



Case No. SCSL-2003-01-T

THE PROSECUTOR OF
THE SPECIAL COURT
V.
CHARLES GHANKAY TAYLOR

WEDNESDAY, 3 SEPTEMBER 2008
9:30 A.M.
TRIAL

TRIAL CHAMBER II

Before the Judges:

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

For Chambers:

Mr Simon Meisenberg
Ms Doreen Kiggundu

For the Registry:

Ms Rachel Irura

For the Prosecution:

Ms Brenda J Hollis
Ms Leigh Lawrie
Ms Ruth Hackler

For the accused Charles Ghankay
Taylor:

Mr Terry Munyard
Mr Morris Anyah

1 Wednesday, 3 September 2008

2 [Open session]

3 [The accused present]

4 [Upon commencing at 9.30 a.m.]

09:28:27 5 [In the absence of the witness]

6 PRESIDING JUDGE: Good morning. Appearances, Ms Hollis?

7 MS HOLLIS: Good morning Madam President, your Honours,
8 opposing counsel. This morning for the Prosecution are Ruth Mary
9 Hackler and myself, Brenda J Hollis.

09:28:45 10 PRESIDING JUDGE: Thank you, Ms Hollis. Mr Munyard?

11 MR MUNYARD: Good morning Madam President, your Honours,
12 counsel opposite. For the Defence are myself, Terry Munyard, and
13 Morris Anyah. Madam President, I asked the Court yesterday to
14 sit without the witness so that we could deal with a means

09:29:04 15 whereby I can put to this witness something that another
16 protected witness has said. I think that a procedure was adopted
17 by Mr Griffiths in relation to the last witness whereby a formula
18 was used along the lines of putting to the present witness
19 another witness has said that so and so did this, or did that,
09:29:33 20 and that is how I would propose dealing with anything that I
21 might quote to this witness from another protected witness. I
22 don't know if the Court wishes to hear me any further on that,
23 but that's the way I would propose dealing with it.

24 PRESIDING JUDGE: Yes. Ms Hollis, you may recall this
09:29:56 25 procedure as suggested by Justice Sebutinde. Have you any
26 comment on Mr Munyard's proposals?

27 MS HOLLIS: We think that would be an appropriate
28 procedure.

29 PRESIDING JUDGE: Thank you.

1 MR MUNYARD: I'm grateful to my learned friend and can I,
2 while I'm on my feet, make one clarification. I raised with this
3 witness, as I do with many, the question of whether or not he's
4 ever sworn a statement; made a declaration that the contents of a
09:30:29 5 statement are true. He said that he had and you will remember me
6 yesterday saying, "I'll be corrected if I'm wrong" - in fact, I
7 think I went further than that. I think I said, "I'm quite
8 confident that you haven't." In fact, I turn out to be wrong.

9 As far as I can tell, uniquely with this witness of fact,
09:30:54 10 he did at some stage look at some of the interviews that had been
11 conducted with him - and I'm talking some years later - and made
12 a declaration of truth in relation to those interviews. It would
13 appear that at the end of May 2007 he was shown interviews for
14 five dates and he signed to say that the contents of them were
09:31:53 15 true to the best of his knowledge and belief.

16 So I certainly would like that to be on record, that I was
17 wrong when I put to the witness yesterday that we'd not been
18 supplied with such a declaration. In fact, it was tucked - it's
19 entirely my fault. It was tucked in the back of a bundle - a
09:32:19 20 file - that contained documentary exhibits and we haven't
21 actually used any documentary exhibits with this witness.

22 It was my oversight and for that I apologise, and I can
23 certainly indicate to my learned friend opposite that I don't
24 think that she has any need to search any further unless, of
09:32:39 25 course, the Prosecution think that since May of last year he's
26 been asked to review any of the other interviews that took place
27 and he has signed a similar declaration. I suspect not, because
28 I think we would have been supplied with that by now in any
29 event.

1 PRESIDING JUDGE: Thank you. Ms Hollis, you did say
2 yesterday you were going to check. You've heard Mr Munyard's
3 apology and his acknowledgment that there was a declaration in
4 relation to at least some of the interview records. Is there
09:33:15 5 anything you require to add?

6 MS HOLLIS: Yes, Madam President, and of course we did
7 check and Defence counsel is correct about the acknowledgment and
8 affirmation. That acknowledgment and affirmation was disclosed
9 to the Defence on 9 January this year. In addition to that,
09:33:37 10 however, the witness - and the question to the witness yesterday
11 was if he had signed statements and he said he had, and indeed
12 the witness had signed a number of statements and those signed
13 statements were disclosed to the Defence on 9 January as well.

14 PRESIDING JUDGE: Thank you. You have those signed
09:34:01 15 statements then, Mr Munyard? I appreciate a different question.
16 There's a distinction between signing and swearing.

17 MR MUNYARD: Yes, I don't know is the short answer. I
18 don't propose to pursue it. I accept what my learned friend
19 says. I don't know for the simple reason that I have filleted
09:34:20 20 out of my file no fewer than half a ring binder's worth of
21 duplicates, because we've been served with the same interviews
22 time and time again under different ERN numbers and for ease of
23 following our case manager very properly prepared a bundle for us
24 that consists of every disclosure relating to each witness. Now
09:34:48 25 that in this particular witness's case involved disclosure of
26 some 41 and 26 page documents two or three times and so I have
27 taken those out. I do have some statements --

28 PRESIDING JUDGE: But you're not challenging Ms Hollis.

29 MR MUNYARD: I'm not challenging at all.

1 PRESIDING JUDGE: Very well.

2 MR MUNYARD: I've got a statement - well, I have got an
3 interview record that relates to 2007 after the date that that
4 witness signed that declaration I mentioned and it has a
09:35:22 5 signature on the bottom which may or may not be the witness's,
6 but I'm not disputing what Ms Hollis says. I take her word.

7 PRESIDING JUDGE: Thank you. Well, the record has noted
8 the exchange and the proper situation concerning the declaration
9 by the witness. If there are no other matters I will ask that
09:35:42 10 the witness be brought in. I think it will be necessary in the
11 circumstances to have the other blinds lowered.

12 [In the presence of the witness]

13 Good morning, Mr Witness. We have dealt with a short
14 matter that doesn't directly relate to you, a procedural matter,
09:38:05 15 and I again remind you of your oath that you have sworn to tell
16 the truth, the oath is still binding upon you and you should
17 answer questions truthfully. I would also ask you to ensure that
18 you speak slowly enough for the interpreters and those writing
19 your evidence to be able to record it properly.

09:38:28 20 Mr Munyard, please proceed.

21 WITNESS: TF1-338 [On former oath]

22 CROSS-EXAMINATION BY MR MUNYARD: [Continued]

23 Q. Mr Witness, good morning. Yesterday when we broke off we
24 were looking at where the RUF got its arms and ammunition from
09:38:54 25 after ULIMO closed the border between Liberia and Sierra Leone
26 and we had just dealt with the obtaining of arms and ammunition
27 from Guinean troops, as well as arms and ammunition that you
28 captured from Sierra Leone Army supplies. Can I ask you then
29 about other sources of arms and ammunition. What about ULIMO,

1 did you ever obtain arms and ammunition from ULIMO?

2 A. Yes.

3 Q. Tell the Court what you obtained from ULIMO and when,
4 please.

09:39:57 5 A. That was in 1997 when the leader returned from Abidjan. He
6 came to Giema and gave some of the money to Sam Bockarie,
7 Mosquito. He said he should use that to purchase arms from
8 ULIMO. He said he heard that ULIMO are disarming and that they
9 had a large cache of arms with them, so he went in to get the
09:40:27 10 ammunition from ULIMO and I too took part in that.

11 Q. You say that was 1997. Are you aware of Sam Bockarie going
12 to meet members of ULIMO in 1996 and obtaining or negotiating to
13 buy arms from them then?

14 A. I remember when Sam Bockarie went to meet ULIMO, the ULIMO
09:41:00 15 people in Foya, to negotiate for arms and ammunition, but I don't
16 recall the particular time that he went there, but I recall that
17 he went to Foya to negotiate for arms and ammunition with ULIMO.

18 Q. And do you know who he went with?

19 A. He went with some RUF members. I recall the names of few,
09:41:33 20 but not all.

21 Q. Right. Can you help us with the names you remember,
22 please?

23 A. He went with number one myself, the witness speaking here;
24 he went with one Kennedy; he went with one Lion; and he also went
09:41:58 25 with one Sam Kolléh. He went with some other people too, but
26 whose names I cannot remember now.

27 Q. And do you know who it was from ULIMO that he met and got
28 arms and ammunition from?

29 A. Well I recall two of them, but the names they used to call

1 to us were war names. The one was called Farrah Aidid and the
2 other was called Musa Sidi bay, called Jungle.

3 JUDGE SEBUTINDE: Mr Interpreter, we didn't hear a word you
4 said. Who was called Jungle? Mr Witness --

09:43:03 5 THE INTERPRETER: Your Honours, maybe the witness was
6 referring to somebody he had named initially.

7 JUDGE SEBUTINDE: Mr Witness, could you please repeat the
8 names that you just named.

9 THE WITNESS: One was Farrah Aidid, the other one was
09:43:21 10 called Musa Sidi bay, alias Jungle.

11 MR MUNYARD:

12 Q. Did you ever know someone called Varmuyan Sherif?

13 A. I did not see him with my eyes, but I heard about him.

14 PRESIDING JUDGE: Mr Munyard, before we move away too far
09:43:52 15 from that, have you any record of the spelling of the two names
16 given by the witness on your record?

