



Case No. SCSL-2003-01-T

THE PROSECUTOR OF
THE SPECIAL COURT
V.
CHARLES GHANKAY TAYLOR

MONDAY, 23 JUNE 2008
9.30 A.M.
TRIAL

TRIAL CHAMBER II

Before the Judges:

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

For Chambers:

Mr William Romans
Ms Sidney Thompson
Ms Doreen Kiggundu

For the Registry:

Ms Rachel Irura

For the Prosecution:

Ms Brenda J Hollis
Mr Nicholas Koumjian
Mr Christopher Santora
Ms Shyamala Alagendra
Ms Maja Dimitrova

For the accused Charles Ghankay
Taylor:

Mr Terry Munyard
Mr Morris Anyah

1 Monday, 23 June 2008

2 [Open session]

3 [The accused present]

4 [Upon commencing at 9.30 a.m.]

09:19:18 5 PRESIDING JUDGE: Good morning. I note some changes of
6 appearance, not on the Prosecution Bar, but Mr Santora?

7 MR SANTORA: Good morning, your Honours. Good morning,
8 counsel. For the Prosecution this morning, your Honour, is lead
9 counsel, Brenda Hollis; Maja Dimitrova; and myself, Christopher
09:29:50 10 Santora.

11 PRESIDING JUDGE: Thank you, Mr Santora. Mr Anyah, good
12 morning.

13 MR ANYAH: Good morning, Madam President. Good morning,
14 your Honours. For the Defence we have Mr Terry Munyard; myself,
09:30:05 15 Morris Anyah; and we are joined in court for the first time by
16 Thomas Scott who is an intern with our office.

17 PRESIDING JUDGE: Thank you, Mr Anyah. We welcome Mr Scott
18 to the Court. If there are no other matters I will remind the
19 witness of her oath.

09:30:20 20 Madam Witness, you recall that during last week you took
21 the oath to tell the truth. That oath is still binding on you
22 and you must answer questions truthfully. Do you understand?

23 THE WITNESS: Yes, ma'am.

24 WITNESS: TF1-584 [On former oath]

09:30:31 25 PRESIDING JUDGE: Please proceed, Mr Anyah.

26 MR ANYAH: Thank you, Madam President.

27 CROSS-EXAMINATION BY MR ANYAH: [Continued]

28 Q. Good morning, Ms Witness.

29 A. Good morning, sir.

1 Q. First of all, let me ask are you able to hear me well
2 through the translator, or the interpreter rather?

3 A. Yes.

4 Q. When we left off on Friday we were considering the evidence
09:31:02 5 of Alimamy Bobson Sesay and we were considering in particular a
6 transcript from 28 April of this year and I would like to pick up
7 from where we left off. For everyone's recollection the
8 transcript in question is from 28 April, an open session
9 transcript and I had read to the witness starting at page 8759
09:31:39 10 and going on to page 8760. Madam Witness, Bobson Sesay was asked
11 a question that was not completed, but he went on to give an
12 answer. The question starts at line 29 on page 8759. The
13 question was this, "Are you saying the Red Lion battalion", and
14 on to page 8760 he gives the response:

09:32:16 15 "I said that later came and turned into the Red Lion
16 battalion because of the arrival of this group that was led by
17 O-Five at Colonel Eddie Town. It was from amongst them that
18 Gullit said that they should form the Red Lion battalion and it
19 was at Colonel Eddie Town that it happened."

09:32:44 20 Now, the last question I posed to you on Friday was whether
21 you agreed with Bobson Sesay that the Red Lion battalion was
22 formed at Colonel Eddie Town.

23 MR SANTORA: Objection. I think counsel is
24 mischaracterising the testimony of Ali Bobson Sesay and I would
09:33:05 25 be happy to give a reference, because in its entirety Ali Bobson
26 Sesay's testimony states that while Red Lion battalion was
27 formed, it was formed prior as well at Koinadugu and he agrees
28 with that assertion, and so in the entirety of AB Sesay's
29 testimony I think Defence counsel has mischaracterised it in

1 terms of its entirety when it comes to this issue as to when Red
2 Lion was formed.

3 MR ANYAH: May I respond, Madam President?

4 PRESIDING JUDGE: Yes, I was going to ask you, Mr Anyah.

09:33:40 5 MR ANYAH: Thank you, Madam President. A number of points.
6 In the first instance, the transcript speaks for itself and your
7 Honours can deduce from the transcript --

8 PRESIDING JUDGE: Which transcript? Counsel has referred
9 us to a second one.

09:33:49 10 MR ANYAH: Yes, Madam President. I am referring to the
11 transcript I reading from. On its face it says what I am
12 suggesting, or proposing.

13 Second of all, I led the examination of Bobson Sesay, I was
14 here in court and I put before the Court evidence last week that
09:34:05 15 Bobson Sesay made a clear distinction between the Red Lion group,
16 which he admits was in existence before, and the formation of a
17 battalion, there being a difference between a group and a
18 battalion. It is in reference to the battalion, not the group,
19 that Bobson Sesay speaks of Colonel Eddie Town and that came out
09:34:23 20 in the transcripts I read last week.

21 PRESIDING JUDGE: I will allow the question.

22 MR ANYAH: Thank you, Madam President:

23 Q. Madam Witness, do you stand by your answer last week,
24 Friday, that the new Red Lion battalion, as you called them, was
09:34:46 25 formed in the first instance at Koinadugu?

26 A. Yes.

27 Q. I will continue to read from line 5 of Sesay's testimony,
28 still at page 8760. He goes on to say:

29 "I want us to make - to get the point clear. Now you are

1 telling me about battalion and the Red Lion group, because the
2 Red Lion battalion was only formed on the arrival at Colonel
3 Eddie Town and it was at the time that Gullit asked that they
4 form that Red Lion battalion and it was Med Bajehjeh that was
09:35:35 5 asked by Gullit to lead them and it comprised the STF, former
6 NPFL fighters and some RUF that formed the Red Lion battalion,
7 including some SBUs."

8 Madam Witness, I ask you this: Bobson Sesay says that the
9 commander, or the leader of the Red Lion battalion was Med
09:36:01 10 Bajehjeh, or Mohamed Bajehjeh. Do you stand by your evidence
11 that it was headed, or led, by O-Five?

12 A. Yes.

13 Q. Did you hear me read that Bobson Sesay said that it was
14 Gullit who asked that this group be formed? That it was Superman
09:36:37 15 who asked that this group be formed?

16 A. Yes.

17 PRESIDING JUDGE: Be careful with this use of the word
18 "group", Mr Anyah, because you have already made a submission
19 distinguishing between a group and a battalion. The witness has
09:36:51 20 referred to a battalion. What are you referring to when you put
21 these questions?

22 MR ANYAH: That is fair enough, Madam President. I will
23 clarify:

24 Q. Madam Witness, we are speaking of what you called the new
09:37:02 25 Red Lion battalion. Do you stand by your evidence that it was
26 Superman who called for the formation of the new Red Lion
27 battalion?

28 A. Yes.

29 Q. Now, last week you told us that this new Red Lion battalion

1 comprised of approximately 300 fighters, yes?

2 A. Yes.

3 Q. Do you remember giving a different figure to the Office of
4 the Prosecutor outside of court, Madam Witness?

09:37:37 5 A. Would you like to remind me?

6 Q. Yes, Madam Witness. Madam Court Officer, with your
7 assistance could we go to the document in tab number 1 of the
8 Defence bundle.

9 PRESIDING JUDGE: Mr Anyah, I just note that I think our
09:38:08 10 LiveNote has hung and I am not sure if counsel is getting theirs
11 up to date. Also malfunctioning?

12 MR ANYAH: Yes, I am also having difficulty.

13 PRESIDING JUDGE: I will ask Madam Court Officer, when she
14 has finished helping the witness, to contact the technicians,
09:38:29 15 please.

16 MR ANYAH: Thank you, Madam President:

17 Q. Madam Witness, before you is your statement, or notes taken
18 by the Office of the Prosecutor, in relation to discussions they
19 had with you last year in October. We went through those six
09:38:42 20 days in October. On page 13, paragraph 77, you made comments to
21 them about the composition of the new Red Lion battalion. It
22 starts at page 13 and it goes to page 14. I will let you get to
23 it and you can let me know when you are there, Madam Witness.

24 JUDGE SEBUTINDE: Mr Anyah, what tab again, please?

09:39:12 25 MR ANYAH: Your Honour, it is in tab 1.

26 JUDGE SEBUTINDE: Of the Defence bundle?

27 MR ANYAH: Yes, Justice Sebutinde.

28 MS IRURA: We have been informed by the technicians that
29 there has been an internet connectivity interruption, but I can

1 broadcast my LiveNote from my position, if the parties and the
2 Chamber could please press PC1 on the panel next to their
3 computers.

4 PRESIDING JUDGE: Thank you for that.

09:39:51 5 MR ANYAH: Thank you, Madam Court Officer:

6 Q. Madam Witness, are you there? Are you at page 13, Madam
7 Witness?

8 A. Yes.

9 Q. At paragraph 77 here is what the Prosecution has you saying
09:40:11 10 about the composition of the Red Lion battalion. It reads:

11 "The witness reported that after about three or four days
12 another fighting unit was formed. It was comprised of fighters
13 from the three battalions and was going to be the new Red Lion
14 battalion. There were more than 400 fighters in this group.

09:40:43 15 O-Five was the commander and Major CY was the deputy commander.
16 They went to Rosos to assist and reinforce a group that had been
17 cut off. The witness believes that Alfred Brown and King Perry
18 were with this group."

19 Madam Witness, why did you tell them, that is the
09:41:06 20 Prosecutor's office, last October, that the members of this new
21 Red Lion battalion were in excess of 400 and why did you tell us
22 in court they were 300?

23 A. Yes, can I reply? Because when I got the question from the
24 Prosecution, the question that was asked of me, I said the Red
09:41:37 25 Lion was a battalion and they asked me how many men I thought and
26 if I check, according to the manpower that is supposed to be in a
27 battalion, it should be around that, but in the court I am
28 approximating the Red Lion battalion, but the manpower that is
29 supposed to be in a battalion that the lawyer asked me about, to

1 approximate, that is why I said 400, but if I checked how many
2 squads, or platoons, or companies that formed a battalion, it
3 could be up to 400.

09:42:20 4 Q. First of all, let me ask you this: You agree that there is
5 a difference between saying 300 in number and saying over 400 in
6 number, yes?

7 A. Yes.

09:42:36 8 Q. And your explanation for this difference, if I understand
9 you, is that when you were asked in October last about this
10 matter, the figure of 400 plus that you gave was in the context
11 of the general size of a battalion, yes?

12 A. Yes.

09:42:58 13 Q. You are telling us that you were speaking generally about
14 the size of battalions and not specifically in reference to the
15 new Red Lion battalion. Is that your evidence, Madam Witness?

16 A. Yes.

17 Q. And that is why you gave the figure 400 or more, yes?

18 A. Yes.

19 Q. Do you expect us to believe that evidence, Madam Witness?

09:43:21 20 A. I am sure you should believe it, because I am speaking the
21 truth.

22 Q. Madam Witness, what was the highest rank you attained while
23 with the RUF?

24 A. General.

09:43:42 25 Q. Madam Witness, you were a general with the RUF. Is that
26 your evidence?

27 A. No.

28 Q. You were trained for three months as a fighter, yes?

29 A. Yes.

1 Q. What was the highest rank you attained while with the RUF,
2 Madam Witness?

3 A. Major.

4 JUDGE LUSSICK: Madam Witness, I am trying to understand
09:44:14 5 this evidence. You were asked that question a little while ago
6 and you said "general". Why did you say general and you are now
7 saying major?

8 THE WITNESS: I thought they were asking for the highest
9 rank in the RUF command, not me specifically, but my rank was
09:44:34 10 major. That was my highest rank.

11 MR ANYAH:

12 Q. Well, fair enough. Madam Witness, in what year were you
13 made a major in the RUF?

14 A. '98.

09:44:53 15 Q. And who promoted you to the rank of major?

16 A. Superman.

17 Q. What was the highest rank amongst the radio operators of
18 the RUF?

19 A. Colonel.

09:45:23 20 Q. And was that the rank of Foday K Lansana?

21 A. Yes.

22 Q. In 1998, while you were at Koinadugu, who was the highest
23 ranked radio operator amongst your number?

24 A. Apart from Foday Lansana?

09:45:52 25 Q. Yes.

26 A. I was. King Perry and I.

27 Q. What was King Perry's rank at the time?

28 A. Major.

29 Q. How many radio operators were beneath you and King Perry in

1 the command structure and present at Koinadugu when you were
2 there in 1998?

3 A. Except I start counting, if I can recall, but there were
4 more than five before they left.

09:46:42 5 Q. So there were about five of them, plus you, plus King Perry
6 Kamara, plus Foday K Lansana. That brings the number to about
7 eight radio operators at Koinadugu. Is that fair to say, Madam
8 Witness?

9 A. That would be fair exactly. I am not saying I can recall
09:47:06 10 everybody now. If you want me to recall everybody, that has to
11 take some time to think - start recounting their names or --

12 Q. Did you say that was an approximate number that was in your
13 opinion fair, the number eight, Madam Witness?

14 A. Yes.

09:47:33 15 Q. Did any of the radio operators at Koinadugu participate in
16 fighting that you know of?

17 A. Yes.

18 Q. Which ones did?

19 A. Albert Boima, Vandi Massaquoi.

09:47:57 20 Q. Just those two, Madam Witness?

21 A. Operators went on mission with a radio frequently. Any
22 operation I was going on, operators go there with the radio set,
23 but because I was not at the war front I would not tell you who
24 and who had guns, or who were fighting when they went on the
09:48:24 25 front.

26 Q. That is precisely the point, Madam Witness. You were not
27 at the war front, correct?

28 A. Yes.

29 Q. Where were the front lines when you were at Koinadugu,

1 Madam Witness?

2 A. Koinadugu was the base, except the combat camps that we had
3 around the town. If there was an operation or a mission going on
4 that was far off, maybe that could take a day's journey. There
09:48:58 5 are times the mission will take a day's journey and I was not
6 going with them.

7 Q. And you did not participate in the planning of any military
8 operations, did you?

9 A. I did not take part in planning. If I knew, I only got
09:49:20 10 that because I was an operator. I got that through message, or
11 through information.

12 Q. Did Nya Korto, Foday Lansana, participate in any fighting,
13 Madam Witness?

14 A. Yes.

09:49:42 15 Q. Did King Perry Kamara participate in any fighting, Madam
16 Witness?

17 A. Yes.

18 Q. Did you know a fighter with a nickname of Ice T, Madam
19 Witness, present at Koinadugu when you were there in 1998?

09:50:08 20 A. I can't recall that name.

21 Q. And you don't recall the name Alimamy Bobson Sesay, do you?

22 A. I heard it.

23 Q. Do you know the person by that name?

24 A. No.

09:50:32 25 Q. Madam Witness, you heard last week, and early today,
26 comments that were made by Bobson Sesay in reference to the Red
27 Lion battalion. Bobson Sesay told this court that he was a
28 fighter sent off into the front lines, was operating in the
29 capacity as a fighter in Koinadugu. Why do you expect this Court

1 to believe you and not what Bobson Sesay says about Med Bajehjeh
2 being the commander of the Red Lion battalion?

3 MR SANTORA: Objection.

4 PRESIDING JUDGE: Yes, Mr Santora?

09:51:13 5 MR SANTORA: It is twofold. First of all counsel is asking
6 this witness to comment on the credibility of another witness's
7 testimony, which is improper. Secondly, again this alleged
8 inconsistency is being put to this witness about the leadership
9 and the name of a group from a witness who is at a different
09:51:33 10 vantage point than this witness and the prior witness's testimony
11 has been mischaracterised in that the prior witness that he is
12 referring - counsel is referring to did acknowledge in his
13 testimony that this battalion was in existence at Koinadugu as
14 well and it has been consistently put to this witness that 334,
09:51:58 15 AB Sesay, never said that and I have the reference if your
16 Honours want it. So it is a twofold objection in that sense.
17 Firstly though, it is not proper for this witness to comment on
18 the credibility of another witness's testimony - on another
19 witness's testimony.

09:52:14 20 PRESIDING JUDGE: Your reply, Mr Anyah?

21 MR ANYAH: Yes. It is, in my submission, perfectly logical
22 and appropriate to ask this witness if a prior witness for the
23 Prosecution, testifying before this Court, gave evidence that in
24 her view is inaccurate and whether counsel chooses to qualify or
09:52:36 25 characterise that as her commenting on his credibility, so be it,
26 but she can say if she disagrees with him or not. She can say
27 why her evidence is more believable in her viewpoint than his.
28 So that is the first basis of the objection; the second basis of
29 the objection being my alleged mischaracterisation of Sesay's

1 evidence. I would put it to your Honour, with respect, that
2 Sesay said all sorts of things before this Court in the almost
3 two weeks he testified. I am relying on evidence I believe I
4 elicited in cross-examination and I have also relied on evidence
09:53:12 5 that I believe came out in Sesay's direct examination. It is for
6 your Honours to recall the evidence and consider it in the
7 totality of all statements made by Sesay. What I have read, in
8 particular your Honours will have heard Sesay make the
9 distinction between the Red Lion group and the Red Lion battalion
09:53:35 10 and I stand by the objectivity of that transcript. There might
11 be other portions of Sesay's evidence that is unclear about this
12 distinction, but that is for counsel to point out on
13 re-examination and it is for your Honours to consider in the
14 totality of this witness's evidence vis-a-vis Sesay's evidence.

09:53:53 15 PRESIDING JUDGE: You cannot ask a witness who this Court
16 should believe. We will make that decision. However, you are
17 entitled to put previous statements made on the record to a
18 witness and ask for a comment, but they must be an accurate
19 statement of what was said. I will allow you to rephrase that
09:54:19 20 question.

21 MR ANYAH: Thank you, Madam President. I stand on guard,
22 your Honours:

23 Q. Madam Witness, from your position away from the front lines
24 are you telling this Court that you knew of all the units that
09:54:44 25 were fighting at the front lines?

26 A. One thing I will say, any unit that was formed in the
27 headquarters where I was, I can talk about that and now that you
28 are talking about another witness, it was possible that where the
29 witness was something could have happened there and I was not

1 there, and where I was something could have occurred there that I
2 knew and that witness did not know. Even today Lansana with whom
3 I slept, it is not that everything I knew he too knew, or that
4 everything he knew I knew, because there are things - there were
09:55:23 5 places he went that I did not go and there were places that I
6 went that he did not go, so I am telling you what I know, not
7 what other people know.

8 Q. Are you aware that there can be changes in the composition
9 of a group while at the front lines, Madam Witness?

09:55:47 10 A. I am aware of that and if I can come back to what you are
11 trying to say about the Red Lion, if Bobson Sesay had said Red
12 Lion battalion was formed by this person, or this person was the
13 commander, I know that from the Koinadugu base 0-Five was the
14 commander and it was there that it was formed. Even when they
09:56:10 15 went to Freetown, I never got a message from Med Bajehjeh, or
16 from any other commander, to Superman. I got them from 0-Five
17 and the deputy who was CY. So I am telling you what I know. It
18 is not hearsay.

19 Q. What about King Perry Kamara, who says the commander of
09:56:31 20 this group was Striker?

21 JUDGE SEBUTINDE: Sorry, Mr Anyah, we just wonder who CY
22 is, or was?

23 MR ANYAH: She did mention him. I could ask her about him:

24 Q. Madam Witness, who is CY?

09:56:55 25 A. He was Superman's bodyguard commander that he sent on that
26 operation as deputy commander to 0-Five.

27 Q. And was he RUF, Madam Witness?

28 A. Yes.

29 Q. And you are telling us that CY was the deputy commander of

1 what group, or unit?

2 A. For 0-Five and the Red Lion battalion.

3 Q. So I pose the question again to you, Madam Witness. Perry
4 Kamara says that somebody by the name of Striker was the

09:57:38 5 commander of the Red Lion battalion. Do you agree?

6 A. What I am saying is that maybe after they left Koinadugu
7 and got to Rosos, maybe they made some other changes, but what I
8 know, the person who was the commander was 0-Five when they left
9 the base and it was from him that I heard - that I got messages

09:58:05 10 and I cannot say some other person else was the commander,

11 because I did not get message or info from any other person but
12 the commander.

13 Q. When was the last time you saw this person by the name of
14 Senegalese, Madam Witness?

09:58:32 15 A. If I can recall, it was when we left Pumpkin Ground and
16 when we arrived in Makeni I did not see him again because we
17 never lived together. I don't know.

18 Q. This Red Lion battalion, or what you call the new Red Lion
19 battalion, do you know if they made their way into Freetown,

09:58:57 20 Madam Witness?

21 A. Yes.

22 Q. Do you know if they --

23 PRESIDING JUDGE: Just pause, Mr Anyah. Does that mean you
24 know, or they did go to Freetown? Madam Witness, I will direct
09:59:13 25 that question to you.

26 THE WITNESS: I know that they got to Freetown because I
27 got a message from the commander.

28 PRESIDING JUDGE: Please proceed, Mr Anyah.

29 MR ANYAH:

1 Q. You got a message from the commander. Are you referring to
2 O-Five, Madam Witness?

3 A. Yes.

4 Q. Was this a radio message, Madam Witness?

09:59:45 5 A. Yes.

6 Q. And was it to you, or was it to someone else you were with?

7 A. Radio message to Superman and I spoke to the commander and
8 Superman spoke to him. I too spoke to him on the radio.

9 Q. Do you know how long they stayed in Freetown, Madam
10 Witness?

10:00:19

11 A. I can't recall the number of days now, but they did not
12 take long, not even up to a week.

13 Q. But you yourself never made it to Freetown, yes?

14 A. Yes.

10:00:39

15 Q. You do not know what the Red Lion battalion did in
16 Freetown, do you, Madam Witness?

17 A. I did not know because I was not there, except when I heard
18 about some of the things that happened there.

19 Q. Where did you go to from Koinadugu, Madam Witness?

10:01:03

20 A. Makeni.

21 Q. And is this where the attack on Teko barracks took place,
22 Madam Witness?

23 A. Yes.

24 Q. Were you with Superman throughout that particular period of
25 time?

10:01:22

26 A. Yes.

27 Q. From the vicinity of Makeni did you go towards Kabala with
28 Superman?

29 A. Yes.

1 Q. Why did you and Superman go to Kabala?

2 A. It was one evening that we got a message from Sam Bockarie
3 that the operators who were at his station had monitored that
4 Kabala was free, that there was no ECOMOG, or even Guinean
10:02:03 5 soldiers, so Superman should go there. So we went there. We
6 were not even thinking that soldiers will be there. Only 27 of
7 us went.

8 Q. This message you say was sent from Sam Bockarie. Was he in
9 Buedu when he sent this message?

10:02:27 10 A. Yes.

11 Q. And you say the message left the impression that Kabala was
12 safe for you and Superman and the others to approach it, yes?

13 A. Yes.

14 Q. What happened when you and Superman got to Kabala?

10:02:48 15 A. When we went to Kabala, we met SLAs. They were at the
16 outskirts of the town, coming towards Fadugu, and they pulled out
17 going towards the centre of the town we saw the Guinean soldiers
18 coming with armoured tanks and the firings started, intensive
19 firing, and there was a battle, but we were not many. We could
10:03:14 20 not withstand them, so we ended up pulling out.

21 Q. Did the alleged misinformation from Sam Bockarie about the
22 presence of enemy fighters in Kabala cause any friction between
23 Superman and Sam Bockarie?

24 A. Well, if I can say from that aspect we did not even get to
10:03:44 25 Makeni when we had an accident on the way, so there was no
26 message to that effect, that the message which Sam Bockarie had
27 given had caused that problem, and that very evening we got the
28 accident. We came to Makeni. It was that very evening that Issa
29 and others came to arrest Superman, so we came back to Binkolo.

1 That is where the problem started.

2 Q. Madam Witness, what I am getting at is this issue of Issa
3 coming to arrest Superman. What is that about? What caused that
4 incident to occur?

10:04:27 5 A. I can't really tell you what caused it, because I don't
6 know, because I did not know. I was at the house where we were,
7 at Superman's house, where we were - we laid - and in fact I was
8 taken from that place by a motorcycle and brought to Binkolo.

9 They said Mosquito had sent them to come and arrest Superman and
10:04:49 10 take him with them. That is why Superman went to Binkolo and
11 commanded them to go there and meet them. It was only the SLAs
12 who stayed in Makeni. Most of us went to Binkolo.

13 Q. Well, let's go over what you have said a little bit and
14 let's do it slowly. You mentioned an accident with Superman.
10:05:08 15 Are you telling the Court that you and Superman had a motor
16 vehicle accident at some point in December of 1998?

17 A. Yes.

18 Q. Was this on or about 27 December 1998?

19 A. Yes.

10:05:29 20 Q. Where were you and him going when you had this accident?

