Case No. **SCSL-2003-01-T**

THE PROSECUTOR OF
THE SPECIAL COURT
V.
CHARLES GHANKAY TAYLOR

WEDNESDAY, 21 MAY 2008
9.30 A.M.
TRIAL

TRIAL CHAMBER II

Before the Judges:	Justice Teresa Doherty, Presiding Justice Richard Lussick Justice Julia Sebutinde Justice Al Hadji Malick Sow, Alternate
For Chambers:	Mr William Romans Ms Sidney Thompson Ms Carolyn Buff
For the Registry:	Ms Rachel Irura
For the Prosecution:	Mr Stephen Rapp Ms Brenda J Hollis Mr Nicholas Koumjian Mr Christopher Santora Ms Maja Dimitrova
For the accused Charles Ghankay Taylor:	Mr Courtenay Griffiths QC Mr Terry Munyard Ms Sanela Trzin

Wednesday, 21 May 2008

[Open session]

[The accused present]

[Upon commencing at 9.30 a.m.]

09:13:07 PRESIDING JUDGE: Good morning. I notice some changes of appearance, Mr Rapp.

MR RAPP: Good morning, Madam President, your Honours. Yes, indeed, there are changes on the Prosecution Bench. Today the Prosecution is represented by myself, Stephen Rapp; by Brenda
09:32:32 Hollis; Nick Koumjian; Christopher Santora; and Maja Dimitrova.

PRESIDING JUDGE: Thank you, Mr Rapp. Mr Griffiths, I note you too have a change.

MR GRIFFITHS: Good morning, your Honours, Madam President and counsel opposite. Representation today is by myself,
09:32:50 Courtenay Griffiths; my learned friend, Mr Terry Munyard; and my learned friend, Ms Sanela Trzin.

PRESIDING JUDGE: If there are no other matters I will remind the witness of his oath and we will proceed with the re-examination.

09:33:08 Mr Witness, I again remind you this morning, as I have done on other mornings, that you have taken the oath to tell the truth, the oath is still binding on you and you are to answer questions truthfully.

THE WITNESS: Your Honour.

09:33:20 PRESIDING JUDGE: Very good. Mr Rapp, please proceed.

WITNESS: MOSES ZEH BLAH [On former oath]

RE-EXAMINATION BY MR RAPP: [Continued]

Q. Good morning, witness.

A. Good morning.

Q. At the break we were discussing radio stations, so let's go to another kind of radio. Yesterday Defence counsel asked you - it wasn't yesterday, I believe it was Monday afternoon - if you were aware of Charles Taylor's radio conversations with rebels in
09:33:46 Sierra Leone. You said you were not. As inspector general of the NPFL, were you aware with whom Charles Taylor carried on regular radio communications?
A. Well, not in that case. Like in the case of the question yesterday he had a radio, he had a communication, he had a
09:34:14 Thuraya phone and he had other means of communication, but in the case with direct conversation with rebels in the RUF, no, I have not listened to any one of that, but he had so many means of communicating with whom he wanted to communicate with.
Q. Well, as ambassador to Libya and Tunisia, were you aware
09:34:39 with whom Charles Taylor carried on regular radio communications, or telephone communications?
A. It went the same way. He used to communicate with whosoever he wanted to communicate with, because he had the capability, he had the phones, he had long range radios and he
09:35:06 had other phones like Thuraya, which is very international, and when he was communicating I wouldn't listen to that, except for the long range radios we used for war. At that time it was an open radio that anybody could listen to, but I did not see him, nor listen to him, communicating directly to anybody on the war
09:35:32 front.
Q. And as Vice-President did you have access to know with whom he was communicating with by radio or telephone?
A. Just the same way again. He talked to anybody he wanted to talk with. If I am leaving here he will communicate with me, he

will communicate with Mr Gaddafi, he would call him and have conversations with him and with other people at Mataba and they can call him and then they will just say, "Chief, just talk to us", and you have to make haste and go home and then sometimes he
09:36:11 will call that you should come back. When I was on mission outside, he always communicated with me by way of Thuraya, or any other means of communication, or sometimes ordinary telephone.
Q. Just to be clear, because the question was: Did you know with whom, other than yourself, he communicated?
09:36:36 A. Yes, he communicated with Gaddafi most of the time.
Q. Witness, the Defence asked you about several individuals and put their names to you and you provided some brief answers and I just wanted a little more detail on some of these individuals. They put to you the name of an Elie Selebe - I
09:37:01 believe that was S-E-L-E-B-E - and you indicated he had been a finance minister. Do you know when he had served in that post?
A. Elie Selebe served in the year - he was finance minister and then the president of the bank, the National Bank. That is I think 2000/2001.
09:37:45 Q. Was that when he was finance minister, or president of the National Bank?
A. He was president of the National Bank. He was the finance minister in the finance ministry in the year 1997 to 1998, to my knowledge.
09:38:05 Q. And do you know what happened to him?
A. He left the bank. He left the bank and during the last war there was fighting in Monrovia and he left the bank and went to Ghana. He was partly living in Ghana and sometimes he will come to Liberia. At one time President Taylor sent for him to leave

Ghana to come to Monrovia and that was in 2002 - 2001 and then he came back to Monrovia, but from there I did not know where he left to.

Q. Well, there was another individual identified as a finance minister, a John Bestment, and you identified him as such. Do you know when he served?

A. Bestment served shortly after Selebe. That was 2002. He was there for about a year and I think he was sacked, or he was removed.

Q. And do you know what happened with him after he was removed?

A. No, I don't know.

Q. The Defence asked you about a man by the name of Bon-Go-Ray, asking you whether he had been a bodyguard of yours and you said no, but in your answer you said you remembered him. How do you know him?

A. Bon-Go-Ray, Ray had been the first cousin to Benjamin Yeaten and he was working around the commander in chief. I cannot say exactly what his position was, but he was a very strong man going to war from place to place and even in the war in Tapita, against the MODEL rebels, he was there at the front fighting in Tapita. That is the Bon-Go-Ray I know of, but he was never my bodyguard. Since the war, the bodyguards I had are still with me. Some are now in the university, they are going to school, but Bon-Go-Ray had never been to school and he had never worked with me as bodyguard, but he was a fighting man. He was very close to Benjamin Yeaten. He is a brother, I can say, to Benjamin Yeaten.

Q. Well, is he a brother or a cousin, or what do you mean by

brother?
A. In Africa we say brother. That would mean we are referring to a cousin and your uncle would be your father, your auntie will be your mother. That is our custom. That is what we say to our
09:40:57 closer relations. If you say cousin, most times they will think you are trying to separate yourself from the family. So you will say "my brother".
Q. And do you know where he is now?
A. Bon-Go-Ray is in Liberia.
09:41:18 Q. Mr Witness, the Defence asked you what you would have done in the case of Moses Blah in June 2003 if you had been in Charles Taylor's shoes and you responded to that question. If you had been in his shoes what would you have done in the cases of John Yormie and Isaac Vaye?
09:41:40 A. What I said was that I responded that if a man is accused or reported that he has been involved in the coup I must take this man to Court and have him properly investigated and the law will take its course. But you cannot bring the law unto yourself when you are investigated or when you, the accused person, will
09:42:05 serve as your own judge. You shouldn't be your own judge. If I were Taylor I wouldn't have done that. The matter should go to Court and then the law should take its course.
Q. Witness, the Defence referred to your detention in a room at the Tuah residence as house arrest. What were the conditions
09:42:26 where you were held?
A. I also denied to say it was house arrest. I was like in a jail. If you are under house arrest you have facilities, you can move around, you can drink if you want to drink. But I was really detained, door locked with a key and I always see someone

sitting in front of the door. So I cannot consider that to be a house arrest.

That was why I said I was being detained as a prisoner. I did not move freely, I was in a single room and the room was
09:43:00 locked, all the windows were protected by heavily armed gunmen and they were speaking Krio, speaking this and that, threatening me and they will say, "We will take the Vice-President to the Robertsfield Highway tonight and he will be going to Europe". So much intimidation. I was not free where I was held.

09:43:25 Q. And how many days were you there?

A. Eleven days.

Q. And were you able to step outside the house during that time period?

A. The only time I stepped out of that house was the time I
09:43:38 was called to go to the Executive Mansion.

Q. Witness, in an answer to Defence counsel you recounted your conversation with the US Charge d'Affairs about what was called or what he called the notorious ATU. What behaviour made the ATU notorious?

09:44:06 A. He was referring to the behaviour of the ATU. The ATU took the law upon themselves. They behaved as though they were not under control. They did not behave as a military unit. They took everything on to themselves. Sometimes they left guard posts, they would attack anybody in the street and take away from
09:44:28 them anything they had and they had no regard for anybody. As long as you were not a member of the ATU they would not respect you. I think that was what he was trying to refer to. It was the behaviour of the men.

Q. And who did the ATU work for?

A. They worked for the former President Taylor. They were his personal bodyguard unit.

Q. Witness, you mentioned that Benjamin Yeaten made a radio address before Taylor's return from Accra in your answers to Defence questions. What did he say in that radio address?

09:45:01

A. Benjamin said over the radio that the former President was out of the country and that he dared anybody in Liberia if you go out of the way of the law of this country or any groupings, or any citizen of Liberia in any location, you will see the weight of the military. And he said they will feel the - how did they call it? In fact, they will feel the military vibration. That was what he said. I did not know what he meant by vibration, but that was what he said.

09:45:38

Q. Witness, yesterday the Defence invited your attention to selected passages from official documents and asked you various questions about their content. I would like to go to at least three of those documents now, if I could have the assistance of the Registry with MFI-31.

09:45:58

I think we should have on our screens MFI-31, which is the Security Council document, fifth report of the Secretary-General on the situation in Sierra Leone dated 9 June 1998. If we could go to page 3 of that document, the one that ends with the ERN 4203, or the ERN ends with those digits. Okay, if we are there, my monitor does not show it but I'm on the wrong channel, I will get to there, but I presume we have in front of us page 3 and directing your attention down to 13, and I don't want to spend too much time on this because what I wanted to do was to read out 15, but it's important to understand the context and if you will notice in 13, 13 begins, "Following the expulsion of the illegal

09:46:58

09:47:39

military junta from the capital Freetown" and then it goes at the end to say, "ECOMOG forces also advanced eastwards towards the Kono and Kailahun Districts where the forces of the former junta were concentrated". But I wanted specifically then to read
09:48:18 paragraph 15 in that context:

"As ECOMOG troops approached, armed former junta elements attacked the local civilian population killing, raping and mutilating hundreds of them, causing tens of thousands of Sierra Leoneans to flee into Liberia and Guinea in the last few weeks
09:48:39 and tens of thousands more to flee into the interior of Sierra Leone. Hundreds of patients have been admitted to hospital suffering from amputation of limbs and ears and severe lacerations. Humanitarian organisations fear the actual number of victims may be much larger."

09:48:58 Witness, my question to you is were you aware of these events?

A. No.

Q. You indicated yesterday that you were familiar with these reports that were put out by the United Nations regarding the
09:49:17 situation in Sierra Leone?

A. I said yes, on the newspaper reports. That means that some of these papers, they will come out, you buy them, you read, but that doesn't mean that you agree, because you were not at the scene. That was only something said by the newspaper. You can -
09:49:40 if I can recollect from the newspaper and that I read it I will say, "Yes, I saw the newspaper", but that doesn't mean that I agreed with the things that happened, because I was not there, I did not see them happen, but that was just how I agreed with most of the newspaper reports, but that didn't mean that they

happened.

Sometimes in Liberia you will see the newspaper, you will read them and you will read different things in them and then you see different headlines and then you read them. Then sometimes
09:50:08 you see certain things and you just read them and sometimes they are confusing, sometimes based on rumours, and they will write a newspaper and say all kinds of things about what they cannot prove.

Q. In terms of the content of this particular paragraph - and
09:50:25 I think we are talking about a date when you were ambassador to Libya - were you aware about this reported fleeing of tens of thousands of Sierra Leoneans into Liberia and Guinea during this period?

A. This was also through radio that there was a war in Sierra
09:50:50 Leone and people were running up and down, they were running helter-skelter and they were going to different locations. I was not there and I cannot say yes completely to it, but I heard that from radio communications, or radio.

Q. Well, let me just ask you about one more passage in this
09:51:07 document and that's at paragraph 36 and that would be at page 7, 4207 are the last four digits of the ERN number, and I am looking at paragraph 36. Let me just read it to you and then ask you a question:

"Of those victims who have received treatment most are male
09:51:36 ranging in ages from eight to 60 years. The youngest amputee admitted to hospital is however a six year old girl, one whose arms were completely severed. Victims also report that babies have been taken from their mother's arms and burned alive. There are numerous reports of rape, including one of the multiple rape

of a 12 year old girl. Doctors at one hospital state that lacerations inflicted on one 60 year old woman are the result of a failed attempt to behead her."

The question that I have is how does this compare to what
09:52:09 you heard about events in Sierra Leone?

A. All of these are news reports that you see them, you buy papers, you read them. And all of these things, even when I was in Libya, papers were sent to me by my wife. She will buy the papers, some interesting headlines, she will buy them and send
09:52:37 them to me to keep me alert.

Q. And these were --

JUDGE SEBUTINDE: Mr Rapp, I don't understand the question, much less the answer.

MR RAPP: The question was --

09:52:48 JUDGE SEBUTINDE: Because in paragraph 36 there are specific events reported. Now I don't understand the question, "how does this compare to what you heard?" And much less when the witness says all these were newspapers sent to me. I don't understand how that relates to the question you asked.

09:53:09 MR RAPP: Well, the question related - the witness in his prior answer said that he had received information about what had happened in Sierra Leone. Now he said he had received that by newspapers and other means, not specifically from UN reports, and so I put to him how this particular information compared to what
09:53:27 he had heard and that was the issue, rather than leading him specifically asking whether it was correct or incorrect:

JUDGE SEBUTINDE: And you are satisfied with the answer he gave?

MR RAPP: Yes, I am, your Honour:

Q. Let me then move to a document that was in the Defence bundle if we can and that is the document at - I believe it was given the MFI-36H meaning that it was one of several separately labelled parts of tab 1 of that Defence bundle, specifically the
09:54:12 Human Rights Watch report of 3 November 2003. Now, if we can move forward in that document to what had been page 23 of the bundle, it would be the fourth page of MFI-36H, the page that begins with the heading, "Arms abuses and Liberia's warring factions". Let me invite your attention, witness, to the second
09:55:26 paragraph of that page and read it to you and then I would have a question. It is a lengthy reading and I will attempt to read it slowly. It is but a single paragraph, however:

"The forces of the former Taylor government and associated militias have been responsible for war crimes and a long list of
09:55:45 serious human rights abuses. Using the power of the gun they carry out rape, looting and forced recruitment of children throughout the areas they control. For years Taylor's government received weapons despite the embargo, often counting on regional allies, such as Burkina Faso, to cover up its illegal arms
09:56:07 imports. A UN panel of experts has documented that arms dealers supplying Liberia arranged arms deals in Kyrgyzstan, Moldova, Serbia, Slovakia and Ukraine. On 8 August 2003 newly arrived peacekeepers from the Economic Community of West African States (ECOWAS) foiled an attempt by the then government to bring in a
09:56:30 large consignment of weapons by air. The seized consignment contained 22 tonnes of weapons, including two brand new mortars and numerous boxes of mortar rounds as well as eleven tonnes of 7.62 millimetre small arms ammunition and rocket propelled grenades (RPGs). Had this cargo not been intercepted the

resupply of Taylor's forces might have plunged Monrovia back into full-scale war, just as it was beginning to emerge from a long period of fighting."

Now, my question, witness: This arms shipment that is
09:57:06 described as taking place there at the beginning of August 2003, 8 August, is this the arms shipment that you have told us about?

A. Yes, this is the one that was intercepted by the peacekeepers, yes.

Q. Witness, the report here that the resupply would have
09:57:29 plunged Monrovia back into full-scale war, do you know what Mr Taylor's plans were for the use of those weapons?

A. Except when he said on the national radio that he had no intention of leaving the country, that he was not running away, that he will fight from house to house until the last person
09:57:58 died. That was what he said. That was almost about the same time when these weapons were intercepted. His plan was to fight from house to house until the last person died.

Q. And that, you say, was a speech at about the same time, in August of 2003?

09:58:22 A. Yes, sir. Yes, sir.

Q. Yesterday the Defence read out to you a long press conference reported on CNN on 6 July, about a month before, 2003, with President Obasanjo of Nigeria and President Taylor of Liberia. Now, on 6 July 2003 did you believe that Taylor was
09:58:46 going to resign the presidency and leave Liberia?

A. It was not clear. I did not even believe that he would have left at the time he left to go to Nigeria.

Q. Now, witness, the Defence also asked you, or put it to you that you should have known, or should have had a clue, as they

put it in their manner, before 11 August 2003 that you were going to succeed to the presidency and you said you did not. I would like to ask the Registry to put before you another MFI, MFI-18, and that is a CNN article also about the weapons plan being intercepted and I am looking for page 2 of that document. Let me go down the page here a bit, the paragraph that begins, "On Saturday", which is I think the fifth full paragraph and read the next four paragraphs there and ask a question to you based on this content. This is an article dated 7 August 2003:

09:59:40

10:00:32 "On Saturday Taylor said he would hand over power to a new President on 11 August and that the Parliament would meet Thursday to approve the new President. Taylor had said that the choice for President is between Vice-President Moses Blah and House Speaker Nyundueh Monkomana, but on Thursday leaders of the national assembly were told that Taylor would not address Parliament. No reason was given for Taylor's cancelling his plans, CNN Koinange reported. Taylor had been hedging lately on whether he would accept Nigeria's offer of asylum. His government has said he would leave only after peacekeepers were oh the ground and if a war crimes indictment against Taylor is dropped."

10:00:53

10:01:12

Witness, how does this compare to your observation of events at the time?

A. That was what I said, that I was not too sure of becoming the successor of President Taylor at the time he was leaving. It was Nyundueh Monkomana and Moses Blah, which was contradicting according to our constitution, so that was why I said that I was not informed and I was not told by anybody that I will be taking over the country as President, because we were two men at the

10:01:29

time chosen and his intention was not even to go. He did not have trust in Nigeria that he would have gone there to stay peacefully. It sounded to him, according to him, that it was a trick. That was what I heard him say at the point in time. He
10:02:17 said, "Maybe my going to Nigeria is a trap set in front of me." So his going there, he did not cherish it, according to this document, and that is what I said.

Q. Witness, you mentioned in your answers to Defence questions that there had been, you said, discussions and resistance and it
10:02:39 is a lengthy answer that you gave, but it related to the Liberian legislature and the question of whether you would be replaced in the presidential succession by this Mr Monkomana. On 11 August 2003 had you received any information about the conclusion of those deliberations, or those discussions?

10:03:07 A. No, I was not told about anything. No communication was addressed to me. We were all hanging in the air until we shot over the Executive Mansion and I was called in to be sworn in as President of Liberia. There was no formal discussion. There was no formal conference by the legislature, nor a communication with
10:03:34 the legislature.

Q. Witness, when you were called over there, to the Executive Mansion, on 11 August 2003 and saw Charles Taylor and saw him put the sash of office on you and leave, at that time, from your observation, why did you believe he was leaving on that day?

10:04:07 A. This was something you could not actually imagine. Being Vice-President and as usual we were at the Executive Mansion parlour where there was a programme and I was called to be present and everybody went there, and all of a sudden I was called to - I did not even address the congregation, because I

was - of course, as I was called I was sworn in to become President and immediately after I saw these four Presidents around the former President, they went upstairs and maybe into his office and they were there and everybody was just moving as
10:04:56 though somebody had come to take somebody away. I overheard these Presidents saying that this time he must go, this time he must go. So that was how I got to know that he was leaving that moment and that was exactly what they said and then they took him away. He was sitting in the car with Obasanjo and some other
10:05:19 Presidents, they were about three, and we all rushed to the airport and it was strictly from the Executive Mansion direct to the airport. That was how he left the Executive Mansion.

Q. Well, thank you, witness, for your answers. We can put that document aside. I just have one final question, or two
10:05:37 final questions about a related subject. Witness, were you a member of any secret society to which the accused, Charles Taylor, belonged?

A. Yes, I remember a Poro society to which I was invited to join, but I did not. I delayed because I did not want to be a
10:06:03 part of any society in Liberia. I am a Christian and I don't join societies other than going to church. Poro society, the headquarters was in Gbarnga and from time to time the government officials will go and everybody joined a society save Moses Blah.

Q. Thank you very much.

10:06:27 JUDGE SEBUTINDE: Could we have the spelling of the first society?

THE WITNESS: Poro, P-O-R-O. Poro society.

JUDGE SEBUTINDE: Also, Mr Rapp, I am not sure I know what a Poro society is? I mean you asked the question and he

answered, but I have no clue what it is.

MR RAPP:

Q. Let's be clear. What is a Poro society in Liberia?

A. A Poro society in Liberia is a society of men and I have
10:06:55 not been in there to see what they do in the Poro society. So
what I know is that I hear people say Poro society. That is
where men, big men, are joined and children sometimes in fact.
It is a society which grew out of the tribe called Kpelleh.
There is Kpelleh, there is Mano and there is the Loma. These
10:07:21 three in the three counties, that is where you have the Poro
society.

JUDGE SEBUTINDE: Is it a religious society?

THE WITNESS: No, it is not religious. It is difficult to
say what they do in there except to join the society. The only
10:07:38 symbol that you will see for a common people are marks on the
back of the person. You will have marks on your back and if you
see those carvings on anybody you will know that that person is a
member of the Poro society.

JUDGE SEBUTINDE: So why did you say you would not join it
10:07:57 because you are a Christian? Is it incompatible with
Christianity?

THE WITNESS: Yes, it is contrary to Christianity. If you
are a Christian and believe in God, you would not want to go
initiated into another society, or any other organisation that
10:08:15 you think will not be compatible with your Christian religion.
You will be contradicting yourself.

JUDGE SEBUTINDE: How is it incompatible?

THE WITNESS: You will leave to go and join another society
and in the society they will have their own laws and suppose my

back is not supposed to be carved to waste my own blood and then I say, "Well, I am not going to join it, because it has its own rules and regulations and we will have to do these things." Suppose you are in there and they compel you to do certain things
10:08:53 that a Christian shouldn't do, so I just decided to avoid the whole thing and said, "I will not be part of this society because I did not know what was happening in there." I had my Bible to pray with.

JUDGE SEBUTINDE: And you said you were invited. Who
10:09:10 invited you, sir?

THE WITNESS: President Taylor invited me. He asked me. He instructed me to join the society on two or three occasions, but I delayed the process. I would say, "I will come", I will do this this time, I will do that the next time, but it never
10:09:29 happened.

