



Case No. SCSL-2003-01-T

THE PROSECUTOR OF
THE SPECIAL COURT
V.
CHARLES GHANKAY TAYLOR

MONDAY, 19 APRIL 2010
9.03 A.M.
TRIAL

TRIAL CHAMBER II

Before the Judges:

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

For Chambers:

Mr Artur Appazov

For the Registry:

Ms Rachel Irura
Ms Zainab Fofanah

For the Prosecution:

Ms Brenda J Hollis
Mr Nicholas Koumjian
Mr Mohamed A Bangura
Ms Maja Dimitrova

For the accused Charles Ghankay
Taylor:

Mr Courtenay Griffiths QC
Mr Terry Munyard
Ms Logan Hambrick

1 Monday, 19 April 2010

2 [Open session]

3 [The accused present]

4 [Upon commencing at 9.03 a.m.]

08:58:06 5 PRESIDING JUDGE: Good morning. We will take appearances
6 first, please.

7 MR KOUMJIAN: Good morning, Madam President. Good morning,
8 your Honours, counsel opposite. For the Prosecution this
9 morning, Brenda J Hollis, Mohamed A Bangura, Maja Dimitrova and
09:03:32 10 myself, Nicholas Koumjian.

11 MR GRIFFITHS: Good morning, Madam President, your Honours,
12 counsel opposite. For the Defence today myself, Courtenay
13 Griffiths, with me Ms Logan Hambri ck.

14 PRESIDING JUDGE: Yes, good morning, Mr Fayia.

09:03:50 15 THE WITNESS: Good morning, your Honour.

16 PRESIDING JUDGE: This morning you continue your testimony
17 with questions from the Prosecution. I just remind you of your
18 oath to tell the truth. Thank you.

19 Mr Koumjian, please proceed.

09:04:07 20 WITNESS: DCT-306 [On former oath]

21 CROSS-EXAMINATION BY MR KOUMJIAN:

22 Q. Good morning, Mr Fayia.

23 A. Good morning, counsel.

24 Q. Sir, do you remember - do you recall that on 14 April, last
09:04:20 25 week, the Defence counsel asked you if it was the intention of
26 the RUF to terrorise the civilian population and you laughed. Do
27 you remember that?

28 A. I do not remember lying.

29 Q. I said you laughed. Laughter?

1 A. Sorry. Yes, I did.

2 Q. And Defence counsel correctly told you that that is part of
3 the allegation in this case. Do you understand, sir, that count
4 1 of the charges is that the RUF and its allies, between 30
09:04:55 5 November 1996 and 18 July 2002, carried out a campaign to
6 terrorise the civilian population of Sierra Leone? Do you
7 understand that?

8 A. Yes, I do.

9 Q. Now, do you understand, sir, what the Defence position is
09:05:09 10 on those allegations? Perhaps we should look at the transcript,
11 if we could, of 13 July, page 24295, 2009. I am reading from
12 line 19. In this case the Defence set out its position in what's
13 called their opening session on 13 July and stated on line 19:

14 "Consequently, we" - that is, the Defence - "said this case
09:06:42 15 should not have been about what happened in Sierra Leone; there
16 was no issue about that."

17 An then going on to line 27 at the bottom of the page, the
18 Defence said:

19 "We consequently do not, and never have, taken issue with
09:07:00 20 the fact that terrible things, atrocities, were committed in
21 Sierra Leone. We've never done that. We still cannot therefore
22 understand why more than half of the witnesses called were
23 so-called crime-base witnesses to prove a fact not in dispute."

24 Now, Mr Fayia, do you understand that the - as counsel
09:07:26 25 correctly stated, the crime base - the allegation is that the RUF
26 carried out a campaign intentionally to terrorise the civilian
27 population, and the Defence has no dispute about that crime
28 base --

29 MR GRIFFITHS: Can I make it quite clear that whereas we

1 have never denied the commission of atrocities, we have never
2 accepted - and it was never my purpose, and Mr Koumjian is quite
3 deliberately and wickedly misstating what I said in opening. I
4 have never accepted that the RUF were engaged on a campaign of
09:08:04 5 terror against the civilian population. There is a difference.

6 PRESIDING JUDGE: Mr Koumjian, the passage that you have
7 read out to the witness, there is no indication, by any stretch
8 of imagination, of the word "RUF" or any other person being
9 addressed.

09:08:22 10 MR KOUMJIAN: Your Honour, what counsel --

11 PRESIDING JUDGE: Let me finish. I have listened to what
12 counsel has said. Based on the passage that you have cited, I
13 sustain the objection.

14 MR KOUMJIAN: Well, may I be heard? There's an objection.
09:08:36 15 May I be heard before your Honour rules?

16 PRESIDING JUDGE: I have ruled.

17 MR KOUMJIAN: Well, may I be heard? I understand you ruled
18 without me being heard. May I be heard?

19 PRESIDING JUDGE: You can be heard.

09:08:46 20 MR KOUMJIAN: Thank you. Your Honour, counsel has stated
21 in the opening statement - and he said it before that to this
22 Court - that the Defence accepts that the crimes - the crime base
23 was committed, and the only issue was the link of Charles Taylor
24 to the crimes. And counsel criticise in the passage I just read
09:09:05 25 the Prosecution for calling witnesses to prove the crime base,
26 which includes the clear intentional campaign of the RUF
27 throughout the time period of the indictment to carry out a
28 campaign of atrocities, of terror, against the civilian
29 population of Sierra Leone.

1 So how can the defence, on one hand, say why did the
2 Prosecution call so many witnesses? We have never disputed that,
3 We've never disputed anything but the link to Charles Taylor.
4 And then say - well, I guess they are entitled to change their
09:09:38 5 mind based upon the strength of the Prosecution linkage evidence
6 - but now say, We dispute that the RUF carried out a campaign of
7 terror?

8 PRESIDING JUDGE: Are you finished, Mr Koumjian?

9 MR KOUMJIAN: Yes, your Honour.

09:09:54 10 PRESIDING JUDGE: I will repeat my ruling. In the passage
11 that has been read and cited to the witness, there is no mention
12 of the word "RUF", and the objection is sustained to the question
13 that you have just asked.

14 MR KOUMJIAN:

09:10:06 15 Q. Mr Witness, you have added to the evidence of the 50 or so
16 crime-base witnesses that have come to this Court, and you
17 yourself know as well or better than anyone here about the
18 atrocities of the RUF. Isn't that true?

19 A. Yes.

09:10:23 20 Q. In fact, sir, you were present on the - first of all, on 12
21 April you tried to flee your town, Kailahun Town, because the
22 rebel ares were coming. Isn't that true?

23 A. Yes.

24 Q. And was that because you had heard of the killings in
09:10:41 25 Koindu and other places that the rebels had carried out?

26 A. Yes.

27 Q. You were afraid and so were all the people in Kailahun
28 Town, isn't that true?

29 A. All of us were afraid, yes.

1 Q. And, sir, because of your family, you were brave enough to
2 go back to the town and you were present when the RUF entered,
3 correct?

4 A. Yes.

09:11:08 5 Q. But most of the people had already left Kailahun Town;
6 isn't that true?

7 A. Yes.

8 Q. In that town on 13 April 1991 - in that town when the
9 rebels entered, there was no battle. The soldiers had fled
09:11:28 10 before the rebel forces arrived, correct?

11 A. I cannot tell, because they told us we should enter in our
12 houses and close the doors behind ourselves.

13 Q. You saw - sorry, did you finish? I'm sorry.

14 A. No. So I cannot tell whether there was a battle. But
09:11:42 15 there was - throughout the night there was - there was very heavy
16 gunfire until the morning, so I don't - I cannot tell whether
17 there was --

18 PRESIDING JUDGE: Now, Mr Fayia, you have started again
19 running.

09:11:52 20 THE WITNESS: Sorry.

21 PRESIDING JUDGE: Please slow down as you speak. I know
22 you naturally speak quickly or fast, but the transcribers can't
23 keep up with you.

24 THE WITNESS: Okay. There is no way I can tell whether
09:12:05 25 there was a battle between them or not. I mean, between the
26 government soldiers and the rebels because we did not see the
27 rebels before we were told to enter our houses. But what I know
28 is, there was very heavy gunfire from the hour we entered our
29 houses up until about 7 a.m. the following morning.

1 MR KOUMJIAN:

2 Q. In fact, sir, when you emerged from your houses, or you
3 were ordered out by rebels, is that correct?

4 A. Exactly, yes.

09:12:57 5 Q. And you learned that day or in the next few days about the
6 killing of three people that you knew?

7 A. Very well.

8 Q. Three civilians were murdered?

9 A. Yes.

09:13:06 10 Q. And the reasons they were killed is, you said, one was
11 drunk, is that right?

12 A. Yeah.

13 Q. One was an old man. What was his name again, who refused
14 to come out of his name?

09:13:16 15 A. Mr Gbessay Sundi fu.

16 Q. You called him the Pa before in your testimony, correct?
17 He was an older man?

18 A. Yeah, Pa Gbessay.

19 Q. Pa Gbessay refused to come out of his house and the rebels
09:13:30 20 killed him. Is that right?

21 A. That's what they said, yes.

22 Q. And there was another man who challenged them and they
23 killed him. Is that right?

24 A. Yes.

09:13:36 25 Q. Now did that send a message to all of you in the town that
26 you don't challenge these rebels or you will be killed? Did you
27 understand that?

28 A. We understood that very well. We did understand that very
29 well.

1 Q. So, sir, you experienced that fear that the people in
2 Kailahun felt before 13 April and on 13 April, correct?

3 A. Yes.

09:14:05 4 Q. In your own testimony, in your direct examination, you
5 talked about the incident at Giehun in Luawa Chiefdom. Is that
6 right?

7 A. Yes.

8 Q. And you very helpfully explained to us that there are many
9 Giehuns in Sierra Leone because it is a Mende word?

09:14:24 10 A. Exactly.

11 Q. It means something like the top of the hill. Is that
12 right?

13 A. Yes.

09:14:30 14 Q. And when you call it to identify it more particularly you
15 called it Luawa Yiehun?

16 A. Exactly.

17 Q. This incident involving Giehun in Luawa Chiefdom, you told
18 us that the first killing or one of the killings you talked about
19 was the killing of Jande, Foday Sankoh's concubine. Is that
09:14:53 20 correct?

21 A. Yes.

22 Q. And she was killed in a horrible manner. Isn't that right?

23 A. Indeed.

24 Q. Did you see that?

09:14:54 25 A. No, I did not see it, but they told us.

26 Q. The word spread quickly, correct?

27 A. Yes, it did.

28 Q. And did anyone who heard about that killing - do you think
29 anyone who heard about that was not frightened?

1 A. All of us were frightened.

2 Q. Tell us again how she was killed.

3 A. They boiled palm oil - Mosquito and others boiled palm oil,
4 according to what we heard from them - the boiled palm oil and

09:15:24 5 poured it between her legs.

6 Q. Until the boiling oil killed her by destroying her flesh.

7 Is that right?

8 A. Yes.

9 Q. Also in that incident involving Giehun, the man who you

09:15:37 10 said saved you in Kailahun Town in April '91, Kafai Wai, he was

11 killed, correct?

12 A. Yes, that was Kai fa Wai.

13 Q. Kafai Wai was killed by being decapitated?

14 A. Yes, he was.

09:15:53 15 Q. What did they do with his head?

16 A. They just put his head on the stick.

17 Q. And why do you think they put Kafai Wai's head on a stick?

18 A. Well, to continue to frighten us.

19 Q. To continue to make people feel terror against them,

09:16:12 20 correct?

21 A. Yes.

22 Q. In fact, in that incident in Luawa Chiefdom in Giehun, you

23 told us 350 people were killed. Isn't that right?

24 A. About that, yes.

09:16:26 25 Q. And the biggest killers organising that massacre were Sam

26 Bockarie and Issa Sesay, correct?

27 A. Yes.

28 Q. So, sir, another thing you told us about in your testimony

29 is that you were aware of Operation Stop Elections and you

1 yourself heard Foday Sankoh give an order to terrorise people by
2 cutting off their hands of those who went to vote. Isn't that
3 true?

4 A. Yes.

09:16:54 5 Q. Sir, what message do you think that sends when you amputate
6 the hand of someone? Do you think that causes terror in those
7 around them?

8 A. Yes, it does.

09:17:07 9 Q. In fact, would you agree with me that when you amputate a
10 person you cause more terror than even when you kill a person,
11 because the dead can be buried but those without hands are
12 walking around for everyone to see, for everyone to be reminded
13 this is what can happen to you. Would you agree with that?

14 A. Yes, I do.

09:17:23 15 Q. By the way, in that operation in Giehun, some people were
16 even buried alive. Isn't that true?

17 A. No, I don't remember that.

18 Q. Did you ever hear of Sam Bockarie burying alive the child
19 of two of the RUF radio operators --

09:17:41 20 A. No, no.

21 Q. -- in a ceremony?

22 A. No, I did not hear that.

23 Q. You also talked about your detention and you yourself bear
24 the scars of RUF torture, correct?

09:17:56 25 A. Yes, I do.

26 Q. They are still on your body. Isn't that right?

27 A. Yes.

28 Q. And did you feel fear during the time you were detained by
29 the RUF?

1 A. A lot of fear, yes.

2 Q. You told us the incident involving the Kailahun Town
3 massacre. Do you remember that?

4 A. Yes, I do.

09:18:10 5 Q. What date do you think that was approximately?

6 A. Repeat the question again.

7 Q. What date did that occur?

8 A. It occurred on 28 March 1998.

9 Q. Now you were in detention?

09:18:23 10 A. Yes.

11 Q. With close to 70 - 60 some civilians who were accused of
12 being Kamajors. Isn't that correct?

13 A. It's correct.

14 Q. And you were there that day when Sam Bockarie arrived from

09:18:36 15 Buedu, correct?

16 A. Yes.

17 Q. And he took some people out from the detention rooms. Is
18 that right?

19 A. Yes, it is.

09:18:43 20 Q. And he took them to a roundabout. Is that correct?

21 A. Yes.

22 Q. And that was in the centre of the town, correct?

23 A. Yeah.

24 Q. And there he started the executions. Is that right?

09:18:55 25 A. That was what they said, yeah.

26 Q. And, sir, those of you inside, you could hear it occurring,
27 correct?

28 A. Yeah, we could hear the gunshots.

29 Q. And they were coming to take people out after that in

1 groups of five, taking them out to be executed. Isn't that
2 right?

3 A. It is.

09:19:16

4 Q. Now I can't imagine, but you experienced it, so tell us
5 what was the feeling like inside those rooms of the people
6 waiting to see if they would be called out and be killed? What
7 was that like?

8 A. Once again, please.

09:19:34

9 Q. What was it like for those of you in the rooms, sitting
10 there waiting to know whether or not your name would be called
11 out?

12 A. We were more than half dead before we were told by someone
13 that the international community has pleaded on our behalf --

14 Q. So you --

09:19:51

15 A. -- not to be killed.

16 Q. And that was just you, the former members of the RUF, that
17 were not killed, correct?

18 A. Yeah.

09:20:00

19 Q. All the other civilians that were in detention there were
20 killed, correct?

21 A. Yes. I am saying that we were spared because the
22 international community had known us outside and they were saying
23 we should not be killed at all.

09:20:15

24 Q. So you were, and you would consider yourself, isn't it
25 true, a very, very lucky person?

26 A. Indeed.

27 Q. Those others from Kailahun were not so lucky?

28 A. At all.

29 Q. And some of them were sitting there waiting, crying,

1 hysterical, waiting to be called out to be killed, correct?

2 A. Yes.

3 Q. And even one of your fellow RUF intellectuals Mr Barrie
4 fainted from the fear, from the terror, correct?

09:20:40 5 A. Yes.

6 Q. He was paralysed for twenty minutes, you told us, correct?
7 Is that right?

8 A. Fainted. He fainted for 20.

9 Q. Thank you. Now, in that incident, you told us that someone
09:20:55 10 named Morrison was even ordered to kill his own father. Do you
11 remember that?

12 A. Yes, someone was ordered to kill his father, but he was not
13 called Morrison, but that's not important.

14 Q. What was he called? Do you recall his name?

09:21:11 15 A. No, I recall the man who was killed but not his son's name.

16 Q. The man who was called was Morrison?

17 A. Morie.

18 Q. How old was the boy?

19 A. The boy was about 24 years old.

09:21:24 20 Q. How do you think it affects someone to be ordered to kill
21 their own father?

22 A. It affects one very, very negatively. Even we who just saw
23 the killing got so affected. So those who did the killing,
24 especially the one who had to kill his own father, must have been
09:21:45 25 more devastated.