21 A. It was when we had left Kabala and we were coming to Makeni
22 that morning.

23 Q. Was Superman drunk when you had this accident?

24 A. Well, I cannot say he was drunk, but he was drinking.

10:05:53 25 Q. Did you tell the Prosecution Superman was driving and he
26 was drunk and that you lost consciousness during the accident?

27 A. Superman was driving and he was drinking and then we got
28 the accident. Two of the tyres blew off simultaneously.

29 Q. In your statement, the one we just considered on page 17,

1 you specifically said he was drunk. It is in paragraph 103, but
2 here you say he was drinking. In any event, you said you lost
3 consciousness during the accident, yes?

4 A. Yes.

10:06:39 5 Q. And on the day of the accident Issa Sesay and Morris Kallon
6 went to the house of Superman at Station Road to arrest him, yes?

7 A. Yes.

8 Q. Were you present when they came there to arrest him?

9 A. I was in a room where I was put, because at that moment I
10:07:05 10 could not talk, but if somebody spoke I could hear the person. I
11 could not even drink water, but I was in the room when they went
12 there.

13 Q. Somehow Superman managed to escape, right?

14 A. Yes.

10:07:21 15 Q. And what did Issa Sesay and Morris Kallon do to his house?

16 A. I heard some firing, but nobody was shot at, but firing
17 went on there and the place was looted. They took some property.

18 Q. What was Issa Sesay's position within the RUF at this time?

19 A. Second in command.

10:07:54 20 Q. And what was Morris Kallon's position within the RUF at
21 this time?

22 A. I can say third.

23 Q. You mean third in the overall command structure of the RUF,
24 yes?

10:08:10 25 A. Yes.

26 Q. And what was Superman's position within the command
27 structure of the RUF at this time?

28 A. There were times around that same period, I don't know
29 whether it was because of the operations, Superman was third, but

1 as time went on, when they had a conflict they would change:

2 This person would take this other position, the other one would
3 take this position. That was how it was.

10:08:42

4 Q. My question is what was Superman's position within the RUF
5 around 27 December 1998?

6 A. Around that time I don't know.

7 Q. But you know that the second in command, Issa Sesay, and
8 the third in command, Morris Kallon, came to Superman's house to
9 arrest him, yes?

10:09:06

10 A. Yes.

11 Q. That was not the only time they came looking to arrest
12 Superman, was it?

13 A. No.

10:09:23

14 Q. What happened in Lunsar in the context of Issa Sesay
15 looking to arrest Superman?

16 A. Well, after we had gone to Lunsar and we went to Yams Farm,
17 because Superman did not agree for Gibriil Massaquoi to be handed
18 over to Issa and others, and when we came to Lunsar Issa and
19 Morris Kallon together with their groups came to Lunsar with
20 Rambo to arrest Superman and Gibriil and fighting took place there
21 on that day.

10:09:51

22 Q. The fighting was amongst and between RUF members, is that
23 fair to say, Madam Witness?

24 A. Yes.

10:10:15

25 Q. Let me read to you paragraph 110 of what you told the
26 Prosecution in October last, page 18. Madam Witness, are you
27 there?

28 A. Yes.

29 Q. This is what you told the Prosecution last October about

1 infighting within the RUF:

2 "While Superman's group was in Lunsar, it was attacked
3 twice more by Issa Sesay, Morris Kallon, RUF Rambo and their
4 fighters. The attacks were not successful. The witness was back
10:11:24 5 on the radio set and there were no communications going on with
6 Buedu then. After the second attack, RUF Rambo's vehicle was
7 captured by Superman's fighters. Pa Demba, the traditional
8 herbalist, went to Lunsar again with RUF Rambo and peace was
9 again declared between Superman and Issa Sesay. This occurred
10:11:54 10 before the Freetown invasion."

11 Madam Witness, is that what you told the Prosecution last
12 October?

13 A. Yes.

14 Q. And the first attempt to arrest Superman took place, you
10:12:09 15 said, on or about 27 December 1998, yes?

16 A. Yes.

17 Q. And these subsequent attempts, the second and third
18 attempts, to arrest Superman by Issa Sesay took place between the
19 first attempt in December and the 6 January 1999 invasion, yes?

10:12:34 20 A. Yes.

21 Q. So your evidence before this Court is that within a week or
22 so before the invasion of Freetown on 6 January 1999 Issa Sesay
23 and Morris Kallon were busy chasing Superman around to arrest
24 him, yes?

10:12:57 25 A. Yes.

26 Q. They were also attacking the vehicle of RUF Rambo, yes?

27 A. It was once when Rambo's vehicle fell in an attack.

28 Q. An attack by fellow RUF fighters, yes?

29 A. Yes.

1 Q. Around the time of the 6 January invasion of Freetown, yes?

2 A. Yes.

3 Q. This is the same RUF Rambo that in paragraph 107 of the
4 same statement you say he was asked to serve as an intermediary
10:13:51 5 to make peace between Issa Sesay and Superman, yes?

6 A. Yes.

7 Q. So Issa Sesay turned around and began to attack the peace
8 maker, he and Morris Kallon, yes?

9 A. Well, I never said Issa Sesay and Morris Kallon attacked

10:14:13 10 Rambo, but they used Rambo to come to us at Lunsar. It was
11 Rambo, Issa Sesay, Morris Kallon and others were attacking
12 Superman on the other side, but it was not Issa and Morris Kallon
13 who attacked Rambo.

14 Q. Was there infighting between Superman and Sam Bockarie,

10:14:41 15 Madam Witness?

16 A. Yes.

17 Q. When did that take place?

18 A. Well, as far as I know, since I stayed with Superman I was
19 experiencing it. There are times they will not go there

10:15:03 20 physically to attack, but they will attack each other on the
21 radio using invectives on one another. But when it came to
22 operations at times they will come together, they will go ahead
23 on the operation, but afterwards again there will be another
24 problem. But when we came and based in Lunsar was when this gun
10:15:24 25 fighting actually - I witnessed this gun fighting.

26 Q. So the events in Lunsar were Superman and Issa Sesay,
27 right?

28 A. Yes.

29 Q. And in respect of Sam Bockarie you said at times there

1 would be conflicts between Superman and Sam Bockarie. Is that
2 fair to say, Madam Witness?

3 A. Yes.

10:16:04

4 Q. You said in your response they will attack each other on
5 the radio using invectives on one another, but when it came to
6 operations at times they would come together. You meant that at
7 times they would come together when it came to operations, yes?

8 A. Yes.

9 Q. But not always, would that be fair to say, Madam Witness?

10:16:28

10 A. Yes.

11 Q. At times Superman would refuse to follow an order by
12 Sam Bockarie, right?

13 A. Yes.

10:16:43

14 Q. Indeed, when Superman set off from Superman Ground and you
15 and the rest followed and you went to Yomandu, to Kurubonla,
16 ending up at Koinadugu, Superman started out at the direction of
17 Sam Bockarie to go and attack and kill SAJ Musa and his men. You
18 recall telling us that last week, yes?

19 A. Yes.

10:17:07

20 Q. That was an order by Sam Bockarie to Superman, correct?

21 A. Yes.

22 Q. And that was one example of an order by Sam Bockarie that
23 Superman refused to follow. Do you agree, Madam Witness?

24 A. Yes.

10:17:26

25 Q. Why did he refuse to follow the order to attack and kill
26 SAJ Musa and his men? Do you know, Madam Witness?

27 A. Well, what I understood - I don't know whether there was
28 some underlying reasons, but what I understood was that SLAs,
29 even before they left Koidu to go and base in Kurubonla, it was

1 because of Morris Kallon. And according to my understanding from
2 what I got from Superman, the SLAs did not do anything that would
3 have made him to go and do that. And even for us to leave town,
4 it was the SLAs who invited us so there was no reason for him to
10:18:09 5 go and attack them or kill them.

6 Q. Did Sam Bockarie take any actions against Superman for
7 disobeying his orders to kill SAJ Musa?

8 A. Some actions that I understood, yes, if I can say one
9 thing. He said we who had been in Koinadugu, because it was when
10:18:35 10 I got to Koinadugu that I got that message - he said we were not
11 part of RUF any more because Superman had joined SAJ Musa and
12 some of the family members who were with Superman who stayed at
13 Superman's ground, some of them were punished. They were
14 maltreated and that even made some people to hide. They escaped
10:19:05 15 to Yomandu so they could have a way to come to Superman.

16 Q. Madam Witness, your evidence is that Sam Bockarie said that
17 all of you who were at Koinadugu with Superman were no longer
18 part of the RUF, yes?

19 A. Yes.

10:19:25 20 Q. He at the time was the highest in command of the RUF, yes?

21 A. Yes.

22 Q. Superman was in command of all of the forces at Koinadugu
23 at the time, correct?

24 A. Yes.

10:19:41 25 Q. Including the new Red Lion battalion, yes?

26 A. I can say yes, because when I got to Koinadugu, like I
27 said, the following day was when that Red Lion battalion was
28 formed to go and join the people at Rosos and Superman had been
29 in Koinadugu before I got there. So the Red Lion battalion that

1 was formed when I was present I left for Rosos, but still the
2 commander gave information to Superman. So I can say Red Lion
3 battalion that was formed did not stay in Koinadugu. They did
4 not even stay there for two days that I know of. As it was
10:20:27 5 formed they moved to Rosos, but they were still loyal to
6 Superman.

7 Q. STF was present in Koinadugu as in the Special Task Force,
8 yes?

9 A. Yes.

10:20:37 10 Q. And you told us last week although General David
11 Livingstone Bropleh was there he was under the direction of
12 Superman, yes?

13 A. Yes.

14 Q. So when Sam Bockarie says Superman and all of those under
10:20:53 15 his command were no longer part of the RUF, it is fair to say he
16 was referring to the STF as well, yes?

17 A. Yes.

18 Q. It is fair to say he was referring to the new Red Lion
19 battalion as well, yes?

10:21:09 20 A. Yes.

21 Q. It is fair to say he was referring to you and other RUF
22 members that were present at Koinadugu under the direction and
23 command of Superman, yes?

24 A. Yes.

10:21:24 25 Q. So at the time of that radio message by Sam Bockarie all of
26 these people and units under Superman's command by his direction
27 were no longer acting on behalf of the RUF. Would that be fair
28 to say, Madam Witness?

29 A. Yes.

1 Q. Madam Witness, where were your children when you were
2 moving along with the RUF in 1998?

3 A. My elder daughter, I left her at my mother's place in
4 Freetown.

10:22:13 5 Q. How old was the child at this time, Madam Witness?

6 A. She was three years.

7 Q. Was that the only child you had at the time, Madam witness?

8 A. Like I said, before the intervention I had two children.

9 The elder girl and the boy who died, he had not even walked yet.

10:22:45 10 So the other child who was a little big was the one I left at my
11 mother's place, but before I went to Koinadugu --

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

14 PRESIDING JUDGE: Madam Witness, the interpreter needs you
10:22:59 15 to repeat part of your answer. Please pick up where you said,
16 "But before I went to Koinadugu" and continue from there.

17 THE WITNESS: Before I went to Koinadugu, I left my boy at
18 Buedu at my sister's place before I went to Koinadugu.

19 MR ANYAH:

10:23:23 20 Q. This was the son who later on was killed by Sam Bockarie,
21 yes?

22 A. Yes.

23 Q. So in December 1998 you had just the one daughter. Is that
24 fair to say, Madam Witness?

10:23:36 25 A. No.

26 Q. I recall you telling us your son passed in 1999, so I stand
27 corrected. Is that true, Madam Witness?

28 A. Yes.

29 Q. Your daughter in question, is that also the child of Foday

1 Lansana?

2 A. Yes.

3 Q. If she was three in about 1998, is it fair to say she is
4 now about 13 years of age?

10:24:09 5 A. Yes, she would be around 13 now.

6 Q. And how old is the second child that you have living right
7 now, Madam Witness?

8 A. The girl after the boy - after that boy, I had a girl and
9 this 19 June made her eight.

10:24:33 10 Q. So you have an eight year old and a 13 year old right now,
11 yes?

12 A. Yes.

13 Q. Is the eight year old also Foday Lansana's daughter?

14 A. Yes.

10:24:56 15 Q. Does Foday Lansana stay in contact with his children, Madam
16 Witness?

17 MR SANTORA: Objection on relevance.

18 PRESIDING JUDGE: What is the relevance of this line of
19 questioning, Mr Anyah?

10:25:08 20 MR ANYAH: I could make an offer of proof or a proffer but
21 I would like to do so outside the presence of the witness, but I
22 could say this: That to the extent that there is contact between
23 the witness and Foday Lansana it might be relevant to other
24 issues, in particular his testimony before this Court.

10:25:29 25 PRESIDING JUDGE: Very well. I will allow that question on
26 that basis.

27 MR ANYAH:

28 Q. Madam Witness, does Foday Lansana stay in contact with his
29 daughters?

1 A. Yes.

2 Q. Where are the children living right now?

3 MR SANTORA: Objection.

4 MR ANYAH: I can rephrase that. I understand there are

10:25:52 5 security concerns:

6 Q. Are the children in Sierra Leone right now, Madam Witness?

7 A. Yes and they are living with me.

8 Q. When was the last time Foday Lansana saw his daughters?

9 A. Even before I came I am sure he saw them.

10:26:20 10 Q. When you mean before you came, you mean your trip here to

11 Holland, yes?

12 A. Yes.

13 Q. When did you come to Holland this year, Madam Witness, to
14 testify in this case?

10:26:42 15 A. I left Freetown on a Friday, 7 June, and I arrived here on
16 a Saturday morning.

17 Q. And you said before you came here Foday Lansana - I think
18 you used the phrase - would have seen his children, or something
19 to that effect. So I ask you this: Has Foday Lansana met with
10:27:13 20 his children during the course of 2008, Madam Witness?

21 A. Yes.

22 Q. When was the last month he met with his children?

23 A. June.

24 Q. Were you present when he met with his children, Madam

10:27:41 25 Witness?

26 A. Yes.

27 Q. That was the same week or within a week of your departure
28 for Holland, correct?

29 A. Yes.

1 Q. You are aware that Foday Lansana gave evidence before this
2 Court starting on 20 February 2008, yes?

3 A. I don't know the time he started, but I heard it on the
4 radio when he was testifying and he did not tell me before he
10:28:19 5 came and even when he returned he did not tell me.

6 Q. You heard it on the radio when Foday Lansana was
7 testifying. That's what you just said, correct?

8 A. Yes.

9 Q. Was this radio in Sierra Leone, Madam Witness?

10:28:40 10 A. Yes, FM.

11 Q. What did you hear about Foday Lansana's evidence before
12 this Court on the radio, Madam Witness?

13 A. What I heard, I was in a tailor's shop when there was a
14 Special Court programme and when he was talking I knew that was
10:29:02 15 his voice, but I did not listen to it much because I just went
16 there to collect my clothes. I did not sit there to listen, but
17 I knew he was talking.

18 MR ANYAH: Your Honours, I think for counsel's benefit I
19 have received a note saying LiveNote is back on and we are
10:29:25 20 grateful for that indication:

21 Q. So your evidence is that you were in a shop and there was a
22 Special Court programme and you knew or recognised Foday
23 Lansana's voice, but you did not stay around to listen to what
24 was being said, yes?

10:29:59 25 A. Yes.

26 Q. When Foday Lansana came back to Sierra Leone did you ask
27 him about his trip to Holland, Madam Witness?

28 A. No, we speak seldom.

29 Q. Were you a witness for the Prosecution at that time, Madam

1 Witness?

2 A. I can't recall the time now, but I want to believe I was
3 with the Prosecution then.

4 Q. Well, we know your first statement was taken during the
10:30:35 5 last week of October 2007, yes?

6 A. Yes.

7 Q. We know you met with them 16 November 2007, yes?

8 A. Yes.

9 Q. We know you met with them again on 5 December 2007, yes?

10:31:02 10 A. Yes.

11 Q. And in March of this year, right?

12 A. Yes.

13 Q. And in May of this year, right?

14 A. Yes.

10:31:18 15 Q. When you saw Foday Lansana in June of this year, a week or
16 so before you came to Holland, did you ask him what it was like
17 being a witness for the Prosecution, Madam Witness?

18 A. I did not ask him and we did not sit in the house to
19 discuss. He told me he wanted to go out with his children and
10:31:43 20 then the children told me that they wanted to go to church. So I
21 took them to the junction where he collected them and took them
22 along. So later he brought them back. So I did not sit with him
23 to discuss anything.

24 Q. For how long did he meet with his children during the first
10:32:02 25 week of June 2008, Madam Witness?

26 A. Well, they went for a church service and then after the
27 service from the church he brought them back around 12.

28 Q. You mentioned a name C0 Isaac as being one of your trainers
29 or instructors at the Dia training base, yes?

1 A. CO Isaac was a commander. He was not my training
2 instructor.

3 Q. But he was a commander at the same base that you were
4 trained at, right?

10:32:48 5 A. Yes.

6 Q. Have you heard the name Isaac Mongor before, Madam Witness?

7 A. Yes.

8 Q. Is it the same person as this commander CO Isaac, Madam
9 Witness?

10:33:10 10 A. Isaac was on the base and Isaac Mongor was at Sandiaru.

11 Q. So there is a different CO Isaac than Isaac Mongor, yes?

12 A. Yes.

13 Q. Was there another RUF fighter by the name of Foday Lansana,
14 not the same Foday K Lansana that we have been speaking of?

10:33:43 15 A. Yes, I don't know maybe the name, because some of the men
16 did not actually give their actual names. I can't recall.

17 Q. My question is this: Did you ever hear of another person
18 in the RUF by the name of Foday Lansana that was different from
19 the father of your children, Foday K Lansana, during your time
20 with the RUF, Madam Witness?

10:34:13 20

21 A. I did not hear about that.

22 MR ANYAH: Madam Court Attendant, could the witness be
23 shown what was marked for identification as MFI-1 and could you
24 also have on hand Prosecution exhibit 30C:

10:35:15 25 Q. Madam Witness, you recall that I showed you this picture on
26 Friday, yes?

27 A. Yes.

28 Q. And when I showed it to you you could not identify either
29 of the persons pictured, correct?

1 A. Yes.

2 Q. Now this same photograph was shown to you by the Office of
3 the Prosecutor in October last year and also at that time you did
4 not or could not identify either of the persons pictured,

10:35:58 5 correct?

6 A. Yes.

7 MR ANYAH: For counsel's benefit it's on page 30 of tab
8 number 1, the failure to identify that is:

9 Q. Now, Madam Witness, do you see a number beneath that
10:36:15 10 picture that starts with the letter "P"?

11 A. Yes.

12 Q. And that number is P0000641, correct?

13 A. Yes.

14 MR ANYAH: Madam Court Officer, could you put Prosecution
10:36:36 15 exhibit P-30C on the overhead, please:

16 Q. Madam Witness, do you see the new photograph that has been
17 placed on the overhead projector?

18 A. Yes.

19 Q. That photograph is identical except in the writings around
10:36:59 20 it to the one that we just saw ending with ERN number 0641,
21 correct?

22 A. Yes.

23 Q. Indeed, do you see the same ERN number crossed off at the
24 bottom, the number P0000641?

10:37:23 25 A. Yes.

26 Q. Do you see names written with arrows pointing towards the
27 individuals pictured in that photograph?

28 A. Yes.

29 Q. The person who did those indications is Varmuyan Sheriff and

1 he did so in court here in January of this year. Do you agree
2 now that you have seen this that the person on is left is
3 Sam Bockarie, Madam Witness?

4 A. Well, I cannot say because the person marked it this way it
10:38:02 5 is Sam Bockarie, because, like I said, when you stay with
6 somebody you will know the person very well and even if that
7 person turns his back you will be able to identify that person,
8 but if it were Sam Bockarie I would be able to know, but like the
9 person said he is now standing here and the person said it's
10:38:21 10 Sam Bockarie, I don't know. I cannot identify him. Maybe the
11 person knows the reason why he said it's Sam Bockarie.

12 And like when I talked about Superman I had stayed with
13 him, I knew him very well and even if he turns his back I would
14 be able to say that this is Superman. But I did not actually
10:38:43 15 understand Sam Bockarie well, so I cannot tell whether it is he
16 that the person has marked against here.

17 Q. In your response you said, this is page 37, my line number
18 3, in 12 point font, you said, "If it were Sam Bockarie I would
19 be able to know", yes?

10:39:07 20 PRESIDING JUDGE: [Microphone not activated].

21 MR ANYAH: I have it at 12 point font.

22 PRESIDING JUDGE: I see indeed what you're saying,
23 Mr Anyah. I am only trying to recollect what the witness said.
24 I think it is a point that should be clarified.

10:39:20 25 MR ANYAH:

26 Q. Madam Witness, are you saying you were not familiar with
27 how Sam Bockarie looked, or are you saying that this photograph
28 does not show him properly?

29 A. That is not what I am saying. If I can say that again?

1 What I am saying here is that I saw Sam Bockarie once in
2 Kailahun, I saw him in Kono and I saw him in Buedu, but I cannot
3 understand him well as he is standing in this photograph because
4 I was not that used to him. I did not stay with him.

10:40:01 5 Q. But this is the same Sam Bockarie that you saw twice in
6 Buedu on the way to Foya, first in the morning going to get arms
7 and ammunition and when they returned, yes?

8 A. Yes.

9 Q. In one of your training bases Sam Bockarie was there while
10 you were being trained, yes? Well, I withdraw that. Let me
11 rephrase it. In one of the places where you were, before you
12 went to Kangari Hills, Sam Bockarie was there, correct?

13 A. I recall that I talked about Giema, but when I got to Giema
14 I did not meet Sam Bockarie there, but he was there before I got
15 there, but I did not meet him there.

16 Q. So, despite what Varmuyan Sherif has indicated, as you sit
17 there now you still cannot say whether or not this is
18 Sam Bockarie, correct?

19 A. Yes.

10:41:17 20 MR ANYAH: Thank you, Madam Court Officer:

21 Q. Madam Witness, since you became a witness in this case has
22 the Office of the Prosecutor ever paid your rent where you live?

23 A. I know that they relocated me, but I don't know what they
24 did. I don't know anything about that.

10:41:45 25 Q. Have they given you money for lost wages and for meals,
26 Madam Witness?

27 A. Yes, sometimes when I used to pay myself to move from where
28 I was when they called me and when I would be returning they
29 would pay my way back.

1 Q. Was there a time when they gave you emergency money for
2 rice, Madam Witness?

3 A. Yes.

4 Q. How much was given to you to buy rice?

10:42:26 5 A. At that time the rice was going for 80,000.

6 Q. They gave you 85,000 to buy rice in November last year,
7 right?

8 A. Yes.

9 Q. And that is Sierra Leonean Leones, correct?

10:42:49 10 A. Yes.

11 MR ANYAH: Your Honours, the documents I am referring to,
12 the first one is in tab 7 and the second set of documents are in
13 tab 8 of the Defence bundle. We shall look at tab 7 first:

14 Q. Madam Witness, the Special Court's witnesses and victims
15 services section keeps records of money that are spent on your
16 behalf and that's what you're looking at in tab 7 and in tab 8
17 the Office of the Prosecutor keeps a separate record of money
18 that it spends on your behalf as different from the Special
19 Court's expenditure, or the WVS expenditure. Tab 7 the document

10:43:29 20 there has a number on it, Madam Witness, it says TF1-584. Have
21 you heard yourself being referred to that number before?

22 A. Yes.

23 Q. That's how we know that this document pertains to you and
24 do you see in paragraph 2 it has the heading "Subsistence
10:44:19 25 allowance". Do you see that, Madam Witness?

26 A. Yes.

27 Q. If you read the sentence it says, "Witness was brought into
28 WVS protective care on 9 February 2008", yes?

29 A. Yes.

1 Q. Do you recall me asking you whether you were a witness for
2 the Prosecution when Foday Lansana testified on 20 February 2008?
3 You recall me asking you that, right?

4 A. Yes.

10:44:55 5 Q. This is saying that as of 9 February you were under the
6 protective care of the Witnesses and Victims Section as a
7 Prosecution witness. Had you given them your word as of February
8 that you would testify against Charles Taylor, Madam Witness?

9 A. Yes.

10:45:21 10 Q. Do you see where it says that as of the date of this
11 memorandum, 12 June 2008, that you have been paid a total of
12 4,622,000 Leones as subsistence allowance? Do you see that,
13 Madam Witness?

14 A. Yes.

10:45:46 15 Q. Does that figure sound about right to you, Madam Witness?

16 A. I cannot deny that, because they who gave it to me will
17 have been able to calculate it, but I cannot actually calculate
18 it all by myself to get to that figure.

19 Q. Do you see the section where it says "Rent", Madam Witness?

10:46:10 20 A. Yes.

21 Q. And do you see that it says approximately - well, it says a
22 definitive figure of 3,000 United States dollars. Do you see
23 that, Madam Witness?