JUDGE SEBUTINDE: Okay, thank you.

MR RAPP: Thank you very much, your Honour, and that will conclude my re-direct examination.

PRESIDING JUDGE: Thank you, Mr Rapp.

10:09:46 JUDGE SEBUTINDE: Mr Witness, I have one question for you that comes out of MFI-24, which is a news archive, a report about your visit to Sierra Leone and what you are alleged to have said to President Kabbah. This is what you are alleged to have said to President Kabbah, it says:

10:10:14 "Liberian President Moses Blah expressed regret Friday for his country's role in Sierra Leone's civil war and assured Sierra Leoneans in a live television broadcast that, 'The past will not be repeated.'"

Now, my question is: What was it that you were expressing

regret for exactly?

THE WITNESS: About the war in Sierra Leone. I told you I saw our fighters Dopoe Menkarzon and Christopher Varmoh, they were in Sierra Leone fighting and they themselves told me that
10:10:56 they were in Sierra Leone fighting. So that was what I was referring to, that as I became President of Liberia I will never send anybody to Sierra Leone to fight with any other group in Sierra Leone, and even not to attack the country directly myself as President. I told them that that will never happen and I
10:11:19 said, "Let bygones be bygones", and that we should live as good neighbours.

JUDGE SEBUTINDE: What exactly did you mean by your country's role in the civil war?

THE WITNESS: By sending people to fight. Like I told you
10:11:34 that the men were going and they had referred to a place called Kuwait and later I found out what Kuwait was and they told us it was a place in Sierra Leone and they brought riches, cars and some other things from out of there. So that was what I was talking about. They sent men in there to fight alongside with
10:11:55 the RUF and so that was what I promised, that it will never happen as long as I remain President of Liberia. I was also referring to the war in Sierra Leone in which Liberia was involved.

JUDGE SEBUTINDE: Yes, but my interest is who had sent
10:12:09 these men to fight, do you know? These Liberians, these individual Liberians, who had sent them there to fight?

THE WITNESS: According to Foday Sankoh, what he told me was that President Taylor had sent his men and they were misbehaving, killing his citizens and I concluded that that was

the fight that I am referring to.

JUDGE SEBUTINDE: Was it true that President Taylor had sent these men?

THE WITNESS: Yes, because Dopoe Menkarzon told me, he said it, and he was the man heading the command out there from the NPFL side. He said it.

PRESIDING JUDGE: Mr Witness, I have one, maybe two or three questions. You have described to us seeing the body of a person you came to recognise as Sam Bockarie at the back of a jeep. Could you tell us what time of the day did you see that?

THE WITNESS: That was about 10 o'clock in the morning.

PRESIDING JUDGE: And what was the visibility like when you saw that?

THE WITNESS: When I --

PRESIDING JUDGE: 10 in the morning, yes.

THE WITNESS: 10 o'clock in the morning and the body was - in fact I was so surprised to see someone who was living and he just passed by my house and I offered them food to eat, I did not take a clear look at his body, but he was lying on the back in the pick-up.

PRESIDING JUDGE: Thank you, witness. Are there any questions arising from the Bench's questions, Mr Griffiths?

MR GRIFFITHS: Can I just ask one matter:

Q. Former President, you were asked by the learned judge about that article flowing from your visit to Sierra Leone. The period you're talking about when Liberians were sent into Sierra Leone, you're talking about 1991/'92, aren't you?

A. Yes.

MR GRIFFITHS: Thank you.

PRESIDING JUDGE: Mr Rapp, questions arising?

MR RAPP:

Q. Witness, low were you able to recognise the body that you took such a brief glance at as Sam Bockarie?

10:14:46 A. Because I saw the man the previous night and he stopped by my house. I identified him by the clothes he was wearing and I knew that was Sam Bockarie's body because he was still dressed in the same outfit he had on him when he stopped by my house together with Benjamin that night and they were offered food and

10:15:09 drinks and after they left.

PRESIDING JUDGE: Thank you. If there are no other questions - thank you, Mr Witness. Please pause, there may be some procedural matters to be dealt with.

MR RAPP: Your Honours, we wanted to make offers of

10:15:28 exhibits. Having not been here for that before, do we do that in the presence of the witness or do we excuse the witness?

PRESIDING JUDGE: There is no firm procedure. We normally try and do it in the presence of the witness, but we have done it in his absence. It's just in case some issue arises.

10:15:48 MR RAPP: Thank you very much, your Honour. At this point then there are several exhibits that have been marked for identification that we would like to move into evidence as Prosecution exhibits and I see that the Registry has helpfully prepared a list of Prosecution MFIs and I believe I would need to

10:16:09 go down through each one of them and move them separately.

PRESIDING JUDGE: Yes, if you make your application one by one I will invite Defence to respond.

MR RAPP: Your Honours, we would move the admission as a Prosecution exhibit of MFI-16, a document described as an

original roster of special force commandos, special force of Liberia.

MR GRIFFITHS: Your Honour, it may be that I can assist my learned friend in this regard: So far as all the Prosecution items marked for identification is concerned, we have no difficulty in them being exhibited. I don't know if that might assist in shortening the process.

MR RAPP: I thank --

PRESIDING JUDGE: It certainly would - sorry, Mr Rapp.

10:17:04 MR RAPP: I thank my learned friend and it would indeed. I would note that there are probably two on the Defence MFI list that we would like the make sure are included and --

PRESIDING JUDGE: I will invite Mr Griffiths if he has any application in relation to the Defence MFIs then he can make an

10:17:25 appropriate application if he so chooses.

MR RAPP: I just don't want to miss the opportunity to move --

PRESIDING JUDGE: In that case you can move those.

MR RAPP: Right. So I would accept certainly the

10:17:35 stipulation of the accused not to object to offering MFI-16, 17, 18, 19, 20 and 21, MFI-22 an exhibit in seven parts, seven different numbers or letters 22A, B, C, D, E, F, G, MFI-23, 24, MFI-25, MFI-26, MFI-27, MFI-28, MFI-29 and I would move for their admission as Prosecution exhibits and then ask after we do that

10:18:14 to raise two on the Defence list.

PRESIDING JUDGE: Thank you, Mr Rapp. I will just check what number we are up to before I go through these one by one and describe them for purposes of record.

MS IRURA: Your Honour, it would be P-116.

PRESIDING JUDGE: Very well. The first is a six page document headed "Original Roster of Special Forces Commandos of the National Patriotic Front of Liberia". It becomes Prosecution exhibit P-116.

10:18:48 [Exhibit P-116 admitted]

The next document is a two page document headed "BBC News, Bockarie died a wanted man". It becomes Prosecution exhibit P117

[Exhibit P-117 admitted]

The next document is a three page document headed

10:19:14 "CNN.com/WORLD" with a subheading "Liberia weapons plane intercepted". It becomes Prosecution exhibit P-118.

[Exhibit P-118 admitted]

The next document is a one page document headed "Special Court for Sierra Leone" dated Monday 30 October 2006 and signed

10:19:38 by James Johnson, acting Prosecutor. It becomes Prosecution exhibit P-119.

[Exhibit P-119 admitted]

The next is a six page document headed "Special Court for Sierra Leone, All Disbursements For Witnesses". It becomes

10:20:03 Prosecution exhibit P-120.

[Exhibit P-120 admitted]

The next document is a one page document headed "Special Court for Sierra Leone" with an inter-office memorandum subheading, "Addressed to all Defence teams" and it becomes

10:20:26 Prosecution exhibit P-121.

[Exhibit P-121 admitted]

The next set of exhibits are a series of photographs and they have been given an MFI number with a sub-number and I intend to adopt the same procedure in the exhibits unless there is an

application to the contrary.

MS IRURA: Your Honour, MFI-22A is an unmarked version of exhibit P-68C.

PRESIDING JUDGE: Yes, that is correct. Well, subject to
10:21:01 anything counsel said it has been marked by this witness and therefore becomes a separate exhibit in my view. It's a new exhibit.

MR RAPP: That would be our position, your Honour.

MR GRIFFITHS: I have no objection whatsoever, your Honour.

10:21:14 PRESIDING JUDGE: Yes, have we got the originals? I will call them from my records, but Madam Court Officer will note that it is the original photographs that will actually be the exhibits. I am going to hold up the copy I have so everyone agrees what it is. The first photograph is a photograph in which
10:22:06 the witness has identified two persons, one Benjamin Yeaten, the other Sylvester Willor. It becomes Prosecution exhibit P-122A.

[Exhibit P-122A admitted]

The next photograph, again I hold it up so people can confirm, in which the witness has identified a person as John
10:22:34 Yanmayan. This becomes Prosecution exhibit 122B.

[Exhibit P-122B admitted]

The next document is a photograph in which the witness has identified several persons including Benjamin Yeaten, Charles Taylor, Musa N'jie and others and it becomes Prosecution exhibit
10:23:03 P-122C.

[Exhibit P-122C admitted]

The next document is another photograph in which the witness has identified several persons including Musa N'jie, Mr Charles Taylor, Joseph Montgomery and others. It becomes

Prosecution exhibit 122D.

[Exhibit P-122D admitted]

The next photograph has been identified by the witness as having Mr Charles Taylor, Musa Cisse and Joseph Montgomery and a lady who he was unable to recall. That becomes Prosecution exhibit 122E.

[Exhibit P-122E admitted]

In the next photograph the witness has identified, among others, Mr Charles Taylor, a senior ADC N'jie, a Gambian gentleman and the Charge d'Affairs of the Ivory Coast and Joseph Montgomery. It becomes Prosecution exhibit 122F.

[Exhibit P-122F admitted]

In the last photograph the witness has identified Mr Charles Taylor, himself Mr Moses Blah, and a person called Allen. That becomes Prosecution exhibit P-122G.

[Exhibit P-122G admitted]

The next document is a three page document headed "BBC News" with a subheading "Freetown bears the scars". It becomes Prosecution exhibit 123.

[Exhibit P-123 admitted]

The next is a one page document with a title "Sierra Leone News Archives" and the date 22 August, the year is not specified. It becomes Prosecution P-124.

[Exhibit P-124 admitted]

The next document is a one page document headed "Daily News" with a date Friday, 24 July 1998. It becomes Prosecution exhibit P-125.

[Exhibit P-125 admitted]

MFI-26 is a two page document headed "Monrovia Daily News"

and it becomes Prosecution exhibit 126.

[Exhibit P-126 admitted]

Then I go to MFI-27, which is the two page copy of The Inquirer, volume 4, number 6, and that becomes Prosecution exhibit P-127.

10:27:50

[Exhibit P-127 admitted]

The next document, which is MFI-28, is a constitution of Liberia. We did record the number of pages when we first marked this for identification and I think, Mr Rapp, you told me there was one page, or was that the different document where there was one - a different document where there was one page. Very well, this is a 24 page document and it is the constitution of the Republic of Liberia. It becomes Prosecution exhibit P-128.

10:28:20

[Exhibit P-128 admitted]

The next document, which is MFI-29, is headed, "Liberian codes revised, volume 3", and I understand it is not an exact numerical sequence. It becomes Prosecution exhibit P-129.

10:28:46

[Exhibit P-129 admitted]

Mr Rapp, you have indicated you would be moving two Defence - two that were marked for identification.

10:29:35

MR RAPP: Yes, your Honours. We would move MFI-31, the fifth report of the Secretary-General on the situation in Sierra Leone, as a Prosecution exhibit.

PRESIDING JUDGE: Mr Griffiths, this document was marked for identification by the Defence.

10:29:57

MR GRIFFITHS: MFI-31, which is the United Nations Security Council fifth report?

PRESIDING JUDGE: Yes.

MR GRIFFITHS: We marked that document for identification,

your Honour. I don't know whether it matters whether it is marked as a Defence exhibit, or as a Prosecution exhibit.

PRESIDING JUDGE: It doesn't in as much as that if there is no objection to it being tendered it has now been moved by the Prosecution and I will therefore give it a "P" number, but as you correctly say, it is a public document. This is a 17 page document which is headed "United Nations" and subheading "Security Council fifth report of the Secretary-General on the situation in Sierra Leone." It becomes P-130.

10:30:56 [Exhibit P-130 admitted]

MR RAPP: Your Honour, the reason we are doing this is we are unsure whether the Defence will in fact offer them, having read out certain passages. We just wanted to make sure the Court had access to the entire document.

10:31:17 The other document was specifically MFI-36H and that is the Human Rights Watch briefing paper of 3 November 2003. Now, I know it was given a lettering, but I think that was simply because it was behind tab 1, but it really is freestanding from the newspaper articles, so we think it is appropriate that it

10:31:41 have a number as a Prosecution exhibit if there is no objection from the Defence.

MR GRIFFITHS: Your Honour, in this particular instance I would like it to be a Defence exhibit, please.

PRESIDING JUDGE: I see.

10:31:53 MR RAPP: We are indifferent to that. If the Defence indicates they will be moving it as an exhibit, we will withdraw our application.

PRESIDING JUDGE: Thank you, Mr Rapp. I note that and if there are no other Prosecution tenders I will then invite

Mr Griffiths to see if he has any documents he wishes to tender of those marked for identification.

MR GRIFFITHS: Well, I was proposing, your Honour, to tender all of these to be exhibited and I don't know if my learned friend has any objection to any of them. It might be that we can deal most efficiently with this if my learned friend indicates any specific objections that the Prosecution have.

MR RAPP: Yes, your Honours. Let me be plain, I think the ninth item on the list, MFI-38, the affidavit of Jusu Momo, we would have objection to and be happy to argue that separately, or to present our objection. We essentially believe it would be would have to be offered under 92 bis and it would be the kind of individual that would be subject to cross-examination.

The eighth document, MFI-37, we really have no objection to the autopsy report coming in, it is relevant, but it really shouldn't come in through this witness who is totally unfamiliar with it and our position is that it could be offered by the Defence separately as a relevant document and we would have no objection to its admission.

PRESIDING JUDGE: In that case what I will do, Mr Griffiths, is I will go through this list and when we come to the documents that counsel for the Prosecution has indicated he will object to, we will deal with them individually.

MR GRIFFITHS: Your Honour, very well.

PRESIDING JUDGE: The first is a series of photographs which the - let me first check what number we are up to on the Defence list. Madam Court Attendant, if you could assist, please.

MS IRURA: D-33, your Honour.

PRESIDING JUDGE: Thank you, D-33. The first of these is a photograph on which the witness has identified certain persons. It was marked for identification as MFI-30A and he has identified himself, Mr Charles Taylor and Momoh Gibba. That will become Defence exhibit --

10:34:22 MS IRURA: D-33, your Honour.

PRESIDING JUDGE: D-33A.

[Exhibit D-33A admitted]

The next is also a photograph. Again the witness has identified certain persons as Mr Charles Taylor, General Cona and the witness himself, Mr Moses Blah. It will become Defence exhibit D-33B.

10:34:39 [Exhibit D-33B admitted]

The next is again a photograph in which the witness has identified a gentleman as an ADC of the President, Mr Charles Taylor shaking hands with a gentleman called Flomo, Mr Flomo. That will become defence exhibit 33C.

10:35:04 [Exhibit D-33C admitted]

And the last of those photographs in which the witness has identified certain persons: First is the bodyguard, the second was President Charles Taylor and the third was a chief of staff, Cona. That becomes Defence exhibit 33D.

10:35:25 [Exhibit D-33D admitted]

The next document has been tendered by the Prosecution and following from that is MFI-32 which is, "Liberia's response to allegations of our involvement in the Sierra Leone civil war", issued by the Ministry of Information, dated 26 January 1999. It becomes Defence exhibit D-34.

10:35:53 [Exhibit D-34 admitted]

The next document is a Security Council letter dated 22 March 2001 from the permanent representative of Liberia to the United Nations with the annexure thereto. It becomes Defence exhibit D-35.

10:36:43 [Exhibit D-35 admitted]

The next document is MFI-34. It is a letter from the permanent representative of Nigeria, dated 10 July 1998, to the Security Council and it and the annexures thereto are Defence exhibit D-36.

10:37:11 [Exhibit D-36 admitted]

The next document is MFI-35. It is a letter dated 5 July 2001 from the permanent representative of Liberia to the United Nations. The letter and the annexures there to become Defence exhibit D-37.

10:37:40 [Exhibit D-37 admitted]

The next is a series of newspaper reports and the report of Human Rights Watch, which were marked together and I will go through them one by one. The present MFI-36A, a one page document, AFP news article, dated 7 April 2008. I would suggest

10:38:13 that it would be appropriate to give them separate numbers as they are not really coordinated documents, but I will --

MR GRIFFITHS: I am quite happy for your Honour to adopt that course.

PRESIDING JUDGE: It will become D-38.

10:38:30 [Exhibit D-38 admitted]

The next is also a newspaper report headed 'All Africa.com", with a subheading "Blah's testimony". It becomes D-39.

[Exhibit D-39 admitted]

The next is a one page document headed "Star Radio Liberia", with a subheading "Blah subpoenaed". It becomes Defence exhibit D-40.

[Exhibit D-40 admitted]

10:38:54 The next is again a newspaper report, "The analysis", and it is the subheading, "Monkomana wanted bucket of blood", a two page document. It becomes D-41.

[Exhibit D-41 admitted]

The next document is a one page document "Christian Science
10:39:13 Monitor", with the subheading, "Liberian President plans to step down". It becomes Defence exhibit D-42.

[Exhibit D-42 admitted]

The next document is a Sierra Leone News Archive, several pages. It is August 2003 and it becomes Defence exhibit D-43.

10:39:36 [Exhibit D-43 admitted]

Next, MFI-36G, is the International Herald Tribune with the subheading, "Peacekeeping and diplomacy". That becomes Defence exhibit D-44.

[Exhibit D-44 admitted]

10:39:52 Now, Mr Griffiths, you have heard that the next document, MFI-37, has been the subject - yes, 36H is the Human Rights Watch report and I note it is not on the list, but it is clear to me that you intend to have that exhibited.

MR GRIFFITHS: Certainly, your Honour.

10:40:21 PRESIDING JUDGE: Yes. It is a 33 page document headed "Human Rights Watch, 3 November 2003", with a subheading, "Weapons sanctions, military supplies and human suffering". It becomes Defence exhibit D-45.

[Exhibit P-45 admitted]

Now, Mr Griffiths, you have moved to tender the autopsy report. There is an indication that it will be objected to. I will hear the objection and invite your response.

MR GRIFFITHS: I am grateful.

10:41:24 MR RAPP: Your Honours, I want to make sure that you understand the nature of my objection and I am not attempting to be pedantic here, but this witness did not have any knowledge of an autopsy or of this document and questions were asked to him about the body of which he did have some knowledge. We would 10:41:48 submit that it is inappropriate to base the admission of this document on this witness's testimony. It would be like putting a UN resolution to someone who had never heard of the resolution. So we don't think it can be done that way.

On the other hand we think it can be offered as a relevant 10:42:09 exhibit and this Court, which is not bound by national rules of evidence under Rule 89, could accept it on that basis. It could be done in writing, but we certainly would not object to an oral application for its admission.

JUDGE LUSSICK: Just, Mr Rapp, I accept what you say and 10:42:25 the document is definitely relevant, but it was presented to the witness in cross-examination presumably to contradict him, or to at least obtain his comments on it, and it seems to me that some of the transcript would not be able to be understood unless that document was put into evidence as well. My view is that if it's 10:42:52 used in cross-examination in the manner it was it should be tendered now. I don't know whether you wanted to expand on your original objection in view of what I have said.

MR RAPP: Well, your Honours, we are trying to make sure that we are following the appropriate procedure before the Court

and when a witness is not familiar with the contents of a particular document, basing its admission as an exhibit in this Court on his testimony seems to us perhaps to suggest that it's not as relevant or as probative as it should be, but again our
10:43:31 position is that it is a relevant document, it is important that it be in the record and we have no objection to it being there.

PRESIDING JUDGE: There being no objection, shall I mark it as an exhibit? Because Mr Griffiths has a right of a reply, but --

10:43:54 MR RAPP: I would suggest under the circumstances, hearing what the Honourable Justice has indicated, and hearing that argument, let me just withdraw my objection and go ahead and say let's have it admitted as an exhibit.

PRESIDING JUDGE: Thank you, Mr Rapp. In the circumstances
10:44:13 I will then mark this as a Defence exhibit D-46. That is the autopsy report from the Central Laboratory Services with a note Connaught Hospital dated 4 June 2003. It becomes Defence exhibit D-46.

[Exhibit D-46 admitted]

10:44:42 Now the next document that was marked for identification was a one page document headed "Affidavit of Jusu Momo". I note the Prosecution has indicated there will be an objection. I will hear that objection and invite a reply.

MR RAPP: Your Honours, this is the statement of an
10:45:04 individual sworn before a notary in Liberia, but that's not the way in which we hear the evidence of persons in this trial and under our procedure generally it's by oral testimony. There is an exception under 92 bis for oral statements that are properly verified when they don't go to the acts and conduct of the

accused.

Frankly it would be our submission under the law established in the ICTY Appeals Chamber in the Milosevic case dealing with 92 bis that since the issue here is Yeaten - whether
10:45:44 Yeaten took the body to the chief, to Taylor, or, as alleged here, this witness took it, which would be something to the contrary, it is an issue relating to Yeaten and it is possible under 92 bis to bring in testimony relating to a subordinate or an accomplice. However, the precedent if we were to follow the
10:46:09 ICTY would suggest in this kind of suggestion that cross-examination would be necessary of this kind of witness and under those circumstances we don't think it can be offered.

Additionally we note that this is not a business record or some kind of public document created at some time in the past.
10:46:29 It is something prepared for this litigation. I think it bears the date 15 May 2008, if I read the numbers correctly, just six days ago, clearly prepared even while this witness was testifying. So under those circumstances we would object to its admission without this witness being available for
10:46:51 cross-examination.

PRESIDING JUDGE: Your reply, Mr Griffiths?

MR GRIFFITHS: Your Honours, in our submission the document is relevant to an important aspect of this witness's testimony as it directly contradicts an important aspect of the account that
10:47:13 he gives. It is therefore in consequence, we submit, important and relevant in placing his account in context.

We further submit that it is logically connected to the witness's evidence and it is difficult to see how the witness's evidence on what is undoubtedly perhaps the most important aspect

of his account could be understood without your Honours being at the same time in a position fairly to juxtapose this document against that account.

I appreciate the difficulties that my learned friend has
10:47:56 described. In our submission, no doubt your Honours will bear those difficulties in mind in deciding how much weight to attach to the document. Those are our submissions, your Honour.

PRESIDING JUDGE: Thank you. Allow me to consult.