26 Q. So, sir, having experienced all of this and knowing what
27 was inflicted upon your fellow citizens of Sierra Leone, how can
28 you laugh at the allegation that you know to be true from your
29 experiences that the RUF carried out a campaign of terror against

1 the civilian population of Sierra Leone?

2 A. Counsellor Griffiths asked me about the intentions of the
3 RUF when they were planning the programme, that was exactly what
4 he asked me. I said that it couldn't have been the intention to
09:22:31 5 terrorise Sierra Leoneans when in fact Sankoh came and told us
6 that he had come to give us freedom.

7 Q. Well, sir - I'm sorry, complete your answer.

8 A. I was not there when the plan was made, but when he came,
9 when he came, that was what he told us. He told us that he had
09:23:11 10 come to give us freedom. And if you can remember, it was because
11 of these atrocities, especially the ones that happened after the
12 November 30 peace accord - it was because of them that some of us
13 left because they occurred in direct disagreement with the
14 Abidjan Peace Accord. As for the ones that happened inside, I
09:23:59 15 remember very well when Foday Sankoh came to Koindu --

16 PRESIDING JUDGE: Mr Witness, sorry to interrupt you. The
17 question that counsel asked you is why did you laugh at the
18 suggestion that the RUF committed these atrocities. Please
19 answer that question.

09:24:24 20 THE WITNESS: No, I did not laugh because of that. I
21 laughed because counsel said it was the intention of the RUF from
22 the initial stage to cause atrocities, and what I knew up until
23 when we signed the Abidjan Peace Accord was that that was not the
24 intention of the RUF. It is admitted that these things happened,
09:24:55 25 but to say that it was an intention of the RUF to commit those
26 atrocities, I did not see that, although I myself I suffered.

27 MR KOUMJIAN:

28 Q. Mr Witness, let me make one thing clear: It is not my
29 position that you intended this terror campaign. Do you

1 understand that?

2 A. Very well.

3 Q. And in fact you and the other members of the external
4 delegation, you were the group of the intelligentsia of the RUF
09:25:35 5 and the people most ideologically committed to a reasonable
6 programme, would you agree?

7 A. Yeah.

8 Q. And in fact it's because that you saw that the intention of
9 the RUF was not for peace but for war and to continue to
09:25:54 10 terrorise civilians in Sierra Leone, that you wanted to change
11 the leadership of the RUF. Isn't that true?

12 A. Exactly.

13 Q. Because when the Giehun massacre happened, when Jande was
14 killed, Foday Sankoh intended to kill her, didn't he?

09:26:11 15 A. Yes, I mean - yes, he intended to.

16 Q. And when Kai fa Wai, when he was decapitated and his head
17 was put on a stick, that was no accident. It was intentional,
18 wasn't it?

19 A. No, it was not. It was not an accident.

09:26:29 20 Q. And, sir, when Foday Sankoh ordered Operation Stop
21 Election, he knew very well and it was his intent to terrorise
22 people so they wouldn't vote, correct?

23 A. Yes.

24 Q. And that's why you wanted to change the leadership of the
09:26:46 25 RUF, correct?

26 A. Exactly.

27 Q. And those who carried out some of this terror campaign were
28 people like Issa Sesay and Sam Bockarie, correct?

29 A. Yes.

1 Q. And they did it willingly, don't you agree?

2 A. I do.

3 Q. In fact, Operation Stop Election, the biggest atrocities
4 were around Kenema in an operation led by Sam Bockarie; isn't
09:27:15 5 that true?

6 A. Yes, it's true.

7 Q. Who became the leader of the RUF when Foday Sankoh was
8 arrested? Who effectively was commanding the troops in Sierra
9 Leone?

09:27:26 10 A. When Foday Sankoh was arrested, that one I cannot really
11 tell because I was in incarceration.

12 Q. Mr Witness, at the end of the day on - I believe it was
13 Thursday when you finished giving your account of what happened
14 to you, you said that after being released you went to the Ivory
09:27:55 15 Coast and then on 31 December 2002 you went to Ghana. Do you
16 remember telling us about that? Do you remember telling us about
17 how, after you were released from detention you went to the Ivory
18 Coast, and then because of the war there, on 31 December 2002 you
19 went to Ghana?

09:28:14 20 A. Yes, I do.

21 Q. And then do you recall at that time Defence counsel asked
22 you if you had stayed in Ghana since that time?

23 A. Yes.

24 Q. And you didn't directly answer his question. The Presiding
09:28:26 25 Judge told you you weren't answering the question, and you
26 finally said, "Up to now my family is there." Do you recall
27 that?

28 A. Yes, I do.

29 Q. And the reason you said that is because in 2006 you went to

1 Liberia, correct?

2 A. 2006? No, no, no.

3 Q. Sir, did you go to Liberia since you have been in Ghana?

4 A. No, never been to Liberia.

09:28:50 5 Q. Since you have been to Ghana, you have never been to
6 Liberia up to today?

7 A. No, I have never been to Liberia up to today - no, sorry.
8 Sorry. I came to Liberia 2008 when I came to establish my NGO.
9 I have an NGO there called Beacon of Hope for the Least

09:29:14 10 Developed. It was not 2006. It was 2008.

11 PRESIDING JUDGE: Slowly, please. Can you repeat the name
12 of the NGO?

13 THE WITNESS: Beacon of Hope for the Least Developed.

14 MR KOUMJIAN:

09:29:27 15 Q. Sir, who funds Beacon of Hope NGO?

16 A. Beacon of Hope for the Least Developed has been developed
17 on the idea of creating jobs. We have no fund - funder, sorry.

18 Q. Sir, so you have no money in the NGO?

19 A. No, no money at all. In fact, we still have to pay rent
09:29:57 20 for the office.

21 Q. And, sir, are you are the director of this NGO?

22 A. No, I am just their consultant, everything - what we do,
23 every country - when we go to every country we establish there,
24 we put the nationals in charge. We just decided to establish one
09:30:16 25 in Freetown to put the nationals in charge. The country director
26 for Liberia is Musu Johnson.

27 Q. Can you slowly tell us the first name? And if you can,
28 spell it?

29 A. M-U-S-U Johnson. She is a country director.

1 Q. So, sir, when you were asked if you have been in Ghana
2 since 2002, actually the correct answer would be: No, you have
3 been to Liberia in 2008, correct?

09:30:59 4 A. The question he asked me was have you been in contact with
5 your people in Freetown? That was what he asked me. He did not
6 ask me about Liberia.

7 Q. The question was whether you had been in Ghana since 2002.

8 A. I was in Ghana since 2002. No, he was specific. He asked
9 me about Freetown, Sierra Leone. He asked me, Are you in contact
09:31:20 10 with your former colleagues in the external delegation? I said
11 no. But for Liberia, yes. 2008, September 29, I came there to
12 establish my NGO.

13 Q. In 2006 did you go to Liberia to do political work?

14 A. No, no. In 2006 I was in Ghana. That was the time I was
09:31:45 15 working for another organisation we had established.

16 Q. What was that called?

17 A. LGM. I and one Reverend Emmanuel Giddings. LGM.

18 Q. Does "LGM" stand for anything?

19 A. Yes, Liberia-Ghana Missions. It was a Christian-based
09:32:05 20 organisation.

21 Q. And sir, since you are a Sierra Leonean, why did you start
22 a mission called Liberia-Ghana Missions?

23 A. No, I did not start it. It was started by a Liberian. He
24 just called me to work with him.

09:32:19 25 PRESIDING JUDGE: What was the name of the reverend?

26 THE WITNESS: Reverend Emmanuel Giddings. He is a
27 Methodist reverend, UMC Liberia

28 MR KOUMJIAN:

29 Q. Is Giddings G-I-D-D --

1 A. -- I-N-G-S.

2 Q. Let's try not to - I know you were trying to help me, but
3 let's try not to speak at the same time. Sir, before - I think
4 before we go on and cover more on your evidence, it's important
09:32:47 5 to look at what it is based on your experiences that you can talk
6 about with reliable information and what it is that you are
7 talking about from what people told you or just from surmising
8 what happened from things you heard. So let's first review your
9 background. Were you ever a combatant?

09:33:14 10 A. No.

11 Q. Were you ever a military planner?

12 A. No, no.

13 Q. Were you - in the RUF, were you briefed by the high command
14 on military matters?

09:33:24 15 A. No.

16 Q. Sir, were you ever at the training camp in Naama?

17 A. No.

18 Q. Were you in the RUF before the invasion?

19 A. No.

09:33:36 20 Q. During the invasion in March 1991, were you in the RUF?

21 A. No, no, no, no.

22 Q. Were you ever involved in communications with the RUF, the
23 NPFL or the Liberian government?

24 A. When we completed our sentence in the bush in Buedu and we
09:34:07 25 were taken to Freetown, then we were taken to Abidjan, I remember
26 writing a letter, which was displayed here last week, to then
27 President Taylor of Liberia thanking him for the role he had
28 played in the peace process of Sierra Leone.

29 Q. My question wasn't clear, because we'll come back to the

1 letter. Were you involved in radio - as a trained person as part
2 of your job in communications --

3 A. No.

4 Q. -- for example, as a radio operator?

09:34:34 5 A. No.

6 Q. Sir, were you a person that was trusted by Foday Sankoh?

7 A. Yes, to some extent he trusted me. To some extent up to a
8 point.

9 Q. And beyond that point he did not, correct?

09:34:56 10 A. Yeah.

11 Q. Would you consider yourself his right-hand man?

12 A. At a point and up to a point.

13 Q. Well, what point were you his right-hand man?

14 A. When he allowed me to come out as a PRO was the time I saw
09:35:15 15 that he was considering me as his right-hand man.

16 Q. Well, sir, during that time he was telling you that he was
17 interested in peace, but you saw by his actions that that was
18 absolutely not his intention, correct?

19 A. Yes, that is why I was running.

09:35:30 20 Q. So he hid his true intentions from you, correct?

21 A. Yes, he did.

22 Q. And, sir --

23 PRESIDING JUDGE: Just excuse me. Mr Witness, what does
24 "PRO" stand for?

09:35:41 25 THE WITNESS: Public relations officer.

26 MR KOUMJIAN:

27 Q. And, sir, Foday Sankoh would say that the right hand -
28 excuse me. The left hand should not know what the right hand is
29 doing. That was one of his sayings; isn't that true?

1 A. Indeed, yes.

2 Q. So he kept information from different people, depending on
3 whether they needed to know that information to do what he wanted
4 them to do, correct?

09:36:07 5 A. That was what he did.

6 Q. And so for example, it was never your job to carry out
7 military operations, correct?

8 A. No, not at all.

9 Q. Was it ever your job to obtain weapons and ammunition for
09:36:21 10 the RUF?

11 A. No.

12 Q. So was there any reason why you would be briefed on weapons
13 and ammunition - efforts to obtain weapons and ammunition for the
14 RUF, was there a reason to let you in on those secrets?

09:36:33 15 A. Well, yes, there was one reason. Because when we ran out
16 of fighting materials - when they ran out of fighting materials,
17 I mean the RUF combatants, the option that was left to us was to
18 do some training at the Guinea-Sierra Leone crossing points.

19 Q. So you are saying you yourself, your only involvement in
09:37:02 20 arms and ammunition was you were asked to contribute to efforts
21 to trade commodities for ammunition at the Guinea trading points;
22 is that right?

23 A. Yes. He told our department to organise produce so that
24 the commandos can take it to the crossing points for ammunition.

09:37:23 25 Q. Now, sir, were you trusted by Sam Bockarie?

26 A. No, no, I was not.

27 Q. Were you trusted by Issa Sesay?

28 A. No.

29 Q. And, sir, you told us you were held in captivity, would it

1 be correct from March 1997 until the end of 1999 - late 1999?

2 A. August 1999. August.

3 Q. You were put on parole for a month and then you left the
4 country; is that correct?

09:37:52 5 A. Yes.

6 Q. Sir, our indictment starts the signing of the Abidjan
7 Accord, 30 November 1996, and it runs until 18 January 2002.
8 During that period, 30 November 1996 to 18 January 2002, for how
9 much of that time were you on Sierra Leone soil and not in
10 captivity, not in custody, or on parole?

09:38:19

11 A. Repeat the question again. It's long.

12 Q. During the period after the Abidjan Accord up to, let's
13 say - to make it easy, I will just say up to January 2002, okay?

14 A. Yeah.

09:38:41

15 Q. For how much of that time were you on Sierra Leone soil,
16 but not in captivity or on parole?

17 A. When the accord was signed November 30, 1996, I went to
18 Freetown in December - early December as a member of the CCP. I
19 was not in prison. We were in Freetown up to December 24. Then
20 we came back to Abidjan. In January I went back to Freetown, not
21 in prison at all, to continue our work as a CCP up until
22 January - sorry, up until February 1997 when we came to Abidjan
23 that same February. It was in March, that was the time I was in
24 Freetown without being prisoned.

09:39:15

25 Q. So basically, sir, for the time period of the indictment,
26 between December '96 and February '97 you were on Sierra Leone
27 soil within those three months for about two months?

09:39:58

28 A. Yeah.

29 Q. And that's the only time during the indictment period that

1 you were on Sierra Leone soil and not in captivity, correct?

2 A. Yeah.

3 Q. And during those two months you were in Freetown, which was
4 controlled at that time by the government - the elected

09:40:26 5 government of President Kabbah, correct?

6 A. Yeah.

7 Q. Now, sir, do you consider yourself a confidante of
8 Charles Taylor?

9 A. No, no.

09:40:38 10 Q. Did he ever share any secrets with you?

11 A. No.

12 Q. Sir, before the war came to Kailahun in 1991 you had been a
13 high school teacher; is that correct?

14 A. Yes.

09:41:01 15 Q. What did you teach? Was there any particular subject or
16 subjects?

17 A. Agriculture.

18 Q. And you were poorly paid; is that correct?

19 A. Yeah.

09:41:11 20 Q. It wasn't a position with a lot of status; would you agree
21 with that?

22 A. Yeah.

23 Q. Now, once the RUF came, you obtained a very important
24 position as the agriculture officer in charge of all agriculture

09:41:30 25 for the RUF, correct?

26 A. Yes.

27 Q. And later you were even named the spokesperson for the RUF;
28 is that correct?

29 A. Yes.

1 Q. In that position you would speak on the international
2 radio; your voice would be heard in countries all over the world,
3 correct?

4 A. Yes.

09:41:49 5 Q. You travelled internationally in that position, correct?

6 A. Yes.

7 Q. You met government officials, even foreign ministers, from
8 other countries, correct?

9 A. Yes.

09:42:01 10 Q. So, sir, would you agree that your time in the RUF was the
11 time when you had the highest and most responsible position that
12 you have held in your life?

13 A. Yes.

14 Q. Do you have any nostalgia for that time?

09:42:19 15 A. Again.

16 Q. Do you have any nostalgia for that time?

17 A. What do you mean by that?

18 Q. Thank you. Do you ever look back and say those days I was
19 important, those days people knew my name, people listened to me?

09:42:34 20 A. Yes, I do.

21 Q. Now, sir, you were the spokesperson for the RUF at the time
22 of the Operation Stop Elections, correct? You were the
23 spokesperson at the time of Operation Stop Elections, correct?

24 A. By then Mr Deen-Jalloh was the spokesperson, Ibrahim

09:42:57 25 Deen-Jalloh

26 Q. When did you stop being the spokesperson?

27 A. The two of us were spokesmen, myself and Mr Deen-Jalloh.

28 When I left, he took over from me. That's what I'm saying. When

29 I left he took over from me.

1 Q. When you left for where?

2 A. When I left for Zogoda to attend the meeting in which
3 Mr Sankoh made that statement.

09:43:25 4 Q. And that was the time that Mohamed Tarawalli spoke out
5 against Operation Stop Elections?

6 A. Yes, yes.

7 Q. And that was in about - the elections, just to help you,
8 sir, because you expressed in your direct you weren't quite sure
9 if you recalled the elections. Would it help you if I say that
09:43:40 10 there were two rounds of the presidential elections, one in
11 February and one in March 1996. Do you recall that?

12 A. Yeah.

13 Q. And, sir, when you went to Zogoda, was that before the
14 first round?

09:44:00 15 A. You said the second one was when?

16 Q. March.

17 A. 1996?

18 Q. Correct, sir.

19 A. Yeah, it was during the second round.

09:44:09 20 Q. So in March 1996 Mohamed Tarawalli expressed his opposition
21 to this inhumane campaign of amputating civilians because they
22 wanted to vote, correct?