24 A. Yes.

10:46:29 25 Q. Equivalent to approximately 3,750,000 Leones, right?

26 A. Yes.

27 Q. And do you see the grand total of 12,154,000 Leones spent
28 by the Witnesses and Victims Section, Madam Witness?

29 A. Yes.

1 Q. Do you see that Madam Witness?

2 A. Yes.

3 Q. Does that sound about right to you in terms of money or
4 benefits you have received from the Witnesses and Victims Section
10:47:03 5 of the Special Court since February of this year, Madam Witness?

6 A. Like I answered, they would be right, because even in the
7 case of the rent they brought me to the place, but nobody told me
8 that where they have brought me they paid so and so amount of
9 money for the place. I cannot tell you what and what they did,
10:47:26 10 but if they have put it this way they could be right.

11 Q. Shall we go to tab number 8. Madam Witness, these are
12 disbursement records for witness TF1-584 as kept by the Office of
13 the Prosecutor. Do you see the number TF1-584 at the top
14 left-hand corner, yes?

10:48:12 15 A. Yes.

16 Q. And do you see the first entry there on page 1, the date
17 Wednesday, 17 October 2007, it says sum of 30,000 leones,
18 "Payment made to witness for their travel to meet with members of
19 the OTP". Do you see that, Madam Witness?

10:48:41 20 A. Yes.

21 Q. When you met with the Prosecution on 17 October did you
22 meet with them alone, or with someone else, Madam Witness?

23 A. Somebody else like whom? You mean at the office at the
24 Special Court, or from my own side?

10:49:10 25 Q. Somebody not a member of the Office of the Prosecutor.
26 Somebody that went along with you, Madam Witness.

27 A. I can't recall.

28 Q. You cannot recall, but do you see the words there "their
29 travel to meet with members of the OTP"? The 30,000 leones in

1 question, was it just for your travel expenses, or was it in
2 addition or was it also for someone else's travel expenses?

3 A. I know that nobody else travelled with me for me to come
4 there that was not a member of the Special Court.

10:50:07 5 Q. Was the 30,000 Leones exclusively for your travel to meet
6 with members of the Office of the Prosecutor on 17 October 2007?

7 A. Yes, and it was not actually for that, because I used to go
8 and come back. So sometimes when I will go and come back and
9 sometimes when I go and come back and if I were to return they
10:50:35 10 would give me another transport.

11 Q. What kind of work were you doing in October 2007? You
12 don't have to tell us the place, but just tell us what kind of
13 functions you discharged, if any?

14 A. I was teaching.

10:51:01 15 Q. Madam Witness, shall we go to page 2 of that document. At
16 the bottom of the document of that page you have entry number 8
17 with the date 20 November 2007. Do you see that, Madam Witness?

18 A. Yes.

19 Q. It says: "Category: Emergency money for rice", 85,000
10:51:38 20 Leones. This is the same 85,000 Leones and the same rice in
21 question we just spoke about a few minutes ago, correct?

22 A. Yes.

23 Q. Madam witness, if you had not been a witness in this case
24 and you had needed rice last November you would have had to pay
10:52:00 25 for it yourself, correct?

26 A. Yes.

27 Q. And you said a few minutes ago that the rice in question
28 cost 80,000 Leones, yes?

29 A. Yes, I would have to pay to carry it.

1 Q. They gave you an extra 5,000 to carry the rice, yes?

2 A. Yes.

3 Q. On the next page, page 3, entry number 10, the date in
4 question 30 November 2007, it says you were given the amount, or
10:52:55 5 the amount of 50,000 Leones was spent on your behalf. Why? The
6 reason: "The witness is suffering from malaria so money was
7 provided to buy food she can eat". Do you see that, Madam
8 Witness?

9 A. Yes.

10:53:23 10 Q. When you suffered from malaria did you call the Office of
11 the Prosecution to tell them you are suffering from malaria,
12 there are certain foods you cannot eat? Did you do that last
13 November, Madam Witness?

14 A. I reported to them that I was sick and after we had gone to
10:53:39 15 the hospital they did a test. It was the hospital officials that
16 told them what I was supposed to be eating. I was not the one
17 who suggested it to them.

18 Q. And once they told them what you were supposed to be eating
19 they spent 50,000 Leones to make sure you ate the right food. Is
10:54:00 20 that your evidence?

21 A. Yes.

22 Q. Did they also pay for all your medical treatment, Madam
23 Witness?

24 A. Yes, some.

10:54:21 25 Q. Did they also provide you with a SIM card for your mobile
26 telephone, Madam Witness?

27 A. Yes.

28 Q. If you had not been a witness in this case and you suffered
29 with malaria and you were just a regular citizen in Sierra Leone

1 you would have had to buy the appropriate food for your
2 condition, correct?

3 A. Yes.

4 Q. Do you see the final figure tallied at the end of page 5?

10:55:03 5 The Prosecutor office says that it has spent approximately
6 982,000 leones broken down into 16 payments on your behalf
7 between October last year and 6 February 2008, approximately a
8 two and a half month period. Do you agree with that figure,
9 Madam Witness, that they spent close to a million leones on your
10 behalf in about two and a half months?

11 A. Yes.

12 MR ANYAH: Madam President, may I have a moment? Madam
13 President, I have no further questions on cross-examination. I
14 tender the witness.

10:57:25 15 PRESIDING JUDGE: Thank you, Mr Anyah. Re-examination,
16 Mr Santora?

17 MR SANTORA: Thank you, Madam President.

18 RE-EXAMINATION BY MR SANTORA:

19 Q. Good morning, Mrs Witness.

10:57:42 20 A. Good morning, sir.

21 Q. Mrs Witness, when Defence counsel was asking you some
22 questions on Friday he asked you about the time you went to Buedu
23 when you were called - when Superman was called for the meeting
24 and he pointed out to you that you had met Jungle at a location
10:58:15 25 which you referred to as the zoebush outside of Buedu. Do you
26 remember that?

27 A. Yes.

28 Q. Can you just describe the proximity or how far away this
29 zoebush was where you had this first ceremony with the

1 herbalists, how far that was from the town of Buedu itself?

2 A. It was not that far. It is not even up to half a mile.

3 Q. Now Defence counsel when he was giving you - gave you some
4 questions, he asked you about whether or not you agreed with what
10:59:02 5 some other witnesses in this case had said. One of the witnesses
6 he asked you about was King Perry. He read to you certain
7 portions of King Perry's testimony, but not all of it. I am
8 going to ask you to listen to another thing that King Perry said
9 and I want you to see if you - you can tell me if you agree with
10:59:26 10 it or not, or you don't know. The question was - and just for
11 counsel's reference, I'm sorry, the question was - this is from
12 the transcript on - I'm mixing my dates - 6 February 2008, page
13 3187, line 24, 25 and the response on line 26. Now the question
14 put to King Perry at that time was:

11:00:02 15 "Q. And who do you say or who was the leader of the entire
16 group that left Koinadugu?

17 A. It was O-Five who was AFRC commander."

18 Just for contextual purposes, this is in reference to the
19 group that left from Koinadugu to Rosos which you have referred
11:00:24 20 to as the new Red Lion battalion. When you listen to this
21 response do you agree with it or not?

22 A. I agree.

23 Q. Now, I am going to give you another portion. The Defence
24 counsel --

11:00:45 25 MR ANYAH: Well, I'm sorry, I appreciate that the witness
26 has answered the question. I should have been on my feet a
27 moment earlier, but just to make a record, counsel in his
28 question said - and this was in reference to the new Red Lion
29 battalion. That is saying that what King Perry Kamara was

1 speaking of here in response to this question as the leader of
2 the entire group that left Koinadugu was the new Red Lion
3 battalion. If that's the case then I am objecting to that,
4 because --

11:01:29 5 PRESIDING JUDGE: No, just a minute. What in the question
6 are you objecting to, Mr Anyah, because, as you correctly noted,
7 it has been answered, but I understood the question to be of the
8 entire group. Are you saying that --

9 MR ANYAH: I can specify my objection. I can make it more
11:01:50 10 specific. Counsel is saying that this witness has said - let me
11 read counsel's question. It's on page 47 and it starts at page
12 46. The relevant part, he says, "Just for contextual purposes,
13 this is in reference to the group that left from Koinadugu to
14 Rosos which you have referred to as the new Red Lion battalion."

11:02:13 15 Counsel is saying that this witness has referred to the
16 entire group that left from Koinadugu to Rosos as being the new
17 Red Lion battalion. I am objecting to that, because the
18 witness's evidence is not specific enough to say that all the
19 constituent members of that group --

11:02:30 20 PRESIDING JUDGE: Yes, I see the point you are making. I
21 think there is a valid criticism there, Mr Santora, because the
22 question that was put to the prior witness was the entire group,
23 so it could have been the Red Lion, or a whole lot of other, or
24 none other persons. To put to the witness or to imply to the
11:02:51 25 witness that it was exclusively a Red Lion battalion could be a
26 misleading synopsis or interpretation of the previous question
27 and answer given by the previous witness.

28 MR SANTORA: I take the point, your Honour. I will just
29 enquire though, because, as counsel did say, the question has

1 already been answered.

2 PRESIDING JUDGE: It has been answered, yes.

3 MR SANTORA: I did note, I was trying to be very, very
4 particularly careful with the wording on this, is that what this
11:03:21 5 witness referred to as the new Red Lion Battalion was the group
6 and that is - my recollection of the testimony is clear: That
7 this witness, this witness, has referred to that group by that
8 name. That is why I referred to it in that way and that is just
9 for our record since this is already a moot point anyway.

11:03:42 10 MR ANYAH: Madam President, it may be moot for procedural
11 purposes, but your Honours retain the discretion, in the interest
12 of justice, when evidence is being mischaracterised, this in
13 question being the evidence of King Perry Kamara, to attach a
14 different weight to the evidence. Your Honours retain that
11:03:58 15 discretion. I am saying that Perry Kamara's evidence is being
16 mischaracterised in the sense that what Perry Kamara is speaking
17 of as the entire group is not necessarily synonymous with what
18 this witness has said constitutes the new Red Lion battalion.

19 PRESIDING JUDGE: I have already made that observation,
11:04:15 20 Mr Anyah. The question has been answered. We note your
21 submissions on weight. We will bear them in mind.

22 MR ANYAH: Thank you, Madam President.

23 PRESIDING JUDGE: Just pause. Madam Witness, you wanted to
24 say something. Please say - what did you want to say?

11:04:30 25 THE WITNESS: I just want to come in there a little, that
26 is regarding the question that I got from the Prosecution, and
27 then I am sure that the group that King Perry was referring to
28 was the Red Lion battalion that he himself left together with,
29 but after he had left Koinadugu he wouldn't have been able to say

1 anything about the groups that stayed there, because he went with
2 the Red Lion battalion. It was that same Red Lion battalion that
3 was under the control of O-Five that moved to Rosos.

4 PRESIDING JUDGE: Thank you for that clarification, Madam
11:05:07 5 Witness, and it may go some way to note your objection. It
6 clarifies the issue, or muddies it, depending on the submission
7 of counsel. Continue, Mr Santora.

8 MR SANTORA: Thank you, Madam President:

9 Q. Mrs Witness, another area of questioning that Defence
11:05:32 10 counsel asked you about was whether or not you agreed with
11 certain assertions made by another prior witness, Alimamy Bobson
12 Sesay, who testified in this court in April of this year. Now,
13 Defence counsel asked you about certain portions of his
14 testimony, whether or not you agreed, or one portion. Again, for
11:05:59 15 counsel, for your reference, the reference in this particular
16 instance is from 28 April of this year, page 8770, lines 18
17 through 28. Now, Mrs Witness, I am going to read to you another
18 thing that this witness said which was not put to you and see if
19 you can listen and tell this Court whether or not you agree with
11:06:34 20 this portion of what this prior witness said, okay?

21 A. Yes.

22 Q. Now, the witness in this instance was asked by the Defence
23 counsel --

24 JUDGE SEBUTINDE: Is this King Perry again or --

11:06:58 25 MR SANTORA: Sorry, it was TF1-334, Alimamy Bobson Sesay:

26 Q. The witness TF1-334 was asked whether or not he agreed that
27 the Red Lion battalion existed before O-Five came to Colonel
28 Eddie Town and the witness's response was:

29 "I agree, my Lord. I have said it here clearly that I am

1 not disputing the fact. The fact that a battalion was
2 established in Koinadugu does not depict that we will not
3 establish the same battalion in Colonel Eddie Town, but I told
4 you that it was when they came that Gullit decided to form the
11:07:44 5 battalion there. I have said that."

6 Do you agree with this response, this assertion, by this
7 prior witness?

8 PRESIDING JUDGE: Madam Witness, could we get that sorted
9 out during the mid-morning break, please. The noise is very
11:08:05 10 distracting. Yes, just put that last part of your question
11 again.

12 MR SANTORA:

13 Q. Do you understand my question, Mrs Witness?

14 A. Yes.

11:08:19 15 Q. Do you agree with what this prior witness said?

16 A. Like I answered, on what I knew that the Red Lion battalion
17 was formed in Koinadugu and it was O-Five who was the commander.
18 I will not deny that outside Koinadugu another arrangement might
19 have not been made, but what I knew, that even when they got to
11:08:53 20 Rosos was that I did not receive message or messages from any
21 commander other than O-Five, pertaining to the Red Lion
22 battalion.

23 Q. Now, this morning when Defence counsel was asking you
24 questions - and just for your reference, counsel, this is
11:09:20 25 actually from this morning's page 17.

26 JUDGE SEBUTINDE: Mr Santora, I am sorry, I am trying to
27 digest the witness's answer last answer. I am not sure if she
28 agrees with the witness, or she disagrees with the witness.

29 MR SANTORA: I will clarify, your Honour.

1 JUDGE SEBUTINDE: Perhaps you are wiser than I am in that
2 regard.

3 MR SANTORA: No, I will clarify:

4 Q. Do you understand Justice Sebutinde's question,

11:09:47 5 Mrs Witness?

6 A. Yes.

7 Q. Can you answer it?

8 A. I agree with the area where he said that the Red Lion
9 battalion existed - was in existence from Koinadugu and it was

11:10:05 10 headed by 0-Five, but after that, any other thing that comes

11 after that I don't know about.

12 JUDGE SEBUTINDE: But that is not what witness 334 said,
13 because witness 334, the portion you have read, says the Red Lion
14 battalion existed before 0-Five came to Colonel Eddie Town.

11:10:32 15 MR SANTORA: That is - maybe I am --

16 JUDGE SEBUTINDE: The text that you just quoted to the
17 witness. So her answer, in my view, does not agree with what
18 this witness is saying.

19 MR SANTORA: I guess, your Honour, maybe I am just - in
11:10:55 20 terms of what this witness is saying, 334 - and I am not

21 interpreting what the witness is saying here, but just from the
22 text, the full portion that was put to the witness, the fact that
23 a battalion was established in Koinadugu and if you look at this
24 in its entirety, the entire portion, it was before they reached

11:11:19 25 Colonel Eddie Town. This is - now I can - I can move on, because
26 I certainly don't want to have any - to give any characterisation
27 of what this response is, but just in relation to whether the
28 witness understood the question.

29 JUDGE SEBUTINDE: Perhaps you should move on.

1 MR SANTORA: Okay, thank you:

2 Q. Now, just for Defence counsel the next portion was - and if
3 you are on the same font I am - page 17 of lines 21 to 22, of
4 today's proceeding. The Defence counsel this morning,

11:12:11 5 Mrs Witness, asked you saying, "You did not know what the Red
6 Lion battalion did in Freetown, do you, Madam Witness?" And you
7 said, "I did not know because I was not there, except when I
8 heard about some of the things that happened there." Can you
9 just explain what some of the things you heard that happened
11:12:34 10 there were?

11 A. Yes, I heard that they burnt down houses, they killed
12 civilians and they looted properties and some of which I saw them
13 bring and mostly they brought monies because when they came and
14 when - when they all moved from there, they told me that it was
11:13:08 15 not possible for somebody to carry a big load, so all they wanted
16 most times was money. So it was money that I saw them brought.

17 JUDGE SEBUTINDE: Mr Santora, is this in relation to the
18 Red Lion battalion's activities in Freetown?

19 MR SANTORA: I will ask:

11:13:28 20 Q. Now, the original question, Mrs Witness, was about what you
21 heard - did you hear anything - did you know what the Red - I am
22 sorry. I don't want to misstate my own question.

23 JUDGE SEBUTINDE: The question was whether she knew what
24 the Red Lion battalion did in Freetown and she said, "Except when
11:13:54 25 I heard about some of the things that happened there." Now, this
26 answer she has elaborated, is it some of the things that happened
27 in Freetown, or is it some of the things that she heard the Red
28 Lion battalion did in Freetown? That is the clarification I am
29 trying to seek.

1 MR SANTORA:

2 Q. Mrs Witness, these things that you have just described, are
3 these things that you heard happened in Freetown, or are these
4 things related in some way to what you heard the Red Lion
11:14:21 5 battalion did in Freetown?

6 A. Well, those were the things that happened in Freetown, in
7 which the Red Lion battalion participated.

8 Q. How do you know this?

9 A. I heard from King Perry and some of the boys of Superman.

11:14:59 10 MR SANTORA: If I can just have a few seconds, your Honour.

11 PRESIDING JUDGE: Yes.

12 MR SANTORA: I have no further questions, your Honour.

13 PRESIDING JUDGE: Thank you, Mr Santora. We do not have
14 any questions of the witness, Mr Santora.

11:15:29 15 MR SANTORA: Then I would seek guidance. I don't know if
16 we have been moving in the witness's presence in terms of
17 potential exhibits.

18 PRESIDING JUDGE: Yes.

19 MR SANTORA: Okay. The Prosecution seeks to tender as an
11:15:44 20 exhibit what has been previously marked as MFI-16, which is a map
21 of the Kono District that was marked by this witness in court.
22 It was previously before that map S3-D in the map book that has
23 been distributed.

24 PRESIDING JUDGE: Mr Anyah, you have heard the application?

11:16:18 25 MR ANYAH: No objection, Madam President.

26 PRESIDING JUDGE: This is a map which goes very roughly
27 from Tingi mountains and Kondea in the north, to below Segbwema
28 and Daru in the south, as marked by the witness with markings up
29 to 16. It becomes Prosecution exhibit P-146.

1 [Exhibit P-146 admitted]

2 PRESIDING JUDGE: Please proceed.

3 MR SANTORA: The Prosecution next seeks to tender as an
4 exhibit what has been previously marked as MFI-17, a map of
11:17:33 5 Sierra Leone, the full country map marked, which was previously
6 S19 in the map book that has been distributed. This map was
7 marked in court by the witness during the course of her direct
8 testimony.

9 PRESIDING JUDGE: Mr Anyah?

11:17:51 10 MR ANYAH: No objection, Madam President.

11 PRESIDING JUDGE: Very well. This is a map of Sierra Leone
12 marked by the witness with markings 1 to 9, including lines
13 showing trips or routes made and it becomes Prosecution exhibit
14 P-147.

11:18:15 15 [Exhibit P-147 admitted]

16 MR SANTORA: There are no further exhibits to be tendered
17 by the Prosecution.

18 PRESIDING JUDGE: Very well. Mr Anyah, you have heard
19 the --

11:18:36 20 MR ANYAH: Yes, we do have three exhibits that have been
21 marked for identification, the first one being MFI-1 and we would
22 respectfully move to have it admitted into evidence. MFI-1 is
23 the photograph depicting two individuals not marked by this
24 witness. It has the ERN number ending in 641. It is the
11:19:03 25 photograph that was displayed this morning on the overhead.

26 PRESIDING JUDGE: Mr Santora, you have heard the
27 application by counsel for the Defence.

28 MR SANTORA: No objection.

29 PRESIDING JUDGE: This is a photograph showing two

1 individuals with some other persons in the background and a
2 ploughed up road. It becomes Defence exhibit D-51.

3 [Exhibit D-51 admitted]

4 MR ANYAH: Thank you, Madam President. The next document
11:19:50 5 in question, MFI-2, is a map disclosed by the Prosecution to the
6 Defence with ERN number 00100940. It was marked out of court by
7 the witness and was put to the witness during cross-examination
8 and we seek to have it admitted into evidence, Madam President.

9 PRESIDING JUDGE: Mr Santora?

11:20:24 10 MR SANTORA: No objection.

11 PRESIDING JUDGE: Very well. This is a map of the Kono
12 area of Sierra Leone with the same geographical delineation as
13 map P-146, but also marked by the witness and it becomes Defence
14 exhibit D-52.

11:20:48 15 [Exhibit D-52 admitted]

16 MR ANYAH: Thank you, Madam President. The last document
17 is also a map, MFI-3. The ERN number is 00100939, a document
18 disclosed by the Office of the Prosecutor to the Defence and
19 marked by the witness out of court and we move to have it
11:21:13 20 admitted, Madam President.

21 PRESIDING JUDGE: Mr Santora?

22 MR SANTORA: Again, no objection.

23 PRESIDING JUDGE: Very well. This is a map of Sierra Leone
24 as marked by the witness with routings from the Koidu/Sefadu area
11:21:36 25 down to Yams Farm in the Hastings area. It becomes Defence
26 exhibit D-53.

27 [Exhibit D-53 admitted]

28 MR ANYAH: That's all we have, Madam President.

29 PRESIDING JUDGE: Thank you, Mr Anyah. I will therefore

1 release the witness? Yes.

2 Madam Witness, that is the end of your evidence. You are
3 now free to leave the Court. We thank you for coming to court
4 and giving your evidence and we wish you a safe journey home. If
11:22:08 5 you will just remain, Madam Court Attendant will assist you to
6 leave the Court.

7 MS HOLLIS: Your Honour, the next witness will be TF1-375
8 and the witness will be led by Mr Koumjian. The witness has
9 various protective measures in place, including voice distortion,
11:22:59 10 facial distortion, screen and use of pseudonym. The witness will
11 testify in Liberian English. In light of the time and the time
12 it takes for the voice distortion, perhaps your Honours would
13 consider breaking a little early so that things can be put in
14 place?

11:23:20 15 PRESIDING JUDGE: I think that sounds like a very practical
16 thing to do, Ms Hollis. I will just check first if the
17 interpreters are in position. Mr Interpreter, have we got a
18 Liberian interpreter ready to proceed with the next witness?

19 THE INTERPRETER: Sure, your Honours.

11:23:35 20 PRESIDING JUDGE: Very good. In order to allow the
21 technicians to put the witness protective matters in place, we
22 will now take an early adjournment and we will resume at 12.
23 Please adjourn court until 12.

24 [Break taken at 11.25 a.m.]

11:53:54 25 [Upon resuming at 12.00 p.m.]

26 PRESIDING JUDGE: Before we swear in the witness, I will
27 just take a note of the change of appearances please.
28 Mr Koumjian.

29 MR KOUMJIAN: Good morning, your Honours. For the

1 Prosecution starting this session is Brenda J Hollis, Nicholas
2 Koumjian, Shyamala Alagendra and Maja Dimitrova. Thank you.

3 PRESIDING JUDGE: Mr Anyah, I think your Bar is the same?

4 MR ANYAH: Yes, your Honour. Mr Munyard has carriage of
12:00:10 5 this witness for the Defence.

6 PRESIDING JUDGE: Thank you. Please swear the witness.

7 MR KOUMJIAN: Sorry, there is one matter, your Honour.

8 WITNESS: TF1-375 [Sworn]

9 PRESIDING JUDGE: Mr Koumjian, you wish to say something?

12:00:43 10 MR KOUMJIAN: Yes, your Honour. Your Honour, in my
11 discussions with the witness he made it clear to me that his
12 preference was or that his request was that the entire testimony
13 be in closed session. That is not the Prosecution's motion, but
14 under Rule 75 the Court, the parties, or the witness, or the WVS,
12:01:09 15 can make that motion and I felt it was my obligation to convey to
16 the Court that that is the witness's desire. The Prosecution
17 would point out that we believe that it would be necessary for
18 this witness, as we have done for others, to have private session
19 on certain personal information and I would - however, there is
12:01:34 20 also some very substantial substantive evidence that the witness
21 has given us reasons to believe - and we agree - would require
22 that those be in private session. I could address those now, or
23 in the - my anticipation of how those would come out in the
24 direct examination they occur chronologically much later and so
12:02:01 25 I will be dealing with these probably tomorrow and so we could
26 wait and raise that issue when we come to that point, but there
27 are some substantive areas of evidence that the witness has
28 provided us with reasons to believe that if he testified about
29 those in open, even with voice distortion and facial distortion,

1 he would be identified and at serious risk.

2 PRESIDING JUDGE: Mr Munyard, this is a two pronged matter;
3 one the witness himself has put forward and the second which the
4 Prosecution has put forward. Your response, please.

