now, did Issa Sesay tell the truth about the training that
22 you received at Camp Naama from Isaac Mongor?

23 A. I can't tell. Issa was speaking in his own capacity. Issa
24 and Isaac Mongor were in 1st Platoon. I was in 3rd Platoon. We
09:09:05 25 used to have classes by section, not as general.

26 Q. Did you ever hear Isaac Mongor give this type of lecture?

27 A. No.

28 Q. Did you ever hear of Isaac Mongor being disciplined by
29 Foday Sankoh for the lectures that he was giving?

1 A. No.

2 Q. So as far as you know, Foday Sankoh had no problem with
3 this lecture - with any training by Isaac Mongor. Is that
4 correct?

09:09:30 5 A. No.

6 Q. Well, perhaps it was my question. Do you know of Foday
7 Sankoh having any objections to Isaac Mongor's training
8 techniques?

9 A. I don't.

09:09:44 10 Q. By the way, Mr Witness, just for reference for the Court
11 and counsel there's another document that says similar facts
12 about Isaac Mongor's training and that's confidential document
13 P277.

14 MR MUNYARD: Madam President, I think P277 is in two
09:10:13 15 separate parts, I wonder if we could be referred to which part
16 Mr Koumjian's talking to.

17 MR KOUMJIAN: Well, if that's necessary I will. I believe
18 it's in three parts but I'll ask my colleague to find it, I
19 believe it's on the last - the third part. If they look first in
09:10:31 20 part three where there's a section on Isaac Mongor.

21 Q. Mr Witness, another person, NPFL who trained you as Naama
22 was One Man One, correct?

23 A. No.

24 Q. You never heard - you know who One Man One is, correct?

09:10:53 25 A. No.

26 Q. You never heard the name One Man One?

27 A. I never heard no One Man One training.

28 Q. Well that wasn't my question.

29 A. No.

1 Q. Have you heard of anyone called One Man One?

2 A. No.

3 Q. Well, another witness DCT-292, I cannot tell you his name,
4 who said he trained at Naama, testified on 2 June 2010. Could we
09:11:21 5 please look at the transcript at page 41867.

6 While this is coming up, you told us Gonkanu only conducted
7 physical training, is that correct?

8 A. Yes.

9 Q. You said he would only come once in a while and he was a
09:12:10 10 volunteer and would go back, is that right?

11 A. Yes.

12 Q. And when you say "go back" you mean he would go to the NPFL
13 part of Camp Naama, correct?

14 A. He would go on his own.

09:12:22 15 Q. Well, that wasn't my question. Do you know, did he go to
16 the NPFL part of Camp Naama, is that where he was staying?

17 A. No.

18 Q. You don't know where he was going?

19 A. No.

09:12:31 20 Q. Okay. So on page 41867 of the 2 June, going down about
21 nine lines, the question was - thank you, 7 lines at line 7:

22 "Q. No, I'm asking you about Liberians who were teaching
23 training."

24 And the witness answered, the witness who has testified he
09:12:54 25 was at Camp Naama:

26 "A. Okay, in training, really, the Liberians that trained
27 us was Gonkanu, he trained us, One Man One, he trained us.
28 On the side of Isaac Mongor, I guess Isaac Mongor, I cannot
29 take - I cannot take him to be a trainer because he was

1 just there to make sure that in the morning we go
2 physically, we jog maybe a mile and come back on the base."

3 Can we just stop there for a moment. Mr Witness, was it
4 common for the - during the training to go for runs outside the
09:13:34 5 base?

6 A. Come again?

7 Q. Sir, what I'm asking you is; was it common during your
8 training at Camp Naama, and Crab Hole, that part of the training,
9 you would go for a run, you would go on a run outside the base?

09:13:51 10 A. Yes.

11 Q. And also was it part of your training to go on long hikes
12 to train for walking long distances?

13 A. Yes.

14 Q. By the way, another witness said you were one of the
09:14:06 15 fastest of the runners, is that true?

16 A. Yes, I told you earlier. I said Isaac and myself we jog
17 with the people, I told you earlier.

18 Q. Okay. So Mr Witness, by the way, you told us you stayed
19 there because you had no choice, you'd be killed if you tried to
09:14:24 20 leave, is that right?

21 A. Come again?

22 Q. You told us before, you explained that you were not at
23 Naama voluntarily, you were there because you would be killed if
24 you left, that's what you believed, correct?

09:14:38 25 A. I did not say so. I said - Arthur sent me, he said if you
26 are not trained and you are with me on this weapon, in case you
27 hide or something come out, I could easily be killed, so you have
28 to be trained. That's what I said.

29 Q. So were you at Naama training voluntarily or were you there

1 because you were afraid not to?

2 A. I was sent by Arthur to train.

3 PRESIDING JUDGE: That doesn't answer the question,
4 Mr Witness. The question relates to your voluntariness, or
09:15:26 5 otherwise, while you were there. Please answer the question
6 asked.

7 THE WITNESS: Please repeat your question, please.

8 MR KOUMJIAN:

9 Q. Sir, were you at Naama, training to be a fighter, because
09:15:42 10 that's what you wanted to do or were you forced to train and be a
11 fighter?

12 A. I was forced to train to be a fighter.

13 Q. And how were you forced?

14 A. The man told me, "Before you be with me you have to be
09:16:06 15 trained," so that's why he sent me to go and train.

16 Q. And contrary to what you just said, you felt that if you
17 didn't train you would be killed; isn't that true?

18 A. No. He would be killed in case I am not trained. I'm with
19 him on the weapon and that's artillery weapon. A civilian cannot
09:16:24 20 be with him. And he just an ordinary soldier on the weapon,
21 that's what I kept saying.

22 Q. Mr Kolléh, you can't keep your story straight. So let me
23 remind you of what you said on 1 November, Monday, page 48369,
24 please.

09:16:44 25 At line 15, the Defence counsel asked you:

26 "Q. Did you feel that you had any choice about being
27 trained as a fighter at Camp Naama?

28 A. No.

29 Q. What did you think would happen to you if you said you

1 didn't want to be trained as a fighter there?

2 A. You had to be killed."

3 So what is the truth? Were you afraid of being killed if
4 you refused to train at Naama or were you there voluntarily?

09:17:46 5 A. I was not there voluntarily. I was told to go and train
6 and you cannot be a civilian and be with that operator or
7 assigned soldier on the heavy weapon. You can't be with him.
8 And if the man say go and train, you can't refuse to go and
9 train. You have to train. If you refuse to train that mean you
09:18:10 10 have different motive and you will be suspected and he was
11 telling me he was just an ordinary soldier on the weapon. A
12 civilian cannot be with him. He brought me. He was not
13 commander in charge. If he say go and train and I say no, then I
14 will suspected.

09:18:25 15 Q. He's talked about different intention. There was a term in
16 the RUF, and it may be escaping me right now. It was something
17 like DI for those who had different intentions and you were
18 punished for that and the punishment included being killed,
19 correct?

09:18:47 20 A. No.

21 Q. Did you hear about Foday Sankoh killing a recruit who had
22 come with Issa Sesay who escaped from the training or did you
23 hear about - excuse me - about that recruit being killed?

24 A. Where in particular?

09:19:05 25 Q. When he escaped from Cuttington university campus?

26 A. I am not aware of Cuttington university campus training.

27 Q. Sir, you have told us that you went on jogs outside of Crab
28 Hole, you also went on long hikes and that you are one of the
29 fastest runners. Why didn't you just walk away, run away from

1 the camp? Who did you think would catch you?

2 A. There was a pass system. If you escaped and you were
3 arrested without pass, I am sorry, anything would happen to you.
4 So you could not escape. If you want to go anywhere you needed
09:19:52 5 to take pass, travelling pass from the base or from wheresoever.
6 So you can't escape. If you do on your own and you are caught,
7 without pass you could be dealt with.

8 Q. Sir, your family was in Gbarnga, correct?

9 A. Come again?

09:20:12 10 Q. You told us your family was in Gbarnga, correct, your
11 parents, your mother and stepfather?

12 A. No, my stepfather in Monrovia.

13 MR MUNYARD: I'd like a reference to that because it
14 doesn't accord with my recollection of the witness's testimony.

09:20:30 15 MR KOUMJIAN:

16 Q. Did you tell us yesterday that you came from Gbarnga, is
17 that correct?

18 A. Yes.

19 Q. Did you have family in Gbarnga?

09:20:37 20 A. Not in Gbarnga town.

21 Q. In the area of Gbarnga?

22 A. Yes.

23 PRESIDING JUDGE: Mr Koumjian, let me just interrupt you to
24 correct something I see on page 12, line 16, of my LiveNote. The
09:20:49 25 witness said if and you are caught without a pass you could be
26 dealt with, not dead. He didn't say dead, did you, Mr Witness?

27 THE WITNESS: Yes. I said dealt.

28 PRESIDING JUDGE: Dealt with.

29 MR KOUMJIAN:

1 Q. So, sir, did you feel you would be safe if you went and
2 stayed with your family in the Gbarnga area?

3 A. No.

09:21:35

4 Q. Because that was an NPFL-controlled area, one of their
5 headquarters, correct?

6 A. Yes.

7 Q. And someone escaping from an RUF base, he would be
8 considered DI, returned to the RUF and dealt with, correct?

9 A. He will be declared what? DI?

09:21:55

10 Q. Well, there is a term, I believe you used, in the RUF, for
11 someone with a different intention. What was it called, just
12 different intention?

13 A. Yes, but different intention mean it came to light between
14 the time of the RUF, not on training base. So different
09:22:11 15 intention was just in the lecture class wherein they would tell
16 you this is what it means. But actually it existed during the
17 course of the war.

18 Q. Okay. You would be dealt with as a deserter, correct?

19 A. Yes.

09:22:24

20 Q. So you stayed at Camp Naama because the surrounding area
21 was controlled by the NPFL which would have arrested you and
22 returned you to the camp, correct?

23 A. Yes.

09:22:51

24 PRESIDING JUDGE: Mr Witness, were you formally or
25 officially a member of the NPFL before you went to Camp Naama?

26 THE WITNESS: No, I was a student.

27 PRESIDING JUDGE: How would the NPFL arrest you, based on
28 what?

29 THE WITNESS: If you leave from training base, you are not

1 a soldier, you are training. If you leave from training base and
2 you are walking around you meet up with any fighter or any
3 soldier, for that matter, you will be asked from where and to
4 where, from here to here, do you have pass? You will be asked.

09:23:20 5 So if in there you leave from the base to travel, you don't have
6 a pass you can be arrested.

7 PRESIDING JUDGE: What I want to know, curiously, is if you
8 left the base, for instance, if you were running on one of your
9 running journeys, were you wearing uniforms or what? How would
09:23:38 10 they tell that you were running from the base?

11 THE WITNESS: You would be asked for a pass. If the pass
12 is not produced, you will be asked from where and you have to
13 explain from where. If you don't explain then you can be
14 suspected as enemy, that was obvious in the revolution.

09:23:53 15 PRESIDING JUDGE: Are you saying that every civilian in
16 Liberia was walking around with a pass?

17 THE WITNESS: I can't tell you. I was only concerned with
18 where I was, Camp Naama. I can't tell you outside of Camp Naama
19 whether civilians was walking with pass. I know there was pass
09:24:09 20 system.

21 PRESIDING JUDGE: Why can't you tell me? Were you not in
22 Liberia at the time? Were you not a civilian? Did you have a
23 pass before you were abducted?

24 THE WITNESS: I did not have a pass. I had my student ID
09:24:20 25 card, that I considered to be something that would identify me,
26 whom I was.

27 PRESIDING JUDGE: So why didn't you use that to escape?

28 THE WITNESS: I can't use that to escape because one or
29 two, three persons saw me on base. If you escape from Naama

1 there and you are arrested, within that zone, even if you're
2 approaching Gbarnga and you are coming from Naama, you are not
3 coming from Monrovia. Obviously there will be technical
4 questions posed to you.

09:24:55 5 PRESIDING JUDGE: The other curious question in my mind is:
6 You say that Arthur took you there, took you to Crab Hole for
7 training, and that the reason he gave was that you should then
8 come back to him and help him with his gun, fighting with his
9 gun. Is that correct?

09:25:10 10 THE WITNESS: I should train to be a soldier or fighter;
11 that's the only way I can continue to be with him. That was what
12 he told me. He did not come - he did not tell me, "Go and train
13 to be assigned on this weapon to go and fight." But he told me,
14 "Before you are with me, be a fighter, be trained."

09:25:28 15 PRESIDING JUDGE: So why didn't you go back to him to train
16 - after your training to be a fighter? Because he never came
17 back for you. Your training, in other words, had nothing to do
18 with Arthur at the end of the day, did it?

09:25:47 19 THE WITNESS: No. But at the end of the day, Arthur was
20 not around. They later moved, because he was assigned on the
21 weapon, under a command. So they later moved. He was no longer
22 found again at Naama. They later moved ahead where they were
23 ordered to move. So I just remained again on the base. He was
24 no longer around now. He himself was subject to orders, so once
09:26:07 25 order travelled that they should move from their base, they
26 moved. That was the weapon he was assigned on and a commander
27 was controlling him. Arthur was no longer around. Where would I
28 go? I have to stay on the base.

29 PRESIDING JUDGE: How did you establish that he had left?

1 THE WITNESS: He was no longer around. He used to come and
2 speak to me and go back, but after a certain time he came and
3 told me, "We have been ordered to move. Perhaps I will come
4 back, or I won't come back. So until you can train, I will be
09:26:38 5 coming back to go." But from the time he left I could not see
6 him again. That was all.

7 PRESIDING JUDGE: And while you were training, did you
8 believe that you were training for the NPFL?

9 THE WITNESS: At the initial stage, yes, I believe I was
09:26:55 10 training for the NPFL from the initial stage because I was not to
11 go and train to do this and do that. I was only to go and train.

12 PRESIDING JUDGE: And then at what stage did that belief
13 change?

14 THE WITNESS: After some period of time when Rashid, Mike
09:27:17 15 Lamin, especially Sankoh used to take us into a lecture class.
16 That was the time I started to feel that this is not directly for
17 NPFL. And then by then Sankoh was not called Sankoh, he was
18 called Morlai, Pa Morlai.

19 PRESIDING JUDGE: Why didn't you leave at that stage? Why
09:27:40 20 didn't you leave the camp at that stage?

21 THE WITNESS: I was still training.

22 PRESIDING JUDGE: Yes, but this was not about the NPFL any
23 more; this was about some other fighting group that you had no
24 interest in. Why didn't you, on discovering that you are now
09:27:59 25 being trained by a different group altogether - why didn't you
26 leave the camp?

27 THE WITNESS: I could not leave. I was not out of the
28 base. I was still training. In the process Arthur left. I was
29 still training. Had we graduated, I was going to leave.

1 PRESIDING JUDGE: Now, at that stage you were training for
2 what? After you discovered the NPFL were not the trainers, what
3 were you training for?

4 THE WITNESS: I was training - we were training as
09:28:32 5 fighters. We were training as fighters. That's what we were
6 training for on the base of Crab Hole.

7 PRESIDING JUDGE: You remained at Crab Hole, training as a
8 fighter, even though you discovered that the group you were with
9 were not the NPFL any more, as you had thought. You were
09:28:52 10 training to fight what?

11 THE WITNESS: To go and fight war. That's the essence of
12 training. You can be trained to be a soldier, perhaps you may
13 not hold the arm to fight, but you have to be trained to be a
14 fighter. You can be a fighter. You train to be a fighter.

09:29:12 15 PRESIDING JUDGE: Mr Koumjian, please excuse my curiosity.
16 Continue.

17 MR KOUMJIAN: Not at all.

18 Q. Mr Witness, you talked about Foday Sankoh coming and giving
19 lectures. Foday Sankoh would come and go from the base, is that
09:29:28 20 correct?

21 A. Come again?

22 Q. Foday Sankoh would come and go from Naama. He would come,
23 stay a few days and then leave, come back, bring more recruits,
24 leave, come back, bring some maybe food, leave. He was coming
09:29:46 25 and going, correct?

26 A. Yes.

27 Q. Now, where did he get his passes from, do you know?

28 A. His what?

29 Q. Pass. You told us that all civilians in that area had to

1 travel with a pass.

2 A. I can't tell you where Foday Sankoh got his pass from.

3 Q. And others came and went also, like Rashid Mansaray,
4 Tarawalli, this man you called Gonkanu, they would come and go,
09:30:15 5 correct?

6 A. Mike Lamin - sorry. Rashid, Mohamed Tarawalli did not come
7 and go, please. We all were at Crab Hole.

8 Q. Was Rashid there when you arrived?

9 A. Rashid was there.

09:30:28 10 Q. How about John Kargbo, when did you first meet him?

11 A. We met one another on formation. You don't actually have
12 to know today this person is coming. I was not assigned as an MP
13 or investigator to know who is coming, who is not coming, how
14 many persons on the base. I was not assigned on that assignment.

09:30:47 15 But we usually get friends on the same - in the same platoon or
16 in the next platoon or in term of muster or in term of food
17 sharing we come to know one another.

18 Q. Well, John Kargbo - maybe my question wasn't clear. It
19 wasn't. It's my fault. Did you meet him at Naama?

09:31:07 20 A. Yes, I met Kargbo there.

21 Q. And he was an NPFL fighter, correct?

22 A. I did not know him to be NPFL fighter.

23 Q. Well, Mama I and John Vincent testified openly in this case
24 and said that when they met him he was NPFL. Do you have any
09:31:26 25 reason to dispute it?

26 A. I don't have no knowledge on that. That's what they said.
27 I am far away from that information.

28 Q. Now, you also talked about how Arthur, the NPFL soldier,
29 would come into your base and tell you what's going on. That's

1 how you knew he left, because he stopped coming in. Or did he
2 tell you he was being transferred or did you just realise he had
3 stopped visiting you?

09:31:59

4 A. I realised he was being transferred. He told me they were
5 going on operation to come back.

6 Q. Okay.

7 A. They were ordered to move.

8 Q. And that, by the way, that's generally a military secret,
9 orders to move, correct?

09:32:09

10 A. Come again?

11 Q. It's not something you tell a civilian, about operations
12 being planned, that this unit is going to move. In your military
13 experience, you don't tell a civilian, "Oh, our troops are moving
14 out tomorrow." That's a military secret, correct?

09:32:24

15 A. Yes, it's a military secret.

16 Q. And the picture, Mr Witness, is quite clear, isn't it, to
17 you now, looking back on it. You were taken to the base by an
18 NPFL soldier, it was a base shared by the RUF and the NPFL. You
19 had NPFL instructors like Gonkanu coming over from their side to
20 train you. The RUF was part of the NPFL, it was a sub-unit,
21 correct?

09:32:48

22 A. No.

23 Q. Let me continue with - I didn't quite finish with reading
24 the testimony of DCT-292 that I was interested in. So going back
25 to page 41867 of 2 June. I believe I had stopped when we talked
26 about how - when the witness talked about how Isaac Mongor would
27 lead jogging in the morning outside the base. That's going down
28 to about line 20. Thank you. So at line 26 it continued and the
29 witness was asked about Isaac Mongor:

09:33:08

1 "Q. He conducted the physical training, the PT, correct?

2 A. Yes, my Lord."

3 He was then asked if he had mentioned an Abraham Dugbeh.

4 Mr Witness, do you know Abraham Dugbeh?

09:34:09 5 A. Yes, he was one of the vanguards.

6 Q. Was he a trainee or a trainer?

7 A. He was a trainee.

8 Q. Was he Liberian?

9 A. Yes.

09:34:20 10 Q. And then he went on and the next question was:

11 "Q. Thank you very much. Now, One Man One, was he at the
12 base the entire time you were undergoing training?

13 A. He was with us, your Honour.

14 Q. So basically, from November to March" - I'm not sure
09:34:45 15 everyone's with me. I shouldn't have said next page. It's next
16 page on my notes, it's not the next page on the transcript. It
17 should be at the bottom of page 41867. Six lines from the bottom
18 of 41867, the page we were on. So the witness was then asked:

19 "Q. So basically from November to March, you saw him" -
09:35:40 20 remember we're talking about One Man One - "at Naama?

21 A. Yes, my Lord."

22 And then he said he did not see him in Sierra Leone. He
23 was asked:

24 "Q. What about Gonkanu, was he with you throughout the
09:35:57 25 time at the base?

26 A. Yes, he was with us.

27 Q. One Man One was from Nimba County?

28 A. Yes.

29 Q. Was he a Special Forces trained in Libya?

1 A. I didn't ask him, my Lord.

2 Q. Who was Gonkanu?

3 A. Gonkanu was an experienced fighter. He was brought on
4 the base by the leader at that time, Pa Morlai, and he was
09:36:28 5 introduced to us, that he's going to take care of how
6 to make ambushes, how to escape for survival and how to use
7 the arm."

8 Did Gonkanu teach you those things, Mr Witness, those
9 fighting techniques?

09:36:45 10 A. I think Gonkanu lectured the 1st Platoon. He talked to 1st
11 Platoon. But the most job for Gonkanu at that time, exercise in
12 the morning, you come back and he go with another platoon. But
13 my platoon, 2nd Platoon, Gonkanu was not actually with my
14 platoon. After we jog in the morning, he would go to 1st
09:37:08 15 Platoon, talk with them for some time. As we are going for food
16 he go by his way.

17 Q. Did you train with arms, Mr Witness, at Naama?

18 A. No, we were trained with sticks.

19 Q. With sticks?

09:37:26 20 A. Sticks.

21 Q. Okay. Did you ever see any arms at Naama, guns?

22 A. Oh, yes, I saw Gonkanu with arm.

23 Q. So it was just Gonkanu who was NPFL who had an arm, but the
24 recruits did not have arms. Is that correct?

09:37:44 25 A. No, no, no, no. No recruit had arm.

26 Q. Now, by the way, you said you were there for, and please
27 remind me, four or five months, is that correct, training at
28 Naama?

29 A. Yes.

1 Q. Now, during that time recruits continued to be brought to
2 the base. Is that right?

3 A. Yes, but when you talk about recruit being brought, it was
4 not people coming, you go and bring a batch of people, you add,
09:38:26 5 no. They were just by seldom.

6 Q. I don't think we quite understand understood the last word
7 you said. You said they were just by what?

8 A. Seldom. Just maybe one time in the month or in two, three
9 weeks' time you see one person or you see two, three persons.
09:38:51 10 But it was not like a batch on the board that you bring them,
11 this is another batch today they have brought. No, it was not
12 done in that way. People came there maybe one or two, two/three,
13 something like that. But not every day, every week, no. That
14 was not how it happened.

09:39:09 15 Q. Now, sir, you were a Liberian, but did you speak - did you
16 socialise with Sierra Leoneans who were at the base?

17 A. Yes.

18 Q. And certainly you must have learnt that most of those
19 Sierra Leoneans at the base had been captured by the NPFL, they
09:39:33 20 were in jail and Foday Sankoh or Mike Lamin got them released on
21 the condition they come train at Naama. You learnt that, didn't
22 you, from talking to them?

23 A. I did not.

24 Q. Did you know Morris Kallon?

09:39:51 25 A. Yes.

26 Q. Did you ever talk to him - well, before we do that. Could
27 we go, please have P565 brought to the witness, please.

28 MS IRURA: Your Honour, we would need a few moments to
29 locate the document, as we had no advance notice.

1 MR KOUMJIAN: I apologise for that. Let me just see if I
2 have a copy with me.

3 Q. Sir, what about food at the base, were you fed?

4 A. Yes.

09:40:50 5 Q. Now, you had gone to Gbarnga, looking for food, because
6 food was very scarce in Liberia at that time, in the midst of a
7 very brutal civil war, correct?

8 A. Yes.

9 Q. How were you fed at Naama? Were you fed three times a day,
09:41:12 10 twice a day, how often were you fed?

11 A. One time a day.

12 Q. And, sir, where did the food come from at this time of
13 civil war when food is scarce in Liberia?

14 A. I know one Mamie Aiea at time I see her on the base.

09:41:40 15 Q. How many times did you see her on the base?

16 A. I saw her I think three different times. Sometime if she
17 even having to bring food, they cannot call us information to
18 say Mamie Aiea is here today with food. I remember I saw her
19 three different times on the base and she did not come to speak
09:42:02 20 to us, I have brought this for or this and that. I remember I
21 saw her three times on the base.

22 Q. Well, what made you think that she was bringing food when
23 you saw her?

24 A. She brought food. Once Mohamed Tarawalli was in charge of
09:42:22 25 maybe the distribution of the food or the S4 and then to the
26 cooks and we obviously know that Mamie Aiea brought food.
27 Sometimes no oil, we just eat the pepper and just eat with the
28 dry rice or no salt, no pepper, we just put the red oil. Those
29 are how we survived on the base.

1 PRESIDING JUDGE: Did the witness say maybe once Mohamed
2 Tarawalli was in charge maybe distribution of the food or the S4,
3 is that what you said?

4 THE WITNESS: Yes.

09:43:00 5 PRESIDING JUDGE: You mentioned the word "S4"?

6 THE WITNESS: Yes.

7 PRESIDING JUDGE: That appears like "or they eat food" on
8 the transcript.

9 MR KOUMJIAN:

09:43:13 10 Q. Okay, sir, I'm sure it was obvious to you. You said
11 obviously we'd know. We obviously would know that Mami e Aiea
12 brought food. From what you said it's not obvious to us, at
13 least to me. How did you know that Mami e Aiea brought food?

14 A. I'm saying when the food is around and Mohamed Tarawalli
09:43:38 15 gave this food out to the cooks. Once they cook and they are
16 cooking, we go for food to eat there, I understood or I would
17 understand that food is around and Mami e Aiea came with food.
18 This is what I'm saying.

19 Q. Sir, there were people at the base, even before you got
09:43:54 20 there, at Naama, correct? You weren't the first recruit, isn't
21 that right?

22 A. Yes, few persons were there, yes.

23 Q. And you said you were there up to five months, which is
24 about 150 days. So, sir, you said there were about 300 men. 300
09:44:16 25 men times 150 days is, if I'm right, 45,000 meals. Where did the
26 food come from?

27 MR MUNYARD: I'd be grateful before Mr Koumjian puts
28 something like that to the witness, that he would explain where
29 he gets so many meals from. It's the amount to counsel giving

1 evidence. We haven't heard I don't think how many meals a day
2 these people on the camp had.

3 PRESIDING JUDGE: He just told us. The witness just told
4 us one meal a day.

09:44:51 5 MR MUNYARD: Well, in that case --

6 PRESIDING JUDGE: And the witness told us there were about
7 300 people and the witness told us he was there for three - for
8 five months.

9 MR MUNYARD: I'm grateful.

09:45:06 10 MR KOUMJIAN:

11 Q. Sir, 150 times 300, and some other witnesses have said
12 there were more than one meal a day. But 150 times 300 is 45,000
13 meals. At a time of food shortage, where people were desperate
14 enough, like you were, to drop out of university and come to
09:45:23 15 Gbarnga to look for food, where did the food come from? Mamie
16 Aiea you said only came three times.

17 A. I told you earlier, I saw Mamie Aiea. You asked me how
18 many times I saw her. I said I remember seeing her three
19 different times. Whenever she brought food, not every time she
09:45:45 20 would come on the formation to say today I'm here with food.

21 This is what I'm saying. "How many times you saw her?" I said,
22 three I remember. This is what I'm saying. I'm not saying for
23 every time I came I have to take record to tell you that she came
24 one, two, three times with food, that was all during the
09:46:01 25 training. No, sir. I remember seeing her three different times.

26 We were on a base. We have to be sometimes in the buildings or
27 even if Mamie Aiea is around, does not mean that all recruits --

28 PRESIDING JUDGE: Mr Witness, Mr Witness, the important
29 question asked to you was: Where did all that food come from?

1 THE WITNESS: The food I ate on base, I know it was brought
2 by Mami e Ai ea.

3 MR KOUMJIAN:

09:46:32

4 Q. So all four or five months, you know that the meals that
5 you ate were brought by Mami e Ai ea?

6 A. Yes.

7 Q. How do you know that?

8 A. That's what I told you. I said Mami e Ai ea was the one
9 bringing food for us.

09:46:44

10 Q. Sir, at this time of food shortages, would someone
11 transporting a lot of food - first of all, there's a danger of
12 being robbed, isn't there, any time you're transporting in
13 Liberia at that time something valuable, fighters can stop you at
14 a check-point and take it, isn't that the true?

09:47:07

15 A. I can't say, I was on the base.

16 Q. Well, you talked about being captured by Arthur when he was
17 on a food finding mission. When fighters go out on food finding
18 missions that's what they do, they take food from people they
19 find with food, is that right?

09:47:36

20 A. Please come back.

21 Q. You said you were captured by Arthur when he was on a food
22 finding mission. That term "food finding mission" means to go
23 out and rob civilians of their food and other things; isn't that
24 true?

09:47:52

25 A. No. My food finding was on - I was in my own area. I
26 decided to go into another nearby village I could speak the same
27 language to go and search in food. I was intercepted by Arthur,
28 this is what I was saying. I went in search of food --

29 MR MUNYARD: He did say, the witness in chief, that it was

1 he, the witness, who had gone searching for food when he was
2 intercepted by Arthur. It wasn't the other way around, as I
3 understand the evidence.

4 PRESIDING JUDGE: That's what I recall, Mr Munyard.

09:48:32 5 MR KOUMJIAN: I'll come back to this in a moment. I'll
6 check. I just recall the term "food finding mission" but I'll
7 check. Perhaps I'm mistaken.