[Trial Chamber conferred]

10:51:17 We have considered the submissions. We consider that the document is relevant and the objections go to weight. The document is therefore admitted and becomes Defence exhibit D-47.

[Exhibit D-47 admitted]

The next document is a three page document "CNN
10:51:45 Transcript", subheaded "Presidents of Liberia and Nigeria hold press conference" and it becomes Defence exhibit D-48.

[Exhibit D-48 admitted]

The last document is, if I recall correctly, six pages. We will check that for the record. It is headed "In the High Court
10:52:23 of Justice, Queen's Bench Division" with a subheading "Between Charles Taylor and Times Newspapers Limited". It becomes Defence exhibit D-49.

[Exhibit D-49 admitted]

MR GRIFFITHS: I am most grateful, your Honour.

10:52:43 PRESIDING JUDGE: That appears to be all of the documents marked for identification. I will now release the witness, unless --

MR RAPP: Yes, your Honour.

PRESIDING JUDGE: Mr Witness, that is the end of your

evidence. We thank you for coming to give your evidence to Court and you are now free to leave.

THE WITNESS: Your Honour.

PRESIDING JUDGE: We wish you a safe journey home.

10:53:11 THE WITNESS: Your Honour.

PRESIDING JUDGE: Thank you. Please assist the witness.

I note a change of position on the Prosecution Bar, but I understand there is an interpreter to be sworn in prior to the calling of the next witness. If that can be done first and then

10:54:24 I will ask Prosecution for details of the incoming witness. If the interpreter could come into the well of the Court, please.

[Interpreter sworn]

Thank you, Madam Interpreter. We welcome you to the Court and I will ask for a record of your name for the purposes of the

10:55:28 record later.

THE INTERPRETER: Thank you, your Honours.

PRESIDING JUDGE: Mr Koumjian, I assume you have carriage of the next witness as I see you have taken the hot seat.

MR KOUMJIAN: Good morning, your Honours. I will be

10:56:11 leading the next witness. The next witness is TF1-597. The witness does have protective measures that were put in place by a decision of this Trial Chamber on 10 January 2008, referring to a decision on protective measures of 5 May 2006. The witness had pre-trial protective measures in place. The witness has

10:56:35 indicated he is willing to testify openly and so because of that the Prosecution would move to rescind paragraphs (a) through (g), realising that paragraph (h) remains in place for the witness, which guarantees confidentiality of confidential documents.

PRESIDING JUDGE: May I please have the date of that order

again, Mr Koumjian?

MR KOUMJIAN: The decision for this witness, TF1-597, was issued by this Trial Chamber on 10 January 2008 and referred to the decision of May, I believe 5 May 2006, and those protective
10:57:29 measures in that order were listed in paragraphs (a) through (h). We are asking that all be rescinded except for the last (h). I believe exactly the same procedure was used on the last witness. We do have copies of that decision if the Court would like them.

JUDGE LUSSICK: I am probably not following it properly,
10:58:06 Mr Koumjian, but I have got - no, listen to me. I have got the decision here. You are talking about (a) to (h) and rescinding all except (h), but what I can't understand is if the original protective order had provisions (a) to (m) and if we are looking at (a) to (m), which are the ones you want to apply and which are
10:58:25 the ones you want rescinded?

PRESIDING JUDGE: It would be helpful if you have a copy.

MR KOUMJIAN: [Overlapping speakers] copy of that decision. Let me see if I can get one.

MR MUNYARD: Madam President, your Honour, I will be
10:59:24 dealing with this witness from the point of view of the Defence and I would be grateful to my learned friend if I could be supplied with a copy, particularly now that I have heard Justice Lussick's comment that this decision goes beyond letter (h). I thought I had understood - I am very grateful - what the
10:59:41 protective measures were, but I didn't realise that they went beyond letter (h). Thank you.

MR KOUMJIAN: Yes, well, I am grateful to the Court for bringing the decision to my attention that goes through the letter (m). I believe (i) through (m) refer to various measures

that the Trial Chamber imposed upon the Defence to ensure that non-public materials remained non-public, so since we are asking that (h) remain then we would ask that those remaining measures also remain in place. So the Prosecution motion is to rescind (a) through (g), while keeping in place (h) through (m).

MR MUNYARD: I can indicate that we don't have any difficulty with that.

PRESIDING JUDGE: Thank you, Mr Munyard.

[Trial Chamber conferred]

11:01:01 MR MUNYARD: Madam President, can Mr Taylor be excused for a moment for the usual reasons?

PRESIDING JUDGE: Yes, please have Mr Taylor escorted.

MR MUNYARD: Thank you.

[In the absence of the accused]

11:01:47 PRESIDING JUDGE: Mr Koumjian, there is a reference in the decision to an annexure. Have you got a copy of the relevant annexure?

MR KOUMJIAN: I am sorry, could your Honour repeat the question? I didn't quite get it and my LiveNote is not up yet.

11:02:41 JUDGE SEBUTINDE: We are interested in the annex that contains the witnesses, the witness pseudonyms.

[The accused present]

MR KOUMJIAN: I am sorry, could your Honour tell me the annex to which decision?

11:03:15 JUDGE SEBUTINDE: Sorry, my attention has been drawn to the specification of the witnesses in one of the paragraphs of the decision. Therefore, the request for an annex does not arise.

MR KOUMJIAN: Thank you.

PRESIDING JUDGE: We note the application and, by consent,

order that the rescission of the protective measures listed in paragraphs (a) to (g) of the decision of 5 May 2006 are hereby rescinded.

Mr Koumjian, what language will the evidence be given in?

11:04:00 MR KOUMJIAN: The witness will testify in Sierra Leone Krio, your Honour.

PRESIDING JUDGE: Please call the witness and, Mr Interpreter, is the Sierra Leone Krio interpreter in position?

THE INTERPRETER: Sure, your Honours.

11:04:17 PRESIDING JUDGE: Very good.

MR KOUMJIAN: The Prosecution calls Samuel Kargbo.

PRESIDING JUDGE: Thank you.

WITNESS: SAMUEL KARGBO [Sworn]

EXAMINATION-IN-CHIEF BY MR KOUMJIAN:

11:06:26 Q. Good morning, sir. Would you please tell the Court your name and spell your name for the record?

A. My name is Samuel Kargbo. S-A-M-U-E-L, Samuel. K-A-R-G-B-O, Kargbo.

Q. Sir, can you tell us when you were born?

11:06:55 A. I was born on 6 June 1970.

Q. Thank you. Mr Witness, if you could try, when you are testifying, to look at the judges. They are interested in having contact with you. Can you tell us where you were born, sir?

A. Okay. Yes, I was born in Freetown, Sierra Leone.

11:07:19 Q. What is your nationality, then?

A. My nationality is Sierra Leonean and Limba by tribe.

Q. Sir, what languages do you speak or understand?

A. I speak Krio and understand it, I speak Limba and understand it and I speak English and understand it.

Q. Can you tell us what your education has been?
A. I went to school at the Government Rokel Secondary School and stopped at form 3.
Q. Thank you. Sir, have you ever performed any military
11:08:03 service?
A. Yes, I joined the army in 1990 and I served until 2001 and I was discharged from the army.
Q. First let me ask you, which army did you join in 1990?
A. The Sierra Leone Army. On 1 December I joined the army in
11:08:39 1990.
Q. When you joined the Sierra Leone Army, did you undergo any training?
A. Yes, I underwent training at the Daru, Moa barracks and at that time it was in the 3rd Battalion of the Sierra Leone Army.
11:09:05 Q. Can you give us a brief description of the training you underwent?
A. Yes, I underwent infantry training, basic training, at the Daru, Moa barracks.
Q. How long did your training last?
11:09:26 A. Well, we started in December and the training stopped on 23 March when the rebel incursion started. That was when the training stopped.
Q. And when you speak of the rebel incursion, can you just make it clear what you are speaking of?
11:09:51 A. When the rebel incursion started, that was the time the RUF invaded on 23 March and we stopped the training straight off and we were there at Daru, Moa barracks on stand by and on the 25th I was sent to Koindu to go there to serve as border guards. That was where we were when the was training stopped and I was there

up to 27 March when the rebels attacked us and pushed us of the of the town. That is the RUF.

Q. So you were in Koindu until the attack when you were pushed out of the town. I'm sorry, did you give us the date when that attack took place?

A. Yes, 27 March. That was the time the attack took place in Koindu and we were pushed out of the town.

Q. Okay, so you were just in Koindu for a couple of days before the attack. Is that correct? Do I understand you correctly?

A. Yes, yes.

Q. After you were pushed out of Koindu by the attackers where did you go?

A. We went straight to Buedu, but we did not stop at Buedu for long, then we went straight to Kailahun Town. We went straight to Kailahun Town and we were based there.

Q. And can you summarise for us where you were for the rest of 1990?

A. For the rest of 1990 I was at the Daru, Moa barracks and after all we were - after they had pushed us we came and we stayed in the Daru, Moa barracks. We were there in the barracks up to 1991 - sorry, 1991 we were in Daru, Moa barracks. Up to that time we were taken and we went to Benguema where they shot me, and I was taken to the Daru, Moa barracks hospital and later I was referred to Freetown and from Freetown I was in Freetown up to December 1992 and up to - sorry, up to January 1992 and then I was referred to go back to Daru and I returned to Daru. I was there in 1992 up to 27 April and we went to Freetown with the NPRC and we overthrew. Sorry, 29 April.

PRESIDING JUDGE: Mr Koumjian, I noticed you had asked the witness about 1990, whereas in fact he said he joined in December 1990 and then the next - it would seem logical that the March would be '91, but I think the witness himself has corrected the situation.

11:12:52 MR KOUMJIAN: Thank you, yes. My apologies:

Q. Sir, you have just then explained where you were for the rest of 1991 up until the NPRC coup on 29 April 1992. So during that time you were in which district in Sierra Leone or districts?

11:13:12 JUDGE SEBUTINDE: Did the witness refer to the NPRC coup at all?

MR KOUMJIAN: I don't believe he said the word "coup", but he said - "the 1992 overthrow" was the words he used for the NPRC.

11:13:25 MR MUNYARD: He did refer to NPRC.

MR KOUMJIAN:

Q. So, sir, from the time you went to Daru barracks after Koindu in March 1991 until you went to Freetown at the time of the NPRC overthrow, what districts were you in within Sierra Leone?

11:13:42 A. Well, I was in the Kailahun District during that time up to the time I went to Freetown and I was referred again to come back to the Kailahun District after the overthrow. And after the overthrow I was referred back to go to Freetown, so I was now in Freetown.

11:14:06 Q. Okay, sir, let's take it step by step and try not to get too far ahead of me because I need to take things slowly. So I am going to ask you about the time before the NPRC coup when you

were in the Kailahun District. Now you told us in March '91 there was an invasion. Were you involved in fighting in Kailahun district between the time you went to Daru barracks in March and the time you went to Freetown in April 1992?

11:14:47 A. We will fight against the rebels. By then I was with the government force, the SLA, the Sierra Leone Army.

Q. Thank you. Now when you say "fight against the rebels", can you tell us did you learn who you were fighting against?

A. Yes, I was fighting against the RUF. That is the

11:15:07 Revolutionary United Front. That was how they referred to themselves at that time.

Q. Did you learn who these people were that you were fighting against that were - that you referred to as RUF? What their nationalities were?

11:15:29 A. Their nationalities mostly, that is the ones we rescued from the bush, they told us they had Gios amongst them and most of the others that they met were Mendes.

Q. Okay. I understand when you are answering about the tribe and I'm sorry I used the word "nationality" which is ambiguous.

11:15:53 Do you know which country these people came from, the Gios and the Mendes that you are talking about?

A. The Gios were from Liberia and the Mendes were Sierra Leoneans.

Q. How do you know that there were Liberians that you were

11:16:16 fighting against?

A. Well, through the people that we rescued from the bushes, they told us that these ones were Gios and they were Liberians, together with their Mende brothers who were from Sierra Leone. The Gios were from Liberia. They had some other names that they

referred to as Special Forces. They told us those were the people.

JUDGE SEBUTINDE: Mr Koumjian, who are the people that they rescued from the bushes? What does that mean?

11:16:51 MR KOUMJIAN: Thank you:

Q. Sir, can you explain to us what you mean when you talk about the people you rescued from the bushes?

A. Well, by then they were our own citizens that we protected. When they fled into the bush at the time of the war they ran into

11:17:12 the bush, so anywhere we liberated we would set up a team, a patrol team, that will go to the bushes to get them out. Those were the ones that gave us the information and they were the ones who escaped from them.

Q. Did you capture any of the enemies that you recall?

11:17:36 A. Yes, we captured one in Koindu during the time we re-advanced to repel them from Koindu. He was called Harrison George and he gave us all their codes and their passwords that we used to enter Foya. He told us that they came from there to attack us and he said the code was "commando brave strong

11:17:59 intelligent". He told us that that was the password that we were supposed to use so that we would be able to enter there. But we did not do that. He told us about the person who was there. He said he was a Sierra Leone by the name of Pa Morlai, but we said we did not know that person and so we captured him and we handed

11:18:18 him over to government.

Q. Thank you. I want to ask you a few questions about your last answer. First, can you repeat slowly the name of the man you captured, or woman, whichever it was?

A. The name is Harrison George.

Q. That is Harrison, H-A-R-R-I-S-O-N, is that correct?
A. Exactly.
Q. This was a man or a woman?
A. That is a man.
11:18:51 Q. And, sir, you indicated that - there was a reference made to Pa Morlai. Can you explain again who was that person?
A. Well, of late we later came to know that it was Foday Sankoh, but by then he told us it was Pa Morlai, but of late we had to pick up that the rebel leader he referred to was Foday
11:19:17 Sankoh.
JUDGE SEBUTINDE: Could we have a spelling of that, please?
MR KOUMJIAN:
Q. Pa is the two letters P-A. Morlai, M-O-R-L-A-I. Is that correct, Mr Witness?
11:19:31 A. Yes, sir. It's correct, sir.
Q. Now, sir, you talked about rescuing people from the bush. Can you tell us did you observe anything about how these invading forces treated civilians during the time you were in the Kailahun District before the NPRC coup?
11:19:57 A. Yes, they were treating them badly. They even used to take them, carry them and recruit them. They took their loads, their luggage from them. Most of the people in fact they captured were women and children, were people that we rescued from the bushes mostly, but we did not get people who were as strong as I am to
11:20:22 be rescued.
PRESIDING JUDGE: Mr Witness, because everything you are saying is being interpreted could I ask you to try and speak slowly to allow the interpreters to hear you properly.
THE WITNESS: Okay, Madam.

MR KOUMJIAN:
Q. Sir, what did you actually see that made you believe that civilians had been treated poorly by the invading forces?
A. Well, they were actually treated badly, because they told
11:20:59 us that they even used to eat people, that is the Gios. And they were killing people, they were burning down houses and most of the areas where we patrolled we saw houses burnt down.
Q. You said that also that they were killing people. Did you ever observe any killing or any bodies of people that appeared to
11:21:22 be civilians who had been killed?
A. Yes. I did not see it happen, because during the attack when we were attacked we will pull out, but we mostly met the corpses in the bush and they will tell us that these were the people that the RUF rebels killed and they told us that the Gios
11:21:46 in fact used to eat some of those people.
Q. Sir, did you ever run across any checkpoints that your enemies had set up?
A. Yes.
Q. Can you tell us anything you remember about those
11:22:09 checkpoints?
A. Yes, mostly we will meet human intestine crossed over the road and they will decapitate heads and then put them on sticks by the wayside so when you get to such areas you will know that it was a dead zone.
11:22:33 Q. Okay, thank you. Now I want to move back to - you told us that in 1992 you went to Freetown and you talked about the NPRC overthrow. Sir, were you involved in those events?
A. Yes, I was involved in that. I was - I served as security to by then second lieutenant Idrissa Kamara. I was with him by

then during the NPRC overthrow.
Q. So which side of that conflict between the NPRC and the government were you on? Let me try and rephrase my question because it assumes something that is not necessarily true. Sir, 11:23:21 were you part of the pre-NPRC forces when you say you served as a bodyguard, or are you talking about after the NPRC overthrow that you were serving as a bodyguard to Mr Kamara?
A. I was part of them in a group, but as a security to second lieutenant Idrissa Kamara at that time.
11:23:48 Q. You were part of who when you say you were part of them?
A. I was part of the NPRC as a security when we went to overthrow. I was part of the manpower that went down to overthrow.
Q. Okay, thank you very much. Now after going to Freetown, 11:24:10 you said in April, how long did you stay there?
A. Well, I was there in April/May and by the end of May we were sent to Daru to try to recapture all the areas where the rebels were. So we were returned to Daru. And from Daru we advanced and when we advanced the first point which was the 1st 11:24:37 Battalion by then of the rebels was at Quiva and at that time again I was shot in my leg and up to this moment the bullet still remains there. So I was returned to Freetown.
Q. Okay, just so the record is clear, who shot you, if you know?
11:24:58 A. Well, it was the rebels, because during the time they came and attacked us we had captured the town for about 72 hours. They attacked us in the morning and they shot me in my leg and then I was returned.
Q. And can you tell us again which district Daru barracks is

in?
A. It is in the Kailahun District.
Q. After returning to the Daru barracks in 1992 how long did you stay in Kailahun District?
11:25:39 A. Well, I cannot exactly tell the right date when I returned, but after I was shot I was taken back to Freetown and I was admitted at the 34 military government hospital.
Q. What year was that?
A. Well, that was in 1992.
11:25:59 Q. Okay. How long did you stay in the hospital?
A. Well, I was in the hospital for about three months and I was discharged and I was sent back to my State House.
Q. When you were posted - is that the State House in Freetown, sir?
11:26:19 A. Exactly.
Q. When you were posted at the State House, were you in a particular unit?
A. Well, after I was posted to the State House I was attached to the public relations officer, by then Lieutenant Karifa
11:26:43 Kargbo. He was the public relations officer. That was where I was posted as security.
Q. Okay, sir, I want to jump ahead then to the 1996 elections. Do you recall that there were elections in Sierra Leone in 1996?
A. Yes.
11:27:06 Q. Prior to the elections, where were you assigned?
A. Well, during the time the campaign drew near to the election an attack took place around the Kenema area where they were cutting people's fingers and they left the big thumb. So they came closer to Joru which is very close to Kenema and they

took us from the secretariat at Freetown and they said we should go and repel them from Joru. But by that time the RUF had declared Operation No Election. So we went there and we repelled them from Joru, we got people from out of the bush and some of
11:27:48 our colleagues were shot. Some of the our colleagues were shot. We brought them to the Kenema hospital and we met those people whose four fingers and only the thumb was spared. We asked them and they told us it was the RUF that did that to them.

Q. Thank you. The proceedings will go a little bit smoother
11:28:06 if you give short answers that directly answer the question. So I want to cover what you have just said, but let's go back to the question I asked you. Prior to these events you are talking about and prior to the election where were you assigned?

A. Before the elections I was in Freetown when they started
11:28:31 attacking Joru, so we were sent there.

Q. So you were sent to where exactly from Freetown after the attack on Joru?

A. They sent us to Kenema exactly.

Q. Sir, when you went to Kenema can you tell - well, first of
11:28:48 all you said they were attacking. Who was it that was attacking in that area of Joru, Kenema?

A. It was the RUF, the Revolutionary United Front, at that time.

Q. Did you actually go to the town of Kenema?

11:29:11 A. Yes.

Q. Did you pass through villages on the way to the town?

A. Yes.

Q. Can you tell us what you saw on your way to Kenema and once you got to Kenema?

A. Yes.
Q. Thank you. What did you see, sir, that you can recall now?
A. Well, during the time we were going to Kenema, it was peaceful until the time we got into Kenema. The villages through
11:29:47 which we passed.
Q. When you got to Kenema, what did you see?
PRESIDING JUDGE: Sorry, Mr Koumjian, to interrupt you, but in fact we are up to our time limit.
MR KOUMJIAN: Thank you.
11:29:58 PRESIDING JUDGE: It might be better to recommence. Mr Witness, we normally take a mid-morning break at this time. We will be adjourning for half an hour and we will be starting court again at 12 o'clock. Please adjourn court until 12.
[Break taken at 11.30 a.m.]
11:54:02 [Upon resuming at 12.00 p.m.]
PRESIDING JUDGE: Mr Koumjian, if you wish to proceed. I will just again ask the witness that, Mr Witness, I know we all have a tendency to speed up as we speak, but if you could remember the interpreters who are trying to keep up with you and,
12:02:11 as counsel has said, pause now and again in your answer. Please proceed, Mr Koumjian.
MR KOUMJIAN: Thank you, your Honour:
Q. There was a point where you talked about the capture of Harrison George. I believe I had it on page 52, line 11, but my
12:02:29 numbering may be different than your Honours's. You said, "Harrison George, he gave us all their codes and their passwords ...", and what the transcript that we have, sir, says is that, "... we used to enter Foya. He told us that he came from there to attack us", and so I am a bit confused by that answer. Can

you clarify what did Harrison George tell you about Foya and what - well, first let me ask you that question.

A. Harrison George told us that - he said they were doing training in Foya. That was where they were coming from to attack us.

Q. Okay. Now did you, in other words the members of the Sierra Leone Army at that time, use his information to cross the border, or not?

A. No, we did not use his information to cross the border because just after he gave us the information they came and attacked us again and they were dislodged finally.

Q. Okay, thank you. Then referring to page 51, I believe it is, lines 8 through 15 --

PRESIDING JUDGE: Could I just clarify, Mr Koumjian. "They were dislodged finally", is that what the witness said? "They were dislodged finally"?

THE WITNESS: Yes, they dislodged us finally, the RUF rebels who were with the RUF. The Liberians who were with the RUF, the Gios, the Special Forces.

MR KOUMJIAN:

Q. Sir, later I asked you --

JUDGE SEBUTINDE: So then the text should read "and we were dislodged finally".

MR KOUMJIAN: Yes:

Q. Sir, and then I asked you - my question was:

"You said that they were also killing people. Did you observe any killing or any bodies of people that appeared to be civilians who had been killed?"

You answered:

"I did not see it happen because during the attack when we were attacked we will pull out, but mostly met the corpses in the bush."

Then you said:

12:04:57 "And they will tell us that these were the people that the RUF rebels killed and they told us that the Gios in fact used to eat some of these people."

So, sir, who is it that you are talking about when you said that, "And they will tell us that these were the people that the

12:05:19 RUF rebels killed ..."? Who told you that?

A. It was after we had taken the people from out of the bush when we were dislodged we went and we came back to repel the attack, but we were unable. We got some people from the bush and they told us that the RUF rebels came to - it was the RUF rebels

12:05:43 who had come to attack and they said they dislodged us and they killed people and burnt the town down.