17 MR MUNYARD: I have a record, your Honour, from Prosecution
18 papers of the name of Musa Sidi bay, M-U-S-A, and then new word,
19 S-I-D-I-B-A-Y.

09:44:19 20 JUDGE SEBUTINDE: And Aidid, is that correctly spelt
21 I-D-E-E-D?

22 MR MUNYARD: Your Honour, I'm afraid it's not for me to say
23 whether a name that is foreign to me is correctly spelt or not,
24 I'm afraid. I simply don't know. I go on papers that are
09:44:40 25 supplied to us. Sometimes they have different spellings of the
26 same name, as is very common. No criticism of anybody.

27 JUDGE SEBUTINDE: Mr Witness, do you know how to spell
28 Ai di d?

29 THE WITNESS: [No interpretation]

1 JUDGE SEBUTINDE: Mr Interpreter, can you assist?

2 THE INTERPRETER: Your Honours, that name seems to me to be
3 the name of a former President of Somalia. I can't recall the
4 correct spelling of Aidi d.

09:45:15 5 JUDGE SEBUTINDE: Then we will go with what's on the
6 record, thank you.

7 MR MUNYARD:

8 Q. Let's stay with Varmuyan Sherif for a moment. What did you
9 hear about him?

09:45:30 10 A. Well, what I heard was that there was somebody who was a
11 member of ULIMO-K who was called Varmuyan Sherif and that he was
12 based in Voinjama. I heard about that, around '96 - the end of
13 '96 going to '97.

14 Q. On all these trips that you made to Monrovia in 2000, 2001
09:46:04 15 and 2002, did you ever hear anything about Varmuyan Sherif then?

16 A. No.

17 Q. Are you sure about that?

18 A. Yes.

19 Q. I'm going to come to it in due course, but you have given
09:46:30 20 evidence about RUF fighters assisting the Liberian government
21 fighters to defeat the LURD. You remember talking about that?

22 A. I recall that I said that.

23 Q. And you were very actively involved in that, weren't you?

24 A. Yes.

09:47:02 25 Q. In fact, weren't you stationed in Foya from about January
26 to November of 2001?

27 A. Yes.

28 Q. And what was the purpose of you being stationed there?

29 A. I was stationed --

1 MS HOLLIS: Your Honour, I have some concern about the
2 details that are going to be brought out. This was information
3 that was brought out in private session previously because of the
4 character of the information that it would identify this witness.

09:47:44 5 MR MUNYARD: I understand my learned friend's concern. Can
6 I, at the moment, restrict myself to very general terms and not
7 get specific with what this witness was doing individually and
8 then see. If we are going to get to a point where it might
9 identify him, either myself, or my learned friend, or the Court
09:48:07 10 can intervene at that point.

11 PRESIDING JUDGE: Very well then. Proceed, Mr Munyard, but
12 bear in mind the concerns.

13 JUDGE SEBUTINDE: Mr Munyard, could I suggest something
14 along the lines of what you discussed earlier before the witness
09:48:21 15 came in. There is a way to refer to that past testimony by
16 referring to a person, generally a person, or, "He told us that
17 one person went and was in this place", without revealing that it
18 was the witness. I don't know if you catch my drift.

19 MR MUNYARD: I think I understand what your Honour is
09:48:48 20 saying. I think at the moment I can be general enough. I'm
21 dealing with the LURD at the moment and figures in that, rather
22 than details of this witness's personal involvement at particular
23 role, if I can put it in that way. Would your Honours give me
24 just a moment to take instructions?

09:49:39 25 Just so that the Court understands, Mr Taylor doesn't have
26 a problem with us going into private session, but obviously if
27 we're dealing in general terms then the basic proposition that
28 justice should be public and open justice clearly prevails.

29 PRESIDING JUDGE: Indeed, so we will continue on and be

1 vigilant on matters of security.

2 MR MUNYARD: Yes, I will, your Honour:

3 Q. I'm really interested in the activities of the LURD just at
4 the moment. Now were the LURD active in and around Foya between
09:50:20 5 January and November of 2001?

6 A. The LURD was not active around Foya in particular between
7 2001.

8 Q. But was it active in Lofa County?

9 A. Yes.

09:50:48 10 Q. In that period?

11 A. Yes.

12 Q. Was the LURD getting support from the Government of Guinea?

13 A. Well I wouldn't know who and who were getting support from
14 the Guinean government, but they crossed through Guinea.

09:51:15 15 Q. And weren't RUF fighters and Liberian fighters sent into
16 Guinea because the LURD were being supported from within Guinea?

17 A. It was because LURD crossed from the Guinean side, that was
18 the reason why the RUF and NPFL fighters went there, but I did
19 not know who got support from Guinea.

09:51:56 20 Q. Would it be the job of an intelligence officer to try to
21 find out where the opposition forces were getting their support
22 from?

23 A. That was

24 [Redacted]

09:52:29 25 about where LURD was getting supply from to fight against
26 the NPFL.

27 Q. Who was the head of the LURD in 2001?

28 A. We heard about Mosquito Spray.

29 Q. Did you hear about a commander called Cobra?

1 A. Amongst the LURD, no.

2 Q. Among anybody?

3 A. Well, I heard about one Cobra in Vahun who was with
4 ULIMO-K.

09:53:21 5 Q. And he was the brother of Varmuyan Sherif, wasn't he?

6 A. I wouldn't know. I don't understand much about that.

7 Q. You never heard --

8 MS HOLLIS: Your Honours, excuse me for interrupting, but
9 if I may rise at this time and ask for a redaction of three

09:53:45 10 words. On my screen it is page 11, line 8, and it starts "That
11 was not my job". It would be the three words following that I
12 think would be a sufficient redaction and I would request that
13 that be done.

14 PRESIDING JUDGE: Mr Munyard?

09:54:06 15 MR MUNYARD: My immediate reaction when I heard him say
16 that was that it was rather vague, it didn't indicate whether it
17 was his job or whether it wasn't and so I wasn't too troubled by
18 that, but I leave it entirely to the Court.

19 [Trial Chamber conferred]

09:54:38 20 PRESIDING JUDGE: We will direct a redaction of the three
21 words. On my font they're at page 11, line 3. If there is any
22 difficulty in identifying them, please inform us. Continue,
23 Mr Munyard.

24 Mr Witness, I can just remind you again that you have to
09:55:11 25 think of your own security. This is being broadcast and so take
26 care in some of your answers. If you have any reservations you
27 may seek directions.

28 THE WITNESS: Okay.

29 PRESIDING JUDGE: Mr Munyard.

1 MR MUNYARD:

2 Q. In your trips to Monrovia did you ever hear of what
3 Varmuyan Sherif was now doing, that's in the years 2000 to 2002?

4 A. No.

09:55:53 5 Q. Apart from knowing about Mosquito Spray as the head of the
6 LURD, do you know the names of any of their other commanders?

7 A. I don't know the names of the other commanders. It was
8 Varmuyan - I mean, Mosquito Spray that I knew about.

9 Q. But it's right, isn't it, that you spent a fair amount of
09:56:24 10 your time involved in the fight against the LURD? Is that not
11 right?

12 A. I spent a long time there, yes.

13 Q. And the only name that you can give us in relation to the
14 LURD is Mosquito Spray. Is that what you're telling us?

09:56:52 15 A. That is what I am trying to tell the Court.

16 Q. I want to move on to another potential source of materials
17 and that is Ukrainians. Did the RUF ever get any materials from
18 Ukrainians?

19 A. No.

09:57:44 20 Q. Are you quite sure about that?

21 A. I'm quite sure.

22 Q. What about the period when they had joined forces with the
23 AFRC and were part of the junta that was in power for nine months
24 between 1997 and 1998?

09:58:09 25 A. The AFRC got arms and ammunition from the Ukrainians.

26 Q. And how did they get these arms and ammunition from the
27 Ukrainians?

28 A. They got it through Magburaka. There was a town there
29 called Mayoroh. They constructed an airstrip there. That was

1 where they came and dropped them.

2 MR MUNYARD: I can offer a spelling to the Court taken from
3 Prosecution papers, but it is a phonetic spelling and so it may
4 not be entirely right. The town of Mayoroh I have a spelling

09:59:02 5 M-A-Y-O-H-R-I-E:

6 Q. So tell us what the Ukrainians supplied and how did they
7 supply it?

8 A. They supplied GMG rounds. They supplied G3 rounds. They
9 supplied grenades, stick grenades. It had a long handle that had
10 a stick on it and the bottom of it was black, iron black. They
11 supplied AK-47 rounds. The aircraft came but did not land on the
12 field, so it just came down a bit and then dropped the items and
13 left. They said that was because of ECOMOG raid.

14 Q. Who were these Ukrainians that were supplying the RUF/AFRC
10:00:24 15 junta?

16 A. I cannot tell who the Ukrainians were, but they brought the
17 materials.

18 Q. How do you know that these materials came from Ukrainians?

19 A. That was something that was discussed in one of the
10:00:53 20 meetings when Johnny Paul broadcast that they got help from the
21 Ukrainians. They said they first tried to send the things by
22 sea, but the ECOMOG jets disturbed them and so they decided to
23 return. So later they decided to bring it by air to the airstrip
24 at Mayoroh, around Magburaka.