8 MR MUNYARD: The term was used, but the term was used by
9 the witness in relation to himself.

09:49:10 10 MR KOUMJIAN: I don't believe so. If we could have the
11 transcript for yesterday.

12 JUDGE SOW: Mr Koumjian, both of them was on a food finding
13 mission, Arthur and the witness, both of them.

14 MR KOUMJIAN: Thank you, sir. Thank you, your Honour. And
09:49:25 15 I believe, just so it's clear to everyone, if we could have from
16 yesterday's transcript, page 48662.

17 MR MUNYARD: I think it starts at 483 rather than 486. And
18 yesterday's transcript starts at 48364.

19 MR KOUMJIAN: Excuse me. 38662 I believe is the page I
09:50:25 20 should be looking for.

21 MR MUNYARD: I apologise. I've got the 1st
22 of November rather than 3rd.

23 MR KOUMJIAN:

24 Q. So, sir, at that time, page 48662, I was asking you about
09:50:56 25 Arthur. Line 2 and you told us that Arthur captured you. You
26 said yes, there was some question about his background.

27 And then on line 9 - on 6 I asked you if he was Special
28 Forces and you said no. Line 9, you said, "Not Special Forces,
29 just somebody who was also sent on the food finding. They were

1 on patrol, were on B patrol and they intercepted us".

2 So, sir, Arthur, you told us yesterday, was on a food
3 finding mission and that's where you were captured, correct?

09:51:47

4 A. I told you I went to find food, I was intercepted by these
5 men who were on the patrol.

6 Q. Well, what you said, Mr Kolley, let's read your words again
7 to you. You were being asked if Arthur was Special Forces, line
8 9. You said, "Not Special Forces, just somebody who was also
9 sent on the food finding."

09:52:09

10 So was that a lie that you told yesterday? Was Arthur sent
11 on a food finding or not?

12 A. These people were on a patrol. Patrol, we intercepted in
13 the bush, so patrol - they were - on a patrol, they could do any
14 other thing in the patrol system. But I went in search of food.

09:52:34

15 I was intercepted by these people. They were on the patrol.
16 Patrol is not like you are moving on the highway, you are going
17 on the front line, so to tell whether this person is directly
18 heading into the front line. We got intercepted in the bush.

09:52:53

19 Q. Okay. Thank you. Now, Mr Witness, the words "food finding
20 mission" when talking about Arthur were your words, not mine.
21 Now you say that he was just on patrol. Is it the case that
22 every patrol that the RUF and the NPFL were doing, this practice
23 took place. If they came across goods that they wanted, they
24 took it? Is that why you used the word "food finding mission"

09:53:17

25 for patrol?

26 A. I was not with the NPFL so I can't tell you whether that
27 was what was happening, please.

28 Q. Sir, you testified yesterday for one or two months you were
29 with the NPFL; isn't that true?

1 A. When Arthur captured me I was with Arthur for few times
2 before going on base. I did not ever go out with him when he
3 brought me when I was captured. That's why he avoided me being
4 with him as a civilian.

09:53:43 5 Q. So for one or two months you were with this NPFL base. Did
6 you see them bringing back goods and food from their patrols?

7 A. Oh, yes, they brought food. We ate. They used to bring
8 food.

9 Q. Now, I asked you about knowing Morris Kallon. Can we go to
09:54:02 10 P-565, please. I believe it's ready now.

11 PRESIDING JUDGE: Mr Koumjian, which part of this document,
12 in particular, do you want on the overhead?

13 MR KOUMJIAN: Starting at page 51, the first page.

14 Q. What Morris Kallon testified to in his own trial in open
09:55:28 15 session, he was asked on 11 April 2008 at page 51, line 2, who he
16 was abducted by and he said:

17 "A. Those who were mining the roadblock, actually they
18 were NPFL fighters. We were forced - we were four
19 West African national in that very vehicle together with some
09:55:52 20 Lebanese. When they break the vehicle they ask everybody
21 to alight the vehicle. When we came down, I was the
22 Sierra Leonean, and then we have - I was with another two
23 Ghanaian and one Senegalese. Make four. Immediately we
24 came down from that vehicle. And the two Ghanaian, one
09:56:18 25 Ghanaian and one Senegalese, they were executed on the
26 spot. Myself and the other Ghanaians, actually if you can
27 look my hand, I was very tied with twine cable. They hit
28 with me a gun, you see the mark on my forehead. And when
29 they asked for our passport, they saw my passport was

1 Sierra Leonean. And they say we, the Sierra Leonean,
2 especially Salone, we have hosted the ECOMOG, our
3 President, JS Momoh, and that the ECOMOG are flying from
4 Freetown bombing the people of Liberia. For this reason
09:56:57 5 they were going to kill me. But on that very day, very
6 fortunately to me, one of their top commander came, which I
7 cannot recall his name now. He said they are to take me at
8 their camp, which they call Habba Hill."

9 And that was spelled, and he said:
09:57:16 10 "I was taken there, I was detained together with this
11 Ghanaian. The next morning they came and collect this
12 Ghanaian. I heard the gunshot. I never saw this Ghanaian
13 guy again. About in the evening time I saw an old man, has
14 very nice white beard colour. He came to the detention.

09:57:41 15 He introduced himself at that time called Pa Morlai which I
16 came to know was Corporal Foday Sankoh. He spoke very nice
17 Sierra Leone Krio to me."

18 And without reading any more, Mr Witness, he then explains
19 that he later meets Mike Lamin while he's in detention at Kakata
09:58:11 20 and he's taken with others to Gbarnga, Far East. Perhaps I
21 should read that. Starting at line 10:

22 "A. Later I came to know him as one Major Mike Lamin. He
23 was the one who came. We were four Sierra Leonean in that
24 detention but we were not together. Myself, a guy called
09:58:35 25 Jonathan Kposowa, Daniel OK George and one Pa Momoh Kallon,
26 one Fatou Kallon, were all in that detention."

27 Let me stop for a moment. Mr Witness, do you know all of
28 these four as vanguards, Jonathan Kposowa, Daniel OK George, Pa
29 Momoh Kallon and Fatou Kallon?

1 A. Yes, I knew them.

2 PRESIDING JUDGE: The question was did he know them as
3 vanguards. Is that what you're answering?

4 THE WITNESS: Yes. I knew them as vanguards.

09:59:21

5 MR KOUMJIAN:

6 Q. "So Mike took down our names and put us in the truck,
7 Toyota truck. We moved from Habba Hill to a city called
8 Kakata, in Kakata police detention, he also removed few
9 other Sierra Leoneans, which I really have forgotten their
10 name. So he took us to Gbarnga that very day. Upon
11 arrival at Gbarnga he took us to a place called Far East."

09:59:37

12 Mr Witness, you are from Gbarnga. Where is Far East?

13 A. I don't know Far East. I did not grow up in Gbarnga. I am
14 from Gbarnga, I went to school in Nimba, through all my life.

10:00:06

15 Q. Okay. But this witness says:

16 "He took us to a place called Far East where you could
17 stand at that time. You see the Executive Mansion of former
18 President Charles Ghankay Taylor and that same old man Pa Morlai
19 came, he said we are now at safety, we should not worry."

10:00:29

20 Did you hear this from Morris Kallon? Did you ever talk to
21 him about how he came to be on the base at Naama?

22 A. No.

23 Q. Thank you. I'm finished with that document. Now,
24 Mr Witness, there was a question - let me just ask it again. The
25 people that trained at Naama, the majority of them were
26 Liberians, like you, correct?

10:01:07

27 A. It was very hard to detect whether the Liberians were in
28 majority, please.

29 Q. Why was it hard to detect?

- 1 A. I mean, we were in platoons, we were mixed up. They did
2 not put Sierra Leonean one side and put Liberians one side.
3 Liberians were there, Sierra Leonean as well. It was hard to
4 actually tell which number is more because we were mixed in the
10:01:48 5 platoon, 1st, 2nd, 3rd and 4th Platoon.
- 6 Q. Well, were there other nationalities there?
- 7 A. Come again?
- 8 Q. There was one Ghanaian training with you, correct?
- 9 A. Ghanaian or Guinean?
- 10:02:05 10 Q. From Ghana, Ghanaian?
- 11 A. I don't remember.
- 12 Q. Were there any other nationalities training with you?
- 13 A. I don't remember.
- 14 Q. Just while I'm thinking of it, I believe in your testimony
10:02:25 15 you mentioned a Major Francis, a Gambian, correct?
- 16 A. Yes.
- 17 Q. Did he train at Naama?
- 18 A. I don't remember seeing him there.
- 19 Q. Was he part of the invading forces?
- 10:02:39 20 A. I don't remember. I was in Pujehun District. When I went
21 to Kailahun District I saw this Francis there.
- 22 Q. But you knew, you learned that there were Gambians who
23 joined in the invasion in the early days of the war. Like, isn't
24 that true, in the Kailahun District you later learned that
10:03:13 25 Gambians were there also?
- 26 A. I knew Major Francis to be a Gambian. I did not go about
27 asking whether you have Gambians here. I knew him as Major
28 Francis, a Gambian.
- 29 Q. Well, if we could look at the testimony of Issa Sesay,

1 5 July this year, page 43620. And going to about line 20
2 approximately. Okay, thank you. Line 18. I'm going to pick up
3 in the middle of the question but it begins at the end of line
4 18:

10:04:28 5 "Q. The majority of those who trained at Camp Sokoto were
6 Liberians, weren't they?"

7 First of all, Mr Witness, what's Camp Sokoto?

8 A. Naama. Camp Naama was called Camp Sokoto by Foday Sankoh.

9 Q. And Issa Sesay answered:

10:04:50 10 "A. Yes, the Liberians were many. They were more than us,
11 the Sierra Leoneans."

12 And then if we look at the testimony of DCT-215. Actually,
13 it's an open witness, John Vincent. 25 March 2010. You know
14 John Vincent, don't you, Mr Witness?

10:05:22 15 A. Oh, sorry, I thought you were just saying something.

16 Q. Yes.

17 A. I know Vincent.

18 Q. Yes. You know him, he's in Monrovia now, correct?

19 A. Yes, he's in Monrovia.

10:05:34 20 Q. When's the last time you saw him?

21 A. I have taken a long time, but we live almost in the same
22 environment.

23 Q. Did you ever - okay. What does that mean, "almost in the
24 same environment"?

10:05:57 25 A. We live just I think we have about few miles between us.
26 That's what I'm saying.

27 Q. Did you ever talk to him about the Charles Taylor trial,
28 this case?

29 A. Yes, I first talked to him when the Prosecution met me. I

1 met him.

2 Q. In 2003?

3 A. Yes.

4 Q. And where did you meet him then?

10:06:25 5 A. When they talked to me in 2003 is what I'm saying. When
6 the Prosecution talked to me.

7 Q. Thank you. Perhaps I wasn't clear. What I'm asking you is
8 where were you when you met him, in Sierra Leone?

9 A. In Monrovia.

10:06:40 10 Q. So in 2003 you were in Monrovia?

11 A. No, I said when the Prosecution talked to me 2003, I met
12 Vincent in Monrovia when I went to Liberia.

13 Q. That's very interesting. So you went to Liberia and spoke
14 about this case to John Vincent after you were interviewed by the
10:07:03 15 Prosecution, correct?

16 A. Yes.

17 Q. Mr Kollah, did you go and speak to the Prosecution, lie to
18 them about your name and about what was going on and act as an
19 agent for Charles Taylor's Defence?

10:07:24 20 A. No.

21 Q. Why did you go to - you told us you left Kailahun in 2005,
22 correct?

23 A. Yes.

24 Q. Why, after speaking to the Prosecution, did you go to
10:07:35 25 Monrovia?

26 A. I have to go to school.

27 Q. But you were living in Kailahun until 2005?

28 A. I live in Kailahun, true, up to 2005, yes.

29 Q. You had a business in Kailahun. Isn't that true?

1 A. Yes, I was selling cold water in Kailahun. That's how I
2 was surviving.

3 Q. Didn't you have a restaurant?

4 A. Come again?

10:07:59 5 Q. Did you have a restaurant in Kailahun?

6 A. Restaurant?

7 Q. Yes, sir.

8 A. No, no, no, no. My wife don't even sell that.

9 Q. You left Kailahun in 2005 after your house was burnt.

10:08:10 10 Isn't that right?

11 A. No.

12 Q. Was your home burnt?

13 A. No, the home was burnt 2004, not 2005.

14 Q. Why was your home burnt?

10:08:21 15 A. I built a house and myself build a house, rent it to NGOs
16 and they were keeping gasoline in the house, about two to three
17 drums. So the boy they left in the house, the boy was stealing
18 the gasoline to transfer it into the outside toilet. And then he
19 had the lantern in the house. I was not in the house. I was
10:08:53 20 staying in the next house, because I had two houses. Stephen
21 Jusu Moriba and myself, we built the houses. So in the process
22 when he took the gasoline outside, some wasted on the ground
23 trying to take the lamp and go back into the bathroom and fire
24 sparked. He got burnt even on his feet.

10:09:13 25 Q. You're saying that it was an accident that your house was
26 burnt down?

27 A. Yes.

28 Q. Okay. Now, sir, who were you - what was your purpose in
29 going to Monrovia after speaking to the Prosecution in 2003?

1 A. I did not go to Liberia in 2003. I went to Liberia in 2005
2 to go back to school, because I never had document to go to
3 Fourah Bay College in Freetown.

10:09:52

4 Q. Mr Kolleh, if - and that is your true name, Mr Kolleh, why
5 did you tell us just a little while ago when I asked you about
6 John Vincent, you said, yes, you saw him in 2003 after speaking
7 to the Prosecution --

8 A. No --

9 Q. In Monrovia.

10:10:06

10 A. No. After the Prosecution talked to me in 2003, I went to
11 Liberia 2005. 2006, on the inauguration, I enter Monrovia, I met
12 Vincent because he was curious to know if myself was arrested and
13 those that were arrested, how are they. That's how I decided to
14 get into conversation with him. I did not talk to Vincent 2003.

10:10:30

15 I was not in Liberia 2003. How can I talk to Vincent in 2003?

16 PRESIDING JUDGE: Mr Witness, you said you were - he was
17 curious to know if who was arrested?

18 THE WITNESS: He was curious to know what happened to me,
19 whether myself was arrested, or what happened to those who were
20 arrested.

10:10:48

21 PRESIDING JUDGE: Did you say if Mansaray was arrested?
22 Who did you say was arrested? Did you say if myself was
23 arrested?

24 THE WITNESS: Myself. I'm talking about myself not
25 Mansaray, myself, Sam.

10:11:03

26 MR KOUMJIAN:

27 Q. Well, if he saw you in Monrovia, it was pretty obvious you
28 were not arrested, wasn't it?

29 A. No.

1 Q. Mr Kollah, you took this name, Mustapha Koroma. It is a
2 Sierra Leonean name, isn't it?

3 A. Yes, a Mende name.

4 Q. Mende or Mandingo, you said. Correct?

10:11:43 5 A. I told you Mende, no matter you add the H, you don't add
6 the H. The Mende spell theirs K-O-R-O-M-A. The Mandingo spell
7 it K-R-O-M-A-H, Kromah.

8 Q. Thank you for that correction. So you took a purely
9 Sierra Leonean name in order for to hide the fact that you were a
10:12:05 10 Liberian, correct?

11 A. To hide the fact that I was a senior officer so that I
12 avoid embarrassment.

13 Q. But, sir, you told the Prosecution you were a senior
14 officer and you told the TRC you were a senior officer. The only
10:12:26 15 thing you lied about was being a Liberian or that's not the
16 only - well, let's say the thing you lied about, one of them, was
17 being a Liberian, correct?

18 A. A Liberian and a senior officer, to the Prosecution, a
19 senior officer, to the TRC, a Liberian, also a senior officer.

10:12:48 20 Q. Well, now I'm confused by your answer. Sir, isn't the
21 truth that you told both the Sierra Leone TRC and the Office of
22 the Prosecutor of the Special Court of Sierra Leone that you were
23 a Sierra Leonean?

24 A. I did tell them that I was not.

10:13:20 25 Q. The TRC specifically asked you if you were a Liberian and
26 you lied and said no; isn't that true?

27 A. They did not ask me. After the TRC programme, because I
28 did not testify in public, that was the time they took me into a
29 closed session to testify to only four persons in the room. I

1 did not testify publicly, because I was never mentioned in any
2 affairs during the confession.

3 Q. Sir, did - in any of the TRC sessions when you were asked
4 questions, did they ask you if you were a Liberian and you lied
10:13:57 5 and said you were a Sierra Leonean?

6 A. I told you earlier - I changed my address to avoid
7 embarrassment and I kept saying this.

8 Q. My question, sir, you're not answering it and it's really a
9 pretty simple question. Did they - first of all, let me break it
10:14:13 10 down. Did they ask you: "Are you Liberian?"

11 A. Yes.

12 Q. Did you lie and say, "No, I'm Sierra Leonean."

13 A. Yes.

14 Q. But you were admitting being a senior officer of the RUF;
10:14:31 15 isn't that true?

16 A. Even a junior commander could be a senior officer by
17 appointment by Foday Sankoh, so senior officer does not basically
18 base whether you were trained at Camp Naama. At the time the war
19 was in full swing, you could be appointed. For example, Gibri
10:14:49 20 Massaquoi was a senior officer by that time now, once he was a
21 spokesman of the RUF.

22 Q. Okay. My curiosity, sir, is why you wanted to lie about
23 your nationality? Was it because, Mr Kolleh, as in the article
24 we read yesterday, from Global Witness, you were an agent for the
10:15:08 25 Taylor government, hiding in Sierra Leone?

26 A. I was not hiding in Sierra Leone for any purpose. I only
27 changed my address, I told you, for - to avoid embarrassment.
28 And they were hunting for senior officers of the RUF. So I was -
29 I was - I changing my address so that I can avoid embarrassment.

1 That's what I said. I was not an agent. How can I move from
2 school - from base to Sierra Leone and be an agent for somebody
3 else in another country?

10:15:45 4 Q. Mr Kolléh, I'm going to have to push a little more, because
5 your story is transparently nonsensical. You keep talking about
6 hiding your address --

7 MR MUNYARD: I really do object to pure comments such as
8 that. Mr Koumjian's perfectly entitled to put inconsistencies
9 and contradictions, but to characterise them in that way in the
10:16:08 10 course of answering the question is not proper.

11 PRESIDING JUDGE: Mr Mr Koumjian, might you put it
12 differently, politely.

13 MR KOUMJIAN: Of course.

14 Q. Sir, it makes absolutely no sense, it is nonsense, sir, to
10:16:22 15 say I wanted to hide my address from people that came to your
16 house to talk to you. They knew where you lived. So what sense
17 does it make to say that you were trying to hide your address?

18 A. Who came to my house to talk to me?

19 Q. According to your testimony, that's how you were contacted
10:16:42 20 by both the TRC and the Prosecution. They came to your house.

21 A. No, the TRC came to my house for the second time with
22 invitation.

23 Q. And how did the Prosecution first contact you?

24 A. The Prosecution came to my house. That's what I said
10:16:53 25 earlier.

26 Q. Thank you, sir. So both of them knew where you lived. So
27 why do you say you were identify trying to hide your address?

28 A. For the Prosecution. What they wanted me to do, I told the
29 man, I was not willing to testify because I'm afraid. He said,

1 "You can change your full name, you can change any other thing.
2 But tell me this, this is what I want you to do for me." He was
3 telling me what to do. I was not actually speaking at my own
4 will. He was telling me what to do. Even in Freetown I did not
10:17:21 5 say anything on my own. When they asked I only answer. And when
6 I answer it was not in their favour, they could not write it
7 down.

8 Q. So you want the judges to believe that your use of a false
9 name, Mustapha Koroma, was the idea of the Prosecution, it wasn't
10:17:38 10 your idea?

11 A. Mustapha Koroma, I used it for the TRC. Once the
12 Prosecution told me I can change any identity if because of any
13 inconvenience, I again use it.

14 Q. You used this false name for disarmament in 2001, and to
10:17:55 15 the TRC before you met the Prosecution --

16 A. This --

17 Q. You were living under this false name, isn't that true?

18 A. I told you earlier that fear - we earlier received
19 information that no sooner we disarm we will be arrested, we will
10:18:12 20 be hunted for. We had received previous information before the
21 arrest.

22 Q. Who is "we" Mr Kollah? You were just told us that you were
23 not very senior. Who is we that would be arrested? Do you mean
24 the people that had committed massacres, killed --

10:18:27 25 A. I'm talking about senior officers of the RUF.

26 Q. Sir, let me finish. People that had massacred civilians on
27 a bridge with a double-A gun that had participated in the
28 Kailahun Town massacre, are you talking about people like that?

29 A. I was not even in Kailahun. I cannot tell you about that.

1 I did not commit atrocity. If I did that I was not going to be
2 in Kailahun up to 2005. Who I was, I would be apprehended.

3 Q. I think I was about to read the testimony of John Vincent.
4 Yes. I've lost my train of thought a little bit.

10:19:16 5 If we could go to the transcript of 25 March, page 38010.
6 By the way, you would say you know John Vincent very well,
7 wouldn't you?

8 A. Yes.

9 Q. So going towards the bottom ten lines or so of the page.
10:19:52 10 Beginning with "at the time on 22nd March." Line 22. Beginning
11 at line 22.

12 "Q. At the time on 22 March 1991, can you give us an
13 approximate number of the RUF members at Crab Hole? "

14 A. No.

10:20:14 15 Q. Sir, I apologise. What I'm doing now is I'm reading John
16 Vincent's testimony?

17 A. Okay.

18 Q. Just so you understand. And John Vincent said yes, when I
19 asked him if he could give us an approximate - excuse me. This
10:20:28 20 was direct examination, I believe.

21 "A. Up to that time" - the Defence lawyer had asked him
22 the question - "the number of people including he, the leader,
23 who was at the base, it was around 328."

24 And in the last line on that page he was asked:

10:20:48 25 "Q. Of the 328 mentioned, approximately what percentage
26 were Liberians?

27 A. Well, at that time, when I did my own calculation, I
28 found out that we, the Liberians, were up to 252 and the
29 rest of them were Sierra Leoneans."

1 Now, Mr Witness, you've told us you can't tell who was
2 Sierra Leonean and who was Liberian. Do you have any reason to
3 dispute John Vincent's testimony that three fourths of those at
4 Naama, approximately, were Liberians and not Sierra Leoneans?

10:21:35 5 A. Please repeat.

6 Q. Do you think John Vincent was telling the truth, as far as
7 he could, when he said that 252 out of 328, that's over three
8 quarters, of those at Naama, were Liberians?

9 A. I can't tell. He was doing a calculation. He spoke in his
10:22:01 10 own capacity. I can't answer to what he came and said here,
11 because I did not check, so I can't answer that question, please.

12 Q. Now, sir, when the war came to your country, Liberia, did
13 you want to be a soldier?

14 A. No.

10:22:22 15 Q. Why, sir, did you invade another country, Sierra Leone?
16 Why did you, a Liberian, fight for 10 years in another country,
17 not in your own country?

18 A. Once I was on the base and we were moved, obviously, I
19 enter into Sierra Leone.

10:22:50 20 Q. What did you hope to gain by bringing war to Sierra Leone?

21 A. To gain, like, I don't understand what you said, please.

22 Q. Well, John Vincent said that someone had promised him that
23 he could rise to be a minister if they took power. Were you
24 looking for that kind of reward?

10:23:15 25 A. No, sir.

26 Q. Were you looking for the chance to carry a gun, have people
27 be afraid of you, take any woman you want, make people do work
28 for you. Was that what you were looking for?

29 A. No, sir.

1 Q. Were you looking for money?

2 A. Nothing. I was not looking. I was not looking for money.
3 I did not go there to be a rich man. No, that was not my
4 intention, please.

10:23:46 5 Q. Well, let me be clear. I think, and you tell me if I'm
6 wrong, you went there because you had no choice. You were forced
7 into this army of largely Liberians and you were sent to invade
8 Sierra Leone and if you didn't obey you were likely to be
9 severely punished, if not killed, isn't that true?

10:24:19 10 A. No.

11 Q. So you went voluntarily invading Sierra Leone, is that your
12 testimony?

13 A. Once we were in the group and we moved on the truck, that's
14 how we went into Sierra Leone.

10:24:30 15 Q. Sir, let me just ask you this question: How many people
16 have you killed?

17 A. I don't actually remember. I was not a front line soldier,
18 sir, I was on an administrative wing. I didn't actually get into
19 that killing somebody.

10:24:49 20 Q. Okay. Sir, you know, I also have never been a soldier and
21 I would say I'm an administrator and I remember, I didn't kill
22 anybody. Do you think you can remember whether or not you killed
23 anybody?

24 A. I don't actually remember. I don't. I don't actually
10:25:21 25 remember.

26 Q. Sir, just so I understand what evidence you can give based
27 on personal knowledge, it would be helpful for me to understand
28 exactly the assignments and locations you were at, assignments
29 you had during the war in Sierra Leone. So I'd ask to have a

1 paper given to the witness, and we have some titles already on
2 the paper.

3 PRESIDING JUDGE: Mr Koumjian, do you want us to pass these
4 around?

10:26:48 5 MR KOUMJIAN: All are welcome to it, yes, just so everyone
6 knows the titles that I put on it, which are basically, I can say
7 for the record and -

8 Q. Mr Witness, I'm going to try and explain it to you what I'm
9 going to ask you to do. Compared I'm sure to your study
10:27:04 10 assignments it's a very easy one. I'm interested in knowing at
11 different times during the war in Sierra Leone from the invasion,
12 which you said you entered in April 1991, what locations you were
13 at, what your assignment was, what your rank was, and who your
14 commander was. And, sir, don't feel rushed. I want you to take
10:27:33 15 your time and fill that out. And if at any time when you finish
16 and you want to correct something, we'll deal with that also.

17 Your Honour, may I be seated while he does this?

18 PRESIDING JUDGE: Mr Witness, do you understand what
19 counsel is asking you to do?

10:28:17 20 THE WITNESS: No.

21 MR KOUMJIAN:

22 Q. Okay, well, I'll help you fill out the first line. Do you
23 have a pen, sir?

24 A. Yes.

10:28:22 25 Q. It is black clear ink? If not, I can give - okay. First
26 of all, let's start with the time that you arrived at Camp Naama.
27 What month do you think it was, and year, that you arrived at
28 Camp Naama? I believe you said you were captured in 1989 and you
29 spent a month or two with Arthur. Did you get to Naama in 1989

1 late, or was it 1990?

2 A. 1990.

3 Q. Do you remember the month?

4 A. No.

10:29:01 5 Q. You said you were there for four or five months and that
6 you invaded Sierra Leone in April. So would it be correct that
7 you were there in late 1990, something like I guess it would be
8 between October and December? Is that right?

9 A. Yes.

10:29:31 10 Q. Okay, so can you write "October to December '90" under
11 "Month, Year". Excuse me. You were there until April. Can you
12 write "Late '89 to April '90". Excuse me. "Late '90
13 to April '91".

14 PRESIDING JUDGE: Mr Koumjian, run that by the witness
10:30:01 15 again, because according to my own notes here, his testimony on
16 Monday when he started testifying was he was captured in late
17 1990, so 1989 doesn't come into the picture at all.

18 MR KOUMJIAN: That makes much more sense, thank you.

19 Q. So, sir, can you write "Late 1990 to April 1991". And then
10:30:51 20 for "Location" write the location of the base where you trained.
21 For "Assignment" would it be correct to say you were a trainee?

22 A. Yes.

23 Q. Then you may write assignment for trainee. At Naama,
24 no one was given ranks, is that correct? The trainees did not
10:31:31 25 have ranks?

26 A. No.

27 Q. So write "none" under "Rank". And then, sir, who would you
28 consider was your commander, direct commander, at Naama? Did
29 your platoon have a commander?

1 A. Yes.

2 Q. Who was that?

3 A. They were Rashid and CO Mohamed.

4 Q. Okay, you can write both names "Rashid Mansaray/Zino".

10:32:41 5 Zino for Tarawalli, that will make it easier.

6 Now, sir, this is - you've prepared a CV, I presume, for
7 jobs where you list different assignments or jobs that you've
8 had, correct?

9 A. Come again?

10:33:09 10 Q. Have you ever prepared a resume or a CV?

11 A. I have never applied for job.

12 Q. Okay. Well, can you please complete this and take your
13 time. I want you to list each of the locations and assignments
14 that you had up to disarmament. From the time April 1991, when
10:33:31 15 you entered Sierra Leone, through disarmament in Sierra Leone.

16 PRESIDING JUDGE: Mr Koumjian, I don't know if you've
17 looked at the piece of paper on the overhead. Please display it
18 again. And the first entry says "August Late 1990". Is that -
19 does that mean anything? Perhaps you should explain to the
10:34:07 20 witness again what that first entry should be.

21 MR KOUMJIAN: Okay.

22 Q. Sir, the first entry, the date, can you put the time that
23 you were at Naama, the time period. So if you think you got
24 there in August, put "August '90 to April '91". If you think you
10:34:27 25 got there in December put "December '90 to April '91". Give us
26 the time period that you were at Naama. And if you're not sure,
27 just tell us that you're not sure. You can just put "Late 1990"
28 if you are not sure of the month. Okay.

29 PRESIDING JUDGE: The witness still hasn't got the notion

1 of a period of time, from this period to that period. He still
2 hasn't got the notion of a period. Perhaps he doesn't know why
3 you keep referring to April 1991.