Q. Sir, these people from the bush that you are talking about, were they fighters, military people, or civilians?

A. They were civilians.

12:06:03 Q. Thank you. And then you went on to say, "... and they told us that the Gios in fact used to eat some of those people". Who told you about the Gios eating some people?

A. It was the civilians whom we took from out of the bush.

Q. Okay, thank you. When we left off I was asking you about

12:06:27 the 1996 elections and you had explained that you had been sent to Kenema and gone to the town of Kenema. Sir, did you get to Kenema before, after, or during the election?

A. Before the elections.

Q. When you got to the town of Kenema, can you tell the judges

what you saw?
A. When we got to Kenema there were a lot of displaced who had come to Kenema, some others were in the bush and we went to the secretariat where we were all assembled.
12:07:08 Q. When you say there were a lot of displaced in Kenema, what do you mean?
A. The civilians who had managed to escape from the other areas.
Q. And what about the town of Kenema itself? Do you now have
12:07:23 any recollection of anything you observed in the town?
A. There were a lot of people in the town. It was full. We did not even pass there and they told us that we were to go to Joru.
Q. Now when you talked to the civilians in Kenema, what did
12:07:50 they tell you about what had been happening prior to your arrival?
A. Well, when we got to Kenema we did not even talk to the civilians. It was after we had been sent to Joru, when we went we attacked and repelled the attackers, but some of our
12:08:16 colleagues were shot. Even when we came back to the Kenema hospital it was then that we had some talk with one or two of them. Some of them their fingers were cut off. They only had the thumb left and they told us it was the rebels and they said the rebels had told them that it was 1-love to the soldiers and
12:08:36 they said the operation was called non-election.
MR MUNYARD: I didn't rise to object because the witness was halfway through his answer, but as far as I could tell the witness had not said that the civilians in Kenema had told them anything. My learned friend's question was, "When you talked to

the civilians what did they tell you?" I don't believe that was based on any foundation. I am simply rising at this stage after the fact to remind my learned friend to make sure that no leading questions are put, or no questions without foundation are put in
12:09:14 examination-in-chief.

JUDGE SEBUTINDE: I am looking at line 16. The witness said, "It was 1-love to the soldiers." What does that mean?

MR KOUMJIAN:

Q. Mr Kargbo can you explain what you meant - the transcript
12:09:37 indicates you said the civilians said it was 1-love to the soldiers. Did you say that?

A. It was not the civilians. It was the way their fingers were cut off. All of the four fingers were cut off. It was only left with the thumbs. So they told them to go and tell the
12:09:59 soldiers that it was 1-love, there was going to be no elections. When we came to Kenema and met some of our colleagues who had been shot in the Kenema hospital, government hospital in Kenema.

Q. Mr Kargbo --

PRESIDING JUDGE: Just before you proceed, Mr Koumjian, you
12:10:16 have noted that Defence counsel will be objecting to leading, so for purposes of record we have noted that.

MR KOUMJIAN: I thought the witness had said that and I haven't reviewed the transcript, but I will take counsel's word for it that it wasn't said before:

12:10:32 Q. Sir, it would be helpful to us to try not to use the words, the pronouns "he" or "they", if you can. Instead of saying "they" you can explain who it is you are talking about. First of all, when you talked about people talking about the fingers being cut off, who was it who was telling you that?

A. The civilians in the Kenema government hospital. They said the RUF rebels had cut off their forefingers and it was only left with the thumb.

Q. Then at one point, I am reading from line 17, you said, 12:11:13 "They told them to go and tell the soldiers love" - or something like that you said. Who was speaking to who and told them to go and tell something?

A. The rebels said they were to go and tell the soldiers 1-love. That was the Sierra Leonean government soldiers. That 12:11:39 they should tell them it was 1-love, they did not need any elections. It was Operation No Elections. That was why they cut off the four fingers and it was only left with the thumb. That was done by the RUF rebels.

Q. And the rebels told that to who?

12:11:54 A. They told the civilians whose fingers had been cut off.

Q. Thank you. Did you actually see civilians with their fingers cut off?

A. Yes.

Q. And where was that that you saw that?

12:12:15 A. At the Kenema government hospital.

Q. After the elections what happened to your assignment?

A. After the elections they hand power over to the SLPP government and within three months I was assigned to Bradford and at that time there was a Lieutenant Colonel Yira Koroma who 12:13:01 addressed us. We were the special security and we were referred to as Junglers to the NPRC. We used brown beret. We were assigned to the defence headquarters. That was where we were. From there they told us that they wanted Superman from the RUF side who had come around the 91 Highway --

THE INTERPRETER: Your Honours, can the witness repeat that last bit.

PRESIDING JUDGE: Pause, Mr Witness, please. The interpreter asks that you repeat the last part of your evidence. Please pick up where you said, "They wanted Superman from the RUF who had come around the 91 Highway". Continue from there.

THE WITNESS: We did not know how the army got in touch with them, but as I was saying one Lieutenant Colonel Yira Koroma was the one who addressed us at the defence headquarters at Cockerill. He said Superman wanted to surrender and he was an RUF, but he said he will not surrender to the Kamajors. He said he would only surrender to the soldiers who were in that Special Forces brown beret Junglers, they said we were to go to Bradford for Superman to come and surrender to us. When Lieutenant Colonel Yira Koroma was addressing us he said even if we had our weapons we should - in alert position we would be court-martialled, all of us should string our weapons at our back, and we were taken to the Sumbuya that was called RDF battalion around the Masiaka, 91 Highway. That was where we met a Lieutenant Colonel Sinah who addressed us. He said we were not going to stay there. We were to go to --

MR MUNYARD: Sorry to interrupt. Before we get too far into this answer there is a "them" at the beginning of it and I have no idea who the "them" refers to. It starts, line 13 on page 65: "We did not know how the army got in touch with them." I am sorry to interrupt, but we will lose sight of it completely if the answer carries on.

MR KOUMJIAN:

Q. Sir, actually I want to stop you for a moment. You

mentioned Lieutenant Ndolo Koroma. Am I say the name correctly?
A. Lieutenant Colonel Yira Koroma.
Q. Can you please help us with the spelling of the first name?
A. Well, it was Lieutenant Colonel Yira. I would not know how
12:16:05 he spelt it, but I know how to spell the Koroma. He is still
part of the army continuing his service.
JUDGE SEBUTINDE: Mr Interpreter, can you spell Yira?
THE INTERPRETER: Yes, your Honour. It's Y-I-R-A.
MR KOUMJIAN: My appreciation to the interpreters for that:
12:16:27 Q. Sir, actually this incident you are talking about, I want
you to try to summarise it very briefly. You talked about being
sent because Superman wanted to surrender to the SLA, not the
Kamajors. At the end of this incident did you get arrested?
A. Yes.
12:16:48 Q. Did other members of your unit get arrested?
A. Yes.
Q. And what happened?
PRESIDING JUDGE: You haven't addressed Mr Munyard's
question who is the "them". It is line 15 of page 65 in my
12:17:20 script, the very beginning of the answer.
MR KOUMJIAN: For some reason I am on page 200. Could your
Honours assist me because I am on page 200 for some reason on my
LiveNote. I don't understand it. If you could read the answer.
PRESIDING JUDGE: Of course. The witness was referring to
12:17:47 Superman who had come around the 91 Highway and the witness
continued, "We did not know how the army got in touch with them."
MR KOUMJIAN:
Q. Sir, who were you referring to when you said "them"?
A. I was referring to the RUF. We did not know how the army

got in touch with the RUF rebels.
Q. Thank you. Now you indicated at the end of this incident you and other members of your unit were arrested. How many other members of the Jungler unit were arrested?
12:18:29 A. They arrested six of us who were the most senior of men and some other people were in our care, but later they came and took them away and were sent to Liberia. That was the Sierra Leone contingent, part of the ECOMOG, and six of us were dismissed and jailed for 56 days IHL in the army.
12:18:57 Q. Thank you. Can you help us with when you were arrested?
A. We were arrested around the end of June 1996.
Q. After being released from detention, or prison, were you then dismissed from the army?
A. Yes, we were dismissed on 12 July 1996 and we were jailed.
12:19:36 Q. After being dismissed from the army what did you do briefly?
A. Well, I ran the jail term and afterwards I went to my house living there quietly.
Q. Now I want to take you to 1997, to May of 1997. Did
12:20:00 something happen in May 1997 to you?
A. Yes.
Q. Can you tell us what happened?
A. Well, from '96 to '97 when we were dismissed my salary was still running and I still used to - even my rice was being given
12:20:29 out, but one lieutenant colonel --
THE INTERPRETER: Your Honours, the witness has called a name that the interpreter needs.
PRESIDING JUDGE: The interpreter asks you to repeat the name of the lieutenant colonel, Mr Witness, please.

THE WITNESS: Lieutenant Colonel Davis used to receive my rice and salary at that time.

MR KOUMJIAN: Your Honours, forgive me but my colleague is trying to help me get the right transcript up. Thank you:

12:20:58 Q. Sir, what happened then in May 1997?

A. I was at my house when one of my colleagues called Abu Zagalo Sankoh came to my wife at that time who was at Brookfields in the evening, but I was not present, I had gone to church. So when I came from church she said Zagalo had come to look for me.

12:21:34 He said he wanted to see me. So the two of us met the following day and he explained to me that things were not working right, "Especially for you guys who have been dismissed from the army and you are hearing about the incidents that are happening, the Kamajors are killing soldiers and there is nobody to ask. Look

12:22:00 for example when Oscar Bright [phon] was killed and Kamajors attacked you, nobody asked any questions. So I want us to topple the government. I want us to demonstrate and topple the government."

MR KOUMJIAN: Your Honours, just a spelling for the record

12:22:18 Abu A-B-U, Zagalo Z-A-G-A-L-O, Sankoh S-A-N-K-O-H:

Q. Sir, just so we are clear from now on, can we both agree to call this person Zagalo and we will know who you are talking about?

JUDGE SEBUTINDE: Brookfields is as in the English

12:22:41 spelling?

MR KOUMJIAN: Yes, your Honours.

THE WITNESS: I did not get that clearly. Please repeat.

MR KOUMJIAN:

Q. We were just asking about the spelling of Brookfields, that

is the usual spelling. So sir --
A. You want me to spell it?
Q. It is not necessary, thank you. So after speaking to Zagalo - first of all, do you recall the date it was that Zagalo
12:23:10 came and spoke to you?
A. Well, Zagalo came on Tuesday but I can't recall the exact date, but it was on Tuesday. We did not meet on that day. We met on Wednesday.
Q. And who was Zagalo? Was he a civilian, or a soldier?
12:23:33 A. Zagalo was a soldier. He was a sergeant. He was the coach for the military team at that time.
Q. Was he serving in the army - the Sierra Leone Army - at the time that he spoke to you?
A. Yes, he was serving in the army. He was the SLA coach for
12:23:56 the football team.
Q. What was his tribe?
A. Limba.
Q. So after speaking to Zagalo on this Tuesday, what happened next?
12:24:11 A. I did not talk to him on that Tuesday, because we did not see each other. We saw each other on Wednesday. So, he told us to meet and that we should assemble at a place where he gave to me the address. That was Wilkinson Road, Cockerill, closer to the defence headquarters at that time.
12:24:38 Q. Did you then meet with him at Cockerill?
A. Yes. I together with the other colleagues met with him, those who were the AFRC supreme members.
Q. Was that the same Wednesday?
A. No, that happened on Saturday night going towards Sunday

morning.
Q. Do you recall the date?
A. Yes, 25 May 1997.
Q. You indicated you met with other colleagues also at
12:25:18 Cockerill. Do you remember some of the names of those present?
A. Exactly.
Q. Please?
A. Yes, like he, Zagalo; Brima Kamara, alias Cobra; Tamba Alex
Brima, alias Gullit; Ibrahim Bazzy Kamara; Hassan Bangura, alias
12:25:50 Papa; Foday Kallay; and others.
Q. Do you remember how many of you were there?
A. Well to be frank we were many, but those of us who were
able to agree on whatever we were about to do were 17 in number.
Q. What did the 17 of you agree on?
12:26:20 A. We agreed that the things that were happening when soldiers
were killed and no senior officer could say anything, soldiers
were killing Kamajors and they were put into prison and no senior
officer could say anything, we said we were going to demonstrate
against the government because we were not happy with what was
12:26:43 going on.
Q. Just so everyone listening is clear, which government was
that at that time?
A. It was the SLPP government at that time.
Q. Headed by who?
12:26:58 A. Headed by at that time it was Dr Ahmad Tejan Kabbah.
Q. So, how exactly did you implement this plan that you made
at Cockerill?
A. We entered the defence headquarters and we put the security
under control, the officers whom we met there, and we moved

straight to the Central Prison, Pademba Road. At that time we had hundreds of soldiers in there as inmates. We broke into the Pademba Road Prison and entered there and released every prisoner.

12:27:44 Q. What happened after you released all the prisoners, including the soldiers, that had been held at Pademba Road?

A. When we released all of them at that time we saw one Major Johnny Paul Koroma, who was the most senior amongst all of us. Just when we came out he told us not to kill anybody, because at

12:28:12 that time we were really desperate. He said - every single officer whom we saw we planned to execute all of them, but he told us not to execute any of them. We arrested them and put them into the military guardroom by force. That was what we did and all of us drove to the place.

12:28:27 Q. You drove to which place?

A. We drove and came up to the Wilberforce military barracks. When we had taken them from Pademba, we took them to the State House and drove to the Wilberforce military barracks.

Q. What happened then?

12:28:44 A. So, we started arresting senior officers and putting them into the guardroom. We started arresting them from their houses. So at that time we were there and we had not made any list of government officials would be, but we were there for about a week. There was nobody again at that time the Head of State had

12:29:10 escaped and some of his ministers, so one of our colleagues went to the station - his name was Gborie - and announced that we, the other ranks, had toppled the government.

Q. Just can you - do you know Gborie's full name?

A. He was called Tamba Gborie.

Q. What was his rank prior to this action?
A. He was a full corporal.
MR KOUMJIAN: And Gborie, your Honours, is as it has been spelt, G-B-O-R-I-E:
12:29:51 Q. Sir, you talked about originally there being 17 of you. In these various actions at the prison and then at the barracks, did anybody join the original 17 of you in these actions to take over the government?
A. Yes, all the other soldiers had then joined us.
12:30:16 Q. Now, you indicated you had arrested some senior officers. Is that correct?
A. Yes. The senior officers and even the other officers from the rank of second lieutenant, anyone we saw was arrested and we put them into prison and later some of them came and joined us
12:30:37 when Johnny Paul said we should release them.
Q. Now after taking over the barracks, did you take over other parts of the government?
A. Yes, we took over the State House and all the other barracks that were in the city. We took over them. And even the
12:30:57 ones that were in the provinces, they too gave us our support.
Q. Sir, were there any forces opposing --
THE INTERPRETER: I am sorry, your Honours, "They too gave us their support". Interpreter's mistake.
THE WITNESS: Well, the --
12:31:14 MR KOUMJIAN:
Q. I am sorry, sir, it was my fault. The interpreter has made a correction and I am not sure if you got the question.
THE WITNESS: I want to ease myself.
PRESIDING JUDGE: Please do, Mr Witness. Mr Koumjian, if

you wish to have a seat.

Mr Koumjian, if you wish to proceed.

MR KOUMJIAN: Thank you:

Q. So, sir, I believe I was asking you about Mr Gborie and you gave us his name and rank. Were there any forces opposing you in the takeover of the government?

A. Well except the force from the RDF, but they were unsuccessful, but later they joined forces with us because they had a Lieutenant Colonel Sinah and we arrested him, took him to the guardroom and the forces joined us.

Q. You mentioned that someone had left the country. Did members of the government stay or leave the country?

A. The Head of State together with his Vice we did not see them and some of the ministers escaped, but there were some other ministers who were still in the country.

Q. Sir, you have talked about a group called the Kamajors and others have also mentioned them, but can you give your definition. Who were the Kamajors?

A. They were the civil militia who were fighting alongside the SLPP government forces.

Q. Who was heading the Kamajors, if you know?

A. At that time we knew it was Hinga Norman and the President at that time, Ahmad Tejan Kabbah.

Q. Were there any international forces in Sierra Leone at the time that you took over power?

A. The Nigerians were there, yes. The Nigerian soldiers were in the country when we took over power.

Q. What were they called?

A. At that time they referred to themselves as ECOMOG force.

Q. Were the Kamajors - first let me ask you, did the group that you were a member of that took over power, did you have a name or give yourselves a name?
A. No, we did not give ourselves any name. It was when we
12:38:55 were ready to form a government, then we gave ourselves name. When we went and assembled at Cockerill we gave the name Armed Forces Revolutionary Council.
Q. Did you have any acronym to shorten that name that you went by?
12:39:13 A. AFRC.
Q. Were the Kamajors that you mentioned supporting the AFRC?
A. No.
Q. Were the ECOMOG forces that you mentioned supporting the AFRC?
12:39:33 A. No.
Q. Now you talked about arresting some senior officers and the fact that many soldiers joined you. Did all of the members of the Sierra Leone Army before the coup join the AFRC, or was there any division?
12:39:52 A. Yes, especially the other ranks. The senior officers, it was only later when we had released them that they had to reason with us and they joined us, not willingly.
Q. Did any of the Sierra Leone Army, to your knowledge, remain loyal to the Kabbah government and oppose your AFRC government?
12:40:22 A. Do you mean the senior officers or the soldiers?
Q. I am asking about both.
A. Yes, some of them escaped and they went and joined them and some senior officers also went and joined them, like Tom Carew who was the chief of defence staff for them when they returned.

Like Nelson Williams and a lot of others and some other soldiers.

MR KOUMJIAN: Carew, your Honours, is C-A-R-E-W:

Q. Sir, you mentioned a Mr Williams or an officer Williams. Can you give his first name again, please?

12:41:15 A. Yes, it was Nelson Williams. At that time he was a colonel.

Q. The transcript indicates that you said at one point RDF. What did you mean by RDF?

A. Well, they called that battalion Rapid Deployment Force.

12:41:43 Q. And what was it?

A. They said it was a force that was there for in case of any emergency they will respond rapidly. It was in Sumbuya Town along the Masiaka 91 Highway.

JUDGE SEBUTINDE: I don't believe Sumbuya has been spelt.

12:42:12 MR KOUMJIAN: Sorry, your Honour? Which word?

JUDGE SEBUTINDE: Sumbuya.

MR KOUMJIAN: One moment:

Q. Witness, please correct me if I'm wrong, but Sumbuya is S-U-M-B-O-Y-A [sic]?

12:42:33 A. Exactly.

Q. Thank you. Thank you, your Honour. Sir, you also mentioned the RUF. What happened after you formed, or when you were forming the AFRC government with the RUF? What was their position? What occurred between the two of you?

12:42:59 A. After we had taken over power within a week to two I did not know where Johnny Paul Koroma, who was our chairman then, where he got Foday Sankoh's number. When he called him and told him that he would like the RUF to come over and join forces with us, because the Kamajors were fighting alongside the Nigerians

and we wanted total peace, we the soldiers particularly, we the other ranks. That was what he told him. So he called him. We don't know where he got the number. So Pa Sankoh told him and the RUF that the RUF should come and join us. So within 72 hours
12:43:42 the RUF came and joined us.

Q. Sir, you indicated that Johnny Paul Koroma called Foday Sankoh. How do you know that?

A. We were in the office. All of us were in the office, because at that time we were the security to him. We did not
12:44:06 trust anybody to be closer to him because when we released him he was the most senior officer amongst us. We were in the office when he called. After calling they were talking on the phone, because it was a landline. From there he said he had got Pa Sankoh and Pa Sankoh had promised the RUF would come and join us
12:44:29 and he would send somebody to come and meet us.

Q. Where was the office with the landline where you heard the call?

A. At that time it was in the office of the late Hassan Conteh who was the chief of defence staff at that time.

12:44:49 Q. To be clear, Hassan Conteh, C-O-N-T-E [sic], was he chief of defence in the prior government or in the AFRC government? In the Kabbah government or the AFRC government?

A. He was chief of defence in the Kabbah government before we overthrew.

12:45:11 Q. So where was that office?

A. It was at the defence headquarters, Cockerill.

Q. After Johnny Paul Koroma called Foday Sankoh did he tell you what was discussed with Foday Sankoh?

A. Yes, after the telephone conversation he told us that he

had spoken to Foday Sankoh and said Foday Sankoh had said he will send somebody who will come to meet us, then the RUF would eventually come and join us. So within 72 hours - within 48 hours the person whom he said came and met us, Gibril Massaquoi, 12:45:58 he brought with him telephone numbers and the RUF came and joined us.

Q. Thank you. First taking that step by step, Gibril Massaquoi, did you know him before this incident?

A. No, I did not know him.

12:46:19 Q. Did you meet him when you said he came 48 or 72 hours later?

A. Yes, I was not part of the group who went to pick him up so he met us at Cockerill where all of us saw him, particularly with the supreme members. He met with the chairman and spoke to him. 12:46:45 That was where we saw him.

Q. Did Gibril Massaquoi introduce himself as a member of any group?

A. Yes, he said he was a member of the RUF and that he was sent - his leader had sent him, Foday Sankoh.

12:47:05 Q. You mentioned that he came with phone numbers. Did you ever see the phone numbers, or the names associated with those numbers?

A. No, we did not ever see the numbers, but he was explaining when he had given the numbers to Johnny Paul, he said that was 12:47:26 the number of Mr Charles Ghankay Taylor, the number of Mainassara from Niger and the number of Blaise Compaore from Burkina Faso and the number of Mohamed Gaddafi for Libya.

MR KOUMJIAN: Your Honours, the leader of Niger Mainassara, M-A-I-N-A-S-S-A-R-A:

Q. Sir, did Johnny Paul Koroma discuss with you and other members of the AFRC why the RUF was being invited to come to Freetown and join you?
A. Yes. The discussion was we needed their support, their
12:48:30 manpower and the contacts that they had before.
Q. Do you know at this time did your government, the AFRC - did it have recognition from the international community, countries like European countries, the United States or the United Nations?
12:48:54 A. We did not get recognition from the international community, but we got from Liberia, we got recognition from Burkina Faso, we got recognition from Niger and Libya.
Q. Thank you. What was your assignment in these early days with the AFRC in May/June of 1997?
12:49:27 A. Well, the first assignment that was given to all of us, I was the monitoring officer who was for housing and tourism.
Q. Did you spend any time with Johnny Paul Koroma?
A. Many times.
Q. Sir, can you tell us under what circumstances you would be
12:50:16 meeting with Johnny Paul Koroma?
A. Well, most of the times we were with him at the house because at that time we used to sleep at Cockerill and from there we will go to his house and from his house we will come back to the office.
12:50:36 Q. Where was Johnny Paul Koroma's house at that time?
A. At that time he was at pipeline, Wilkinson Road.
Q. Were you present when Johnny Paul Koroma made any attempts to contact anyone outside of Sierra Leone besides the call to Foday Sankoh that you mentioned?