10:01:32 25 Q. Were you present when you were told that Johnny Paul - let
26 me rephrase that, sorry. You said Johnny Paul broadcast that
27 they got help from the Ukrainians. Did you hear the broadcast by
28 Johnny Paul?

29 A. I heard it, but he did not broadcast it over radio. He

1 called a meeting and it was during the meeting that he broadcast
2 that. It was not over the radio.

3 JUDGE SEBUTINDE: Could we have a spelling of this
4 airstrip? I don't think --

10:02:10 5 MR MUNYARD: Does your Honour mean Magburaka, or Mayoroh?

6 JUDGE SEBUTINDE: Mayoroh.

7 MR MUNYARD: I spelled Mayoroh for you.

8 THE WITNESS: Mayoroh.

9 MR MUNYARD: It may be best to get the spelling from the
10 witness.

11 JUDGE SEBUTINDE: Mr Witness, can you spell that word for
12 us, please?

13 THE WITNESS: I don't know how to spell Mayoroh.

14 JUDGE SEBUTINDE: Mr Interpreter, can you assist?

10:02:42 15 THE INTERPRETER: Yes, your Honours.

16 JUDGE SEBUTINDE: Thank you.

17 THE INTERPRETER: M-A-R-O-Y-O-H - M-A-Y-O-R-O-H, sorry.

18 MR MUNYARD: Very well, thank you:

19 Q. Now where was it that Johnny Paul broadcast the fact that
10:03:22 20 this material had come from Ukrainians?

21 A. He convened a meeting at the State House. At first we were
22 to hold the meeting at Cockerill, but because of the ECOMOG
23 disturbance - the jet disturbance - we transferred the meeting at
24 the State House and so it was during that meeting that he said
10:03:44 25 it.

26 Q. And who was present at this meeting when Johnny Paul said
27 these arms had come from Ukrainians?

28 A. It was from the AFRC side and Johnny Paul who shared - who
29 chaired the meeting. Amongst there we had Gullit, we had Abu

1 Sankoh, alias Zagalo, we had Five-Five and from the RUF side I,
2 the witness speaking here, Eldred Collins, Sam Bockarie, alias
3 Mosquito, Issa Sesay, Morris Kallon, Superman, Mike Lamin. We
4 were many present in the meeting anyway.

10:04:33 5 Q. Are you able to help us with a year and time of year when
6 this meeting was held?

7 A. It was in 1997, at the end of 1997, but I cannot recall the
8 actual month.

9 Q. How long after the air drop did Johnny Paul hold this
10:05:11 10 meeting and tell you that these materials had come from
11 Ukrainians?

12 A. The meeting was not held after the air drop. The meeting
13 was held before the air drop.

14 Q. How long before?

10:05:33 15 A. It took almost a month. Almost a month I want to believe.

16 Q. Were you present at the airfield when the plane dropped
17 these materials?

18 A. When it was dropping them I was not present at the
19 airfield.

10:06:00 20 Q. So how do you know that the plane didn't land?

21 A. We went there at first at night and we waited for a while,
22 but it did not come at that time and then we returned to Makeni
23 to pass the night there. Then it came - it came at night, but
24 before we left Makeni to reach there the plane had already left,
10:06:26 25 but the people who were there to supervise the incident told us
26 that in fact the plane did not land. It only dropped the items
27 and then left, but of course we met the materials there on the
28 field.

29 Q. How many of you met the materials there on the field,

1 roughly?

2 A. Roughly, I went with Issa Sesay, myself, the witness and
3 together with Issa Sesay's bodyguards and Morris Kallon and his
4 own bodyguards.

10:07:07 5 Q. Was Mike Lamin there?

6 A. Mike Lamin was supposed to be there that night.

7 Q. And was he in fact there?

8 A. He was there. He was there.

9 Q. Actually at the airfield?

10:07:39 10 A. All of us went there the first time, but we returned to
11 Makeni and slept there. But the time it came now it was midnight
12 and so I did not actually try to make a search for him to know
13 whether he was there, but he was with us in Magburaka the first
14 time we went to receive the materials.

10:08:07 15 Q. Are you quite sure about that?

16 A. I'm sure of what I'm telling you.

17 Q. Just so that we're clear, what you're saying is that you
18 all set off to Magburaka to meet that plane, but it didn't arrive
19 and so you spent the night at Makeni. Is that correct?

10:08:30 20 A. All of us arrived in Magburaka at the first instance to
21 wait for the aircraft, but the aircraft did not come because we
22 were there between 8 to 9 but we did not see the aircraft, so we
23 went back to Makeni. We were in Makeni when we overheard the
24 sound of the aircraft and we decided to move from Makeni to come
10:08:56 25 to the place, but before we got there it had left.

26 Q. And do we understand that the group of you who arrived in
27 Magburaka at the first instance did include Mike Lamin, but you
28 can't now remember if he came to the airfield after you heard the
29 sound of the aircraft in Makeni?

1 A. The group that we came with from Makeni to receive the
2 aircraft, Mike Lamin was not amongst us. He was amongst the
3 first group that had left initially for the first time to go and
4 wait for the aircraft, so when we came there we met him. He was
10:09:42 5 present at Mayoroh.

6 Q. And do you know from anything that you were told from where
7 this aircraft had come?

8 A. I did not know anything else. What they told me was that
9 they said the ones who brought the aircraft were Ukrainians.
10:10:07 10 They said they were Ukrainians.

11 Q. Did anyone tell you that the aircraft had come from Burkina
12 Faso?

13 A. Nobody told me about Burkina Faso with regards the coming
14 of that aircraft.

10:10:36 15 Q. So nobody told you where the aircraft had come from, simply
16 that it was bringing supplies from Ukrainians. Is that right?

17 A. Yes.

18 Q. Did the RUF/AFRC junta receive supplies by air from Burkina
19 Faso?

10:11:00 20 A. I did not witness that. Not a day did I witness that kind
21 of thing.

22 Q. Was there any particular reason why Issa Sesay went to meet
23 the aircraft that dropped the materials at Magburaka?

24 A. Yes, there was a particular reason for that.

10:11:57 25 Q. And what was that?

26 A. The reason was that he deputised Sam Bockarie, alias
27 Mosquito, during the days of the AFRC. He had already moved from
28 Freetown to come to Mayoroh to see about the aircraft, so when
29 the aircraft came to drop those items we immediately moved from

1 Makeni to come to the location.

2 Q. Was there any plan for Issa Sesay to go anywhere else once
3 the aircraft had arrived?

10:12:50

4 A. I did not know about any other plans that he had to go to
5 somewhere else where the aircraft was to reach.

6 Q. I want to ask you specifically was it intended originally
7 that Issa Sesay would go back on board the aircraft to get more
8 supplies?

9 A. No, I did not hear about such a plan.

10:13:23

10 MR MUNYARD: I think we will now have to go briefly into
11 private session for me to conclude this particular aspect of my
12 cross-examination.

13 PRESIDING JUDGE: Ms Hollis, may I take it you have no
14 objection to that?

10:13:35

15 MS HOLLIS: No objection, Madam President.

16 PRESIDING JUDGE: If you could assist. For those members
17 of the public or monitors that are in the public gallery, the
18 next part of the evidence will be adduced in private session for
19 reasons of security of the witness.

10:13:58

20 Mr Witness, the next part of the evidence that will be
21 given by you will be in private session so no-one outside can
22 hear and there will be nothing on public record. It will just be
23 within the court. Do you understand?

24 THE WITNESS: Yes, okay, sir.

10:14:29

25 [At this point in the proceedings, a portion of
26 the transcript, pages 15289 to 15292, was
27 extracted and sealed under separate cover, as
28 the proceeding was heard in private
29 session.]

1 [Open session]

2 MS IRURA: We are now in open session.

3 MR MUNYARD:

10:21:53

4 Q. Now this air drop from the Ukrainians, who was it who
5 arranged for the Ukrainians to bring arms to the RUF/AFRC junta?

6 A. They did not tell me about who made the arrangement, but
7 Johnny Paul told us that he got supplies from the Ukrainians.

10:22:31

8 Q. Well, was a man called Ibrahim Bah involved in negotiating
9 between the RUF/AFRC junta and the Ukrainians as a kind of middle
10 man arms dealer?

11 A. I knew about General Ibrahim Bah when he came at a point in
12 time at the time the AFRC was in power for him to negotiate with
13 Johnny Paul as to how he would help Johnny Paul to get arms, but
14 he was not there --

10:22:56

15 THE INTERPRETER: Your Honours, could the witness kindly
16 repeat that last bit of his evidence.

17 PRESIDING JUDGE: Mr Witness, the interpreter did not hear
18 you clearly. Please pick up your answer and repeat from where
19 you said, "... but he was not there". Continue from that.

10:23:13

20 THE WITNESS: He was not present during the first meeting
21 that we held at Cockerill, but later General Ibrahim also came
22 and he held another meeting at Johnny Paul's lodge at Spur Road.