23 A. Yes, however it wasn't Mohamed Tarawalli alone. All of us
24 were there. In fact, it was I who told Mohamed Tarawalli that -

09:44:33 25 because Mohamed Tarawalli was really not on the ground when the
26 instruction was given. It was I who told Mohamed Tarawalli, I
27 said, "You know what your chief has done again? He has just
28 given that kind of instruction to people who don't think twice,
29 who don't think properly." I said, "So let us talk to him

1 together, since you are the battle group commander and second in
2 command to him, he listens to you better."

3 Q. And Mohamed Tarawalli had the courage to speak to Foday
4 Sankoh and express his objection to that campaign, correct?

09:45:05 5 A. Yes, he did.

6 Q. And how long after that did Mohamed Tarawalli disappear?

7 A. Mohamed Tarawalli disappeared in 1996, we were told,
8 because I was in Abidjan.

9 Q. It wasn't long after he objected to Operation Stop
09:45:25 10 Elections that he disappeared supposedly in some kind of ambush,
11 correct?

12 A. Yeah.

13 Q. Sir, Mohamed Tarawalli was obviously a well known fighter,
14 he was a Special Forces, correct?

09:45:40 15 A. Yes.

16 Q. Number two in the RUF, correct?

17 A. Yes.

18 Q. And popular among some of the combatants, correct?

19 A. Yes.

09:45:47 20 Q. It would have been difficult for the internal politics for
21 Foday Sankoh to kill him directly openly, but it was very
22 convenient for him that Mohamed Tarawalli disappeared, wasn't it?

23 A. Yes. Because when Mohamed Tarawalli disappeared, we were
24 in Abidjan. They sent a radio message to him. When they sent

09:46:18 25 the radio message to him, he received the radio message. By then
26 Mohamed Tarawalli's girlfriend was --

27 PRESIDING JUDGE: Sorry, they sent a message to who?

28 THE WITNESS: To Foday Sankoh concerning the death of -
29 concerning the disappearance of Mohamed Tarawalli. When he

1 received the message, by then Mohamed Tarawalli's girlfriend was
2 staying in Abidjan in his house, in Foday Sankoh's house. The
3 girlfriend was called Jane Sandi. Then he turned around and
4 said, "You, I told you the other time that I want you to be with
09:47:05 5 me, you refused. Now the man is dead." That day I cried myself,
6 because Mohamed Tarawalli was someone I loved very much. He was
7 a very, very quiet and businesslike person.

8 MR KOUMJIAN:

9 Q. And he was replaced by the devil, correct?

09:47:31 10 A. Yes, he was. He was replaced by Mosquito.

11 Q. Mr Witness, do you recall who it was that sent the message
12 that Tarawalli had disappeared to Sankoh?

13 A. I don't know. It was a radio message.

14 Q. But do you know on behalf of which commander that was sent,
09:47:51 15 if it was sent on behalf of Sam Bockarie?

16 A. I don't know at all.

17 Q. Sir, Kailahun District had traditionally been an area that
18 opposed the APC government, correct?

19 A. Yeah.

09:48:10 20 Q. It could be considered one of the strongest opposition
21 areas in Sierra Leone, correct?

22 A. Yes.

23 Q. Now, sir, you told us that you heard Foday Sankoh on the
24 radio give a 90-day ultimatum to the government, to the Momoh
09:48:32 25 government, correct?

26 A. Yes, I do.

27 Q. When was it that he gave that ultimatum?

28 A. I don't remember when he gave it, but he did, just before
29 the attack.

1 Q. It wasn't 90 days before the attack, it was much less than
2 that, correct?

3 A. I said I don't really remember the exact date, but he gave
4 an ultimatum. He said, "I give you 90 days." That was what he
09:49:00 5 said. So the whole world is accustomed to calling it a 90-day
6 ultimatum.

7 Q. Sir, where did you hear this? On what kind of programme
8 did you hear this?

9 A. It was on BBC.

09:49:10 10 Q. Focus on Africa?

11 A. Yeah.

12 Q. Was Sankoh in the studios or was he speaking by phone, do
13 you know?

14 A. No, no, I don't know. I don't know.

09:49:21 15 Q. Do you know now sitting here today, do you know where he
16 was when made that broadcast?

17 A. I don't know at all where he was.

18 Q. He was using Charles Taylor's satellite phone, wasn't he?

19 A. I said I don't know where he was.

09:49:33 20 Q. Thank you. When he made that broadcast, those of you who
21 were the educated, the intellectual elite in Kailahun, you talked
22 about it, correct?

23 A. Yes, we did.

24 Q. Because also that wasn't the first time that you had some
09:49:51 25 indication that war could be coming to Sierra Leone, correct?

26 A. Yes.

27 Q. There had been an earlier broadcast by Charles Taylor
28 threatening Sierra Leone, correct?

29 A. No, I don't really remember that.

1 Q. Sir, do you remember people talking about Charles Taylor
2 saying that Sierra Leone would taste the bitterness of war?

3 A. I don't remember that.

4 Q. You don't remember people talking about that?

09:50:25 5 A. No, I don't remember that one.

6 Q. This is the first time you've heard that?

7 A. Here, in this --

8 Q. From me?

9 A. Yeah.

09:50:32 10 Q. Well, there was another Defence witness who testified on 11
11 March. Could we have the transcript for page 37082, 11 March of
12 this year. I am just going to start reading from line 11. Sir,
13 the witness who testified, DCT-068, told us that he was a member
14 of the RUF. He joined the RUF, but wasn't a member in 1991 or
09:51:35 15 before the invasion, but he is a Sierra Leonean and he was living
16 in Sierra Leone. At line 11 he was asked:

17 "Q. Sir, have you heard about Charles Taylor making a
18 radio broadcast before the launch of the war in Sierra
19 Leone that brought so much destruction, threatening Sierra
09:51:55 20 Leone because of its involvement in ECOMOG?

21 A. Yes, I heard it over the radio.

22 Q. And you heard many people talk about that broadcast
23 and Charles Taylor threatening to bring the bitterness of
24 war to Sierra Leone, didn't you?

09:52:12 25 A. I heard it over the radio."

26 Sir, does that remind you that the people in Sierra Leone,
27 even if you didn't have - weren't listening to the radio that
28 day, that you heard people in Sierra Leone talking about
29 Charles Taylor threatening to bring the bitterness of war to

1 Sierra Leone because of Sierra Leone's support for ECOMOG in
2 Liberia?

3 A. We were always concerned with - no, we were always
4 concerned with what we were expecting. We were always concerned
09:52:43 5 with what we were expecting. I did not hear that.

6 Q. Sir, you said you were aware that war was being threatened.
7 Who did you think the war was going to come from?

8 A. Repeat again.

9 Q. You said - I will try to find it on my notes. You said a
09:53:02 10 few moments ago that you were expecting war, or that was a
11 possibility, people were aware of it, even before Foday Sankoh's
12 90-day ultimatum. Why was that?

13 A. Okay. I said last week that before - well before the war
14 in Sierra Leone, the RUF-led war in Sierra Leone, if you went to
09:53:33 15 the marketplaces, if you went to teachers' staff rooms, all you
16 would hear was we need war in this country so that our situation
17 can change for the better, because there is hardship all over the
18 place, there is deprivation all over the place. What we did not
19 do as Sierra Leoneans was to ask God to send us a sensible person
09:54:13 20 to lead that kind of conflict. We did not do that. But to say
21 that Sierra Leoneans were surprised that war came, we were not at
22 all.

23 Q. Now, sir, after the war came, a week after Kailahun Town or
24 two weeks after Kailahun Town was invaded, you received a
09:54:48 25 position in the RUF, correct?

26 A. Yes, I did.

27 Q. And what was the title of your position?

28 A. Agricultural officer.

29 Q. Sir, can you tell us what was your responsibility as the

1 agricultural officer?

2 A. My responsibility was to organise civilians to produce
3 food.

09:55:18

4 Q. Now, you told us about your low pay as a teacher. What was
5 your salary as the agricultural officer for the entire RUF?

6 A. I was not on any pay.

7 Q. So actually you went from being paid but poorly by the APC
8 government to not being paid at all by the RUF, correct?

9 A. Yeah, that was what happened.

09:55:35

10 Q. The people that worked for you, that actually did the
11 farming, that ploughed the fields, that planted the seeds, that
12 harvested crops, were they paid?

13 A. I want to make a correction. Nobody worked for me. We
14 were all working together.

09:55:52

15 Q. When you say that, what do you mean no one worked for you,
16 you all worked together?

17 A. I also used to have my own farm.

18 Q. And you had people working on the farm for you, correct?

09:56:07

19 A. They worked on the farm with me because I had my children
20 with me. I had three boys with me.

21 Q. Sir, you weren't harvesting the crop. You had people do it
22 for you, correct?

23 A. Yes, because that is the way we do harvesting in our home.

09:56:23

24 Q. Who did you report to as the agricultural officer for the
25 RUF?

26 A. I used to report to Foday Sankoh.

27 Q. Sir, who recommended you for that position? How did you
28 get that position?

29 A. When he met us in Kailahun that day, he said, "How many of

1 you here know me?" I said, "I know you." I told him that I knew
2 him, I knew Foday Sankoh.

3 Q. Well, you knew Foday Sankoh - I'm sorry, continue.

09:56:58

4 A. Then he said, "Well, I want you to take over this
5 agriculture thing", because I told him that I have an idea in
6 farming.

7 Q. Well, I'm a bit confused. He says - Foday Sankoh says,
8 "Who knows me?" And you say, "I know you," and then he appointed
9 you as the agricultural officer because you knew him?

09:57:26

10 A. No, I did not say - no, he did not appoint me because I
11 know him. He appointed me because I let him understand that I
12 had an idea on farming, agriculture.

13 Q. And what was your idea, sir?

14 A. That I am a trained agriculturist.

09:57:41

15 Q. By you had an idea, you mean you had knowledge of farming?

16 A. Yeah.

17 Q. And that was on the second time that Foday Sankoh went to
18 Kailahun Town, two weeks after the invasion?

19 A. Yes, counsel.

09:57:53

20 Q. Now, you got to know Foday Sankoh a bit over the years,
21 correct?

22 A. I knew Foday Sankoh in 1975 as a photographer in Segbwema
23 when he did our photo for our final examines.

24 Q. You got to know him much better over the years as the
25 leader of the RUF, correct?

09:58:14

26 A. Oh, yes.

27 Q. Had you also read about him, either before the invasion of
28 Kailahun or afterwards, when you were the RUF spokesperson?

29 A. No, no.

1 Q. Did you know that Foday Sankoh had been imprisoned for
2 involvement in an alleged coup against the APC government led by
3 John Bangura - or he was allegedly led by John Bangura?

4 A. He himself told us that.

09:58:41 5 Q. And he was sentenced to seven years in prison?

6 A. Yeah.

7 Q. Did he tell you that?

8 A. Yeah.

9 Q. Sir, that was in 1971?

09:58:47 10 A. Correct.

11 Q. How did you meet him in 1975 when he spent seven years in
12 prison from 1971 to 1978?

13 A. John Bangura's thing was not in 1971. It was Mohamed Sorie
14 Fornah's coup that was from 1971 to 1974.

09:59:07 15 PRESIDING JUDGE: Mr Fayia, please repeat everything you
16 said. You just ate your words. Start from "John Bangura's
17 thing", whatever that is, was not in 1997. Repeat --

18 THE WITNESS: 1971. Foday Sankoh - I met Foday Sankoh in
19 1975 in Segbwema - it was not any time before or after that - and
09:59:38 20 he did our photograph for the exams - final examines.

21 MR KOUMJIAN:

22 Q. Are you sure that John Bangura's coup was not 1971?

23 A. Yes, because it is not possible for a coup to happen in
24 1971, then for another one to happen in 1974, it's not very easy.

09:59:58 25 Dr Mohamed Sorie Fornah's coup happened in 1974 --

26 PRESIDING JUDGE: Slowly.

27 MR KOUMJIAN:

28 Q. Sir, are you as sure of that as you are of the rest of your
29 evidence?

1 A. I am sure that Dr Mohamed Sorie Fornah's coup happened in
2 1974.

3 Q. No, the question is was John Bangura's coup in 1971?

4 A. I don't remember the date.

10:00:21 5 Q. Foday Sankoh went to prison in 1971 for seven years; isn't
6 that true?

7 A. I don't remember that. But Foday Sankoh was in Segbwema in
8 1975.

9 Q. And you are as sure of that as you are of the rest of your
10:00:35 10 evidence?

11 A. I am very much sure.

12 PRESIDING JUDGE: This Dr Mohamed, what is his other name?

13 THE WITNESS: Mohamed Sorie Fornah. S-O-R-I-E F-O-R-N-A-H.

14 It was his coup that took place in 1974. That was the time when
10:01:02 15 Issa Sesay's father was a driver, and I think he was the only one
16 who survived it.

17 MR KOUMJIAN:

18 Q. Sir, going back to farming in the RUF, can you tell us -
19 you said you were in charge of everyone, everyone worked
10:01:25 20 together; is that right?

21 A. Every community - every community had a community farm.

22 Q. So, sir, was anyone giving orders? Or people could do what
23 they wanted to do?

24 A. I don't understand the question, counsel.

10:01:49 25 Q. You said you were all working together. Was anyone in
26 charge?

27 A. Yes. In every community we had - in every village
28 community we had two people; one lady and one man.

29 Q. Sir, you said -

1 A. The master farmers.

2 Q. Sir, what was your - you said you reported directly to
3 Foday Sankoh. What was your relationship with the G5?

10:02:29

4 A. In the first place, the G5 was the department that was
5 working with the civilians, but I was not reporting to them.

6 Q. Okay. Now, my question is, sir: What was your
7 relationship with the G5? Did you have any relationship? You
8 didn't report to them?

9 A. No, no, I didn't report to them.

10:02:46

10 Q. Where did you get the workers to work on your farm from -
11 these different farms?

12 A. I said every community had a community farm. The community
13 members worked on the farm.

14 Q. So did the G5 play any role in your work at all?

10:03:02

15 A. No, I don't remember that at all.

16 Q. The G5s had nothing to do with getting people to work on
17 farms?

18 A. I don't remember that at all.

19 Q. Sir, do you know Prince Taylor?

10:03:14

20 A. Yes, I do.

21 Q. Is that the - he was in charge - he was the G5 for the RUF
22 when you were the agricultural officer, correct?

23 A. Yes, I do.

24 Q. Is that correct?

10:03:29

25 A. Yes, I do.

26 Q. No. The question is was he the G5 for the RUF at the time
27 you were the agricultural officer, correct?

28 A. Once again, please?

29 Q. Prince Taylor was the G5 for the RUF at the same time you

1 were the agricultural officer, correct?

2 A. You mean Prince Taylor the vanguard?

3 Q. Yes.

4 A. Yes, he was.

10:03:53 5 Q. Prince Johnson, who was the investigator for
6 Charles Taylor, do you know him?

7 A. Who?

8 Q. Prince Johnson, an investigator for Charles Taylor, who was
9 a vanguard; do you know him?

10:04:03 10 A. Yeah, I know Prince Taylor who --

11 Q. Prince Taylor, excuse me.

12 A. Prince Taylor, who is the investigator.

13 Q. I'm sorry. Thank you. And this was - he was the G5
14 commander, Prince Taylor, correct?

10:04:11 15 A. Yeah. He was at the time the G5 commander. Sankoh, what
16 he used to do, he would appoint you as a commander for some time
17 and then he'd change you. So I don't want to say - to risk
18 saying that he was G5 commander from 1991 up until the end of the
19 day.

10:04:29 20 Q. Fair enough. Sir, do you know how Prince Johnson came -
21 Prince Taylor, excuse me, came to join the RUF?

22 A. No, no, I don't know. He is a vanguard.

23 Q. Did you hear that he was one of those released from an NPFL
24 prison by Foday Sankoh?

10:04:43 25 A. What I heard from Palmer was that they were released from
26 prison.

27 Q. Prison where?

28 A. In Liberia.

29 Q. Controlled by which faction?

1 A. What'd you say?

2 Q. Controlled by who?

3 A. I don't know what it was controlled - who controlled it,
4 but they were released from Liberia. But at that time

10:05:10 5 Charles Taylor was in charge.

6 Q. Thank you. Now, sir, what I would like you to do now is to
7 help us by drawing a diagram - an organisational diagram of
8 the - how the RUF was organised when you were the agricultural
9 officer, and I have put on here the date June 1991. So if the

10:05:42 10 Court Officer could give this to the witness, I would ask you,
11 sir, to draw a diagram like an organogram. Do you know what I
12 mean by that?

13 A. Uh-huh.

14 Q. Of the RUF as of June 1991.

10:05:55 15 A. Of the RUF?

16 Q. Yes, sir.

17 A. I cannot.

18 Q. Why is that?

19 A. Because I was not at the top. I was not in charge. RUF is
10:05:59 20 a military matter. What I was told to do was what I did. I
21 cannot draw an organogram. If you tell me to draw an organogram
22 for the agriculture department, I will conveniently do that.