A. I did not get that clearly.
Q. Were you present when Johnny Paul Koroma made any attempts to contact, communicate, with persons outside of Sierra Leone?
A. Yes.
12:51:20 Q. Can you tell us slowly about those attempts to communicate that you know about?
A. We were in the office, that is Cockerill, the defence headquarters, that was the chief of defence staff's office which he was using and he ordered his control officer, Banjah Marrah
12:51:47 and gave him a number to dial.
Q. First let me spell Banjah Marrah. That is B-A-N-J-A-H and Marrah, M-A-R-R-A-H. Who was Banjah Marrah?
A. He was the control officer in the office of Johnny Paul Koroma.
12:52:14 Q. Was he a Sierra Leone soldier?
A. Yes, he was a captain in the army.
Q. Okay, this conversation that you had begun to tell us about, or this incident where Johnny Paul Koroma ordered Banjah Marrah to dial a number, can you give us an approximate date or
12:52:36 tell us about how long this was after 25 May 1997, after the coup?
A. It was within one to two weeks after the coup when RUF had joined us, when Gibril Massaquoi had brought those numbers.
Q. Approximately how long after Gibril Massaquoi brought the
12:53:01 numbers did Johnny Paul Koroma ask Banjah Marrah to make this call?
A. It was not even up to 48 hours when Gibril Massaquoi joined us from Nigeria.
Q. What happened after Johnny Paul Koroma asked Banjah Marrah

to make a call?
A. When Banjah Marrah had made the call, he gave the phone to Johnny Paul in the office and Johnny Paul was explaining, asking for recognition from Mr Ghankay Taylor in Liberia. He was
12:53:44 talking to him, but we did not hear where the other side was saying. We only heard him saying, "Yes, sir. Yes, sir. We need a recognition." He said a lot of things that I cannot recall now. Afterwards, the call went off and he said he had spoken to Mr Ghankay Taylor and he had advised us to work with other
12:54:05 brothers who had come to join us. He said in case there were any hiccups we should just give him a call, so that was what he was explaining to us just after the telephone conversation with him.
Q. Was this the first call that you were present for that Johnny Paul Koroma made?
12:54:23 A. Exactly.
Q. And you have indicated it was to Taylor. How do you know that?
A. Well, I knew that after the conversation he explained to us. The supreme members who were in the office, he explained to
12:54:48 us.
Q. I want to go through this a little bit more slowly and try to avoid the use of the words 'we" and "they' and "he", if you can, so we are clear on who was talking to who and who said what. Johnny Paul Koroma, what did he explain to you about what had
12:55:09 been discussed with Mr Taylor in that phone conversation? Try not to use the words "he" or "they".
A. Well, after the telephone conversation, Johnny Paul Koroma told us in the office that he had spoken to Mr Charles Ghankay Taylor, he had explained to him asking him for recognition and

some other things and Mr Charles Ghankay Taylor had encouraged him, asking him to work as a team with the RUF brothers. So, he said for that one there was not going to be any problem.

Q. Okay, thank you. Do you recall anything else that
12:55:54 Mr Taylor said about the RUF in that phone conversation?

A. It was much. That was what I can recall. A lot was told to us, but that is what I can recall now that Johnny Paul Koroma told us. This is what I can recall now.

Q. You said on line 8, your Honours, "He said in case there
12:56:24 were any hiccups we should give him a call." Now, can you explain again who said what to who and what do you mean by hiccups?

A. Johnny Paul said if there were any problems between us and the RUF Mr Charles Ghankay Taylor had told him to call him.

12:56:43 Q. Charles Taylor had told Johnny Paul Koroma to call who?

A. Johnny Paul Koroma said Charles Taylor said he should call him in case we had a problem with RUF. That was what he explained to us in the meeting.

MR KOUMJIAN: Are the pronouns clear to your Honour? I try
12:57:08 to avoid them, but there is still a "him" in there:

Q. After this phone call to Charles Taylor, do you know if Johnny Paul Koroma made any other calls to persons outside of Sierra Leone?

A. Yes.

12:57:28 Q. Can you tell us about those calls, please.

A. Yes, he made calls to the Niger President, Mainassara, he made call to the Burkina Faso, President Blaise Compaore, and he made a call to the Libyan President, Ahmed Gaddafi - Mohamed Gaddafi, sorry. He told us that all of them had said they were

ready to assist us.
Q. Do you recall approximately how long these four phone calls took, the ones to Taylor and the other three to Gaddafi, Mainassara and Blaise Compaore?
12:58:16 A. As I am saying, just after Gibril Massaquoi came the RUF had come to join us and we had those numbers, all of these calls were made within 48 hours. At that time we will go with him - Johnny Paul Koroma, I mean - and we will take him to his house and we will bring him back to the office, because at that time we
12:58:34 did not trust anybody to be around him. So, whenever he would discuss after the conversation he would explain to us in the office.
Q. Okay, thank you, but in my question perhaps I was not clear. It is not when it happened, but did these calls take one
12:58:52 minute, one hour, the calls to Charles Taylor, Blaise Compaore, Colonel Gaddafi and Mainassara? If you recall, can you estimate the length of the calls?
A. It took some time. I cannot recall now how many hours. It was not even up to an hour, but it took some time close to an
12:59:13 hour. They will speak for about an hour.
Q. Were all of the calls approximately the same length of time, or was there any difference in the amount of time spent with the different leaders?
A. The times were different. They were not the same.
12:59:27 Q. Which was the longest call?
A. It was the one when he spoke to Mr Taylor. That was long.
MR KOUMJIAN: Your Honour, if the witness could be shown tab 8 and perhaps in the interests of saving --
PRESIDING JUDGE: Was there a bundle with this witness's --

MR KOUMJIAN: I believe a bundle was distributed for the week.

PRESIDING JUDGE: Oh, for the week.

MR KOUMJIAN: Your honour, I can easily do this at a later
13:00:21 time. Your Honours, I will do this after lunch, that is fine, or after the next break. It is no problem. It is Week 18's bundle:

Q. Who else was present during these phone calls that you have just spoken about, if you recall?

A. We, the Supreme Council members, Banjah Marrah and AK
13:00:52 Sesay, who is dead now. He was a colonel at that time.

MR KOUMJIAN: I see your Honours do all have the bundles now.

PRESIDING JUDGE: No, we have Week 17. We are a week behind you, Mr Koumjian. We will sort it out at the break.

13:01:05 MR KOUMJIAN: Sure:

Q. Now, sir, do you recall an incident involving the Iranian embassy?

A. Yes.

Q. What happened, to your knowledge?

13:01:30 A. On 1 January 1998 I was at home with my wife, having my radio handset with me, and I heard Gborie calling Zagalo for reinforcements to go to Murray Town. So I intercepted and I said, "What is the problem around the Murray Town area?", and Zagalo told me to go and reinforce Gborie. I said, "What was the
13:02:07 problem?", and he said, "When you get there you will know." But at that time on that day it was my wife's birthday and so I sent my security to go and buy drinks using the vehicle, so they did not come right up to two/three hours and after that time when they brought the vehicles before they could even get - arrive at

the house I heard Chairman Johnny Paul Koroma talking over the set saying that all of those who had gone to the Iranian embassy should be arrested. But I still went round with the vehicle to see what had happened, so when I went I met an
13:02:54 officer, Captain Mandehreh, who explained to me that, "Your colleagues have come and looted here, together with some RUF commanders, so the Pa had ordered their arrest and none of them should enter here anymore."

So I returned, went to the lodge to the Chairman, Johnny
13:03:18 Paul Koroma at that time, and he said we should arrest Gborie, Issa Sesay, Hassan Bangura alias Papa, Foday Kallay. He said we should arrest them, so we did. We arrested Gborie. I led the team. I arrested Papa. We could not get Foday Kallay, so we sent a team to arrest Issa Sesay and he resisted. He resisted
13:03:52 arrest. There was about to bring infighting when his men deployed from Hill Cut Junction to Uphill Station where his residence was. He refused to be arrested. At that time all of us went to the office, Chairman Johnny Paul Koroma's house at Spur Road, and he called Mr Charles Ghankay Taylor and he told
13:04:21 control to call, Banjah Marrah. When he called they were talking, "Yes, sir. Yes, sir. Yes, sir", he was responding after he had explained - when the phone went off he said he had called Mr Charles Ghankay Taylor. He said they were to set up an inquiry who had gone and who did the looting and whosoever was
13:04:48 involved action should be taken against that person, or people.

Q. First of all, in this phone conversation with Charles Ghankay Taylor what kind of phone was used?

A. At that time it was still the landline up at Spur Road, Johnny Paul Koroma's house.

Q. You said that Charles Ghankay Taylor said - on line 3, "He said there was a set up ..." --

JUDGE SEBUTINDE: It is not clear who said that.

MR KOUMJIAN: I am sorry, it is not clear:

13:05:31 Q. Sir, can you repeat what did Johnny Paul Koroma tell you that he had discussed with Charles Taylor?

A. Yes. He said he had spoken together with Charles Taylor and Charles Taylor had said they should set up an inquiry team to investigate the incident at the Iranian embassy; that whosoever

13:05:52 was involved action should be taken against that person. That was what he explained to us after the telephone conversation.

Q. So, sir, after Johnny Paul Koroma had this phone conversation with Charles Taylor and you have told us Charles Taylor said a board of inquiry or inquiry should be set

13:06:12 up, was any inquiry set up?

A. Yes, the board of inquiry was set up. It was Lieutenant Colonel SAJ Musa who headed it and amongst us, the Supreme Council members, I was fortunate to be a member. Amongst us, the 17, I was the only one fortunate to be a member of that inquiry

13:06:44 team. SYB Rogers and other high command of the RUF and SLA - so the decision that came out --

Q. Just to be clear you said "SYB Rogers and other high command of the RUF and SLA" and that sentence is not completed. What about SYB Rogers and other high command of the RUF and SLA?

13:07:18 A. They were all part of the board that was set up. SAJ Musa headed the inquiry board to investigate the Iranian looting.

JUDGE SEBUTINDE: Mr Koumjian, before we lose sight of this, what was the name of the captain who said that the witness's colleagues had looted; the spelling that is?

MR KOUMJIAN: Yes, I belive he said Mansaray:

Q. Mr Witness, please correct me if I am incorrect, Mansaray, M-A-N-S-A-R-E-Y [sic]?

A. I did not get that clearly. Wait. What?

13:07:58 JUDGE SEBUTINDE: Mr Witness, can you tell us the name of the captain who first informed you that your colleagues had looted? What was that name again?

THE WITNESS: Captain Mandehreh.

JUDGE SEBUTINDE: Now, can you spell that name please.

13:08:14 MR KOUMJIAN:

Q. Mr Witness, do you know how to spell Mandehreh?

A. Yes, M-A --

MR KOUMJIAN: Could the witness be given a piece of paper? It's understandably easier to spell when you can write it out.

13:09:16 THE WITNESS: M-A-N-D-E-H-R-E-H.

MR KOUMJIAN:

Q. Mr Witness, you said that this board of enquiry was set up after a phone call from Johnny Paul Koroma to Charles Taylor. Do you know why Johnny Paul Koroma would call Charles Taylor about

13:09:41 this incident?

A. Yes, because Issa Sesay had resisted arrest and the RUF had taken to the streets, as I said from Hill Cot Junction right up to Hill Station, that no SLA should cross that particular area. At that time Issa Sesay's residence was up at Hill Station.

13:10:10 Q. Okay, but why the fact that the RUF had deployed and Issa Sesay was taking those actions would Johnny Paul Koroma call Charles Taylor in Liberia, if you know?

A. Yes, because we had arrested Gborie and we had arrested Papa and taken to the central prisons and we were about to arrest

Issa when he resisted that nobody should arrest him. At that time Sam Bockarie was not in town, he was out of town in Kenema.
Q. So why then Charles Taylor if Sam Bockarie is out of town?
A. Well, we knew that Charles Taylor was the godfather for
13:10:59 RUF, so whatever the situation was we needed to call him to let him know that that was what was going on.
Q. Sir, you talked about the going back to the phone call to Foday Sankoh and the invitation to the RUF to join. Did the RUF arrive in Freetown after that phone call?
13:11:26 A. Yes.
Q. And can you tell us some of the names of people that arrived and what positions they took up?
A. Yes, Denis Mingo alias Superman was the first to come and meet us in Freetown. After him Issa Sesay followed and he met us
13:11:50 in Freetown. Then most other commanders came whose names I cannot recall now. And Sam Bockarie. Issa Sesay was the Supreme Council member, Sam Bockarie alias Mosquito too was a Supreme Council member and other members in the RUF were members of the Supreme Council, Mike Lamin and others whose names
13:12:15 I cannot recall now.
Q. Thank you. We will go over a document involving the Supreme Council after lunch, but let me ask you: How long did Sam Bockarie stay in Freetown approximately, if you recall?
A. Well, I cannot give you an exact period of time, but he
13:12:38 stayed with us for about one to two months and he decided to go and stay in Kenema and Issa remained in Freetown.
Q. Thank you. Sir, you told us this morning about two phone calls from Johnny Paul Koroma to Charles Taylor during the time of the AFRC in Freetown when he first contacted Taylor, and the

second involving the Iranian embassy. Do you know if there were any other phone calls during the time that the AFRC was in Freetown between Johnny Paul Koroma and Charles Taylor to your knowledge?

13:13:19 A. Yes, when he had taken me to the Iranian embassy because before the Iranian embassy thing --

THE INTERPRETER: Your Honours, can the witness repeat this.

PRESIDING JUDGE: Pause, Mr Witness, please. The

13:13:35 interpreter needs to catch up with you. Please repeat starting from, "When he had taken me to the Iranian embassy", continue from there please. I think start the answer again, Mr Witness, because the record doesn't look correct to us.

THE WITNESS: When he had asked me question regarding the

13:14:07 Iranian embassy, that was why I went there straightaway. But before that he had a telephone conversation that he was to send delegates to him, to Charles Taylor in Liberia. He said he was to send delegates to Charles Taylor in Liberia headed by SYB Rogers and other high command of the RUF and SLA commanders and

13:14:37 officers then, one Colonel Charles Conteh who is dead now and AK Sesay, all of them were part of the delegation to Liberia.

Q. Thank you. So I understand from your answer that this phone call was before the phone call involving the Iranian embassy, is that correct?

13:14:57 A. Exactly.

Q. Can you tell us how do you know about this phone call, or calls?

A. That one where the thing that was supposed to be discussed with Charles Taylor, the delegation to discuss, that was

discussed in the Supreme Council meeting and he made a call even before the delegates left.

JUDGE SEBUTINDE: Who is he?

THE WITNESS: Johnny Paul Koroma made the call before the
13:15:34 delegation left.

MR KOUMJIAN:

Q. So if I understand - let me make sure we all understand. Johnny Paul Koroma discussed this phone call at the Supreme Council, is that correct?

13:15:47 A. Yes, that is correct.

Q. Then am I correct you were not present yourself when Johnny Paul Koroma made this phone call about the delegation to Charles Taylor? Is that correct?

A. No, I was not present, but he wrote the letter and he said
13:16:04 he will call before the delegation would leave.

Q. Can you tell us in a little more detail whatever you can remember now about what Johnny Paul Koroma discussed at the Supreme Council meeting regarding the purpose of this delegation that you are talking about?

13:16:26 A. It was a letter that they were supposed to take with them for us the AFRC government to be recognised, and some other things that he had discussed privately with the delegation that was to go, that he did not discuss in the meeting, but they discussed that before they left, a letter that they were to go
13:16:52 and deliver to Mr Charles Ghankay Taylor.

Q. I want to ask you again to try to remember names of any members of the delegation, but first let's be clear: Did a delegation go? Do you know if a delegation actually was sent?

A. Yes, SYB Rogers led the delegation.

Q. Where did the delegation go to?
A. They used the road through Kenema and Kailahun District from Freetown and they crossed into Liberia.
Q. Do you know where in Liberia they went?
13:17:33 A. Yes, they went to Monrovia, the city. At that time I don't know whether it was at the house or the office of Mr Ghankay Taylor. That was where they met.
Q. Okay. So now you discussed the initial call to Charles Taylor after the seizure of power followed by calls to
13:18:02 other leaders of other countries. Then you've discussed this phone call that Johnny Paul Koroma spoke about prior to sending a delegation to Liberia and you've discussed the Iranian embassy phone call. Are you aware whether there were other communications between Johnny Paul Koroma and Charles Taylor
13:18:22 during the period that the AFRC was in Freetown?
A. Yes, the calls were many, but the other one that I can recall was pertaining to the arms shipment, that a delegation was supposed to go again headed by Mike Lamin and Sam Bockarie recommended one General Ibrahim in a meeting for arms and
13:18:53 ammunition, that he would be able to go and facilitate it. General Ibrahim came, but he did not come to the supreme meeting after he had been recommended. Then --
THE INTERPRETER: Your Honours, can the witness repeat this.
13:19:15 PRESIDING JUDGE: Mr Witness, the interpreter asks that you repeat. Take up your answer from the bit where you said, "General Ibrahim came but he did not come to the supreme meeting after he had been recommended." Continue from there, please.
THE WITNESS: After General Ibrahim had been recommended

that he will facilitate the arms and ammunition movement, in the evening we came to the lodge and met General Ibrahim. He had come two days after. We met him at the lodge to chairman. That was where I saw him and that was where I knew him.

13:20:05 MR KOUMJIAN:

Q. Was that the first time that you had seen this General Ibrahim?

A. Yes.

Q. Do you know what his nationality is?

13:20:20 A. At that time I did not know his nationality.

Q. Did you hear, or do you recall any second name, or was it just General Ibrahim that you know?

A. I only knew General Ibrahim. That was the name I knew for him.

13:20:38 Q. When you say you don't know his nationality, could he have been a Sierra Leonean? Do you know whether or not he was from Sierra Leone?

A. No, the way he spoke he had some Liberian English accent and he spoke some French too.

13:21:11 Q. After this delegation came did the delegation ever come to the Supreme Council? Or General Ibrahim, did he ever come to the Supreme Council meeting?

A. No.

Q. When you say a delegation was being sent, do you know again

13:21:27 where were they sent exactly?

A. The delegation that went to Liberia, from Liberia they went to other countries, Niger, Libya and Burkina Faso. That was the delegation headed by SYB Rogers, not the one headed by Mike Lamin. It was the delegation headed by SYB Rogers. From Liberia

they went to some other countries.
Q. Thank you for that clarification and I'm sorry if I'm confusing these two with my questions. I now want to ask you about the delegation where you mentioned Mike Lamin. Do you know
13:22:08 where that delegation - if it was sent anywhere and where it went?
A. Well, the delegation that went, there was Fonti Kanu, Mike Lamin, General Ibrahim, but after that we went to Magburaka airstrip and the ammunition arrived with a soldier who had a
13:22:40 uniform on in green with a black hat and the crown on the hat was a Burkina Faso crown. That was the insignia. And Lieutenant Colonel Fonti Kanu came and the ammunitions were off-loaded and a soldier also called Musa --
JUDGE SEBUTINDE: Mr Koumjian, you asked the witness if he
13:23:08 knows where this delegation went. He has not answered that question. He is answering something else.
MR KOUMJIAN: Yes, thank you:
Q. Sir, you are getting a bit ahead of where I am and I want to take it slowly step by step, understand? We will go over the
13:23:25 information you just provided, but first this delegation that you mentioned of Fonti Kanu, Mike Lamin and General Ibrahim. I want to ask you some questions about it. First of all, who was Fonti Kanu? The spelling I don't know if we need as I believe we have had it before.
13:23:47 A. Fonti Kanu was a lieutenant colonel in the Sierra Leone Army. I said that they went to Liberia with that delegation headed by Mike Lamin. They went to Freetown, Kenema, Kailahun and crossed into Liberia by road.
Q. Thank you. Can you explain to us that, when you discuss

sending this delegation at the Supreme Council you mentioned, what was the purpose of the delegation's trip, do you know?
A. Well that particular delegation, which was headed by Mike Lamin, that went to Liberia was to go and obtain some arms and
13:24:34 ammunition. That was why Chairman Johnny Paul Koroma assigned Fonti Kanu to go and tell them the kinds of ammunition we needed at that time.
Q. Thank you. Was there any discussion of how the arms and ammunition would be paid for, or obtained?
13:24:52 A. Well he just discussed in the meeting that they will give a parcel, but they did not discuss what parcel it would be in that meeting.
Q. The word "parcel", does that have a meaning to you? When you say "parcel", what does it mean?
13:25:15 A. Well, it has a meaning. At that time we hadn't money, we only had diamonds, so I believe that that was what they meant by parcel. That we meant, that Johnny Paul Koroma meant.
Q. Now, you have indicated that this was - am I correct that this was discussed at a Supreme Council meeting, is that right?
13:25:39 A. Yes.
Q. How long after that meeting did the delegation go, if you know? Go to Liberia?
A. The delegation left - between 48 and 78 hours they left for Liberia.
13:26:02 Q. Do you know if any arms or ammunition ever arrived?
A. Yes.
Q. How long after the delegation left did the arms and ammunition arrive, if you recall?
A. Between one to two weeks the arms and ammunition arrived.

Q. How did the arms and ammunition come to Sierra Leone?
A. They came on a flight, silver coloured, and it landed at night around between 7 and 9. It was dark already. We used our vehicles and we parked them far away from the flight so that they
13:26:57 could provide light. The arms and ammunitions were dropped. At that time Lieutenant Colonel Fonti Kanu and a soldier who had on the Burkinabe uniform and crown came down the flight.
Q. Where was it that the plane landed?
A. Magburaka airstrip.
13:27:22 Q. Do you recall approximately when this was that the plane came to the Magburaka airstrip?
A. It was very fast.
Q. But can you give an approximate month of when this was?
A. I can't recall the exact month now, because it has taken a
13:27:49 while.
Q. Do you recall the Conakry Accord?
A. Yes.
Q. Was it before or after the Conakry Accord?
A. It was before the Conakry Accord.
13:28:11 Q. Do you recall if it was - how long approximately before the Conakry Accord this plane landed?
A. I think it was within a month before the Conakry Accord.
Q. Thank you. Were you present when the plane landed?
A. Yes.
13:28:37 Q. Can you briefly give us - I don't know if we have time, your Honours? Is this the time to break?
PRESIDING JUDGE: It is very close to the time for the usual lunchtime adjournment, Mr Koumjian.
MR KOUMJIAN: Yes, okay, thank you.