23 THE INTERPRETER: Your Honours, the interpreter has checked
24 the spelling of Aided through the internet.

10:23:35

25 PRESIDING JUDGE: Very good, Mr Interpreter.

26 THE INTERPRETER: It's A-I-D-I-D, Aided.

27 PRESIDING JUDGE: Thank you for that.

28 MR MUNYARD: It's very helpful, but it's slightly thrown me
29 off course.

1 PRESIDING JUDGE: You were dealing with Mr Ibrahim Bah.

2 MR MUNYARD: Yes, thank you:

3 Q. Can we get back, please, to Ibrahim Bah. Ibrahim Bah was a
4 kind of arms dealer helping out the AFRC/RUF junta, wasn't he?

10:24:14 5 A. Yes.

6 Q. Was he also involved with supplying the AFRC/RUF junta with
7 Ukrainian mercenaries?

8 A. No, he was not involved in that.

9 Q. Are you quite sure about that?

10:24:39 10 A. I'm sure about it.

11 Q. Was he involved in diamond dealing, either directly or as a
12 middle man?

13 A. He was not involved in mining as a middle man, or that even
14 - he did not even mine for diamonds on his own, not at all.

10:25:18 15 Q. Have you ever told the Prosecution that Ibrahim Bah was
16 involved with the Ukrainian mercenaries?

17 A. I have told the Prosecution about that.

18 Q. What did you tell them?

19 A. I told them that we held a meeting at Cockerill regarding
10:25:47 20 the Ukrainian mercenaries who were to bring ammunition and later
21 when General Ibrahim arrived I told them that General Ibrahim
22 came and held a meeting regarding how to obtain arms for the AFRC
23 and the RUF. I told them that the meeting held by General
24 Ibrahim I was not present in that meeting, but they later
10:26:11 25 explained to me - Eldred Collins explained to me about how
26 General Ibrahim came to negotiate about how he would be able to
27 help the RUF/AFRC to obtain arms. That was what I told them.

28 Q. So you never told them that Ibrahim Bah was involved with
29 the Ukrainian mercenaries, simply that he came to negotiate about

1 arms?

2 A. In the AFRC I did not tell them about that, but I told them
3 once that General Ibrahim was involved with Ukrainian mercenaries
4 with the RUF.

10:27:24 5 Q. Right. So you're now agreeing that General Ibrahim was
6 involved with Ukrainian mercenaries, but that was only to assist
7 the RUF and not the junta?

8 A. Yes.

9 Q. So help the Court with when it was that Ibrahim Bah was
10:27:47 10 involved with the Ukrainian mercenaries and what did he do in
11 relation to them?

12 A. In 1998, after we had moved from Freetown, the last meeting
13 in December held for us to go and capture Kono, Mosquito called a
14 meeting at Buedu around the Waterworks. It was during that
10:28:16 15 meeting that I saw General Ibrahim and that was the time Mosquito
16 said that it was General Ibrahim who helped him to pass through
17 Charles Taylor to go to Blaise Compaore in Burkina Faso to get
18 materials and bring them and that General Ibrahim would come and
19 assist us to be able to get more materials from the Ukrainians if
10:28:41 20 we allowed them to come and help us fight to capture Kono, so
21 that was how I made mention about General Ibrahim.

22 Q. Getting materials from Ukrainians is different from getting
23 Ukrainian mercenaries to work for you, isn't it?

24 A. He said - I would want to explain that. He said, "When
10:29:20 25 they come to help us they will later concentrate on mining, but
26 at the same time they will be helping us with materials", so the
27 mercenaries were to come and help us fight to capture Kono and
28 whilst they would be there mining they would be supplying us with
29 materials fighting.

1 Q. Well, let's just have a look at that then. Ibrahim Bah
2 said that mercenaries would come to help you fight to capture
3 Kono and they would be mining and supplying you with materials,
4 so the Ukrainian mercenaries were going to fight with you, they
10:30:06 5 were going to mine with you and they were going to supply you
6 with materials. Is that what you're now saying?

7 A. They will come in the first place to assist us to fight,
8 capture Kono, if we allowed them, and later after the capture of
9 Kono they will continue with their mining and whilst we would be
10:30:31 10 fighting they would continue giving us supply of arms and
11 ammunition that we needed to fight.

12 Q. Have you any idea who these Ukrainians were that General
13 Ibrahim Bah was going to supply to assist you in all these ways?

14 A. I hadn't any idea about that.

10:30:59 15 Q. Did you know of any organisation that they worked for?

16 A. I didn't know any organisation that General Ibrahim was
17 working for.

18 Q. I meant the Ukrainians.

19 A. I didn't know any organisation that the Ukrainians worked
10:31:22 20 for.

21 Q. Have you heard of any mercenary groups such as Executive
22 Outcomes?

23 A. I heard about them from 1995. That was when I starting
24 hearing about the Executive Outcomes.

10:31:45 25 Q. And do you know if Executive Outcomes employed Ukrainian
26 mercenaries amongst their mercenary staff?

27 A. No, no, I didn't know about that.

28 Q. This meeting that you say Ibrahim Bah was at in 1998, had
29 you any idea then whether he was working for anybody in

1 particular?

2 A. I didn't have any idea if he was working for anybody and he
3 did not say that in the meeting.

4 Q. And is that the only time you saw him?

10:32:35 5 A. I saw him from 1996 in Zogoda.

6 Q. What was he doing in 1996 in Zogoda?

7 A. In 1996 in Zogoda I saw him. He came together with Faya
8 Musa and a Ghanaian doctor, Simbo [phon], and another Bah. He
9 said he was a Guinean Special Forces. They came and held talks
10 with the leader, but at that time the leader did not allow us to
11 be with them while the talks were going on.

12 Q. And was it your understanding that Ibrahim Bah had come to
13 Zogoda in 1996 to sell arms - sell materials - to the RUF?

14 A. That was not my understanding because I did not see him
10:33:50 15 with arms.

16 Q. Did you have any idea at all why he'd come to Zogoda in
17 1996?

18 A. Later I got an idea why Ibrahim had come to Zogoda. That
19 was later in Zogoda.

10:34:11 20 Q. And why was it, according to the idea that you got?

21 A. According to the idea that I got, he came to discuss how
22 the RUF leader would be able to get materials while he was there
23 and at the same time to encourage General Bah - that was the
24 other General Bah, the short one, the Guinean Special Forces - to
10:34:37 25 encourage him to be with us so we would be acquainted with each
26 other, because he had to use RUF fighters to go to Guinea. At
27 the same time he came with Dr Simbo for Dr Simbo to be with us,
28 he said, because Dr Simbo had a mission in Ghana.

29 Q. It may be me, but I think we've lapsed into a second

1 General Bah here. Are you saying there is more than one Ibrahim
2 Bah?

3 PRESIDING JUDGE: The witness originally said - if I recall
4 he said another Bah, who he subsequently said was a short one who
10:35:20 5 was with the Guinean Special Forces, and that was in an answer at
6 page 29, line 9.

7 MR MUNYARD: Yes, he called him General Bah, your Honour,
8 on my typeface:

9 Q. Are you saying that there are two General Bahs?

10:35:40 10 A. There were two General Bahs who came at that time, 1996, to
11 Zogoda.

12 Q. Are they both arms dealers?

13 A. No, there was one who was General Ibrahim Bah. He was a
14 Gambian. He was the arms dealer. The other short Ibrahim Bah
10:36:02 15 was a Guinean who only came to get acquainted with RUF boys in
16 Zogoda because he was later to use them after the RUF struggle.

17 Q. Mr Witness, I have been asking you about Ibrahim Bah and
18 only about Ibrahim Bah. Is it Ibrahim Bah who came to Zogoda in
19 1996 that you later found out was to try to get materials for the
10:36:31 20 RUF?

21 A. That was the General Ibrahim Bah, the Gambian. He was the
22 one who went to Zogoda in 1996, but when he was going to Zogoda
23 in 1996 he went with another set of people: Dr Simbo, who was
24 Ghani an; and another Ibrahim Bah, but he was a Guinean and he too
10:36:53 25 was a general; and Faya Musa.

26 Q. I'm not interested in the other one. I'm only asking you
27 about the Gambian, as you call him, General Ibrahim Bah, the arms
28 dealer. Do you understand?

29 A. Yes.

1 Q. And you would describe him as a go-between and an arms
2 dealer, wouldn't you?

3 A. Yes.

4 Q. A man who would make money from selling arms to absolutely
10:37:28 5 any side in any war. Is that how you saw him?

6 A. Well I didn't know if he did so in any other place where
7 there was war, but that was what I saw during the AFRC/RUF time.

8 MR MUNYARD: Thank you. Would your Honours give me just a
9 moment:

10:38:35 10 Q. During your time in the RUF, right from 1991 and all the
11 way through until the RUF disbanded and became a political party,
12 would you agree that there was persistent infighting within the
13 organisation?

14 A. Infighting occurred. It occurred in the organisation, but
10:39:05 15 it did not continue.

16 Q. When you say it did not continue, are you saying that it
17 occurred at an early stage but then didn't continue after that?

18 A. It occurred during the early stages and at the end as well
19 it happened, but not that it went on all throughout the
10:39:34 20 revolution, that's what I was saying, because there were times we
21 would have infighting for one, two, three or four months and it
22 will stop.

23 Q. It may be that I'm not making myself clear. When I say
24 infighting I don't just mean actual fighters getting engaged in
10:39:56 25 combat with one another. I mean disagreements within the command
26 structure of the RUF. Do you follow?