12:02:43 5 MR MUNYARD: Thank you, Madam President, your Honours.
6 I am rather concerned that we are beginning to get something of a
7 litany of requests in relation to Prosecution witnesses who have
8 just been very recently proofed, or in the case of this witness
9 reproofed.

12:03:08 10 This witness was last seen on Sunday of last week and then
11 on - well, I will give you the dates and I hope I have got the
12 days of the week correct: 15, 16 and 17 and 18 of June. The
13 18th I believe was Wednesday of last week.

14 There has been no written motion put in in relation to any
12:03:35 15 desire to change the witness's current extremely restricted
16 status in terms of the public nature of his testimony. This
17 Court was invited to impose protective measures last year and
18 again in May - I will just get your Honours the date - and indeed
19 you did agree to impose those highly restrictive protective
12:04:05 20 measures in a motion on 7 May this year, very recently.

21 Now the witness was actually proofed on 15, 19 and 23 May
22 of this year, in other words after the last decision of this
23 Court imposing restrictive protective measures, proofed again
24 during the course of last week as I have just indicated and yet
12:04:41 25 no motion has been put forward by the Prosecution, or indeed
26 nothing has come forward through the Witness and Victims Service,
27 to ask for further restrictions in the form of protective
28 measures on the nature of this and the method of this witness's
29 testimony.

1 So, I am very concerned that we are now being told this
2 morning that there are - that there is a desire on the part of
3 the witness for a closed session. There has been plenty of time
4 for that to have been aired. I can't believe that the witness
12:05:22 5 having been seen on three different dates in May and on four
6 different dates last week hasn't raised this earlier and that
7 therefore it could have been raised in the usual way through a
8 written motion. We have been criticised ourselves for seeking to
9 put forward oral motions for rescission of protective measures.

12:05:43 10 What is sauce for the goose is sauce for the gander, in my
11 submission. That is my first point in response.

12 I am unable to comment on what might be put forward
13 tomorrow by my learned friend as to a request for private session
14 or other forms of restriction on the way in which this witness's
12:06:05 15 testimony is broadcast because I simply don't know what is
16 anticipated.

17 My third point is that I don't have any difficulty with the
18 witness's private identifying details being given in the usual
19 way, written on a piece of paper as they have been, signed by the
12:06:21 20 witness and shown to the Court and also to Defence counsel. We
21 don't have any difficulty with that. That is normal standard
22 practice.

23 But my fourth and final point is this. That I am getting
24 very concerned about the fair trial rights of the accused,
12:06:40 25 because we have now been served on Friday - last Friday, today
26 being Monday - with yet another batch of proofing notes, or
27 prepping notes, or whatever they call them, of this witness with
28 yet another series of amendments, or clarifications, or new
29 points in his evidence, 40 points plus a photograph have been

1 served on us as recently as Friday.

2 There is jurisprudence in these ad hoc tribunals that it is
3 not proper for one party to land more material on another party
4 so close to the evidence being given that the receiving party
12:07:33 5 doesn't have proper time to prepare. It may be said by those
6 opposite that the weekend is proper time to prepare, but frankly
7 if this witness has been proofed as often as he has been in May
8 it's rather surprising that he has to have another four sessions
9 last week and produce another 40 points in clarification. So it
12:07:56 10 may well be that there are matters in what was served on Friday
11 that we would want to investigate. I have only been digesting it
12 over the weekend.

13 This witness has been seen on a total of 24 separate dates
14 since he first began to cooperate with the Prosecution and
12:08:16 15 I would suggest that on about half of those dates he has been
16 giving amendments to the material that is already contained in
17 the documents that we have been supplied with. So I have got
18 serious concerns about all matters apart from the name and date
19 of birth and so on that I have already indicated we are quite
12:08:39 20 happy to see in writing and not disclosed in any way publicly.

21 PRESIDING JUDGE: Thank you. Mr Koumjian?

22 MR KOUMJIAN: I was going to ask permission to reply to
23 some of the points counsel raised.

24 PRESIDING JUDGE: Is it a legal point?

12:08:59 25 MR KOUMJIAN: Yes, your Honour.

26 PRESIDING JUDGE: Very well.

27 MR KOUMJIAN: First, your Honour, the motion for close is
28 not our motion, it is the witness's motion.

29 PRESIDING JUDGE: I am clear on that.

1 MR KOUMJIAN: Among the items that were disclosed that
2 counsel just pointed out, for example the photograph, I don't
3 plan to lead the witness on. It actually was disclosed because
4 we believed it was something that could potentially be Rule 68
12:09:21 5 for the Defence which we are obligated to do.

6 We do speak to the witnesses about their security concerns
7 constantly because that again we believe is an obligation. And
8 this witness in particular, I take his concerns extremely
9 seriously. When the Court hears the testimony I believe the
12:09:39 10 Court will understand why.

11 [Trial Chamber conferred]

12 PRESIDING JUDGE: We have considered each of the points
13 raised by both the Prosecution and Defence. We note, as
14 Mr Koumjian has been at pains to point out, that this is not a
12:13:51 15 Prosecution application for a closed session, but that the
16 provisions of Rule 75(A) apply and the witness concerned can
17 bring issues before the Court. However, we have no evidence to
18 show that the situation has changed in such a way since we
19 assessed and considered the evidence in our decision of 7 May
12:14:11 20 2008 and accordingly what has been put forward is declined.

21 We will consider any application for a closed or private
22 session if there is sensitive evidence which may tend to disclose
23 the identity of the witness when and as it arises in the course
24 of the Prosecution's evidence.

12:14:41 25 On the matter raised by counsel for the Defence as to the
26 fair trial rights of the accused and appropriate time in order to
27 investigate, et cetera, new matters that have been disclosed,
28 this has been cured in the past in this Trial Chamber by
29 applications for an adjournment to allow a party to fully

1 investigate and if it is necessary such an application will be
2 entertained as and if it arises.

3 MR MUNYARD: Thank you, your Honours.

4 MR KOUMJIAN: Thank you, your Honours. We would like to
12:15:19 5 begin the testimony in private session to ask the identifying
6 information such as name and date of birth and nicknames of the
7 witness.

8 PRESIDING JUDGE: It has been suggested by counsel for the
9 Defence that that could be done in writing and he would not
12:15:36 10 object to such a procedure. Do you not accede to that
11 suggestion?

12 MR KOUMJIAN: Your Honour, I believe it would be more
13 productive to do it orally, because there are more than two or
14 three questions that I have for the witness. It relates also to
12:15:55 15 certain arrests that the witness underwent and also I am not sure
16 that the witness will write as well as he can speak.

17 PRESIDING JUDGE: I understand. In the circumstances we
18 will have a brief private session in order to adduce this
19 evidence. For purposes of record, the Court will now go into a
12:16:27 20 private session for reasons of security of the witness. Please
21 put the Court in private session.

22 Mr Witness, I don't know if you have heard what I said
23 through the interpreter, but we are now going into a private
24 session. That means no-one else can hear you and it is not
12:16:51 25 broadcast. It is to allow you to give some personal details or
26 answer questions put to you by the Prosecution to ensure your
27 security. Do you understand?

28 THE WITNESS: Yes.

29 PRESIDING JUDGE: Thank you. Please implement that, Madam

1 Court Attendant.

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[At this point in the proceedings, a portion of
the transcript, pages 12469 to 12474, was
extracted and sealed under separate cover, as
the proceeding was heard in private session.]

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1 [Open session]

2 MS IRURA: Your Honour, we are in open session.

3 MR KOUMJIAN:

12:29:11

4 Q. Sir, did you ever become part of any military force in your
5 life?

6 A. Yes.

7 Q. Can you tell us how you first became part of a military
8 force?

9 A. 1991.

12:29:30

10 THE INTERPRETER: Your Honours, can he repeat the year.

11 PRESIDING JUDGE: Mr Witness, again the interpreter is not
12 hearing you clearly. It would be good if you could sit steady
13 and speak into that microphone. What year did you say, the
14 interpreter has asked?

12:29:49

15 THE WITNESS: 1991.

16 MR KOUMJIAN:

17 Q. What happened to you in 1991, Mr Witness?

18 A. I was captured by the RUF and taken to Pendembu at the
19 training base.

12:30:10

20 Q. When you were captured by the RUF, what district - where
21 were you?

22 A. Kailahun District.

23 Q. How old were you at that time?

24 A. 11 years.

12:30:31

25 Q. Was anyone captured along with you?

26 A. Yes, they captured a lot of people.

27 Q. You said you were taken to Pendembu for training. Can you
28 describe the training that you underwent?

29 A. Yes.

1 Q. For how long were you trained in Pendembu?

2 A. Five to six months. Six months. I was there for six
3 months.

4 Q. Was anyone else being trained along with you?

12:31:16 5 A. Yes, a lot of people were there at the training base.

6 Q. Can you tell us the ages - the range in ages - of those
7 that were being trained?

8 A. Yes, they had some adults there, some SBUs whom I was older
9 than. SBUs six years, five years, eight, ten, and some were
12:31:47 10 older than me, 14 years.

11 Q. Was the group of those being trained all men, all women, or
12 mixed?

13 A. Both men and women.

14 Q. How were you trained? What did the training consist of?

12:32:09 15 A. Ideology, they showed us how to fire weapons, so many
16 things I can remember, physical training.

17 Q. What kind of weapons were you trained on in Pendembu?

18 A. They taught us a lot of weapons: AK-47, they told us how
19 to use RPG, GMG and other guns.

12:32:49 20 Q. Now, at some point did one of those weapons - did any of
21 those weapons become your favourite to use?

22 A. Yes.

23 Q. What was your favourite weapon?

24 A. I used to launch GMG. I was operating GMG.

12:33:07 25 Q. And for those of us who may not be experts on weapons, can
26 you explain to us what is a GMG?

27 A. They can call it general purpose machine gun. It is very
28 powerful. It uses chain. It fires rapidly. If it is in single,
29 it uses 11 rounds at the same time. While AK uses three or one

1 round, it uses 11 rounds at the same time and it takes - like
2 mine it used to use 1,500 rounds on my own, while some people
3 used 150. You can use it any type of way you are trained to use
4 it and it goes a far distance.

12:33:57 5 Q. Just so we are clear, when you say when you would use it it
6 will be 1,500 rounds, what do you mean that you would use it with
7 1,500 rounds?

8 A. The belt that was fixed for the GMG was 150 rounds, but we
9 had a way - the guerilla in the guerilla war we had a way of
10 adjusting it. We can join the chains together. It can easily
11 use 10,000, 50,000. It depends on your strength. We had the way
12 we adjusted it. You can remove one of the chains and add another
13 chain there to extend the belt, but the original one is 150
14 rounds.

12:34:40 15 Q. Mr Witness, what was the nationality of those that were
16 giving the training, the trainers?

17 A. They had Sierra Leoneans, they had Liberians there.

18 Q. Do you recall the names of any of the Liberian trainers?

19 A. They had Monica Pearson, CO Justin, CO Babay, Liberians.
12:35:20 20 Justin was Sierra Leonean, Babay Liberian, Monica Pearson
21 Liberian, Tommy Sandi Sierra Leonean, Krio Mammy Sierra Leonean.
22 I do not remember the names of the other ones.

23 Q. Thank you. Can you just say again slowly so I can hear the
24 last name of Monica?

12:35:45 25 A. Krio Mammy.

26 Q. I am asking about the last name of Monica. You mentioned a
27 person named Monica.

28 A. Monica Pearson. That is how I pronounce it.

29 Q. Okay, thank you very much, Mr Witness. Now after you

1 finished your training, where were you assigned, sir?

2 A. They took me to Superman's wife, the late Denis Mingo.
3 Superman's wife.

4 Q. For how long did this assignment last?

12:36:29 5 A. I was there up to 2000, three years. I was there with him
6 two to three years.

7 Q. Okay. Now, you told us you were captured in 1991 and so
8 are you saying it was two or three years from the time you were
9 captured?

12:36:50 10 A. Yes.

11 Q. What was --

12 JUDGE SEBUTINDE: When he says "I was there with him", who
13 is "him"?

14 THE WITNESS: I am talking about Superman's wife. I was
12:37:06 15 there with her.

16 MR KOUMJIAN:

17 Q. What was your - what were your responsibilities? Let me
18 strike that. During that time did you have any military
19 responsibilities?

12:37:21 20 A. Yes, I was - yes, to guard her, to do some domestic jobs
21 for her at the time.

22 Q. Mr Witness, did you ever get involved in any fighting with
23 the RUF?

24 A. Yes.

12:37:51 25 Q. Can you tell us when was the first time you were involved
26 in any fighting; either directly or involved behind the lines in
27 the fighting?

28 A. We first attacked Kono in 1992 at the time I was with
29 Superman's wife. Superman came and took us from there and he

1 said we should go and [indiscernible] at the front line so he
2 took us to Kono. Kono attack in '92. So we went on the attack.
3 Corporal Foday Sankoh the late told us that we should man
4 checkpoints, we the SBUs. At the time I was promoted to
12:38:34 5 corporal. That was my first time to take part in military
6 operation.

7 Q. Thank you. Mr Witness, you just used a term SBU. Can you
8 tell us in your mind what is an SBU?

9 A. I said Small Boy Unit.

12:38:54 10 Q. When did you first become aware that there were Small Boy
11 Units?

12 A. It started at the starting of the revolution, because there
13 were a lot of Small Boy Units who crossed from Liberia to Sierra
14 Leone. So they had the Small Boy Unit, but the unit was formed
12:39:16 15 in '95 as a unit by itself, Small Boy Unit, but it was there at
16 the time.

17 Q. When you were in training was there a Small Boy Unit or
18 not?

19 A. I was in Small Boy Unit because all the small boys were
12:39:36 20 together.

21 Q. Now you indicated that Foday Sankoh said that the SBUs
22 should man the checkpoints. What were your responsibility during
23 the attack on Kono in '92 at the checkpoint?

24 A. He told us to man the checkpoints behind the fighters, take
12:40:00 25 all government property from civilians and fighters both.

26 Q. What was government property?

27 A. Diamonds, any valuable machine like cameras, money. Any
28 valuable property should be for government, he said.

29 Q. What happened if the persons didn't want to give up this

1 property?

2 A. Sometimes we would take care of them, we shoot - we shoot
3 at them because I myself, somebody came and challenged me and
4 when I said, "Check the man's bag for government property", he
12:40:45 5 said, "You are just here to steal".

6 THE INTERPRETER: Your Honours, can the witness kindly
7 repeat and slowly.

8 PRESIDING JUDGE: Mr Witness, you have speeded up again.
9 So let us - would you go a little slower and pick up your answer
12:40:58 10 from where you said the man said, "You are just here to steal".
11 Continue from there.

12 THE WITNESS: The man came and I said they should search
13 his bag for government property and he said, "Who are you calling
14 government? You are just in the bush stealing and the government
12:41:20 15 is sitting down in Freetown". Then I told him government
16 property, he will not give his bag. So I went out of temper and
17 I shot him.

18 MR KOUMJIAN:

19 Q. Mr Witness, who was this man? Was he a fighter?

12:41:37 20 A. A civilian.

21 Q. When you shot him what happened to him? Did he live or did
22 he die?

23 A. He died.

24 Q. How old were you at that time?

12:41:52 25 A. 12 years.

26 Q. After that operation was your performance reviewed by any
27 of your commanders?

28 A. Yes, Superman came to the checkpoint. CO Mohamed Zino
29 passed through the checkpoint and he saw the body and asked Zino,

1 CO Mohamed. Then I explained to him. He just laughed and passed
2 by.

3 Q. Did Foday Sankoh have any reaction after the attack on Kono
4 for what you did?

12:42:45 5 A. Yes, they promoted all the checkpoint - all the SBU
6 commanders. He made us corporal. He said he will empower us.
7 Because he was corporal, he will give us the rank of corporal for
8 us to have respect.

9 Q. You indicated checkpoint commanders were promoted. Were
12:43:03 10 you a checkpoint commander?

11 A. Yes.

12 MR MUNYARD: SBU commanders rather than checkpoint
13 commanders.

14 PRESIDING JUDGE: They promoted all at the checkpoint, all
12:43:16 15 the SBU commanders.

16 MR KOUMJIAN: Thank you, I apologise:

17 Q. Mr Witness, what was your role at the checkpoint?

18 A. I was there as an SBU commander, checkpoint commander.
19 I was responsible of controlling the other SBUs that were there.

12:43:49 20 Q. Witness, you mentioned that at some point SBU units were
21 formed. What year was that?

22 A. The SBU unit was formed from '95 officially. SBU unit was
23 formed from '95.

24 Q. When the SBU units were formed did you receive any
12:44:12 25 assignment?

26 A. Yes, '95 I was SBU commander, lieutenant.

27 Q. Just so it's clear, you are not saying you were the only
28 commander, is that right? Or are you?

29 A. They had a lot of SBUs. They had battalions. In the

1 battalions they had companies. From company they had squad.

2 I was SBU commander for a battalion at the headquarters.

3 Q. Approximately how many persons were under your command at
4 that time?

12:44:53 5 A. Yes, when we say battalion SBU, we can say 62 at the time.
6 But they estimated the number as 62, but we will be over 62, but
7 they always took it as 62. Sometimes it could be 80, but all
8 they knew was 62 people working under my command.

9 Q. What were the ages of those in your unit?

12:45:23 10 A. Yes. I had eight, six, nine, ten, 11, 12 up to 17 years
11 I had, because from 17 downwards all of them fall under the SBU.

12 Q. Were they all boys, all girls or mixed?

13 A. When we say SBU they were all boys. They had the SGU unit,
14 boys and girls both.

12:45:59 15 Q. Mr Witness, do you recall the 1996 elections in Sierra
16 Leone?

17 A. Yes.

18 Q. Did you receive any orders relative to those elections from
19 any of your commanders in the RUF?

12:46:18 20 A. Yes.

21 Q. Can you tell the Court what orders you received?

22 A. Yes. We received orders from the Western Area, from
23 Superman, to go to the crossing points at Kangari River to meet
24 Zino, CO Mohamed, who would tell us about a mission, Peace Before
12:46:51 25 Election. When we went we met CO Mohamed, Zino, at the crossing
26 point. He called for a muster parade and told us that Foday
27 Sankoh has gone for peace talks, he was the one in charge of the
28 RUF. But the people were saying election before peace and they
29 want peace before election, so they were going to Magburaka on

1 mission. Anybody whom we saw with an ink - a voting ink on that
2 finger, we should remove that finger so that the people would
3 accept peace before the election. That was the order that
4 I received.

12:47:29 5 Q. Thank you. What was the position of CO Mohamed or Zino at
6 that time?

7 A. He was the deputy rebel leader for RUF, lieutenant colonel.

8 Q. So he was deputy to who?

9 A. Foday Sankoh.

12:47:48 10 Q. Did you or anyone under your command to your knowledge
11 actually amputate any fingers or thumbs during that operation?

12 A. Yes, when we went on the mission, because I myself was not
13 on the mission, but on our local radio I was there in the radio
14 room with Superman when they were saying that a lot of ammunition
15 [sic] was going on. I heard it over the BBC, I heard it over the
16 local media, Sierra Leone FM station, so I believed. And some
17 people came and told me personally that it was not easy in
18 Magburaka.

19 MR KOUMJIAN: I believe the interpreter may have
12:48:38 20 misunderstood the witness:

21 Q. You said that you were in the radio room with Superman when
22 they were saying that a lot of what was going on, Mr Witness?

23 A. I was in the radio room - in our radio communication room
24 with Superman while they were communicating. They were saying
12:48:59 25 even at Magbas, before you get into Magburaka, they said they met
26 people going for election, they chopped off most of their
27 fingers.

28 JUDGE SEBUTINDE: What was the location before Magburaka?

29 THE WITNESS: Magbas. Before Magburaka it's Magbas. It's

1 Magburaka district.

2 MR KOUMJIAN: We will get back with a spelling on that,
3 your Honour:

12:49:50

4 Q. Mr Witness, do you recall where you were at the time of the
5 AFRC coup in Freetown?

6 A. Yes.

7 Q. Where were you?

8 A. We used to call the area Makondu, Western Area jungle, 6th
9 Battalion for the RUF, Tonkolili District.

12:50:15

10 Q. When did you first become aware that something was going on
11 in Freetown?

12 A. It was the time that they took over, when the AFRC took
13 over. We heard that over the radio, the FM stations, that
14 something was going on in Freetown.

12:50:38

15 Q. Did you receive any orders then?

16 A. Yes, from that Superman did not believe and he went into
17 the radio room and he spoke to Sam Bockarie and Sam Bockarie said
18 it was true, that the army had taken over, they were calling the
19 RUF to join them in Freetown to run the government. So everybody
12:50:57 20 confirmed that it was true and immediately after that the people
21 in --

22 THE INTERPRETER: Your Honours, can he repeat again and
23 slowly.

12:51:08

24 PRESIDING JUDGE: Mr Witness, again you have speeded up and
25 again we need you to repeat part of your answer. Pick up where
26 you left, "So everybody confirmed that it was true and
27 immediately after that the people" - continue from there.

28 THE WITNESS: From - I have not got that clearly.

29 MR KOUMJIAN:

1 Q. Mr Witness, after Superman talked to Sam Bockarie what
2 happened next?

3 A. Superman put men together to go to Rotifunk to go and meet
4 with the SLA soldiers, the Sierra Leone Army.

12:51:47 5 Q. Were you in that group?

6 A. Yes.

7 MR KOUMJIAN: Rotifunk, I do not know if we have had a
8 spelling before. R-O-T-I-F-U-N-K. Apparently it has been spelled
9 before:

12:52:04 10 Q. What happened when you got to Rotifunk?

11 A. When we got to Rotifunk we were still not having confidence
12 and trust in the Sierra Leone Army and they too hadn't any
13 confidence in us, so they were to - they were at Mabang Bridge
14 whilst we were in Rotifunk. We started communicating.

12:52:27 15 Q. Then what happened?

16 A. After that Sam Bockarie called Superman that we should not
17 have any fear in the people. We should cross over and meet them.
18 They too received orders from Freetown that they should meet us,
19 that we should not have any problem with them. So they crossed,
12:52:48 20 they came across the bridge to us and we started embracing one
21 another and we crossed over to them, and Superman had a meeting
22 with the commander that was there at the time but I cannot
23 remember his name.

24 Q. You have mentioned Superman. At that time what was your
12:53:02 25 relationship with Superman?

26 A. I was a personal bodyguard to Superman at the time.

27 Q. After this meeting with the soldiers from the AFRC, what
28 was your next assignment?

29 A. After the meeting we went to Hastings airfield, Western

1 Area, in Sierra Leone. We occupied the police barracks while
2 ECOMOG was occupying the airfield - the Nigerian ECOMOG. Two
3 days later fighting erupted.

4 Q. Fighting erupted between who, Mr Witness?

12:53:57 5 A. RUF/SLA versus ECOMOG. Nigerian ECOMOG.

6 Q. And what happened to those of you that were at the police
7 barracks during the fighting?

8 A. We fought for seven or eight hours. ECOMOG pushed us out
9 of the barracks and we went through the peninsula to Benguema
10 barracks. We went away from the police barracks in Hastings.

12:54:25

11 Q. After going to Benguema barracks, did you get any further
12 assignments after that?

13 A. Yes.

14 Q. What was your next assignment?

12:54:44

15 A. They told us to retake Hastings, but when we got to
16 Hastings there were no ECOMOG there. They had withdrawn and gone
17 to Jui. I think Jui Teachers College, to the college. They were
18 occupying the college at Kossoh Town while they told us to
19 occupy --

12:55:08

20 MR MUNYARD: I hesitate to interrupt and I don't know if I
21 am the only one, but my LiveNote has stopped.

22 PRESIDING JUDGE: All of us.

23 MR MUNYARD: Ah, very well.

24 PRESIDING JUDGE: Please proceed.

12:55:19

25 MR KOUMJIAN:

26 Q. Mr Witness, we have a little technical problem that you
27 don't have to worry about, except it would help us all now if you
28 speak even slower because we don't have our transcripts working.
29 So, after going to Hastings what happened?

- 1 A. We went to Hastings. There were no ECOMOG there. We
2 occupied Hastings, both the airfield and the barracks, then we
3 started advancing from Jui. When we went to Jui, ECOMOG was
4 occupying one area of Jui while we were occupying the other side
12:55:55 5 in the barracks, the SSD barracks. RUF occupied the Jui SSD
6 barracks. It was at that Jui we were told to man the checkpoints
7 and so we manned the checkpoints at Jui, the main road.
8 Q. In that assignment at Jui, who was your commander - direct
9 commander?
- 12:56:16 10 A. CO Kondewa, a Liberian NPFL fighter. An old NPFL fighter,
11 CO Kondewa the late.
12 Q. Thank you. Now while you were in Jui, do you know where
13 Superman was?
14 A. Superman was in Freetown.
- 12:56:36 15 Q. How long did you stay on the peninsula?
16 A. Why did they call peninsula? I don't understand.
17 Q. Thank you. How long did you stay in Jui?
18 A. I do not remember the actual time, but we stayed there for
19 a long while and we were attacked by ECOMOG and we were flushed
12:57:05 20 out of there.
21 Q. When ECOMOG attacked you and you were flushed out, where
22 did you go?
23 A. I went to Yams Farm near Hastings, very close to Hastings.
24 Q. How long did you stay at Yams Farm?
12:57:25 25 A. We were in Yams Farm for a long while. Hastings,
26 Yams Farm, for a long while.
27 Q. Now during that time that you were in Jui, Hastings and
28 Yams Farm, did you ever go to Freetown?
29 A. Yes, I used to go to Freetown to meet Superman and some of

1 my friends.