PRESIDING JUDGE: Mr Witness, it is now time for the lunchtime break. We will adjourn for one hour and we will start court again at 2.30. Please adjourn court until 2.30.

[Lunch break taken at 1.30 p.m.]

14:27:15 [Upon resuming at 2.30 p.m.]

PRESIDING JUDGE: Mr Koumjian.

MR KOUMJIAN: Thank you, your Honours:

Q. Mr Witness, just a couple of preliminary matters regarding the testimony this morning that I want to clarify. You said on

14:30:53 page 56, when you were talking about your arrest and detention - I'll try to find the exact quotation. You said something about IHL. Can you explain what that is, IHL?

A. Imprisonment of high labour.

PRESIDING JUDGE: I thought it used to be hard labour,

14:31:28 myself, but high it is.

MR KOUMJIAN:

Q. That refers to the type of imprisonment?

MR MUNYARD: Could my learned friend give us a line. On my page 56 I can't at the moment see the reference to it. He's in

14:31:47 hospital, not prison, on my page 56.

MR KOUMJIAN: I have a page 67, line 22. 67, line 22, the answer begins, "They arrested six of us who were the most senior of men."

MR MUNYARD: Thank you, I've got that.

14:32:08 MR KOUMJIAN:

Q. Also, sir, can you clarify for us, tell us, when you were arrested and dismissed from the army in 1996, prior to your arrest what was your rank?

A. My rank was staff sergeant.

Q. Was that the highest rank you had attained up to that point?
A. Yes.
Q. Thank you.
14:32:33 A. Yes, that was the highest rank I had attained.
Q. Sir, you talked about the Supreme Council. Can you tell us what was the Supreme Council?
A. The Supreme Council was part of the 17 and some other commanders from the RUF and some other senior men like SAJ Musa
14:33:03 and other senior officers who were included in the Supreme Council. That was the highest body that took decisions during the AFRC regime.
Q. Since you've just mentioned SAJ Musa, can you tell us who he is?
14:33:20 A. SAJ Musa was the chief secretary of State at that time when we invited him, when he came. He was the chief secretary of state. He was in the Supreme Council.
Q. Was SAJ Musa part of the 17 of you that initiated the takeover?
14:33:42 A. No, he was not there. He was out of the country at that time.
Q. Thank you. Had he been a member of the Sierra Leone Army before that time?
A. Well, before that time he was not a member of the Sierra
14:34:01 Leone Army any more, but when he came we reinstated him in the army.
Q. Had he been at one time a member of the Sierra Leone Army?
A. Yes.
Q. Where did the Supreme Council meetings take place?

A. We used to rotate. We moved it from one place, State House, it used to take place in the chief of defence staff's office, Cockerill, and we used to hold the meeting at Johnny Paul Koroma's house, the chairman, at Spur Road.

14:34:39 Q. Was there any regular interval for the meetings?

A. Yes.

Q. Can you explain how often the meetings would take place?

A. For example, if we entered at 10 o'clock we would be there until 12 and we would have a break.

14:35:07 Q. Okay. How often did you meet? What I mean is did you meet once a month, once a week? Was there any regular interval between the meetings, or was there no regular interval? Can you explain?

A. The exact day was a Friday every week, but there were times

14:35:33 we would just be invited and we would go there at any time, because of the tension under which we were.

Q. Okay. So do I understand you to say that you met every Friday, is that correct?

A. The normal time was every Friday, but there were times they

14:35:53 would call us on days that were not Fridays.

Q. Would anyone preside over the meetings?

A. Yes, at that time it was the chairman, Johnny Paul Koroma. He was always the chair for the meetings.

Q. Was there anyone recording the information, or any

14:36:18 discussion, or findings, at those meetings?

A. Yes, it was late Colonel AK Sesay.

Q. In general what were the topics that you discussed at these Supreme Council meetings?

A. It was - we were discussing the peace accord and how we

should push the country forward. At that time President Ahmad Tejan Kabbah was in Guinea, issues relating to him, and we together with our brothers who had joined us, how we would bring ourselves together.

14:37:13 Q. Okay. When we are talking about these Supreme Council meetings, can you tell us approximately when they began and when they ended in terms of what month they began and what month they ended, if you can?

A. Well, we started, if I can recall, around May when our

14:37:44 brothers joined forces with us and we stopped around 1998. It stopped around 1998, January going to February.

Q. Did these meetings all take place in a particular city, or did they move among different cities or towns?

A. No, it was in the same city, Freetown.

14:38:24 Q. Okay. It's a judicially noticed fact in this case that the ECOMOG intervention took place approximately 14 February 1998. Were there any Supreme Council meetings after that date?

A. Well, after that date we had a meeting, but it was not a Supreme Council meeting because - but everybody was in the

14:38:54 meeting.

Q. Okay, thank you. So sticking to the meetings in Freetown, perhaps I'd now like to have you shown tab 4, please. That is a document that has the ERN stamp 0007081 through 0007086, so it's a six page document. The top of the page is marked "AFRC secret"

14:39:36 and then the title appears to be, "Minutes of the first meeting of the AFRC, held at the conference hall defence headquarters on Saturday, 19 July 1997."

Sir, have you seen this document - I don't know if you can look at it on your screen. Have you seen this document here in

The Hague in discussions with me?
A. Yes.
Q. On the very last page there appears to be a name and an illegible signature: AK Sesay. Who was AK Sesay?
14:40:26 A. He was the secretary-general at that time in the meetings.
Q. Going back to the first page I'd like you to take a look, just read to yourself, these 26 names that are listed. Perhaps for the record I could quickly go through them: Major JP Koroma number 1; Captain SAJ Musa; Staff Sergeant A Sankoh; Staff
14:41:02 Sergeant Tamba Alex Brima; Staff Sergeant Brima Bazzy Kamara; Major JB Katta-Tarawalli; Squadron Leader VL King; Colonel Denis Mingo; Colonel Isaac T Mongor, spelled on this document M-U-N-G-O-H; Lieutenant Colonel Issa H Sesay; Lieutenant Colonel Gibril Massaquoi; Major Morris Kallon; Captain Lawrence S
14:41:43 Womandia; Lieutenant Eldred Collins; 15 is WOI Franklyn Conteh; 16 WOI --
A. Excuse me, excuse me. Not WOI, WO1, warrant officer class 1.
Q. Thank you.
14:42:05 A. WOI, Franklyn Conteh.
Q. Thank you. And number 16 is WO1 Samuel Kargbo. Who is that?
A. That is myself.
Q. And can you explain again there's a WO1, warrant officer 1.
14:42:21 What does that mean exactly?
A. The WO1, that means warrant officer class 1. That is the rank of RSM. WO2, warrant officer class 2, that is warrant officer - that is sergeant major.
Q. Thank you. Number 17 is Staff Sergeant Brima Kamara; 18 is

Sergeant SB Kanu; 19 is Sergeant George Adams; 20 is Sergeant Sahr Gborie, spelled G-B-O-R-I-E; 21 is Sergeant Sulaiman K Turay, and here Sulaiman is spelt S-U-L-A-I-M-A-N; 22 is Corporal Momoh Bangura; 23 is Lance-Corporal Ibrahim D Sesay; 24 is CSO D
14:43:23 Kabia. Sir, what does CSO mean?
A. The chief security officer. I don't know why the D is there, but we knew him as Chief Security Officer Moses Kabia. It should be chief security, that is the CSO, and it should be Moses Kabia, not D.
14:43:44 Q. And Moses Kabia, did he have another name that he went by?
A. Rambo.
Q. And this Moses Kabia, Rambo, who was he?
A. He was the chief security officer to Johnny Paul Koroma during the first appointments. They were there up to the time
14:44:10 the AFRC was overthrown from the city.
Q. Well this person, was he a member of the Sierra Leone Army, or any other faction, prior to the AFRC coup?
A. He was a member of the Sierra Leone Army.
Q. Number 25 is Abdul M Sesay and number 26 is Colonel AK
14:44:34 Sesay. Sir, do you recognise all of these names?
A. Yes.
Q. And what is this a list of?
A. Well during the times when we would meet for meetings everybody would write his name, so I believe that was the list
14:44:59 you got.
Q. The document lists Major JP Koroma as chairman, Captain SAJ Musa as chief secretary of state and then it lists three individuals, Sergeant A Sankoh, Tamba Alex Brima and Brima Bazzy Kamara, as PLOs in order 1, 2, 3. What does PLO mean?

A. Principal liaison officer.
Q. And what was the significance of that title? What did it mean to be principal liaison officer?
A. It was very important. That was one of the higher ranks
14:45:38 within the council and the government.
Q. I want to turn to item number 5 on page 4 of this document and I will read it and my question for you will be whether you recall this discussion:
"Following the difficulties that came along with the
14:46:11 political impasse, an initiative was taken to send a team down to Kono to do some mining. By all indications, the team was not believed to have worked well and therefore the Chief Secretary of State was mandated to go on the spot check and stop all mining operations.
14:46:33 He was ..." --
A. Well --
Q. I am sorry, let me just finish the next sentence or two sentences:
"He was able to come with the following: One (1) Piece of
14:46:48 Diamond weighing Fourteen (14) Carats and Two (2) Assortments of Small Diamonds weighing Nineteen (19) and thirty-One (31) Carats respectively. The Chairman reminded members that with the mineral resources we have in this country, there should be no need to rely on funding from external agencies."
14:47:08 PRESIDING JUDGE: Sorry, Mr Witness, I was reading this. Yes?
THE WITNESS: I want to use the gents.
PRESIDING JUDGE: Please assist the witness. Mr Koumjian, if you wish to have a seat.

[In the absence of the witness]

MR KOUMJIAN: Your Honour, I just have a request. My colleague points out that he doesn't believe and I noticed in the last few minutes that the witness appeared to be in some
14:49:03 distress. I don't know if it was just related to the break and I would request that the Court could ask him about his condition, rather than myself. Thank you.

PRESIDING JUDGE: When he returns, I will check.

MR KOUMJIAN: Just to let the Court know, he did indicate
14:49:43 to us that he had problems sitting for medical reasons and so I don't know if that's occurring.

PRESIDING JUDGE: I did notice that he mentioned some past - well, we can only check.

JUDGE SEBUTINDE: Mr Koumjian, what do you want the Bench
14:50:14 to do about his medical condition?

MR KOUMJIAN: Just to make sure he's okay to continue today, I hope he is, or whether anything would ease his discomfort if he has - he had mentioned I know when I spoke to him that it was sometimes necessary for him to stand up and then
14:50:28 he felt better if he stood up.

[In the presence of the witness]

PRESIDING JUDGE: Are you all right now, Mr Witness?

THE WITNESS: Yes, I'm all right.

PRESIDING JUDGE: Please continue.

14:50:51 MR KOUMJIAN: Thank you:

Q. Sir, I was asking you about this discussion in paragraph 17 and 18 on page 4 about mining and about diamonds. Do you recall whether diamonds were discussed in meetings of the Supreme Council in your presence?

A. Yes.
Q. Was this something that was discussed on one occasion, or more than one occasion, the general --
A. Many times.
14:51:28 Q. In general what was - why were diamonds being discussed at these meetings?
A. Well some of my colleagues, after we had taken over some of them sent their family members to be mining for them in Kono and that was not going down well with the council. The chief
14:52:01 secretary of state brought the complaint to the Supreme Council, and the chairman gave him the task to go and stop every mining and that they should allocate sites where government should do their mining and nobody should go there and he brought with him some diamonds that he presented to the Supreme Council.
14:52:26 Q. Okay. I'd like to go to page 5 and to item 6, paragraph 22 (b), as in boy. Sir, I'm going to read this to you:
"In his contribution, Colonel Isaac reported about the problem of recognition between the People's Army and other service men. He emphasised that it is awkward to see the
14:52:55 People's Army on one side and the Armed Forces personnel getting a confrontation in public".
First of all, do you know who this is? Colonel Isaac, who was he?
A. Yes, I know him. He was one of the RUF high commands and
14:53:16 his nationality was Liberian.
Q. Going back to the first page, the first PLO, PLO-1, is listed as Staff Sergeant A Sankoh. Who is that, A Sankoh?
A. Staff Sergeant Abu Zagalo Sankoh. That was the Zagalo who was the most senior man amongst us.

Q. Thank you. And this is the Zagalo - is this the same person that you discussed had first approached you about participating in this action against the government?
A. Yes.
14:54:05 MR KOUMJIAN: Thank you. I'd like the witness to be shown - well perhaps first this should receive an MFI number, this six page document?
PRESIDING JUDGE: Very well. This is a six page document with the heading "AFRC - Secret" and a subheading "Meeting of the
14:54:26 First ..." --
THE INTERPRETER: Can your Honour activate the mic?
PRESIDING JUDGE: I apologise. I will repeat. This is a six page document headed "AFRC - Secret" and the subheading "Minutes of the First Meeting of the AFRC Held at the Conference
14:54:47 Hall Defence Headquarters on Saturday 19 July 1997." It is MFI 16.
MR MUNYARD: Your Honour, it's not "AFRC - Secret". It's "AFRC - Secretariat".
PRESIDING JUDGE: Oh, well then yours is - mine must not
14:55:00 have copied properly, because mine says "Secret".
MR MUNYARD: Mine definitely says in big bold letters "Secretariat".
MR KOUMJIAN: I belive you are both correct.
PRESIDING JUDGE: There is a letter above that.
14:55:08 MR MUNYARD: Oh, I am so sorry.
PRESIDING JUDGE: I'm taking the very first line of the document.
MR MUNYARD: I am very sorry. Yes, my mistake. I can really only read big print.

MR KOUMJIAN: If the witness can be shown tabs 8 and 9 and first tab 8, but just so that the Court Officer knows to bring both with her:

Q. Sir, do you recognise the four individuals depicted in this photograph?

A. Yes.

Q. Do you know where this picture came from?

A. We took this picture in Liberia.

Q. Do you know how it got into the possession of the Prosecution, how we got it?

A. Yes.

Q. Can you tell us?

A. I gave it to the Prosecution.

Q. Sir, what I'd like you to do is can you name the four individuals, starting at the left and going to the right? So starting at the left with the person with the one hand down on the right side with a white T-shirt and long pants.

PRESIDING JUDGE: Perhaps if the witness would move and point on the screen so we can all see.

MR KOUMJIAN:

Q. Stand up and just go and point at the individuals.

JUDGE SEBUTINDE: Do we have an original of this photograph in court? Is this the best that we have?

THE WITNESS: I'm not getting you clearly.

MR KOUMJIAN: Sorry, Mr Witness, that was directed to the Prosecution. We do have an original. We do not have it in court and we will get it, we hope, tomorrow. We will bring it. We will have to check if it's actually here in The Hague, or whether it's still in Freetown:

Q. Sir, going from left to right, starting with the person with long pants and white shirt, can you identify these individuals, pointing to each one?
A. This one with the long pants and the white shirt, that is
14:58:07 me. The one after me is one Mr --
THE INTERPRETER: Your Honours, can the witness speak into the mic.
THE WITNESS: And this other man was a man who --
PRESIDING JUDGE: You need to speak into the microphone so
14:58:22 the record and the interpreters can hear.
JUDGE SEBUTINDE: And slowly please, don't rush. Start again, please.
THE WITNESS: This one on the left is me. The one next to me is one Mr Banao and this other man I cannot recall his name
14:58:41 now, he was a tailor, he used to sew for us in Liberia, and this is one Brima Kamara, a member of the Supreme Council.
MR KOUMJIAN:
Q. Mr Witness, perhaps it would be helpful, if your Honours do not object, if you write above the three people whose names you
14:59:07 know. Just draw a line and write their names, starting with your own name. You can take it, I believe, off the overhead so you can write on it.
JUDGE SEBUTINDE: I think we'll require the spelling of that second individual that he named, at an appropriate time.
15:00:08 MR KOUMJIAN: I could give it now, your Honours, if you want. It's B-A-N-A-O. I don't believe he gave the first name. It's French, so there may be an accent over the A:
Q. Okay, if it can be pulled down a little bit so we can read the names. Thank you. I see you have something written over the

third person, the person two spaces away from you. By "tailor" you mean - what do you mean? Is that a name, or is that an occupation?

A. That was his occupation.

15:01:31 Q. Okay, thank you. Now, the second individual, the one who is next to you, Mr Banao, where did you first meet him?

MR MUNYARD: Sorry, before we get on to that can we just have an explanation of what the second word is that's crossed out. Is it a different spelling of the name, or is it something

15:01:53 else? I can't see it.

MR KOUMJIAN: That's fine:

Q. Sir, I see you have Banao and then you have something crossed out. What is that? Did you spell it one way and then change it?

15:02:08 A. Well, I spelt it in English, the English way, but when the lawyer said it was a French name that's why I decided to spell it the French way.

MR MUNYARD: Thank you.

MR KOUMJIAN: Thank you.

15:02:27 JUDGE SEBUTINDE: Are we now taking evidence from the Bar, or which way is this name spelt?

MR KOUMJIAN: Your Honour, we have other documents so your Honours usually ask us for the correct spelling and we believe that is the correct spelling. This is not coming from the

15:02:40 witness, the B-A-N-A-O. I believe he did copy that from me:

Q. Sir, who was Mr Banao?

A. Well, the time we saw him was the AFRC period at Johnny Paul Koroma's lodge, who was the chairman at that time. He said he was a special assistant to him.

Q. What was his nationality, if you know?
A. He spoke more French. He was not that good in English, so I didn't know the country he came from, but he spoke more French. He was not that good in English.
15:03:35 Q. Okay. I'm going to jump ahead just to explain this picture a little bit, but can you just tell us what year this photograph was taken in?
A. Yes. We took this picture in 1999 after the accord, when we went to Liberia.
15:03:56 Q. And when you say "the accord", which accord do you mean?
A. The Lome Accord.
Q. What town, or city, or village were you in when you took this village, if you recall?
A. We were right in Monrovia city, Congo Town, where we were
15:04:18 lodged in a guesthouse close to Mr Charles Taylor's residence.
Q. You said this picture was taken in 1999 after the Lome Accord. When was it that you first met Mr Banao? What year was that?
A. The first time I met him was in 1997.
15:04:44 Q. Where was that?
A. That was at chair man Johnny Paul's lodge. That was where I met him.
Q. The person on the far right with the hat on, who is that?
A. Brima Kamara, one of the Supreme Council members, he was a
15:05:07 colleague.
Q. Thank you. I believe we're finished with that photograph. When you first met Mr Banao what was he doing, or what were the circumstances?
A. He used to go out and come in into the lodge of chairman

Johnny Paul Koroma. He said he was his personal assistant.
Q. Okay, thank you. Now I'd like the witness to be shown tab 9, another photograph. Witness, can you tell us who are the two individuals, first the one in the white shirt?
15:06:08 A. Yes, this first person is Captain Banjah Marrah. Then the second one is myself, Samuel Kargbo.
Q. I believe we spelt Banjah Marrah earlier. You gave another name for Banjah Marrah, or a title. Did he go by another name or title?
15:06:39 A. Well, we used to call him Control because he was the one who controlled all the telephone or communication sets for Johnny Paul Koroma in Johnny Paul Koroma's office.
Q. Do you know what languages Banjah Marrah spoke?
A. He spoke Krio and he spoke English.
15:07:13 Q. And who else is in the picture, smoking the cigarette?
A. That is myself, Samuel Kargbo.
Q. Thank you. Can you just again quickly just write Banjah Marrah's name and your own name on the photographs.
Sir, when we discussed the document of the Supreme Council
15:08:15 meeting there was an item regarding diamonds and we briefly discussed diamonds and you mentioned that they were talked about at the Supreme Council. Did you ever actually see diamonds at any Supreme Council meeting?
A. Yes.
15:08:35 Q. Can you tell us the circumstances when you saw diamonds at meetings of the Supreme Council of the AFRC?
A. It was the chief security at that time who was at Johnny Paul Koroma's place, Moses Kabia, alias Rambo, when there was complaint that the other family members of some council members

were mining in Kono, so the chairman sent Rambo to go and stop them and he brought the government diamonds to the Supreme Council meeting and presented it, but I cannot recall the exact number of diamonds because he did it on two or three occasions.

15:09:30 Q. What were these diamonds contained in, if they were in any kind of packaging or container?

A. It was in a plastic bag where drugs are normally put in hospitals.

Q. So when the diamonds were brought to the meetings, who took

15:10:02 them, or what happened to them?

A. After the checking they handed them over and it was with chairman Johnny Paul Koroma.

Q. Sir, did you ever receive any assignment related to diamond mining?

15:10:30 A. Yes.

Q. What was your assignment? What was your involvement?

A. They sent me to Kono after the Iranian saga where Gborie was. After they had dealt with them and a decision had been taken against them Chairman Johnny Paul Koroma sent me to go and

15:11:00 take charge of the GGDO, and other colleagues, Ibrahim Bio Sesay and other RUF commanders like Moriba, all of us went together with Morris Kallon - he went with us and he returned - and so we were there together with some other members of the Supreme Council. I was there as the overall commander of the GGDO.

15:11:23 Q. First, sir, can you explain what does GGDO stand for?