27 A. Yes, that continued. It did.

28 Q. All the way through the entire existence of the RUF?

29 A. Yes, that happened.

1 Q. And was there anyone in particular that Issa Sesay did not
2 get on with within the command structure of the RUF?

3 A. Yes.

4 Q. Who was that?

10:40:51 5 A. General - sorry, Superman. Denis Mingo.

6 Q. And why did Issa Sesay not get on with Superman?

7 A. Because of the command structure and the other one was
8 because of diamonds.

9 Q. What was the problem with the command structure that caused
10:41:21 10 this rift between Issa Sesay and Superman?

11 A. Issa Sesay and Superman had a conflict about the command
12 structure. There was a Rambo called Boston Flomo. Superman
13 thought that he was more senior than him, but then Issa forced
14 him to take command from Flomo and so Superman did not accept

10:41:54 15 that, so there was that problem between them.

16 Q. When did that start?

17 A. That started in 1999.

18 Q. And are you saying that until 1999 Issa Sesay and Superman
19 got on perfectly well, or not?

10:42:26 20 A. Well, from what time are you referring to?

21 Q. From the beginning of the RUF until 1999 are you saying
22 that those two got on perfectly well, or not?

23 A. From the beginning of 1991 they were not operating in the
24 same wing and they were not together.

10:42:55 25 Q. All right. Between '91 and '99 did Superman have problems
26 with others in the RUF command structure?

27 A. He had a problem with Mosquito, Sam Bockarie, in the
28 command structure.

29 Q. And did Superman disobey orders from Sam Bockarie?

1 A. Yes, he disobeyed orders from Sam Bockarie.

2 Q. And did that cause problems within the whole of the
3 structure of the RUF?

4 A. It caused a big problem within the RUF structure.

10:43:54 5 Q. During what period of time are we talking about?

6 A. It caused a problem in 1992 to 1993. It caused a problem
7 from the end of 1997 to 1998 right up to 1999.

8 Q. Was Superman suspected of stealing RUF property?

9 A. Yes.

10:44:38 10 Q. And what was that property?

11 A. One was money, that was in 1997, and the other was
12 diamonds. That occurred in 1998.

13 Q. And how much money did Superman steal?

14 A. They gave him the money for RUF and he did not present it
10:45:13 15 and that was nine million leones. It was given to him by Johnny
16 Paul for the RUF and so that created a problem between him and
17 Sam Bockarie and the others. And between 1998 to 1999, when they
18 went to Kurubonla, Mosqui to accused him that he had a diamond and
19 he wanted to escape with that diamond to Guinea. He invited him,
10:45:39 20 but he did not respond to the call.

21 Q. Was this 1998 or 1999, the business with the diamond?

22 A. At the end of '98 to '99, when they went to Kurubonla.

23 Q. And did he steal the diamonds, or were they restored to the
24 RUF?

10:46:26 25 A. He did not steal diamonds from the RUF budget, but he was
26 accused of being in possession of diamonds and that he wanted to
27 escape with the diamonds.

28 Q. After that incident, did the RUF high command continue to
29 distrust Superman?

1 A. It continued. After that incident they continued to
2 distrust him. They hadn't any trust in him.

3 Q. Was Superman subsequently suspected of working with
4 American agents?

10:47:21 5 A. In the RUF he was not suspected.

6 Q. Was he suspected by anybody of working with the United
7 States?

8 A. Yes.

9 Q. Did you believe that he had contact with the American
10:47:56 10 government?

11 A. I did not believe that, but I heard somebody telling him
12 that Superman was accused of having a contact with the American
13 government.

14 Q. Well, have you ever told the Prosecution that Superman had
10:48:21 15 contact with the American government to betray Charles Taylor to
16 join the LURD rebels?

17 A. I explained to them that way.

18 Q. Who told you that Superman had contact with the American
19 government to betray Charles Taylor to join the LURD rebels?

10:48:53 20 A. The national security director for Charles Taylor, who was
21 Unit 50 called Benjamin Yeaten.

22 Q. And did Issa Sesay think that Superman was in contact with
23 the American government?

24 A. When he got that information he trusted it.

10:49:27 25 PRESIDING JUDGE: I don't really understand that answer,
26 Mr Munyard.

27 MR MUNYARD: I thought I did, but I'll get the witness to
28 explain:

29 Q. When Issa Sesay got that information he believed it, did

1 he?

2 A. Yes, he believed it.

3 Q. And you believed it also, didn't you?

4 A. Well, I did not believe it.

10:50:01 5 Q. You didn't disbelieve it either, did you?

6 A. I did not believe that information.

7 Q. So why did you tell the Prosecution that Superman contacted
8 the American government to betray Charles Taylor to join the LURD
9 rebels?

10:50:33 10 A. The Prosecution met me and obtained statement from me about
11 what I knew about the RUF and that's why I explained that to
12 them.

13 Q. Do you agree that you told the Prosecution that Superman
14 contacted the American government to betray Charles Taylor to
10:51:03 15 join the LURD rebels?

16 A. I told the Prosecution that Benjamin Yeaten told us that
17 Superman went to the American embassy to have contact with the
18 American government to betray Charles Taylor.

19 Q. I'm going to move on now, please, to diamonds. Actually, I
10:51:58 20 think diamonds is probably dealt with compendiously. I'll deal
21 with another completely discrete matter before I get on to
22 diamonds. I want to ask you who the RUF was fighting after the
23 Lomé Peace Accord was signed in 1999. Now do you remember the
24 Lomé Peace Accord being signed in 1999?

10:52:28 25 A. I remember when the Lomé peace agreement was signed in
26 1999.

27 Q. Are you able to help us with when in '99 that was?

28 A. I cannot tell you when that happened in 1999, but in 1999
29 we got an information that the leader had travelled to Lomé.

1 Q. And signed a peace accord with the Kabbah government, yes?

2 A. Yes.

3 Q. And were the AFRC, or Sierra Leone Army remnants of the
4 AFRC, involved in signing that peace accord?

10:53:28 5 A. Later some went to him in Lomé, but I didn't know whether
6 they had already met the agreement signed, or they were there
7 when the agreement was signed.

8 Q. Do you know what the reaction of the remainder of the AFRC
9 was to the signing of the Lomé Peace Accord by Foday Sankoh and
10:53:59 10 the Kabbah government?

11 A. The remaining AFRC government where, because there were
12 two? There was one set with us and the other one was at the West
13 Side. I don't know which one you're referring to.

14 Q. Either. They are no longer in government. I'm talking
10:54:27 15 about the AFRC - the people who had been in the junta as part of
16 the AFRC. Do you know what their reaction was to the RUF and the
17 Kabbah government signing the Lomé Accord?

18 A. I cannot tell their reaction.

19 Q. Well, did you never hear that the AFRC were very unhappy
10:54:58 20 about the Lomé Peace Accord when it was first signed?

21 A. I did not hear that. It's not to my knowledge.

22 Q. Are you hearing that for the first time today?

23 A. From you, yes.

24 Q. I don't want you to tell us what your role was, what your
10:55:27 25 position was, but we are talking about 1999. Are you saying that
26 through none of your contacts with the command structure of the
27 RUF you heard anything at all about the reaction of the AFRC to
28 Foday Sankoh and the Kabbah government signing the Lomé Accord?

29 A. I did not hear that at all.

1 Q. And again please don't say anything about your role, but
2 are you saying that you received no intelligence at all about the
3 reaction of the AFRC to Lomé?

4 A. The intelligence information I got was that it was the AFRC
10:56:27 5 who established the contact between the Kabbah government and
6 Foday Sankoh. That was the information that I got.

7 Q. After the Lomé Accord was signed, did the RUF get involved
8 in any armed conflict in Sierra Leone at any stage with anybody?

9 A. Yes.

10:56:56 10 Q. Tell us who they got into conflict with and then where and
11 then when?

12 A. They had a conflict among themselves. That was Superman,
13 Gibril Massaquoi and Gullit on the one hand, Issa, Boston Flomo
14 and Mosquito on the other hand. That was how the infighting was.

10:57:26 15 Q. Apart from the infighting, did the RUF get involved in any
16 armed conflict with any other group after the signing of the Lomé
17 Accord as far as you're aware?

18 A. Yes, I was in Freetown once when a message was sent that
19 RUF had attacked the United Nations peacekeepers in Makeni and
10:57:54 20 they had been arrested.

21 Q. Was that the RUF or was that a faction of the RUF? And if
22 you want me to explain faction, please let me know.

23 A. Please explain better.

24 Q. Was it the RUF as a body - as an organisation - or was it
10:58:17 25 just a group of people who happened to belong to the RUF who
26 seized the peacekeepers?

27 A. It was just a group of people who were part of the RUF.

28 Q. And are those the peacekeepers whose release was negotiated
29 by President Taylor that you told us about yesterday?

1 A. Yes, they were.

2 Q. Was there any other incident that you can think of after
3 the signing of Lomé where the RUF were engaged in armed conflict
4 with any group in Sierra Leone?

10:59:05 5 A. Yes, they were engaged in a fighting with the Kamajors in
6 the Kono axis.

7 Q. Who started that?

8 A. The Kamajors starting attacking the RUF position in Kono.

9 Q. Were the Kamajors part of the - were they a militia
10:59:34 10 connected with the Government of Sierra Leone? At the time we're
11 talking about, I mean.