4 MR KOU MJIAN: Yes.

10:35:16 5 Q. Sir, you told us that you entered Sierra Leone in April
6 1991, correct?

7 A. Yes.

8 Q. That's when you left Naama, correct?

9 A. Yes.

10:35:26 10 Q. Okay. So can you please give us the time period that you
11 were at Naama. It should end at April '91. So from when you
12 arrived until April '91. So, for example, sir, I might say I
13 have been in this trial from - arrived May 1990 - excuse me, 2007
14 to today, to November 2010. Do a time period like that. That's
10:36:01 15 the years or months that you were in each assignment. Can you do
16 that?

17 A. It's very long to do that.

18 PRESIDING JUDGE: Mr Koumjian, is it even necessary? Can
19 this witness not give oral evidence of where he was. If you took
10:36:18 20 him, you know, stage by stage.

21 MR KOU MJIAN: Okay.

22 PRESIDING JUDGE: When did you arrive at this place, when
23 did you leave this place, et cetera.

24 THE WITNESS: But if he say I should write, I don't think I
10:36:31 25 can write here because I would be giving you a booklet.

26 MR KOU MJIAN:

27 Q. Okay, sir, I'm just going to take notes and you tell me.
28 From late 1990 to April 1991 you were at Naama, correct?

29 A. Yes.

1 Q. Now, I'm going to put this away for a moment and come back
2 to it, because I want to talk, before we go to this, a little
3 more about leaving Naama. What caused the RUF, on the day that
4 you left, to invade Sierra Leone - to leave Naama?

10:37:04 5 A. Well, what I know was one time I saw one Anthony Mekunagbe,
6 he came with some men and asked Foday Sankoh. He said, "I
7 understand that you are training people to go somewhere, and if
8 that is the case, you have to be investigated." And Sankoh asked
9 him to walk to his building. They went there. I don't know what
10:37:45 10 they discussed there. From there he came back.

11 Q. Now, sir, did you actually hear the conversation between
12 Sankoh and Mekunagbe that you just told us about?

13 A. No.

14 Q. Well, then, how is it that you're able to testify to it?
10:38:05 15 How do you know that?

16 A. They went into where Sankoh was staying. There where they
17 had the discussion.

18 Q. Okay, sir, perhaps I wasn't clear. You told us that
19 Anthony Mekunagbe said, "I understand that you are training
10:38:18 20 people to go somewhere." Did you hear him say that?

21 A. He said it publically.

22 Q. That wasn't my question. Did you hear him say that?

23 A. Yes.

24 Q. Okay. And then Sankoh said, "Walk with me." Is that
10:38:29 25 right?

26 A. Yes, "Could you walk with me".

27 Q. And they walked and they went to where Foday Sankoh was
28 staying. Is that right?

29 A. Yes.

1 Q. And they came back in a few hours. Is that correct?

2 A. Yes.

3 Q. And then two trucks were there?

4 A. That was later.

10:38:44 5 Q. How much later?

6 A. I think it was the next day.

7 Q. But, sir, didn't you tell us that this was the very day
8 that you invaded Sierra Leone, that you left immediately?

9 A. No, you cannot invade Sierra Leone that day. Even the road
10:39:03 10 from over there to Sierra Leone, you cannot go the same day,
11 please. Anthony Mekunagbe did not bring truck and then to ask
12 any question, please.

13 Q. Okay. So Mekunagbe didn't bring the trucks. Who - where
14 did the trucks come from?

10:39:19 15 A. I don't know. We were on base. This time round Sankoh
16 just stood before the group and said, "Today my name is Foday
17 Sankoh. I am no more Pa Morlai." That's from there we were on
18 boarded and then we moved. I moved with the second truck.

19 Q. You had not heard at that time about Foday Sankoh going on
10:39:42 20 the radio and giving an ultimatum to the Momoh government that he
21 would invade in 90 days if they didn't fulfil his conditions.
22 Had you heard about that phone call by Foday Sankoh over the
23 international radio?

24 A. No, sir.

10:40:03 25 Q. Okay. So you say today that two trucks came the next day,
26 the group was divided, correct?

27 A. Yes.

28 Q. Your group went to the south, to the Pujehun area, correct?

29 A. Yes, sir.

- 1 Q. Who was heading your group? Who was commanding?
- 2 A. Mike Lamin. Mike Lamin and one AB.
- 3 Q. Wasn't John Kargbo there, heading the group?
- 4 A. No, sir, it was Mike Lamin and AB. I know.
- 10:40:44 5 Q. And what NPFL soldiers went with you on that attack - or
6 units?
- 7 A. From Naama camp you mean, please? Or from just --
- 8 Q. Well, when you entered Sierra Leone, which NPFL commanders
9 were there?
- 10:41:08 10 A. Oh, you mean which. Please.
- 11 Q. Yes.
- 12 A. Are you asking where or which?
- 13 Q. With these 180 recruits, most of you had no fighting
14 experience, correct, at that time?
- 10:41:21 15 A. Yes.
- 16 Q. You came to invade Pujehun. There were experienced NPFL
17 units with you in that invasion, correct?
- 18 A. Yes.
- 19 Q. Oliver Varney was there, correct?
- 10:41:41 20 A. No, Oliver Varney escorted us. He was not with us that
21 entered. It was one Dixon Wolo.
- 22 Q. Okay. And you've also mentioned previously Pele Boy and
23 Butterfly, correct?
- 24 A. I knew these people far in.
- 10:41:55 25 Q. Okay. They were - Dixon Wolo was there at the beginning,
26 the others you knew later?
- 27 A. Yes.
- 28 Q. And, by the way, Butterfly, what was his nationality?
- 29 A. He was a Liberian.

1 Q. Now, sir, you told us you trained with sticks. Did you
2 invade Sierra Leone with sticks?

3 A. Oh, yes. We entered with sticks. We entered with sticks.
4 I, in particular, had a stick. When we entered, when the
10:42:33 5 national army dropped arms to escape, that's how we would begin
6 to arm ourselves. Any arm you see, Mike Lamin would come and
7 say, "Oh, okay, you hold this. Sit here. You don't have arms
8 you sit with the armed people, you are armed man, you be this
9 position." We started to arm ourselves gradually.

10:42:57 10 Q. Okay, Mr Kolleh, you are an educated man. I'm sure I just
11 don't understand something, you can explain it to me. It would
12 be rather suicidal to attack an army, an army with sticks. So
13 were you accompanied by armed NPFL troops who were able to force
14 the army to run away, captured weapons and then turned them over
10:43:17 15 to you, is that what you're saying?

16 A. This attack that took place, please, it was early in the
17 morning. Six o'clock, the place was dark. And the advanced team
18 that was ahead of us, they opened the firing, Mike Lamin and
19 others, they opened the firing. We later follow with sticks in
10:43:36 20 our hands. No sooner we cross, few arms that were captured were
21 distributed to us by Mike Lamin. This is what I'm saying. I did
22 not say that I opened fire with enemy with the stick. No, sir.

23 Q. You said that they opened fire, so I presume you mean
24 gunfire. That the advanced group opened fire with guns?

10:43:56 25 A. Yes.

26 Q. Where did those guns come from?

27 A. I don't know. Once we were brought on the truck and then
28 we move in the night, we were kept very close to the river and
29 early in the morning we were ordered to move. So this did not

1 happen broad daylight when the sun was shining to stand and see
2 somebody ahead to know who all were in the advance team.

3 Q. Dixon Wolo, was he a high commander?

4 A. He was a commander with us in Pujehun.

10:44:35 5 Q. Was he the senior of the NPFL commanders there or was there
6 someone higher than him?

7 A. Nobody was higher than him there, sir.

8 Q. Okay. Pele Boy, when did you meet him?

9 A. Pele Boy was at the borderline. I met him around Fairo but
10:45:06 10 he did not stay long, he went back. Butterfly and Dixon Wolo
11 more remained there.

12 Q. Was Pele Boy fighting with you in Pujehun?

13 A. Yes, Fairo is to the borderline, it's also Pujehun
14 District. Pujehun District carried the capital city Pujehun
10:45:29 15 Town. Kailahun carried the district headquarters at Kailahun
16 Town. Bo district carried the district headquarters Bo Town. So
17 Pujehun District, Fairo is Pujehun.

18 Q. Was Martin George in your group?

19 A. Yes.

10:45:45 20 Q. Well, if we could have the transcript for 26 April, please,
21 of this year, page 40009. If we go to the last line of the
22 previous page 40008. Martin George, who you said was in your
23 group, was asked:

24 "Q. King Perry mentions a name of the commander of the
10:47:18 25 unit that was formed, the Black Kadaffa unit and this
26 person is Pele Boy, do you know that name?

27 A. We never had any Pele Boy fighting with us in
28 Pujehun. We never had any Pele Boy who was with us in
29 the Black Kadaffa in Sierra Leone."

1 Mr Witness, there was a Pele Boy who was with you, fighting
2 in Pujehun. What Martin George said was wrong, isn't that true?

3 A. Pele Boy was at Fairo. Fairo is 7 miles to the border. I
4 told you he did not stay long, he left, he went back. Mainly we
10:48:03 5 had Dixon Wolo and Butterfly and later they themselves, we forced
6 them to go back.

7 Q. So Pele Boy was with you fighting in Pujehun, correct?

8 A. Pele Boy was around, Pele Boy was in Fairo. He did not
9 stay long, he went back. Borderline - anybody who cross come and
10:48:23 10 go back. But those who actually I knew was Dixon Wolo and
11 Butterfly and they themselves would have to force them to go
12 back.

13 Q. What do you know about Black Kadaffa?

14 A. It's far from me, sir, he was never found in Sierra Leone.

10:48:41 15 Q. Well, I'm asking Black Kadaffa, I didn't say if that's a
16 person, a place or what it was. Does the name mean anything to
17 you, Black Kadaffa?

18 A. I'm not aware of that name.

19 Q. Okay. Sir, now let's continue then with your knowing -
10:49:03 20 understanding your assignments, so my questions can make more
21 sense to you.

22 In April you entered Pujehun District and where was your
23 first base?

24 A. I was based at Gofor.

10:49:17 25 Q. Can you spell that, is that G-0 - is it already spelt on
26 the record, Mr Munyard can probably help me. Was it spelt
27 already?

28 MR MUNYARD: I think actually it was one of those names we
29 agreed had already been on the record.

1 MR KOUMJIAN:

2 Q. Sir, after Gofor, how long were you there?

3 A. From Gofor, I later moved to Bai Potoru across the
4 Moa River where you have another ferry, around Zimmi.

10:49:52 5 Q. Let me stop you for a moment. At Gofor, first of all, what
6 was your assignment?

7 A. I was a military police appointed by Mike Lamin.

8 Q. Was Gofor a town, a little village or what, is it just a
9 jungle?

10:50:11 10 A. Gofor is a town on the main road to Zimmi, 6 miles to
11 Zimmi.

12 Q. By the way, did Mike Lamin, your commander, have a problem
13 with the NPFL at some time?

14 A. Yes.

10:50:28 15 Q. What happened?

16 A. What I'd understood was Mike Lamin had executed one soldier
17 for causing problem but it happened in Zimmi, I was in Gofor and
18 then it was one time, we all moved to the borderline and there
19 Mike Lamin was arrested.

10:50:52 20 Q. Thank you - sorry, go ahead. Did you finish, sir? I
21 didn't mean to interrupt you. Did you finish?

22 A. I said we all moved to the borderline to Bo Water - Bo
23 Gendema where he was arrested.

24 Q. Had Mike Lamin executed an NPFL soldier for rape?

10:51:16 25 A. That's what I understood, but I was not there.

26 Q. Did you have a rank once you had entered Sierra Leone?

27 A. No rank.

28 Q. Did you ever have a rank?

29 A. No rank.

1 Q. You're saying in the entire war you had no rank?

2 A. Yes but we were not professional armies, we were not
3 infantry. What I'm saying we were commanding officer. You can
4 be a senior officer. That's what I'm saying. At the end of the
10:51:41 5 war when jungles were created, Foday Sankoh could give rank.

6 Those were guerilla encouragement position given to you, perhaps
7 to encourage you to fight the war. Why would that exist after
8 the war? No, these were jungle assignment given to you at least
9 to distinguish you at least from your junior officers. By the
10:52:03 10 way, guerilla armies, they are not professional armies, you don't
11 rank them.

12 Q. At the end of the war when jungles were created Foday
13 Sankoh could give rank. Did you ever, from the time at Naama,
14 until disarmament, in 2002, receive any rank?

10:52:25 15 A. Yes, during the jungle I was given a lieutenant rank by
16 Foday Sankoh. That was in the 1996 - before he arrest. But we
17 were usually called, once you were senior officers or vanguard,
18 you just called CO, commanding officer. You can be regarded by
19 that position anywhere you go.

10:52:49 20 Q. So in 1996, in fact, before the war reached its highest
21 point, you were a lieutenant. Did you get promoted before
22 disarmament? Were you made a captain?

23 A. Yes, that was Mosquito's administration.

24 Q. When were you made a captain?

10:53:12 25 A. When we went to Freetown.

26 Q. You mean in the junta time?

27 A. Yes, sir.

28 Q. After the coup?

29 A. Yes.

1 Q. So you were a captain in May or June of 1997?

2 A. Yes.

3 Q. From 1997 up through 2002 to disarmament did you rise to
4 major?

10:53:38 5 A. Yes.

6 Q. When were you made a major?

7 A. That was the time I came from the hospital, I was in
8 Pendembu, 1998 - 1998 late.

9 Q. Was that after Koidu - Koidu Town and Kono District was
10:54:02 10 taken that you were promoted to major?

11 A. Yes.

12 Q. There were a lot of promotions from that offensive, late
13 '98/early '99 correct?

14 A. Yes.

10:54:23 15 Q. And Mosquito himself had a star, he became a two-star
16 general; isn't that true?

17 A. I don't know about the two-star general, I was in Pendembu,
18 I don't know about two-star general. He was in Buedu.

19 Q. From being made a major in late 1998, did you rise to
10:54:43 20 lieutenant-colonel at some time?

21 A. Yes, by Issa Sesay and sent to Kailahun as chief security
22 officer.

23 Q. So was this at the - right at the time that Bockarie left
24 in December '99, or when was it that you were made lieutenant
10:55:02 25 colonel?

26 A. 1999.

27 Q. And you said you were then chief security officer for the
28 entire RUF?

29 A. Yes, for our rear. For Kailahun District. I was only

1 answerable to Issa.

2 Q. Well, perhaps you can explain to me. You obviously know
3 better than me. What are the duties of a chief security officer?

10:55:37

4 A. A chief security officer was there to monitor the brigade
5 commander. A chief security officer was there to make sure that
6 civilians and the fighters don't go into misunderstanding. Chief
7 security officer duties were to know what was happening and then
8 give the update to the last command, the overhead boss, which was
9 Issa Sesay.

10:56:04

10 Q. So the chief security officer doesn't report to anyone
11 below the leader, the military leader, in your case to Issa
12 Sesay, correct?

13 A. Only to Issa Sesay, Morris Kallon and maybe to Superman.

10:56:22

14 Field commander, deputy field commander, field inspector. Like
15 Komba Gbundema, like Morris Kallon, Issa Sesay, those were people
16 who I were answerable to.

17 Q. Okay. Before you were the chief security officer, who had
18 that position?

19 A. It was Martin George.

10:56:37

20 Q. When was Martin George appointed chief security officer?

21 A. I don't remember the main date.

22 Q. Was Martin George the chief security officer - who was the
23 chief security officer under Bockarie before Bockarie left?

10:57:10

24 A. I don't actually remember. Who I know was a chief security
25 officer was Martin George. But whether it was under Bockarie, I
26 don't know.

27 Q. After you were made lieutenant colonel by - you said '99 by
28 Issa Sesay, did you rise to colonel?

29 A. No.

1 Q. At the time of disarmament, what was your rank?

2 A. I was lieutenant colonel. What I told you earlier, this
3 was just to distinguish between you and maybe your subordinates
4 and maybe the other fighters. Guerilla rank was not actually
10:57:52 5 something stable.

6 Q. Okay. Thank you. That's helpful. I'm just going to
7 re-read to you a question that I asked you a few pages ago. On
8 my font it's page 60, line 2. I asked you, "Did you ever have a
9 rank?" You said, "No rank." So, that wasn't true, was it?

10:58:29 10 A. I did not understand what you were trying to say. You told
11 me on base and into Sierra Leone. Under Foday Sankoh
12 administration we did not have a rank unless in 1996 where he
13 begin to make some promotion and distinguishing at least who was
14 so-and-so person and what have you. During the junta forces that
10:58:51 15 was not directly under the RUF now, we were junta forces.

16 Q. After being an MP in I think Gofor?

17 A. Yeah, Gofor.

18 Q. When did you leave Gofor?

19 A. I don't remember the actual time. I used to go by Bai
10:59:17 20 Potoru which was very close to Potoru Town. Bai Potoru
21 is another chiefdom rather than Gofor, Makpelle Chiefdom.

22 PRESIDING JUDGE: Mr Koumjian, it is 11 o'clock. We'll
23 continue after the midmorning break. We will adjourn for half an
24 hour to 11.30.

10:59:37 25 [Break taken at 11.00 a.m.]

26 [Upon resuming at 11.33 a.m.]

27 MR MUNYARD: Your Honours, there's a change of appearance
28 at the Defence bar, in that our intern, Ms Csevar, is no longer
29 with us.

1 PRESIDING JUDGE: Thank you, Mr Munyard. Mr Koumjian,
2 please continue.

3 MR KOUMJIAN: Thank you. Before I begin with the
4 questions, I believe counsel requested a reference to the
11:34:08 5 confidential document that contained the information about Isaac
6 Mongor training in terror tactics at Naama, and that would be
7 confidential exhibit P-277, page 85.

8 Q. Before we go back to your assignments, sir, you said you
9 saw Mamie I. That's Isatu Kallon, correct, is that the same
11:34:41 10 person, you saw her at Naama?

11 A. Yes.

12 Q. And you said you saw her three times?

13 A. Yes.

14 Q. Okay. If we could just show the transcript for June 16th
11:34:51 15 2010, please, page 42707. Thank you. At line 5 the witness -
16 and, sir, Mr Kolley, this is Isatu Kallon testifying here. She
17 was asked:

18 "Q. Now, you've told us of two visits to Camp Naama. Did
19 you go there again besides those two times?

11:35:41 20 A. No, I didn't go there again."

21 But you saw her, according to your memory, three times at
22 Naama. Is that correct?

23 A. Yes.

24 Q. Now, sir, we were going through your assignments when we
11:36:04 25 took the break. After you left - you talked about being assigned
26 in Gofor and then --

27 PRESIDING JUDGE: Incidentally, he didn't tell us when he
28 went to Gofor or when he left Gofor. Since you are proceeding in
29 terms of periods of time.

1 MR KOUMJIAN:

2 Q. Sir, can you tell us when you went to Gofor and when you
3 left Gofor?

4 A. That was in April.

11:36:40 5 Q. Okay. You went there in April. How soon after the - what
6 was the date that you entered Sierra Leone, sir? You gave it to
7 us earlier. Do you remember?

8 A. The 3rd April.

9 Q. And how soon after you entered, 3 April, did you go and get
11:37:04 10 this assignment as a military policeman in Gofor?

11 A. In the week - in the week to two.

12 Q. And did you have any training to be a policeman?

13 A. No, it was not a - there was no specific training to be a
14 military police.

11:37:30 15 Q. I'm just going to diverge for a second from your
16 assignments to ask you in total - you've told us that in the RUF
17 you were a policeman and at other times an investigator. Is that
18 correct?

19 A. Yes.

11:37:44 20 Q. So, sir, how much experience, in total, do you have as a
21 law enforcement officer would you say? Your total time as a
22 policeman or inspector with the RUF, how many years?

23 A. A policeman first assignment in Kailahun - sorry, in
24 Pujehun District in Gofor. Later I was moved to - or I moved,
11:38:19 25 sorry, to Kailahun District where again I served as military
26 police.

27 Q. And you were also, you told us, at one time considered an
28 investigator. Is that right?

29 A. Yes, from MP operation to military police investigation.

1 Q. Well, my question is in total, and we can break it down,
2 but could you tell us, in total, were you involved as a policeman
3 or investigator for two years, for three years, for seven years?
4 How many years?

11:38:57 5 A. That was just early 1994.

6 Q. And as a policeman or investigator you were used to
7 questioning people. Is that right?

8 A. Yes.

9 Q. Because in order to find out what happened you have to
11:39:22 10 ask people questions. Right?

11 A. Yes.

12 Q. And the people you ask questions to are the people that -
13 include the people that were involved in any wrongdoing. Is that
14 right?

11:39:36 15 A. Yes.

16 Q. And sometimes they don't want to talk to you. Isn't that
17 correct?

18 A. No, for the military police once that office was opened by
19 Foday Sankoh you would have to talk to the military police if you
11:39:52 20 were a civilian we would hand you over to the G5. The G5 and the
21 G5 then take you to the Internal Defence Unit, the IDU. Then the
22 IDU can deal with you as a civilian.

23 Q. Well, let's first stick soldiers.

24 A. Come again?

11:40:14 25 Q. I first want to stick with your investigations of RUF. You
26 said once that office was opened by Foday Sankoh you would have
27 to talk to the military police. And then you said if you were a
28 civilian would be handed over to the G5. So who would have to
29 talk to the military police?

1 A. Anybody that is being brought to the office, the office was
2 recognised that that was created by Foday Sankoh, so when you
3 come there you would talk - you have to explain what happened
4 because you were not just taken on the sidewalk to talk to you.

11:40:54 5 What I mean it was an office recognised as the military police
6 headquarter that included all unit leaders, so once you are there
7 you would talk to the people. I mean, you have to know that it's
8 an office. You would talk to them. They did not investigate you
9 privately in the bush or in the corner. That office was in
11:41:12 10 Kailahun.

11 Q. So would you ask people to come to the office or order them
12 to come to the office and speak to you. Is that right?

13 A. The military police at various front lines on operation, if
14 you commit crime, the target commander - or the front line
11:41:26 15 commander will have to hand you over to the military police for
16 operation. That person will be in charge to take you to the
17 headquarter and hand you over to the headquarter officers. Then
18 you can be investigated. They were sent by target commanders,
19 because we were not there when they commit the crime. But they
11:41:51 20 can be arrested and hand over to the military police, then they
21 would be brought to the military police headquarter for
22 investigation.

23 Q. Let's continue with your assignments. Sir, you say you
24 went to Giehun shortly after the investigation - sorry, not
11:42:16 25 Giehun, Gofor. How long did you stay in Gofor?

26 A. I was in Gofor for some months and we were pushed back
27 again. We pushed the enemy back, I again move ahead closer to
28 Bai Potoru. But Gofor was my base. I could move to Zimmi, I
29 could move to any other place and come back. That was not an

1 office open as a military police headquarter. It was just when
2 you are there doing that assignment in Pujehun District, which is
3 Gofor, when you are there if a soldier is retreating you make
4 sure he tell you why he's coming back and where he's going. That
11:42:56 5 was a military police deploy on the ground to make sure. That
6 was not an office like how the Zimmi - Zimmi was a headquarter
7 where you had all offices functioning there. One Pa Kamara who
8 we considered to be also close to Foday Sankoh.

9 Q. Sir, I think you don't understand my question. It simply
11:43:24 10 was; how long did you stay in Gofor?

11 A. For some months.

12 Q. Do you remember - what was your next assignment?

13 A. No next assignment. From there to Kailahun District
14 because the war was just in the momentum to and fro, wherein we
11:43:44 15 were scattered in the bush, where I made my way to Kailahun.
16 That was another assignment again with the military police.

17 Q. You told us where you were in April. I think you said 3rd
18 April you invaded Sierra Leone. A week or so later you were in
19 Gofor, given the MP assignment. You were there for some months.
11:44:02 20 So are you saying that in 1991 you went to Kailahun?

21 A. No, we took in Gofor when we were scattered in the bushes,
22 we are now fighting a jungle war. We were in the bushes for some
23 time. My going to Kailahun was not 1990, it was not 1991, sir.

24 Q. Sir, how long were you - first of all, when did you go to
11:44:27 25 Kailahun?

26 A. I went there early 1994. I left from Pujehun District
27 1993. I was in the jungle for over three to four months before
28 going to Kailahun District.

29 Q. Sir, what you're saying does not add up because from April

1 1991 to early 1994 is about three years. So you've told us you
2 were in Gofor for several months. After Gofor were you in the
3 jungle as a regular soldier? Is that what you're saying?

11:45:12

4 A. After Gofor we went as far as Joru. The war was in the
5 momentum to and fro, we were only up to 1992 and finally when
6 ULIMO bulldoze and went to Liberia 1992, we were now in the
7 bushes. That's what I'm saying. I did not move from Gofor in
8 1991 to go to Kailahun three years in the bush. No, sir.

11:45:36

9 Q. Okay. From the time that ULIMO bulldozed, you said 1992,
10 until you went to Kailahun in 1994 what was your assignment?

11 A. In the bushes, no specific assignment now. We were just by
12 group hit and run. That was the war now we were fighting.

13 Q. Were you armed?

14 A. Yes.

11:45:53

15 Q. Who was your commander?

16 A. This time round there was - we were in group as senior
17 officers Mohamed Koroma and others were - we were in the bushes
18 actually.

11:46:17

19 Q. Well, give us the names of some of the top commanders that
20 you worked with in the Pujehun District from 1991 until going to
21 Kailahun in 1994.

22 A. Mosquito - Mosquito and AB, but AB later died. Kendeka,
23 one Kendeka, he also died.

24 Q. Sir, did you go to Kailahun the same time as Mosquito?

11:46:52

25 A. When we scattered in the bushes, I didn't know the
26 whereabouts of Mosquito. I met Mosquito in Kailahun when myself
27 arrived there.

28 Q. Sir, tell us about the killings of vanguards in Pujehun
29 District, what you know about that.

1 A. Come again?

2 Q. You know that many vanguards were killed in internal
3 fighting in Pujehun District. Isn't that true?

4 A. Yes.

11:47:30 5 Q. Patrick Lamin, you knew him, correct?

6 A. Yes.

7 Q. He was a Special Forces trained in Libya. Isn't that
8 right?

9 A. I can't say whether he was trained in Libya. He was a
11:47:41 10 Special Forces.

11 Q. And he wasn't with you at Naama, was he?

12 A. No.

13 Q. But he was an experienced fighter before the war came to
14 Sierra Leone. He already was experienced, isn't that true?

11:47:54 15 A. I did thought know him before. He came from Kailahun
16 District, according to him, through the jungle.

17 Q. He was the top commander at one time in Pujehun, or one of
18 them, wasn't he?

19 A. Yes.

11:48:10 20 Q. He was former NPFL, that's how he had his experience.
21 Isn't that true?

22 A. I did not know any of that.

23 Q. Who killed Patrick Lamin? Well, first of all, was Patrick
24 Lamin killed in Pujehun District?

11:48:40 25 A. Yes, he died in Pujehun District but I can't actually
26 recall right now, I will think over it. He was killed in
27 Pujehun.

28 Q. Now, when you talked to the Prosecution and the TRC you
29 made up a story about being captured by Tonkara. Is that right?

1 A. Yes.

2 Q. There is such a person, or was, Tonkara, isn't that right?

3 A. Come again?

4 Q. That's a real person, or it was, Tonkara. Isn't that
11:49:09 5 right?

6 A. Yes.

7 Q. And who was he?

8 A. He was a vanguard too.

9 Q. So you knew him from Naama?

11:49:17 10 A. Yes.

11 Q. Was he a commander in the Pujehun District?

12 A. He was senior officer. When we scattered in the bushes we
13 were by group. Whether he was commander there by that time, I
14 don't know, but we all were senior officers moving together.

11:49:34 15 Q. Did you pick his name when you talked to the TRC and the
16 Prosecution as the person who captured you because you knew he
17 was dead?

18 A. I called his name to the Prosecution.

19 Q. Is that because you knew he was dead?

11:49:54 20 A. No, it's not because he was dead. I told you earlier
21 because of fear I have to change my address.

22 Q. These people, Patrick Lamin, Tonkara, and others, were
23 killed when the vanguards were attacked by junior commandos led
24 by Gibriil Massaquoi. Isn't that true?

11:50:19 25 A. No.

26 Q. Did Gibriil Massaquoi lead the junior vanguards in a battle
27 against the - excuse me, lead the junior vanguards --

28 MR MUNYARD: -- vanguards [overlapping speakers] but not a
29 combination.

1 MR KOUMJIAN: Thank you.

2 Q. Did Gibril Massaquoi lead junior commandos against the
3 vanguards in Pujehun?

11:50:47

4 A. No, not lead. These people were arrested. That's what I
5 heard. They were arrested.

6 Q. Where were you?

7 A. We were in the bushes in the jungle there. We have
8 scattered. We were by groups in various jungles. No
9 communication. No radio.

11:51:03

10 Q. Well, when did you learn? Did you see this happen or did
11 you hear about it from someone else?

12 A. When we combined. That is after going to Kailahun District
13 and after another code of a radio was created and sent back to
14 Pujehun District. Now the RUF knew that RUF know we were at both

11:51:23

15 ends, so when we combined 1994 through investigation before we
16 begin to actually know how these things happened.

17 Q. Tonkara was killed along with Patrick Lamin in this
18 operation by the junior commandos, this revolt against the
19 vanguards. Isn't that true?

11:51:50

20 A. No, that was not the time.

21 Q. When was he killed?

22 A. Tonkara was killed by boys around him. They plot against
23 him and kill him. It was not the time Gibril Massaquoi arrested
24 the vanguards and killed. That was not the time.