A. Government Gold and Diamond Office.

Q. And what did that office do?

A. When we were in Kono I - we were in charge of all of the gold and diamonds, but when we were there there was no gold in

Kono and so we dealt more with diamonds.
Q. You said this happened after - your appointment after the Iranian embassy incident which you had earlier said was 1 January 1998, so do you recall approximately when it was that you took up
15:12:17 this assignment?
A. Well, I think that assignment was - I can remember it was in second to the third week of January. That was when I took up the assignment.
Q. How long did you stay in that assignment?
15:12:37 A. I was there until the intervention when we were ousted out of power.
Q. When you were there, were you actually physically present in Kono?
A. Well I was there until the start of the fight in Freetown
15:13:04 and I left to come, but I had no way to cross over to Freetown.
Q. When you say you were there, where were you actually based when you had this assignment? Did you have an office somewhere?
A. I used my house as an office that was located at Masingbi Road, close to Five-Five Spot.
15:13:36 Q. And where exactly are those two places you talked about? Are they in another town? Are they in a town?
A. It is right in Koidu Town.
Q. At the time you were in this position, who was doing mining? In other words, what factions or individuals or groups
15:14:03 were involved in mining?
A. We, together with the RUF, were doing the mining. We had areas that were government spots. After the mining, in the evening we would come to the house to meet. We had a meeting room where we would come and everybody would give an account and

they would turn everything over to me.
Q. Thank you. Now, I want to go back to our discussion this morning about the Magburaka plane that landed at Magburaka. Now we've talked about the Supreme Council, was there any discussion
15:14:45 related to that plane coming at the Supreme Council before the plane came that you can recall? Can you explain to us what you recall now about that?
A. Yes. We discussed in the Supreme Council, the chairman together with other members, that it was for arms and ammunition
15:15:10 that Mosquito had given the recommendation. Then the chairman said that we needed to have somebody from the army, who would know our needs, and that was why he recommended Lieutenant Colonel Fonti Kanu to go with the delegation that was to go and bring the arms and ammunition. They were to give something to
15:15:31 the delegation that was not disclosed to the Supreme Council. The chairman only said he would give them a parcel to go with.
Q. Now, you said Fonti Kanu was recommended. Can you tell us who it was that decided or recommended Fonti Kanu for this operation?
15:15:57 A. Chairman Johnny Paul Koroma.
Q. Now you said Sam Bockarie recommended someone, or made a recommendation. What was Sam Bockarie's recommendation?
A. Sam Bockarie recommended General Ibrahim. He said he would be able to facilitate the bringing of arms and ammunition. At
15:16:26 that time he was not in the meeting, but when he came back we all met at the chairman's, Johnny Paul Koroma's, house.
Q. Okay. Now this discussion in the Supreme Council, did it take place in Freetown?
A. Yes, it took place in Freetown at Johnny Paul Koroma's

house. That is Spur Road.
Q. Now, earlier in your testimony you discussed some delegations that went out of the country. Prior to this discussion where Bockarie recommended Ibrahim Bah and Johnny Paul
15:17:00 Koroma and Fonti Kanu, had any delegation travelled related to this shipment?
A. That was the delegation that was headed by Mike Lamin. They went and crossed into Liberia.
Q. Now, why do you say that delegation was related to this
15:17:25 shipment when you discussed Ibrahim Bah and Fonti Kanu later at the Supreme Council?
A. After they had left, when the plane came there was Fonti Kanu and there was a soldier called Musa who had a Burkina Faso insignia and a uniform that he wore on.
15:17:56 Q. Okay, thank you. You're getting ahead of me. I wanted to ask you about who got off the plane, but first I want to go back to you said, "Before this discussion in the Supreme Council ..." - first of all, Mr Witness, are you okay? Are you all right?
A. No, no, I'm not all right.
15:18:17 PRESIDING JUDGE: What's the problem, Mr Witness?
THE WITNESS: I have a sore on my buttock. I am feeling the pain at times, except if I go to the toilet and I apply my drugs on it. I want to use the toilet.
PRESIDING JUDGE: Do you have the drugs immediately
15:18:40 available to you?
THE WITNESS: Yes, yes.
PRESIDING JUDGE: Please assist the witness.
Mr Witness, would you prefer to stand up at least part of the time? Would you feel more comfortable?

THE WITNESS: If it's painful, I will stand up.

PRESIDING JUDGE: Very well. Please let us know and we will facilitate that.

THE WITNESS: Okay.

15:23:30 MR KOUMJIAN:

Q. Mr Witness, if you need to stand up just pull the microphone closer to you and speak into the microphone. Sir, going back to the plane that landed, did you see any individuals getting off the plane?

15:23:47 A. Yes.

Q. Who got off the plane?

A. Fonti Kanu and one Musa, whom I later came to know at the lodge of Johnny Paul Koroma. He was in the military uniform.

Q. What else came off of the plane? Was anything unloaded

15:24:08 from the plane?

A. Yes. Arms and ammunition, large quantity.

Q. Can you recollect any types of arms or ammunition that you remember seeing taken from that plane at Magburaka?

A. Yes, yes: RPG bombs, stinger missiles, AK rounds, G3

15:24:46 rounds, mortar bombs and the stinger missile bombs.

Q. Were there any weapons?

A. No, I did not see weapons.

Q. What happened to what you remember coming off the plane?

A. The arms and ammunition were all in something like a net,

15:25:28 so they dropped it and the plane took off. Musa, Lieutenant Colonel Fonti came down --

THE INTERPRETER: Your Honours, can the witness repeat this?

PRESIDING JUDGE: Mr Witness, the interpreter needs you to

repeat your answer. Please start where you said, "It was in something like a net, so they dropped it and the plane took off." Please continue from there.

THE WITNESS: The net contained all of the ammunition.

15:26:03 PRESIDING JUDGE: I think I heard you say something about Musa and Colonel Fonti. Could you repeat that also?

THE WITNESS: Yes, Lieutenant Colonel Fonti Kanu came down and Musa; he hadn't any rank on him but he had a uniform and a crown from Burkina Faso.

15:26:25 MR KOUMJIAN:

Q. Okay, sir, to clarify a few things, you said Stingers. Can you tell the judges what a Stinger is?

A. The Stinger missile was what we were supposed to use for the jet, which this Musa from Burkina Faso had come to train some

15:26:47 of the security officers at Johnny Paul's place, that you put on your shoulder to shoot at the jet, so that we would be able to drop the jet, but unfortunately when he came the bombs were not functioning.

Q. Okay, first, Mr Witness, thank you, try to speak a little

15:27:12 bit slower because it's difficult for the interpreters sometimes to keep up with you. The Stinger missiles that were fired from the shoulder, do you know how they were supposed to find the jet? What they used to find the jet?

A. Yes, because during the training we too were there at the

15:27:33 lodge. You put it on your shoulder, then there is the trigger in front, you put it on your shoulder, then you aim at the jet. While the jet would be - while the jet would have passed then you are supposed to shoot from the back, then it would trace the jet. The heat that follows the jet is what the Stinger would trace to

meet the jet and put it down.
Q. Sir, you said this ammunition came in a net, or these arms and ammunition you said. How did that get off the plane? Was there a stairway on the side of the plane? How was the plane
15:28:24 unloaded?
A. From the back. It opened from the back and everything came out and Lieutenant Colonel Fonti and Musa, all of them came out of the plane running from the back.
Q. Now, you said you learned about these Stingers, I believe
15:28:44 you said at JPK's house, correct me if I'm wrong. Who was teaching you about the Stingers?
A. No, I didn't - I was not taught, but the security men for Johnny Paul Koroma, the chairman, some of his guys, his security men were taught. We stood by looking as to how things were
15:29:06 happening.
Q. Who was doing the instruction on the use of a Stinger?
A. It was Musa.
Q. The Musa that you said came off the plane?
A. Yes, exactly.
15:29:22 Q. After the ammunition came down on the ground in the net, what happened to it, the arms and ammunition?
A. Well, after the plane had left, we rushed. Everybody took some and placed them in the vehicles fast, in order for us to leave quickly, to depart the airfield quickly.
15:29:47 Q. If you can just clarify one thing. You said that it was arms and ammunition and you've discussed a number of different types of rounds and Stinger projectiles. What are the arms that you're talking about as opposed to ammunition? What arms or guns did you see?

PRESIDING JUDGE: I didn't hear guns.

MR KOUMJIAN: He didn't use the word "guns", he used the word 'arms'.

PRESIDING JUDGE: I'm referring to your sentence, Mr Koumjian, and I didn't hear the witness use the word "guns".

THE WITNESS: Well, anti-aircraft rounds, AKs, G3s, mortar bombs, RPG bombs, Stinger bombs and the Stinger missiles, but no arms came. But in common we used to call them arms and ammunition.

15:30:41 MR KOUMJIAN:

Q. Okay, thank you. Now, sir, you've talked about being sent to Kono and you said only for a short time because of the intervention. Can you now tell us what happened with what you called the intervention, from your point of view where you were at? Sorry, excuse me. Your Honour, may I strike that question because I've failed to follow through on something on Magburaka. I've been meaning to you, sir, where did you actually take the ammunition that was unloaded from the plane? Where did it go?

A. We drove down to Freetown and straight to the chairman Johnny Paul Koroma's residence at Spur Road.

Q. And then what happened to the ammunition?

A. We brought everything and afterwards it was distributed to each and every one of us, including the RUF high commands.

Q. Okay, thank you. Now going on to the intervention. Where were you when you first heard of the events that you've called the intervention?

A. Well, I was in Kono around the start of February. I cannot remember the right date. Then the handset that I had was not functioning, it can't get to Freetown at the time. So we got a

message from the brigade, which was the army base at the time, that chairman Johnny Paul Koroma wanted to talk to us on the set. So in the evening the message was brought directly to me, because I was the senior commander on the ground. So I called my other
15:32:58 colleagues and we went to the radio room at the brigade in Kono and he told us that if - he asked us if we heard what is happening and he said that right now they were invading us, the town. So he said we should get some manpower, arms and ammunition from Kono to try and get to town, Freetown. So we did
15:33:22 that with the others. We came to a meeting and we decided that we should go. We had fuel constraints and other things, so we raised some amount, I distributed the money to everybody so that we could procure fuel. Unfortunately, most of them did not go. I was the only one who took up the venture and went. I went, but
15:33:44 I couldn't cross over. As soon as I got to Masiaka, Issa Sesay too was coming from the Bo end and we met at Masiaka. So he said that we should try to proceed to Waterloo. Unfortunately, when we got to Waterloo there was a large troop there, the Guineans and the Nigerians. They were deployed in Waterloo, on to the
15:34:05 refugee camp. We tried to put men together to bulldoze our way, but we couldn't, so we lost some men there and we decided to return to Masiaka whilst the intervention was still going on. They ousted them from Freetown. Zagalo continued to call me through the radio at the time the radio - the handset had come
15:34:28 on. So he spoke to me in our local language so that we can locate an area where they could pass to find a way of joining us because Waterloo was blockaded, because we too had told them that we had no way of crossing over. We located an area around Fogbo where a large troop was, the advanced team. We pushed the

Kamajors downwards. The troops came in and they supported us and chairman Johnny Paul Koroma and his family, all of them crossed over and met us and I drove them up to Masiaka.

Q. Thank you. Let me go back and ask you a few questions
15:35:10 about this. First of all, you said that Johnny Paul Koroma got you on the handset and then - or got you on the radio and said that they had --

A. No, no, it was not Johnny Paul Koroma. Abu Zagalo.

Q. Thank you. You said, "We went to the radio room at the
15:35:30 brigade in Kono", line 10, "and he told us that if we - he asked if we had heard what is happening and that right now they were invading us, the town." Can you explain that? Who was invading which town?

A. Okay, if it was the one in Kono it was the CO then who sent
15:35:54 his adjutant who came and met us and told us that Johnny Paul wants us on the set. That was the one in Kono. He went and talked to us that the Nigerians and the Kamajors were invading, so he said we should go to Freetown. The Nigerians and the Kamajors.

15:36:09 Q. Okay, thank you. Now, just to understand this in context, you've told us that the action of you and the other original 17 that overthrew the Kabbah government occurred in May 1997 and now we're talking about February 1998. Between May 1997 and February 1998 was there fighting going on between you and other factions,
15:36:36 between your government and other factions?

A. Yes.

Q. And who were you fighting against during that period of time before the intervention?

A. The Kamajors and the Nigerians were fighting against us and

we too were fighting against them.
Q. And when you say "we", at that time --
A. We, the AFRC, we were fighting against the Kamajors and the Nigerians.
15:37:05 Q. When you say the AFRC, "we the AFRC", who do you mean?
A. The soldiers, all of those who were on our side and we the Supreme Council members, because I too was on the front line.
Q. And when you say "all those who were on our side", I'm sorry, but explain to us who were the people on your side?
15:37:27 A. All the soldiers who were loyal to us, who were with us. Then including the soldiers who were with us and we the Supreme Council members, all of us were on the front line fighting against the Nigerians and the Kamajors.
Q. All right. What about the RUF? What was their position in
15:37:51 this fighting?
A. Including them too. All of them were loyal to us by then. All of us were doing the same thing.
Q. Now, you've talked about how you went from Kono and eventually met up with Johnny Paul Koroma. Can you remind us
15:38:12 where was it that you first saw Johnny Paul Koroma after the intervention?
A. The first place I saw him was in Fogbo.
Q. Who was Johnny Paul Koroma with?
A. He was with his security guards, Banjah Marrah who was the
15:38:36 radio man, his security Salieu, Twenty, David and others and his family members, wife and children, and other members of his family.
MR KOUMJIAN: Your Honours, just the spelling Salieu, S-A-L-I-E-U and Twenty is spelt like the number.

PRESIDING JUDGE: And the radio man? I think I heard a name for the radio man.

MR KOUMJIAN: Yes, he said Banjah --

THE WITNESS: Yes, Banjah Marrah. The control officer.

15:39:22 MR KOUMJIAN:

Q. What happened when you met up with Johnny Paul Koroma, his family and securities?

A. I immediately put them in my vehicle, which was a red Land Cruiser, written on PRL5, and I took him to Masiaka, where I was

15:39:44 staying in Masiaka. That was where I took him.

Q. Can you tell us then where you went from Fogbo to Masiaka, where you went next?

A. At around 3.00 to 3.30 in the morning Lieutenant Colonel SAJ Musa met me and told me that he has understood that the

15:40:09 Guineans want to launch an attack against us, so he told me to move with Johnny Paul Koroma. Straight away I put him in my car and drove off to his village in Magbonkineh. First to Makeni, then Makeni to Magbonkineh.

MR KOUMJIAN: Excuse me, I don't know if your Honours have

15:40:31 the spelling of Magbonkineh. I believe my colleague says it already is on the record.

Q. What did Johnny Paul Koroma do once he got to Magbonkineh?

A. When I arrived in that village in the early hours, he told Banjah to call. By then the satellite phone was under my seat,

15:40:57 because Banjah had given it to me to take care of it because I was putting it under my seat. Because I normally do not alight I keep it under the seat, so I took the satellite phone and gave it to Banjah and then he called and he spoke on the BBC and told them that he was up the hills and that we will soon come in

again. Then afterwards he called Mr Taylor and told him about this helicopter shuttle, but then I did not know anything that they had been conversing about that in town until he called me - I called him and spoke about the helicopter. As they were
15:41:38 talking and after they had finished talking, Johnny Paul Koroma asked how many of us were there and he said because the helicopter would seen arrive because he's spoken to Mr Taylor. He has to find out the number of us there, because we were going to wait for the helicopter.

15:41:58 Q. Okay, thank you. Now, Mr Witness, you've talked about the satellite phone. First, can you describe what this phone looked like?

A. The phone was a small one like this. It just had the receiver and it could be folded. It had a bag. But if I see one
15:42:16 I would be able to identify it, maybe in a picture or whatsoever.

Q. Where did you first see this satellite phone?

A. Well, when they crossed from Fogbo it was with him. From the early morning, before we left, it was then that Banjah gave me, because they were many in the back of the car and so he gave
15:42:47 it to me and I put it under the driving seat where I was sitting.

Q. Now, you talked about a phone call from Johnny Paul Koroma to the BBC. What did he use to make that phone call?

A. He used the satellite telephone.

Q. And you said he was here above the hills, or words to that
15:43:16 effect. Can you explain again what Johnny Paul Koroma said to the BBC?

A. Well he said he was above the hills in Freetown, if I can remember. He said he was above the hills in Freetown and he would soon get back to the city.

MR KOUMJIAN: Your Honour, could the witness now be shown tab 7, which is a three page document with the ERN numbers 00100146 through 148:

Q. Sir, I'm going to read to you the first paragraph:

15:44:20 "As the Nigerian-led West African intervention force ECOMOG consolidated its hold of Sierra Leone's capital, Freetown, Major Johnny Paul Koroma, chairman of the toppled Armed Forces Revolutionary Council (AFRC), vowed at the weekend his forces would fight on, the BBC reported. Speaking on a satellite

15:44:46 telephone from a location he said was in the hills above Freetown, Koroma denied ECOMOG had arrested senior AFRC officials. 'We are going to fight back', Koroma said."

Sir, is this consistent with your recollection of the phone call that you heard Johnny Paul Koroma make from his village,

15:45:10 Magbonkineh?

A. Yes.

Q. So when he made that phone call, was he above the hills of Freetown as stated - as reported he stated to the BBC?

A. No, we were in Magbonkineh by then.

15:45:29 Q. Before we leave this document, I'd like to turn to page 2. Actually before it's shown to the witness, let me ask a few questions. When the intervention happened, sir, what did the - your colleagues in the AFRC, what was the reaction of various colleagues? Did all of them go with you, or what did they do, or

15:45:59 where did they go?

A. I have not got that clearly.

PRESIDING JUDGE: Mr Koumjian, you have about three questions in there and so go through them one at a time, please.

MR KOUMJIAN:

Q. Did any of your colleagues - no, excuse me. Let me try again, your Honour. Sir, did all of your colleagues remain in Sierra Leone?
A. After the intervention?
15:46:25 Q. Yes, during and after the intervention.
A. Yes, we stayed, but after the intervention some crossed over to Guinea and then later some went to Liberia. They came back through Liberia and joined us in Kailahun, but I did not cross over. I went on to Kailahun. I did not cross over to
15:46:53 anywhere. I was in the jungle with the RUF.
Q. Do you know someone by the name of Victor King?
A. Yes.
Q. Who was Victor King?
A. Victor King was the flight commander and then he was a
15:47:12 Supreme Council member.
Q. What did Victor King do, if you know, during or after the intervention?
A. Well when we had made way for Johnny Paul Koroma and he had come, as we were coming along the road in the vehicle I heard him
15:47:36 grumbling about why Victor had taken the helicopter to Liberia without us knowing. He said, "Why has he taken the helicopter to Liberia?", and so I heard the chairman grumbling thus about Victor King.
Q. Did you ever later hear what happened when Victor King took
15:47:56 the helicopter?
A. Well, we listened to the BBC that the ECOMOG force has arrested the helicopter in Monrovia at Roberts airfield.
MR KOUMJIAN: Now, if the witness can be shown page 2 of this document with the ERN ending 147:

Q. It indicates in the top paragraph:

"Meanwhile in Liberia, President Charles Taylor demanded ECOMOG hand over AFRC officials arrested on Friday, when two helicopters they were using to escape Freetown were forced to
15:48:39 land in the capital, Monrovia, by an ECOMOG jet. In a radio broadcast reported by AFP, Taylor said Liberia was a sovereign state and should take charge of the AFRC detainees."

Then just to finish the paragraph:

"Taylor said that a low level flight by an ECOMOG jet over
15:49:00 the presidential Executive Mansion on Friday was 'an act of provocation'. Taylor also demanded ECOMOG remove its tanks from parts of Monrovia and Robertsfield international airport."

Sir, does this coincide with your recollection of what Johnny Paul Koroma was telling you about Victor King leaving
15:49:30 Freetown?

A. Exactly. Exactly.

Q. So after the phone call to the BBC, you said there was another phone call - excuse me, may this three page document be given an MFI number?

15:50:05 PRESIDING JUDGE: That is a three page document headed "University of Pennsylvania - African Studies Center" and underneath that is a subheading "IRIN-West Africa update 146, 98.2.16". It becomes MFI-17.

MR KOUMJIAN:

15:50:30 Q. Now at the village, in addition to the call to the BBC do you recall any other calls around the same time that Johnny Paul Koroma made on the satellite phone?

A. Yes.

Q. Can you tell us what you recall about that?

A. Yes. He called afterwards and he said Mr Taylor had told him - because by then we were not hearing what Mr Taylor was saying, but we heard what Mr Johnny Paul was saying. He said Mr Taylor told him that it was not possible for the helicopter to
15:51:10 come to Magbonkineh to pick us up he said because of the Alpha Jet raids from the ECOMOG forces. So with that Johnny Paul Koroma decided that we should find a place by Kabala, so all of us, including his family, his security, drove and went right up to Kabala and the name of the village - the village was Banjah
15:51:40 Marrah's village that was bordering Guinea, but I do not know the name of the village. I have forgotten the name. We got there. The chairman, the Pa - the chairman got a place where he was lodged and he went there with his family. His wife was hard pressed for the ladies, so when she went out a man saw her and
15:52:04 they said he had been a batman to his father called Captain Cambolie. She asked him, "Are you not ..." --

THE INTERPRETER: Your Honours, can the witness take this last part of his testimony again?

PRESIDING JUDGE: Again, Mr Witness, I'm afraid you're
15:52:23 going too fast for the interpreter. Could you please speak more slowly and also pick up where you said I think it was "a batman ...", you said, "... to his father called Captain Cambolie." Please continue.

JUDGE SEBUTINDE: I think you should start where you said,
15:52:43 "His wife was hard pressed for the ladies", and continue.

THE WITNESS: His wife wanted to use the ladies, so she came outside and this man - an old man - came out and he had been with her father. He was a batman to her father. So he asked her, "Are you not Cambolie's daughter and your husband Johnny

Paul Koroma?", and the woman went back in hastily and explained this. When she explained, we were all there with Banjah Marrah. Then the Pa said, "What do we do?" Then I said, "We should pull out", and so we all entered the vehicle and decided to come down
15:53:28 by Kabala.

By then, before we got there, it was around - it was time for news hour over the BBC. It was then that we heard that Johnny Paul was with a red Land Cruiser. Then the registration plate was not there, so they couldn't identify any registration
15:53:51 plate. They just said he was with a red Land Cruiser. Straight off we crossed Kabala and went down to the same Magbonkineh, but we did not enter Magbonkineh. There was another village on the other flank which we entered.

Then we met his brother, who was the late SFY Koroma. He
15:54:10 was with his blue Range Rover. So when we got there he too was - he laughed and said, "I have heard about you. They've spoken about you over the BBC, that you are using a red Land Cruiser." He said straight off, "Leave this car here and take mine, because they've already identified this one." So we did that, took his
15:54:33 and we left the Land Cruiser there, but we were there for some time and we decided to come back. We did not go to Magbonkineh. We came close to the bush where I left them. From there he assigned us with other men to go and put men together. He said he had received a call from Mr Taylor that he should go and
15:54:58 capture Kono.

MR KOUMJIAN:

Q. Okay, thank you. I want to just ask you first one question, something I didn't understand a term you used. You said that this old man had been the batman to Johnny Paul

Koroma's wife. Can you explain what that means?

PRESIDING JUDGE: Her father. The wife's father.

MR KOUMJIAN:

Q. Father?

15:55:26 A. To Johnny Paul Koroma's wife's father. He was there to clean the house, iron the uniform. In fact, in the military we call them batmen. They iron the uniform, clean the house and take care of his clothes.

Q. Okay, thank you. I didn't understand that term.

15:55:47 PRESIDING JUDGE: It's a very old term.

MR KOUMJIAN: Thank you:

Q. Sir, just going back, so you talked about the point where you abandoned your red vehicle, but during the time that you were in the red vehicle can you just tell us what the seating

15:56:07 arrangements were in that car? Who was in the car and seated where? Excuse me, I'll ask you one question at a time. Who was in the red vehicle?