23 Q. Okay. I will give you this and I will have you change the
24 title. So if that could be brought to the witness. There is a
10:06:21 25 title on it, sir, and I want you to change it, because it says
26 "RUF organisational chart".

27 A. So I should change the title?

28 Q. What you are telling us, correct me if I am wrong, that you
29 are not aware, sitting here today, of how the RUF was organised

1 as of June 1991, correct? You can't draw an organisational chart
2 of the RUF?

3 A. Did you say June 1991?

10:06:55

4 Q. Yes, sir. Is that what you are saying? You cannot tell us
5 how it was organised; you can't draw an organisational chart?

6 A. I said I cannot draw an organisational chart for RUF
7 because RUF was a military matter. What I was told to do was
8 what I always did. If you told me to draw an organisational
9 chart for the agriculture department, I will do that.

10:07:17

10 Q. Okay. So, sir, you see the piece of paper before you, and
11 it has a title. You are telling us - could we have another - the
12 title says "RUF Organisation Chart", and would it be correct what
13 you can draw is RUF agriculture organisation chart; is that
14 correct?

10:07:49

15 A. Yeah.

16 Q. So can you insert between "RUF" and "organisation" the word
17 "agriculture". Now, sir, take your time and try to draw a
18 diagram - tell us if that pen is okay. If not, we can give you
19 another one - of the organisational chart of the RUF agriculture
20 efforts.

10:08:30

21 A. Why June 1991?

22 Q. Do you have a problem with that date? I picked June 1991;
23 is that okay?

24 A. Why June '91?

10:08:35

25 Q. Were you the agriculture officer in June 1991?

26 A. Yeah.

27 Q. I would like you to do it as of June 1991.

28 A. Okay. You mean to do it right now?

29 Q. Yes.

1 PRESIDING JUDGE: Mr Witness, be sure that the information
2 you are putting down relates to the question. That is, exactly
3 as of June 1991.

4 THE WITNESS: Okay.

10:17:06 5 PRESIDING JUDGE: Mr Fayia, make sure that whatever you are
6 writing can be read, that it's legible.

7 MR KOUMJIAN:

8 Q. Sir, if you need more paper, instead of crowding the paper,
9 we can give you more.

10:17:25 10 A. Okay. Give me another one. Let me transfer the
11 information.

12 PRESIDING JUDGE: Mr Fayia, what are you writing? What is
13 taking so long? Do you understand what an organogram is?

14 THE WITNESS: Yes. I am finished.

10:26:08 15 MR KOUMJIAN:

16 Q. Thank you, sir. We will now put it on the overhead so we
17 can all see it.

18 PRESIDING JUDGE: Only the one that he is submitting,
19 please. The other one is not - let the witness indicate to you
10:26:28 20 which one he wants you to show. And if the other one is to be
21 destroyed, let the witness cancel it.

22 MR KOUMJIAN: Your Honour, I would like to see it before
23 it's destroyed.

24 PRESIDING JUDGE: Why? Because the witness has changed.
10:26:46 25 He doesn't want to submit it.

26 MR KOUMJIAN: I understand that.

27 PRESIDING JUDGE: So why do you want to look at it?

28 MR KOUMJIAN: To see what the difference is.

29 PRESIDING JUDGE: Mr Fayia, what do you want us to do with

1 that initial piece of paper? Is it different from the one you
2 have?

3 THE WITNESS: Not much. Not much.

4 PRESIDING JUDGE: Do you have an objection to counsel

10:27:14 5 looking at it also?

6 THE WITNESS: No, I don't.

7 PRESIDING JUDGE: But the official one that you would want
8 the Court to consider is the second one?

9 THE WITNESS: Yeah.

10:27:29 10 PRESIDING JUDGE: Put the second one in the overhead and
11 please pass the - first of all, pass the bad copy to the
12 Prosecution and then to the Defence. Show it.

13 MR KOUMJIAN:

14 Q. Sir, the document that's before you now, I can't see if you
10:29:47 15 have signed it. Have you signed it yet? Okay. And you have a
16 key at the bottom. First of all, that is your signature,
17 correct?

18 A. Yeah.

19 Q. And there is a key at the bottom which says that EOs equal
10:30:08 20 extension officers. Is that right?

21 A. Yes.

22 Q. And MFS means master farmers. Is that right?

23 A. Yeah.

24 Q. And then going at the top we see agricultural officer, and
10:30:20 25 that is you at the top of this structure, correct?

26 A. Yeah.

27 Q. Why don't you take it from here and explain the levels
28 below. Go through the diagram, starting at the top and down and
29 explain briefly, if we have time - first, explain the next two

1 levels.

2 A. From the agric officer, the chief agric officer, we have
3 the chiefdom agric officers. In Sierra Leone, every district is
4 divided into chiefdoms. When we were captured in 1991, the
10:31:29 5 chiefdoms in Kailahun District that were under RUF control where
6 civilians would go included up to the end of the Top Finals,
7 Luawa Chiefdom, Kissi Teng Chiefdom, Kissi Kama Chiefdom, Kissi
8 Tongi Chiefdom, Upper Bambara Chiefdom and the Dia Chiefdom.

9 Q. Sir, stop there for a moment because I think we might be
10:32:41 10 out of tape. Madam President, I don't know if this is the time
11 that we should break?

12 PRESIDING JUDGE: No, no, we go up to 11.

13 MR KOUMJIAN: I'm sorry. Excuse me:

14 Q. Please continue, sir?

10:32:57 15 A. The headquarters of these chiefdoms is - for Luawa is
16 Kailahun. For Kissi Teng is Kangama. For Kissi Kama is Dia,
17 D-I-A, but the correct Kissi name for that town is Tia, T-I-A.
18 T-I-A is the correct Kissi name for it. The headquarter for
19 Kissi Kama, Tia. Kissi Tongi is Buedu. Upper Bambara is
10:34:12 20 Pendembu. For Dia Chiefdom the headquarter is Baiwallah,
21 B-A-I-W-A-L-L-A-H. In each of these chiefdoms we have an agric
22 officer.

23 Then we get down to the sections. Also in Sierra Leone
24 every chiefdom is subdivided into sections. Luawa has ten
10:35:03 25 sections. Kissi Teng has six sections. Kissi Kama had ten
26 sections. Kissi Tongi had six sections. Upper Bambara had seven
27 sections. Dia has four sections. Please understand that the
28 chiefdom headquarter of every chiefdom is also a section, so that
29 Kailahun is a section. In every section we had an extension

1 officer.

2 Then town master farmers. Every section has a number of
3 towns in Sierra Leone. Every town had a woman and a man to
4 constitute the master farmer team and these people were selected
10:37:21 5 from those who formed the opinion leadership and it was always
6 done by consensus under the direction of the town chief.

7 The job of the extension officer included attending
8 meetings with us in Kailahun Town and then taking back messages
9 from such meetings to their communities.

10:38:57 10 Q. Have you completed your answer? Are you finished?

11 A. No.

12 Q. Continue.

13 A. I want to say a few more things. When harvest was done,
14 the master farmers from every village community would store their
10:39:28 15 harvests in a safe place. The extension officer would then come
16 and see it, weigh it out and then remove the quota that was meant
17 - remove the quota that was meant for the war effort. The
18 balance was given back to the master farmers.

19 PRESIDING JUDGE: Did you say quarter or quota?

10:40:52 20 THE WITNESS: Quota. I said the balance is given to the
21 master farmers for another season. Finish.

22 MR KOUMJIAN:

23 Q. Okay. Sir, first of all, this administrative structure
24 that you have drawn where a district, Kailahun in this case, is
10:41:40 25 broken down into chiefdoms, then into sections and then into
26 towns, that was the structure of the civil administration during
27 the time of the APC government, correct?

28 A. Exactly, exactly.

29 Q. Now, sir, as we can see from the diagram, you had a great

1 number of people working under you, correct?

2 A. Yes.

3 Q. Sir, the people that actually worked the farms, how were
4 they recruited?

10:42:14 5 A. Thank you. First of all, what I did, I organised these
6 teams of agric officers. I tried to make sure that every one of
7 them came from a chiefdom. From the meeting, they went to the
8 chiefdom headquarter towns and told the chiefdom commander or the
9 paramount chief to organise a meeting of all section chiefs in
10:43:51 10 the chiefdom headquarter town where we would meet to explain to
11 them the need for us to continue farming so we can survive and to
12 do so communally. To do so communally means doing common farms.

13 Then the section chiefs and the extension officers would
14 then go to the towns, they meet the town chief and sit together
10:45:27 15 in a meeting, where they would explain the need for us to farm if
16 we saw any reason for our survival.

17 Then in the presence of the extension officers, the town
18 chief, and, of course, his or her deputy, would organise the
19 appointment of two opinion leaders from the community to serve as
10:47:15 20 master farmers. The master farmers were always in charge of the
21 stores. Finish.

22 PRESIDING JUDGE: If I may intervene with a question
23 seeking clarification, Mr Witness. This chart that you have
24 drawn, does it only relate to Kailahun District, or was it common
10:47:56 25 to any other district in Sierra Leone as of June 1991?

26 THE WITNESS: As of June 1991, the RUF did not occupy any
27 other part of Sierra Leone.

28 PRESIDING JUDGE: So the answer to my question is --

29 THE WITNESS: Kailahun District.

1 PRESIDING JUDGE: Only?

2 THE WITNESS: Yeah.

3 MR KOUMJIAN:

4 Q. Sir, just before we move on, you had said you could not
10:48:23 5 draw the organisation of the RUF in June 1991 because you were
6 not a military person and the RUF was a military structure. Just
7 so we are clear, if I asked you, for example, to draw the RUF
8 organisation chart in December 1991, would your answer be the
9 same: You couldn't do it because you were not a military person
10:48:48 10 and this was a military organisation? Did you understand the
11 question?

12 A. No.

13 Q. If I asked you to draw an organisation chart of the RUF in
14 December 1991 would your answer be the same: You cannot do that?

10:49:09 15 A. Absolutely.

16 Q. Now, sir, going back to the last question and your rather
17 long answer you just gave, my question was: How are the
18 workers - the workers - recruited? Who decides who is going to
19 work on a farm that day?

10:49:30 20 A. The master farmers.

21 Q. And do the workers have a choice in that?

22 A. Yes, the workers have a choice. Because when we talk about
23 opinion leaders, these are people who are always listened to by
24 their people. These are people who are always respected by their
10:49:48 25 people. That's why we said let us go for opinion leaders in
26 every community. If my mentor speaks to me, I don't need to have
27 a choice because I admire that person already. I know that they
28 would never take me into any wrong place.

29 Q. So people in a village were free to say: Look, we don't

1 want to work on this RUF farm, goodbye, and they would be left
2 alone; they could stay at home?

3 A. Well, we are saying - first of all, we tell them we need to
4 produce food for us to survive. That's the first thing we tell
10:50:25 5 them. They understand that one, they accept it in good faith.
6 So working under the RUF, so once they start, nobody ever said
7 they don't want to do it.

8 Q. Well, did anyone ever say, "We want to do our own farm. We
9 don't want to do anything with you"?

10:50:38 10 A. People were doing their own farms.

11 Q. They were allowed to do that and keep the food?

12 A. Oh, yes, people were doing their own farms and they are
13 keeping the foods. This one was for the war effort. People were
14 doing separate farms. In fact, there was a time when every
10:50:57 15 commando - the senior commandos had to do their own farms.

16 Q. Okay. So the people who had farms were the commanders of
17 the RUF, correct?

18 A. No, not - I said everybody was allowed to do his or her own
19 farm. Even myself, I used to farm.

10:51:13 20 Q. Well, you were RUF, correct?

21 A. Yeah.

22 Q. But the people - the ordinary civilians that were not RUF,
23 they didn't have a choice to do their own farm and keep their own
24 food, did they?

10:51:25 25 A. No, that is not correct. All of them had - all of them
26 were doing their own farms.

27 Q. But you're saying that they volunteered to work the RUF
28 farms; is that right?

29 A. I don't want you to confuse me. The point is, we met these

1 people, we spoke to them, they understood the need for them to
2 grow food, and to grow food in two stages: To grow food for
3 their families, and then to grow food as a community for the war
4 effort.

10:51:53 5 PRESIDING JUDGE: Mr Witness, are you saying that on these
6 same private farms belonging to civilians, you took charge and
7 asked them to grow food for the RUF on their private farms?

8 THE WITNESS: No, it was not on their private farms. Maybe
9 you have not got me yet. There was - in every small village
10:52:17 10 there was a community farm. There was a community farm where
11 everybody could work together. Apart from that, everybody would
12 do his or her own farm for their families.

13 MR KOUMJIAN:

14 Q. Where did these community farms come from? Whose land was
10:52:34 15 that, the RUF communal farms?

16 A. The land belonged to the communities. That is why we
17 involved the town chiefs.

18 Q. Before the war, sir, did you own any land?

19 A. Myself?

20 Q. Yes.

21 A. Very much, yes, I owned land.

22 Q. Did Issa Sesay and Sam Bockarie, to your knowledge, own
23 land before the war?

24 A. I don't know.

10:52:58 25 Q. Did they have farms during the war?

26 A. I don't know.

27 Q. You said every commander had a farm, correct?

28 A. Oh, you mean - yes, during the war they had farms.

29 Q. And where did the land come from for those farms?

1 A. You said?

2 Q. Where did the land come from? Whose land did they take to
3 make their own farms?

10:53:19

4 A. The chiefs - the town chiefs gave them land wherever they
5 wanted to farm. That is why we decided to involve the local
6 people, the town chiefs. They are the owners of the land.
7 Before and during the war they are the owners of the land.

8 Q. Was anyone paid for their work on the farms, those that
9 actually worked the farms?

10:53:37

10 A. Working which farms?

11 Q. The RUF farms.

12 A. No.

13 Q. How about your farm?

14 A. No. My children used to work on my farm.

10:53:51

15 Q. Sir, do you know Talia in Luawa Chiefdom?

16 A. Yes.

17 Q. Do you know someone named Aruna Gbonda?

18 A. No, I don't remember that name. Maybe the person was
19 there, but I don't remember the name.

10:54:09

20 Q. Did you have RUF farming in Talia?

21 A. Yes, every village. Talia is a village.

22 Q. Mr Witness, the people that lived under the RUF control,
23 they felt like slaves working for the RUF. That was the common
24 feeling in Kailahun; isn't that true?

10:54:29

25 A. That is not true. I have started by telling you that when
26 I - when all of us were captured, for the sake of the people of
27 Kailahun who were not able to escape, I offered my services to
28 organise them so that they would not starve to death. And the
29 reality on the ground was that we had to work in order for us to

1 eat. There was no road to Liberia. There was no road to Guinea
2 up until when we made arrangements with the Guinean security
3 authorities at the crossing points.

10:55:10

4 Q. Sir, when you started to work, there certainly was a road
5 open to Liberia, wasn't there?

6 A. To get food?

7 Q. Well, people were being forced to carry loads to Foya. You
8 talked about that, correct?

9 A. Yes, I did.

10:55:20

10 Q. And Foday Sankoh was in Gbarnga coming occasionally to
11 Sierra Leone, correct?

12 A. Yeah.

13 Q. Sir, I would like you to hear - read the testimony of a
14 witness, a Krahn base witness, who came to talk about what

10:55:36

15 happened in Sierra Leone. If the witness could be shown the
16 transcript from 19 February 2008, page 4252. Sir, this is the
17 testimony of Aruna Gbonda who is from Talia, Luawa Chiefdom. Do
18 you know, Mr Witness, Morie Fekai?

19 A. Morie Fekai? Yes, I do.

10:56:45

20 Q. What was his position?

21 A. I don't remember.

22 Q. Was he within the agricultural section of the RUF?

23 A. Morie Fekai, no. I don't think. I don't remember.

24 Q. Okay. At line 11 the witness was asked:

10:57:11

25 "Q. And when you said that 'We give it to them', who are
26 'them', Mr Witness?

27 A. The rebels. We used to give it to the rebels. We
28 would give it to Morie Fekai and he would in turn give it
29 to them.

1 Q. Why did you give this rice to Morie Fekai, Mr Witness?

2 A. Whatever they would tell us to do, if we did it, they

3 would tell him and he would tell Sellu. Sellu in turn

4 would tell me. So when we did the work we would hand it

10:57:43 5 over to him and he in turn would hand it over to them. We

6 would not go straight to Augustine Gbao.

7 Q. And when Morie Fekai told you to do that, why did the

8 civilians of Talia do it?