11:52:03

25 Q. The boys around him?

26 A. His own boys.

27 Q. Do you mean these were - were these junior commandos?

28 A. Yes.

29 Q. Now, some of your forces, you talked about being scattered

1 in the jungle, some of your forces were forced back into Liberia.

2 Isn't that true?

3 A. Come again?

4 Q. Many of the forces in the Pujehun District, the RUF and its

11:52:41 5 allies had invaded, were pushed back into Liberia. Isn't that
6 true?

7 A. Pushed back by whom?

8 Q. By your enemies.

9 A. Yes, when the ULIMO forces bulldoze us nobody cannot tell

11:52:53 10 you what was happening. We were scattered. We were in group.

11 If you managed to go to Kailahun District, you will go. If you

12 manage to stay there, you will be fighting in self-defence. When

13 we joined together if we saw you then you survived. If we didn't

14 see you, then somebody will say I think finally this person is

11:53:11 15 dead or die because we could not no longer see you. So during

16 the jungle time we were just scattered by group. No

17 communication.

18 Q. Some of them who retreated into Liberia included Mike

19 Lamin, correct?

11:53:28 20 A. Mike Lamin retreated into Liberia during the general pull

21 out from the Zogoda. That was the time we were in the ceasefire

22 when the Kamajors were given a surprise attack and Mohamed

23 Tarawalli left Zogoda, CO - Mike Lamin left the Zogoda and went

24 to Pujehun District and crossed to Liberia over 2,000 RUF

11:53:53 25 fighters surrendered to ULIMO-J.

26 Q. Sir, that was long before Zogoda fell, wasn't it?

27 A. That was the same falling of Zogoda. Mike Lamin - once he

28 - he was the first to move and Mohamed Tarawalli remained at the

29 Zogoda. When we were pushed, we changed the Zogoda to another

1 Zogoda, but we could not stay meeting it. That's how finally we
2 were scattered until myself went to the borderline and I saw
3 ULIMO-J, I say I can't surrender. I again took the jungle to
4 Kailahun District for another four months again.

11:54:35 5 Q. Are you talking about - is this the first time you went to
6 Kailahun District?

7 A. The second time. This is 1996.

8 Q. Okay. Let's start with the first time you arrived in
9 Kailahun District. Did you go through Liberia, how did you get
11:54:52 10 to Kailahun?

11 A. I went through the Gola forest.

12 Q. When you arrived at what time was it, what month and year?

13 A. It was January, I think the 1st or 2nd.

14 Q. Of 19?

11:55:08 15 A. '94. I started the jungle 1993.

16 Q. When you arrived - excuse me, you said you started the
17 jungle in 1993. What do you mean about that?

18 A. I started to take up the jungle in 1993. I spent three to
19 four months in the bush before getting to Kailahun District.

11:55:26 20 This was the first time.

21 Q. You mean you were travelling through the jungle?

22 A. Yes, from another district to another district.

23 Q. By yourself or in a group?

24 A. We were three to four. One die.

11:55:37 25 Q. Who else was with?

26 A. I had one Mohamed - one Mohamed Sesay, I had one Bockarie
27 Musa and I had with me one other guy called Tagoe, but Tagoe when
28 the enemies scattered us we never saw him, up to the end of the
29 war we didn't see him, so I believe when they scattered us bullet

1 hole and he die.

2 Q. After arriving in Kailahun in January 1994 what was your
3 first assignment?

4 A. I told you; military police.

11:56:17 5 Q. Where in Kailahun were you assigned?

6 A. Pendembu.

7 Q. How long did you remain in Pendembu?

8 A. I think just two to three weeks I was called to Kailahun
9 Town where Foday Sankoh was based.

11:56:34 10 Q. When you got to Kailahun Town, what was your assignment?

11 A. This time round, I was sent to the headquarter as
12 investigator.

13 Q. And who were you investigating?

14 A. I was investigating soldiers who retreat from the
11:56:53 15 frontline, why you retreated and if you ever cause a problem we
16 have to ask you why you cause problem. I investigated soldiers.

17 Q. Now when you got back to Kailahun what was the command
18 structure of the RUF? Foday Sankoh was the leader. Who was the
19 battlefield commander?

11:57:15 20 A. From Foday Sankoh to Mohamed Tarawalli.

21 Q. And who was the battle group commander?

22 A. Sorry. When I got to Pendembu Rashid Mansaray was the
23 battlefield. Mohamed Tarawalli was the battle group and Mosquito
24 or Sam Bockarie was target commander. Issa, target commander.

11:57:44 25 Morris Kallon, target commander.

26 Q. All right. So you were given this position as
27 investigator?

28 A. Yes.

29 Q. In Kailahun Town. Would you consider that at that point to

1 be the headquarters of the RUF?

2 A. Yes.

3 Q. And Foday Sankoh himself gave you that?

4 A. Assignment.

11:58:06 5 Q. Assignment. So I appreciate now Mr Kolleh how long were
6 you in that assignment?

7 A. We did not stay long there. We move to Balahun. Sankoh
8 moved to Sandiaru.

9 Q. You moved to Balahun?

11:58:22 10 A. Yes.

11 Q. Did you remain an investigator?

12 A. No, I was again turned to MP operation.

13 Q. Working under which commander? Sam Bockarie?

14 A. No.

11:58:32 15 Q. Who?

16 A. Sankoh. This time you are talking about - no, Sam Bockarie
17 was the target - when you talk about target was just like a
18 soldier on the frontline. Rashid Mansaray or Mohamed Tarawalli,
19 these were people in actual command. By that time Mosquito was
11:58:55 20 nowhere. He was just Mosquito by the way.

21 Q. Okay. So as - how long did you stay, as in the MP
22 operations in Balahun?

23 A. I did not even spend a week or two. We move again to Dodo
24 Korotuma.

11:59:21 25 Q. Can you spell that?

26 A. D-O-D-O K-O-R-O-T-U-M-A.

27 Q. Where is that?

28 A. It is very close to Balahun if you're approaching the
29 Liberian border.

1 Q. Who was the commander there?

2 A. This time round now no commander business. You only have
3 commander at front line. Everybody forced now to go ahead. I
4 told you I was now termed as MP operation. I could be called to
11:59:55 5 Sandiaru where Foday Sankoh was based and then maybe he would
6 give me letter to carry to various commander how to lead the
7 ambush. I would deliver these letters.

8 Q. Okay. How long did you remain as either an investigator or
9 an MP commander, MP officer in Kailahun District? You said
12:00:19 10 basically from the time you arrived in January 2000 - excuse me,
11 1994. How long did you remain in those positions - I'm not
12 worried now about which town were you in but how long were you
13 either an investigator or MP commander?

14 A. I did not actually stay long in those positions because we
12:00:36 15 were almost on the run from the government forces.

16 Q. How long, that's what I'm asking you, sir?

17 A. For Pendembu was about two weeks. For Kailahun was a month
18 or so.

19 Q. What was your next assignment when you no longer were an MP
12:00:55 20 officer or investigator?

21 A. I never had any other assignment until we were finally
22 pushed to the borderline where Foday Sankoh ordered us to bury
23 our heavy weapons and then everybody - I mean all position
24 dissolved at that point where he order everyone to go to the
12:01:17 25 frontline and I was around now as MP operation. I did not have a
26 base. I would go all out to come to him to go to frontline
27 commanders, bring letter, carry letters. That was what I was on
28 from Sandiaru. To Koindu when he moved there and from Koindu he
29 moved back into Giema when ULIMO was in Liberia and the Guinean

1 was shelling into the RUF.

2 Q. Okay. Thank you. When was it, sir, that your assignment
3 changed? You said it was when you were finally pushed to the
4 borderline?

12:01:50 5 A. Yes.

6 Q. Give us a month and year, if you can?

7 A. I can't tell you the actual time now but this was '94,
8 early '94. Around February, I believe. This time once we were
9 up and down now nobody could actually remember what was going on
10 but at least you can remember the year.

12:02:08

11 Q. Well, you said you got there in January 2004 - 1994. How
12 long after you got there were you pushed to the border and no
13 longer an MP? How many months?

14 A. I think in the whole process I spent about two going to
15 three months, finally we were pushed. Especially around April.

12:02:42

16 Q. And how long did you stay in Kailahun District, from
17 January 1994 when is the next time you left Kailahun District?

18 A. I was still in Kailahun District until we were called in
19 Freetown 2000 - sorry, 1997. But I used to go and come back to
20 Kailahun. Kailahun was my base when Sankoh was in the Zogoda.

12:03:07

21 Q. So, Mr Witness, as a person who was an investigator and MP
22 commander, you arrived in Kailahun in 1994 when Rashid Mansaray
23 was there. Tell us about the killing of Rashid Mansaray and
24 others.

12:03:32

25 A. When the war came to a standstill for almost two years from
26 1991, 1992 under strong defensive against Daru which was the
27 military barrack, once things were tough there was suspicion that
28 people were now trying to join the enemies and then when this
29 suspicion came out some others were arrested in the ambush, those

1 who lay ambushes on the target where Mosquito was assigned, Issa
2 was assigned, Kailondo especially, Kailondo was closer to the
3 river bank which is the Moya River. Once some people were
4 arrested for going to the enemies and then coming back to the
12:04:25 5 RUF, they were arrested and they called Rashid Mansaray that they
6 went to Pendembu and they told them that we have decided to get
7 around you to know about your revolution so that we can find
8 means to bulldoze. In that process on their way coming back they
9 were captured in ambush and that's how they relayed this
12:04:49 10 information to Foday Sankoh and Foday Sankoh ordered for the
11 arrest of Rashid and when order for the arrest of Rashid he was
12 in Sandiaru. When he order for Rashid Mansaray arrest he sent
13 him to Kpandabu. By then the enemy forces were in Kailahun Town
14 where Dennis Mingo and another Dennis which we used to call Monkey
12:05:16 15 Brown, they were assigned in another village close to Kailahun
16 just one and a half mile to Kailahun, that was defensive between
17 Kpandabu which is the Waterworks to Kailahun. There where Rashid
18 Mansaray was sent by order of Foday Sankoh to Mosquito to be
19 investigated.

12:05:43 20 Q. Well, were you assigned to investigate Rashid Mansaray?
21 A. No, sir.

22 Q. It was Issa Sesay who was assigned to investigate Rashid
23 Mansaray. Isn't that true?
24 A. No, sir. Mosquito was the one actually Foday Sankoh was
12:06:05 25 looking at to do the investigation. When Rashid Mansaray arrived
26 at Kpandabu he was handed over to Issa and Mosquito immediately
27 intervened by holding Rashid and then I went back to Foday Sankoh
28 and said I carry Rashid and others.

29 Q. When Mansaray arrived he was handed over to Issa Sesay

1 because Foday Sankoh had put Issa Sesay in charge of the
2 investigation. Isn't that right? Or you don't know?

3 A. That was the order given to me. I don't know.

4 Q. The order given to you was to hand him over to Issa Sesay?

12:06:46 5 A. Yes.

6 Q. Foday Sankoh gave you that order?

7 A. Direct.

8 Q. Who tore Rashid Mansaray's body to pieces?

9 A. Come again?

12:06:56 10 Q. Who tore his body to pieces?

11 A. I don't know whether Rashid Mansaray body was torn to
12 pieces. I don't know.

13 Q. What happened to him?

14 A. He was executed. I don't know of body tearing.

12:07:12 15 Q. Who executed him?

16 A. It was Mosquito.

17 Q. A lot of other people were executed at the same time - same
18 time period, correct?

19 A. Yes, at the same period but not at Kpandabu.

12:07:32 20 Q. And tell us about how these executions happened?

21 A. Well, when I was first in Kailahun by that time when this
22 incident first begin some people were arrested from the same
23 ambush I am talking about and then they were brought to Giehun
24 where Mohamed Tarawalli, Issa Sesay and Mosquito were assigned
12:08:03 25 and I heard with My Build. So when these people were brought
26 there I came from the headquarter, I went to Giehun to find out
27 what was happening and to also ask the MPs that were deployed
28 there. I went no understanding. It was a very hot situation
29 where I had to come back to Sankoh and say Mohamed Tarawalli is

1 killing, Mosquito is killing and Issa is killing. No proper
2 investigation. In fact I was threatened by CO Mohamed to fall
3 out or else I was part of the betrayal. So if you don't withdraw
4 these cases the RUF will split and he told me, "What do you mean?
12:08:52 5 You want for people to kill me?" I say, "Yes, sir, I'm telling
6 you that if you don't withdraw the cases there will be a split
7 into the RUF." That was the time he ordered Mohamed and Issa and
8 Mosquito to report to Kailahun. "Have you executed people
9 without proper investigation?" They said no, they did not and
12:09:12 10 that was a military term, they deny the information. I was an
11 MP, I was not a battle group or field commander to argue with
12 them there. Once they deny, that was the end.

13 Q. Sankoh accepted their denial?

14 A. He accepted because there was no proof to that.

12:09:32 15 Q. And you were in no position to contradict them because you
16 would have been killed. Is that right?

17 A. I never even had the power to open my mouth.

18 Q. In other words, you knew about these killings by Issa,
19 Bockarie and Mohamed Tarawalli but it wasn't in your interest to
12:09:52 20 tell the truth to Sankoh about that, it would have put your life
21 in danger. Is that right?

22 A. The execution by these people, when my MPs told me in
23 Giehun that's why I came secretly to tell Foday Sankoh this was
24 what was unfolding in Giehun, so you have to withdraw the cases
12:10:11 25 of investigation through the headquarter here.

26 JUDGE LUSSICK: Mr Koumjian, I've just got one question on
27 this point. Mr Witness, how is that you were able to tell us
28 about these killings and yet when Mr Koumjian asked you earlier
29 had you ever killed anybody you couldn't remember whether you had

1 or not?

2 THE WITNESS: I say I don't remember.

3 JUDGE LUSSICK: You mean you can remember all of these
4 details about other people having killed victims, but when you're
12:10:47 5 asked whether you killed anyone your memory is blank, you can't
6 say whether you killed anyone or not? Is that correct?

7 THE WITNESS: Yes, he asked me if I have ever involved in
8 killing somebody myself. I say I don't remember.

9 JUDGE LUSSICK: Go ahead, Mr Koumjian.

12:11:08 10 MR KOUMJIAN:

11 Q. Mr Kolleh, the Giehun that you're talking about, because
12 there's a Mende word that means the top of the hill and there's a
13 lot of them is Luawa Giehun in Luawa Chiefdom, correct?

14 A. Yes, Luawa. If you say Lawa it's a water inside Kailahun
12:11:37 15 Town.

16 Q. This is where Jande was killed and many other people from
17 that area, correct?

18 A. Yes, I told you earlier that killing took place. That's
19 why I went there to find out and my MPs told me, yes.

12:11:50 20 Q. And Issa Sesay was involved in that, correct?

21 A. These were commanders I have earlier mentioned to you that
22 they were there.

23 Q. And some of these people were killed by boiling oil being
24 poured on their bodies. Isn't that right?

12:12:06 25 A. I was not actually present. These are information that
26 caused me to rush to Sankoh.

27 Q. You heard about that?

28 A. Yes.

29 Q. You heard Jande had boiling water poured on her genitals?

1 A. I'm talking about killing that occurred in Giehun that
2 caused me to carry to Sankoh.

3 Q. Did you know Kei fa Wai from Naama?

4 A. Yes, Kei fa Wai.

12:12:42 5 Q. He was killed as part of these killings, correct?

6 A. Not at Giehun.

7 Q. When he was killed his head was put on a stick?

8 A. That is not correct. I did not see that.

9 Q. You don't know if that's true or not?

12:12:55 10 A. No, because he was taken to the target by - I will call the
11 name when the name come to me.

12 Q. Mr Witness, let me just ask you one thing. Issa Sesay
13 denied being involved in these killings of Rashid Mansaray in
14 Luawa Giehun, that would be a lie, isn't that true?

12:13:29 15 A. Come again?

16 Q. If Issa Sesay denied being involved in the killings in
17 Luawa Giehun and the Rashid Mansaray killings, that would be a
18 lie. Isn't that true? He was involved?

19 A. I told you killing that took place in Giehun, these were
12:13:45 20 commanders there. Once the MP brief me, say, "You don't tell
21 Sankoh to withdraw the cases here, these people are just killing,
22 especially CO Mohamed." So I came back with information. I did
23 not investigate or excuse me sir, Issa, they told me you are
24 killing people here. No, it was very desperate situation. It
12:14:06 25 was not the time to go in front of them because they knew me as
26 an investigator. And the death of Rashid, I told you when I
27 carried Rashid to Giehun, to Issa, Mosquito took over Rashid from
28 Issa so I can't tell you how he was killed but I went back to
29 Sankoh that what you told me to do I did.

1 Q. Issa Sesay was involved in the - was named by Foday Sankoh
2 to take care of Rashid. Your orders were to turn Rashid over to
3 Issa Sesay, correct?

4 A. Yes.

12:14:36 5 MR KOUMJIAN: I'd like the witness now to be shown some
6 photographs, and perhaps we can bring a group of them to make it
7 easier. 68C --

8 PRESIDING JUDGE: Could you please give the full name. Is
9 that Defence exhibit, Prosecution exhibit, what?

12:14:58 10 MR KOUMJIAN: That one I don't have written down but I
11 believe it's P. P-153B, D-51 and P-254. And that was P-68C,
12 Prosecution 68C.

13 PRESIDING JUDGE: The first one that you want on the
14 overhead, Mr Koumjian, is exhibit P-68C?

12:16:24 15 MR KOUMJIAN: Correct.

16 PRESIDING JUDGE: That is a photograph?

17 MR KOUMJIAN: Yes, all four are photographs.

18 MS IRURA: Your Honour, this is a confidential exhibit.

19 MR KOUMJIAN: I believe it was shown in the last testimony
12:16:37 20 publicly with Issa Sesay, so I don't see why we can't show it
21 again.

22 PRESIDING JUDGE: Mr Munyard, the context in which this
23 photograph was exhibited was confidential but do you see any
24 problem in showing it to the witness in this context?

12:16:56 25 MR MUNYARD: No, thank you.

26 PRESIDING JUDGE: I suppose you may put it on the overhead.

27 MR KOUMJIAN:

28 Q. Mr Kollieh, do you recognise the two individuals depicted in
29 the photograph on the screen in front of you?

1 A. I remember the first person on the right.

2 Q. Who is that?

3 A. That's Issa Sesay.

4 Q. And who's on the left?

12:18:03 5 A. Because of the position I can't tell.

6 Q. Okay. Thank you. Can we have P-15 --

7 PRESIDING JUDGE: Sorry, which of the two is Issa Sesay?

8 Can you do a bit better than saying "on the right". On the right
9 of who?

12:18:21 10 THE WITNESS: The witness. On the right of the witness.

11 MR KOUMJIAN:

12 Q. Mr Witness, are you talking about the man in the striped
13 shirt or the man in the jacket?

14 A. The man in the jacket with Nike writing on the T-shirt.

12:18:44 15 MR KOUMJIAN: Could the witness be shown P-153B. Is this
16 P-153B?

17 Q. Do you recognise anyone in this photograph?

18 PRESIDING JUDGE: He obviously cannot see clearly because
19 the focus is so bad on the overhead. Perhaps just show the
12:19:30 20 witness the actual photograph, please.

21 MR KOUMJIAN:

22 Q. We'll take it off the screen, we'll show it to the witness
23 and, sir, when you're ready hand it back to the Court Officer.

24 A. I don't remember these photos.

12:19:54 25 Q. The question is not whether you remember the photograph.
26 It's whether you recognise --

27 A. No, sir.

28 Q. -- anyone. Do you recognise the man in the blue in the
29 middle?

1 A. No.

2 Q. Do you recognise the man in black?

3 A. No, sir.

4 Q. Do you know Daf?

12:20:22 5 A. Yes, I know Daf, radio operator assigned.

6 Q. Is he in that photograph?

7 A. No.

8 MR KOU MJIAN: Could the witness be shown D-51, please.

9 First, if the photograph could be handed to the witness.

12:21:07 10 Q. Take a look at this, sir, and when you're ready let us

11 know. Do you recognise the two men in that photograph?

12 A. Yes, I recognise the first person, Mosquito.

13 Q. When you say the first person?

14 A. The one standing with the white something on the jacket.

12:21:41 15 Q. Okay. Actually, both have something white around their

16 necks. One is long and one is short. Which one do you mean?

17 The man in the black pants or the man in the blue jeans?

18 A. The man in the white crepe.

19 Q. The white shoes. You know the other man, don't you?

12:22:03 20 A. No.

21 Q. Do you know Zigzag Marzah?

22 A. No.

23 Q. Have you ever heard of Zigzag Marzah?

24 A. Yes, I heard of Zigzag Marzah.

12:22:09 25 Q. What have you heard about him?

26 A. I listen to radio. He came here on BBC. I listened. He

27 came here.

28 Q. What did you know about him before you heard about him

29 testifying here?

- 1 A. I'm not too close to him. I don't know. I don't know much
2 about him.
- 3 Q. He had a house in Buedu, didn't he?
- 4 A. No.
- 12:22:34 5 Q. How about Daniel Tamba? Do you know him?
- 6 A. No.
- 7 Q. Daniel Tamba had a house in Buedu, do you know? You don't
8 know who Daniel Tamba is?
- 9 A. I don't know who is Daniel Tamba.
- 12:22:51 10 Q. You told us you know some Jungles, can you tell us the
11 Jungles that you know.
- 12 A. I knew three Jungles.
- 13 Q. Can you tell us the first one?
- 14 A. The Jungle I know, he was slim and tall.
- 12:23:07 15 Q. Was his nationality, if you know?
- 16 A. The first Jungle was STF, Liberia, ULIMO, that was based in
17 Freetown and later joined the RUF when we went to town.
- 18 Q. Did you know his real name?
- 19 A. No.
- 12:23:21 20 Q. How about the second Jungle?
- 21 A. Another Jungle, not too tall, but with fair complexion. He
22 was also Jungle I knew.
- 23 Q. Okay. Not too tall, meaning about your height?
- 24 A. No, I am tall.
- 12:23:40 25 Q. Sorry. Okay. Can you give us an estimate of how tall this
26 person was in feet and inches or in metres?
- 27 A. You mean the second Jungle?
- 28 Q. Yes.
- 29 A. Just above my shoulder. Almost to my ear I can say.

1 Q. And how tall are you, sir?

2 A. I don't know the inches of my height.

3 Q. Do you know the metres, centimetres?

4 A. No.

12:24:04 5 Q. Sir, what was the nationality of the second Jungle?

6 A. The second Jungle, he was a Liberian Kissi from the
7 borderline there.

8 Q. And where did you meet him?

9 A. Where did I meet him?

12:24:24 10 Q. Yes.

11 A. I met him in Buedu.

12 Q. What was he doing in Buedu, if you know?

13 A. Buedu was the headquarter when Mosquito was assigned there
14 or he was based there, so a lot of soldiers were there. I don't
15 actually know what he was doing there.

16 Q. Would he come and go?

17 A. I was not based at Buedu. I can't give you any sort of
18 words that Buedu was a headquarter, well populated.

19 Q. Sir, you were - I apologise for moving around. Let's
12:24:57 20 finish one more photograph and then we'll go back to your
21 assignments.

22 If the witness could be shown P-254. Perhaps the
23 photograph could be handed to the witness. Do you recognise the
24 man in the jeep?

12:25:38 25 A. No.

26 Q. Let's go back and let me try to finish covering your
27 assignments during the war. I'm trying to recall where we are,
28 at what point I stopped. I believe you said you were in Kailahun
29 District?

1 A. Yes.

2 Q. Up until the coup where President Kabbah was overthrown by
3 the SLA and AFRC. Is that correct?

4 A. Yes, sir.

12:26:23 5 Q. What were you doing just before that coup? What was your
6 assignment?

7 A. Just before the coup, I have just come from Pujehun
8 District 1996 and then I met others in Kailahun where I went -
9 went to Buedu where I met Mosquito and others, 1996.

12:27:01 10 Q. In 1996 you were in Pujehun District. For how long do you
11 think in total on this time, the second time, were you in Pujehun
12 District?

13 A. During the time of Foday Sankoh or on my last assignment
14 when I came from the Zogoda to his location my assignment was
15 changed to go to Pujehun Town itself on another assignment.

12:27:24 16 There I was there with Morris Kallon and then before going for
17 the peace talk he called us to the Zogoda. We went there and he
18 was about to leave. We remained at the Zogoda where he sent for
19 CO Mohamed to come and take charge. There we left when Foday
12:27:55 20 Sankoh was out of the RUF by that time or he was away, we were
21 being attacked and the attack continued until most of the jungles
22 were dissolved. During this process of 1996 I have to move again
23 to the borderline, we were in large number where Mike Lamin and
24 others crossed into Liberia. That was the time I took another
12:28:19 25 jungle again to go to Pujehun - Kailahun District.

26 Q. Okay, sir, I think either I'm a bit confused on the dates
27 or you are, so let's see if we can work something out because
28 it's easy to forget dates. Let me try to help you, or you can
29 help me. You were in Zogoda when Foday Sankoh went to the Ivory

1 Coast for peace talks. Is that right?

2 A. Yes.

3 Q. So that was after the - how long had you been in Zogoda
4 before Foday Sankoh left to go to the Ivory Coast?

12:29:08 5 A. I was not there for long. 1995 ending when my assignment
6 changed around October to November I was sent to Pujehun District
7 or Pujehun Town to Morris Kallon where we worked together there.
8 Then in the process - sorry, while we were there, 1996 when the
9 peace process came into full swing we were called to Zogoda to go
12:29:38 10 and meet Mohamed Tarawalli and to cooperate with him until his
11 return. So in 1995 ending into 1996, I was to the Zogoda. Then
12 we were pushed from the Zogoda. 1996 we created another jungle
13 but it could not fit because no food. We were dislodged again by
14 the Kamajors and we have to move from the Kenema District into
12:30:01 15 the Pujehun District to the borderline where we find out all of
16 our friends have crossed into ULIMO-J into Liberia and
17 surrendered. That was the time again I took another jungle. We
18 were four again in this number to trace Kailahun District.

19 Q. Okay. I want to go back and ask my question again. I
12:30:22 20 appreciate all that information.

21 JUDGE SOW: I'm sorry, Mr Koumjian, because he said our
22 friends "surrendered". Is it the name or "surrounded"? Because
23 previously he said "surrounded".

24 THE WITNESS: Yes, no sooner you cross into ULIMO zone in
12:30:46 25 Liberia, you cannot be an RUF. You have to disarm to them. You
26 have to listen to all commands now. You are not on your own.
27 You surrender to them.

28 JUDGE SOW: Okay, because page 37 - 38 on my font was where
29 Mike Lamin was surrounded.

1 THE WITNESS: No, I said Mike Lamin crossed with over 2,000
2 RUF and surrendered.

3 JUDGE SOW: Surrendered. Because on the LiveNote it was
4 surrounded.

12:31:11 5 THE WITNESS: No, no, no. Sorry. Maybe you didn't get me
6 clear, sir. He surrendered with --

7 JUDGE SOW: It's not to me, it's the LiveNote.

8 MR KOUMJIAN: Thank you, sir.

9 PRESIDING JUDGE: It is true what Judge Sow is saying. I
12:31:23 10 personally took a note that the witness said "surrendered"
11 although the LiveNote had shown "surrounded". But of course the
12 problem is with the pronunciation.

13 MR KOUMJIAN: Thank you very much. That reminds me of
14 another thing I noticed in the LiveNote quite a while ago and I
12:31:42 15 didn't want to interrupt the witness but at one time sir, correct
16 me if I'm wrong, you talked about a person called My Build. Is
17 that right?

18 THE WITNESS: Yes.

19 MR KOUMJIAN:

12:31:55 20 Q. The LiveNote didn't pick that up because it was hard for us
21 to understand and I'll try to find where that was, but it was
22 when you were talking about what happened with Rashid Mansaray.
23 What did you say about My Build?

24 A. He was one of the target commander. He was deployed at
12:32:14 25 Kui va. Kui va is very close to Daru. You have two roads leading
26 to Daru from Mobai. You have to pass through Baima, pass through
27 Penduma to Daru, you have to pass through Kui va, you go to Daru
28 as well as going to Joru.

29 Q. And this name again it's My Build, it's two words "My" and

1 "Build" as in how someone's body is. Is that right?

2 A. Yes.

3 PRESIDING JUDGE: Mr Koumjian, allow me to interrupt you.

4 The way you are questioning the witness as I understand is to
12:32:49 5 take us through his assignments, his various assignments, but the
6 way he's giving the evidence, I think we're just spending time
7 but I'm not sure where he was at what time or what he was doing.
8 I don't know if you understand what he's saying but I'm looking
9 and trying to follow the LiveNote with my notes and trust me you
12:33:11 10 lost me somewhere in January 1994.

11 MR KOUMJIAN: I want to go back and try to clarify some of
12 that.

13 MR MUNYARD: I wonder if I can assist on My Build at this
14 point. It's on page 86 on my font at line 14 and it's a sentence
12:33:35 15 that ends with and what I heard was "my bill". We, know because
16 we're familiar with the facts of the case, that actually that's a
17 reference to somebody whose nickname was My, M-Y, Build,
18 B-U-I-L-D.

19 I hope that helps with the page reference for any
12:33:57 20 subsequent correction.

21 PRESIDING JUDGE: So, Mr Koumjian, in the interests of
22 saving time and this witness's testimony, when you ask the
23 witness a question please ensure that he answers that question.
24 He doesn't spend half a page going off on a tangent and you let
12:34:22 25 him do that.