2 Q. During that period of time, did you receive any assignments
3 from Superman to go anywhere else?

4 A. Yes.

12:58:08 5 MR KOUMJIAN: Madam Court Officer, the witness --

6 PRESIDING JUDGE: We have that under control.

7 MR MUNYARD: Madam President, as you announced you have
8 that under control, publicly I would like to know what it is we
9 have under control.

12:58:44 10 PRESIDING JUDGE: The poor old witness is very cold and we
11 are getting him a jacket.

12 MR MUNYARD: I am very grateful.

13 MR KOUMJIAN:

14 Q. Sir, what was the - I see my LiveNote is still frozen, but
12:59:01 15 what was the assignment that Superman gave you?

16 A. Superman told us to go to Kenema District to meet Sam
17 Bockarie.

18 Q. Now, did you go to Kenema?

19 A. Yes, we went to Kenema and we met Sam Bockarie. We went to
12:59:44 20 collect ammunition from Sam Bockarie, but when we got to Kenema
21 Sam Bockarie told us that the ammunition have not yet arrived in
22 Kenema and so he told us to continue the journey. He gave us a
23 car. Salami was driving the car - the late Salami Kabbah - and
24 he told us to go to Pendembu so that we will meet somebody there
13:00:08 25 that was called Jungle who was bringing the ammunition, but the
26 car had a breakdown and so we went with another car to collect
27 the ammunition.

28 We met Salami Kabbah - I mean Jungle and we met another man
29 called Senegalese. He was a Liberian, a tall fellow. We met

1 him, we explained the situation to him and then Jungle told us to
2 get civilians around so that they will transfer the ammunition
3 into the other car, so when we assembled the civilians we asked
4 them to transfer the ammunition to the car.

13:00:44 5 After that, Jungle decided to join us to come down to Sam
6 Bockarie and meet him in Kenema. So after all, when we got to
7 Kenema Sam Bockarie asked us to get some of the ammunition to be
8 carried to Superman in Freetown. That was the assignment given
9 to us by Superman.

13:00:59 10 Q. Thank you. Now, Mr Witness, do you recall what year this
11 was?

12 A. Yes, '97. 1997.

13 Q. You said, "We went to Kenema". Without giving us all the
14 names, how many of you were sent to meet with Mosquito, Sam

13:01:26 15 Bockarie, in Kenema?

16 A. We went with some men to escort the ammunition, but I can't
17 recall the actual figure.

18 Q. Can you give us some idea of the ammunition that you
19 transferred from Jungle's car and took to Freetown? Excuse me,
20 I think I have misstated the evidence. Is it correct,

21 Mr Witness, that you transferred the ammunition from Jungle's
22 car? Where did you take it to after transferring it from
23 Jungle's car?

24 A. We went with two pick-ups with us, so we transferred the
13:02:09 25 ammunition from Jungle's own car. Jungle brought with him a big
26 truck, so we transferred the ammunition from the truck to the two
27 Land Cruiser pick-ups. Salami Kabbah was driving one of them and
28 our own driver.

29 THE INTERPRETER: Your Honours, the second name called by

1 the witness was not clear to the interpreter.

2 PRESIDING JUDGE: You called two names, Mr Witness. One
3 was Salami. What was the other name, please? Repeat it.

4 THE WITNESS: Jungle.

13:02:35 5 PRESIDING JUDGE: I think, interpreter, are you referring
6 to the two drivers?

7 THE INTERPRETER: Yes, your Honours.

8 PRESIDING JUDGE: The second driver, Mr Witness?

9 THE WITNESS: The driver for Sam Bockarie's car that he
13:02:51 10 gave us from Kenema was Salami Kabbah. The other driver was
11 Popay Jay [phon]. I did not actually know his actual name, but
12 the first driver was Salami Kabbah.

13 MR KOUMJIAN:

14 Q. Is that first name you are saying Papay, like father Papay?

13:03:13 15 A. Popay Jay [phon]. It was just a nickname, but I don't
16 know. I don't know his actual name.

17 Q. So when you got the ammunition and put it into the
18 pick-ups, where did you go?

19 A. We travelled back to Kenema and we turned the ammunition
13:03:38 20 over to Sam Bockarie.

21 Q. What was the type of ammunition that you had received from
22 Jungle, do you recall?

23 A. Yes, we received GMG rounds in boxes, AK-47 rounds and RPG
24 rockets. Those were the ammunition we received.

13:04:04 25 Q. Who was Jungle?

26 A. Jungle was in the SSS in Liberia. He was a member of SSS
27 in Liberia. He was a bodyguard to President Taylor, close
28 protection unit.

29 Q. Was this the first time you had met him?

1 A. That was my first time to meet him.

2 Q. Did you get to know him later, or no?

3 A. I knew him later and he became my personal friend, a best
4 friend of mine. He was just like an elder brother to me. I was
13:04:52 5 very close to him now. He was with me until his death.

6 Q. Do you know where Jungle had got the ammunition which you
7 then transferred to Sam Bockarie in Kenema?

8 A. The first time I met him we did not discuss that much, but
9 when I got to know him later he explained to me how he used to
13:05:19 10 get the ammunition that he crossed with from Liberia. He told me
11 that he used to take the ammunition from - sometimes the
12 President used to send him to get the ammunition from White
13 Flower, the Executive Mansion, to take it to Sam Bockarie and
14 that was not his first time to cross over with ammunition.

13:05:47 15 Q. Now, Mr Witness, after you took the ammunition to Sam
16 Bockarie, what became of the ammunition, if you know?

17 A. Sam Bockarie just got outside and looked at the ammunition
18 and he told us not to delay. He said we should take the
19 ammunition immediately to Superman in Freetown because they heard
13:06:11 20 that ECOMOG will soon be attacking us in Freetown, so we took the
21 ammunition to Freetown to Superman and we turned them over to
22 Superman.

23 Q. Just so we are clear, when you said Jungle was in a
24 position with the President - I am sorry, I see the answer was he
13:06:39 25 was a bodyguard to President Taylor. Thank you. What did you do
26 then after receiving this order from Sam Bockarie?

27 A. I don't understand that question.

28 Q. After Sam Bockarie told you to take the ammunition to
29 Superman, what did you do?

1 A. We took the ammunition to Superman. We took the ammunition
2 to Superman in Freetown.

3 Q. Now, you have mentioned Jungle. Do you know his real name?

4 A. Yes, Daniel Tamba.

13:07:28 5 Q. Did Jungle tell you whether he took anything back - you say
6 he would take ammunition to Sierra Leone. Did he say whether he
7 would take anything back to Liberia?

8 A. Yes, when I got to know him better later we were very
9 close. Like he used to explain to me. He used to say that he
10 was the person that was serving as liaison between Sam Bockarie
11 and President Taylor. He used to take diamonds to President
12 Taylor and he will in turn give him ammunition to take it to
13 Sierra Leone. Jungle told me that personally. But because he
14 said he had a personal problem with Sam Bockarie - he used to
15 explain all of these things to me. Jungle was having personal
16 problems with Sam Bockarie before his death.

17 PRESIDING JUDGE: Pause, Mr Witness, please. Mr Munyard.

18 MR MUNYARD: Madam President, I am having difficulty
19 keeping up with the witness and I would point out that it seems
13:08:21 20 to me that even on the LiveNote that we are being broadcast from
21 Madam Court Officer's desk there is a gap, because we have gone
22 from some of the evidence - there was then a gap, he gave more
23 evidence and then there was a question by Mr Koumjian that
24 appears on line 13 of page 89 on my page. "Mr Witness, after you
13:08:44 25 took the ammunition to Sam Bockarie did Jungle tell you whether
26 he took anything back?" I think that there is a gap there that
27 the evidence hasn't actually been recorded. I know it will all
28 be rectified in due course at the end of the day, but we are all
29 struggling now with this rather faulty form of LiveNote. The

1 witness is talking extremely fast and so I am torn between trying
2 to pick up what he is saying and trying to follow it on the
3 LiveNote and frankly it's a pretty impossible task.

13:09:27 4 PRESIDING JUDGE: Subject to any suggestions either counsel
5 has, I will ask the witness to speak more slowly. If you have
6 anything more constructive.

7 MR MUNYARD: I think that's the most constructive thing we
8 can do at the moment. Thank you.

13:09:39 9 PRESIDING JUDGE: Mr Witness, what you are telling us is
10 all new to us, so we are listening to every word and we would
11 like you to talk slowly so that we can hear it properly and
12 understand it properly. I know you know it and therefore you are
13 talking faster than you realise. So we will have you talk
14 slowly, please, and if necessary I will put my hand up to slow
13:10:06 15 you down. Have you finished your answer, Mr Witness?

16 THE WITNESS: No.

17 PRESIDING JUDGE: Well, you finish your answer now.

18 THE WITNESS: I want the question to come back.

13:10:31 19 PRESIDING JUDGE: Mr Koumjian? You told us, Mr Witness,
20 Jungle was having personal problems with Sam Bockarie before his
21 death and then I stopped you. Continue from there.

13:10:55 22 THE WITNESS: Yes, at the time Jungle was having some
23 personal problems with Sam Bockarie he used to call me and
24 explain things to me. He said Sam Bockarie said is side lining
25 him and that Sam Bockarie is not recalling what used to happen in
26 the past and that he was the one that created the contact between
27 Charles Taylor and Sam Bockarie, that he was the one who used to
28 talk to the President about him and all the diamonds they used to
29 give to him, he used to be very honest with them. All of these

1 things he used to explain to me personally at that time, that was
2 Jungle, when I became very close to him.

3 MR KOUMJIAN:

4 Q. Mr Witness, so that we are not confused about the time you
13:11:26 5 are talking about that Jungle was complaining about Sam Bockarie
6 can you tell us about what year was that that you are now telling
7 us Jungle was complaining about Sam Bockarie having side lined
8 us?

9 A. Jungle told me that Sam Bockarie side lined him because he
13:11:50 10 was the person who went to receive Sam Bockarie and he went along
11 with Varmuyan Sherif and they brought him to Monrovia. But when
12 they got to Monrovia Sam Bockarie was now trying to push him far
13 off from him, that he put him on a \$200 USD payroll and he put
14 others on \$400 USD payroll. So he said Sam Bockarie side lined
13:12:19 15 him. He said he was not feeling good about that at all. He
16 explained that to me and I used to tell him to take care, to just
17 take things cool, that things will be fine one day.

18 Q. Mr Witness, just so we're not confused, because we were
19 talking about the delivery of the ammunition to Kenema in 1997,
13:12:38 20 the events that you are talking about now when Jungle was
21 complaining about Bockarie, what year was it that Jungle was
22 complaining about Bockarie? Just tell us the year, if you
23 remember?

24 A. Jungle started complaining about Bockarie in 2001, 2001,
13:13:02 25 because by then Bockarie was in exile and he used to complain.
26 When Bockarie used to call on Benjamin Yeaten's satellite phone
27 I used to pick the phone up.

28 THE INTERPRETER: Your Honours, could the witness kindly
29 slow down his pace and repeat his statement.

1 THE WITNESS: When Bockarie used to call on Benjamin
2 Yeaten's satellite phone he used to complain and say, "Oh, my
3 boy, I am straining here. Please, can you help me talk to
4 Benjamin Yeaten. I want to talk to Benjamin Yeaten". And
13:13:35 5 sometimes I will come to Jungle and say, "Oh, brother, your boy
6 is grumbling over there. He too is straining there now". I said
7 what goes around comes around and sometimes he would say, "Oh",
8 and that was the time he started explaining to me. He was
9 grumbling and I used to say that is fine for him because he told
13:13:54 10 me the same thing, because when he came over he started side
11 lining me, that was the same thing I used to tell you. I said to
12 him that he should be patient. That was what I used to tell him.

13 JUDGE LUSSICK: Mr Witness, you seem to have ignored
14 everything the Presiding Judge told you. You are speaking much
13:14:12 15 too fast. Not only the interpreter can't keep up with you, but
16 the shorthand writers can't keep up with you as well and we are
17 missing sections of your evidence. Now I would prevail on you to
18 speak reasonably slowly. Nobody can possibly keep up with you at
19 the pace you are going.

13:14:33 20 THE WITNESS: Okay.

21 MR KOUMJIAN:

22 Q. Mr Witness, we will come to these events that you are
23 talking about later. Right now I am asking you about 1997 and
24 this trip to Kenema. You mentioned somebody named Senegal ese.
13:14:49 25 Who is Senegal ese?

26 A. Senegal ese was one of the Special Forces for President
27 Taylor.

28 Q. You said that when you went to Kenema that Sam Bockarie was
29 there. Do you know what was going on in Kenema at that time?

1 A. Yes, Sam Bockarie was based in Kenema at that time and he
2 was supporting mining in Tongo. He was taking care of the mining
3 in Tongo at the time.

4 JUDGE SEBUTINDE: Do we have a time frame for this period,
13:15:32 5 Mr Koumjian?

6 MR KOUMJIAN:

7 Q. When was it that Sam Bockarie was in Kenema?

8 A. '97. 1997.

9 Q. And are you talking about the time before the AFRC coup, or
13:15:51 10 after the AFRC coup?

11 A. At the time we were running the government along with the
12 AFRC, alongside the AFRC.

13 Q. How did you know about the mining in Kenema, in Tongo?

14 A. I knew about the mining because I had personal friends that
13:16:19 15 used to go to Tongo, like Charles Gebeh who was the overall
16 armoury commander for the RUF at that time. He used to come from
17 Tongo, boys who were bodyguards to Issa Sesay --

18 THE INTERPRETER: Correction, interpreter: "Boise [phon]
19 who was the personal bodyguard to Issa Sesay".

13:16:40 20 PRESIDING JUDGE: We are just correcting the record,
21 Mr Witness. Do you have that finished, Mr Interpreter?

22 THE INTERPRETER: Yes, your Honour.

23 PRESIDING JUDGE: Mr Witness, pick up again. You were
24 saying, "He used to come from Tongo" and you then said something
13:16:55 25 about who were the bodyguards.

26 THE WITNESS: I said a personal friend of mine, Charles
27 Gebeh who was the overall armoury commander for the RUF used to
28 come from Tongo. He used to come from Tongo, Charles Gebeh, and
29 he was a bodyguard to Issa Sesay who was called Boise, I have

1 forgotten his actual name. He was also a personal friend of
2 mine. He used to tell me about the mining that was going on in
3 Tongo and I know about another one called Tactical who he used to
4 come to Superman to explain it. Superman too was explaining to
13:17:39 5 me.

6 THE INTERPRETER: Your Honours, could he still slow down
7 his pace and repeat that last bit.

8 PRESIDING JUDGE: Slower and pick up where you talked about
9 Tactical please.

13:17:54 10 THE WITNESS: Tactical was one of the vanguards. He was a
11 Liberian. He was like a brother to Superman, Denis Mingo. So he
12 too used to come from Tongo and explain about the minings to
13 Superman. And he said he should send some of his boys to Tongo
14 because mining was going on there, but Superman will respond that
13:18:17 15 he was not going to send his boys over there because he knew that
16 he had problems with Sam Bockarie already, so if he were to send
17 his boys there fighting was going to erupt there.

18 THE INTERPRETER: Your Honours, the interpreters cannot
19 keep up with the witness's pace.

13:18:35 20 PRESIDING JUDGE: Mr Witness, I am going to have to warn
21 you very seriously. You must slow down. We are not getting - we
22 are taking longer with these interruptions than if you were
23 speaking slowly and the interpreter just cannot keep pace with
24 you.

13:18:52 25 JUDGE SEBUTINDE: Mr Interpreter, why is it that when we
26 show you your hands to slow down you ignore them? What is the
27 problem?

28 MR MUNYARD: Your Honour said Mr Interpreter, rather than
29 Mr Witness.

1 JUDGE SEBUTINDE: Mr Witness. I am speaking to you,
2 Mr Witness. I have frantically tried to slow you down with my
3 hands and you absolutely keep going on. This is a court of law,
4 you know. We are not just playing games here. Do you
13:19:19 5 understand?

6 THE WITNESS: I understand, but I told the people, they
7 even know that I speak very fast. So I am just trying my best.
8 So you should bear with me, please.

9 JUDGE SEBUTINDE: No, we cannot bear with you. You should
13:19:34 10 bear with us. You are giving evidence in a court of law. Please
11 slow down. You have been asked more than five times to do so.
12 Make an effort.

13 THE WITNESS: Okay.

14 MR KOUMJIAN:

13:19:49 15 Q. Mr Witness, what would be helpful is that in your answers
16 you stop for a couple of seconds after each sentence. That
17 allows the interpreter and the court reporter to keep up with
18 you. Especially in your long answers if you would just stop
19 every few seconds and if you see the judges or myself giving you
13:20:10 20 a sign to stop, please stop at that point. Mr Witness, you said
21 that Charles Gebeh would come - I believe the word is lost on the
22 LiveNote. Come from Tongo. Where would you speak to Charles
23 Gebeh about the mining?

24 A. Sometimes I met Charles Gebeh in Waterloo. Freetown,
13:20:47 25 Waterloo. We always sat down there to talk.

26 Q. Mr Witness, did you learn who was actually doing the
27 mining, the physical mining?

28 A. Yes, Charles Gebeh told me that they were having civilians
29 who were mining for the government.

1 Q. Do you know whether any security existed at these mining
2 sites?

3 A. Yes. They told me that there were SBUs guarding the mining
4 site, SBUs.

13:21:26 5 Q. What was the role of the SBUs?

6 A. They said they had an area by the airfield where they were
7 mining. They called the area sand area, where they go and get
8 some gravel to get some pieces of diamonds. The SBUs were there.
9 Anyone who was not allowed to go there and get that gravel, you
10 will be executed.

13:21:52

11 Q. Thank you. Thank you for pausing. Now what we understood
12 is "anyone who was not allowed to go there and get that gravel,
13 you will be executed." Can you explain that? I don't understand
14 what you mean.

13:22:09

15 A. Anybody who went over there to get the gravel, when you
16 were not allowed to get that gravel Sam Bockarie ordered the SBUs
17 to shoot at you to death.

18 Q. Mr Witness, where were you at the time of the intervention?

19 A. I was in Waterloo.

13:22:43

20 Q. What was your assignment at that time?

21 A. I was assigned to the front line.

22 Q. What happened to you during the intervention?

23 A. ECOMOG attacked us from Hastings to Waterloo and dislodged
24 us from Waterloo. There was an interchangement from Waterloo to
25 Benguema barracks, so they occupied the intersection and they
26 went into the Benguema barracks. We were in Lumpa at the time.

13:23:16

27 We wanted to protect the road for the fighters who were coming
28 from Freetown. Johnny Paul Koroma, Superman and others, we were
29 protecting the road for them so that they can get out of Freetown

1 at the time.

2 Q. And where did you go next?

3 A. From there, after Johnny Paul and others had gotten to us,
4 we went to Masiaka.

13:23:46 5 Q. When you got to Masiaka, what commanders were present?

6 A. All the heads for the movement were there, apart from Sam
7 Bockarie, Morris Kallon. Superman was there, SAJ Musa, SAJ was
8 there, Johnny Paul Koroma, Gullit and others were there in
9 Masiaka.

13:24:08 10 Q. How long did you stay in Masiaka?

11 A. We stayed there for up to two to three weeks in Masiaka.

12 Q. Did you receive any orders in Masiaka?

13 A. Yes, they called a forum and I was with Superman at that
14 forum. They gave orders that they should tell all commanders

13:24:39 15 that all commanders should tell their various boys to get
16 something for themselves, because we were going in the bush to
17 start a new life so everybody should pay himself. Operation Pay
18 Yourself, everybody should get what you were able to get for
19 yourself.

13:24:54 20 Q. Okay, thank you, and thank you for keeping the answers
21 short. Now, Mr Witness, who attended the forum? Who was there?

22 A. SAJ Musa, Gullit, honourable Sammy, Superman, Rambo and
23 other commanders I can't recall.

24 Q. Was this a commanders only forum, or were there regular
13:25:22 25 soldiers there also?

26 A. Commanders and their bodyguards.

27 Q. Who talked about this Operation Pay Yourself?

28 A. The Operation Pay Yourself was an agreement between SAJ
29 Musa and Superman.

1 Q. After the commanders had this forum, was that order passed
2 to anyone to your knowledge?

3 A. Yes, the order was passed to everybody, everybody, because
4 everybody was taking and doing what he or she wanted to do. The
13:26:02 5 order was passed to everybody at the time.

6 Q. From Masiaka, where did you go?

7 A. To Makeni. We went to Makeni.

8 Q. How long did you stay in Makeni?

9 A. I spent three days in Makeni.

13:26:25 10 Q. Who were you with at that time?

11 A. I was with Superman, Denis Mingo.

12 Q. Now, you have talked about this order for Operation Pay
13 Yourself. Do you know whether or not this was carried out?

14 A. Yes, the operation went on. I myself went to, I don't know
13:26:52 15 the hospital, the Catholic people's area and got drugs from
16 there. Yes, we went on the operation.

17 Q. What was taken, if anything, during this operation?

18 A. Anything that attracted you. We looted cars. Any other
19 thing that attracted you, that you thought would be good for you
13:27:16 20 in the bush, was looted. Things - all types of things.

21 Q. And what if the persons who owned the property did not want
22 to give it up? Did that ever occur?

23 A. I do not understand that question.

24 Q. Did all of the people who owned the property give it up, or
13:27:42 25 was there any resistance to the property being taken?

26 A. Yes, some people resisted and when you put up a resistance
27 you will be killed. Because we met a lot of civilians - every
28 morning we found a lot of bodies in the street in Makeni and
29 Magburaka, so we knew that they used to put up resistance for

1 their properties.

2 Q. How long did this Operation Pay Yourself continue for?

3 A. Operation Pay Yourself continued until we got to Kono, for
4 a very long time.

13:28:21 5 Q. Okay, thank you. Now, I think we have gotten to where you
6 were at Makeni. Where did you go after Makeni?

7 A. From Makeni we went to Magburaka.

8 Q. Then where?

9 A. From Magburaka we started proceeding towards Kono.

13:28:44 10 Magburaka, Matotoka, Makali, Kono - Sewafe Bridge, Kono.

11 MR KOUMJIAN: Thank you, your Honours. This would be an
12 appropriate time.

13 PRESIDING JUDGE: Very well, Mr Koumjian.

14 Mr Witness, we are now going to take the lunchtime
13:28:55 15 adjournment. We take a one hour break for lunchtime and resume
16 at 2.30. Witness, you should sit there until the screens are
17 brought down to allow you to leave the court. Madam Court
18 Attendant will assist you. Please adjourn court until 2.30.

19 [Lunch break taken at 1.30 p.m.]

14:22:35 20 [Upon resuming at 2.30 p.m.]

21 PRESIDING JUDGE: Mr Koumjian, when you're ready, please
22 proceed.

23 MR KOUMJIAN: Thank you:

24 Q. Mr Witness, you talked about the Operation Pay Yourself
14:32:10 25 continuing until you got to Kono District. Sir, when you got to
26 Kono District what happened when the forces you were with first
27 arrived?

28 A. The first forces --

29 MR KOUMJIAN: I'm sorry, I thought Defence counsel was on

1 his feet, but I see perhaps he needs a moment to get ready.

2 PRESIDING JUDGE: Mr Munyard, you are with us, aren't you?

3 MR MUNYARD: Thank you, your Honour. I was literally
4 getting my wires crossed on this occasion.

14:32:56 5 PRESIDING JUDGE: I think you're safe to proceed,
6 Mr Koumjian.

7 MR KOUMJIAN:

8 Q. Okay, sir, let me ask the question again in a different
9 way. When you were going towards the Kono District, do you know
10 if any force was in Koidu Town?

11 A. Yes.

12 Q. Thank you. Which force was occupying Koidu Town at that
13 time?

14 A. The Kamajors.

14:33:22 15 Q. Did the RUF/AFRC forces have any plans in regards to Koidu
16 Town at that time?

17 A. Yes.

18 Q. Thank you. What was the plan?

19 A. To take Koidu from the Kamajors and base there.

14:33:53 20 Q. Was there an attack organised?