9 A. When the war came we were enslaved. Whatever they

10:58:07 10 tell us to do, that was what we would do. That was why we

11 were doing the farming. We were in slavery. He was

12 controlling us. He would tell us to do it. We were

13 not - we were not free.

14 Q. And when you say we were in slavery, what exactly do

10:58:31 15 you mean, Mr Witness?

16 A. Before the war when I would be doing my farming I would

17 do it at my own pace. I will harvest the rice and I will

18 eat it and I will be well fed. But when the war came and

19 we were captured, the farming that we used to do for them,

10:59:00 20 we would give them all the proceeds. We would go to the

21 bush and look for food to eat. So in that circumstance we

22 were in slavery.

23 Q. And talking about this work that the civilians of Talia

24 did in the rice farms, were the civilians of Talia ever

10:59:21 25 paid for that farming?

26 A. Never. That never happened. If you did not do it you

27 would be beaten and that would be your pay. In fact, if

28 you delayed going to the place you would be beaten

29 seriously and that was your pay."

1 Mr Witness, that in fact is what happened in Kailahun
2 District.

3 A. According to this document here.

4 Q. According to people that lived through it, and that's the
11:00:03 5 truth, isn't it? Do you understand, sir, that --

6 PRESIDING JUDGE: What is the witness's answer?

7 MR KOUMJIAN: He hasn't answered.

8 PRESIDING JUDGE: What is your answer to that suggestion?

9 THE WITNESS: No, that's not true. I am not refuting the
11:00:16 10 fact that work was done, but work was done exactly the way I have
11 explained it. If anything else happened behind our backs in the
12 bushes, that one I cannot vouch for it. But how the instructions
13 we gave are exactly what I have explained.

14 PRESIDING JUDGE: Okay. I have been advised that the tape
11:00:37 15 has ran out for now. We will take a break until 11.30.

16 MR GRIFFITHS: Madam President, I wonder if I could just
17 ask through the Court for an indication as to how long
18 cross-examination is likely to last, just so that we can organise
19 other alternatives if that is necessary.

11:00:57 20 MR KOUMJIAN: Your Honour, I am not sure. I think the
21 witness should be on call tomorrow.

22 MR GRIFFITHS: I am grateful.

23 [Break taken at 11.00 a.m.]

24 [Upon resuming at 11.33 a.m.]

11:33:28 25 MR GRIFFITHS: Madam President, can I indicate a change in
26 representation. Mr Munyard has managed to make it back from the
27 UK and is with us now.

28 PRESIDING JUDGE: Mr Munyard, I think congratulations are
29 definitely in order in view of the matters at hand. Welcome to

1 the Court.

2 Mr Koumjian, please continue.

11:34:00

3 MR KOUMJIAN: Madam President, before continuing with the
4 examination, may the document that the witness prepared, an
5 organogram of the agricultural activities of the RUF, be marked
6 for identification.

11:34:30

7 PRESIDING JUDGE: Mr Koumjian, I'm wondering, I know the
8 heading this document was - if we could have the document again.
9 I don't remember what the heading was. But in view of the answer
10 that the witness gave me when I asked for clarification, this
11 chart would more accurately be described as the "RUF agriculture
12 chart for Kailahun District". I don't know.

11:34:58

13 MR KOUMJIAN: I'm happy with that, given the answers the
14 witness gave that that was the area controlled by the RUF at the
15 time. I think he indicated that was the only area controlled at
16 that time according to his knowledge.

17 PRESIDING JUDGE: Could I look at that document first,
18 please. Mr Griffiths, the names of the witness appear on this
19 document. Do you have any objections?

11:35:58

20 MR GRIFFITHS: I have no objections to that,
21 Madam President.

11:36:18

22 PRESIDING JUDGE: Thank you. Then the - Mr Koumjian, you
23 had agreed that the document be more particularly defined as - or
24 headed as "RUF agriculture chart for Kailahun District as of
25 June".

26 MR KOUMJIAN: Yes, that's fine.

27 PRESIDING JUDGE: Then I'll give this back to the witness
28 to fill that in. So, Mr Witness, after the words "chart", please
29 insert the words "for Kailahun District". In which case now the

1 document headed "RUF agriculture chart for Kailahun District as
2 at June 1991" as drawn by the witness Musa Fayia is marked MFI-1.

3 MR KOUMJIAN:

11:37:31

4 Q. Mr Witness, before we leave the issue of enslavement, one
5 of the charges in this case, I want to ask you: It's true that
6 part of the propaganda or ideology, whichever word you choose, of
7 the RUF was "no master, no slave"? Foday Sankoh used to chant
8 that, correct?

9 A. Very much.

11:37:49

10 Q. But, in fact, in the RUF, Sam Bockarie was called Master,
11 correct?

12 A. Yes, he was.

13 Q. And Issa Sesay was called Master, correct?

14 A. Yes, he was.

11:38:02

15 Q. So there were masters in the RUF, correct?

16 A. Yeah, the master they used to call themselves was a
17 military status they granted themselves.

11:38:24

18 Q. If a person is a master, especially considering the chant
19 of Foday Sankoh "no master, no slave", that implies that there
20 are slaves also, doesn't it?

21 A. I cannot say there were slaves because I know the specific
22 meaning of the master they were talking about. They were giving
23 military titles to themselves.

11:38:41

24 Q. Sir, there are many types of military terminology to show
25 respect to a commander such as sir, officer, general. But master
26 is a completely different concept, don't you agree?

27 A. No, I don't. Because there's master sergeant. We know of
28 master sergeant in the military.

29 Q. Sir, before we leave the testimony of Mr Gbonda, I would

1 I like to have you shown the transcript of 20 February 2008, page
2 4300. Sir, Mr Gbonda was talking about the killing of people
3 alleged to be Kamajors in 1998 in Kailahun Town. And he was
4 asked on line 12:

11:40:00 5 "Q. And were you told how were these people killed?

6 A. Yes, they shot them.

7 Q. Now, you told us that your brother Yeana Jusu was among
8 them and you said that these people were accused of being
9 Kamajors."

11:40:30 10 Now, before I go on, sir, did you know one of your fellow
11 detainees in Kailahun Town by the name of Yeana Jusu?

12 A. No, I don't remember that. You mean those who were killed?

13 Q. Yes, sir.

14 A. No. The number was large, 68. I don't remember them.

11:40:50 15 Q. Thank you. The witness was asked, "As far as you know, was
16 Yeana Jusu", which he said was his brother, "a Kamajor?"

17 "A. He was not a Kamajor at all. He was an ordinary
18 civilian. He was not a Kamajor at all.

19 Q. And you spoke about a relative of your wife who was
11:41:09 20 killed as well. Was that person a Kamajor?

21 A. He was not a Kamajor. In fact, he was an old man. He
22 was not a Kamajor."

23 Mr Witness, among those killed in Kailahun in early 1998 by
24 Sam Bockarie or on his orders, were some old men, correct?

11:41:30 25 A. Yes, there are some old men.

26 Q. Sir, I want to ask you a little bit about Charles Taylor
27 and what you know about his relationship with the RUF. Can you
28 tell us, first of all, sir, were you aware of the NPFL being in
29 Sierra Leone at any time?

1 A. Yes. The time when Foday Sankoh complained to Charles
2 Taylor about Liberians on the Sierra Leone ground, Charles Taylor
3 ordered Dopee Menkarzon to come to our territory to take away
4 every Liberian that was not of RUF.

11:42:29 5 Q. Sir, when was that?

6 A. That was after the Top 40.

7 Q. Can you give us a month and year?

8 A. That was in May after Top 40.

9 Q. May 1992?

11:42:43 10 A. Yes, May, June.

11 Q. May, June 1992?

12 A. Uh-huh.

13 Q. Sir, was the NPFL in Sierra Leone before that --

14 A. Before that?

11:42:55 15 Q. -- to your knowledge? Yes.

16 A. This is what I'm saying. No, I did not notice the presence
17 of NPFL in Sierra Leone that time. It was only Dopee that I knew
18 and that had come on Charles's orders to come to Sierra Leone to
19 take the non-RUF Liberians that were there.

11:43:12 20 Q. Sir, are you aware of - let's break it into time periods.

21 Prior to you going to the Ivory Coast, being sent to the Ivory
22 Coast, are you aware of Charles Taylor providing any military
23 assistance to the RUF?

24 A. No.

11:43:30 25 Q. Are you aware of him providing any kind of assistance to
26 the RUF before that time?

27 A. No.

28 Q. Now, after you went to the Ivory Coast, let's say from then
29 until the end of the war, were you aware of Charles Taylor

1 providing any military assistance to the RUF?

2 A. No, not at all.

3 Q. Were you aware of him giving any assistance to the RUF?

4 A. That was the time we knew exactly the kind of agenda

11:43:58 5 Charles Taylor had for Foday Sankoh's RUF. That was the time we
6 knew that he had no military support for him. By the time all of
7 us came out to start the political aspect of the struggle, all of
8 us were really annoyed with Foday Sankoh because he had given us
9 the hope that we would get some military support from Charles
11:44:42 10 Taylor. But when we came outside and got ourselves introduced to
11 the Ivorian government as having come to start the peace process,
12 that was the time Charles Taylor started rendering us - rendering
13 the RUF support. He started by allowing Musa Cisse to help us
14 use his radio set. Second, he invited myself and Palmer to meet
11:46:02 15 him in Gbarnga so he could take us to Ghana in August 1995.

16 PRESIDING JUDGE: Mr Fayia Musa, I know I asked you to
17 speak slowly. I didn't ask you to just pause at every word that
18 you say. It's not necessary. Just speak as normally as I am
19 speaking. You see I'm not speaking fast like you, but I'm not
11:46:52 20 speaking slowly like you either.

21 THE WITNESS: We went to Ghana. He assisted us to see
22 Ghana. He assisted us to see how peace process goes on. He
23 allowed us to mix with his men around. He put us in the hotel,
24 Sicans Hotel, I and Palmer. Sicans Hotel. The other assistance
11:47:29 25 that I do remember him giving to the RUF peace process was the 10
26 million franc CFA he gave us - he told General Jackson to give us
27 in Abidjan after the launch of the "Footpaths to Democracy" for
28 our sustenance in Cote d'Ivoire. That was the money we used to
29 buy air tickets for myself and Captain Kposowa - Jonathan

1 Kposowa, K-P-O-S-O-W-A, to come to Belgium. We were given a
2 l'orde de mission by the Deputy Foreign Minister of Cote d'Ivoire
3 to make the trip to start the diplomatic front here in Europe.

4 MR KOUMJIAN:

11:49:19 5 Q. Is there any other assistance that you're aware of that
6 Charles Taylor gave the RUF?

7 A. No, except when he sent Musa Cisse to talk to Sam Bockarie
8 and others to release us.

9 Q. Sir, let's go back then to when you first met the RUF and
11:49:52 10 Foday Sankoh. You said Sankoh came a week after Kailahun was
11 taken on the next Friday. It was taken the 13th, so he came back
12 on the 19th and he spoke for three hours, correct?

13 A. Yes.

14 Q. And then he came back again a week later. So it would have
11:50:09 15 been something in late April, about the 26th, correct?

16 A. Yes.

17 Q. And, sir, you talked about the meeting that you had with
18 him. Is that the meeting where you were appointed as the
19 agricultural officer?

11:50:24 20 A. Yeah, that was the meeting.

21 Q. And you said that at that meeting civilians wanted proof
22 from Foday Sankoh?

23 A. No, it was not in that meeting that they demanded a proof.

24 Q. When was it that Foday Sankoh said he had a friend?

11:50:41 25 A. It was in that meeting, but we did not demand - he did not
26 tell us that as a result of our demand for a proof.

27 Q. Okay. So on 26 April approximately Foday Sankoh comes to
28 Kailahun Town and he said he has a friend, Charles Taylor. Is
29 that right?

1 A. Yes.

2 Q. Now, did he say then how he knew Charles Taylor?

3 A. No, he did not. He did not tell us that.

4 Q. In the years that you worked with Foday Sankoh, did you
11:51:08 5 I learn how he knew Charles Taylor?

6 A. No.

7 Q. You never knew that?

8 A. No. Because what was happening on the ground was to us
9 completely different from what we understood him when he said he
11:51:27 10 had a friend. So as for me, I never asked him to tell me how he
11 knew Charles Taylor.

12 Q. Even though you were concerned with whether he really was a
13 friend of Charles Taylor you never asked him, "How do you know
14 him?"

11:51:40 15 A. No, I did not ask him because I knew that the answer was
16 not going to pay any - was not going to pay off.

17 Q. Did you know that Foday Sankoh had fought or worked with
18 the NPFL in Liberia?

19 A. No.

11:51:57 20 Q. How about Rashid Mansaray and Mohamed Tarawalli. Had they
21 fought, to your knowledge, with the NPFL?

22 A. No, I don't know about that.

23 Q. So Foday Sankoh says he has a friend Charles Taylor, and
24 then what happens next as far as what you know about how Charles
11:52:21 25 Taylor is a friend of Foday Sankoh?

26 A. When he told us that, we decided to wait and see.

27 Q. Sir, who is we?

28 A. We the civilians whom he met decided to wait and see.

29 Q. And was this a meeting of thousands of people or a few

1 people?

2 A. Probably - no, it was not a few people. It was the whole -
3 almost the whole community was invited because the first time he
4 came he said, "I'm going but I will come back after a week, so
11:52:50 5 tell your people to come, I want to see them. I want to talk to
6 everybody." So the court barri was jam full.

7 Q. You're saying that the civilians - go on. They asked for
8 proof at some time. Can you explain that?

9 A. Yes.

11:53:04 10 Q. Explain it.

11 A. We asked him for proof of his relationship with Charles
12 Taylor when during the first retreat - the first retreat which
13 happened in August 1991 when one of our strongest fighters had to
14 die because of lack of fighting materials. Charles Tingba.

11:53:29 15 Charles Tingba was killed in Daru because of lack of fighting
16 materials.

17 Q. Charles Tingba was Liberian, correct?

18 A. He was a Liberian RUF, yes.

19 Q. And sir, by the way, Liberian English they often drop or
11:53:47 20 you cannot hear the final consonant of a word pronounced. So a
21 word like timber would be pronounced "timba", correct?

22 A. No, his own name was spelled T-I-N-G-B-A.

23 Q. Sir, you didn't answer my question. The question was in
24 Liberian English they drop the final consonant?

11:54:11 25 A. Yes.

26 Q. So if they say a word like timber, they would say "timba",
27 correct?

28 A. Yes.

29 Q. A name like Vincent would be "Vincen", correct?

1 A. Yes.

2 Q. So this was a very strong fighter, Liberian, Charles
3 Tingba, correct?

4 A. Yes.

11:54:28 5 Q. Now, you gave a spelling. How do you know how his name was
6 spelled? That's just your phonetic spelling, is that correct?

7 A. Yes.

8 Q. Now, you talked - you're saying that the people in Kailahun
9 were anxious for the - to know that Foday Sankoh was going to win
11:54:56 10 the war and defeat the army; is that correct?

11 A. Yes.

12 Q. In fact, sir, in the middle of 1991 have you heard of the
13 Kailahun District Descendants' Association? Have you heard of
14 that organisation?

11:55:12 15 A. No.

16 Q. Do you recall a group of people from Kailahun - I realise
17 you were not in Freetown, but holding a huge demonstration in
18 Freetown in mid-1991 demanding that the President - in fact, they
19 marched to the State House, demanded that the President declare
11:55:29 20 an emergency because the country had been invaded and send the
21 forces to defend Kailahun and eject the rebels? Do you recall
22 that?

23 A. No, I don't remember that. I don't remember that at all.
24 But when Foday Sankoh gave the 90-day ultimatum government troops
11:55:54 25 were deployed to the border.

26 Q. Sir, so the people - you said, "We asked for proof." Who
27 asked Foday Sankoh for proof about his friendship with Charles
28 Taylor?

29 A. I was one of them. I was one of them.

1 Q. And tell us what exactly you said to Foday Sankoh - what
2 you said.

3 A. When the boys retreated - in fact he was not there, he was
4 in Gbarnga, 1991. August 1991. When he came we told him,
11:56:26 5 "Mr Sankoh, you have to let us know what the friendship between
6 you and Charles Taylor means to us. Because when you came, you
7 told us that you had a friend by the name of Charles Taylor and
8 that the war did not come to stay for more than six months. You
9 demanded our support. We gave it to you. But look at what is
11:56:54 10 happening. Because of lack of fighting materials, there is a
11 massive retreat that has followed the loss of one of our strong
12 fighters. So we want you to go with at least somebody - one
13 person at least to Charles Taylor. Let the person go tell him
14 that we want support from him so that by the response we'll
11:57:35 15 receive from that person - through that person, we will know that
16 he is your friend and a friend in need."