26 MR KOUMJIAN: Thank you, your Honour.

27 Q. Mr Witness, in order to help you and me with time I want to
28 ask you about some events to see where you were. Now one event
29 you talked about was that you were in Zogoda when Foday Sankoh

1 went to the Ivory Coast for peace talks. Is that right?

2 A. Yes.

3 Q. And was that the first time he went out of Sierra Leone for
4 the peace talks?

12:34:56 5 A. Yes.

6 Q. You're not talking about when he came back to explain the
7 peace accord, the Abidjan Accord, you're talking about when he
8 first went to the Ivory Coast for peace talks, correct?

9 A. Yes.

12:35:10 10 Q. At that time you were in Zogoda. Is that right?

11 A. Yes.

12 Q. And how long had you been in Zogoda approximately before
13 Foday Sankoh left to go for those peace talks?

14 A. I was in the Zogoda for three - two to three months. I
12:35:35 15 can't actually recall the time. This is what brought me to
16 explain what you told me from what year to what year and I went
17 to 1995.

18 Q. I'm going to follow the judge's directions and stop you
19 there and try to guide you a little bit. It's only trying to
12:35:48 20 make it clear. Before you went to Zogoda, what was your
21 assignment immediately before you went to Zogoda?

22 A. That's what I'm saying. I said this is what brought the
23 1995 to 1996. I was sent - assignment was changed to Pujehun
24 Town and later called again back to the Zogoda.

12:36:11 25 PRESIDING JUDGE: Mr Witness, I wish you would listen to
26 the question and answer only the question that is asked to you,
27 okay, instead of trying to take us back in history over the whole
28 testimony. The simple question asked to you is before you
29 reverted to Zogoda, what was your immediate assignment?

1 THE WITNESS: I was in Pujehun.

2 MR KOUMJIAN:

3 Q. How long had you been in Pujehun before you left to go to
4 Zogoda?

12:36:42 5 A. I was there a month or so.

6 Q. Prior to Pujehun what was your assignment?

7 A. I was a transporter from the Kailahun to Zogoda.

8 Q. So you were based where, both places?

9 A. No, I was based at Kailahun Town. Sorry, Giema which is
12:37:05 10 Kailahun District.

11 Q. How long were you in Giema working as a transporter?

12 A. '94, '95.

13 Q. Mr Witness, you said you were Zogoda for several months
14 before Foday Sankoh left for the peace talks. He left for the
12:37:27 15 peace talks just after the 1996 elections, correct?

16 A. Yes.

17 Q. So tell us, Mr Witness, about Operation Stop Elections.
18 You were in Zogoda when that occurred, correct?

19 A. I was in - I was not in the Zogoda on the ground itself. I
12:38:18 20 was in Bandawor.

21 Q. Record reflect the witness took about 30 seconds to answer
22 that question. You were thinking about where you were, sir?

23 A. Yes.

24 Q. How far from Zogoda is - first of all can you spell the
12:38:36 25 name of the place where you were at?

26 A. Very close to the Zogoda, B-A-N-D-A-W-O-R, Bandawor, I
27 think, something like that.

28 Q. It's Kenema District, sir?

29 A. Yes.

1 Q. So, sir, Kenema District was the place, one of the places
2 where the Operation Stop Elections was at its fiercest. What do
3 you know about it?

12:39:18

4 A. The RUF attacked Kenema and they were not able so they were
5 pushed back.

6 Q. What were the orders that were given for that attack on
7 Kenema?

8 A. It was Operation Stop Election.

9 Q. The RUF said peace before elections, correct?

12:39:32

10 A. Yes.

11 Q. The people in Freetown had a meeting, the army was in your
12 favour, but the people demanded elections before peace, correct?

13 A. I don't see, but I was not in Freetown.

12:39:58

14 Q. Okay. So Foday Sankoh gave an order: Stop the elections,
15 harass the people, cut off the hands of anyone who votes. Is
16 that right?

17 A. I don't know about that order.

18 Q. How is that you, a senior officer, don't know about
19 Operation Stop Election orders?

12:40:09

20 A. Well, I was in Bandawor. After the long walking I used to
21 do, I almost created hernia, so I was taking native treatment in
22 Bandawor so I was not on operation to be closer to the radio to
23 know, but he did not give the order cut hands by stopping
24 election.

12:40:29

25 Q. Mr Witness, I remember you used the word "coincidence" and
26 saying it was just a coincidence saying that Sam Bockarie said
27 his troops were in Freetown exactly when Gullit's troops were in
28 Freetown. Is it just a coincidence that whenever massacres and
29 atrocities are taking place you're injured?

1 A. Come again?

2 Q. Were you injured during Operation Stop Elections or did you
3 take part in the operation?

4 A. I was not injured. I said I was creating hernia. My
12:41:07 5 scrotum was getting swell up for the time I was going up and down
6 '94, '95, I almost created hernia. I was taking native herbs.

7 Q. Did you participate in the operation or no?

8 A. No.

9 Q. Were you present -- Foday Sankoh called his commanders to
12:41:28 10 Zogoda for a meeting in order to order that operation. Isn't
11 that true?

12 A. No, I can't remember that meeting called by Foday Sankoh to
13 the Zogoda.

14 Q. The same as you can't remember whether or not you killed
12:41:36 15 anybody. Is that right?

16 A. Come again?

17 Q. You can't remember that the same as you can't remember
18 whether or not you killed anyone, correct?

19 A. I personally, yes.

12:41:48 20 Q. Who led the attack on Kenema? Was that Sam Bockarie?

21 A. Sam Bockarie was the commander in charge.

22 Q. Who were the other commanders?

23 A. They have various commanders. I was not assigned to Zogoda
24 to know command structure there. My previous assignment was just
12:42:11 25 up and down.

26 Q. And did you hear of the RUF cutting off hands and fingers
27 of civilians in that operation?

28 A. I did not know of that.

29 Q. You've never heard that?

1 A. I did not.

2 Q. Today - up to today - this is the first time you've heard
3 that. Is that what you're saying?

12:42:32

4 A. On the TRC in Kenema I listened to people talk about
5 cutting hands off but with the RUF, no, I did not hear that from
6 the beginning, from the TRC in Kenema I heard that people were
7 talking about their hands were cut and they asked them who did
8 it.

12:42:54

9 Q. Mr Witness, didn't you know that atrocities were committed
10 by rebels and by army during Operation Stop - during the
11 elections?

12 A. I didn't know, sir. I was under treatment.

13 Q. But you told the TRC about it, didn't you?

12:43:16

14 A. I did not tell TRC. I said TRC talked to me behind closed
15 door, I was asked and I said I heard of it. TRC took place in
16 Kenema before Kailahun.

17 Q. Well, Mr Witness, I have some bad news for you but I'll
18 save it for later. Your testimony is published. Sir, after
19 leaving Zogoda where did you go?

12:43:49

20 A. What year?

21 Q. Well, sir, you said that after Foday Sankoh went to peace
22 talks - what happened to you after Foday Sankoh went to peace
23 talks?

24 A. We were dislodged from the Zogoda.

12:44:01

25 Q. Okay. And where did you go?

26 A. I go to Kailahun.

27 Q. At that time when Foday Sankoh left to go to the Ivory
28 Coast, who was your immediate commander?

29 A. I said Mohamed Tarawalli was the one in charge of the RUF.

1 Q. Was he your immediate commander or did you report through
2 someone else?

3 A. He was immediate commander in charge of the RUF. To the
4 Zogoda I was not under assignment.

12:44:34 5 Q. You had no assignment?

6 A. By that time Foday Sankoh left I was no more transporting
7 business. This thing were now offered assignment to say you will
8 be - you have to stop here now - changes once he left
9 transporting it was ceased. Assignment had been changed earlier.

12:44:51 10 Q. Well, when Foday Sankoh left did he put Mohamed Tarawali
11 in charge?

12 A. Yes.

13 Q. Did you report then directly to Mohamed Tarawali?

14 A. Yes, we were under his command now.

12:45:02 15 Q. When you were the transporter --

16 A. During Sankoh's administration. I kept saying this.

17 Q. Sir, I haven't finished the question. Thank you. When you
18 were the transporter, did you report directly to Foday Sankoh or
19 did you have a boss in between that you reported to?

12:45:21 20 A. From Issa when I was sent I come directly to Sankoh. From
21 Sankoh when I was sent I go directly to Issa.

22 Q. So you reported both to Issa Sesay and to Foday Sankoh. Is
23 that correct?

24 A. Yes.

12:45:36 25 Q. Where was Issa Sesay based at that time?

26 A. He was based in Kailahun, in Giema Town in particular.

27 Q. After the RUF was pushed out of Zogoda in '96, that became
28 a desperate time for the RUF. Is that right?

29 A. Yes.

1 Q. You were very low on ammunition, correct?

2 A. Come again?

3 Q. You had very little ammunition, correct?

4 A. Yes.

12:46:09 5 Q. And what happened then? What was - what happened to you
6 after you were pushed out of Zogoda?

7 A. I went to Kailahun from the Zogoda.

8 Q. Did you go to Kailahun Town or where?

9 A. I went to Kailahun to Giema, then to Buedu.

12:46:32 10 Q. Because Kailahun Town at that time had been occupied by the
11 army, correct?

12 A. Yes.

13 Q. Who was your commander in Giema?

12:47:14 14 A. I met one Gaddafi. I met other commanders on the ground
15 that time.

16 Q. Were you reporting to all of them or did you have a single
17 commander?

18 A. Yeah, those I met in command I operated with them.

19 Q. As what? What was your position?

12:47:28 20 A. No, when I came from the Zogoda through the jungle, I never
21 had assignments when I got there.

22 Q. So you did nothing?

23 A. We went into Liberia, we got ammunition from there, we came
24 back and while at Giema we were attacked and we repelled the
12:47:51 25 attack. After repelling the attack we were called in Freetown.

26 Q. Now, you talked about this trip to Liberia to get
27 ammunition and this is just before - or several months before the
28 coup. Is that right?

29 A. Yes.

1 Q. Could we see the photograph that is MFI - the photograph
2 that you took on - it has on the back 1 January '97, the one of
3 the group standing --

4 PRESIDING JUDGE: I think that's MFI-1.

12:48:28 5 MR KOUMJIAN: MFI-1, please.

6 Q. My question, sir, is it has on the back - you said you
7 wrote January 1st 1997 and that's the day that it was printed.
8 Is that right?

9 A. Yes.

12:48:43 10 Q. And how long before that was the photograph actually taken?

11 A. The photograph was taken in December.

12 Q. Sir, where did you get the photograph printed?

13 A. I sent it to Guinea.

14 Q. You sent it through who?

12:49:00 15 A. To Guinea.

16 Q. Well, did you put it in the mail? How did you send it to
17 Guinea?

18 A. We would transact with Guinean. I gave it to somebody that
19 I had business with. We had civilians, we used to trade.

12:49:14 20 Q. Now, sir, you said Bockarie went to transact - buy
21 ammunition from ULIMO on the orders of Sankoh. Is that right?

22 A. That's what he told us later after getting this information
23 he later briefed us.

24 Q. And Sankoh assured Bockarie that he would be okay even
12:49:45 25 though ULIMO was a former enemy, correct?

26 A. Yes.

27 Q. Now, being a Liberian, sir - by the way this was ULIMO-K,
28 correct?

29 A. Yes.

1 Q. Now, being a Liberian, you're aware, aren't you, that in
2 April 1996 there was heavy fighting in Monrovia? Did you know
3 that?

4 A. No, I was not aware of fighting in Monrovia.

12:50:09 5 Q. Were you aware of an alliance that in that fighting ULIMO-K
6 was the ally of the NPFL?

7 A. I don't know of that, sir.

8 Q. Well, sir, you're buying ammunition from ULIMO-K. How did
9 Foday Sankoh know it would be okay?

12:50:32 10 A. I don't know.

11 Q. Was he told that by his NPFL contacts?

12 A. I don't know, sir.

13 Q. So, sir, coming to the coup, May 25th 1997 when the -
14 President Kabbah was overthrown. Where exactly were you when
12:51:15 15 that happened?

16 A. We were in Giema. I was in Giema.

17 Q. And had you been in Kailahun District from the time you
18 left Zogoda until the coup?

19 A. Yes.

12:51:29 20 Q. Now, you talked about this trip to Liberia to get the
21 ammunition. Was that the first time you'd been back to Liberia
22 since entering in April 1991?

23 A. Yes.

24 Q. Did you ever go visit your family?

12:51:47 25 A. No, I never had family to the borderline. I did not go to
26 visit anybody.

27 Q. Sir, when was the next trip you made over the border into
28 Liberia?

29 A. I only remember going for the ammunition, come for the

1 civilian, come for fighters, go for the ammunition into Sierra
2 Leone from Nyandehun.

3 Q. What years are you talking about?

4 A. I'm talking about '96.

12:52:22 5 Q. How about after 1996 did you make any trips to Liberia?

6 A. No.

7 Q. When was the next trip you made to Liberia?

8 A. Nothing, I don't remember.

9 Q. Well, you said you live in Liberia now. So when after 1996

12:52:46 10 was the next time you went to Liberia?

11 A. I don't remember going to Liberia.

12 Q. Did you ever travel with Sam Bockarie to Liberia?

13 A. No, sir.

14 Q. Did you travel with Issa Sesay to Liberia?

12:53:05 15 A. No.

16 Q. Did you accompany Eddie Kanneh to Liberia?

17 A. No, sir.

18 Q. Did you ever go with Daniel Tamba, Jungle, on his trips to

19 Liberia?

12:53:17 20 A. No.

21 Q. Did you go with Zigzag Marzah?

22 A. No, sir.

23 Q. Did you go with someone named Sampson?

24 A. I don't know Sampson, no, I never.

12:53:33 25 Q. When the coup occurred what was your next assignment?

26 A. I told you we were called into Freetown.

27 Q. Okay. And the question is what was your assignment? You
28 went to Benguema, you said, correct?

29 A. Yes.

1 Q. What unit were you in?

2 A. This time round we all went as soldiers or fighters based
3 at Benguema. Later Mosquito called me to be with him.

4 Q. But when did Mosquito call you to be with him?

12:54:11 5 A. No sooner we arrived in Freetown, that was the next day.

6 Q. And what was your position for Mosquito?

7 A. I was senior adviser. I was - sorry, I was senior officer
8 assigned with him. I was advance team commander for him.

9 Q. By the way, so far we've talked about Mosquito, and in all
12:54:33 10 the times you've talked about him you're talking about Sam
11 Bockarie so far, correct?

12 A. Come again?

13 Q. When we talk about Mosquito today and yesterday, you were
14 talking about Sam Bockarie, correct?

12:54:47 15 A. Yes.

16 Q. But you also know Christopher Varmoh, correct?

17 A. No.

18 Q. You don't know Christopher Varmoh?

19 A. No.

12:55:10 20 PRESIDING JUDGE: Did the witness say when you asked him
21 what assignment he was doing in Freetown - Mr Witness, did you
22 say you were senior officer or did you say you were senior
23 adviser?

24 THE WITNESS: I was a senior officer assigned with
12:55:26 25 Mosquito. I was advance team commander for Mosquito while we
26 were in Freetown.

27 PRESIDING JUDGE: So you did not say you were senior
28 adviser?

29 THE WITNESS: No, the senior adviser was Pa Rogers.

1 MR KOUMJIAN:

2 Q. Just one quick question before I go back to that. Do you
3 know Liberian Mosquito?

4 A. No, sir.

12:55:47 5 Q. Okay. When you say you were the advance team commander,
6 explain what that means?

7 A. Once Mosquito was moving anywhere in Freetown I have to be
8 ahead of his convoy.

9 Q. And that's when you were with the truck, with the big gun?

12:56:08 10 A. The pick-up, not truck.

11 Q. The pick-up with a big gun. Is that right?

12 A. Yes.

13 Q. How long did you remain in that assignment?

14 A. So long we were in Freetown I was at that assignment.

12:56:22 15 Q. Well, you also went with Bockarie to Kenema, correct?

16 A. Come again?

17 Q. You went with Bockarie to Kenema, correct?

18 A. I'm not still getting you.

19 Q. Okay. Let me try again. You also went to Kenema District
12:56:40 20 with Sam Bockarie?

21 A. Yes.

22 Q. You had the same position, advance team commander, is that
23 true or not?

24 A. Yes.

12:56:47 25 Q. How long were you in this assignment of Bockarie's advance
26 team commander?

27 A. We were in Freetown. I was on the assignment until that
28 day he decided to go back to Kenema.

29 Q. When he went back to Kenema you remained as the advance

1 team commander, correct?

2 A. Yes, when we went back to Kenema.

3 Q. Okay, my question is how long did you remain in that
4 position? When you went - when Bockarie retreated from Kenema
12:57:21 5 and went to Kailahun?

6 A. Yes.

7 Q. To Buedu, did you go with him?

8 A. Yes, but I was now - he sent me back now to Pendembu this
9 time round.

12:57:31 10 Q. Okay. So when Bockarie retreated, that was after the
11 intervention in January 1998, correct?

12 A. Yes, sir.

13 Q. You went to Pendembu?

14 A. Yes.

12:57:41 15 Q. What was your assignment then?

16 A. I was there as senior officer to be there to make sure that
17 things are under control because he was now based at Buedu while
18 others were on various deployment areas.

19 Q. What happened to the pick-up with the big 50 calibre
12:58:03 20 weapon? Did you keep that or where did that go?

21 A. Come again?

22 Q. You were the advance team commander and you said you would
23 lead Bockarie with a pick-up?

24 A. Yes.

12:58:13 25 Q. It's correct, isn't it, that it had a big anti-aircraft gun
26 on it, correct?

27 A. 50 calibre.

28 Q. Was it two barrels or one barrel?

29 A. No, 50 barrel. If you have say one barrel, you have

1 anti-aircraft one barrel bigger.

2 Q. So what was this, a 50 calibre?

3 A. 50 calibre, cannot go in the truck. Only the pick-up can

4 --

12:58:39 5 Q. Bockarie also had a larger anti-aircraft gun with him,
6 isn't that true, in Kenema?

7 A. Yes, that was controlled by Chinese Pepe and the other men.

8 Q. That was from the Magburaka shipment, correct?

9 A. Yes.

12:58:54 10 Q. So what happened to that gun, the one from the Magburaka
11 shipment that Chinese Pepper controlled? When you retreated from
12 Kenema, did Bockarie bring that with him back to Kailahun, did
13 you take it to Pendembu, what happened to it?

14 A. It was with him to Kenema.

12:59:23 15 Q. By the way, Mr Witness, in Freetown the SLAs had a lot of
16 heavy guns, correct?

17 A. Yes.

18 Q. But when they retreated they actually retreated by boat,
19 Tombo to Fogbo, I believe it's pronounced, and all those guns got
12:59:45 20 left behind in Freetown. Isn't that true?

21 A. Come again?

22 Q. They lost all their heavy weapons when they retreated when
23 ECOMOG pushed them out in January '98, they couldn't take them
24 with them. Isn't that true?

13:00:02 25 A. Yes, in Freetown they did not take everything out.

26 Q. Now, when you were in Pendembu, can you explain what your
27 assignment was at that time in '98?

28 A. I told you I was deployed there. Mosquito told me to be
29 there.

1 Q. Who was your commander?

2 A. Inside Pendembu?

3 Q. Well, was there a commander for Pendembu?

4 A. No. All those people Mosquito tried to send them back on
13:00:48 5 the target against the advance enemy forces that were coming, so
6 Pendembu was not a front line, I was not on an assignment but I
7 was there, to make sure that as a senior officer I have to be for
8 - that's what he was saying. You officer, you deploy here, you
9 be here, this is correct.

13:01:11 10 Q. What was the command structure at that time? After the
11 retreat from Kenema to Kailahun, after the intervention, what was
12 the command structure? And, Mr Witness, the court reporter asks
13 us both to just speak a little bit slower show she can write it
14 down.

13:01:27 15 A. The command structure from Mosquito was going directly to
16 Issa Sesay.

17 Q. Okay. And from Issa Sesay, who did it go to? Who was in
18 charge of Kono at that time?

19 A. Issa, Morris Kallon and others.

13:01:51 20 Q. So where was Issa Sesay based between the time that you all
21 retreated to Kailahun after the intervention, January '98, until
22 he led the attack on Kono, Makeni at the very end of '98? Where
23 was Issa Sesay during that time? You said he was in Kono, did he
24 move any other places also?

13:02:20 25 A. No, Issa was in the jungle closer to Kono Town, they create
26 a jungle.

27 Q. So he wasn't based in Pendembu and never leaving Pendembu.
28 That would be a lie. Isn't that true?

29 A. Issa was not based at Pendembu. He used to come to

1 Pendembu, he would go back. His family was there.

2 Q. His family was in Pendembu or Buedu or where?

3 A. They were in Pendembu.

4 Q. How many families did he have?

13:02:50 5 A. Issa has so many family people behind him. He can get a
6 house there today, some people will be there. He can live
7 anywhere.

8 Q. He had different wives in different places. Is that right?

9 A. I'm not aware of that.

13:03:06 10 Q. And, Mr Witness, I'd like now to show you another group of
11 photographs and I'd like them all distributed to everyone. While
12 that's being distributed, who is Ibrahim Bah?

13 A. Ibrahim Bah was - he was - we used to call him General
14 Ibrahim.

13:03:58 15 Q. He was a former NPFL, correct?

16 A. I did not know him actually. I knew him - that time but I
17 knew him in the RUF, he used to come and go back.

18 Q. He had helped in Kailahun in the initial invasion. Were
19 you aware of that?

13:04:12 20 A. No, sir.

21 PRESIDING JUDGE: Mr Koumjian, you asked the witness a
22 question who was Ibrahim Bah. He said we used to call him
23 General Ibrahim and then you didn't let him explain to us who he
24 was.

13:04:35 25 MR KOUMJIAN:

26 Q. Can you explain more, sir?

27 A. No.

28 Q. Who he was.

29 A. No, I only knew him as General Ibrahim.

1 PRESIDING JUDGE: He was a general of where, Mr Witness, in
2 which army?

3 THE WITNESS: I don't know. That is how I knew him,
4 General Ibrahim.

13:05:12 5 PRESIDING JUDGE: Yes, but when you know somebody, you've
6 heard of somebody, please give us more information. You knew him
7 how? You knew him as General Ibrahim how? How did you know him?

8 THE WITNESS: General Ibrahim, I knew him as a general when
9 in Freetown I knew him as General Ibrahim.

13:05:36 10 MR KOUMJIAN:

11 Q. He came to visit Freetown during the time of the junta. Is
12 that right?

13 A. Yes.

14 Q. When you say he was a general, he wasn't an RUF like Issa
13:05:46 15 Sesay, Superman, he was a visitor. Isn't that true?

16 A. I did not know him to be RUF.

17 Q. Okay. We're going to go through some photographs that
18 haven't been displayed before and just see if you can recognise
19 these individuals. The photographs, I believe, are numbered on
13:06:22 20 the lower right, so if we can put number 1 on the screen.

21 Mr Witness, do you recognise this person?

22 A. This is Sam Bockarie.

23 Q. Okay. Can you just hand it to the witness, and,
24 Mr Witness, can you just sign this and date, put the date - well,
13:06:50 25 first write Sam Bockarie and then sign your name, putting the
26 date 4 November 2010.

27 Now, the second photograph - excuse me. Has the witness
28 signed and put Bockarie on it? Please write Sam Bockarie - an
29 arrow to the picture and write Sam Bockarie and then just sign

1 your name, sir. Maybe because it's hard to read signatures you
2 could write DCT-03 - just print your name, Kolleh. Thank you.

3 Now, if we could have the second photograph, please. Who
4 is the man holding something with an antenna in his hand in the
13:08:49 5 middle?

6 A. He is Mosquito.

7 Q. Sam Bockarie?

8 A. Yes.

9 Q. And, Mr Witness, the man in the red shirt on Bockarie's
13:08:58 10 right, who's that?

11 A. I don't know him. I wasn't actually assigned in Buedu, I
12 don't know, but this is Mosquito.

13 Q. Sir, you talked about Jungle, a Kissi. This is Jungle,
14 isn't it?

13:09:19 15 A. Maybe because of the spectacle, but I don't know.

16 Q. Okay. The very young person on Bockarie's left, holding an
17 automatic weapon with the camouflage, who's that?

18 A. He's one of Mosquito's bodyguard.

19 Q. Okay. So, sir, can you just write an arrow to Bockarie and
13:09:52 20 put Bockarie - draw an arrow to the man or boy in camouflage and
21 put "bodyguard". And then if you could do what you did before;
22 just sign and date the photograph. Thank you.

23 If we can go to photograph 3, please. Who's the man in the
24 beautiful suit?

13:11:04 25 A. He's Issa.

26 Q. Excuse me?

27 A. Issa Sesay.

28 Q. Do you want to look at that again, please, sir. Who is
29 that?

- 1 A. This person face look like Issa.
- 2 Q. Isn't that Sam Bockarie?
- 3 A. He was not like that when I stopped seeing him, maybe
- 4 because of the body, he was not like that.
- 13:11:53 5 Q. When did you stop seeing Bockarie?
- 6 A. Since 1999, in July to August.
- 7 Q. Do you recognise where this is that this photograph is
- 8 taken?
- 9 A. No, sir.
- 13:12:08 10 Q. Do you recognise on Bockarie's right the person in
- 11 camouflage as being the same bodyguard you recognised in the
- 12 photograph previously?
- 13 A. Yes, but even during the war Mosquito and Issa could
- 14 exchange bodyguards, so this is not strange.
- 13:12:32 15 Q. Did you see Sam Bockarie come back from one of his trips in
- 16 such a beautiful suit?
- 17 A. No, sir.
- 18 Q. Do you know where he would get - well, sir, if you know
- 19 does this appear to you to be a suit that's tailor made?
- 13:13:02 20 A. I'm not aware of that.
- 21 Q. And I'm just going to ask you to write - you recognise the
- 22 bodyguard, correct?
- 23 A. Yes.
- 24 Q. To write "bodyguard" with an arrow and, sir, are you saying
- 13:13:31 25 that this is Issa Sesay or you don't know who this is?
- 26 A. This person face appear like Issa Sesay to me.
- 27 Q. Well, I guess you should write "Issa" then "Sesay".
- 28 A. I'm saying the face appear like Issa.
- 29 Q. Well, why don't you write, "appears like Issa". Write,

1 "appears like Issa".

2 Going to photograph number 4 - well, perhaps I should look
3 at what you've written. You have a question about that Issa
4 Sesay or you believe it is Issa Sesay?

13:14:49 5 A. I'm saying this person to me appear like Issa Sesay.

6 Q. Okay. So you want to leave it as you're saying that that's
7 Issa Sesay. You're happy with how it is now? You're the
8 witness. Are you happy with it, sir?

9 A. Yes.

13:15:03 10 Q. Okay. Did you sign and date it? We can't see the bottom
11 at the moment. Did the witness sign that? He hasn't. Okay,
12 move it up please so we can see the bottom where he's signed.

13 Thank you.

14 Next photograph, please, number 4. First, Mr Witness, why
13:16:05 15 don't you take this in your hands and look at it. Now we can put
16 it on the screen if you're finished. Have you looked at the
17 picture? When you're finished just give it to the Court Officer.

18 PRESIDING JUDGE: The courtroom officer has one already on
19 the screen.

13:16:46 20 MR KOUMJIAN: Thank you.

21 Q. Sir, let's go from our left, the left of the screen, the
22 man in the yellow shirt. Do you recognise - I believe it's a
23 man. Do you recognise that person?

24 A. No, sir.

13:16:58 25 Q. In the white shirt with the hat, do you recognise that
26 person?

27 A. No.

28 Q. The man in the middle holding the cane up, who's that?

29 A. It's Foday Sankoh.

1 Q. Again we see the man in the red shirt with the beret and
2 the sunglasses. That's Jungle the Kissi, isn't it?

3 A. I'm saying the spectacle is confusing me. I can't say
4 whether this is Jungle, the Kissi.

13:17:32 5 Q. The man in the very front right, only part of his face is
6 visible, with sunglasses, do you recognise him?

7 A. No, sir.

8 Q. Is that Issa Sesay?

9 A. I can't tell.

13:17:50 10 Q. Sir, can you write Foday Sankoh with an arrow to him and
11 then sign and date this photograph. Sir, did you know an RUF
12 fighter called Batu, Abibatu or Batu?

13 A. Please repeat the name.

14 Q. Abibatu, known short as Batu?

13:18:47 15 A. No.

16 Q. Can the witness be shown photograph 5, please. Sir, do you
17 recognise the woman in the photograph?

18 A. No.

19 Q. You've never - you don't recall seeing her before?

13:19:25 20 A. I don't remember her.

21 Q. Thank you. There's no need to sign and date it. The next
22 photograph, number 6, please. Mr Witness, you told us about
23 having - commanding the truck, the Toyota Hilux, take a look at
24 this photograph and tell me if you recognise the vehicle and
13:20:02 25 which of the people on it you recognise?

26 A. I don't know anybody on that vehicle.

27 Q. This is the same make, the same colour, as the pick-up that
28 you commanded, correct?

29 A. This is not the pick-up I commanded.

1 Q. What's different?

2 A. It was white. It had something at the back here you could
3 climb, get on it to climb inside. This don't have it. You had a
4 plate to rest your foot to get into the pick-up and I wrote - I
13:20:40 5 took black paint, I dot dot the pick up, black into the white
6 where you have almost making a camouflage. It was not plain
7 white like this.