21 A. Yes.

22 Q. Who first led the forces that attacked Koidu Town?

23 A. Isaac Mongor and RUF Rambo.

24 Q. Thank you very much. Was that attack successful?

14:34:16 25 A. No, they were repelled by the Kamajors.

26 Q. At that time were you part of the forces with Rambo and
27 Isaac, or were you with another commander?

28 A. No.

29 Q. Thank you. Who were you with?

1 A. Superman.

2 Q. So, Mr Witness, can you help us, what happened after the
3 first attack led by Isaac and Rambo was unsuccessful?

4 A. Yes, after the attack by Isaac and Rambo they retreated to
14:34:59 5 Bumpe. They met Superman in Bumpe, together with all of us,
6 Johnny Paul Koroma and other commanders, and in Bumpe a fresh
7 attack was planned and Superman led the command and the attack
8 was successful. After that we starting burning the town.

9 Q. Thank you. Thank you for speaking a bit slower and if I
14:35:22 10 could just remind you if you could pause for a second or two
11 after each sentence, it allows the interpreter and court reporter
12 to catch up. This attack that Superman organised, was it only
13 RUF, or were any other individuals involved?

14 A. Yes, some other individuals were part of the attack from
14:35:46 15 the AFRC side.

16 Q. Do you recall any of the names of AFRC commanders who were
17 involved?

18 A. Yes.

19 Q. Please tell us.

14:36:01 20 A. Gullit, Bazzy, honourable Adams, Savage and other
21 commanders.

22 Q. Who were they all taking orders from during that attack?

23 A. Superman.

24 Q. Now, you've indicated that the attack was successful and
14:36:30 25 can you tell us what happened during the attack?

26 A. Yes.

27 Q. Please tell us what occurred during the attack led by
28 Superman on Koidu Town?

29 A. We attacked Kono and we took over the town. We started

1 looting and some of the commanders captured girls and made them
2 into their wives, while some of us were burning houses.

3 Q. Do you recall approximately how many houses were burned on
4 this attack on Koidu Town?

14:37:17 5 A. No, I can't recall the figure, but we were just initially
6 burning individual houses in the town at the first instance.

7 Q. Was there any particular reason you would select a house to
8 burn?

9 A. Yes.

14:37:45 10 Q. Can you explain?

11 A. Yes, one of the reasons was because there were specific
12 houses in which Kamajors were based and the other reason was that
13 some people pointed at houses that the people who were living
14 there were supporting the Kamajors. That was the reason why we
15 were burning such houses.

16 Q. Did you yourself burn houses?

17 A. Yes.

18 Q. Mr Witness, do you know if there were any people inside the
19 houses when they were burned?

14:38:25 20 A. Yes, people were in the houses that were burning.

21 Q. Do you know what happened to the people that were inside
22 the houses?

23 A. Yes, when we set the houses on fire we would hear people
24 shouting inside, screaming, "Oh, we are inside. We are inside",
14:38:49 25 and sometimes the houses would burn down and we would see their
26 skulls and their bones.

27 Q. Mr Witness, you've mentioned that in this attack there were
28 various AFRC commanders working with Superman. At this time,
29 what was the relationship like that you observed between the AFRC

1 commanders and the RUF commanders?

2 A. At that time the relationship was fine between the AFRC and
3 the RUF.

4 Q. Now going back to the time that the AFRC and RUF were in
14:39:36 5 Freetown, did you observe the relationship between the AFRC and
6 RUF commanders?

7 A. Yes.

8 Q. And from your point of view - your observations - what was
9 the relationship like during the time you were in Freetown?

14:39:53 10 A. Sometimes you will see that certain weeks the AFRC and RUF
11 will work cordially and sometimes some weeks you will realise
12 that they had conflict.

13 Q. Mr Witness, did anything change in the relationship because
14 of the intervention from your point of view?

14:40:27 15 A. I don't understand that question.

16 Q. Was there any difference in how the AFRC commanders treated
17 the RUF commanders from the time that they were all in Freetown
18 as opposed to the time you were pushed out of Freetown?

19 A. Yes, there were differences.

14:40:50 20 Q. Can you explain to us from your point of view what was the
21 difference?

22 A. Yes, when we were first called to town the SLA soldiers,
23 the senior officers of the SLA, thought they were so superior
24 than the RUF - than the RUF commanders, so they used to have
14:41:16 25 problems. They would always say that, "They have called us from
26 the bush", so they were more superior to the RUF commanders who
27 were from the bush. So when we also got back to the bush the RUF
28 commanders told them that, "Oh, you are welcome to the bush", and
29 when we got back into the bush the RUF commanders said, "When we

1 were in town you were more superior than us, but now we are back
2 in the bush so we are more superior than you." So, that was how
3 the RUF told them.

14:41:48 4 PRESIDING JUDGE: Mr Koumjian, just before you proceed,
5 have we got a sort of fairly exact time as to when exactly
6 Mr Witness was in Freetown on record?

7 MR KOUMJIAN: I believe he said he came and left. He
8 visited occasionally.

9 PRESIDING JUDGE: Yes. It is just I can't quite work out
14:42:05 10 just what range of time he was there.

11 JUDGE SEBUTINDE: And also if you could elicit a time frame
12 for the Kono attack in particular.

13 MR KOUMJIAN:

14 Q. Mr Witness, let's go first to your visits to Freetown. You
14:42:21 15 said you went there sometimes. Can you give us an idea of when
16 you went there; first of all the year or years that you visited
17 Freetown?

18 A. Yes, '97 I was in Western Area, because when you talk about
19 Jui, Jui is attached to Freetown, from Jui, Calaba Town, Kossoh
14:42:48 20 Town up to Freetown, so almost every day I used to go to Freetown
21 to Superman, but I was based in Jui. But those areas - all of
22 those areas in Freetown they were in the east, but they are part
23 of the Western Area, Freetown, so sometimes I will go to Freetown
24 and later return to Jui. That is in '97.

14:43:09 25 Q. Now when the AFRC and RUF were pushed out of Freetown,
26 about how long before that was your last visit to Freetown? Do
27 you understand the question?

28 A. Yes, I went to Freetown - when we crossed in two weeks'
29 time I went to Freetown and when we crossed back to Waterloo that

1 was two weeks before the intervention.

2 Q. Okay, thank you very much. Now, how long after the
3 intervention approximately do you think it was before the first
4 attack led by Rambo and Isaac on Kono - on Koidu Town?

14:43:51 5 A. I think it was in the first one month period, one month,
6 because we spent three weeks in Masiaka, I spent three days in
7 Kono and during the one week period we attacked - we attacked
8 Kono.

9 Q. So when you say the first one month period, do I understand
14:44:13 10 you mean one month after what?

11 A. After the intervention, yes.

12 Q. Thank you very much. Now the second attack on Koidu Town,
13 about how long was that after the first attack?

14 A. It was just after two/three hours that we met with Isaac
14:44:38 15 Mongor and we re-attacked Kono.

16 Q. Thank you. Now, Mr Witness --

17 MR MUNYARD: I'm sorry, but before we leave that point I'm
18 not sure that that gives us any sort of answer because I don't
19 remember when it was that he said he met Isaac Mongor. It may
14:44:58 20 just be me, but I know Justice Sebutinde was interested in this
21 point also.

22 MR KOUMJIAN: Let me clarify if it's not clear:

23 Q. Sir, you said that Isaac attacked Koidu Town. How long
24 after Isaac's attack on Koidu Town was the second attack led by
14:45:19 25 Superman?

26 A. It was at the same time. Isaac Mongor's advance team was
27 moving along with Johnny Paul's. Isaac Mongor, CO Rambo for RUF,
28 they were in the advanced team, and Isaac Mongor was moving with
29 the advanced team and there was a middle team and back team.

1 That was the advance team and we were all in the same convoy
2 going. When they got to Kono, they met with the resistance and
3 they returned.

14:45:53 4 THE INTERPRETER: Your Honours, could the witness slow down
5 his pace.

6 PRESIDING JUDGE: Again, Mr Witness, you're speeding up
7 again to your old pace. Take it slowly, stop at the end of each
8 small sentence and pick up where you've left - where you said,
9 "When they got to Kono they met with resistance and they
14:46:10 10 returned." Continue from there, please.

11 THE WITNESS: CO Isaac and Rambo for the RUF, they got to
12 Kono, they met with resistance from the Kamajors and then they
13 returned to Bumpé. They met with Superman in Bumpé - Superman
14 and I in Bumpé - and so they replanned an attack for Koidu Town
14:46:39 15 the same day.

16 MR KOUMJIAN: Thank you:

17 Q. Mr Witness, when you do those short pauses it helps very
18 much and if you see the judges giving you a signal that means
19 that you should just pause for a few seconds to allow us to catch
14:46:55 20 up. Now after Koidu Town was taken, what was the command
21 structure set up in the Koidu Town area?

22 A. For the RUF - but even before that Johnny Paul was in Koidu
23 Town with us for about one week. For the RUF, Superman was the
24 commander. AFRC was Gullit, Bazzy, they were all in Koidu, but
14:47:29 25 Superman was the most senior. He was the overall commander in
26 Koidu Town and Isaac Mongor was advisor.

27 Q. Were there any - after taking Koidu Town, were there any
28 other attacks planned for the Kono District?

29 A. Yes.

1 Q. Can you tell us the name of the place or places where
2 attacks were planned?

3 A. They attacked Mortema.

14:48:11

4 Q. Okay, let's first deal with Mortema. Who led that attack,
5 if you know?

6 A. The attack was led by Short Bai Bureh. He was called Short
7 Bai Bureh.

8 Q. Do you know what happened during that attack?

14:48:33

9 A. Yes, before they went on the attack they gave him
10 instruction that they should go and make the area fearful, and in
11 the RUF when you talk about "fearful" it's to kill civilians and
12 to burn houses and to instill fear into the ECOMOG, or any other
13 opposing troop, that would want to get to that area easily. So,
14 when they went they ran the mission and they came back and

14:48:52

15 reported to Superman that the mission was over.

16 Q. Do you know, or did you learn, if there were any opposing
17 armed forces in Mortema?

18 A. I don't understand the question.

14:49:13

19 Q. Was Mortema occupied before the attack by any armed force,
20 or did the RUF go there and find no opposing forces?

21 A. No, no other forces were there. It was occupied by
22 civilians.

23 Q. How do you know what happened in Mortema?

14:49:45

24 A. When they first got to Mortema, after they had done all the
25 destructions Short Bai Bureh directly called Superman over our
26 local radio and I was in the radio room with Superman. After
27 that, when they returned some of my friends personally told me
28 what happened there. They even brought some girls with them as
29 their wives.

1 JUDGE SEBUTINDE: Mr Koumjian, the people who gave the
2 instruction that the fighters should go and make the area fearful
3 are described as "they". Who are "they"?

4 MR KOUMJIAN: Thank you:

14:50:18 5 Q. Mr Witness, who gave the order to make the area fearful?

6 A. The senior officers in Kono at that time: Superman,
7 Gullit, Isaac Mongor and others.

8 Q. Were any other areas in the Kono District attacked to your
9 knowledge?

14:50:44 10 A. Yes, we attacked Bumpe for the second time - for the second
11 time when ECOMOG was advancing on Bumpe and Tombodu, Savage
12 attacked there. So many areas were attacked I can't recall now.

13 Q. Did you participate in the attack on Bumpe?

14 A. Yes, when ECOMOG was pushing us --

14:51:14 15 Q. Okay, you said that there were -

16 A. -- from Sewafe Bridge, yes.

17 PRESIDING JUDGE: Mr Interpreter, was the question - "They
18 were pushing us from Sewafe Bridge", is that the answer?

19 THE INTERPRETER: Your Honours, that is the answer.

14:51:32 20 MR KOUMJIAN: I apologise for interrupting the
21 interpretation:

22 Q. Sir, you said this was the second attack on Bumpe and so
23 can you explain to me when was the first attack?

24 A. Yes. When we were moving towards Kono we met some
14:51:48 25 resistance in Bumpe for the first time and we cleared up the area
26 and when we were based in Kono we attacked Bumpe for the second
27 time.

28 Q. Okay, on this second attack in Bumpe, when you reached
29 Bumpe were the opposing forces present?

1 A. No, no other forces were present.

2 Q. So who did you attack in Bumpe?

3 A. We attacked the civilians.

4 Q. And what was done to the civilians in Bumpe?

14:52:30 5 A. We asked them to leave the town, that we were going to base
6 there. Some of them resisted so we opened fire at some of them.
7 Even myself, we opened fire on them, I did it, and then we
8 decapitated some and we used their heads and we put it at the
9 checkpoints in Bumpe. We burnt down some houses.

14:52:55 10 Q. Mr Witness, why would you put a head on a checkpoint? What
11 is the reason to do that?

12 A. To make the road fearful for - against any enemy force.

13 Q. You said at the time of the attack it was only civilians.

14 Why did the RUF attack civilians in Bumpe and Mortema, for

14:53:30 15 example?

16 A. Because at that time ECOMOG was pushing us from Sewafe
17 Bridge. So we wanted to create fear in the community. We were
18 making the area fearful. According to the commanders, they said
19 we should make the area fearful so that if ECOMOG were advancing,
14:53:46 20 if they saw the dead bodies, the corpses or the heads, they would
21 have some fear in them.

22 Q. Did the RUF have any philosophy, any sayings that you know
23 about targeting civilians?

24 A. Yes, yes.

14:54:09 25 Q. What was it?

26 A. When we attack, we the RUF, when we attack any civilian
27 community - because when civilians were based in communities they
28 will carry information and bring even information. So if RUF was
29 about to base in any area, community, they would decide to push

1 the civilians far off from that area. That was why we decided to
2 make the area fearful against the civilians.

3 Q. What would you call the --

14:54:49 4 JUDGE SEBUTINDE: Mr Koumjian, you suggested to the witness
5 that it is the RUF who said to make the area fearful, but the
6 answer he previously gave, when I asked who is "they", included
7 members of the AFRC as well, so could you please clarify.

8 MR KOUMJIAN:

14:55:11 9 Q. Specifically, Mr Witness, for the attack where you said the
10 order was to make the area fearful, was it only RUF commanders,
11 was it only AFRC commanders, or was it both that said that?

12 A. From the two sets of people, the RUF and the AFRC.

13 Q. Okay. Now I'm asking you specifically about the RUF
14 because I understand you to be a member of the RUF. What did you
14:55:38 15 call the area where you said you would clear - you just told us
16 about getting civilians out of an area who might be carrying
17 information. What would you call those areas that you cleared
18 away of all civilians?

19 A. The areas that the RUF were based, we called it the zone,
14:56:02 20 the RUF zone. Anywhere we were based, we called it our zone. We
21 called it our RUF zone.

22 Q. Did you have any name for the areas around your base where
23 civilians were not to be present?

24 A. Yes, one were our combat camps.

14:56:27 25 Q. Okay. Mr Witness, did you have any sayings in the RUF
26 about civilians?

27 A. Yes. We used to say civilians does not have blood.

28 Q. And what does that mean, civilians do not have blood?

29 A. Well, to me I thought that they were not as important as we

1 were, so we had the right to treat them any kind of way.

2 Q. Now, Mr Witness, did you see, in your observations when the
3 RUF was with the AFRC, any difference in how the AFRC treated
4 civilians?

14:57:18 5 A. I don't understand that question.

6 Q. When you were fighting together with the AFRC, did you see
7 any difference between how RUF and AFRC treated civilians?

8 A. I did not see any great difference, except the time we
9 divided along the Freetown Highway. I did not see any
10 difference. We treated the civilians the same way.

11 Q. Now, Mr Witness, you've also mentioned an attack on
12 Tombodu, is that correct?

13 A. Yes.

14 Q. Who led that attack?

14:58:07 15 A. Savage from the AFRC.

16 Q. Do you know what happened during that attack?

17 A. Yes.

18 Q. Can you tell us, please?

19 A. Savage went to Tombodu and did mass killings. They had a
14:58:33 20 big valley there. He placed all the civilians there and after
21 the killing there was a communication between Savage and Superman
22 and Superman told us that he was going to Tombodu, to Savage, to
23 drink palm wine. I went around with Superman. When we got to
24 Tombodu, Savage took us to the valley where he executed the
14:58:54 25 civilians and he showed us there and Superman did not take any
26 action. That is what I know.

27 Q. Did you yourself see this valley where civilians were
28 executed?

29 A. Yes.

1 Q. What did you see, explain to us?

2 A. I saw corpses, I saw hands and I saw arms, I saw human
3 beings. I saw a lot of things there. Children, old people,
4 young people, they were all there.

14:59:28 5 Q. Can you describe the valley at all?

6 A. Yes. The valley was somewhere where they dug diamond,
7 where a Caterpillar had operated before and had left a big hole
8 there, an old diamond pit.

9 Q. Now, Mr Witness, before you said something that I want to
14:59:54 10 clarify. You said that after the attack, I believe it was an
11 Mortema, some of your friends came back with girls. Do you
12 recall that?

13 A. Yes.

14 Q. Can you describe the ages of the girls?

15:00:14 15 A. I can determine, because I didn't ask them, but they had
16 some 14 year old girls, some 15 years, some people 20.

17 Q. What happened to the girls, if you know? Did they stay in
18 Koidu Town, or what happened to them?

19 A. Some of them were in Koidu Town with us and some of them
15:00:40 20 were at the combat camp with the other soldiers and even us, we
21 had one with us called Makela. She was loving with one of my
22 friends. At the time she was very small.

23 Q. About how old was Makela?

24 A. I think at the time she was 14.

15:01:03 25 Q. And is Makela a nickname, is it a first name, or what is
26 it?

27 A. I just knew Makela.

28 MR KOUMJIAN: Phonetically, your Honour, M-A-K-E-L-A.

29 JUDGE SEBUTINDE: Mr Koumjian, there are a number of

1 attacks that the witness has described, Mortema, Bumpe, Tombodu
2 and finally - I'm not quite sure what the fourth one was - for
3 which we don't have any time frames and I think it's important.

4 MR KOUMJIAN:

15:01:44 5 Q. Sir, you told us about when Superman captured Koidu Town.
6 Approximately how long after the capturing of Koidu Town did the
7 attack on Mortema take place?

8 A. After we had captured Koidu Town it was within the same
9 month that the attack on Mortema took place - Tombodu, I mean.

15:02:14 10 Tombodu.

11 Q. Okay, now I'm a little confused. I'm going to ask you
12 about three different attacks that you've mentioned and we'll
13 just answer each one, one at a time. So first the attack on
14 Mortema, about how long was that after Superman was able to take

15:02:33 15 Koidu Town in 1998?

16 A. We took Koidu Town, it took a long time. When we took
17 Koidu Town it took a long time before we attacked Mortema when we
18 took Koidu Town.

19 Q. Can you tell us about how many months after you took Koidu
15:02:54 20 Town the attack on - let me start over. Mr Witness, in what year
21 did this attack on Mortema that you've talked about take place?

22 A. In the same '98, 1998, we attacked Mortema.

23 Q. Thank you. Can you tell us approximately what month it was
24 that you attacked Mortema?

15:03:18 25 A. I can't remember the month any more.

26 Q. Can you tell us approximately how many months it was after
27 Koidu Town was taken by Superman?

28 A. I don't remember the month we even took Koidu Town.

29 Q. Let me try it just one more way and understand I'm asking

1 you for an approximation. We understand that it's hard to
2 remember exactly, but about how many months after the
3 intervention did the attack on Mortema take place?

4 A. I think after three months.

15:04:13 5 Q. Okay, thank you very much. How about the attack on Bumpe?

6 A. Bumpe, one and a half months.

7 Q. One and a half months after the intervention?

8 A. After the intervention. Yes, after the intervention.

9 Q. Okay, so Bumpe was before Mortema?

15:04:39 10 A. Yes, we attacked Bumpe first before attacking Mortema.

11 Q. In Mortema was anyone killed, if you know?

12 A. Yes. As I earlier said, I was in the radio room with
13 Superman when Bai Bureh, Short Bai Bureh was reporting to
14 Superman and I heard some information from my friends.

15:05:13 15 Q. Were there any other places in Kono District that you
16 recall being attacked?

17 A. As I said, Tombodu and there were other areas, but I have
18 forgotten their names. Between Sewafe Bridge and Bumpe there are
19 other areas.

15:05:42 20 Q. Did the Kamajors ever go on the offensive against you in
21 the Kono District?

22 A. Yes, it was at Koi du Geiya. They attacked Koi du Geiya.

23 MR KOUMJIAN: Your Honour, our spelling is K-O-I-D-U
24 G-E-I-Y-A, but that is phonetic subject to --

15:06:22 25 JUDGE SEBUTINDE: I think it's properly spelt on the
26 transcript as Koi ndu Ngeiya [sic].

27 MR KOUMJIAN:

28 Q. Mr Witness, can you tell us what happened after the
29 Kamajors attacked Koi du Geiya?

1 A. Yes.

2 Q. First, just so we're clear of the area, where is Koi du
3 Gei ya?

4 PRESIDING JUDGE: Mr Munyard?

15:07:06 5 MR MUNYARD: I rise because there might be a distinction
6 here. We're getting Koi du and Koi ndu.

7 PRESIDING JUDGE: Yes, we've noticed that, Mr Munyard. I
8 was just going to try and get the answer to this question and if
9 that doesn't clear it up then we'll bring that [overlapping
10 speakers].

11 MR MUNYARD: Very well.

12 MR KOUMJIAN:

13 Q. Let me try the question again. Sir, where is this town
14 that you've just mentioned?

15:07:31 15 A. Koi du Gei ya?

16 Q. Yes, approximately where - what district is it in first?

17 A. Kono District, the road that leads to Kailahun District.
18 Koi ndu is in Kailahun. Koi du Gei ya is in Kono District.

19 Q. Okay, thank you. About how far is it from Koi du Town?

15:08:01 20 A. A short distance, up to 15 miles. I do not know the
21 mileage, but it's a short distance from Kono Town to Koi du Gei ya.

22 Q. Okay, thank you. So, what happened after the Kamajors
23 attacked Koi du Gei ya?

24 A. We repelled the attack.

15:08:26 25 Q. And what happened during that fighting?

26 A. The first thing that happened, when we were attacking Koi du
27 Gei ya we were trying to take Koi du Gei ya for us to cross with
28 Johnny Paul to go to Kailahun. After that, the Kamajors
29 re-attacked us when we took the area. Superman decided for Rambo

1 to be based at Koidu Geiya. We repelled the attack and Rambo
2 tried to make the area fearful by killing civilians, burning down
3 houses and doing some amputation for him to be able to be based
4 there during the - after the attack.

15:09:04 5 Q. Okay, thank you. Now, Mr Witness, just so we're clear you
6 said, "Rambo tried to make the area fearful by killing civilians,
7 burning down houses and doing some amputation." Did Rambo in
8 fact do those things, kill civilians, burn down houses and do
9 amputations, to your knowledge?

15:09:31 10 A. I said Rambo. CO Rambo. RUF Rambo.

11 Q. Yes, my question is did the forces under Rambo in fact kill
12 civilians?

13 A. Yes, they killed civilians, they burnt down houses and did
14 amputations.

15:09:49 15 Q. Thank you. How did you find out about that?

16 A. After the mission, after they've done all those things,
17 Superman sent us to take ammunition to Rambo and when I went I
18 saw for myself. Before that I was told by some people who came
19 from Rambo's ground and they explained that to us, to me
20 personally.

15:10:13 21 Q. Okay, thank you. First of all, you said you went there
22 yourself and you saw it. What did you see exactly when you went
23 to give ammunition to Rambo?

24 A. I do not understand.

15:10:28 25 Q. What did you see in Koidu Geiya yourself?

26 A. I saw houses burnt, some corpses of civilians, a lot of
27 destruction, fire on cars and other things.

28 Q. Okay, thank you. And then you said some people told you.
29 Who were these people that told you about what happened at Koidu

1 Gei ya?

2 A. Some of Rambo's bodyguards, including CO Bakarr, one of the
3 AFRC commanders at the time. CO Bakarr.

4 Q. Okay, thank you. Now, Mr Witness, you talked about the
15:11:17 5 attack on Koidu Town and you said in the planning Johnny Paul
6 Koroma was there. Is that correct?

7 A. Yes.

8 Q. Did Johnny Paul Koroma stay in Koidu Town, to your
9 knowledge?

15:11:36 10 A. He stayed there for some days and left.

11 Q. Okay, thank you. Now after taking Koidu Town in this
12 second attack led by Superman, was Koidu Town ever lost again by
13 the RUF and the AFRC?

14 A. Yes.

15:12:02 15 Q. Do you remember approximately when that was?

16 A. I cannot remember the month any more.

17 Q. Okay, thank you very much. That's fine. Do you remember
18 the year, Mr Witness?

19 A. It's '98, that same '98 that we lost Kono.

15:12:26 20 Q. Okay, thank you, that's helpful. Can you tell us what
21 happened when you lost Kono?