17 Q. So you were telling Foday Sankoh that you didn't trust him
18 about his friendship with Charles Taylor?

19 A. At all.

11:57:52 20 Q. You said that to his face?

21 A. No. We found a way to say it. We told him we want to send
22 - we want somebody to go with him to meet Charles Taylor.

23 Q. And, sir, you were expecting that the RUF would receive
24 assistance, ammunition and arms, from Charles Taylor, correct?

11:58:13 25 A. Yes.

26 Q. Why were you expecting that?

27 A. Charles Taylor was already fighting. If somebody comes and
28 says, "That man is my friend and I'm fighting," one would expect
29 him to be of help in the area of fighting material.

1 Q. Well, sir, there were, for example, just in Liberia there
2 were other factions fighting. There was the Samuel Doe faction
3 and after he died still the AFL. There was ECOMOG. By this time
4 there was ULIMO. There also were armed forces in other
11:58:49 5 neighbours. Why did you expect the assistance from Charles
6 Taylor?

7 A. Because Charles Taylor - sorry, because Foday Sankoh said
8 Charles Taylor was his friend; that's number 1. Secondly, by
9 then Charles Taylor was the only man on the ground.

11:59:08 10 Q. What do you mean by that?

11 A. I don't know the exact date when the other factions came
12 up, but up to August 1991, Charles Taylor was the only man we
13 were hearing about.

14 Q. So Mr Tengbeh is then sent to Gbarnga, correct?

11:59:32 15 A. Yes.

16 Q. And that was sometime towards the end of 1991?

17 A. Yes.

18 Q. And he stays there until when?

19 A. He stays there until after the Top 40 in May.

11:59:45 20 Q. You said that was May or June --

21 A. Yeah.

22 Q. -- correct?

23 A. Uh-huh.

24 Q. And by the end of 1991 you mean somewhere between October
11:59:52 25 and December?

26 A. It was around December.

27 Q. So from December to May or June, so about six months --

28 A. Exactly.

29 Q. -- Mr Tengbeh was in Gbarnga --

1 A. Yeah.

2 Q. -- with Foday Sankoh, correct?

3 A. Yes.

12:00:12

4 Q. And when he returned, what did he say he did for six months
5 with Foday Sankoh in Gbarnga?

6 A. Who?

7 Q. Mr Tengbeh.

12:00:25

8 A. Mr Tengbeh knew the reason why we sent him. We sent him to
9 go meet Charles Taylor, to tell Charles Taylor that we wanted
10 help from him. But when Mr Tengbeh came back, he said from the
11 time he arrived to the day he left, he was only able to meet
12 Charles Taylor once for less than one hour. In fact, he was
13 annoyed in the meeting in Mobai.

12:00:59

14 Q. Now, Mr Witness, you told us about this trip for six months
15 of Mr Tengbeh to Gbarnga last week, correct?

16 A. Yes, I did.

17 Q. Was that the first time you've ever told anyone about this
18 alleged trip of Mr Tengbeh to Gbarnga? Had you told anyone else
19 about that before, or did you make it up last week?

12:01:16

20 A. No, I did not.

21 Q. Had you told the Defence about that before, for example?

22 A. Yes, in my statement. When they were taking statement from
23 me, I said it.

24 Q. And when was that?

12:01:30

25 A. That was sometime in November 2009.

26 Q. When did you first meet with the Defence team?

27 A. That was November 2009.

28 Q. And how did you happen to meet - to be connected with them?

29 A. My brother-in-law Jigay, J-I-G-A-Y, met me in Voinjama,

1 Liberia.

2 Q. Yes?

3 A. And told me that he would like me to volunteer.

4 Q. What is Jigay's last name?

12:02:13 5 A. That is a nickname. His full name is Mohamed Tarawalli.

6 Q. Okay. He wanted you to volunteer for what?

7 A. He wanted me to volunteer to be a witness - a witness for
8 the Defence team.

9 Q. And, sir - sorry, continue.

12:02:44 10 A. Because he knew that I was in the RUF for a long time and
11 that I would be able to explain the history of the conflict
12 behind the RUF-held - in the RUF-held territory. Then I asked
13 him, "How can I do that? Nobody has met me." Because I have not
14 been around Freetown for a very long time, since 1999 when we
12:03:36 15 left, I said I have not been to Freetown. He said, "I will get
16 you connected with the Defence lawyers." I said, "Okay. Because
17 it has been my prayer to have an opportunity to explain to the
18 world - to a more caring world what the RUF did." Then he
19 connected me with Counsel Logan. That was how I got connected
12:04:28 20 with them.

21 Q. And what was the connection of Mohamed Tarawalli to the
22 Defence team? How did he know counsel?

23 A. I did not ask him.

24 Q. What is his nationality, Mohamed Tarawalli?

12:04:46 25 A. Mohamed Tarawalli is a Sierra Leonean from Bo District.

26 Q. Sir, why were you in Voinjama at that time?

27 A. I told you this morning that I have an NGO in Liberia. I
28 had gone there to set up an office for the Lofa County.

29 Q. How long before you met with Logan did you have this

1 conversation with Mohamed Tarawalli?

2 A. Mohamed Tarawalli actually met me in October 2009.

3 Q. What was he doing in Voinjama?

4 A. Who?

12:05:35 5 Q. Mohamed Tarawalli, what was he doing in Voinjama?

6 A. I don't know what he was doing there.

7 PRESIDING JUDGE: Mr Koumjian, you asked the witness how
8 long before meeting Logan had he met - spoken to Mohamed
9 Tarawalli. The answer he gives doesn't give an indication of
10 your answer.

12:06:02

11 MR KOUMJIAN:

12 Q. Is it correct, Mr Witness, that you met Logan, you said,
13 you made your statement in November 2009. Is that right?

14 A. I think so, yeah.

12:06:11 15 Q. So it was about a month before that you met - that you had
16 the conversation with Mohamed Tarawalli?

17 A. Yes, it was in October.

18 Q. Now, when this man Tengbeh came back to Kailahun, you had
19 sent him there to tell you about - to find out about the
12:06:39 20 relationship between Foday Sankoh and Charles Taylor. Is that
21 right?

22 A. Yes. But we did it in an indirect way. We did it by way
23 of a request for arms.

24 Q. So Mr Tengbeh went there to request arms from Charles
12:06:59 25 Taylor. Is that right?

26 A. Yes.

27 Q. And he was there from the end of 1991, December up to May,
28 June, up to the end of Top 40. Is that right?

29 A. Yes.

1 Q. And during that time, did Charles Taylor send any arms and
2 ammunition to the RUF?

3 A. Not at all. I think I have said that one. Because it was
4 during that time that we saw most of the problems. There was no
12:07:32 5 fighting material at all. And I've also said that when
6 Mr Tengbeh came back, he convened a meeting in Mobai. We went to
7 that meeting and he expressed disappointment first at the fact
8 that for the entire time he stayed there, he was only able to see
9 Charles Taylor once and definitely he - he was older than Charles
12:08:08 10 Taylor at that time, I think, because he was in his late 60s.
11 Secondly, he did not come with anything.

12 PRESIDING JUDGE: Excuse me, what do you mean he did not
13 come with anything?

14 THE WITNESS: He did not come with the things we sent him
12:08:31 15 to get us for this, war - fighting materials as weapons.

16 MR KOUMJIAN:

17 Q. Mr Witness, are you sure - the question I asked you was:
18 During that time, the end of 1991 up to May, June, the end of Top
19 40, 1992, did Charles Taylor send any arms and ammunition to the
12:08:51 20 RUF? What is the answer? Do you know the answer or are you not
21 sure?

22 A. I am not aware of that at all because the evidence of our
23 empty handedness in terms of fighting material was overwhelming.

24 Q. Well, if a witness said that Charles Taylor did send
12:09:09 25 ammunition and arms to the RUF during that period of time, would
26 that be the truth?

27 A. He said?

28 Q. If a witness said that. The fact of the matter is you
29 don't know whether it's the truth or not, correct?

1 A. The evidence can say whether it's the truth or not.
2 Charles Taylor couldn't have been sending weapons, then just for
3 Mr Tengbeh to come and tell us that he did not come with
4 anything. Mr Tengbeh would have said, "While I was there with
12:09:42 5 Charles Taylor, we sent this amount of weapons to you." But he
6 said he was disappointed; he was able to see Charles Taylor once;
7 he did not come with anything.

8 Q. Could the witness be shown the transcript for 11 November
9 2009, page 31601. Sir, I'm going to read to you - are you okay
12:11:07 10 to continue? Thank you. Sir, I'm going to read to you from the
11 testimony of Charles Taylor from 11 November 2009. I'm going to
12 start at line 4. He was asked by his counsel:

13 "Q. Now, during the same time period that you have
14 admitted to your interaction with Foday Sankoh, you also
12:11:30 15 gave Foday Sankoh arms and ammunition, you say in small
16 amounts. Can we agree to that?

17 A. Yes, we can.

18 Q. And in part, you provided this out of respect for
19 Foday Sankoh, who at this time was working as your partner,
12:11:47 20 according to you, in securing the Liberia-Sierra Leone
21 border; can we agree to that?

22 A. Yes, we can agree.

23 Q. And this type of support and assistance that was
24 provided to Foday Sankoh and the RUF during this time
12:12:06 25 period, August 1991 to May 1992, that would have been
26 provided with your knowledge and authorisation; can we
27 agree to that?

28 A. Of course, yes."

29 So, Mr Witness, when you just told us that Mr Tengbeh came

1 back and said during the period December 1991 to the end of Top
2 40 there was no assistance from Charles Taylor, seeing the
3 evidence of the admission of Charles Taylor himself, would you
4 agree that what you told us before that there was no arms and
12:12:51 5 ammunition was wrong? There was.

6 A. Is it a question?

7 Q. Yes, sir.

8 A. I have said in the past that - or I have admitted in the
9 past the fact that Foday Sankoh did not say everything to us and

12:13:14 10 I am making this testimony on the basis of what was on the
11 ground. We were the sufferers. We were the ones working the
12 length and breadth of Kailahun District. If and only if there
13 were fighting materials, I am sure that the kind of struggle that
14 we went through was not going to happen. So for him to say that
12:13:44 15 he sent us anything, I cannot say he was lying - he's lying, but
16 I was not aware of it at all. Because the man we sent to get
17 arms for us did not come with anything and he did not tell us
18 that they had sent anything behind while we were there suffering.

19 Q. So, Mr Witness, would you conclude from the fact that
12:14:17 20 Charles Taylor has admitted in this Court to giving arms and
21 ammunition during this time period, that his relationship and
22 assistance to the RUF was something that Foday Sankoh kept secret
23 from you?

24 A. Yes, I do from that testimony.

12:14:39 25 Q. So you wouldn't necessarily be aware of the assistance -
26 the military assistance that Charles Taylor gave to the RUF. In
27 fact, we've seen you were not aware of it, correct?

28 A. That is what I am saying. When we talk about military
29 assistance, the evidence of it has to be on the ground. What we

1 the civilians knew and continued to say is that if Charles Taylor
2 was sending us - was sending Foday Sankoh fighting materials, we
3 expect those materials to have been enough to sustain the gains
4 RUF had made. In the absence of that, it is not possible for a
12:15:21 5 civilian to know that there was any such help, because we did not
6 want to see the retreat that happened. We did not want to see
7 the killing that happened at all by the government troops like in
8 1993 or so.

9 Q. Well, in 1993 the RUF fortunes changed and the government
12:15:46 10 was able to drive them out of the towns because of a lack of
11 ammunition on the part of the RUF, correct?

12 A. No, what happened was that the RUF - the secret of the RUF
13 - sorry, of the government finding it difficult to throw the RUF
14 away was that the information that met the government about the
12:16:11 15 RUF was that we had a lot of arms, but absolutely there was no
16 arms. There was no arms at all. So it was both because of lack
17 of arms and lack of correct information getting to the government
18 that the government was not able to get us completely out of
19 Sierra Leone and that we were not able to resist the government
12:16:38 20 attack at that time.

21 Q. So there were no arms at all in the RUF?

22 A. No, it's not possible for me to say there were no arms at
23 all. It's not possible.

24 Q. In fact, you know that there were arms because you saw
12:16:49 25 people carrying the guns?

26 A. Yes.

27 Q. But 1993 the RUF was short of ammunition, correct?

28 A. Very, very short of ammunition.

29 Q. And that was because ULIMO had blocked the border with Lofa

1 County?

2 A. No, no.

3 Q. And the supply of ammunition, the regular supply from
4 Charles Taylor, was blocked by ULIMO, correct?

12:17:11 5 A. No, not at all. Not at all.

6 Q. Sir, were you aware of --

7 A. Yes, I have said from day one that the RUF did not have
8 supplies from Liberia from Charles Taylor.

9 Q. And we've just seen that that's not true.

10 A. [Overlapping speakers].

11 Q. I haven't asked you a question.

12 A. Okay.

13 Q. We've just seen that that's not true; that Charles Taylor
14 himself admitted to sending arms and ammunition to the RUF,
15 correct?

12:17:45 16 A. Yeah, that's what I'm saying. The arms and ammunitions he
17 claims to have sent to RUF did not impact on our situation there
18 as civilians. We were still being pushed. We were still being
19 pushed, our farms were still being captured by the government
12:18:10 20 soldiers. So for him to say he sent us arms, that one I'm not
21 saying he's lying because he has given the evidence himself, but
22 I cannot make - I cannot give you a yes or a no answer to that
23 one at all.

24 Q. Sir, how long did the RUF control Kailahun Town after it
12:18:30 25 was captured on 13 April 1991?

26 A. When it - you mean after the capture in 1991?

27 Q. Yes. How long did the RUF remain in control?

28 A. Okay. Up until - up until March 1993.

29 Q. And that was the time that ULIMO blocked the border with

1 Lofa County, correct?

2 A. Yeah, that was the time we heard that ULIMO was at Lofa
3 County, yeah.

12:19:16

4 Q. So the RUF had sufficient arms and ammunition to hold major
5 towns in Kailahun until ULIMO blocked the border with Lofa
6 County, correct?

7 A. May I bring you back to the first thing I said?

8 Q. You have to answer my question. I ask the questions here.

9 A. Repeat the question.

12:19:27

10 Q. Sure. So the RUF had sufficient arms and ammunition to
11 hold major towns in Kailahun District until ULIMO blocked the
12 border with Lofa County?

13 A. No.

14 Q. Correct?

12:19:38

15 A. No. No, with an explanation. I have said earlier that the
16 information that met the government about the RUF's empty
17 handedness was so scanty that they always believed RUF had arms
18 and ammunition. So for them to come was not easy. That was how
19 we - that was the only reason we were able to survive. No
20 correct information met the government soldiers at all.

12:20:03

21 Q. Sir, were Charles Taylor's subordinates, people under his
22 command, in Sierra Leone during the time that Mr Tengbeh, for
23 example, was in Gbarnga?

24 A. No, I - no. No.

12:20:30

25 Q. Was the NPFL involved in the invasion of Sierra Leone?

26 A. No.

27 Q. Well, I think we might still have the page on the screen
28 that we had that I was reading before from Charles Taylor's
29 testimony. If we can go back to that. At line 22 Mr Taylor was

1 asked by his own lawyer:

2 "Q. Now, Mr Taylor, can we also agree that you had NPFL
3 subordinates in Sierra Leone from August 1991 to May 1992?

4 A. Yes."

12:21:10 5 Mr Witness, you, holding an important position with the
6 RUF, must have known that the NPFL was in Sierra Leone during
7 that period of time. Didn't you know that?

8 A. I have told --

9 MR GRIFFITHS: I am sorry, Madam President, but if we look
12:21:23 10 at the transcript, two different questions are being asked. Line
11 2, "Was the NPFL involved in the invasion of Sierra Leone?" The
12 question now is "was in Sierra Leone". Which of the two
13 questions does Mr Koumjian want the witness to answer?

14 PRESIDING JUDGE: Yes, Mr Koumjian, could you perhaps
12:21:45 15 clarify the question. What exactly is the question that you are
16 asking the witness arising out of the transcript that you've read
17 to him?

18 MR KOUJIAN:

19 Q. Mr Witness, do you recall telling us just a moment ago - I
12:22:00 20 asked you if Charles Taylor had subordinates in Sierra Leone
21 during the time that Mr Tengbeh was in Gbarnga which you said was
22 from December 1991 to May, June 1992?

23 A. What I remember saying is --

24 Q. And you answered --

12:22:19 25 A. What I remember saying is yes, Dopoe was sent there on the
26 orders of Charles Taylor to take away all those who were there
27 that were not of RUF, Liberians that were not of RUF.