8 Q. Okay. Do you know someone in the RUF called Bad Blood?
9 You do, don't you, you know the name Bad Blood, right?

13:21:08 10 A. Yes, I remember the name Bad Blood.

11 Q. Look at the man sitting at the back of the pick-up with one
12 foot on the back and one foot on the side on our left-hand side,
13 wearing the light-coloured shirt, he appears to have a gun in his
14 hand. That's Bad Blood, isn't it?

13:21:27 15 A. I don't know anybody on this pick-up.

16 Q. Well, can you say that is not Bad Blood or you're not sure?

17 A. I don't understand anybody on this pick-up, sir.

18 Q. Did you know Lieutenant Kabbah, Abdul. Abdul, who is also
19 called Lieutenant Kabbah?

13:21:53 20 A. Lieutenant Kabbah?

21 Q. Yes.

22 A. No, sir.

23 Q. Did you know Alpha who sometimes used the name One Man One?

24 A. I knew Alpha who was a contractor, transactor to the
13:22:07 25 riverbank. Alpha, Temne by tribe, slim.

26 Q. Do you see the man on the left of the photograph with the
27 gun in the air, the plaid shirt, is that Alpha?

28 A. No, the Alpha I know, he was not a front line soldier, he
29 was a transactor to the riverbank to Guinea.

1 Q. By the way, sir, looking at the weapons that you see being
2 held by these men, can you identify some of these weapons? First
3 of all, the man on the very back in the green shirt that's
4 holding the long weapon, what is that?

13:22:50 5 A. This is RPG.

6 Q. Okay. And then going above him there appears to be a man
7 with a bandanna around his head, holding a weapon. Can you
8 recognise what it is?

9 A. No.

13:23:08 10 Q. Behind him there's a man with a beret that appears to have
11 something gold in the middle and he has a gun that's sticking
12 out. Can you recognise the gun?

13 A. You mean from the right of the photo?

14 Q. Yes, sir, the right - the top gun on the right?

13:23:36 15 A. No. The one up in the middle, no, I don't recognise that.
16 I recognise the one on the right is an AK.

17 Q. You mean the man in the plaid shirt on the left that's
18 holding the gun in the air that has the grip?

19 A. The right of the photo.

13:23:55 20 Q. The right of the photo?

21 A. Yes.

22 Q. Okay. What about the man in the plaid shirt on the left?

23 A. I'm not seeing it too clear. I can't identify it.

24 MR MUNYARD: I wonder if the witness could be asked to
13:24:11 25 point on the photograph when he says the man on the right with
26 the AK. Just so that we know precisely who he's talking about.

27 THE WITNESS: This.

28 MR KOUMJIAN: Okay.

29 PRESIDING JUDGE: Mr Witness, just wait. Could we have the

1 photo depicted, please, on the screen.

2 MR KOUMJIAN: It is. It should be on your screen.

3 PRESIDING JUDGE: Mr Witness, now you can point.

4 THE WITNESS: I said this, I recognise it as AK.

13:24:45 5 MR MUNYARD: I think the Court has my point. I think
6 there's a problem with right and left here.

7 MR KOUMJIAN:

8 Q. Sir, there appears to be a cylinder ahead of the grip. Do
9 you know what I mean by that?

13:25:05 10 A. No.

11 Q. On the weapon. You see the grip, the man has his left -
12 has his hand on the top of the gun and then above that is
13 something round. Do you see that?

14 A. No.

13:25:23 15 PRESIDING JUDGE: Mr Koumjian, which man are you talking
16 about?

17 MR KOUMJIAN:

18 Q. The man, Mr Witness, that you just pointed to with the
19 plaid shirt and the gun. Above the grip, he has his hand on the
13:25:42 20 grip and then above it is something round. You don't recognise
21 what that is?

22 A. It's a bayonet.

23 Q. It's a what?

24 A. A knife.

13:25:56 25 Q. It's a bayonet?

26 PRESIDING JUDGE: A Bayonet.

27 THE WITNESS: Yes.

28 MR MUNYARD: Again, I rise something because Mr Koumjian
29 characterising something above the grip as something round. As I

1 Look at the photograph, I don't see anything that could be
2 described as round, that's my eye sight but everything I see is
3 rectilinear rather than round in shape. Just so that we know
4 what we're all talking about, I would like Mr Koumjian, if he
13:26:28 5 would, to indicate to what the witness what he says is round.

6 MR KOUMJIAN: I'm happy to drop it at this point and move
7 on, unless someone wants me to pursue it.

8 Q. Sir, why don't you just draw an arrow to the RPG and then
9 just write RPG and then draw another arrow to the AK and then
13:26:56 10 write AK, sign and date the photograph.

11 Mr Witness, let's now look at photograph number 7. Sir, do
12 you recognise the person in this photograph?

13 A. Yes.

14 Q. Who is this?

13:28:35 15 A. No, no, I recognise the weapon, sorry, not the person.

16 Q. You don't recognise the person?

17 A. No, sir.

18 Q. What's the weapon?

19 A. The weapon is RPG.

13:29:03 20 Q. Can you just write RPG for now and put an arrow, sign and
21 date this.

22 PRESIDING JUDGE: Mr Koumjian, I have my eye on the clock.
23 Could we continue this after the luncheon break.

24 We are going to adjourn for an hour until 2.30. We'll
13:29:28 25 return to court then.

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

27 [Upon resuming at 2.33 p.m.]

28 PRESIDING JUDGE: Good afternoon. I note a change of
29 appearance, Mr Koumjian.

1 MR KOUMJIAN: Thank you, Madam President. The Prosecution
2 is joined by Brenda J Hollis.

3 PRESIDING JUDGE: Thank you. Please continue with your
4 cross-examination of the witness.

14:33:59 5 MR KOUMJIAN: Thank you.

6 Q. We were looking, sir, at photograph number 7 but I want to
7 interrupt and have you look at another photograph, because we
8 have it now so it could be broadcast. So if the photograph that
9 was just handed out, the small one, is distributed, and if that
10 could be put on the screen before the witness. And also he can
11 get a copy of the small photograph.

14:34:16

12 Mr Witness, on the screen before you is the same photograph
13 that's in the small picture that's been handed to you. Do you
14 recognise the man with his thumb up with the double-breasted suit
15 on?

14:35:22

16 A. No.

17 Q. Sir, in Buedu in 1999 was there any shops selling
18 double-breasted business suits?

19 A. No.

14:35:50

20 Q. Do you know how many trips Sam Bockarie made out of Sierra
21 Leone in 1998 and 1999?

22 A. I know of '98/'99? No, sir.

23 Q. You don't know of any trips by Sam Bockarie until he left
24 the RUF, is that what you're saying?

14:36:16

25 A. He travel out to Burkina Faso on a peace accord.

26 Q. Any other trips that you know about?

27 A. No.

28 Q. Mr Witness, we see the person in camouflage just behind the
29 person with Sam Bockarie with his thumb up, that's the same

1 bodyguard you recognised earlier, isn't that correct?

2 A. I recognise the bodyguard, this person here. But the
3 person in the coat, that's not the Mosquito I knew, he was slim.

4 Q. The bodyguard was called Johnny, correct?

14:37:02 5 A. Jande?

6 Q. Johnny. Johnny. J-O-H-N-N-Y.

7 A. Yes, the one in the camouflage was called Johnny.

8 Q. And the man in the red shirt, now with glasses off, can you
9 take a look at him.

14:37:26 10 A. I'm still saying no because of the body and the picture.

11 Also the man with the coat, no. I don't really recognise them
12 here.

13 Q. Sir, can you draw an arrow to Johnny and write below it
14 "Johnny, Sam Bockarie's bodyguard".

14:38:12 15 JUDGE LUSSICK: I probably missed something, Mr Koumjian,
16 but did the witness say that he was Sam Bockarie's bodyguard or
17 just a bodyguard?

18 MR KOUMJIAN: I'll double-check. That was my
19 understanding, but I've been wrong before. I'll have my
14:38:26 20 colleagues check that. I thought that was on the first
21 photograph, I believe, that I showed him. Or not the first,
22 second --

23 MR MUNYARD: Second photograph and the individual was not
24 named but it was listed as Sam Bockarie's bodyguard.

14:38:48 25 JUDGE LUSSICK: All right. Thank you.

26 MR KOUMJIAN:

27 Q. Mr Witness, one question. You talked about the body being
28 different. In one of the shipments received from Liberia in
29 Buedu, Sam Bockarie brought weightlifting equipment in 1998.

1 Isn't that true?

2 A. Please repeat.

3 Q. In 1998, along with ammunition, in one of the shipments
4 that was brought from Liberia, Monrovia, to the RUF, there was
14:39:29 5 weightlifting equipment. It may have been March 1999, I'm not
6 sure. My recollection's not that clear. Weightlifting equipment
7 was brought for Sam Bockarie. Isn't that true?

8 A. No, sir.

9 Q. Well, let's go through the photographs quickly, the ones
14:39:56 10 that are remaining. I don't think it will take too much time.

11 Photograph 7, I believe you've looked at and I don't know
12 if you wrote anything on that. You just said you didn't
13 recognise the person but it was an RPG. Is that correct? You
14 don't recognise the person but it's an RPG?

14:40:23 15 A. Yes, sir.

16 Q. And did you sign it? Yes, thank you.

17 Let's go to the next photograph, photograph number 8,
18 please.

19 Mr Kollah, you've mentioned Kailondo as a vanguard,
14:40:47 20 correct? Or you've mentioned Kailondo. He was a vanguard,
21 correct?

22 A. Yes.

23 Q. He was Liberian. Is that right?

24 A. Yes.

14:40:55 25 Q. His true name is Vanicious Varney, correct?

26 A. Yes.

27 Q. The boy in the green shirt in the front of this photograph
28 was one of his bodyguards. Isn't that true?

29 A. I don't know him.

1 Q. Do you recognise either of the people in the photograph?

2 A. No, sir.

3 Q. We'll leave this photograph.

4 Let's go to number 9. There's no need to sign it.

14:41:19 5 Do you recognise the person in number 9? Do you recognise
6 the person depicted, sir?

7 A. No, sir.

8 Q. Thank you.

9 Let's go to the next photograph, number 10.

14:41:43 10 Sir, in the RUF, did you know Victor Kamara?

11 A. Yes, I knew Victor, I did not know the last name but I knew
12 a Victor.

13 Q. Do you recognise the person in this photograph?

14 A. No, sir.

14:42:10 15 Q. Just one moment, please. There's no need to mark that.

16 Let's skip photograph No. 11.

17 Photograph No. 12, Mr Witness, do you recognise this as the
18 MP office at Buedu? Being outside the MP office at Buedu?

19 A. No, sir.

14:43:04 20 Q. Do you recognise anyone in the photograph?

21 A. No, sir.

22 Q. Let me just go back to number 11 for a minute and you just
23 tell me if you recognise anyone.

24 Did you know Junior Vandi, JR.

14:43:31 25 A. Yes.

26 Q. Is that him, the second from the left in the green shirt,
27 not the striped shirt but the green shirt?

28 A. No.

29 Q. Is that JR?

1 A. No, sir.

2 Q. Do you recognise anyone in the photograph?

3 A. No.

4 Q. Skip that and let's go to number 13.

14:43:57 5 Sir, do you recognise the two people depicted in these
6 photographs, these children --

7 A. No, sir.

8 Q. -- as wounded RUF fighters?

9 A. No, sir.

14:44:16 10 Q. I'm not asking if you know their names. Do you recognise
11 them as RUF fighters?

12 A. No, sir.

13 Q. Sir, you told us yesterday about - that the RUF had SBU,
14 SBU units, correct?

14:44:30 15 A. Yes.

16 Q. And can you explain what an SBU unit is?

17 A. I told you these were children of various heights that we
18 would group them together according to their heights but nobody
19 would tell their ages because you may not know their age.

14:44:55 20 Q. Were they trained?

21 A. They were usually with commanders and when there with the
22 commanders they - the commanders according to their height. If
23 the person's able, or the body, the person can be trained. If
24 the person is small a person can be with the commander.

14:45:17 25 Q. Were they given guns, these children under 15?

26 A. No.

27 Q. No?

28 A. I told you about age; somebody can take arm based on the
29 height of the person but you may not know their age. But for

1 ideal fight, for real children to go arm to go to the front line,
2 no, sir.

3 Q. How old was Base Marine when he trained at Naama?

4 A. Base Marine was short and also now he's short.

14:45:50 5 Q. He also was young. Was he 10 years old would you say,
6 12 years old?

7 A. I can't tell Base Marine age. I'm saying he was short and
8 up to now he's not still tall and still remain around shortness.

9 Q. Well, I'm not asking about people's height. Sir, Base
14:46:08 10 Marine trained with you in Naama?

11 A. Yes, sir.

12 Q. And what's a small - what's an SGU, what's a Small Girl
13 Unit, have you heard of that?

14 A. A Small Girls Unit.

14:46:28 15 Q. Did you have small girl units in the RUF?

16 A. We had two other girls that were staying with Memunatu
17 Sesay, that's one time Foday Sankoh terms SGU, Small Girls Unit.
18 They were children who could at least help to cook and who were
19 on the base with Memunatu Sesay.

14:46:54 20 Q. Well, Mr Kollah, are you saying that in all of the time you
21 were with the RUF, you only know of two SGUs?

22 A. Yes.

23 Q. Two individuals?

24 A. Yes.

14:47:11 25 Q. Perhaps before I forget, we will need to mark for
26 identification, and I don't know if there was anything before the
27 photographs that I missed.

28 So starting in the photographs, if we could go through
29 them, because I know he didn't sign - or don't need all of them.

1 Photograph No. 1, number 2, number 3, number 4, number 6,
2 number 7, I believe he wrote "RPG", and then the last would be
3 the photograph that's not numbered, that was just handed out and
4 the first one he looked at today. So those photographs, 1, 2, 3,
14:48:18 5 4, 6 and the small one, that's a total of six photographs, I ask
6 that they be marked for identification A through F.

7 PRESIDING JUDGE: They are to be A through G, that would be
8 MFI-7, A to G respectively.

9 MR KOUMJIAN: Thank you.

14:48:52 10 Q. Now, sir, we brought - excuse me one moment. We now have
11 reached the point where you were at - let me just for one moment
12 I would like to show something - one transcript.

13 Could we have 11 June 08 page 11517, please. Just to prove
14 that I'm not hallucinating because of cold medicine, I hope.

14:50:02 15 Line 24, please.

16 A witness, protected witness, testified:

17 "A. It was a store that was at Benjamin's house at the
18 back of the house, that was the same store I had spoken
19 about earlier. It was from that store that they took out
14:50:29 20 the arms and loaded the trucks. But amongst the trucks
21 there was equipment used in gymnastic that there was
22 gymnastic equipment used for exercise and some drums of
23 fuel and diesel - petrol and diesel."

24 And I don't think there's a need to read more about what
14:50:57 25 happened with that equipment being brought to Buedu.

26 Sir, before we left Kenema and we had gone - you had now
27 gone back to Kailahun. But I want to ask you about an event that
28 happened just before you left Kenema. Tell the judges about the
29 killing of BS Massaquoi.

1 A. BS Massaquoi was arrested by Mosquito and was killed by
2 Mosquito.

3 Q. He wasn't the only one that was killed at that time,
4 correct?

14:51:39 5 A. I know of BS Massaquoi that was killed by Mosquito. Just
6 in the next day we were forced out of Kenema.

7 Q. So as the ECOMOG offensive in January - excuse me -
8 in February 1998, was pushing the RUF out of Freetown and out of
9 Kenema, you - excuse me - Sam Bockarie killed BS Massaquoi,
10 correct?

11 A. Yes.

12 Q. How did he kill him?

13 A. He arrested BS Massaquoi and killed him. When the enemy
14 opened fire at Kenema against the RUF, that was the time he took
14:52:22 15 him from the jail and killed him.

16 Q. Was he tortured before he was killed?

17 A. I can't tell whether he was tortured but he was arrested
18 and jailed. Then when enemy opened fire before he was killed.

19 Q. Now, when you went back to Kailahun you were based in
14:52:48 20 Pendembu?

21 PRESIDING JUDGE: Could I just say - mention this. I know
22 it probably may or may not be picked up. But the witness said he
23 was picked up from jail and killed him. He took him from jail
24 and killed him. Is that what you said?

14:53:08 25 THE WITNESS: Yes.

26 MR KOU MJIAN:

27 Q. And BS Massaquoi was a very popular man in that area in
28 Kenema, correct?

29 A. Yes, yes.

1 Q. Now, when you went to Pendembu, you've told us that
2 Issa Sesay was not the commander there, that he would come and
3 visit his family, that he was based outside Koidu, is that
4 correct?

14:53:38 5 A. Yes.

6 Q. Do you know of any trips that Issa Sesay took that year in
7 1998? Outside of Sierra Leone.

8 A. Yes, Issa Sesay did go Monrovia.

9 Q. And when did he do that, do you know?

14:53:58 10 A. No, sir, I remember he made a trip there.

11 Q. Now, when he came back from Monrovia, where was he based?
12 Where you told us before, outside of Koidu?

13 A. Well, Issa Sesay, when he came back, he went to Monrovia
14 and where he had a problem of misplacing diamond in Monrovia and
14:54:30 15 he was afraid to come back, that was the time Mosquito encouraged
16 him to come back. He came back, he was put under discipline by
17 sending him to Pendembu for some time before sending him to
18 Koidu, around the town where he had a zoebush.

19 Q. Okay. How long was he in Pendembu before he was sent to
14:54:54 20 Kono district?

21 A. I don't remember the time, but they were not too long.

22 Q. So he wasn't in Pendembu for too long?

23 A. No, sir.

24 Q. Sir, the attack on Kono, Koidu Town, where the RUF took it,
14:55:14 25 occurred in the middle of December of 1998, do we agree on that?
26 Does that sound right to you?

27 A. I don't actually remember the main date.

28 Q. Okay?

29 A. Yes, but they happen.

1 Q. Issa Sesay had been in the Kono District for some months
2 before that, correct?

3 A. Yes, before the attack.

14:55:43 4 Q. So if someone came to Court and said, no, Issa Sesay was
5 based in Pendembu where you were from the time he came back from
6 Monrovia until the December attack on Koidu, that would be a
7 lie - that was a lie; isn't that true?

8 A. Issa Sesay moved to Koidu to zoebush before the attack on
9 Koidu. That's what I know.

14:56:08 10 Q. And at that time, what was Issa Sesay's position in the RUF
11 hierarchy?

12 A. Issa Sesay was next to Mosquito.

13 Q. Do you know, Mr Witness, based on your experience - you
14 were in the RUF, we weren't - why did Sam Bockarie pick

14:56:28 15 Issa Sesay as his number 2?

16 A. Issa Sesay was - was next to Mosquito. That was the
17 command structure.

18 Q. There were stronger fighters in the RUF, like Superman and
19 Isaac Mongor, senior and with more experience and better results
14:57:01 20 leading troops in battle, correct?

21 A. Yes, with Superman.

22 Q. But Issa was more loyal to Sam Bockarie. Isn't that true?

23 A. Yes, the command structure, you have to abide by orders.

24 Q. And they were together in Luawa Giehun, correct?

14:57:25 25 A. Yes, that was a retreating time. All other commanders, the
26 Kailondo, Mohamed Tarawalli, they all were in Giehun.

27 Q. Now, sir, how long did you remain in Pendembu?

28 A. I remained in Pendembu until Koidu was captured and the men
29 advanced to Makeni. I was staying in Pendembu.

1 Q. What were you doing during all of this time from about, it
2 would around February 1998, the time of the retreat from Kenema,
3 until December 1998, the attack on Koidu?

14:58:16 4 A. February to March, I told you I heard of - there was a
5 blast from the air jets on the patrol from Daru, surrounding the
6 Daru end. There was a blast during the retreat, I had a problem.
7 So from the zoebush I came back to Pendembu.

8 Q. What was your problem, sir?

9 A. I had a hit on the leg from the air raid.

14:58:41 10 Q. What part of your leg was hit?

11 A. My left leg.

12 Q. A piece of shrapnel entered your leg?

13 A. There was a rocket blast and a piece of it entered my leg.

14 Q. Did it come out or did it remain in? Did it pass through
14:58:58 15 or did it just stick inside?

16 A. It stayed in my flesh. It did not pass through.

17 Q. And what was the treatment that you received for that?

18 A. They gave me stitches. They sew the place and they gave me
19 antibiotics, they gave me some tetanus injection.

14:59:20 20 Q. How many stitches did you get?

21 A. I can't tell, I was not to myself.

22 Q. Do you still have the scar?

23 A. Come again?

24 Q. Do you still have a scar from that?

14:59:32 25 A. I don't understand what you're saying.

26 Q. Do you still have a scar?

27 A. Yeah, it's still in my leg.

28 Q. When people get stitches - I have stitches above my eye and
29 there's a little line where you can see a scar. Do you have the

1 scar?

2 A. Yes, yes, yes, I have the mark at the back of my thigh.
3 Even if you hold my thigh very tight you would feel the shaking
4 of my vein, below my knee I don't actually feel. Everywhere

15:00:06 5 there is numbed. I don't feel no --

6 Q. Thank you. Sorry, did you finish?

7 A. Yes, sir, I'm finished.

8 Q. How big is the scar? Can you show us with your fingers?

9 A. Just like the top of my big finger where it entered.

15:00:25 10 Q. Okay. He's indicating I think about --

11 A. Not inside here. Just at the top or let me say just --

12 Q. Where the nail is?

13 A. Yeah, over my nail. The mark is at the back of my leg.

14 Q. Tell us about the Kailahun Town massacre, Mr Kollah?

15:00:56 15 A. Please repeat your question.

16 Q. Well, you were the battalion commander at Kailahun at one
17 time, correct?

18 A. I was not a battalion commander.

19 Q. Were you the brigade commander in Kailahun?

15:01:13 20 A. I was the chief security officer of Kailahun District.

21 Q. For what time periods? When did you get there?

22 A. I got there - I became chief security officer during Issa's
23 regime.

24 Q. So not until 2000 or the very, very end of 1999. Is that
15:01:40 25 what you're saying?

26 A. Yes, sir.

27 Q. Who did you replace?

28 A. I replaced Martin George.

29 Q. Were you in Kailahun, sir, when the massacre happened?

1 A. No, sir.

2 Q. Well, tell us what you know about the massacre at Kailahun
3 Town?

4 A. Which massacre in particular, sir?

15:02:06 5 Q. How many massacres in Kailahun Town do you know about?

6 A. I know of executions that took place in Kailahun. Sankoh
7 himself was there, but by then I was not in Kailahun. That day I
8 was in Gi ehun. Sorry, Gi ema, Gi ema Town, because I was up and
9 down, but I was not in Kailahun Town. That time Sankoh himself
10 was in Kailahun.

15:02:32

11 Q. Okay.

12 A. Yes.

13 Q. Are there any other massacres in Kailahun Town that you
14 know about?

15:02:39 15 A. No, apart from Gi ehun.

16 Q. Well, Mr Witness, most RUF seem to recall that - well,
17 first of all, do you recall when Daru Barracks fell? You said
18 you were injured at that time. When - what month was that that
19 Daru Barracks actually fell to ECOMOG?

15:03:03 20 A. The ECOMOGs were in Daru and we went on the front line to
21 inspect to come back. In the process of gathering together to
22 discuss how is the enemy positioned, that was the time we saw the
23 air raid. But we were not attacking. We were in groups standing
24 in the place, an open place. The river divided barrack and the
25 town. So that's how the air jet came from far off overhead and
26 just shoot among us when I heard the blast, a lot of people died
27 there.

15:03:28

28 Q. Sir, it's my fault. Let me go through a little bit to make
29 it clear what I'm talking about and the time period. During the

1 junta, when the coup happened, the SLAs were in Daru and they
2 became - the majority of them anyway, were loyal to the AFRC. So
3 the RUF/AFRC controlled Daru Barracks during the junta period,
4 correct?

15:04:07 5 A. Yes, when we were in Kenema - I mean, sorry, when they
6 called us in Freetown.

7 Q. And --

8 A. We were in Daru, we were in Kenema.

9 Q. And in fact one of the commanders there, correct me if I'm
15:04:21 10 wrong, at one point was Foday Kallon, correct?

11 A. I don't remember any Foday Kallon. Perhaps the person was
12 using another fighting name.

13 Q. I'm talking about a man who was an SLA, not RUF, an older
14 man, and he had a nickname Pa --

15:04:47 15 A. I did not know. I did not know any Foday Kallon, SLA, I
16 don't remember.

17 Q. Daru Barracks was taken in March 1998 by ECOMOG and the
18 SLAs ran away, mainly to Liberia. Isn't that true?

19 A. Many SLAs went to Liberia.

15:05:13 20 Q. Do you remember a man who went to Liberia, an SLA, and
21 brought many of them back, including - first of all, do you know
22 Bakarr?

23 A. I knew one Captain Bakarr.

24 Q. Thank you for correcting my pronunciation. He was one of
15:05:33 25 those that was brought back from Liberia to rejoin the AFRC/RUF
26 forces, correct?

27 A. Yes.

28 Q. Do you remember that the man who was - who organised their
29 return was a guy named Foday Kallon? Does that remind you of who

1 he was?

2 A. No, sir.

3 Q. Okay.

4 A. Only Bakarr I knew who tried to bring people back into

15:05:59 5 Sierra Leone.

6 Q. The reason I brought up Daru, sir, is do you recall that
7 just after ECOMOG took Daru Barracks, Sam Bockarie was very upset
8 about all these setbacks for the RUF and he left Buedu, he came
9 to Kailahun Town and he ordered the execution of some 65 - men
10 that he had detained at the MP office there?

15:06:23

11 A. It's not to my knowledge, sir.

12 Q. Sir, didn't you hear that many RUF family members, cousins,
13 brothers, were among those killed in that incident?

14 A. Not aware, sir.

15:06:49

15 Q. You know someone named Morrison, correct?

16 A. No.

17 Q. You've never heard of a Morrison in the RUF?

18 A. No.

19 Q. Did you hear of a man named Morrison forced to kill his
20 father in that massacre?

15:07:09

21 A. I'm not aware. I'm not aware, sir.

22 Q. Mr Kollah, is the reason that you don't know anything about
23 this infamous massacre in Kailahun Town because you're trying to
24 hide your own involvement in that massacre?

15:07:28

25 A. No, sir.

26 Q. Is this one of the killings that you can't remember, sir?

27 A. I am not aware of that. If I was aware I would tell you.

28 I personally I know I didn't, so why must I. That's why I was in
29 Kailahun up to 2005 and why I stayed in peace with the people.

1 Q. Okay. I have two short documents to be distributed. Just
2 while that's being distributed, so I don't waste any time, John
3 Vincent that you talked about - that you told him about meeting
4 with the Prosecution in 2003, you went to Monrovia, he was a
15:08:17 5 member of Charles Taylor's SSS at that time. Isn't that true?

6 A. I'm not aware of any assignments of John Vincent.

7 Q. Well, John Vincent testified in this Court that he was a
8 member of the SSS. Do you have any reason to doubt that?

9 A. That's what he said. I am not aware.

15:08:32 10 Q. Well, if you don't know much about John Vincent, why is it
11 you went to him in Monrovia in 2003 and told him that you'd been
12 interviewed by the Prosecution of the Special Court? You, who
13 was so afraid about - you didn't even want to give your real name
14 on that interview, why would you go and tell a member of the SSS,
15:08:56 15 "I've been interviewed by the Special Court"?

16 A. I did not know whether John Vincent was an SSS. He was a
17 vanguard and we all were in the RUF. I met him and I was happy
18 to meet him, sir.

19 Q. And so you said, "Hi John. Guess what. I was interviewed
15:09:11 20 by the Office of the Prosecutor and they were asking me questions
21 about Charles Taylor." Is that what you told him?

22 A. We did not go to that level, no, sir.

23 Q. Well, what did you tell him?

24 A. He told me, "How was it?" I said, "Well, I was under
15:09:26 25 tension, I was almost trying to go off, but later I was pick up
26 and taken to Freetown to answer questions about command structure
27 and how we fought the war." And then he say, "What about
28 others?" And I told him, I say, "Others were arrested, they were
29 in jail." There where we stopped. I didn't know whether he was

1 SSS or he did not show me any position, sir.

2 Q. Well, maybe you can just help us with this because when he
3 left, Mr Vincent had testified that before he came to the Hague
4 he called up Dopoe Menkarzon because he was applying for a job in
15:10:03 5 a company where Dopoe Menkarzon was a boss. Do you know if he
6 got that job after he testified for the defence of
7 Charles Taylor, Mr Witness?

8 A. Vincent and myself, we are not staying together. No, sir,
9 in short.

15:10:18 10 Q. Well, John Vincent said he was living with you. He
11 clarified later that that meant in the same area in Monrovia, not
12 that he was living in the same house.

13 A. I stay in the room with my wife. How can Vincent and
14 myself be in the same room, sir?

15:10:33 15 Q. I didn't say he was in the same room, sir.

16 A. I'm saying I'm staying in a single room. I am staying in a
17 single room with my wife. How can we stay together?

18 Q. I'm asking you, sir, do you know --

19 A. No, sir.

15:10:44 20 Q. -- if John Vincent, who was applying for a job from a
21 company that Dopoe Menkarzon was one of the bosses, so he called
22 Dopoe Menkarzon before he came to the Hague - do you know if he
23 got that job after he testified in the defence of Charles Taylor?