22 A. Yes, when we were retreating from Kono there was an order
23 that we should burn down Koidu Town to ashes.

24 Q. First of all, who took Koidu Town from you?

15:12:49 25 A. Nigerian ECOMOG.

26 Q. And who gave the order that you just mentioned about
27 burning Koidu?

28 A. I received the order from Superman.

29 Q. Did you - do you know if - why Superman gave you that

1 order? Did he explain?

2 A. Yes.

3 Q. What did Superman explain?

4 A. Superman said he received order from Sam Bockarie that
15:13:25 5 before retreating from Kono we should burn Kono down, we should
6 not allow ECOMOG to be based in Kono or leave the - because if we
7 left the houses ECOMOG would be based there, so we should burn
8 down the houses to ashes.

9 Q. Do you know if any other people besides yourself received
15:13:46 10 that order?

11 A. Yes, because the order was public.

12 Q. Was the order carried out?

13 A. Yes, we carried out the order.

14 Q. Did you yourself participate in the burning of the houses?

15:14:10 15 A. Yes, I myself, there was a house that I put fire on.

16 Q. And can you tell us how many houses or how much of the town
17 was burned?

18 A. I think we burnt down 75 per cent of the town. Only a few
19 houses refused to catch fire. We burnt down the town.

15:14:36 20 Q. After the town was burned, where did you go?

21 A. We retreated to PC Ground.

22 Q. Is PC Ground the name of a town, a village, or what is it?

23 A. We just called it PC Ground, but it's the road leading to
24 Guinea border towards Jagbwema Fiama. We retreated to that road,
15:15:13 25 around Jagbwema Fiama, the chiefdom Jagbwema Fiama, but we called
26 the village PC Ground. We named the town PC Ground.

27 Q. Okay, thank you. Is it a town, or a village, or is it
28 simply bush?

29 A. It's a village.

1 Q. Do you recall the real name of the village, or no?

2 A. No, I only know the big towns around the village.

3 Q. Okay, thank you. Did you call it anything else besides PC
4 Ground?

15:15:46 5 A. No.

6 Q. Who went to this PC Ground?

7 A. All of us retreated to PC Ground along with Superman.

8 Q. And from PC Ground where did you go?

9 A. We went to the next village. We used to call it Superman
15:16:20 10 Ground. From PC Ground we went to Superman's ground, the next
11 village from the town.

12 Q. Do you recall the name of that village, the real name, or
13 not?

14 A. No.

15:16:35 15 Q. Can you tell us what district PC Ground and Superman Ground
16 are in?

17 A. Kono District.

18 Q. About how far from Koidu Town is let's first say PC Ground?

19 A. Roughly six to seven miles. Six miles roughly.

15:16:59 20 Q. How far away from Koidu Town is Superman Ground?

21 A. From Koidu Town to Superman's grounds I think five miles.

22 Q. Earlier you talked about girls, or women, that were taken
23 during an attack. What happened to these girls, or women, when
24 you retreated from Koidu Town?

15:17:28 25 A. All of them had men. All of them had their husbands. The
26 people who captured them, they were with them as wives.

27 Q. So did they stay in Koidu Town, or what happened to them?

28 A. We retreated with them.

29 Q. Did they come with you to PC Ground?

1 A. Yes.

2 Q. Were they with you at Superman Ground?

3 A. Both. The ones that were at Superman's ground --

4 THE INTERPRETER: Your Honours, can he kindly repeat this
15:18:08 5 answer slowly. The entire answer.

6 MR KOUJIAN:

7 Q. Sorry, Mr Witness, we missed that answer.

8 PRESIDING JUDGE: Yes, you deal with it, Mr Koumjian.

9 MR KOUJIAN:

10 Q. I am sorry, Mr Witness. We missed that answer and so if
11 you can just repeat it slowly, please.

12 A. The girls for us who were based at Superman's ground, we
13 brought our wives along with us to Superman's ground. Those who
14 stayed at PC Ground, they stayed with their wives at PC Ground.

15 Q. And when you call these women or girls wives, why do you
16 use that word?

17 A. Because like they were with us, they are with them. At the
18 time I didn't have a wife. They were with us as husband and
19 wife, so we used to call them our wives. Whether you like it or
15:19:04 20 not, if somebody captured you and liked you you would become his
21 wife. That was why I called them wives.

22 Q. Mr Witness, while you were based at Superman Ground do you
23 recall any people coming from outside to visit that area?

24 A. Yes.

15:19:35 25 Q. Tell us about that, please?

26 A. People came from Buedu. Sam Bockarie called Superman on
27 the radio communication, our regular radio, that he should send
28 people to the riverside, Moa River, to go and receive some guests
29 that had come from Liberia. They will be coming - they were to

1 come to us in Kono, so Superman sent people there to go and
2 receive them. I saw up to eight Liberians that came to
3 Superman's ground. I saw them with my own eyes.

4 Q. Where were they when you first saw them, these Liberians?

15:20:18 5 A. I saw them at Superman's ground.

6 Q. And can you tell us what happened after they arrived at
7 Superman's ground?

8 A. Yes.

9 Q. What happened, please?

15:20:41 10 A. When they arrived, they passed the night. After that, the
11 next day they called a forum - senior officers. So I - I was
12 with Superman and I was on duty, so I went along with Superman.
13 They were talking like they were from Liberia. They introduced
14 themselves. I saw some arms and ammunition, including land
15 mines, with them. They said they had brought that ammunition
16 from Liberia. They want us to retake Kono, Koidu Town.

17 Q. Mr Witness, do you remember about how long after you
18 arrived at Superman Ground approximately did the Liberians come?

19 A. When we retreated, I think three weeks. Is it three weeks?
15:21:37 20 Three weeks period when we retreated from Koidu Town.

21 Q. Now, you indicated there was a forum of senior officers.
22 About how many officers attended the forum?

23 A. First it was an open forum. So many senior officers were
24 in the forum. The second one was closed door, in Superman's
15:21:59 25 house. It was just Superman and the Liberians and Rambo,
26 honourable Adams from the AFRC, with some other officers I can't
27 remember.

28 Q. Thank you. Now, were you at one of the forums, or both of
29 the forums, or neither?

1 A. I was in one of the forums.

2 Q. Which forum did you attend?

3 A. The open forum. The first one.

15:22:33 4 Q. Now, you said in your answer that you were on duty. What
5 did you mean by that? What was your duty?

6 A. To guard Superman.

7 Q. What was said at this forum that you attended, the open
8 forum?

9 A. The first thing was that the people said they had come to
15:22:56 10 protect us. They had their medicine man with them that would put
11 marks on us, protection marks. The second one was that they
12 handed over the ammunition to Superman and that we should try and
13 take over Koidu Town, but that they would talk about the rest in
14 closed doors.

15:23:16 15 Q. Did the Liberians indicate why you should try to take back
16 Koidu Town?

17 A. Yes, we should take back Koidu Town because it would be
18 important for us. When we take back Koidu Town, mining would be
19 going on and we would have a lot of support.

15:23:41 20 Q. Now, you indicated your duty was to guard Superman. Were
21 you still a bodyguard for Superman?

22 A. Yes, I was a bodyguard for Superman.

23 Q. Can you tell us, Mr Witness, is there a difference between
24 the relationship that a commander has normally with the regular
15:24:04 25 soldiers under his command and the relationship between the
26 commander and his own bodyguards?

27 A. Yes.

28 Q. Please explain it to us.

29 A. Okay. For instance, when they say forum, maybe they will

1 indicate that from general upwards are allowed to attend this
2 forum, but if you were a bodyguard to a colonel, even if you were
3 not major, or lieutenant, or corporal, as long as you were a
4 close protection to that officer you would be allowed to enter
15:24:39 5 that forum. You had every access to communication. Any other
6 information, you would have access to it when you were a close
7 bodyguard.

8 Q. From what you observed, was there any particular reason
9 that someone would be chosen by a commander to be a bodyguard?

15:25:03 10 A. Yes.

11 Q. Can you explain to us, please?

12 A. One, for your obedience, the way you speak to people. Like
13 Superman, he was looking for strong fighters. If you were very
14 strong at the front line he would always call you close to him.

15:25:22 15 These were some of the reasons.

16 Q. Thank you. Can you explain a bit what you mean by
17 obedience?

18 A. Yes. When you are obedient, if they say, "Go this way",
19 you will go there; if they say, "Come this way", you will go
15:25:46 20 there; if they say, "Pass on this side", you would go there.
21 Whatever they told you, you did. That's obedience.

22 Q. Thank you. Mr Witness, do you recall any names of these
23 Liberians that arrived at Superman Ground?

24 A. Yes, I can remember one of their names and I knew him
15:26:07 25 personally at the time. I got to know him personally at the
26 time.

27 Q. When you say you got to know him personally at the time, do
28 you mean you got to know him at Superman Ground?

29 A. No.

1 Q. So you got to know him when?

2 A. When I went to Liberia. When I was - he was there with the
3 Liberian government.

4 Q. What was the name of the person you got to know later?

15:26:44 5 THE INTERPRETER: Your Honours, can he repeat the name
6 slowly.

7 MR KOUMJIAN:

8 Q. I apologise, but the interpreter didn't get the name so we
9 have to repeat everything. You're doing much better this
10 afternoon, but sometimes we still miss. So slowly, first just
11 give me just his name.

12 A. Osebo Demy. I am not a Liberian, but I pronounce it as
13 Demy, 59.

14 MR KOUMJIAN: Our spelling, your Honour, is O-S-E-B-O and
15 the surname D-E-M-Y.

16 PRESIDING JUDGE: And 59, is that a pseudonym of some sort?

17 MR KOUMJIAN: I'll clarify:

18 Q. What does 59 mean?

19 A. 59 means that was his position in the SSS. From 50 to 59,
15:27:48 20 he was the 59th, one of the deputies under Benjamin Yeaten.

21 Q. Now, Mr Witness, you've mentioned that they brought people
22 to mark the fighters. Can you explain what happened?

23 A. Yes. They marked some fighters. For me I said I do not
24 believe in that, but Superman said all his bodyguards should go
15:28:16 25 and take the mark. So he forced us to go and take the mark.
26 After the mark they told us that we should go and re-attack Kono.
27 After the mark they told us to go and re-attack Kono. When we
28 attacked Kono, the death that I saw among the RUF - the people
29 who died among the RUF, I have never seen that number die.

1 Q. Okay, Mr Witness, first who actually did the marking?

2 A. It was the Liberians that crossed over. I think two of
3 them were responsible for the marking.

4 Q. How did you know that these were Liberians?

15:28:56 5 A. From their accents, the way they spoke. Just from their
6 way of speaking. Some of them used to say, "Even in Liberia,
7 during NPFL days, we did the same markings on" - when we said we
8 do not believe, some of them said since Liberia, during the NPFL
9 time under Taylor, they did the same thing to the NPFL fighters,
10 so that was why they succeeded and from their accents I knew that
11 they were from Liberia.

12 Q. Okay, thank you. Now can you describe to us what is
13 involved in the marking? How are people marked?

14 A. Yes.

15:29:40 15 Q. Tell us how that takes place.

16 A. I think they gave us 168 marks, 168. Seven times seven.
17 Three here, three here. Six on your arm. I think seven times
18 seven. Three this way and three on your back. Seven times
19 seven. Six on your back, six on your chest, six on your arm, six
15:30:08 20 on the other arm, a total of 168 marks. Sometimes they used one
21 razor blade to mark more than 200 to 300 people. That was why
22 some of us refused to take the marks, but still they forced us to
23 take the marks.

24 MR KOUJIAN: The witness made some motions, but I believe
15:30:28 25 he's described the areas in his answer.

26 PRESIDING JUDGE: I note that he particularly indicated
27 each upper arm and he indicated at the back.

28 MR KOUJIAN: Just below the neck on the back:

29 Q. Mr Witness, do you still have those marks?

1 A. Yes, yes.

2 Q. Now, you said you were marked with a razor. How was that
3 actually done?

4 A. They just pierced through your body little by little, seven
15:31:11 5 in nine.

6 Q. You indicated that the Liberians had brought some land
7 mines. Can you describe these?

8 THE INTERPRETER: Your Honour, can the learned counsel
9 please repeat the question.

15:31:25 10 MR KOUMJIAN:

11 Q. Witness, you indicated that the Liberians brought some
12 mines with them. Can you describe the mines?

13 A. They were land mines for war tanks and armoured tanks.
14 They were foot mines for human beings, land mines.

15:31:48 15 Q. I think actually the interpreter might have missed
16 something. You said they were land mines for war tanks and
17 armoured tanks and then we understood you to say they were foot
18 mines.

19 A. No, no. They were land mines for armoured cars and war
15:32:09 20 tanks. The size was like this computer and that one was bigger
21 than the foot mines for the human beings. The land mine is as
22 big as this computer in size because it was round. It was for
23 war tanks and armoured cars.

24 Q. And the witness has indicated the computer screen in front
15:32:30 25 of him, which is approximately 10 inches by 10 inches.

26 PRESIDING JUDGE: Mr Munyard, any comment on that?

27 MR MUNYARD: I'm not sure if it's square, but it can be
28 measured and checked. I don't mind. I'm happy to leave it like
29 that at the moment and if turns out it's a different size, we'll

1 clarify it.

2 MR KOUJIAN:

3 Q. Just to be clear, Mr Witness, you've said it's about this
4 size, but you said it was round, is that correct?

15:33:05 5 A. Yes. It cannot be as exact as the computer size, but it
6 was almost like the computer. Land mines is round, but the size
7 is just like the computer, just like this computer screen.

8 Q. Now, you indicated that after the open forum there was
9 another meeting. Do you know who attended the smaller meeting?

15:33:33 10 A. Yes. The Liberians like Osebo Demy and the others, because
11 the others were at the place where they were doing the markings
12 and Rambo, honourable Adams, they were all in the meeting.

13 Q. After the meeting did you ever speak to Superman about that
14 meeting, or about the Liberians?

15:34:05 15 A. Yes, Superman briefed us.

16 Q. And when you say "us", who did he brief?

17 A. We the close bodyguards, like myself, Babay, Crazy and
18 others.

19 Q. What did Superman tell you about his meetings with the
15:34:29 20 Liberians?

21 A. He said the people told him the same thing: That we should
22 try and take over Kono so that we would be able to mine there,
23 that we should get mining equipment to mine there, so that that
24 will help us to move faster with the war.

15:34:46 25 Q. You said that they said "we should get mining equipment".
26 Do you know where the mining equipment was to come from?

27 A. I didn't know, but within myself I thought it was from
28 Liberia because --

29 THE INTERPRETER: Your Honours, the witness is not speaking

1 in the mic. Could he be audible, please.

2 PRESIDING JUDGE: Is the witness's microphone on?
3 Mr Witness, can you come a little closer to the microphone as the
4 interpreters are not hearing you clearly.

15:35:22 5 MR KOUMJIAN:

6 Q. Mr Witness, we understood you to say that you yourself
7 didn't know and I'm satisfied with that answer, unless your
8 Honours want me to get the rest of it. The witness started his
9 answer which was interpreted that "I myself didn't know".

15:35:39 10 PRESIDING JUDGE: Mr Witness, you said, "I didn't know, but
11 within myself I thought it was from Liberia because", and then
12 you got interrupted. Please finish that answer.

13 THE WITNESS: He asked me whether I knew where the
14 equipment were to come from. I said the people were from Liberia
15 and I was expecting that the mining equipments were to come from
16 Liberia.

17 MR KOUMJIAN:

18 Q. Now, Mr Witness, during the time that Superman was based in
19 Kono District were you ever sent outside of the district?

15:36:18 20 A. Yes.

21 Q. Can you tell us was that after ECOMOG had pushed you out of
22 Koidu Town, was it while you were at PC Ground, or Superman
23 Ground, or when was it?

24 A. At the time we were at Superman Ground.

15:36:40 25 Q. Who gave you an instruction to leave the Kono District?

26 A. Superman told us to go to Kailahun District.

27 Q. Now, explain to us what Superman told you slowly.

28 A. Superman told us that we should go and meet Sam Bockarie;
29 that he had a mission for us.

1 Q. How many people did you go with?

2 A. They gave us escorts. The senior officer was Colonel
3 Bakarr from the AFRC and some others alongside me, but we had
4 escort with us. I don't recall the exact figure.

15:37:29 5 Q. Were all of the people with you from Superman - no, let me
6 strike that. Where did you go in Kailahun District?

7 A. We went to Buedu.

8 Q. What happened once you arrived in Buedu?

9 A. When we got to Sam Bockarie and we saluted him, he told us
15:37:59 10 to rest. From there he told us to get prepared to join Eddie
11 Kanneh and that we were to take all instructions from Eddie
12 Kanneh that we were going to Liberia.

13 Q. Who was Eddie Kanneh?

14 A. He was once an NPRC official and later AFRC, a minister, at
15:38:27 15 that time when we retreated and went to Buedu.

16 Q. After Sam Bockarie had given you that instruction, what
17 happened then?

18 A. We moved and went to Foya, Foya District, Voinjama County,
19 in Liberia.

15:38:53 20 Q. Did all of the group that had arrived in Buedu go on to
21 Foya, all of those from Superman Ground?

22 A. No, no.

23 Q. Who went to Foya?

24 A. Myself, Colonel Bakarr, Eddie Kanneh and some senior people
15:39:18 25 who came from Sam Bockarie's side.

26 Q. Were you on foot, or in vehicles?

27 A. We used vehicles.

28 Q. Can you describe the vehicle, or vehicles, that you were
29 using?

1 A. Yes, we used two cars: one Land Cruiser and one 109 Land
2 Rover.

3 Q. What happened once you got to Foya?

15:40:00

4 A. When we got to Foya, Zigzag Marzah received us. I think
5 within 30 minutes we saw a helicopter that landed at the Foya
6 airfield and we went on board the helicopter and they took us to
7 Gbarnga at the President's farm.

8 Q. Now, you said Zigzag Marzah. Did you know him prior to
9 meeting him there in Foya?

15:40:25

10 A. Yes, I saw him in Buedu once.

11 Q. Who was he?

12 A. He was from the AFL in Liberia, at the same time SSS.

13 Q. Did you learn his rank?

14 A. He was colonel. He was a colonel in the SSS.

15:40:53

15 Q. Just to finish with him for a moment, after this trip to
16 Foya did you ever see Zigzag Marzah in Sierra Leone?

17 A. Yes.

18 Q. Where would you see him in Sierra Leone?

19 A. I saw him in Buedu and I saw him in Kailahun Town.

15:41:18

20 Q. What happened after Zigzag Marzah met you in Foya?

21 A. We went on board the helicopter that came from Gbarnga.

22 Q. And where did the helicopter go to?

23 A. It took us to the President's farm in Gbarnga. At that
24 time they used to call it the President's farm.

15:41:47

25 Q. When you say "the President's farm", who was the President?

26 A. President Taylor. Charles Taylor.

27 Q. After the helicopter went to the farm in Gbarnga, what
28 happened?

29 A. I met Benjamin Yeaten.

1 Q. Had you ever met Benjamin Yeaten before?

2 A. No, no.

3 Q. And how was he introduced to you?

4 A. He was introduced to me as the director of the SSS. They
15:42:25 5 said, "This is the President's SSS director, Benjamin Yeaten."
6 Eddie Kanneh told us that to meet him and he introduced us. He
7 said, "These are the boys that I brought along with me to collect
8 the ammunition."

9 Q. Can you briefly describe what he looked like?

15:42:45 10 A. Who?

11 PRESIDING JUDGE: There is both Eddie Kanneh and Benjamin
12 Yeaten. Oh, the witness has --

13 MR KOUMJIAN: The witness has correctly objected to my
14 question as vague:

15:42:58 15 Q. Sir, can you briefly describe what Benjamin Yeaten looked
16 like?

17 A. Yes, we are about the same height. He was - maybe he is
18 taller than me by 30 feet. He's dark. He used to grow --

19 PRESIDING JUDGE: Are you sure - Mr Interpreter, what words
15:43:26 20 did the witness use, "When he said he was taller than me by 30
21 feet"?

22 MR KOUMJIAN: Actually, your Honour, if I could strike
23 that, because I don't want to go into descriptions of the witness
24 at this time.

15:43:37 25 PRESIDING JUDGE: This is true, but 30 feet is some --

26 THE WITNESS: By 30 centimetres, that is what I mean. 30
27 centimetres.

28 PRESIDING JUDGE: Don't compare him to yourself,
29 Mr Witness. And there's an application to redact, is that what

1 you're saying?

2 MR KOUMJIAN: Yes, your Honour, thank you.

3 PRESIDING JUDGE: Mr Munyard?

4 MR MUNYARD: Your Honour, I've only spent a week in Sierra
15:44:00 5 Leone, but I don't think this witness is exceptionally tall,
6 short or average, and I think by describing somebody as 30
7 centimetres taller than him that's probably identifying him as
8 one of perhaps two million people, I don't know, but that's the
9 sort of odds I think we're talking about here.

10 PRESIDING JUDGE: I don't think it's that personalised,
11 Mr Koumjian. I don't think there's any risk there. In any
12 event, please continue.

13 MR KOUMJIAN: Thank you very much. I'll proceed:

14 Q. Before we move on, let's talk for just a moment about
15:44:37 15 Benjamin Yeaten. Did you get to know him later, in later years?

16 A. Yes.

17 Q. Actually, I'm sorry, I'll come back - we'll come back to
18 Benjamin Yeaten later. Perhaps let's just stick to this trip to
19 Gbarnga. So when you got to Gbarnga, to the farm, what happened?

15:45:00 20 A. They gave us two cars from the farm and they told us from
21 the airfield that we should go to the President's house to go and
22 load the ammunition in the two cars. The cars were driven by
23 Jungle and Sampson Weah. They were both from the SSS. The
24 ammunition was parked at the car park at the President's house in
15:45:35 25 Gbarnga. We loaded the ammunition.

26 Q. When you say "the President's house", which house are you
27 referring to?

28 A. Where President Taylor used to stay, because the house - I
29 think the house was for his sister. By then he had not finished

1 his own house. That was where he used to stay, at the farm.

2 Q. Okay. Just so that we're absolutely clear, in what city or
3 town or village are you talking about when you describe this
4 President's house?

15:46:11 5 A. Gbarnga.

6 JUDGE SEBUTINDE: Sampson's surname, or second name, what
7 is it again?

8 THE WITNESS: Sampson Weah. Sampson Weah. Sampson Weah.

9 JUDGE SEBUTINDE: Is that properly spelt?

15:46:38 10 MR KOUMJIAN: Yes, your Honour.

11 JUDGE SEBUTINDE: Okay.

12 MR KOUMJIAN: Well, it was spelled properly earlier. I am
13 sorry, I was looking at line 11 on page 142 and it's spelled
14 correctly the first time as I see on line 25 of page 142:

15:47:05 15 Q. Where exactly did you get the ammunition from?

16 A. The President's residence.

17 Q. Was it in the house? Was it outdoors? Where was it?

18 A. The garage, at the car park where he used to park his car.

19 Q. Do you recall what kind of ammunition it was?

15:47:29 20 A. Yes, AK rounds in boxes, RPG rockets, GMG rounds and
21 others.

22 Q. And what did you do with this ammunition?

23 A. Eddie Kanneh told us that Jungle would lead us to Foya and
24 that he was going to Monrovia with Benjamin Yeaten to see the
15:47:54 25 President.

26 Q. How many vehicles, or was it one vehicle, was the
27 ammunition loaded into?

28 A. Two cars.

29 Q. Where did you go then?

1 A. We start moving to Voinjama, from Voinjama to Foya in Lofa
2 County.

3 Q. Can you give us any idea of the number of boxes that were
4 loaded?

15:48:28 5 A. I don't remember the actual number of boxes, because we
6 took along food and ammunition. I don't remember.

7 THE INTERPRETER: Your Honours, the interpreter would like
8 the witness to repeat that last answer.

9 PRESIDING JUDGE: Mr Witness, the interpreter asks you to
15:48:46 10 repeat the last answer in full. The one that started, "I don't
11 remember ...", continue from there, please.

12 THE WITNESS: I don't recall the actual number of boxes of
13 ammunition, but the two cars were loaded. They were full with
14 ammunition.

15:49:11 15 PRESIDING JUDGE: So, Mr Interpreter, it's full with
16 ammunition, rather than food and ammunition? Is that the
17 interpretation?

18 THE INTERPRETER: Yes, your Honours.

19 MR KOUMJIAN:

15:49:24 20 Q. Sir, what kind of vehicles were these two vehicles?

21 A. I don't understand.

22 Q. What kind of cars were they?

23 A. Toyota Land Cruisers. Toyota Land Cruiser pick-ups.

24 Q. So, by a pick-up you mean it was open in the back?

15:49:49 25 A. Yes. The trucks, pick-ups, yes.