28 Q. And you said that was in August 1992, correct? When was
29 that?

1 A. August 1992?

2 Q. When was it that Dope Menkarzon came?

3 A. That was after the Top Final.

4 Q. So when was that?

12:22:48 5 A. It was June, July.

6 Q. Okay. Now let's go back and see the question that I asked.

7 You on my front it's page 81, line 23. I asked you: "Sir, were

8 Charles Taylor's subordinates, people under his command, in

9 Sierra Leone during the time that Mr Tengbeh, for example, was in

12:23:09 10 Gbarnga?" Which you had told us was December '91 to May, June

11 '92. You answered, "No, I - no. No."

12 But we see here Charles Taylor has said that he did have

13 subordinates in Sierra Leone during this period of time. He said

14 his subordinates were there from August 1991 to May 1992. So,

12:23:33 15 Mr Witness, you, as a high RUF official, how did you not know

16 that the NPFL was in Sierra Leone?

17 A. I knew that one by the fact that when as soon as

18 Foday Sankoh entered there, he instructed the G2 - the G2 office

19 through Mr Fembeh at that time to prepare identification cards

12:23:58 20 for all those who were trained under the RUF so that when they

21 are moving around they will be identified as RUF. And I've also

22 told this Court in the past that we had some Liberians who

23 crossed over to Sierra Leone without ID cards, which made it

24 difficult for us to know whether they were RUF - sorry, whether

12:24:27 25 they were strayed Liberians or the NPFL. Because we knew that a

26 lot of boys across Liberia were able to cross over to Sierra

27 Leone once they laid their hands on arms. So it is difficult for

28 me to tell whether even the boys who carried out the Top 20s and

29 the Top 40s were NPFL.

1 Q. Mr Witness, there were checkpoints set up around Kailahun
2 Town by the RUF, correct?

3 A. Yes.

4 Q. Now, you've said that when he entered they prepared
12:25:08 5 identification cards. Can you explain when who entered where?
6 You said as soon as Foday Sankoh entered there, Foday Sankoh
7 entered there, he instructed the G2 to prepare identification
8 cards. Where was that?

9 A. That was in Kailahun for the commandos.

12:25:27 10 Q. In fact, are you saying that these vanguards - for the
11 commandos, for people that joined the RUF. Is that correct?

12 A. Yes, for people that joined the RUF.

13 Q. Because the vanguards already had their identification
14 cards. Is that right? Is that correct, or you don't know?

12:25:47 15 A. Well, no, I don't know.

16 Q. Did you get an identification card?

17 A. Yes, I did.

18 Q. Identifying you as the agricultural officer for the RUF?

19 A. Yes.

12:26:00 20 Q. So, sir, contrary to what you said, it wouldn't be
21 difficult at all to know whether someone was or was not with the
22 RUF because you just had to, at a checkpoint, ask him for an
23 identification card?

24 A. If the identification of individuals as were those with
12:26:24 25 arms was the business of - was the business of the MP commanders
26 who were at the checkpoints.

27 Q. So they --

28 A. So I don't know what they did with those who were coming
29 over without ID cards. I don't know what they did with them.

1 Q. Mr Witness, Koindu was one of the first towns captured in
2 the war in Sierra Leone in 1991, correct?

3 A. Yes, yes, it was the first town.

4 Q. And, sir, do you know some people from Koindu?

12:27:07 5 A. No.

6 Q. Have you been to Koindu?

7 A. Yes.

8 Q. When you were the director of agriculture did you go to
9 Koindu?

12:27:15 10 A. Yes, I went there.

11 Q. Who captured Koindu in 1991?

12 A. I cannot tell really.

13 Q. What force was it? You don't know?

14 A. You said?

12:27:27 15 Q. Do you know what force it was that captured Koindu in 1991?

16 A. Yes, because - yes, it was the RUF.

17 Q. In fact, it was the NPFL, wasn't it?

18 A. I don't know. I said it was the RUF because when they met
19 us in Kailahun they said they were the RUF.

12:27:48 20 Q. Where did the - sorry, go ahead.

21 A. So I cannot tell whether the group that captured Koindu was
22 something else.

23 Q. Now, you said, sir, when they entered on the 13 April
24 Kailahun Town you stayed in your house and there was shooting all
12:28:05 25 night long. You heard the sound of weapons being fired, correct?

26 A. Yes.

27 Q. So you know that the rebels that came into Kailahun Town
28 were armed and they had ammunition and they were firing their
29 guns, correct?

1 A. Yes.

2 Q. Where did they get those guns from?

3 A. Oh, I can't tell that. I can't tell that.

4 Q. Even being a member of the RUF, you didn't learn where the
12:28:27 5 arms came from?

6 A. No, not at all, counsel.

7 Q. Would it be better off asking a vanguard who was part of
8 that invasion? Do you think they would have a better knowledge
9 than you of what happened?

10 A. No, I did not ask. We saw them. Normally when a civilian
11 is captured, you have very few questions. You have very few
12 things to say on your own, and so on. So I did not ask.

13 Q. Sir, did you know John Vincent, or perhaps you would know
14 him by the Liberian pronunciation "Vincen"?

15 A. John - yes, John Vincent, yes, I knew him.
12:28:57

16 Q. He was a vanguard, correct?

17 A. Yes.

18 Q. Where was he from?

19 A. John Vincent was in Liberia - came from Liberia.

20 Q. Was he one of what you called these economic migrants?
12:29:08

21 A. No, he was not an economic migrant.

22 Q. He was a Liberian, correct?

23 A. He was a Liberian RUF, yes.

24 Q. Mr Vincent testified openly here in this trial. And let's
12:29:27 25 look at what he said on 25 March 2010, page 38017. Mr Witness,
26 we see at line 4 the Presiding Judge asked for a clarification.
27 And she asked: "These arms that they say the NPFL had taken from
28 the SLA, when the witness's group", that's John Vincent's group,
29 "came to Koindu, were these arms simply donated to them by the

1 NPFL? Or did they capture them? How did they take these arms?
2 How did the RUF take these arms ... " And then Mr Vincent
3 answered - his answer begins on line 13:

4 "A. Very well. Sir, can I go ahead? Yes, what I'm saying
12:31:00 5 here is when the NPFL went at first, when they went to
6 chase the SLA into Sierra Leone, when they got there they
7 captured Koindu, including the military base that the SLA
8 occupied in the police station in Koindu. It was at that
9 time that Foday Sankoh was compelled to launch the
12:31:21 10 revolution. So when he went there those NPFL troops that
11 had captured this material, the arms, ammunition and other
12 things, they handed them over to the command. That is the
13 second in command, Rashid Mansaray. This military material
14 that was captured were handed over to him."

12:31:53 15 So, Mr Witness, do you have any reason to doubt the
16 testimony of Mr Vincent that the RUF - that the NPFL was the
17 force that captured Koindu?

18 A. The reason I have to doubt - to doubt it is the fact that
19 those who actually captured me, those who captured us in
12:32:16 20 Kailahun, were not NPFL.

21 Q. Well, can you give us the names of those that captured you?

22 A. The names of a few?

23 Q. Give us the names of the few that you remember.

24 A. Augustine Gbao was there. Prince Taylor, the Prince that
12:32:45 25 you are talking about for the G5. Mr Fembeh Ngombulango,
26 N-G-O-M-B-U-L-A-N-G-O. And then of course Kai fa Wai.

27 Q. So, sir, this is Kailahun and you see that Mr Vincent says
28 NPFL captured Koindu and turned the arms over to his group. So
29 do you have any reason to doubt that Koindu was captured by the

1 NPFL which then armed the RUF?

2 A. That particular question I don't have an answer to it
3 because the group which met us in Kailahun, they told us they
4 were RUF. They spoke to us in our language, Mende, most of them.
12:34:09 5 Some of them spoke to us in Kissi. So I cannot say - I cannot
6 really say that that man, Mr Vincent, I cannot tell whether he
7 was lying or not, but the group which met us was RUF.

8 Q. Sir, in the years you spent with the RUF in positions of
9 responsibility, did you get to know - learn about the vanguards
12:34:42 10 and how they came to invade Sierra Leone?

11 A. I said in the past that the little I was able to get from
12 Palmer, I have said it. I said the vanguards were economic
13 migrants from Sierra Leone to Liberia before the war and that he
14 also said that they were trained in Camp Naama in Liberia.

12:35:10 15 That's basically all I know.

16 Q. So all you know is what you learned from Palmer?

17 A. Yes.

18 Q. Sir, John Vincent told us - I'm looking for it. I don't
19 have the citation. But John Vincent told us that over three
12:35:43 20 quarters of the vanguards were Liberians and he was there at the
21 training. John Vincent was one of the vanguard, wasn't he?

22 A. Yes, John Vincent was a vanguard.

23 Q. And, sir --

24 A. But for him to say three quarters of them were Liberians,
12:36:02 25 that again I cannot tell, because a list was displayed before me
26 here last week from which I was not able to tell who actually
27 came - I know that they are Sierra Leonean names, but from that
28 list I was able to tell who actually came as vanguards.

29 Q. Well, sir --

1 A. And the names there - three quarters of those names were
2 not Liberian names.

3 Q. Sir, how many vanguards did you know?

4 A. Not their names.

12:36:42 5 Q. Well, you were in the RUF and agricultural officer in
6 Kailahun for many years and then eventually sent - made the
7 spokesperson, sent out of the country. How many vanguards do you
8 know?

9 A. That is what I'm saying, the ones I know I can pronounce
12:36:57 10 their names, but for me to say I know ten, I can't. If you tell
11 me the names- the ones I can remember, I can. But definitely
12 there are some I do not remember.

13 Q. Sir, I would like you now to do a little exercise. And I
14 would ask you to make a list of the vanguards that you recall.

12:37:16 15 So I have a piece of paper I'm going to hand you. It's called
16 "Roster of RUF vanguards prepared by Musa Fayia".

17 A. Please, I don't agree with that topic. "RUF vanguards that
18 Mr Musa Fayia can remember".

19 Q. Can you write that in?

12:37:36 20 A. Yes. Please, can I write on the back?

21 Q. I'll give you another piece of paper, that will be better.
22 And we have others if you need more.

23 A. These are the ones I can remember for now.

24 Q. Thank you, sir. If we can put that on the overhead,
12:45:21 25 please.

26 A. Excuse me, I forgot to put Sam Bockarie's name.

27 Q. Actually, I would ask if the witness could switch seats and
28 then, sir, you can work on this list. Sir, the first name that
29 we - first we see the title. You've edited it. The title now

1 says "Roster of RUF vanguards remembered and prepared by Musa
2 Fayia." So this is the list of what you can remember today of
3 the vanguards, correct?

4 A. Yes.

12:47:13 5 Q. And the first name is Philip Sylvester Palmer. That is the
6 Philip Palmer that you told us is the one who told us about the
7 vanguards, correct?

8 A. Yes.

9 Q. And his nationality was Sierra Leone - what was his
12:47:31 10 nationality?

11 A. Sierra Leonean from Bonthe District.

12 Q. And was he living in Sierra Leone throughout the 1980s and
13 before the war.

14 A. No, before the war, no, he was in Liberia.

12:47:43 15 Q. Okay. Can you put next to his name "SL" for Sierra
16 Leonean. Draw a dash and put "SL" so we have the nationality.
17 The second name, Augustine Gbao, he is a Sierra Leonean, correct?

18 A. Yes.

19 Q. And this is the man who became the chief inspector for the
12:48:07 20 RUF, is that correct - excuse me, I forget the title. Sir, this
21 is the Augustine Gbao that went on trial in Freetown?

22 A. Yes.

23 Q. And, sir, he was a Sierra Leonean, correct?

24 A. Yes.

12:48:21 25 Q. And do you know how he happened to join the vanguards?

26 A. No.

27 Q. He was living in Liberia before the war, correct?

28 A. Yes, he was.

29 Q. And he was captured and put in jail and released by

1 Foday Sankoh, correct?

2 A. I don't know.

3 Q. Why don't you put "SL" next to him. Next to those two
4 names where you put "SL" can you put an asterisk next to both of
12:49:06 5 those. Both of these men were living in Liberia, correct?

6 A. Yes.

7 Q. I mean like a little - I think that might be confusing. If
8 you can put a little star after the "SL", a star so we know.

9 That's it. Perfect. And then at the bottom of the page can you
12:49:33 10 do another star, a little legend, and write "living in Liberia"?

11 A. No, I cannot say that because Sam Bockarie and Issa were
12 taken from Cote d'Ivoire.

13 Q. We haven't come to them yet. So just the ones that you
14 know were living in Liberia we'll put an asterisk.

12:49:59 15 A. Yeah, but the names are here.

16 Q. You see what I'm saying, sir, is we're going to put an
17 asterisk next to those names - a star next to those names of
18 people you know were living in Liberia, Sierra Leoneans. So
19 that's why on the bottom of the page you put another star and so
12:50:18 20 people that read it later can understand that star means living
21 in Liberia?

22 A. Oh, okay.

23 Q. The third name - are you finished? Sorry. The third name
24 Morris Kallon is SL, Sierra Leonean, correct?

12:50:57 25 A. Yes.

26 Q. Can you just mark that. No, there's no asterisk. Was he
27 living in Liberia?

28 A. Morris Kallon, yes.

29 Q. Okay, thank you. Issa Sesay --

1 PRESIDING JUDGE: Mr Koumjian, when you say living in
2 Liberia, at what stage were they living in Liberia? That's
3 important to capture.

4 MR KOUMJIAN: Thank you:

12:51:19 5 Q. By living in Liberia, sir, I understand - you tell me if
6 I'm wrong, I mean living in Liberia at the time they joined the
7 vanguards or were enlisted in the vanguards or conscripted,
8 correct?

9 A. Yes.

12:51:37 10 PRESIDING JUDGE: Then make that clear in the legend.

11 MR KOUMJIAN:

12 Q. Let's go to the bottom of the page then and say "living in
13 Liberia at the time they became a vanguard." Issa Sesay?

14 A. Yes.

12:52:13 15 Q. Sierra Leonean?

16 A. Yeah.

17 Q. And you told us he was living in Cote d'Ivoire?

18 A. Yeah.

19 Q. Can you just mark "SL" next to his name.

12:52:25 20 A. May I put "IC" or "CI" for Cote d'Ivoire?

21 Q. No, just put "SL" for his nationality?

22 A. Okay.

23 Q. And if you want to make it clear to everyone you can put in
24 parenthesis "IC" but it's not necessary. Prince Taylor was a
12:52:42 25 Sierra Leonean?

26 A. Yes.

27 Q. Can you mark that. He was living in Liberia, correct?

28 A. Yeah, he was.

29 Q. Can you put a asterisk - put a star next to his name,

1 sorry. And, sir, he was another person that Foday Sankoh got
2 released from prison and brought to Camp Naama, correct, from
3 detention?

4 A. I am not saying that all of them were taken from prison.

12:53:09 5 Palmer told me that they were taken from prison. So it is
6 possible that all of them were taken from prison or not.

7 Q. Palmer was taken from the jail or prison?

8 A. Yeah.

9 Q. Martin George?

12:53:23 10 A. He's a Liberian.

11 Q. Can you put "LIB" next to his name. Umaru Banks?

12 A. Sierra Leonean.

13 Q. Okay. Mark it, please. Rashid Mansaray?

14 A. Sierra Leonean.

12:53:44 15 Q. Was he Special Forces?

16 A. Yes.

17 Q. Can you put "SL" and then next to it in parenthesis "SF"
18 for Special Forces. Lawrence Womandia, Sierra Leonean?

19 A. Yes.

12:54:12 20 Q. Put "SL". Also living in Liberia, correct?

21 A. Yeah.

22 Q. He was released from - do you know he was released from
23 jail, correct?

24 A. I don't know.

12:54:20 25 Q. Okay. Did you put an asterisk for having lived in Liberia
26 at the time? Should there be an asterisk next to Lawrence
27 Womandia, was he living in Liberia?

28 A. Yeah, he was.

29 Q. Put the star, sorry. Put the star next to "SL". Sir, when

- 1 I say asterisk I mean star. Sorry to confuse you.
- 2 A. Okay.
- 3 Q. Sylvester Miller?
- 4 A. Liberian.
- 12:54:43 5 Q. Can you write "LIB" next to the name. Charles Tingba?
- 6 A. Liberian.
- 7 Q. Can you write "LIB". Fatou Gbembo, what nationality?
- 8 A. Sierra Leonean.
- 9 Q. Can you mark that. Living in Liberia?
- 12:55:11 10 A. Yes.
- 11 Q. John Vincent, Liberian?
- 12 A. Yeah.
- 13 Q. Mark that, please. Isaac Mongrue, is this the person known
- 14 as CO Isaac?
- 12:55:25 15 A. Yeah.
- 16 Q. Is this the person that was in command when the massacre
- 17 happened at Sandiallu?
- 18 A. Yes.
- 19 Q. What's his nationality?
- 12:55:33 20 A. Liberian.
- 21 Q. Can you mark that. Foday Sankoh I think we all know is
- 22 Sierra Leonean. What was he doing in Liberia, do you know?
- 23 A. No.
- 24 Q. Next name, Winifred Palmer, who is that?
- 12:55:48 25 A. That is the wife of Philip Palmer.
- 26 Q. Sierra Leonean?
- 27 A. Yeah.
- 28 Q. Living in Liberia?
- 29 A. Yeah.