24 A. No, sir.

15:11:03 25 Q. Okay, sir, there's two documents. And the first one I want
26 to show you is a transcript from 5 November 2007 in the Sesay et
27 al. Case, page 89. And this is from a witness who is protected
28 and the witness number on the next page DIS-149. I just want to
29 read - well, I'll start from line 15. Just to clarify one thing

1 you said: Earlier today you talked about two Denises,
2 Denis Mingo and Denis Monkey Brown. Monkey Brown is Denis
3 Lansana, correct?

4 A. Yes.

15:11:53 5 Q. Okay. Line 15.

6 "A. In Pendembu it was Denis Lansana who was the brigade
7 commander.

8 Q. Forgive me, that might have been my mistake. I'm
9 asking about the area or brigade IDU commander, who was
10 that please in Kailahun district in between 1997 and '99?"

15:12:09

11 And the witness answered.

12 "A. Well, the brigade commander was Sam Kolleh. He was
13 the brigade commander in 1998 to 2000.

14 Q. Who was the battalion?

15:12:31

15 A. He was in Kailahun.

16 Q. What did you say his name was, Sam?

17 A. Sam Kolleh. Sam Kolleh, he was in Kailahun."

18 That's the truth, isn't it, Mr Witness, you were in
19 Kailahun when the massacre occurred?

15:12:45

20 A. No, sir. Even to be very frank to you. A battalion
21 commander could not be in Kailahun - why a brigade commander
22 could be in Pendembu, no, I was not a battalion commander IDU, I
23 was not a battalion commander in '97, no, sir.

24 Q. Mr Witness, let's look at another transcript from that same
25 trial from 3 June 2008.

15:13:08

26 Mr Kolleh, both witnesses I'm reading to you are not
27 Prosecution witnesses, these are witnesses who testified for the
28 Defence in that case.

29 A. I am telling you, sir, 1997 we were in Tongo, we were in

1 Freetown, we were in Kenema, how can I be the battalion commander
2 in Kailahun Town, sir? It was not possible.

3 Q. Sir, I'm talking about March 1998.

4 A. Not possible.

15:14:08 5 Q. Some people put it in February 1998, I believe it
6 was March 1998.

7 A. Not even possible. Between March to
8 almost October to November, I was a wounded soldier.

9 Q. Yes, you had that scar - you'd been hit in the leg right?

15:14:22 10 A. Yes, sir.

11 Q. You couldn't get around with that, is that the case?

12 A. Yes, sir, I could not - I was not active in operation.

13 Q. Were you lying in bed all day or what were you doing, sir?

14 A. I was not lying in bed too long. I was not active because
15:14:35 15 of my leg. My leg was still swell up. Up to now my other leg is
16 still swelled - it's bigger than the other foot. If I take off
17 my trouser you see my two legs, you see the difference.

18 Q. When you got wounded and got the stitches put in, did you
19 come back 10 days later and have the doctor take the stitches
15:14:56 20 out?

21 A. Well, it was deep. According to the doctor, my nerves
22 would be tempered with so I have to leave it.

23 Q. So let me read, sir, from 3rd June 2008, this is another
24 protected witness, DAG-048. And I'll begin on page 89, line 19.

25 The witness said:

26 "A. Mosquito on his way to Pendembu from Kailahun left the
27 command to Vandy Kosi a, who was a ground commander, John
28 Dwalu [phon], who was the MP commander. There was another
29 commander called Sam Koll eh?

1 Q. Sam Koll eh?

2 A. Yes, Sam S-A-M Koll eh, yes.

3 Q. That's Sam K-O-L-L-E-H?

4 A. Yes. These were the commanders present when Mosquito

15:16:03 5 came. So on his way to Pendembu --"

6 Now you're saying you were in Pendembu, is that right

7 Mr Witness, in March 1998?

8 A. Yes, sir.

9 "A. He gave commands to these people that the balance, 65,

15:16:20 10 should be killed."

11 And the Presiding Judge asked: "Vandi Kosi a, who else?"

12 And on the next page the witness said:

13 "A. Sam Koll eh and John D Aruna.

14 Q. What was Sam Koll eh? What unit - well, no, just tell

15:16:43 15 us, what was he?

16 A. Sam Koll eh was also an MP.

17 Q. Okay. Just pause a moment, Mr Witness. Right, carry

18 on, please.

19 A. That is what I said. Only he left Kailahun after the

15:17:01 20 first ten. He left Kailahun to Pendembu --"

21 PRESIDING JUDGE: After killing the first ten.

22 MR KOUMJIAN: Thank you. That's important.

23 Q. "After killing the first 10 he left Kailahun to Pendembu

24 and gave instruction, left instruction on his part - at his

15:17:22 25 part, that these balance 65 should be - I mean the balance

26 55, because already 10 has been killed. He say that

27 balance 55 should be killed before he returns and it

28 happened."

29 "Q. And where were you when it happened? Where were you

1 on that day?

2 A. I was in Buedu also.

3 Q. Who shot the remaining 55, can you tell us that?

15:17:57

4 A. I was also made to understand that the bodyguards of
5 Mosquito carried out the execution of the balance of 55."

6 Mr Witness, you, senior commander in Kailahun district, do
7 you still tell these judges you never heard of the Kailahun Town
8 massacre in 1998?

15:18:25

9 A. I'll telling you no, over and over from the hospital in
10 Pendembu though I was a senior officer but I was a wounded
11 soldier. I was not aware of this from Pendembu, Kailahun --
12 Kailahun, Pendembu, no, sir.

15:18:43

13 MR KOUMJIAN: Your Honour, may these two transcripts be
14 marked for identification. It may make sense to mark them A and
15 B, the first being the transcript from 5 November 2007, page 89
16 and the last page indicating the witness who testified, by
17 pseudonym. And the second, B, being the transcript of 3 June
18 2008 as amended, page 88 and 89 - excuse me - 89 and 90 and the
19 last page indicating the witness who testified.

15:19:15

20 PRESIDING JUDGE: Right. These will be marked MFI-8, A and
21 B respectively, as counsel has described them.

22 MR KOUMJIAN:

23 Q. Sir, tell us about the Fitti-Fatta mission.

24 A. At what year, in particular, please?

15:19:41

25 Q. Well, first of all, have you heard that word before
26 "Fitti-Fatta"?

27 A. Yes, I heard Fitti-Fatta.

28 Q. What does it mean?

29 A. Well, it was a slang now in the soldiers, Fitti-Fatta

1 Fitti-Fatta, but I'm asking if you talk about attack, be
2 specific, please.

3 Q. I'll come to that. I switched my question a little bit.
4 Just before I ask you about the attack, what do you understand it
15:20:15 5 means? You said the soldier's slang Fitti-Fatta Fitti-Fatta".

6 A. When something is surplus.

7 Q. Over - surplus meaning more in excess?

8 A. Yes.

9 Q. More than needed?

15:20:28 10 A. Yes, yes. Understand in Krio as Fitti-Fatta.

11 Q. Do you recall the attack led by Superman in June 1998, an
12 attempt to take back Koidu that was unsuccessful?

13 A. I don't understand why you call Koidu.

14 Q. Koidu. Thank you. The capital of Kono district, the
15:20:56 15 diamond mining town. Do you recall in June 1998 an attack led by
16 Superman on Koidu Town?

17 A. Yes, indeed, the RUF attacked Koidu

18 Q. Do you recall that that happened a couple of days after the
19 death of Sani Abacha, the President of Nigeria?

15:21:19 20 A. I can't remember the date Sani Abacha died.

21 Q. You can or you can't?

22 A. I cannot recall the time - day when he died.

23 Q. That's understandable. But do you recall where you were
24 when you heard that news?

15:21:40 25 A. I was in Pendembu.

26 Q. Okay. Do you recall that there was an attack on Koidu Town
27 a few days after that?

28 A. Yes, Koidu was attacked, yes.

29 Q. Was the attack successful?

1 A. Yes.

2 Q. Did the RUF take Koidu in June 1998 in the attack led by
3 Superman?

4 A. Yes, RUF attacked Koidu.

15:22:19 5 Q. Well, let me go back for a second. What was your
6 assignment in Pendembu in 1998?

7 A. From the hospital I was officer in Pendembu, wounded
8 officer in Pendembu. During this time I was not active on
9 operation. I was not given specific assignments, sir.

15:22:40 10 Q. Sir, when were you the artillery adviser? You told us you
11 had that title for a while.

12 A. During this time that I recover, I was sent to Manowa as
13 artillery adviser to Chinese Pepe, Cobra and others, to go and
14 base at Manowa, where the 40-barrel missile was.

15:23:13 15 Q. Besides the 40 barrel, you said there were other weapons
16 there, yes?

17 A. In Bunumbu, yes.

18 Q. So when the RUF is attacking Koidu, such an important
19 target. By the way, Koidu was an big base for ECOMOG, isn't that
15:23:29 20 true?

21 A. Yes, sir.

22 Q. About half of ECOMOG's forces in Sierra Leone were in
23 Koidu, isn't that true?

24 A. I can't tell whether half of their numbers were there but
15:23:40 25 they were there, sir.

26 Q. They were there in heavy numbers and with heavy armaments,
27 ECOMOG, isn't that correct?

28 A. I can't tell, I was not with them there, but they were
29 there.

1 Q. When the RUF was going to attack Koidu, you're an artillery
2 adviser, or were. As an artillery adviser would you advise them
3 "Use every heavy weapon we can on this attack"?

15:24:20 4 A. That was not artillery or weapon attack mission. That was
5 purely light weapons. You don't have to use those kind of a
6 weapon. The road is so bad to go to Kono to say you are going to
7 use those things. Those people had air jets, not on the kind of
8 mission you carry those things. They were using light weapon.
9 No artillery weapon, heavy weapon went there, sir.

15:24:40 10 Q. Okay. One of the things you would advise, if I understand
11 you, is that because ECOMOG always had the air advantage, that
12 you wouldn't use heavy weapons in open terrain because the ECOMOG
13 would just take the Alpha Jets and destroy them with the Alpha
14 Jets, is that right?

15:25:02 15 A. Yes, sir.

16 Q. We'll come back to that.

17 So, sir, first of all, I want to make sure you and I are
18 talking about the same thing. Do you recall Superman leading an
19 attack on Koidu Town that was not successful?

15:25:19 20 A. I heard that Superman attacked Koidu. I was not there.
21 Whether - the RUF actually once you do hit and run sometimes but
22 you may not be directly in control. You can keep surprising the
23 enemy maybe after a few day they will pull out and then you take
24 over. So I was not on that mission to tell you as and why. I
15:25:44 25 was at Manowa. But I know that Superman did attack Koidu.

26 Q. And did you hear that operation being called Fitti-Fatta?

27 A. I heard of Fitti-Fatta. Fitti-Fatta from Koidu area,
28 meaning that the arms were wasting. They captured other arms
29 from ECOMOG, 82 millimetre, 120, 106, weapons were wasting, the

1 weapons were wasting, that's why actually I understood of RUF
2 friends telling oh, the weapons are wasting Fitti-Fatta, that's
3 why we captured it. That's what I understood from there. Food
4 as well from the forces.

15:26:27 5 PRESIDING JUDGE: What do you mean the weapons were
6 wasting? What do you mean by that statement?

7 THE WITNESS: Meaning that they have captured enough weapon
8 from ECOMOG when they pushed them from Koidu. Because that
9 attack advanced as far as Makeni. No sooner they capture Kono
10 they were on the move until they went and rested at Makeni. They
11 did not just stop after Koidu attack. So they captured a lot of
12 arms, a lot of heavy weapons.

13 MR KOUMJIAN:

14 Q. Mr Witness, are you confusing the December 1988 attack led
15 by Issa Sesay along with Rambo and Kallon where they took Koidu
16 and then attacked Makeni together with Superman and took Makeni
17 and then went to Waterloo - are you confusing that with this
18 Superman attack on Koidu?

19 A. I am not confusing that, sir. I am saying after Koidu
15:27:24 20 attack the war did not just stop there. It stopped as far as
21 Makeni. It did not just go beyond that towards Waterloo. It's
22 quite different.

23 Q. So the attack Fitti-Fatta led by Superman, the plan was to
24 go on to Makeni, correct?

15:27:36 25 A. I don't know the plan, sir. I know that the war advanced
26 to Makeni area. I was at Manowa. I did not know the command
27 structure at the front line.

28 Q. Were you ever in Kono District?

29 A. I passed there, I went to Makeni. I did not base there,

1 sir, no.

2 Q. Sir, who is Fonti Kanu?

3 A. Come again?

4 Q. Fonti Kanu, an SLA officer. You knew him, didn't you? You
15:28:10 5 know of him?

6 A. No.

7 Q. Do you know of the killing of Fonti Kanu by Issa Sesay,
8 Mike Lamin? Is the answer yes or no?

9 A. No, no, I don't know about that, sir.

15:28:29 10 Q. Sir, how often would the vanguards meet in 1998? How many
11 meetings do you think you attended with Sam Bockarie?

12 A. I remember there was a meeting called to go to Buedu, we
13 went there, where they asked various commanders to give briefing
14 about their front lines and then they asked various unit

15:29:03 15 commanders to also explain what they want to happen and what was
16 the suggestion towards it. There was a meeting in Buedu called
17 by Mosquito.

18 Q. Do you recall what time of year that was?

19 A. It was 1999.

15:29:39 20 Q. In 1999?

21 A. Yes, sir.

22 Q. Did you attend any meetings with Bockarie in Buedu in 1998?
23 In other words, before the Freetown invasion, before the RUF took
24 Koidu and Makeni?

15:29:58 25 A. No, sir.

26 Q. You talked about a big meeting where Akim, Leather Boot,
27 Bockarie and others discussed the offensive going to Freetown.
28 Were you present at that meeting?

29 A. No. They had that meeting in Buedu, I was not there. The

1 meeting I attended when Mosquito was in Buedu in 1999, I attend
2 that meeting. But that other meeting also took place where Akim,
3 Leather Boot, Johnny Paul Koroma, they all had meeting that I
4 heard of but I was not actually present there.

15:30:41 5 Q. Do you think you attended a meeting in August 1998 with
6 Bockarie in Buedu? Did you ever travel in August?

7 A. No, sir.

8 Q. By the way, at that time, in 1998, the RUF and the SLAs in
9 Kailahun, and in Kono, were working together. Isn't that true?

15:31:14 10 A. If you talk about Kono, I'm not aware. But I know that the
11 RUF and some of the AFRC that travelled with the RUF in Kailahun
12 District, they were working in hands to hand.

13 MR KOUMJIAN: I'd like to distribute - we'll distribute
14 another document. Perhaps at the same time I could distribute
15:31:59 15 two documents.

16 Q. You've testified - I just want to make sure I understand
17 you. As far as you know, Sam Bockarie only left Sierra Leone one
18 time in 1998. Is that true?

19 A. I said 1999.

15:32:28 20 Q. Okay. How many times - did he leave Sierra Leone any times
21 in 1998, to your knowledge?

22 A. No, sir.

23 Q. As a senior RUF vanguard, were you made aware of any peace
24 initiatives going on by the group? Was that something that would
15:32:53 25 be shared among the vanguards?

26 A. Which peace you talk about, please?

27 Q. Any peace. Any plans to negotiation peace.

28 A. Well, I know of the July 7, 1999 peace accord that was
29 signed. Mosquito travel.

1 Q. Sir, if we go into the document, which is headed
2 "Revolutionary United Front of Sierra Leone, Brigade
3 Headquarters, Buedu", with the date 17 August '98. If that could
4 be shown to the witness first. So if we could put the first
15:34:38 5 page with the ERN stamp 00007381, if that's the first page you
6 have. I'll see what's on this one. Yes, thank you.

7 Sir, I want to ask you about this document. Do you see at
8 the top it says "Revolutionary United Front of Sierra Leone,
9 Brigade Headquarters, Buedu". There's a date and it's written
15:35:16 10 17/08/98.

11 PRESIDING JUDGE: Does the witness actually have this
12 document to read, because the image is not very clear on the
13 computer?

14 MS IRURA: Your Honour, he has a copy in front of him.

15:35:29 15 THE WITNESS: I can see it.

16 MR KOUMJIAN: Okay. Perhaps the copy would show better on
17 the computer and the witness could see the original, just because
18 of the kind of paper, I don't know if that's true or not. The
19 original's on the screen but we might switch it.

15:35:49 20 Q. Sir, there's a list of persons in attendance. Brigadier
21 Sam Bockarie, I don't think I need to ask you about him. The
22 second name SK Kai Banja, Kai Banja, do you recognise him as an
23 SLA who was minister of education in the AFRC regime? Sir, do
24 you recognise the second name, and I may be pronouncing it wrong,
15:36:25 25 maybe someone could pronounce it better, SK Kai Banja, the
26 minister of education for the AFRC, an officer in the
27 Sierra Leone Army.

28 PRESIDING JUDGE: I think it looks like Kai Nubanja.

29 MR KOUMJIAN: Perhaps that's the correct pronunciation.

- 1 Q. Sir, do you recognise any of those names?
- 2 A. Yes.
- 3 Q. And he was an SLA officer, correct?
- 4 A. Who, number 2?
- 15:36:59 5 Q. Yes, sir.
- 6 A. SK Kai Banja?
- 7 Q. Yes.
- 8 A. I'm not familiar with the name. No, I don't know.
- 9 Q. Okay. SYB Rogers, what was his position at that time?
- 15:37:19 10 A. SYB Rogers was advancing to Foday Sankoh or Mosquito that
- 11 left in charge also.
- 12 Q. Now, the fourth name, is a Patrick Lamin but in parentheses
- 13 Pa Blue. Now who is this, do you know?
- 14 A. He was one of the elderly men within the RUF.
- 15:37:44 15 Q. Okay. This is obviously a different Patrick Lamin than the
- 16 one killed by Massaquoi in Pujehun, correct?
- 17 A. Massaquoi did not kill Patrick Lamin.
- 18 Q. Okay. He's a different Patrick Lamin than the Patrick
- 19 Lamin who was killed in Pujehun early in the war, correct?
- 15:38:01 20 A. Yes, I only knew Pa Blue, I did not even know Patrick
- 21 Lamin, only today I'm seeing.
- 22 Q. Who was Pa Blue?
- 23 A. He was one of the elderly men in the RUF.
- 24 Q. Okay. Who was - Captain Lawrence Womandia was RUF,
- 15:38:17 25 correct?
- 26 A. Yes, he was one of the vanguards also in the RUF.
- 27 Q. Who is Captain PS Beinda?
- 28 A. He was one of the elderly men also in the RUF.
- 29 Q. SS Williams was a senior officer in the AFRC, correct? He

1 was one of the top men next to Johnny Paul Koroma. Isn't that
2 true?

3 A. I was not too familiar with him.

4 Q. Do you recognise number 8, Moses Moigüe?

15:38:58 5 A. Moigüe.

6 Q. Who was he?

7 A. No, I'm only helping you to pronounce but I was not
8 familiar with him.

9 Q. Okay. Number 9 is you, correct?

15:39:07 10 A. Yeah, my name is there.

11 Q. And that's the rank you had in 1998, captain, correct?

12 A. Yes, when we went to Freetown we were given ranks.

13 Q. And then we see Patrick Amara. Who was Patrick Amara?

14 A. I did not know Patrick Amara.

15:39:29 15 Q. Well, number 11, you know Martin Koker, don't you?

16 A. Yes, I knew Martin Koker.

17 Q. Tell us a little bit about Martin Koker. He came to the
18 RUF late. Isn't that true?

19 A. Yes, from Freetown.

15:39:43 20 Q. And he had been educated overseas in England and then lived
21 for many years in the United States. Isn't that right?

22 A. No, sir, I don't have that information about him

23 Q. He was Bockarie's computer man. Isn't that right?

24 A. He was an assistant to Bockarie in Buedu, but Sandy was the
15:40:05 25 adjutant to Mosquito I know, Rashid Sandy.

26 Q. Okay. Thank you. But Martin Koker was very educated, very
27 clever. Isn't that true?

28 A. I did not know his education background, but he was a
29 lettered somebody.

1 Q. Now, he had computers with him there in Buedu. Isn't that
2 true?

3 A. I'm not aware of that, sir.

4 Q. He had a machine to make IDs at one time. Isn't that true?

15:40:35 5 Did you know that, or no? To make ID cards?

6 A. Yes.

7 Q. And he was someone who went with Bockarie when Bockarie
8 left to Liberia a December '99, correct?

9 A. Yes.

15:40:52 10 Q. And he was killed in Liberia. Isn't that true?

11 A. I don't know where he died. I've not even seen him up to
12 now.

13 Q. Before he died, did you hear that Benjamin Yeaten took him
14 to work for him because he was such a - so good at computers?

15:41:08 15 A. No, sir.

16 Q. Number 12, Lieutenant Eldred Collins. What was his
17 position in the RUF?

18 A. Collins was just a senior officer too.

19 Q. Number 13, George Adams, who is George Adams? He was an
15:41:30 20 SLA, isn't that right?

21 A. I don't know any George. But I knew Honourable Adams.

22 Q. So he is one of the honourables who had done the coup, is
23 that correct?

24 A. Yes.

15:41:42 25 Q. Captain Jonathan Sterling, was he AFRC, was he an SLA?

26 A. I was not aware of him.

27 Q. Major MS Kennedy, is that Matthew Sesay Kennedy, RUF
28 vanguard?

29 A. I didn't know him to be - I knew CO Kennedy but I did not

1 even know MS.

2 Q. And who is Captain Mohamed Kamara?

3 A. I'm not also familiar with that name.

4 Q. I'm just going to try to read through this quickly and
15:42:25 5 maybe skip some parts. And if anyone wants me to, I'll cover it.

6 "The meeting was intended to be held by the senior
7 authorities to discuss some issues affecting the movement. But
8 as a tradition, it came more or less an open general meeting - it
9 commenced with prayers and it says in the Christian prayers by
10 brother Kai Banja and then Muslim prayers were said."

11 I'm going to skip down a bit.

12 "In his opening remarks, the brigadier Sam Bockarie
13 intimated that this meeting shall serve as a preliminary meeting
14 of several other intended meetings, as the case may be. And that
15:43:04 15 this first meeting shall be held here in Buedu. And any
16 subsequent ones shall be held in Kangama with the chairman,
17 Lieutenant-Colonel Johnny Paul Koroma. The brigadier told the
18 attendants that he had thought it important that we start doing
19 some work on organisation at this end and that brothers had
15:43:24 20 confronted him with that issue."

21 The next paragraph indicates that there is going to be
22 discussion about Foday Sankoh and the Abidjan Accord. The next
23 paragraph says:

24 "When brother SS Williams took the floor, having attended
15:43:43 25 this conference when the accord was signed, he referred to other
26 brothers who were also members of his - of the delegation. In
27 his observation he told the meeting that the two groups who had
28 to do with the accord, the RUF and the SLPP government had hidden
29 agendas. In his observation" - excuse me - I lost my place, one

1 moment. "He intimated at the end of the day they had to be
2 confined in one place, not necessarily being arrested or
3 detained, but their movements were limited, which they saw as a
4 ploy to arrest them all. We had to be smuggling ourselves out of
15:44:30 5 Abidjan in little groups, he concluded."

6 So, in other words, is it correct as you recall - first of
7 all, Mr Kolleh, do you recall this meeting, so far? Do you
8 remember being there?

9 A. Come again?

15:44:42 10 Q. Do you remember being there at this meeting?

11 A. I was in Koindu, I did not attend the meeting. We were
12 called but I was not fortunate to be in the meeting.

13 Q. Okay. "And then brother" --

14 PRESIDING JUDGE: Excuse me, Mr Kolleh, are you saying that
15:45:03 15 your name erroneously appears as being in attendance in these
16 minutes?

17 THE WITNESS: According to this document, the way I
18 understand it like the people who were supposed to be in this
19 meeting they were people who were listed. I was in Koindu, I did
15:45:21 20 not go.

21 MR KOUMJIAN:

22 Q. I'm going to skip to the last full paragraph:

23 "The brigadier took the floor with heavy blows having to do
24 with the release of Pa Sankoh and said that the continuous
15:45:38 25 detention of our leader in Freetown was provocative, immoral and
26 disgraceful. Speaking like a barrister defending his client, the
27 brigadier Sam Bockarie had this to say: 'After signing the
28 accord, not a single soul could have died in this country.
29 Kabbah and his cohorts organized the Kamajors who started

1 attacking our positions and killing hundreds of civilians whom
2 they alleged were rebels supporters and hundreds more of the RUF
3 fighters."

4 I'm going to skip down a little bit. The next paragraph:

15:46:14 5 "While the meeting was in progress the other brothers called over
6 the signal sets and showed or declared or manifested their desire
7 for a political wing to be born to operate side by side with the
8 military wing. It had been earlier discussed that such a wing
9 can only be named in the presence of the leader, so that it might
15:46:36 10 not seem like a different organisation being born within the RUF.
11 What was interesting in this was that our minds and intentions
12 were the same, at the same time. By the end of the meeting, it
13 was agreed that a position statement be prepared and made known
14 to the public, to the whole world, which was done immediately,
15:46:58 15 and could be heard on the same day over the BBC Focus on Africa."

16 Now, Mr Witness, do you recall that that very day, over the
17 BBC, that Eldred Collins got on the BBC Focus on Africa and said
18 the RUF was launching an operation, No Living Thing, if Sankoh
19 was not released?

15:47:38 20 A. Yes, I listened to radio.

21 Q. Do you remember hearing Collins?

22 A. Yes.

23 Q. Announce that?

24 A. Yeah, Collins I heard.

15:47:45 25 Q. Excuse me "Operation Spare No Soul". Do you recall that
26 Collins announced Operation Spare No Soul on that day?

27 A. Yes.

28 Q. Thank you. And then it goes on:

29 "The meeting concluded with brother Kai Banja reiterating

1 that brothers must learn and maintain being cordial with one
2 another, more especially with the fighting brothers. They must
3 be encouraged, even with nice talks, although there is acute
4 problem with finance, he concluded. Brother SYB Rogers
15:48:32 5 buttressed this statement and Brother Patrick S Beinda also
6 expressed concern and care for the brothers. Out of this meeting
7 an important organ was created, the public relations organ, which
8 was to be headed by Lieutenant Eldred Collins and to be assisted
9 by Brothers Patrick Amara and Martin Koker, and this organ went
15:48:59 10 into operation immediately after its formation. This occurred
11 after Lieutenant Collins had been told his faults."

12 And then it says:

13 "An 18-day fasting period was declared for the release of
14 Sankoh".

15:49:12 15 And it's signed by Kai Banja, or it has his name under the
16 signature.

17 Now, sir, you talked about Johnny Paul Koroma being in
18 Kangama with his movements restricted, isn't that correct?

19 A. Not totally restricted, because he could move to Buedu and
15:49:39 20 go back. Restricted to the border lines.

21 Q. Okay. Because the reality was, at that time, and ever
22 since the coup, 25 May 1997, the RUF needed the SLAs, the AFRC
23 and the AFRC needed the RUF, isn't that correct?

24 A. Yes.

15:50:10 25 Q. The AFRC when they did their coup, they got no support from
26 the international community, isn't that correct?

27 A. I can't tell.

28 Q. Well, the Kamajors immediately announced their opposition
29 and began to attack the RUF and the AFRC, correct?

1 A. Yes, to the border lines with Guinea.

2 Q. And fighting with ECOMOG began almost immediately after the
3 announcement of the coup, correct?

15:50:50

4 A. Yes, the first group that went to Freetown, they fought
5 with ECOMOG forces and Mammy Yoko by Superman. After that we
6 were in Freetown for quite of a long time and then another raid
7 took place at Cockerill where a lot of soldiers die and then
8 Mosquito left from Freetown. He went by helicopter to Bo and I
9 went by land and we met at Bo.

15:51:14

10 Q. And there was regular fighting at Jui where ECOMOG was;
11 isn't that true?

12 A. No, fighting was not there. Only that the ECOMOG forces
13 were under a lot. When this first attack had taken place and it
14 ceased and then we were in Freetown, for every time you are

15:51:32

15 passing to Jui or around Hastings, they would be careful to allow
16 you to pass, that was what was happening.

17 Q. Because the ECOMOG controlled - had troops there at the Jui
18 peninsula, is that correct?

19 A. Yes, they were deployed there with the STF.

15:51:55

20 Q. Also the Nigerians, the largest force in ECOMOG, they
21 attempted, at least, to place an embargo on Sierra Leone and
22 there also were United Nations sanctions and it was difficult -
23 there was an embargo against any arms and ammunition coming into
24 the country, correct?

15:52:14

25 A. I don't understand what you mean by posting embargo. We
26 were already fighting each other. I don't understand what you
27 mean by that, sir.

28 Q. The ECOMOG ships were trying to stop any ships from coming
29 into Freetown, correct?

1 A. Not to my knowledge. I know of air raid.

2 Q. And so fighting the Kamajors, fighting ECOMOG, the SLA
3 needed manpower and they needed a source to get ammunition and
4 arms to continue fighting and the RUF provided that to them,
15:52:53 5 isn't that correct?

6 A. When? Or where, please?

7 Q. From 25 May 1997, all the way - well, let's just say
8 through the Freetown - through 2000.

9 A. Please repeat the question.

15:53:16 10 Q. Okay. Let me be even more precise. From 25 May 1997, all
11 the way up to October 2000, when the RUF kicked the SLAs out of
12 Makeni, when Issa Sesay, Superman and Mongor and others kicked
13 the RUF - excuse me, the SLAs out of Makeni. And even beyond
14 that, all the way to the end of the war, the SLAs and - needed
15:53:55 15 the RUF because they didn't have the connections to the outside
16 like the RUF did. Isn't that true?