26 Q. Where did you go with the ammunition?

27 A. We went to Buedu.

28 Q. When you got to Buedu, what happened to the ammunition?

29 A. We handed over the ammunition to Sam Bockarie.

1 Q. How was that done? Did you just give him the vehicles, or
2 was the ammunition unloaded?

3 A. We off-loaded the ammunition from the vehicle and parked it
4 on the ground and he told us to take the ammunition to the ammo
15:50:43 5 dump. Jabbati was the ammo commander at that time, one Jabbati.
6 We handed over the ammo to him and a boy who was called Toastie.

7 Q. Sorry, it's a bit confusing to us - to me - your answer,
8 because you said that Jabbati was the ammunition commander at
9 that time. Was Jabbati present?

15:51:10 10 A. At that time Jabbati was not there. We handed over the
11 ammunition to Toastie. There was another boy called Toastie. We
12 gave him the ammunition.

13 Q. Now, you said you took it to the ammo dump. Where was the
14 ammo dump?

15:51:28 15 A. It was very close to Sam Bockarie's house, but I don't know
16 the area. I don't know Buedu that much.

17 Q. What happened after you took the ammunition to this
18 ammunition dump area?

19 A. Sam Bockarie told us to get ready to receive our own
15:51:55 20 ammunition for Kono and he started distributing the ammunition.
21 He gave some of the ammunition to Akim to attack Daru and he gave
22 ours for us to take it to Kono District, to Superman.

23 Q. Okay, let me clarify a few things. Did you spend the night
24 in Buedu, or did you leave the same day that you arrived?

15:52:24 25 A. We passed the night in Buedu.

26 Q. When you said Bockarie distributed the ammunition, was this
27 the ammunition you had brought, or was it other ammunition, if
28 you know?

29 A. The same ammunition that we brought from Gbarnga, that was

1 the ammunition that he distributed to us.

2 Q. Did he give you all of the ammunition you had brought from
3 Gbarnga, or did he keep some of it in Buedu?

4 A. He kept some in Buedu, but we had the highest amount
15:53:00 5 because he gave us so much ammunition to be taken to Kono, but
6 some remained there.

7 Q. You indicated that some was given to Akim. Was Akim
8 present?

9 A. No, he sent the ammunition at his target.

15:53:16 10 Q. Who was Akim?

11 A. The SLA soldiers from the AFRC.

12 Q. Do you know Akim's last name?

13 A. Yes, Akim Turay.

14 Q. And was it indicated by Bockarie what Akim was to do with
15:53:38 15 the ammunition?

16 A. Yes, to attack Segbwema, Daru barracks at that time.

17 Q. You indicated some other ammunition was given to you, is
18 that right?

19 A. Yes.

15:53:59 20 Q. And who were you supposed to take that ammunition to?

21 A. To take the ammunition to Superman in Kono District.

22 Q. Did Sam Bockarie indicate what this ammunition was for that
23 was going to Superman?

24 A. Yes, he told us to go and use the ammunition to retake over
15:54:25 25 Koidu Town.

26 Q. So how many nights did you spend in Buedu after arriving
27 from Gbarnga?

28 A. We passed the night in Buedu and the following day we
29 started moving to Koidu in Kono District.

1 JUDGE SEBUTINDE: Mr Koumjian, you didn't give us a time
2 frame for the Gbarnga visit. The whole idea of getting arms and
3 ammunition from there, or ammunition, we need a time frame,
4 please.

15:55:03

5 MR KOUMJIAN:

6 Q. Mr Witness, do you recall the month that you went to
7 Gbarnga? Let me start this over. First, Mr Witness, do you
8 recall what year it was that you went to Gbarnga?

9 A. Yes, I remember. It was in '98.

15:55:24

10 Q. Do you recall, Mr Witness, if it was dry season, or rainy
11 season?

12 A. I think it was some time around the starting - the
13 beginning of the rainy season.

15:55:43

14 JUDGE SEBUTINDE: In which country? Rainy season of which
15 country?

16 MR KOUMJIAN:

17 Q. Mr Witness, are the rainy seasons different in Liberia and
18 Sierra Leone?

19 A. No, they are the same, the same. They are the same.

15:55:53

20 Q. So when you say the rainy season you are talking about the
21 rainy season in what country, or countries?

22 A. In both of the countries, Sierra Leone and Liberia.

23 Q. Can you remember what month it was? If you can't, just
24 tell us you cannot remember.

15:56:17

25 A. I can't remember the month.

26 Q. Did you take the ammunition to Superman?

27 A. Yes.

28 Q. Was there any operation after you took ammunition to
29 Superman?

1 A. Yes.

2 Q. Did that operation have a name?

3 A. Yes, yes.

4 Q. Can you tell us what was the name of this operation?

15:56:49 5 A. Yes, Fitti-Fatta.

6 Q. What was the objective, the goal, of the Fitti-Fatta
7 mission?

8 A. To just go on the rampage and retake over Koidu Town.

9 Q. By the way, when you came back from Gbarnga to Buedu was
15:57:15 10 there anybody with you that hadn't been in your group that left
11 Sierra Leone?

12 A. I don't understand.

13 Q. I'll try again. It wasn't very clear. You said you went
14 with a number of people to Gbarnga - to Foya and then Gbarnga.

15:57:34 15 Were all the people you went with Sierra Leoneans? You mentioned
16 Eddie Kanneh and some others.

17 A. Yes.

18 Q. When you came back did you come back only with Sierra Leone
19 people, or was there anyone else with you?

15:57:50 20 A. Yes, Liberians were with us.

21 Q. Do you recall the names of the Liberians that were with you
22 when you went back to Buedu from Gbarnga with the ammunition?

23 A. Yes. Jungle, Daniel Tamba, Sampson.

24 Q. Thank you. Was the Fitti-Fatta mission successful in
15:58:17 25 taking Koidu?

26 A. No.

27 Q. First of all, what were you using to transport the
28 ammunition to Superman?

29 A. Escorted us to the crossing point at the Moa River. From

1 there they had civilians waiting for us there, so they carried
2 the ammunition from the river to Superman Ground.

3 Q. Sorry, I believe the interpreter just missed the beginning
4 of the answer, "a car escorted us", but I will ask the witness
15:59:11 5 again. Mr Witness, we have an answer on record, "Escorted us to
6 the crossing point at the Moa River." What escorted you to the
7 crossing point at the Moa River?

8 A. A car escorted us from Buedu to the crossing point.

9 Q. And what happened when you got to the crossing point at the
15:59:32 10 Moa River?

11 A. We crossed with the ammunition and we met civilians there
12 who were put together to wait for the ammunition and we put the
13 ammunition on their heads for them to carry it to Superman
14 Ground.

15:59:55 15 Q. What was the distance from the crossing point to Superman
16 Ground?

17 A. A day's walk, up to 12 hours walk.

18 Q. Do you know if these civilians were paid for transporting
19 the ammunition?

16:00:16 20 A. They were not paid.

21 Q. Did they volunteer, or have a choice to transport the
22 ammunition?

23 A. No.

24 Q. When you arrived at Superman Ground what happened to the
16:00:38 25 ammunition?

26 A. We turned the ammunition over to Superman.

27 Q. Do you know if Superman distributed the ammunition in any
28 way?

29 A. Yes.

1 Q. Can you tell us what you know about Superman distributing
2 the ammunition you brought?

3 A. Yes.

4 Q. Where did the ammunition go?

16:01:17 5 A. Some of the ammunition went to Rambo, RUF Rambo, to Koidu
6 Geiya. Some of the ammunition went to Short Bai Bureh at
7 Mortema. Some of the ammunition, we took it to Wordu to Komba
8 Gbundema and some remained with Superman.

9 Q. Where did you yourself go at this time?

16:01:49 10 A. We went to Wordu, to Komba Gbundema.

11 Q. When you were in Wordu under whose command were you?

12 A. Komba Gbundema.

13 Q. Can you give us some details about any orders Superman gave
14 for areas to be attacked in this mission?

16:02:20 15 A. Yes.

16 Q. Please tell us.

17 A. Superman told us to go to Wordu to join Komba Gbundema, to
18 hand over the ammunition to him and go to Kurubonla to meet SAJ
19 Musa, to work with him to attack Mongo Bendugu. That was the
16:02:48 20 instruction.

21 Q. Just to be clear, when you went to Komba Gbundema in Wordu,
22 was this before or after the Fitti-Fatta mission?

23 A. After the Fitti-Fatta mission.

24 Q. About how long after the Fitti-Fatta mission?

16:03:13 25 A. Two days.

26 Q. Now, you said that Superman gave instructions that Komba
27 Gbundema was to take the ammunition to Kurubonla, is that
28 correct?

29 A. Yes.

1 Q. Did you go with him there to Kurubonla?

2 A. Kurubonla, yes.

3 Q. Thank you for correcting my pronunciation. Who was there
4 in Kurubonla?

16:03:44 5 A. SAJ Musa.

6 Q. Thank you. Now, who is Komba Gbundema?

7 A. He was one of the commanders for the RUF.

8 Q. When you first went to him he was in which town?

9 A. Wordu.

16:04:23 10 Q. Were there any civilians with him?

11 A. Yes.

12 Q. Can you describe these people that were with him?

13 A. Yes. He was having civilians with him. The civilians,
14 they used to call them the Junta 2s, the Junta 2. They wrote on
16:04:55 15 their chest "RUF", all of them. They wrote on their chest "RUF".
16 They said they were Junta 2s for him.

17 Q. What were the ages of these civilians who were with Komba
18 Gbundema?

19 A. Komba Gbundema had children from 5 years upwards; 5, 6, 7
16:05:13 20 upwards.

21 Q. Were there adults also with him?

22 THE INTERPRETER: Your Honour, could counsel please repeat
23 the question.

24 PRESIDING JUDGE: You heard the request, Mr Koumjian.

16:05:27 25 MR KOUMJIAN: Yes, sorry:

26 Q. Mr Witness, Komba Gbundema, you said he had children from
27 five years up with him. Were all the civilians with Komba
28 Gbundema children, or were there adult civilians also with him?

29 A. Yes, he had his own son. All the others were abducted.

1 JUDGE SEBUTINDE: Mr Koumjian, did I hear the witness say
2 they wrote on their chests "RUF", or Junta 2? Which was it?
3 Because I don't see RUF on the record.

4 THE WITNESS: Yes, they called them Junta 2s. They wrote on
16:06:10 5 their chests "RUF", on their chests "RUF", but their names were -
6 the names for them were Junta 2. Junta 2. On their chest "RUF".

7 MR KOUMJIAN:

8 Q. Mr Witness, first of all where was it that these markings
9 of the civilians took place?

16:07:28 10 PRESIDING JUDGE: We've heard it was on their chest, but do
11 you mean where was the physical location this operation was
12 carried out?

13 MR KOUMJIAN: Thank you, I will try to make my question
14 more clear:

16:07:42 15 Q. In what town, or village, or district was it that these
16 markings took place?

17 A. The markings - they started marking the people from Kayima.
18 I don't know the district in which Kayima is. I do not know if
19 it falls under Kono, or Kabala. It's just between them, Kayima.
16:08:02 20 The markings started taking place in Kayima on to Wordu.

21 Q. Sir, how were these markings made?

22 A. I do not understand the question.

23 Q. You said they wrote "RUF" on their chests. How did they
24 write "RUF" on people's chests?

16:08:41 25 A. Some people used razor blade. When they did not have a
26 razor blade they had a sharp knife that can enable them to write
27 "RUF", those small knives they will use.

28 Q. Now there was one question, by the way, where your answer
29 seems to be that you understood a different question than the one

1 I asked. I was trying to ask you before if all the people with
2 Komba Gbundema were children, or if there were any adults. Where
3 there any adults, people over 18, or were they all children?

4 A. They had adults and - he had adults and children with him.

16:09:26 5 Q. The persons that had their chests marked "RUF", what ages
6 were they?

7 A. Both children and adults had the marks on them at the time.

8 Q. Were they men, or women, or both?

9 A. Both.

16:09:49 10 Q. Were the women marked on their chest with the razor blade,
11 or the knife?

12 A. Both of them.

13 Q. Mr Witness, what happened after you went with Komba
14 Gbundema to Kurubonla?

16:10:13 15 A. When we went to Kurubonla, Komba Gbundema and SAJ Musa
16 called a forum.

17 Q. How did SAJ Musa receive Komba Gbundema?

18 A. He welcomed us well and he was happy.

19 Q. What happened - first of all, who attended the forum?

16:10:39 20 A. SAJ Musa, Komba Gbundema, Brigadier Mani, General Bropleh
21 and some other senior RUF officials like Osho and others.

22 Q. So was this a commanders' forum, or was it an open forum
23 for all soldiers?

24 A. Commanders' forum.

16:11:04 25 Q. Were you actually present during the forum?

26 A. Yes.

27 Q. And in what capacity were you present?

28 A. As a bodyguard to Superman. I was there as Superman's eye.

29 Q. What happened at the forum? Oh, sorry, let me go back to

1 that. Can you please explain what you mean by that, that you
2 were Superman's eye?

3 A. I was there to represent Superman to tell him whatever I
4 see for myself.

16:11:47 5 Q. Was that something unusual or specific to this incident, or
6 was that something - a duty that bodyguards would normally
7 perform?

8 A. A duty that a bodyguard can normally perform.

9 Q. What happened at the forum that you attended as Superman's
16:12:05 10 eye?

11 A. At the forum SAJ Musa welcomed us and said he's long been
12 expecting that for us to work together, but it was time now and
13 Sam Bockarie's ready to work with him, so we were highly welcome
14 and so we should plan how to attack Mongor Bendugu from the
16:12:34 15 Guinean contingent.

16 Q. Mr Witness, you mentioned some others who were in
17 attendance and one was Brigadier Mani. Who was Brigadier Mani?

18 A. One of the senior officers in the national army, the SLA.

19 Q. Who was General Bropleh?

16:12:57 20 A. General Bropleh was ULIMO; head of the ULIMO at the time.
21 I think he was in the army in Liberia, a former army commander in
22 Liberia. In Sierra Leone he was an ULIMO commander, a Liberian.

23 Q. Do you know if there was any name for the forces he
24 commanded?

16:13:18 25 A. Yes, the ULIMO.

26 Q. Okay, thank you. Do you know any other name for those
27 forces?

28 A. Yes, the STF.

29 Q. After SAJ Musa made these remarks that you've told us

1 about, what did the others say?

2 A. The other people they accepted and Komba Gbundema too was
3 happy. He took the view - he too said Superman should give the
4 ammunition to run the mission and that he was ready for the
16:13:57 5 mission.

6 Q. Mr Witness, you had mentioned earlier that you had taken
7 ammunition to Komba Gbundema that came from your trip from
8 Gbarnga. Is that correct?

9 A. Yes.

16:14:10 10 Q. Was that ammunition still with Komba Gbundema when you went
11 to meet SAJ Musa?

12 A. We were to take the ammunition along with us, yes.

13 Q. You indicated that SAJ Musa indicated that an attack was to
14 be planned for Mongor Bendugu.

16:14:37 15 JUDGE SEBUTINDE: Mr Koumjian, the answer the witness gave
16 is most uncertain. You asked whether the ammunition that was
17 taken prior was still with Komba and then he says, "Yes, we were
18 to take the ammunition along with us", meaning what?

19 MR KOUMJIAN: Thank you:

16:14:53 20 Q. Mr Witness, my question for you was whether the ammunition
21 that you had taken from Gbarnga was still with Komba Gbundema
22 when you went and met up with SAJ Musa. What is your answer?

23 A. I said, yes, the ammunition was with us, with Komba
24 Gbundema and I. We took the ammunition along with us to Kurubonla
16:15:22 25 to go and meet SAJ Musa.

26 Q. After this forum, was there an attack that took place?

27 A. Yes.

28 Q. What area was attacked?

29 A. Mongor Bendugu.

1 MR KOUMJIAN: Your Honours, Mongor is M-O-N-G-O-R:

2 Q. Who participated in the attack on Mongor Bendugu?

3 A. Komba Gbundema, Colonel T, I myself and others.

4 Q. Who was Colonel T?

16:16:09 5 A. He was one of the senior officers from the national army,
6 AFRC.

7 Q. Was SAJ Musa involved in that attack on Mongor?

8 A. No.

9 Q. Did SAJ Musa participate in the planning for that attack?

16:16:29 10 A. Yes.

11 Q. Were any forces defending Mongor when you attacked?

12 A. Yes.

13 Q. Can you tell us about those forces that were defending
14 Mongor?

16:16:46 15 A. Yes, it was the Guinean forces.

16 Q. Were they - can you describe any armaments that the
17 Guineans had?

18 A. Yes.

19 Q. What kind of weapons did they have?

16:17:03 20 A. They had a 40 barrel missile, 50 calibre, 106, one barrel
21 missile. They had a lot of weapons - armoured car, war tank.

22 Q. What was the result of the attack on the Guineans in
23 Mongor?

24 A. The attack was successful on our side.

16:17:34 25 Q. Can you describe what occurred?

26 A. We killed a lot of Guinean soldiers, civilians and we
27 captured some ammunition and arms from them.

28 Q. First, I want to deal with - you've mentioned soldiers were
29 killed, but you also mentioned civilians. Were these civilians

1 killed because you were targeting the Guineans and they were
2 killed by accident, or were --

3 MR MUNYARD: I'd be grateful if my learned friend just
4 asked him non-leading questions about this.

16:18:18 5 PRESIDING JUDGE: Mr Koumjian, there have been a few
6 leading questions in the course of the afternoon that have not
7 been objected to, but this is leading. You must rephrase.

8 MR KOUMJIAN:

9 Q. How were the civilians killed, Mr Witness? Was it
16:18:35 10 intentional, or unintentional?

11 A. Some of them were killed intentionally and some of them
12 were killed unintentionally, because some of them were killed
13 during the crossfire and some of them when we attacked and took
14 over the town they were under their beds, or other areas, and we
16:18:55 15 started killing them.

16 Q. And why would you kill civilians that were hiding under
17 their beds? What was the reason for that?

18 A. Because we went with one idea that when there are soldiers
19 based in the town when no civilian is there they would not be
16:19:12 20 encouraged to be based there. When a civilian is there, they
21 would be encouraged to be based there. That's why we killed
22 them.

23 Q. Thank you.

24 JUDGE SEBUTINDE: I'm sorry, I don't understand that answer
16:19:23 25 at all.

26 MR KOUMJIAN:

27 Q. Can you explain your answer again, Mr Witness, about why
28 you would kill civilians in a town that the enemy forces had
29 occupied?

1 A. Yes, some of the reason - one of the reason is when the
2 Guinean soldiers or any soldiers were based in a town they would
3 not be encouraged to base there for long if there were a civilian
4 there. If a civilian was there they would help them to brush the
16:19:54 5 town and do domestic jobs for them, so they would be encouraged
6 to base there. That's why we always killed civilians when we
7 meet them there, because we tell them that they were the ones
8 helping the soldiers.

9 Q. Just to explore that a bit further, Mr Witness, when the
16:20:11 10 RUF captured a town did you use the civilians in any way to
11 support you, or no?

12 A. We used them to support us, some of them.

13 Q. You also mentioned that weapons were captured. Can you
14 recall any specific heavy weapons that were captured in the
16:20:40 15 attack on Mongor?

16 A. Yes.

17 Q. Please tell us which weapons you recall being captured?

18 A. We managed to capture one 40 barreled missile, an armoured
19 car, one 50 calibre and some one barrel missiles from them.

16:21:11 20 Q. During the attack on Mongor did the town remain intact, the
21 houses and the buildings in the town?

22 A. We burnt the town.

23 Q. And what did you burn in the town?

24 A. We burnt down the houses, we burnt their armoured car, we
16:21:39 25 burnt the one barrel, 40 barrel missile because we had no way to
26 carry it and some other logistics. We burnt down cars.

27 Q. In the houses that you burned down, do you know whether or
28 not there was anyone inside those houses?

29 A. Yes, people were in the houses that were burnt.

1 Q. Do you know if the people escaped from the houses that were
2 being burnt, or not?

3 A. Yeah, some people escaped because we used to see people
4 running around when we took over the town, but some people stayed
16:22:20 5 in their houses because we heard them shouting too.

6 Q. When you say some people stayed in their houses, what
7 happened to those that stayed inside that you heard shouting, if
8 you know?

9 A. Some of them were burnt down, because in some houses people
16:22:38 10 were screaming when fire was - were already on the houses, so I
11 know that they were burnt. There was no way for them to escape.

12 Q. Now, Mr Witness, you've talked about some weapons that were
13 destroyed and some that were burnt because you couldn't carry
14 them. Were you able to carry away any weapons that were captured
16:23:01 15 from the Guineans in Mongo?

16 A. Yes.

17 Q. Were you able to capture any ammunition in Mongo?

18 A. Yes, we captured a lot of ammunition.

19 Q. Can you describe what you did with the weapons and
16:23:19 20 ammunition that were captured from the Guineans in Mongo?

21 A. Yes. The ones that we were able to carry, we carried with
22 us to Kurubonla to SAJ Musa and we handed them over to SAJ Musa.

23 Q. What do you recall now as far as weapons you were able to
24 carry to SAJ Musa?

16:23:47 25 A. We handed the ammunition over to SAJ Musa. From there
26 Superman came and joined us. Both of them were in control of the
27 ammunition and we undertook a mission for Kabala with the same
28 ammunition that was captured from Mongo.

29 Q. I'm going to try once again but, Mr Witness, do you recall

1 whether you were able to carry any weapons to SAJ Musa and, if
2 so, what were the weapons?

3 A. We carried a lot of weapons. We carried mortars, GMG, some
4 RPGs that were captured, we took them along with us, and some
16:24:32 5 other light weapons like pistols, AK-47s, we took them along with
6 us.

7 Q. So these weapons that were handed over to SAJ Musa, do you
8 know if they stayed with the SAJ Musa forces after the attack on
9 Mongo?

16:24:52 10 A. Yes.

11 Q. Do you know if these weapons stayed with SAJ Musa forces
12 after he left Kurubonla?

13 A. Yes.

14 Q. These weapons and ammunition that were captured in Mongo,
16:25:13 15 they were captured using ammunition from where, Mr Witness?

16 A. The ammunition that we brought along from Gbarnga, Kono, I
17 took some to Komba Gbundema in Wordu, it was the same ammunition
18 that we were to use to attack Mongo Bendugu.

19 JUDGE SEBUTINDE: Where is Gbarnga, Kono?

16:25:48 20 MR KOU MJIAN: I believe those were two separate --

21 Q. Mr Witness, you said you took ammunition from Gbarnga and
22 then you said Kono. Can you describe the route.

23 A. Yes, the ammunition that we collected from Gbarnga in
24 Liberia, the President's farm, it was the same ammunition that we
16:26:05 25 took along to Kono, Superman's ground, and Superman gave some of
26 the ammunition to Komba Gbundema in Wordu and it was that same
27 ammunition that we took to Kurubonla after the meeting. It was
28 the same ammunition that we used to attack Mongo Bendugu.

29 Q. And it was in this attack that the ammunition and weapons

1 were captured from the Guineans and taken to SAJ Musa?

2 A. Yes.

3 JUDGE SEBUTINDE: It would also be helpful for us to have a
4 time frame for the Mongo Bendugu attack, please.

16:26:42 5 MR KOUMJIAN:

6 Q. Mr Witness, I know it's difficult for you to get the exact
7 times, but let's work together to try to get some idea. What
8 year was it that you attacked Mongo Bendugu?

9 A. It was late '98. The ending of the rainy season we
16:27:12 10 attacked Mongo Bendugu. '98, I think so.

11 Q. Can you give us an approximate time in months, or not, for
12 the end of the rainy season?

13 A. I do not remember the month.

14 MR KOUMJIAN: Your Honours, actually this would be a
16:27:32 15 convenient time for me to break. I'm moving to a different
16 topic.

17 PRESIDING JUDGE: Very well, Mr Koumjian. Mr Witness,
18 we're going to adjourn for today. We will be resuming court
19 again tomorrow at 9.30. I have to inform you that now that you
16:27:47 20 have taken the oath to tell the truth here in the court, you are
21 not to discuss your evidence with any other person until all of
22 your evidence is finished. Do you understand this?

23 THE WITNESS: Yes.

24 PRESIDING JUDGE: Please adjourn court until tomorrow at
16:28:02 25 9.30.

26 [Whereupon the hearing adjourned at 4.27 p.m.
27 to be reconvened on Tuesday, 24 June 2008 at
28 9.30 a.m.]

29

I N D E X

WITNESSES FOR THE PROSECUTION:

TF1-584	12412
CROSS-EXAMINATION BY MR ANYAH	12412
RE-EXAMINATION BY MR SANTORA	12450
TF1-375	12462
EXAMINATION IN-CHIEF BY MR KOUMJIAN	12475

EXHIBITS:

Exhibit P-146 admitted	12459
Exhibit P-147 admitted	12459
Exhibit D-51 admitted	12460
Exhibit D-52 admitted	12460
Exhibit D-53 admitted	12460