12 A. Yes, yes.

13 Q. And how long did that fighting go on before it came to an
14 end?

10:59:58 15 A. It took a long time. That was why the disarmament went on
16 in Kono.

17 Q. When did it start and how long did it continue?

18 A. It started in 2001, at the end of 2001 to 2002, and it
19 continued to some time in 2002 when the disarmament actually
11:00:29 20 started in Kono.

21 Q. And when in 2002 did the disarmament actually start in
22 Kono?

23 A. I cannot be specific on any date because I don't know.

24 Q. Can you remember in 2002 hearing the President announce
11:00:57 25 that the civil war in Sierra Leone was officially at an end?

26 A. I did not hear that announcement that the President made.

27 Q. Did you never listen to Focus on Africa on the BBC in 2002
28 and hear words to that effect?

29 A. I used to listen to the BBC daybreak Focus on Africa, but I

1 don't believe and I cannot remember listening to that particular
2 speech.

3 Q. Let us just be clear then that at the end of 2001 to some
4 time in 2002 the Kamajors, a militia connected with the
11:01:53 5 government, attacked RUF troops in Kono and the RUF troops
6 defended themselves by fighting back. Is that what you're
7 telling us?

8 A. That's what I'm telling you, yes.

9 Q. Apart from that, was the RUF engaged in armed conflict with
11:02:16 10 any other group in any other part of Sierra Leone after the
11 signing of the Lomé Peace Accord?

12 A. Yes, it happened again the UNAMSILs and the pro-government
13 forces who were - who attacked the leader at his lodge in
14 Freetown.

11:02:44 15 Q. You're talking about the one day incident on 8 May 2000, is
16 that right?

17 A. That's what I'm talking about and that one continued as far
18 as to Lunsar.

19 Q. Yes, I wanted to ask you about Lunsar. Tell us what you
11:03:06 20 mean by "that one continued as far as Lunsar"?

21 A. When the people attacked the leader's residence at Spur
22 Road in Freetown we tried to escape with the leader into the
23 bush, but we could not escape with him to Makeni. So they
24 thought we had the leader with us going to Makeni and so they
11:03:33 25 were attacking us to Waterloo right up to Masiaka and Billow
26 [sic] Junction, so the attack continued right up to when we went
27 to Lunsar.

28 THE INTERPRETER: Your Honours, the interpreter would like
29 to make a correction. Instead of billow it was Gberi Junction,

1 G-B-E-R-I.

2 MR MUNYARD:

3 Q. Let us understand what you're saying about this. On 8 May
4 there is an incident in Spur Road at Foday Sankoh's house as a
11:04:11 5 result of which shots are fired and you and some other people
6 flee from there and end up at Lunsar, is that right?

7 A. Yes.

8 Q. Government forces are trying to arrest those responsible -
9 those who they believe to be responsible - for firing on the
11:04:34 10 crowd at Spur Road on 8 May, is that right?

11 A. Maybe they tried to arrest them, but that was not to my
12 knowledge that government troops wanted to arrest those who were
13 firing arms.

14 Q. People thought that the leader had escaped together with
11:04:58 15 you and some of your colleagues to Lunsar, is that right?

16 A. People thought that he had jumped into the bush to go to
17 Makeni.

18 Q. Jumped into the bush together with you and some of your
19 colleagues, yes?

11:05:21 20 A. Yes, with Foday Sankoh.

21 Q. And you and your colleagues were pursued by government
22 forces as far as Lunsar, is that right?

23 A. Yes.

24 Q. And how long was it before you got from Spur Road to
11:05:42 25 Lunsar?

26 A. We spent five days in the bush from Spur Road - between
27 four and five days from Spur Road to Lunsar and when we got there
28 it took about some weeks before the fighting got to Lunsar
29 because they were after us.

1 Q. And when you say "after us", how many of you are "us"?

2 A. When I said "we", that is myself, Gibriil Massaquoi,
3 Superman and some other men who were on the ground.

4 Q. Give us a rough idea of the numbers, please?

11:06:36 5 A. We were up to 13 to 15, I believe.

6 Q. So up to about 15 of you are pursued to Lunsar and then
7 what happens when the government troops get to Lunsar where you
8 are?

9 A. We had arrived in Makeni first, that's what I'm telling
11:07:03 10 you, when the government troops started fighting. Because we
11 were many in the bush, but our batch - the first batch - we got
12 first to that place before they got to Lunsar even.

13 Q. What happens at Lunsar?

14 A. There was a serious fighting between the government forces
11:07:26 15 and the UNAMSIL on one hand and the RUF/AFRC forces who were
16 there on the other hand.

17 Q. And how many RUF/AFRC forces are there there?

18 A. There were many, because it was a large group. Superman
19 moved with that group. They were many.

11:07:49 20 Q. And this whole incident was an effort by the government and
21 the United Nations troops to capture those responsible for what
22 had gone on in Spur Road on 8 May. That's right, isn't it?

23 A. Well I wouldn't know if it was to capture the men, but it
24 led - it was because of the attack at Spur Road. That's why
11:08:21 25 those men were chased.

26 Q. Thank you. As far as you are concerned the RUF did nothing
27 wrong at Spur Road, is that right?

28 A. It is correct that we who were at Spur Road did not do
29 anything wrong to the government.

1 Q. But mayhem broke out and you and your colleagues escaped,
2 correct?

3 A. Yes.

4 Q. And eventually government troops and United Nations troops
11:08:59 5 caught up with you at Lunsar and there was some fighting there
6 and then the whole incident was brought to an end, yes?

7 A. Yes.

8 Q. So, as far as you're concerned, this was not an attack by
9 the RUF on 8 May. This was an incident in which you were wrongly
11:09:25 10 accused of - you being the RUF high command. You were wrongly
11 accused of starting something and you ran away and got as far as
12 Lunsar?

13 A. We did not start it and we were not accused of beginning -
14 starting anything. It was the pro-government forces who started
11:09:49 15 the demonstration and they started the attack. We did not start
16 it and we did not do it even.

17 Q. And how did it all end at Lunsar? Were some of your
18 colleagues arrested at Lunsar?

19 A. They were not able to arrest anybody in Lunsar, but when we
11:10:17 20 repelled the attack we were able to capture one of the soldiers.

21 Q. And was eventually a ceasefire agreed between all parties
22 involved in the Lunsar incident?

23 A. They agreed on a ceasefire when Opande intervened. He
24 spoke to Issa and they agreed on a ceasefire.

11:10:46 25 Q. Thank you. And is it right that after that the RUF was not
26 involved in any armed conflict with any group in Sierra Leone?

27 A. After that Lunsar attack they were involved in the Kamajor
28 fighting, when the Kamajors starting fighting around the Kono
29 axis.

1 Q. I'm sorry to interrupt you. We've already dealt with the
2 Kono business. Apart from Kono, which you've already talked
3 about, the RUF being attacked by the Kamajors, after Lunsar up to
4 the Kono incident the RUF was not involved in any armed conflict
11:11:31 5 in Sierra Leone with any other group, yes?

6 A. In Sierra Leone, yes.

7 Q. So from the middle of May of 2000, with the exception of
8 you being attacked by Kamajors at the end of 2001 or beginning of
9 2002, the RUF wasn't involved in any armed conflict in Sierra
11:12:10 10 Leone. That's a fair summary, is it not?

11 A. Please repeat.

12 Q. I would be right to summarise your account, would I, by
13 saying that from the middle of May 2000, when the Lunsar
14 ceasefire is negotiated, right up to the beginning of 2002, the
11:12:38 15 RUF is not involved in any armed conflict in Sierra Leone apart
16 from when they were attacked by Kamajors in Kono around the
17 beginning of 2002?

18 A. In Sierra Leone, no.

19 Q. Right. I now want to move on to diamonds, please. When do
11:13:07 20 you say the RUF first controlled any diamond fields?

21 A. We started controlling diamond fields, that is Kono, in
22 '92.

23 Q. When in 1992 and for how long?

24 A. At the end of 1992 to 1993 we spent three weeks there.

11:13:38 25 JUDGE SEBUTINDE: Mr Munyard, sorry to take you back, but
26 I'm trying to process the answer to your - to two questions ago
27 that I see on the record. You were asking the witness if you are
28 right in your summary and his answer is "no". I don't know if
29 he's saying, "No, you are wrong", or "no" to the proposition that

1 you made.

2 MR MUNYARD: I see the point. It's another of those
3 classic questions followed by an answer that could mean either
4 the negative or the positive.

11:14:09 5 JUDGE SEBUTINDE: Absolutely.

6 MR MUNYARD: I have to say, in the light of all of his
7 evidence, I'd interpreted that "no" to mean no they were not
8 involved in armed conflict in Sierra Leone and that's reinforced
9 by him saying "In Sierra Leone, no", but if you wish me to
10 clarify it I certainly will. Can I do that very briefly now:

11 Q. Mr Witness, just go back for a moment, please. Do you
12 agree that from the end of the Lunsar incident right up to
13 disarmament, apart from when you were attacked - your forces were
14 attacked by the Kamajors - do you agree that the RUF was not
15 involved in any armed conflict inside Sierra Leone?