17 A. I don't still understand what you are saying. You are
18 telling me about '98 attack from Makeni to Freetown and then you
19 are saying - sorry, you say we pushed the SLA from Makeni to
15:54:14 20 Freetown. You are again asking about requests from the SLA
21 through the RUF. So I don't understand in between there, sir.

22 PRESIDING JUDGE: Mr Koumjian, break your question down.
23 It's too convoluted.

24 MR KOUMJIAN:

15:54:28 25 Q. Sir, when the coup happened, the AFRC needed the RUF for
26 manpower and for connections to get ammunition and arms, correct?

27 A. I don't know. When they overthrow we were called in
28 Freetown, I never knew their motive but they called us to have a
29 joint force so that the war can come to an end.

1 Q. By the way, did Issa Sesay rape Johnny Paul Koroma's wife?

2 A. I'm sorry to say that did never exist in the RUF. For
3 Issa Sesay if he want a woman for his status, he should have been
4 better to even order for Johnny Paul Koroma's wife to report to
15:55:07 5 his house rather than to go and say he's go to rape somebody at
6 that stage where they went on searching. It was never possible.
7 That was just an allegation. A lot of people around - how could
8 he rape? You stand outside and rape?

9 Q. Well, from what you just told us, he can order any woman to
15:55:25 10 come to his house, is that right?

11 A. Based on his status. He was a commander. He could tell
12 someone, "I want to see you", that person will go to him rather
13 than to go - Issa Sesay was too responsible for that.

14 Q. So that was the position of the top commanders and their
15:55:40 15 relationship with women in RUF territories?

16 A. Not only women, sir, it could be any soldiers, civilian,
17 whomsoever, once you were commander you could send for somebody,
18 say, "I want to see you", the person could come to you, they were
19 not monsters.

15:55:56 20 Q. And you could take her as a wife and she had no choice,
21 correct?

22 A. For me, I have my own wife. She had a choice and I took
23 her ever since and I was a senior officer. I only have a single
24 wife up to now. Never two in the RUF. We were also careful,
15:56:11 25 because there was a mandate from Sankoh: Your mouth, your
26 stomach and your privates, you have to be careful with those
27 things.

28 Q. Sir, where did you take your wife?

29 A. I took my wife from Cape Mount County. She's from Cape

1 Mount County, sorry.

2 Q. So you've changed --

3 A. I changed?

4 Q. Now you're saying she's from Liberia. Is that right?

15:56:35 5 A. Cape Mount County is not Sierra Leone.

6 Q. Correct, but what did you just - let me just read what you
7 said a moment ago.

8 A. I said I took my woman from Cape Mount County. I said
9 she's from Cape Mount County.

15:56:49 10 Q. Okay. You said, "I was a senior officer. I've only had a
11 single wife up to now." I don't want to disturb your privacy, do
12 you want to say her name or no?

13 A. No.

14 Q. Well, let me ask you about another woman. You took a Mende
15:57:13 15 woman from Kailahun, didn't you? The name begins with M.

16 A. I did not take a Mende woman. I loved to a girl. The
17 Kamajors captured my wife during the course of the war. In the
18 retreat, we were retreating from the Zogoda, in the process we
19 were scattered around Fairo and my wife was captured. I could
15:57:40 20 not see her until I went to Kailahun until we were called in
21 Freetown. But the short time that I spent in Daru for two, three
22 days I came across this girl. When we went to Freetown, all
23 women captured in the bush, they were kept at the Kambor Hill.
24 There where someone say, "Oh, they have some captured women under
15:58:02 25 the Kambor Hill." There I went, I saw my wife and then I took my
26 wife back, we went to Freetown. We came back and then we
27 retreated back to Kailahun District. That was the end of the
28 love between that woman and myself.

29 PRESIDING JUDGE: Sorry, what was the name of this hill

1 where the captured women were taken?

2 THE WITNESS: Kambor Hill in Kenema.

3 PRESIDING JUDGE: How do you spell the name of the hill?

4 THE WITNESS: K-O-M-P-O-R. Sorry. K-A-M-B-O-R, Kambor

15:58:36 5 Hill, H-I-L-L.

6 MR KOUMJIAN:

7 Q. So the Mende - I'm just trying to understand your answer.

8 The Mende, was this the girl that you said you spent in Daru, two

9 or three days you came across this girl? Is that the Mende woman

15:58:59 10 you're talking about?

11 A. Yes, sir.

12 Q. Mosquito, even after putting Johnny Paul Koroma at Kangama

13 and the incident about the diamonds, he tried to maintain

14 Johnny Paul Koroma and the AFRC officers within his organisation

15:59:25 15 to try to bring unity, correct?

16 A. Yes, yes.

17 Q. Because fighting together you were stronger than being

18 separated. Isn't that right?

19 A. No.

15:59:37 20 Q. You were stronger separated than you were together?

21 A. No. I mean, being together we would be more strong because

22 they call us for peace, so we have to appreciate what they did

23 for us.

24 Q. Now you talked about one particular member of the AFRC that

15:59:57 25 had bad relations with Sam Bockarie. Who was that?

26 A. Gullit.

27 Q. No, that was - in fact, Issa Sesay said Gullit was

28 Sam Bockarie's friend. Did you talk about SAJ Musa having bad

29 relations with the RUF?

1 A. Yes, sir.

2 Q. Okay.

3 A. But what happened between Gullit did not happen between
4 Gullit and Sam Bockarie, it did not happen between Gullit - I
16:00:29 5 mean, SAJ and Sam Bockarie. It was something just by emotion, by
6 feeling you try to hit something. So it was not just easy to
7 understand actually. Only now by the action SAJ Musa apply
8 before actually people - many people knew that that was on his
9 mind.

16:00:45 10 Q. Okay. Your answer's important. I want to see if I
11 understand it. I can get mad at my brother and have a grudge
12 against my brother but it passes. I can have a grudge against an
13 enemy and I'm never going to trust that person. Are you saying
14 that SAJ Musa was the kind that never would trust Sam Bockarie,
16:01:09 15 while Gullit was angry but it passed?

16 A. Gullit was friend to Mosquito. But for what happened in
17 Kailahun for diamond business caused Gullit to go against
18 Mosquito. But for SAJ Musa when we were in Freetown, we visited
19 him, we went to Johnny Paul, visited, they were given instruction
16:01:31 20 but he could not actually apply it. We started to take notice
21 because we were security minded ourselves as well.

22 Q. Because I want to talk about what kind of a person SAJ Musa
23 was. So first perhaps I'd ask to mark the document that was just
24 read and that is the document beginning with ERN number 00027384
16:01:58 25 and I believe it's two pages - three pages?

26 PRESIDING JUDGE: Mr Koumjian, mine has more than three
27 pages, although --

28 MR KOUMJIAN: Could I see the original, please. I think we
29 seized both an original copy and an original.

1 MR MUNYARD: Your Honour, mine's six pages. Three pages of
2 a complete report, then two pages of the same report, and then
3 one page of the same report. I'm not sure what the purpose of
4 the three latter pages is.

16:02:38 5 MR KOUMJIAN: Well, I believe what happened - because
6 you'll see that on one copy I think the word is not written at
7 the top "SUPS copy" - that two different documents were seized
8 that were nearly identical. But the document that I think - I'm
9 putting into evidence, I see we have a three-page original -
16:03:02 10 appears to be original, typewritten, and it has the ERN numbers
11 27381 to 27383. It appears to have an original signature. It
12 looks like ink to me. So I would ask that this document be -
13 these three pages be marked for identification. Perhaps it
14 should be shown to Mr Munyard.

16:03:26 15 MR MUNYARD: Mr Koumjian said that one of the copies
16 doesn't have "SUPS copy" on it, but in fact all three of mine do
17 on the front page. So if there was one that didn't have that,
18 then it hasn't been copied for this bundle.

19 PRESIDING JUDGE: Mr Koumjian, I'm going to mark only the
16:03:50 20 three pages you referred to, if that's okay.

21 MR KOUMJIAN: Correct. Thank you.

22 PRESIDING JUDGE: That is the pages ending in 81, 82 and
23 83. So this the document entitled "RUF Sierra Leone, Brigade
24 Headquarters, Buedu", and it's dated 17 August 1998, consisting
16:04:19 25 of three pages. That is marked MFI-9.

26 MR KOUMJIAN:

27 Q. I'd like to talk a little bit about the background of SAJ
28 Musa and another document has been distributed, it is from a web
29 page. You see at the bottom left

1 "http://www.afri ca.com/si erra_ leone." It says at the top left
2 "Sierra Leone Wiki, Sierra Leone". And just so it's clear, what
3 is copied here is only two pages of a much larger document. This
4 is an extract from a much larger article.

16:05:24 5 Mr Witness, did you know that SAJ Musa - he wasn't part of
6 the original AFRC coup, he wasn't an honourable, was he?

7 A. I don't know, sir. I only met SAJ Musa in Freetown.

8 Q. Did you hear that the other AFRC officers called him back
9 from England, he came from England to Sierra Leone to join the
16:05:51 10 AFRC regime?

11 A. I only saw SAJ Musa in Freetown, sir.

12 Q. Well, let's go through a little bit of this and see if any
13 of it refreshes your recollection.

14 Now, sir, you do recall - is it correct you recall that the
16:06:07 15 Momoh government was overthrown in 1992 by the army - by young
16 army officers, the NPRC. Had you heard that?

17 A. Yes, while in the bush I heard it.

18 Q. This article begins:

19 "On 29 April 1992, a group comprising a colonel and seven
16:06:31 20 junior officers in the Sierra Leone Army, apparently frustrated
21 by the government's failure to deal with the rebels and to pay
22 salaries launched a military coup which sent President Momoh into
23 exile in Guinea. The officers were Colonel Yahya Kanu, an ethnic
24 Temne; the ethnic Mendes Captain Solomon AJ Musa; Captain Julius
25 Maada Bio, and Lieutenant Sahr Sandy; ethnic Konos Captain Samuel
26 Komba Kambo and Captain Komba Mondeh; the Creole Captain
27 Valentine EM Strasser; and the ethnic Kissi Second Lieutenant Tom
28 Nyuma."

29 I'm going to skip down, I don't want to read the whole

1 article. Next paragraph:

2 "Later, however, Kanu was arrested and imprisoned by his
3 junior officers, who accused him of trying to negotiate a
4 compromise with the toppled APC administration. Kanu's arrest
16:07:46 5 divided the army into two rival groups, namely, his Tiger
6 Battalion and Tom Nyuma's Cobra Battalion and their respective
7 supporters. On April 29th 1992, Valentine Strasser took over as
8 leader and chairman of the NPRC and Head of State of
9 Sierra Leone."

16:08:11 10 It says he was the youngest Head of State in the world, it
11 was just three days before his 27th birthday. I'm not reading, I
12 was paraphrasing, thank you. The next sentence:

13 "Twenty-five year old SAJ Musa, a close friend of Strasser,
14 and an officer in Kanu's feared Tiger Battalion was named
16:08:35 15 Vice-President - Vice-Chairman of the NPRC. Many Sierra Leoneans
16 nationwide rushed into the streets to celebrate the NPRC's
17 takeover from the 23 year dictatorial APC regime, which they
18 perceived as corrupt ."

19 And just skipping a few paragraphs down about five lines.
16:09:04 20 The very end of the line that begins:

21 "The NPRC junta maintained relations with ECOWAS and
22 strengthened support for Sierra Leone-based ECOMOG troops
23 fighting in Liberia."

24 And there's another section that I'm looking for that I
16:09:42 25 wanted to read. Yes. I'll read the last full paragraph on this
26 page:

27 "The NPRC proved to be nearly as ineffectual as the
28 Momoh-led APC government in repelling the RUF. More and more of
29 the country fell to RUF fighters and by 1995 they held much of

1 the diamond rich eastern province and were at the edge of
2 Freetown. In response, the NPRC hired several hundred
3 mercenaries from the private firm Executive Outcomes. Within a
4 month they had driven RUF fighters back to enclaves along Sierra
16:10:20 5 Leone's border and cleared the RUF from the Kono diamond
6 producing areas of Sierra Leone.

7 However, Captain Tom Nyuma, Secretary of State East and
8 Komba Mondeh Secretary of State Defence who were regarded outside
9 Freetown as the only fighters in the NPRC who dared to lead the
16:10:43 10 troops to attack RUF strongholds in the east and south were
11 highly credited with these successes against the RUF. During
12 this time corruption had erupted within the senior ranks of both
13 the NPRC and the military and the junta had become divided
14 between SAJ Musa, on the one side, against Nyuma and Mondeh on
16:11:07 15 the other. SAJ Musa had become very popular in Freetown for
16 fighting grafts and exercising strict discipline in the public
17 service and his late Saturday of the month city cleaning
18 services."

19 And then skipping a paragraph - sentence:

16:11:25 20 "There was great suspicion against the SCS members that SAJ
21 Musa was planning a coup to topple his friend Strasser whom he
22 accused of being subservient to the wishes of Nyuma and Mondeh.
23 On 5 July 1995, under pressure from Nyuma, Captain Strasser
24 dismissed SAJ Musa as deputy chairman of the NPRC and appointed
16:11:49 25 an ally of Tom Nyuma, the secretary of state for information and
26 broadcasting, Captain Julius Maada Bio to the position. Musa was
27 arrested by soldiers led by Nyuma's men and was briefly placed
28 under house arrest in Freetown before being sent on to exile in
29 the UK."

1 Mr Witness, SAJ Musa was an extremely ambitious officer,
2 isn't that correct?

3 A. Yes.

4 Q. And SAJ Musa, even among the old Sierra Leone army officers
16:12:28 5 was an elite, in that he entered after being educated, he didn't
6 go through the ranks, he went right to the officer corps; isn't
7 that true? Did you know that?

8 A. No, sir.

9 Q. Also, most of the honourables or all of the honourables
16:12:44 10 were enlisted men. SAJ Musa was an educated officer from the
11 traditional army and he had his own support within Freetown;
12 isn't that true?

13 A. I am not aware of that, sir.

14 Q. SAJ Musa was different from the other members of the AFRC,
16:13:10 15 he was more stubborn, he was more ambitious and he was more of an
16 elitist; isn't that true?

17 A. Yes, he was power greedy, yes.

18 Q. Now, you told us you were on the other side of the country,
19 you say, when the Freetown invasion happened. But according to
16:13:28 20 what you've testified to in direct, SAJ Musa said, "No RUF will
21 be in Freetown," and the next day he was dead." Correct?

22 A. Yes, sir.

23 Q. Now, you've talked, sir, about Issa Sesay taking a trip
24 outside of Sierra Leone to Liberia where you said he lost
16:14:06 25 diamonds. Is that the only trip you know of that Issa Sesay took
26 outside of Sierra Leone?

27 A. Yes, sir.

28 Q. During his own administration, do you know of any trips he
29 took outside of Sierra Leone?

1 A. No.

2 Q. Sir, when exactly was it that you were in the position
3 where you were the advance team commander for Bockarie? When did
4 that end?

16:14:33 5 A. When I was wounded - when we left from Freetown, sorry,
6 when we went back in towards Kailahun, when I was injured, that
7 was the end.

8 Q. So SAJ Musa - Sam Bockarie never discussed with you going
9 on any trips and you never heard it discussed that Sam Bockarie
10 went on any peace negotiations in 1998, correct?

11 A. Sam Bockarie travelled.

12 Q. Well --

13 A. On the peace negotiation, please, I said it earlier.

14 Q. You said in 1999. Correct?

16:15:13 15 A. The peace negotiation that was signed - he travelled to
16 Burkina Faso, is what I'm talking about.

17 Q. Okay.

18 A. The exact time - whether I am making a mistake on that or
19 not I'm not sure.

16:15:30 20 Q. So you're not confused, let me make one thing clear. It's
21 an agreed fact in this case that the Lome Peace Accord was signed
22 in July 1999. So what year did Sam Bockarie travel, that you
23 know about? The Lome Peace Accord was signed in July 1999.

24 A. It was for the peace accord for Sierra Leone that
16:15:55 25 Sam Bockarie travelled on is what I'm aware of, please.

26 Q. What year? Sir, you went to Monrovia with Sam Bockarie as
27 part of his team, as part of his bodyguard team, didn't you?

28 A. No, sir. I told you when I got injured I was no longer
29 active, please.

1 Q. Thank you. When Issa Sesay was the leader or the interim
2 leader of the RUF, - or let's say from the time that Bockarie
3 left, how many trips do you know of that he made outside of the
4 country?

16:16:38 5 A. I don't remember, sir.

6 Q. Both Issa Sesay, Sam Bockarie, Foday Sankoh, all of them
7 were on the United Nations travel ban, are you aware of that?

8 A. I'm not aware of that.

9 Q. I believe it's already in evidence, so I don't think
16:17:04 10 there's a need to go over that document that's, just for the
11 record, P-302.

12 I want to talk to you now a little bit right now,
13 Mr Witness, about disarmament. Now, you said that you were with
14 the RUF all the way through disarmament and you were in charge of
16:17:29 15 disarmament in Kailahun, am I correct?

16 A. Yes, sir.

17 Q. So I want to distribute two documents and go over them with
18 you briefly. Sir, is it also correct that the RUF kept heavy
19 weapons that had been seized from the peacekeepers and turned
16:17:56 20 those over to Liberia?

21 A. No.

22 Q. What did you do with all the weapons that were seized in
23 2000 from the UNAMSIL peacekeepers?

24 A. At what location? I was assigned with Kailahun District.
16:18:19 25 Peacekeepers were not attacking Kailahun, artillery or heavy
26 weapons taken from them. That's why. Please be specific, sir.

27 Q. Well, sir, what involvement did you have in the seizure of
28 the peacekeepers or in their transfer to Liberia?

29 A. I don't know. I was not assigned in Kailahun. It was

1 Martin George time that peacekeepers were arrested. I can't tell
2 you what happened, how it happened. After Martin George, I was
3 appointed chief security officer. But that happened in the
4 regime of Martin George, so I can't tell you anything towards
16:19:01 5 that, sir.

6 Q. Sir, where were you in May 2000 when the peacekeepers were
7 seized?

8 A. The peacekeepers that were seized in Kailahun.

9 Q. Well, let me just ask you this: The day that Sankoh was
16:19:13 10 attacked - his house was attacked - May 8, 2000, where were you?

11 A. I was in Manowa.

12 Q. Doing what? What was your assignment?

13 A. I told you I was there as a senior officer to where the 40
14 barrel missile was. I was there, sir, to Manowa.

16:19:40 15 Q. So you were adviser to heavy weapons - then were you aware
16 of the heavy weapons seized from UNAMSIL?

17 A. That's what I say. From which? Where? You are speaking.
18 From where you are speaking. Please be specific, sir. I was
19 assigned in Kailahun. And no heavy weapon was seized from

16:20:01 20 UNAMSIL in Kailahun that I know of.

21 Q. Okay, sir. Heavy weapons were seized in - around Makeni.

22 A. Uh-huh.

23 Q. Correct?

24 A. I was not there. I can't tell.

16:20:12 25 Q. Martin George captured a few dozen, is it correct,
26 peacekeepers, Indians, in Kailahun, is that correct?

27 A. Yes, indeed, it happened.

28 Q. So there were Zambians, Nigerians were captured and
29 released on the orders of Foday Sankoh, correct?

1 A. I know of attack that took place in Makeni area between RUF
2 and UNAMSIL. I can't tell you whether a specific group were
3 arrested for release of Sankoh.

16:20:47 4 Q. Those peacekeepers and their weapons that were seized
5 around Makeni were taken to Kailahun, correct?

6 A. No, sir.

7 Q. Where were they taken?

8 A. Where would you pass with a weapon when you have ECOMOG
9 forces or United Nations deployed in Kailahun? The ferry was not
16:20:59 10 functioning. Are you going to fly with this weapon or pass under
11 the river? No. Nothing as such.

12 Q. They were taken where, to Kono?

13 A. I was not there. I can't tell you where they were taken.
14 Once these things were - I mean the attack went on in time for
16:21:14 15 disarmament. The same RUF disarmed with this material back to
16 United Nations. And they have monitors to know whether all their
17 weapons were turned back to them. They have monitors during the
18 time they came back for their items and this thing happened far
19 up from me.

16:21:31 20 Q. Sir, you were in Kailahun and you said you were responsible
21 for collecting all the weapons in Kailahun, is that right?

22 A. When I was the chief security officer, yes, sir.

23 Q. Okay. Was that in 2000? This was after Martin George was
24 replaced after the peacekeepers were taken, correct?

16:21:48 25 A. Yes, sir.

26 Q. And when was disarmament in Kailahun completed?

27 A. 2001.

28 Q. When in 2001 do you recall?

29 A. Almost the end of 2001, because 2002 was election.

1 Q. Okay. So, sir, if we could just look at S - first
2 document - S 2001, 1/11/95 the 12th report of the
3 Secretary-General on the UN mission in Sierra Leone. I just want
4 to refer briefly to page 3 of that document. And I'm going to
16:22:27 5 start and read from paragraph 15 and I'll be skipping some
6 sentences:

7 "Since the resumption of the disarmament, demobilization,
8 and reintegration programme on 18 May 2001" - by the way, that
9 was after Abuja II, correct, Mr Witness, did you know that?

16:22:48 10 Disarmament resumed again after Abuja II?

11 Or you don't know what I'm talking?

12 A. I don't understand what you're talking about, sir.

13 Q. It indicates that "36,741 combatants have disarmed, 12,087
14 RUF."

16:23:08 15 And then going down to paragraph 16:

16 "The disarmament process has been completed, in the Kambia,
17 Port Loko, Kono, Bonthe, Bombali, Moyamba, Koinadugu, Tonkolili,
18 Bo and Pujehun Districts as well as in the Western Area. The
19 last phase of the process began in the remaining two districts of
16:23:32 20 Kailahun and Kenema on 15 and 17 November respectively. However,
21 on 17 November, RUF leader Issa Sesay ordered his combatants to
22 stop disarming in the two districts to demonstrate his
23 disagreement with the outcome of the national consultative
24 conference which was convened from 13 to 15 November to discuss
16:23:57 25 electoral issues."

26 Next paragraph: Four lines down:

27 "Sesay presented new demands including a call for the
28 release of Sankoh and the revival of the commission for the
29 management of strategic resources which had been headed by Sankoh

1 under the Lome Peace Agreement."

2 Mr Kollah, this commission for the management of strategic
3 resources meant the RUF - what he really was demanding was to
4 continue to control the diamonds in Sierra Leone; isn't that
16:24:34 5 true?

6 A. No, sir, I'm not aware of this.

7 Q. And then if we look at paragraph 20, the very last three
8 lines. It says there are:

9 "As well as persistent reports that the RUF may have moved
16:24:48 10 some of its weapons and combatants outside of Sierra Leone."

11 Weapons were moved outside of Sierra Leone; isn't that
12 true?

13 A. No, sir.

14 Q. Well, let's look quickly in the time remaining at the next
16:25:04 15 document, S --

16 MR MUNYARD: Before we move on to another document, I don't
17 want a misleading impression to be left. When Mr Koumjian moved
18 off from extract that he was reading and went straight to the
19 bottom of paragraph 20, he didn't read out that part of
16:25:23 20 paragraph 18 which I'd draw the Court's attention to, where the
21 Special Representative advised Mr Sesay that his concerns could
22 stand a better chance of being addressed if the RUF completed the
23 disarmament process and "the RUF leader eventually agreed to
24 resume disarmament in those two districts on 10th December".

16:25:46 25 It wouldn't be right to read part of that story without the
26 concluding part, in my submission. I.

27 MR KOUMJIAN: Thank you very much. I have no problem with
28 that. Thank you. Going to the next document. Dated
29 14 March 2002, the 13th report of the Secretary-General on

1 United Nations Mission in Sierra Leone.

2 PRESIDING JUDGE: Mr Koumjian, I suppose you could expedite
3 this report, in view of the time.

4 MR KOUMJIAN:

16:27:13 5 Q. I'm reading from paragraph 13. It states:

6 "A total of 47,076 combatants, 19,183 RUF, 27,695 CDF and
7 198 AFRC/ex-SLA disarmed during the period between 18 May 2001
8 when the Disarmament Demobilisation and Reintegration programme
9 resumed and 17 January 2002 when it was formally completed.

16:27:46 10 During the same period 15,840 assorted weapons and 2 million
11 rounds of ammunition were collected. Prior to the resumption of
12 the programme in May 2001, 11,824 weapons had been collected in
13 the two disarmament phases which were carried out from October
14 to December '98 and from November '99 to May 2000."

16:28:15 15 Sir, this is saying that in the Sierra Leone, in this
16 disarmament, just in the period after May 2001, the number of
17 weapons collected were 15,840 weapons. Now, the RUF - where did
18 all the weapons come from? You told us about 9 000 weapons.
19 Where did the thousands and thousands of weapons come from?

16:28:46 20 A. Where did I tell you --

21 MR MUNYARD: I object to the form of the question because
22 it's taken from part of a sentence which makes - or part of a
23 paragraph which makes it clear there were 19,000 RUF disarmed but
24 more than 27,500 CDF disarmed in this period. And it's quite
16:29:09 25 wrong then to say where did the 15,000 weapons come from, as if
26 this was related solely to the RUF. There's close to 50 per cent
27 more CDF who were disarmed than the numbers of RUF who were
28 disarmed.

29 PRESIDING JUDGE: Mr Koumjian, it's a pertinent

1 observation.

2 MR KOUMJIAN: It's pertinent and the numbers are not broken
3 down by group and I can't cite a citation for that. I have one
4 more sentence to read and I can either do that tomorrow or I
16:29:46 5 could read it now and ask that these be marked for
6 identification.

7 PRESIDING JUDGE: Read it now.

8 MR KOUMJIAN: Paragraph 14. The end of that paragraph.

9 Q. This is very important, Mr Kolleh, listen to this:

16:29:58 10 "It should be recalled that a considerable number of the
11 weapons and equipment seized by RUF from UNAMSIL and the ECOWAS
12 monitoring group ECOMOG remain unaccounted for."

13 Sir, the RUF didn't bring back most of the good and heavy
14 weapons that it seized from UNAMSIL - it didn't bring them
16:30:24 15 back --

16 MR MUNYARD: I'm sorry, I object to the form of that
17 question. This report does not say the majority of the weapons
18 or equipment seized from UNAMSIL were not recovered. It says "a
19 considerable number".

16:30:37 20 The question Mr Koumjian is part way through asking is that
21 the RUF did not return most of them. He can't found such a
22 question on this report because it doesn't say "in most", it says
23 "a considerable number". We don't know whether that means a
24 significant minority or what.

16:30:59 25 MR KOUMJIAN: Well --

26 PRESIDING JUDGE: Wait. Mr Munyard, first of all,
27 Mr Koumjian had not finished his question. Second of all, he
28 referred to the phrase "most of the good and heavy weapons", that
29 is different from "most of the weapons". So could I hear the

1 question again, Mr Koumjian?

2 MR KOUMJIAN:

3 Q. Mr Kolleh, the question is based - is for you, based on
4 your knowledge. The truth is, isn't it, that most of the heavy
16:31:31 5 weapons in good condition, the RUF didn't return. They were
6 taken to Liberia to Charles Taylor's forces. Isn't that true?

7 A. No, sir. That's what I told you earlier. I said no. If
8 you have ECOMOG forces or UNAMSIL in Daru, where were you passed
9 to carry this weapon? And if we were disarming for money, \$100
16:32:00 10 US for a single arm or a single person that disarmed, and these
11 children needed money, would they sit and see this weapon go time
12 for disarmament. They should have lodged my complaint or the
13 complaint to the United Nations, especially the MILOBs. That's
14 what I kept saying. We were looking for arms to disarm. Down to

16:32:18 15 the civilians were disarming for money. We were hunting for arms
16 to disarm. Kailahun is not my home. Who I am. I should have
17 been - my complaint should have been lodged to the MILOBs or to
18 the police. I should have been arrested and produced those arms.

19 Q. Sir, what happened to the considerable number of arms
16:32:39 20 seized from UNAMSIL that were not returned as stated in this
21 report? Where did they disappear to?

22 A. I am not aware of what you are saying on your document.
23 What I know - after the attack to Makeni or Lunsar, during the
24 time of disarmament they also had monitors to come back and see
16:32:57 25 that all their materials captured had been returned to them and
26 indeed it happened. When we disarmed nobody had power. UNAMSIL
27 was going to take a legal action to produce all the materials,
28 even down to the weapon that was to Manowa, the 40 barrel
29 missiles, though it could not function fully. They all were

1 taken and disarmed. We gave everything. Nothing.

2 PRESIDING JUDGE: Mr Koumjian, perhaps this is a good time
3 to close the proceedings today and to continue tomorrow. I'm
4 told the tape has completely run out. So I think we will start
16:33:33 5 tomorrow with marking the documents that you referred to.

6 Mr Witness, I just caution you not to discuss your
7 evidence, as I normally do caution you.

8 THE WITNESS: Yes.

9 PRESIDING JUDGE: Court adjourns to tomorrow at 9 o'clock.

16:33:49 10 [Whereupon the hearing adjourned at 4.33 p.m.
11 to be reconvened on Friday, 5 November 2010 at
12 9.00 a.m.]

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WITNESSES FOR THE DEFENCE:

DCT-102 48670

CROSS-EXAMINATION BY MR KOUMJIAN 48670