A. I was driving. Johnny Paul Koroma and his family, Banjah Marrah, the control officer, Salieu and Twenty, security, and

15:56:32 David, we were there.

Q. You said --

A. And the chief security Moses Kabia, alias Rambo, and Johnny Paul's family.

Q. All of you were in that one vehicle?

15:56:48 A. Yes.

Q. You said you were driving. Where was Johnny Paul Koroma seated?

A. He and his wife and small child were seated in the passenger seat in front and I was in the driving seat.

Q. So if I understand the sequence that you've just talked to us about, you came back then to Magbonkineh and this is the second time during the sequence of events that you went to that village, is that right, or near Magbonkineh?
15:57:28 A. We did not enter. When we came from up there we did not enter. There was a bush that we had located. That was where we kept it.
Q. You indicated, when you finished your last answer, your long answer, that Johnny Paul Koroma said that he had talked to
15:57:49 someone about going to Kono. Can you explain that again?
A. Yes. He said he had called Mr Taylor and they've spoken again. He said Mr Taylor says he should go and recapture Kono. He said it would be better for them to do the pick up there with the helicopter. He said we should go back to Kabala. By then
15:58:12 Superman had met him. I and Akim and the chief security and Rambo, he said we should go. He said where we had left them is a safe place, we should go and put - all the SLAs, all the SLA officers and all the RUF's officers, commanders, he said we should all come down to Makeni to go and capture Kono.
15:58:41 Q. When you say capture Kono, who was in control of Kono at that time when Johnny Paul Koroma told you he talked to Charles Taylor about capturing Kono?
A. Well, during the intervention when I had left and come to town, within 72 hours, before Johnny Paul sent that message to
15:59:04 all of us to come, Gullit had met us in Kono, but he was not part of our assignment. So when I left and came they said there was a difference between them and the civilians in Kono, so the Kono people went and called the Kamajors and joined them and dislodged the soldiers from Kono. It was the Kamajors and the Kono people

who had been occupying Kono by then.
Q. So if I understand you correctly then the plan was to recapture Kono from the Kamajors and the Kono people who lived there, is that right?
15:59:43 A. Yes.
Q. After Johnny Paul Koroma told you that, was there any discussion with any other commanders?
A. Yes. I, Superman, Rambo, Akim, we immediately drove off to Kabala on to the villages and we tried to summon all the officers
16:00:07 who've been hiding in the villages, so we told them to come to Kabala Town for a meeting. Some came and some did not, some continued to stay in hiding. Those of us who did that, we came together - they came together, we explained to them and there was Superman for the RUF and we were for the SLA. There were some of
16:00:27 them who agreed with us and they joined us and we came over to Makeni.
Q. At this meeting in Kabala, what exactly was discussed and agreed upon, or ordered?
A. Well, it was the things that had been happening, that we
16:00:50 should put aside all differences to go and capture Kono and that it was the chairman who was saying that we should come together. That was what was arranged. We divided us into platoons so that we could come to Makeni and we should organise ourselves to come to Makeni and then onwards to Kono.
16:01:08 Q. You mentioned Akim. Do you know his full name?
A. No, I usually called him Akim. I do not know his full name.
Q. That's fine. Who was he?
A. By then he was a captain in the Sierra Leone Army.

Q. Thank you. Then after this agreement to organise yourselves and go to Makeni, what happened after the meeting in Kabala?

A. Everybody came down to Makeni. We assembled as a team in
16:01:47 order to advance to Kono. Superman, Akim, Hassan Bangura, alias Papa, and other SLA and RUF commanders were in the advanced team. We were in the middle with Johnny Paul Koroma, SAJ Musa and other senior ranks. Issa Sesay and others were at the back with Johnny Paul. We brought him and we moved to Kono in order to capture
16:02:23 Kono.

Q. What happened on this first advance towards Kono?

A. Well, when we arrived we were unable to enter Kono. We were unable to enter Kono. We stopped at Mamudu checkpoint, but we were unable to bulldoze our way, so we decided to return
16:02:44 because we had had a lot of casualties.

Q. After that attempt to enter Kono was there any communications by Johnny Paul Koroma that you're aware of?

A. Yes. When we returned he communicated to Mr Taylor and he said we should try to capture there, "So that I will be able to
16:03:13 send a helicopter to pick you up." So he pressurised us and we moved and finally captured there. At that time the satellite phone - the credit in the satellite phone had finished.

Q. Thank you. I want you to go over that again and try not to use "he", or "they", or "we". Try to use the names rather than
16:03:35 the pronouns.

PRESIDING JUDGE: Perhaps to clarify the "there"s.

MR KOUMJIAN:

Q. Let me just first ask you, sir, how do you know about this communication?

A. During the advance I was close to Johnny Paul Koroma. I was close by to Johnny Paul Koroma. Up to the time we got to Buedu I was with him, so whatever happened I knew. But during the communication we did not hear what Mr Taylor was saying, but
16:04:03 he used to translate it to us.
Q. Okay. When you say he would translate it to you --
A. That is Johnny Paul Koroma translated it to us, the chairman.
Q. Okay and can you tell the judges again slowly, trying to
16:04:20 use the names, what Johnny Paul Koroma told you he discussed with Charles Taylor on this occasion after the first unsuccessful attempt to take Kono?
A. After the first attempt to take Kono and we were unable, we came back to Makeni. Then Johnny Paul Koroma called
16:04:43 Charles Taylor and Charles Taylor told him that he should go and capture Kono and when he would have captured Kono the helicopter will come and pick him up together with his family. So Johnny Paul told by then Superman, Akim, Rambo and me, he told us that we should still go and talk to the RUF and the SLA in order to
16:05:07 make them move for Kono, so that we will capture there so that things will be fine for us. So we moved, because he did not expose - he did not reveal to them that a helicopter would pick him up, but he used to tell us. So we went there and told the men and they all agreed and all us of advanced again, the SLA and
16:05:27 the RUF. We went there and finally captured Kono.
Q. Okay, thank you. Now, you indicated earlier that at that time the credit - you said the credit in the satellite phone had finished. Line 3, page 141. Were you ever able, to your knowledge, to recharge or get more credit for that satellite

phone?

A. No. When we captured Kono Johnny Paul lodged at Gandorhun Road in Koidu. We were unable to get any credit to recharge the satellite phone.

16:06:09 MR MUNYARD: I have totally different pagination, as a matter of interest. My reference to the credit running out is page 142, line 14. I don't know if anybody else is on similar pagination.

MR KOUMJIAN: Perhaps we could make a joint motion to ask

16:06:27 if it's technologically possible to get us all on the same pagination on LiveNote.

MR MUNYARD: I completely agree.

PRESIDING JUDGE: I tend to rely on my own notes, Mr Munyard, but I do recall the witness talking about the credit

16:06:41 running out. You're not challenging that aspect.

MR MUNYARD: Not all. Mr Koumjian was obviously trying to be helpful by giving us the reference, but I'm afraid I'm out by a page and a half on LiveNote.

PRESIDING JUDGE: Mine, if it's of any help to you, is page

16:06:58 142, line 16.

MS IRURA: Your Honour, it's the font that determines the page number, so if everyone is on font 16, or font 14, or 12 then everyone would have the same page reference.

MR MUNYARD: I'm on the same page as Madam President

16:07:12 because of my font, but changing font is a mystery I have yet to unravel.

MR KOUMJIAN: Just for the Court's information we are all on the same font and have different pages, so we'll deal with the --

MS IRURA: Sorry, the font size, not the font. The font size.

PRESIDING JUDGE: Perhaps we can leave it until after court and some arrangement can be amicably arrived at.

16:07:44 JUDGE SEBUTINDE: Mr Koumjian, sorry to take you up a bit. Page 141, there is something the witness said that doesn't make sense and perhaps it was the interpretation. At line 10 it says - this is the order he gave of how they were moving to Kono. He says, "Everybody came down to Makeni. We assembled as a team in
16:08:02 order to advance to Kono. Superman, Akim, Hassan Bangura, alias Papa, and other SLA and RUF commanders were in the advanced team. We were in the middle with Johnny Paul Koroma, SAJ Musa and other senior ranks. Issa Sesay and others were at the back with Johnny Paul." So I'm just wondering that's Johnny Paul twice. I would
16:08:30 just like to know exactly where Johnny Paul was.

THE WITNESS: He was in the middle. He was in the middle and we had a team at the rear, that is the back, and the advance team was in front.

JUDGE SEBUTINDE: Where were you, Mr Witness?

16:08:49 THE WITNESS: I was with him in the middle. We were with the Range Rover, because whilst we were advancing we advanced with vehicles.

MR KOUMJIAN:

Q. Sir, just to clarify, to be clear on one thing, when you
16:09:11 talk about taking Kono you're talking about the district, the town, or what are you discussing?

A. The entire district.

Q. And when you said you took Kono, which parts of the district did you take, were you able to capture?

A. We captured Koidu Town.
Q. Now, when Johnny Paul talked to you about the discussions with Charles Taylor, was there anything else discussed besides Kono that you recall?
16:09:58 A. Well, he said that was where the helicopter would go to pick us up. He did not tell us any other thing that they discussed.
Q. Before the credit ran out you've talked about some phone calls on the satellite phone. Have you told us about all the
16:10:23 calls that took place?
A. Yes, those were the calls that took place, the way I understood it.
Q. How many calls do you think there were in total?
A. I cannot recall the number. It was many.
16:11:08 Q. Just to clarify one thing: When he was using the satellite phone you've talked about Johnny Paul Koroma talking to Charles Taylor, do you know of him talking to anyone else with the satellite phone?
A. Yes, he talked to the President in Niger. He talked to the
16:11:35 President of Burkina Faso.
Q. After Koidu Town was taken, where did you go?
A. Well after we had taken Koidu Town, we were lodged at Gandorhun Road. That was where we were lodged.
Q. How long did you stay there for?
16:12:13 A. Well, we stayed there for one or two weeks and then we were at that time getting messages from Mosquito, who was in Buedu, that Mr Taylor said the helicopter - it would not be possible for the helicopter to come to Koidu because of the jet raids, so he said we should find our way to Kailahun District. It was

Superman who used to bring the messages, because at that time Johnny Paul never had a radio set.

Q. After receiving the message through Superman, what did Johnny Paul Koroma do?

16:12:56 A. Before we left after the message had come, I cannot recall the actual date, he decided to convene a meeting with us, the SLA and the RUF commanders in the high command so that we should all receive ourselves together as he was now on his way to go to Buedu, to Kailahun District. So, he said anywhere so ever SLA

16:13:23 would be a commander the RUF would deputise and anywhere RUF served as commander the SLA would deputise. He said we should hold firm to the cause and he was going to meet Charles Taylor and he will come back to meet us, but by then he appointed me to go, Rambo and his family members. He said all of us who were

16:13:41 with him we should still continue to go with him, and the men whom he said should continue to hold the ground they should work as a team.

Q. This meeting took place where?

A. Outside where Johnny Paul was lodged on Gandorhun Road.

16:14:02 Q. And is that in or near Koidu Town?

A. It was in Koidu Town.

Q. You said he said that those who - the men he said should continue to hold the ground. When Johnny Paul Koroma said he was leaving, who did he appoint, if anyone, to hold the ground in

16:14:25 Kono, in Koidu?

A. Yes, he gave Superman the position of battlefield commander. He said Superman should take care of the position, because by then we had crossed over --

THE INTERPRETER: Your Honours, could the witness slow down

his pace a little.

PRESIDING JUDGE: Again, Mr Witness, I have to ask you to speak more slowly. Please pick up where you said, "He said Superman should take care of the position, because by then we had crossed ..." Continue from there, please.

THE WITNESS: He said since we were crossing to go over Superman will serve as the battlefield commander in Koidu Town, that is Kono.

MR KOUMJIAN:

16:15:14 Q. Okay, sir, when you use the term "battlefield commander in Kono" --

A. Battlefield. Battlefield Commander. Not battle group, battlefield.

Q. What was that responsibility then? What did that mean, that Superman was battlefield commander in Kono?

A. Well, he was in charge of all the operations in Kono.

Q. What other high level commanders, if any, were in Kono under Superman?

A. Yes, we left so many SLA there and some RUF. Bazzy was there as the PLO-2, and the PLO-2 of the AFRC and some other RUF commanders they all stayed in Kono.

JUDGE SEBUTINDE: Mr Koumjian, the witness said regarding his own appointment he said, "He appointed me to go, Rambo and his family members." What does that mean?

THE WITNESS: That we should cross to go to Kono with him as securities. He said we should go with him as securities to go to Kono.

JUDGE SEBUTINDE: Go with who?

THE WITNESS: With Johnny Paul Koroma, chairman.

MR KOUMJIAN:
Q. Sir, you said "to Kono". To go to where?
A. We were now in Kono and we were now heading to Kailahun, and Chairman Johnny Paul said we should stay with him as
16:16:43 security. Myself, Rambo and some other people that he counted, he said we should continue to go with him together with his family to serve as securities.
Q. Thank you. Now this Rambo, again just so we're clear who you're talking about, who is it when you say he said you and
16:17:01 Rambo and others should go with him?
A. Rambo was the chief security officer to him, Moses Kabia, and Twenty was a security, Salieu was a security, David and control - Banjah Marrah was the control officer.
PRESIDING JUDGE: Mr Koumjian, the witness has used the
16:17:21 term "SLA" a few times. Now, there is a distinction and I want to be sure for the purposes of the record that we are talking about - who we are talking about when he uses that term.
MR KOUMJIAN:
Q. Sir, why don't you give us your definition. When you say
16:17:40 "SLA", what do you mean?
A. Sierra Leone Army.
Q. Now you talked about a takeover by a group in May of 1997 and you said that was called the AFRC, correct?
A. Yes.
16:17:55 Q. The people that were SLAs before the takeover, did you continue to call them SLAs, or did you call them AFRC, or what did you call them?
A. They were SLAs. We were all in the Sierra Leone Army.
Q. But just to be clear about one other thing, you've

mentioned that at the time of the AFRC coup/takeover that some groups of soldiers remained loyal to the Kabbah government. Is that correct?

A. Yes, it's correct.

16:18:30 MR KOUMJIAN: I recognise that there's an ambiguity to the term SLA and we'll just try to always clarify if there is.

PRESIDING JUDGE: Thank you, Mr Koumjian.

MR KOUMJIAN:

Q. How did you then travel when you left Koidu to go towards

16:18:47 Kailahun?

A. Well, we travelled on foot. We travelled by vehicle. We travelled by vehicle when we got to Gandorhun Town, Gandorhun village. From Gandorhun village all the vehicles stopped there, because we could not travel by road and the Kamajors were

16:19:11 alongside the road, so we used the jungle together with Chairman Johnny Paul Koroma, Issa Sesay, Mike Lamin, myself and others of the RUF and SLA high command. We all travelled through the jungle and we crossed. We travelled through the jungle and we crossed the river to Kailahun District.

16:19:33 Q. And when you say you travelled through the jungle, what does that mean?

A. We used the bush. We walked through the bush.

Q. Witness, if you're more comfortable standing up you can just turn the microphone up and speak into it if you need to do

16:19:48 that. Besides the securities and Johnny Paul Koroma - well, first, Johnny Paul Koroma's family, what happened to them? Were they with you, or not?

A. We were all together with Johnny Paul Koroma's family.

Q. And then after going through the jungle, what happened

then?
A. Well we went through the jungle until we found ourselves in Kailahun District and, whilst the fighting force was in the front, just the same way we had set it, in the middle we were
16:20:26 there with Johnny Paul Koroma, us the securities, Issa Sesay and some other fighting force were at the back, and we travelled and we crossed the Moa River and then we got to a village. From there we got to Kailahun Town and that was where a vehicle picked us up and then we went to Buedu.
16:20:44 Q. What was Buedu at that time?
A. Well, the town was not that full. It was so quiet. We met Sam Bockarie there. He sent vehicle for us. But by then we were also unable to move around that much and then when we just got there the jet sometimes came around and it raided. In fact,
16:21:12 almost all those people were in the bush. The town was very quiet.
Q. Now, Sam Bockarie. You had just told us that at the meeting in Koidu Town Johnny Paul Koroma gave an appointment to Superman. What was Sam Bockarie's position at that time?
16:21:27 A. Well when we got to Buedu, after some time Sam Bockarie said that was the defence headquarters and he was the chief of defence staff by then.
Q. So if you put that into a hierarchy, where does the chief of defence staff go in relation to, for example, Superman's
16:21:54 position?
A. He was the highest man, the chief of defence staff.
Q. When you got to Buedu, were there any SLAs - and by that I mean AFRC former soldiers - present in Buedu Town? Commanders?
A. Well, soldiers were not many there. When we got there most

of them were at the Daru, Moa Barracks, but we met Mosquito in Buedu and his RUF securities we met them there in Buedu. The SLA - all of the SLA were in the barracks, including Gullit who had reached there. We met him in the barracks. He said he was in
16:22:30 the barracks because we did not go there.
Q. Okay, I'm just a little confused when you said you met him in the barracks, or he was in the barracks. What do you mean by the barracks?
A. Mosquito gave us report that Gullit was in the barracks,
16:22:47 that is Daru Barracks. He said Gullit was in the Daru Barracks, together with the other SLAs.
Q. And Daru Barracks is in Kailahun District?
A. Yes, in Kailahun District. Exactly.
JUDGE SEBUTINDE: Have we had evidence from this witness as
16:23:05 to who Gullit was, or who Mosquito was, yet?
MR KOUMJIAN: I don't believe from this witness:
Q. Sir, when you use the word "Mosquito" - the name "Mosquito" - who do you mean?
A. Sam Bockarie. That is Sam Bockarie, alias Mosquito. Tamba
16:23:25 Alex Brima, alias Gullit.
Q. Okay, thank you. I just want to ask you now about you had mentioned that at the intervention some SLAs had, or AFRC members had, fled Sierra Leone. Is that correct?
A. Yes. Yes, after the intervention. Most of them who were
16:24:02 in the Daru Barracks, after the Nigerians and the Kamajors went to Daru Barracks they all ran away into Liberia. A few of them crossed into Guinea and at a latter part they all passed through into Liberia and from Liberia they came - they returned inside again.

Q. Now, you say they returned. Was there any organised attempt to get SLAs to return to Sierra Leone?
A. Yes, at first Sam Bockarie did not accept. He said all of them who went, they should stay there. He said they should not
16:24:41 come. But at that time we were now in need of manpower and we did not get - we did not have more manpower, so we decided that a manpower that was hidden in a nearby village [sic] called Pa Foday and he was nicknamed the Ndevuyama. He came out and he said we should take those brothers, because most of them were his
16:25:05 own fighters. He said most of the SLAs that had gone, he would be able to go and facilitate their coming. So we all met in Buedu, we held a meeting and so we all agreed. Mosquito sent him. He gave him some money for him to go and bring them back, so he did that once. He brought a large amount of troops, which
16:25:24 included late Major Bakaar and some other officers, and he brought them inside. He did that twice. He brought them again and the third time we learnt to understand that he was executed in Liberia.
Q. Okay, thank you. We need to go over these names that
16:25:43 you've mentioned. First of all this person who went and organised the return and the third time you said was executed in Liberia, what is his name?
A. He was a captain in the army. He was called Captain Foday, but he was an old man. We used to call him Pa Foday and he was
16:26:03 nicknamed Ndevuyama. He was fighting around the Daru axis in the Kailahun District.
JUDGE SEBUTINDE: Mr Interpreter, he was nicknamed what?
THE INTERPRETER: Ndevuyama.
JUDGE SEBUTINDE: Could you please spell that?

MR KOUMJIAN:

Q. Sir, if we gave you a piece of paper could you try to spell that?

A. Well, that name is from the Mende local tribe, so I think maybe Mr Interpreter would want to help me for us to get the spelling clearly.

PRESIDING JUDGE: Mr Interpreter, can you help?

THE INTERPRETER: It's N-D-E-V-U-Y-A-M-A.

MR KOUMJIAN:

Q. Do you remember Foday's last name, Captain Foday?

A. No.

Q. Okay, thank you.

MR KOUMJIAN: Your Honour, I am moving to another topic and this would be a convenient time.

PRESIDING JUDGE: Very well. That would be an efficient time to stop then, Mr Koumjian. Mr Witness, we are now going to adjourn until tomorrow morning at 9.30. Since you have taken the oath, between now and the time that all your testimony is finished you must not discuss your evidence with anyone else. Do you understand?

THE WITNESS: I will do so.

PRESIDING JUDGE: Please adjourn court until tomorrow at 9.30.

[Whereupon the hearing adjourned at 4.30 p.m. to be reconvened on Thursday, 22 May 2008 at 9.30 a.m.]

I N D E X

WITNESSES FOR THE PROSECUTION:

MOSES ZEH BLAH	10376
RE-EXAMINATION BY MR RAPP	10376
SAMUEL KARGBO	10413
EXAMINATION-IN-CHIEF BY MR KOUMJIAN	10413

EXHIBITS:

Exhibit P-116 admitted	10397
Exhibit P-117 admitted	10397
Exhibit P-118 admitted	10397
Exhibit P-119 admitted	10397
Exhibit P-120 admitted	10397
Exhibit P-121 admitted	10397
Exhibit P-122A admitted	10398
Exhibit P-122B admitted	10398
Exhibit P-122C admitted	10398
Exhibit P-122D admitted	10399
Exhibit P-122E admitted	10399
Exhibit P-122F admitted	10399
Exhibit P-122G admitted	10399
Exhibit P-123 admitted	10399
Exhibit P-124 admitted	10399
Exhibit P-125 admitted	10399
Exhibit P-126 admitted	10400

Exhibit P-127 admitted 10400
Exhibit P-128 admitted 10400
Exhibit P-129 admitted 10400
Exhibit P-130 admitted 10401
Exhibit D-33A admitted 10403
Exhibit D-33B admitted 10403
Exhibit D-33C admitted 10403
Exhibit D-33D admitted 10403
Exhibit D-34 admitted 10403
Exhibit D-35 admitted 10404
Exhibit D-36 admitted 10404
Exhibit D-37 admitted 10404
Exhibit D-38 admitted 10404
Exhibit D-39 admitted 10404
Exhibit D-40 admitted 10405
Exhibit D-41 admitted 10405
Exhibit D-42 admitted 10405
Exhibit D-43 admitted 10405
Exhibit D-44 admitted 10405
Exhibit P-45 admitted 10405
Exhibit D-46 admitted 10407
Exhibit D-47 admitted 10409
Exhibit D-48 admitted 10409
Exhibit D-49 admitted 10409