16 A. The RUF was involved in an armed conflict, that is between
17 the Kamajors and the RUF, and that was from the end of 2001 to
18 2002. Around January to February it stopped finally.

19 Q. That apart, were there any other armed conflicts they were
20 involved in in Sierra Leone during the period we're talking
21 about?

22 A. During that time they were not involved in any other armed
23 conflict.

24 MR MUNYARD: Thank you. Can I enquire of Justice Sebutinde
25 does that satisfy you what the "no" meant in answer to the
26 earlier question?

27 JUDGE SEBUTINDE: Yes, it does. Thank you.

28 MR MUNYARD: Thank you:

29 Q. Back to diamonds now, please. I'm just getting the

1 reference. End of '92 to '93 you spent three weeks in the
2 diamond fields in Kono. When was the next time the RUF
3 controlled any diamond fields anywhere?

4 A. We controlled diamond fields in 1999 - sorry, 1998. The
11:16:24 5 end of 1998 to '99 we controlled Tongo.

6 Q. Tongo, as opposed to Kono?

7 A. What?

8 Q. You mean Tongo, not Kono?

9 A. Tongo and Kono. Tongo and Kono.

11:17:00 10 Q. In 1998?

11 A. The end of '98 to '99 up to 2002.

12 Q. Between those few weeks in '92/'93 and the end of 1998, as
13 far as you're aware were the RUF in control of any diamond fields
14 anywhere in Sierra Leone?

11:17:29 15 A. They were controlling a place called Sanda. That is in the
16 northern area.

17 Q. You're going to have to help us with that in a moment. I'm
18 going to ask you to look at a map. But apart from Sandor were
19 the RUF --

11:17:52 20 A. Sanda. Sanda.

21 Q. Sorry, I'm going from phonetics. Apart from Sanda, between
22 those few weeks in '92/'93 and the end of 1998 were the RUF in
23 control of any diamond fields anywhere else in Sierra Leone or
24 not?

11:18:18 25 A. To my knowledge they did not control Kono.

26 Q. They didn't control Kono between 1993 that you've been
27 telling us about and late 1998, yes?

28 A. They were not controlling between that. They would just go
29 there and attack and they would leave the place and they would go

1 to the surrounding, but they were not based in the Koidu Town
2 itself.

3 Q. Thank you. And so apart from Sanda they were not in
4 control of any diamond fields between '93 and the end of '98, do
11:19:11 5 you agree?

6 A. They were not in control of any diamond area. They would
7 just go and attack in the surroundings, but they did not control
8 the place fully as it was in '98 and '99. Not fully.

9 Q. Thank you. Where is Sanda? Can you tell us a big place
11:19:39 10 that it's near?

11 A. It is in the northern region after Makeni, around Kamakwie.

12 Q. Around Kamakwie?

13 A. Around Kamakwie.

14 Q. And help us with that diamond field. Is it a big diamond
11:20:05 15 field, or a small one, or what?

16 A. The field where the mining was done I did not go there, but
17 they used to get diamonds from there and the diamonds used to be
18 brought to Issa to Kono, Koidu Town.

19 Q. And when did the RUF control this particular diamond field
11:20:35 20 at Sanda?

21 A. It was '99 to the end of 2002.

22 Q. Right. So going back to the period between '93 and late
23 '98, if I understand you correctly you're now saying the RUF,
24 although they may have fought in diamond areas, never controlled
11:21:04 25 any diamond areas between '93 and late '98, is that right? Have
26 I understood you correctly?

27 A. They captured a diamond area but they were not based there,
28 not like it was in 1998 and 1999.

29 Q. No, I've been using the word "control" to mean they

1 actually had access to the diamond fields and any diamond
2 production that came out of them. Do you follow?

3 A. Between '93 to '98 they were not in control or to have
4 access to any diamonds there between '93 and '98.

11:21:54 5 Q. Thank you. And just so that we're clear, the '93 period is
6 a few weeks between '92 and '93 going by your earlier answer. Is
7 that correct? Have I understood you right?

8 A. To control Koidu Town, yes, '92, '93, few weeks.

9 Q. Now is it right that there was a period of time when the
11:22:34 10 two pile system operated in RUF controlled diamond mines?

11 A. Yes, there was a time in 2000 and 2001 to 2002, some months
12 in 2002.

13 Q. And is it right that civilians were not forced to mine at
14 that time?

11:23:14 15 A. The time I'm talking about some civilians were forced to
16 mine in the government pit, 2000, 2001 and part of 2002.

17 Q. Was there ever a time when the RUF ran diamond - controlled
18 diamond mines and did not force the civilians to mine in them?

19 A. That was the end of '92 to '93. When RUF controlled Koidu,
11:23:58 20 they did not force civilians to mine for them.

21 Q. And is this right, that when the two pile system operated
22 the civilians were not allowed to keep the larger diamonds that
23 they found, but they were allowed to keep the smaller ones?

24 A. In 2000/2001 civilians did not take part in the two pile
11:24:30 25 system, or the two pile mining. They were mining under the RUF
26 commanders and the RUF forces who were there. Civilians did not
27 take part in two pile system in 2000, 2001 and some part in 2002.

28 Q. Well, in that case I've misunderstood what the two pile
29 system was. Can you explain to the Court what you mean by the

1 two pile system?

2 A. The two pile system meant that one was for the miner and
3 the other one was for the government, the RUF/SL. That was what
4 was meant by the two pile system.

11:25:15 5 Q. And who were the miners as opposed to the government?

6 A. The miners, that was referring to - the government would
7 say for example that this particular area is a mining place, like
8 Tombodu, Number 11. Anybody who mined in that area was mining
9 for the government.

11:25:46 10 MR MUNYARD: Your Honour, I'm conscious of the time, but
11 I'm almost finished on this subject if I can just try and wrap it
12 up.

13 PRESIDING JUDGE: Yes, we have two minutes, Mr Munyard. I
14 must say that last answer is somewhat obscure.

11:26:00 15 MR MUNYARD: That's why I'm going to try and deal with it:

16 Q. Anyone who was mining was mining for the government, so how
17 did the two pile system operate if you actually know?

18 A. The two pile system operated, according to what I know,
19 when if you are an individual and you were supporting your own
20 miners. For instance when I was an RUF commander, if I had my
21 pit I will control my miners and I will support them. If I got
22 my gravel, I would divide it into two. One would be for me, the
23 commander, and the other one for the government. That is what
24 the two pile system meant. And there were pits that were opened

11:26:49 25 by the government, that were dug by the government, and that was
26 fully supported by Issa. He would give rice, food and other
27 things. He would force civilians from around to do the mining.
28 That was controlled by Peleto. He was the mining commander.

29 Q. But an RUF commander who was lucky enough would be able to

1 control his own miners and get some diamonds for himself, is that
2 what you're saying?

3 A. Yes, he will get diamonds for himself, but not the bigger
4 ones. They told them a particular number of carats that the RUF
11:27:31 5 commanders would have, but from 5 carats upwards those would go
6 to the government, but from 3 downwards the commanders would
7 control that. That would be theirs, because they were small
8 diamonds.

9 MR MUNYARD: I think we've run out of time. I've got one
11:27:50 10 more question, which I'll ask after the break, on this issue.

11 PRESIDING JUDGE: Thank you, Mr Munyard. Mr Witness, we
12 are now taking the mid-morning break. We will resume court at 12
13 o'clock. Please adjourn court until 12.

14 [Break taken at 11.30 a.m.]

11:57:06 15 [Upon resuming at 12.00 p.m.]

16 PRESIDING JUDGE: Please proceed.

17 MR MUNYARD: Thank you, Madam President:

18 Q. Mr Witness, one other matter, please, of a general nature
19 about diamond mining. We've been discussing the RUF's control of
11:59:42 20 diamond fields and I want to be absolutely clear that when I say
21 the RUF I mean either the RUF by itself, or for the nine months
22 when they were in the junta the RUF as part of the junta. Did
23 they control any diamond fields between 1993 and late 1998, I
24 think it was?

12:00:19 25 A. Yes, '97 towards '98 they controlled Kono, that is Koidu
26 Town, and they also controlled Tongo. That was during the
27 AFRC/RUF junta.

28 Q. And it's right, isn't it, that during the junta period the
29 two pile system was in place and civilians were not forced to

1 work in the mining pits then, were they?

2 A. Yes.

3 Q. Are you agreeing with me?

4 A. That, yes, the two pile system was in place for civilians
12:01:28 5 and the junta during the AFRC period.

6 Q. Would it be right to say that during that period civilians
7 were not forced to work in the mining fields?

8 A. During that time, yes, civilians were not forced in my own
9 area.

12:01:56 10 Q. And your area was what? Which area was your area?

11 A. I did not have an area. I said they did not force
12 civilians in my presence. I said in my presence, that I did not
13 witness it.

14 Q. Well, can you remember ever telling the Prosecution that
12:02:27 15 during the junta period the two pile system was in place and
16 civilians were not forced to work in the mining fields?

17 A. Yes, I remember telling the Prosecution that. I said
18 during the junta time, that is the AFRC time.

19 Q. And you were not limiting your remarks about the two pile
12:02:54 20 system and civilians not being forced to mine to that which you
21 personally observed. You were making a general comment, weren't
22 you?

23 A. Please repeat that question and explain to me what you mean
24 by "limit".

12:03:18 25 Q. Do you remember when it was that you told the Prosecution
26 that during the junta period civilians were not forced to work in
27 the mining pits?

28 A. It is in one of my statements, but I cannot recall the
29 exact time now because they took many statements from me.

1 Q. Was it recently, this year, or was it a long time before?

2 A. It was not this year. It was during the first or second
3 time that the statements were obtained from me.

4 Q. Now I'm going back to the question that wasn't sufficiently
12:04:11 5 clear for you. When you told the Prosecution that during the
6 junta period civilians were not forced to work in the mining
7 pits, you weren't saying to them then, "From what I saw with my
8 own eyes", were you? You were making a general statement,
9 weren't you?

12:04:35 10 A. Yes, I made a general statement to them. That was the time
11 they were obtaining statement from me.

12 Q. Thank you. Now I want to ask you about diamond dealers,
13 please. During the time that the RUF controlled diamond fields,
14 either themselves or as part of the junta, did diamond dealers
12:05:00 15 come regularly to the RUF or the junta to buy diamonds from those
16 two organisations?

17 A. Apart from the ones we met in Koidu Town, that is the
18 Lebanese, I did not witness any diamond dealers coming to the RUF
19 or the AFRC for diamonds - for that person to buy diamonds.

12:05:33 20 Q. I'm not just asking you what you witnessed. I'm asking you
21 what your knowledge was. Are you aware of diamond dealers coming
22 to either the RUF or the AFRC to buy and deal in diamonds?

23 A. What time are you referring to? What period?

24 Q. Any time when the RUF or the junta controlled diamond
12:06:04 25 fields?

26 A. The RUF time I knew diamond dealers were brought, like
27 Minie and Alpha Bravo that I had told you about.

28 Q. Your evidence was that you'd actually met both of those
29 men. I'm putting them on one side for the time being and I'm

1 asking you were you also aware of other diamond dealers who were
2 dealing with the RUF or the junta?

3 A. That's what I am telling you that I am not aware of anyone.

12:06:51

4 Q. Is that because you had very little to do with diamonds
5 yourself?

6 A. What do you mean by that?

7 Q. Apart from your own dealings with Minie and Alpha Bravo and
8 the other man that you mentioned, did you have any other dealings
9 with diamonds yourself?

12:07:19

10 A. I personally did not have anything to do with diamonds,
11 because I was not mining.

12 Q. When did you first meet Minie?

13 A. I met --

12:07:59

14 MS HOLLIS: Madam President, your Honours, I'm concerned
15 we're getting into areas that are specific to this particular
16 witness's role and may identify this witness.

17 PRESIDING JUDGE: Yes, Mr Munyard, you know your line of
18 questioning.

12:08:18

19 MR MUNYARD: I agree I'm asking him about his dealings with
20 Minie and if the Court feels that that might reveal his identity,
21 then clearly it would be appropriate to go into private session.

22 I don't at the moment think that I'm going to be touching on

23 anything so specific. When I get to something specific I

24 certainly will alert the Court, but again I leave these matters

12:08:41

25 entirely in the hands of the Court. I'm really concerned at the
26 moment to find out what he knows about Minie, rather than his own
27 direct dealings with him.

28 PRESIDING JUDGE: We will proceed on in open session, but
29 we bear in mind Ms Hollis's observation and Mr Munyard's

1 undertakings to deal with it if it arises.

2 MR MUNYARD: Thank you:

3 Q. What year did you meet Minie, I mean for the first time?

4 A. That was at the end of 2001.

12:09:38 5 Q. And is it right that you understood him to be Belgian?

6 A. He told me that he was a Belgian, but he spoke Krio and
7 English and he looked like a Lebanese and he told - but he told
8 me that he was based in Belgium and he had come from Belgium.

9 Q. So he looked Lebanese, but was based in Belgium. Did you
12:10:04 10 assume that because he was based in Belgium he must be a Belgian
11 national?

12 A. I will not assume that, but many people now claim
13 nationalities because of the war situations in the world. Maybe
14 he went there and he became a national of Belgium, but he told me
12:10:32 15 that he was a Belgium so that's why - and he told me as well that
16 he was based in Belgium, but he spoke Krio, so that's why I said
17 he was a Belgian.

18 Q. Alpha Bravo, please. Can you tell us when was the first
19 year that you met him?

12:10:53 20 A. I saw him in 2001, mid-2001, when Issa and I were going to
21 Monrovia. That's where I saw him.

22 PRESIDING JUDGE: Mr Witness, you wish to say something?

23 THE WITNESS: Yes.

24 PRESIDING JUDGE: Yes, Mr Witness?

12:11:19 25 THE WITNESS: These questions that the Defence judge or the
26 lawyer is asking are questions that when I explain in detail it
27 will reveal my identity. Anybody in the audience who is
28 listening would know that I am the one speaking.

29 MR MUNYARD: Madam President, at the moment I'm trying to

1 get a description of Alpha Bravo, who he was with and where he
2 was and that's all. If the Court feels it's appropriate for
3 private session, then I obviously will abide by that. I will go
4 into the details in due course and I'll certainly invite the
12:12:08 5 Court to go into private session then, but I'm getting a
6 description of these men and their activities at the moment.

7 [Trial Chamber conferred]

8 PRESIDING JUDGE: Mr Witness, you have heard what counsel
9 for the Defence has said, did you?

12:12:28 10 THE WITNESS: I did not get it clearly.

11 PRESIDING JUDGE: He says for the present moment he's only
12 asking for a description of the man referred to as Alpha Bravo
13 and when it comes to matters that could identify you he will
14 apply to go into private session. So this question you can
12:12:43 15 answer and then we will continue to review the situation.

16 THE WITNESS: I heard that, ma'am.

17 MR MUNYARD:

18 Q. Can you give us a description of what Alpha Bravo looks
19 like, please?

12:13:04 20 A. Alpha Bravo spoke English. He was tall and he was a white
21 man and he had some protruded tummy.

22 Q. What sort of age was he?

23 A. I cannot tell you his age, because he did not tell me his
24 age at that time.

12:13:36 25 Q. No, I'm asking you to make a judgment. You observed him.
26 Would you say he was in his 20s, 30s, 40s, 50s, or what?

27 A. He was somebody like you, somehow old, somehow like you,
28 but now I cannot guess your age. Even as I am here you will not
29 guess my age if I hadn't told you.

1 Q. I'm tempted to invite you to, but I won't. All right, so
2 let's try with his hair. First of all did he have any and, if he
3 did, what colour was it?

4 A. His hair is as grey as yours.

12:14:29 5 Q. I thought you were going to say that. Right, Alpha
6 Bravo --

7 PRESIDING JUDGE: I don't think it's necessary for me to
8 read anything into the record.

9 MR MUNYARD: No:

12:14:42 10 Q. Alpha Bravo was with another man whose name you have now
11 forgotten, is that right?

12 A. Yes.

13 Q. Sorry, just before we move on to the other man, what
14 nationality was Alpha Bravo?

12:15:03 15 A. He too told Issa, because he was speaking directly to Issa,
16 he said he was from Belgium. He came from Belgium, he Alpha
17 Bravo.

18 Q. He came from Belgium, but did he tell you what nationality
19 he was as opposed to what country he'd come from?

12:15:33 20 A. He did not tell me his nationality. I am telling you what
21 I heard from him. He said he had come from Belgium and he was
22 speaking English.

23 Q. Now you knew that Alpha Bravo could speak both English and
24 Krio. Sorry, so you knew that Minie could speak English and

12:15:56 25 Krio. Did you know whether or not Alpha Bravo could speak Krio?

26 A. Alpha Bravo never spoke Krio to me as Minie did. He only
27 spoke English.

28 Q. Did Alpha Bravo look Lebanese?

29 A. He was a typical white man. There was no semblance between

1 him and a Lebanese.

2 Q. The other man that he was with, tell us his description,
3 please?

12:16:39

4 A. He was tall, taller than Alpha Bravo, and slim, slimmer
5 than Alpha Bravo. He too was a white man with grey hair, but he
6 liked to cut his hair.

7 Q. You mean he had short hair?

8 A. The time I saw him he had short hair.

12:17:09

9 Q. Did you ever meet Minie and Alpha Bravo together? I just
10 want you to say yes or no to that?

11 A. No.

12 MR MUNYARD: Madam President, I would now like to go into
13 matters that may identify the witness and therefore I am assuming
14 we should go into private session.

12:17:30

15 PRESIDING JUDGE: Ms Hollis, I take it you will not be
16 objecting to that.

17 MS HOLLIS: We support that request, your Honour.

12:17:44

18 PRESIDING JUDGE: Thank you, Ms Hollis. We will go into
19 private session and for purposes of those members of the public
20 or monitors listening this is a private session because of
21 reasons of security of the witness. Persons in the public
22 gallery, if any, may see into the Court, but they will not be
23 able to hear.

12:18:02

24 [At this point in the proceedings, a portion of the
25 transcript, pages 15325 to 15404, was extracted and
26 sealed under separate cover, as the proceeding was
27 heard in private session.]

28 [Whereupon the hearing adjourned at 4.30 p.m. to be
29 reconvened on Thursday, 4 September 2008 at 9.30 a.m.]

I N D E X

WITNESSES FOR THE PROSECUTION:

TF1-338 15275

CROSS-EXAMINATION BY MR MUNYARD 15275