- 1 Q. Now we have Monica Pearson. What's her nationality?
- 2 A. Liberian.
- 3 Q. Can you mark that. Saah, what's the last name, sir?
- 4 A. Lolo.
- 12:56:23 5 Q. L-0-L-0?
- 6 A. Yes.
- 7 Q. What nationality?
- 8 A. Liberian.
- 9 Q. Can you mark that. Richard Honero?
- 12:56:34 10 A. Sierra Leonean.
- 11 Q. Mark that, please. And you put a star next to his name for
- 12 living in Liberia. John Kargbo?
- 13 A. John Kargbo, Liberia - sorry, Sierra Leonean.
- 14 Q. Sierra Leonean. Can you mark that. He was living in
- 12:56:56 15 Liberia, correct?
- 16 A. Yeah.
- 17 Q. I'll come back to him in a moment. Kaifa Wai, Sierra
- 18 Leonean?
- 19 A. Yeah.
- 12:57:04 20 Q. Was he living in Liberia?
- 21 A. Yes.
- 22 Q. Can you mark that. And Sam Bockarie. Sierra Leone,
- 23 correct?
- 24 A. Uh-huh.
- 12:57:14 25 Q. Now, sir, did you hear that Sam Bockarie had been working
- 26 in Liberia as a disco dancer and a hairdresser?
- 27 A. No.
- 28 Q. As far as you know he was not living in Liberia?
- 29 A. Uh-huh.

1 Q. Okay. I want to ask you about a few other names,
2 understanding that you are doing this from memory. And if they
3 are people that you know to be vanguards, we'll add them to the
4 list. Let's start with Mike Lamin. You've mentioned him in your
12:57:49 5 testimony. Was he a vanguard?

6 A. Yeah.

7 Q. Can you mark his name. Now, you've mentioned Nya. Do you
8 know someone named Nya?

9 A. Yes.

12:58:09 10 Q. Who was he?

11 A. He was a vanguard too. Liberian.

12 Q. So will you mark his name?

13 A. Do you have his full name anywhere?

14 Q. Is it Foday Lansana? Do you recognise that name?

12:58:29 15 A. Which one?

16 Q. Foday Lansana.

17 A. No, no. Foday Lansana, no.

18 Q. Just mark Nya. That's fine.

19 PRESIDING JUDGE: You didn't ask the witness, Mr Koumjian,
12:58:41 20 whether Mike Lamin was living in Liberia at the time.

21 MR KOUMJIAN:

22 Q. Sir, was Mike Lamin living in Liberia?

23 A. Yes, he was.

24 Q. Put a star next to his name. You put it next to Bockarie,
12:58:55 25 so just draw a line from Lamin to the star because you said
26 Bockarie was not. Thank you. So I think number 23 then would be
27 - Nya is 22.

28 PRESIDING JUDGE: Nya is 23, isn't it?

29 MR KOUMJIAN: I think he's 22.

1 THE WITNESS: He's 23, yes, sorry.

2 JUDGE LUSSICK: If you have a look at the first page, those
3 numbers don't mean much at all because they have been repeated.

4 MR KOUMJIAN:

12:59:36 5 Q. Sir, a few other names. You mentioned - in your testimony
6 you said Superman was a vanguard, correct?

7 A. Yes.

8 Q. What's his real name?

9 A. I don't know his real name.

12:59:48 10 Q. Okay. Write "Superman". You said he's a Liberian?

11 A. Yeah.

12 Q. Matthew Barbue, do you know him?

13 A. Matthew who?

14 Q. Matthew Barbue. Did you know him?

13:00:17 15 A. No.

16 Q. How about - did you know Denis Lansana known as Monkey
17 Brown?

18 A. Denis Lansana was not a vanguard.

19 Q. Okay. What about Matthew Kennedy?

13:00:31 20 A. Matthew Kennedy was a vanguard.

21 Q. Would you put his name down, please. Now, how about Sam
22 Kolléh?

23 A. Sam Kolléh?

24 Q. Yes. Do you recognise the name?

13:00:59 25 A. Yeah.

26 Q. How about someone called CO Lion? Did you know a CO Lion?

27 A. Who?

28 Q. CO Lion, like the animal. His real name was Allenz Blamoh.
29 Did you know that person?

- 1 A. Yes. That's his real name?
- 2 Q. Yes. Write his real name, if you know it.
- 3 A. No, I don't know it.
- 4 Q. Well, do you know - who do you know? What name do you
13:01:37 5 know?
- 6 A. I know Li on.
- 7 Q. Okay. Write "CO Li on". How about Joseph Brown?
- 8 A. Yes, I do.
- 9 Q. Would you write his name down. What was his nationality?
- 13:02:09 10 A. Liberian.
- 11 Q. How about Alfred Brown, Foday Sankoh's driver, do you
12 recognise that name?
- 13 A. Yes.
- 14 Q. Was he the driver for Foday Sankoh?
- 13:02:26 15 A. You said?
- 16 Q. Was he a driver for Foday Sankoh?
- 17 A. Yes, he drove for him.
- 18 Q. What vehicle did Foday Sankoh have or vehicles when you
19 knew him before the Ivory Coast when he was in Kailahun District
13:02:40 20 when he would come and visit?
- 21 A. He had a small jeep.
- 22 Q. And did the RUF also have a large truck?
- 23 A. What?
- 24 Q. Did you see a large truck with the RUF?
- 13:02:56 25 A. No.
- 26 Q. Okay. You never saw a ten-wheel truck? You have to
27 answer, sir, yes or no.
- 28 A. Some trucks were captured by the RUF during the ambushes -
29 in the ambushes. That was the time I saw them with trucks.

1 Q. Let me - okay. Let me try my pronunciation one more time.
2 If you don't remember, you don't remember, but it might have been
3 my pronunciation. Matthew Barbue, does that ring a bell or no?
4 A. Barbo [phon] or --
13:03:28 5 Q. Barbue. Do you know a Matthew Barbue?
6 PRESIDING JUDGE: You might want to try a spelling with
7 that surname.
8 MR KOUMJIAN:
9 Q. B-A-R-B-U-E.
13:03:38 10 A. Yes, Barbue, yes.
11 Q. How about Sam Draper?
12 A. Sam who?
13 Q. Draper or Drapper?
14 A. No, I don't know that.
13:04:06 15 Q. Do you know someone called PI?
16 A. No, I don't.
17 Q. How about Boston Flomo, Rambo?
18 A. No.
19 Q. How about Emmanuel Williams or Emmanuel Johnson known as
13:04:23 20 Rocky CO?
21 A. No, I don't.
22 Q. How about Vincent Dugbe? Do you know him?
23 A. Vincent Dugbe?
24 Q. Yes.
13:04:39 25 A. No, I don't.
26 Q. How about someone called Sellay Duwoh?
27 A. No.
28 Q. How about Karmoh Kanneh, Eagle?
29 A. No.

- 1 Q. CO Baday. Did you know someone called CO Baday?
- 2 A. Bal de?
- 3 Q. Baday, B-A-D-A-Y.
- 4 A. No.
- 13:05:04 5 Q. Did you know someone called Mon Ami?
- 6 A. Yes, I knew Mon Ami.
- 7 Q. Who was the Mon Ami that you knew?
- 8 A. We used to call him Ful a Mon Ami.
- 9 Q. Was he a vanguard?
- 13:05:14 10 A. He was a vanguard, a Malian.
- 11 Q. Can you write his name down?
- 12 PRESIDING JUDGE: Perhaps the witness could have another
- 13 piece of paper if those are full.
- 14 MR KOUMJIAN:
- 13:06:02 15 Q. Sir, how about Jackson Swarray, sometimes known as Ray
- 16 Swarray, did you know him?
- 17 A. Jackson Swarray was not a vanguard. He was one of Sankoh's
- 18 bodyguards.
- 19 Q. Had he been living in Liberia?
- 13:06:15 20 A. No.
- 21 Q. Do you recall --
- 22 A. I don't know. I don't know.
- 23 Q. Do you recall that he was sent to Liberia for medical
- 24 treatment?
- 13:06:21 25 A. No.
- 26 Q. Did you ever hear that he was - served as a bodyguard for
- 27 Charles Taylor?
- 28 A. Jackson? No.
- 29 Q. He was light skinned, correct?

1 A. Yeah.

2 Q. And he was used as a look alike for Charles Taylor to
3 precede him in a convoy. Did you ever hear that?

4 A. Never.

13:06:49 5 Q. Now, sir, some of these people were NPFL. Isn't it true
6 that some of the names that we've mentioned had been in the NPFL?

7 A. I don't know that.

8 Q. Okay. Well, let's start with John Vincent. He was NPFL,
9 correct?

13:07:15 10 A. I don't know about that.

11 Q. If John Vincent said - testified under oath here in this
12 Court that he was NPFL when he was recruited to the RUF, would
13 you have any reason to doubt that?

14 A. No, I would not doubt it.

13:07:29 15 Q. John Kargbo, he was NPFL, correct?

16 A. No. I don't know. John Kargbo, I don't know. I knew him
17 very well, but I don't know whether he was NPFL.

18 Q. Isaac Mongor, he was NPFL, correct?

19 A. I don't know that.

13:07:43 20 Q. If John Vincent testified that both John Kargbo and Isaac
21 Mongor were NPFL when he met them, do you have any reason to
22 doubt that testimony?

23 A. That's what I'm saying. These people came and they met us
24 with the RUF identity, so for me to be able to identify them as
13:07:59 25 RUF or NPFL, I don't think I can place myself in a position to do
26 that.

27 Q. Mike Lamin had been NPFL, correct?

28 A. I don't know.

29 Q. Nya had been an NPFL radio operator, correct?

1 A. I don't know at all.

2 Q. And Superman had been NPFL, correct?

3 A. I don't know.

13:08:40

4 Q. Now, this person, Charles Tingba, the name you called out,
5 how did you know him?

6 A. Oh, his name was very famous. He was a very famous person
7 because he was a very strong fighter. I did not even see him
8 myself. We just used to hear about him.

13:08:57

9 Q. Okay. So that's just the name that you recall hearing,
10 Charles Tingba --

11 A. Yes.

12 Q. -- as a very strong fighter. How about Sam Tuah, did you
13 hear that name?

14 A. Sam who?

13:09:04

15 Q. Tuah.

16 A. No.

17 Q. How about Anthony Mekunagbe, did you hear that name?

18 A. Yes, I used to hear the name.

19 Q. How about Dry Pepper, did you hear that name?

13:09:22

20 A. No.

21 Q. Sir, could you - have you signed these documents? If you
22 could sign them.

23 PRESIDING JUDGE: Mr Koumjian, I've heard the witness say
24 the name I think Mohamed Tarawalli. Should that name be on that
25 list or not?

13:09:59

26 MR KOUMJIAN: Yes.

27 THE WITNESS: Yes.

28 MR KOUMJIAN:

29 Q. Sir, did you ever hear, before we leave, of someone called

1 - by the nickname of Christopher Columbus?

2 A. No.

3 PRESIDING JUDGE: And for Tarawalli, should he have a star
4 against the SL or not?

13:10:48 5 THE WITNESS: Tarawalli, no, he cannot because he was not
6 living in Liberia.

7 MR KOUMJIAN:

8 Q. Was he a Special Forces?

9 A. He was.

13:10:54 10 Q. Would you mark that, please. How about the name One Man
11 One, did you hear that name?

12 A. No.

13 MR KOUMJIAN: Your Honour, could this document, which I
14 believe is now three pages, be marked for identification.

13:11:22 15 PRESIDING JUDGE: This is the list comprising three pages
16 of RUF vanguards as remembered and prepared by the witness Musa
17 Fayia. That is marked MFI-2.

18 MR KOUMJIAN: If the witness could be shown - you can
19 resume your seat. If the witness could please be shown testimony
13:12:16 20 from this year, 30 March, page 38259:

21 Q. If we could go towards the bottom of the page. This is
22 from the testimony of John Vincent, who was a Defence witness in
23 this case just last month. He said on 30 March, I'm going start
24 reading from line 25:

13:13:12 25 "Q. And of these original vanguards, the original group
26 trained in Naama for the RUF that went into Sierra Leone in
27 March 1991, you told us that 252 of 328 were Liberians,
28 correct?

29 A. Yes."

1 So, sir, do you see that John Vincent, another Defence
2 witness who was a vanguard, who you know to be a vanguard, gave
3 us precise figures that show that over three-quarters of the
4 vanguards were Liberians. Do you have any reason to doubt that.

13:13:48 5 A. No. That is why I said early on that the ones I remembered
6 very well, the entire number - their entire number cannot have
7 that kind of fraction.

8 Q. Sir, did you spend more time with people from Sierra Leone
9 or people from Liberia? Did the Liberians tend to - let me
13:14:11 10 withdraw that question. Let me ask you another question. Did
11 the Liberians tend to be friends with each other and socialise
12 with each other?

13 A. During the war?

14 Q. Yes.

13:14:24 15 A. Yes, I mean sociologically speaking yes, they were
16 befriending each other more. But Liberians who were with us,
17 they even went into marriage with our sisters. Some of them
18 married our brothers, the females.

19 Q. Well, they took Sierra Leonean women as their wives,
13:14:51 20 correct?

21 A. Yes.

22 Q. Some of them took multiple women?

23 A. Yes.

24 Q. And these were women from towns that had been captured,
13:15:07 25 correct?

26 A. Yes.

27 Q. Now, sir, I want to talk to you a little bit about Top 20
28 and Top 40. That was fighting between the NPFL and the RUF,
29 correct?

1 A. No.

2 Q. Who are you saying was involved in the fighting in Top 20
3 and Top 40?

4 A. I said that we saw Liberians with arms and without an
13:15:34 5 identity in our territory. They were the ones who did the
6 fighting. Some RUF also were - some RUF Liberians also were
7 involved in it, in the Top 20.

8 Q. When you say they did the fighting, what do you mean?

9 A. They ran the Top 20.

13:15:54 10 Q. Well, Liberians inside Sierra Leone were committing crimes
11 against civilians including cannibalism, correct?

12 A. Yes.

13 Q. And among those committing these crimes were Gios, correct?

14 A. Yes.

13:16:10 15 Q. They were - largely the ones doing the cannibalism were
16 people from Nimba County, correct?

17 A. Yes.

18 Q. Which of the people, the names we saw on that list, were
19 Gios? Do you recall any Gios who were with the RUF?

13:16:25 20 A. Yes, Nya I remember was a Gio. CO Nya.

21 Q. Anyone else?

22 A. Distinctly he is the one I remember.

23 Q. And they were raping women, correct?

24 A. Yes.

13:16:54 25 Q. And they were looting and taking things back to Liberia,
26 correct?

27 A. Yes.

28 Q. The fighting was between these Liberian - now you said
29 these Liberians were not NPFL because - you said because of the

1 identities. Can you explain that?

2 A. I said they don't come to be identified to us as Liberians.
3 We just saw them as in the words of Dopoe - in the words of
4 Dopoe, they were referred to as - he referred to them as
13:17:51 5 self-styled soldiers.

6 Q. So is it your testimony that these people - were they under
7 anyone's command?

8 A. That is what I'm saying.

9 Q. And whose command were they under?

13:18:02 10 A. I don't know under whose command they were. What I knew
11 them to be - in fact most of them were not trained. Most of them
12 had just laid their hand on arms, as we came to understand. They
13 just laid their hands on arms and they decided to come over to
14 Sierra Leone to do looting. That is what they used to call
13:18:22 15 Kailahun, Kuwait. Because any time they came they met something
16 that they wanted. Any time they came they met something that
17 they wanted.

18 Q. Sir, why do you say that you came to understand - you said,
19 "Most of them had just laid hands on arms as we came to
13:18:38 20 understand." How did you come to understand that?

21 A. We were told.

22 Q. By who?

23 A. The man who came to collect the Liberians because --

24 Q. Dopoe Menkarzon?

13:18:48 25 A. Yes, Dopoe said anyone who is Liberian that's not an RUF,
26 the people was taken away back to Liberia.

27 Q. Dopoe Menkarzon was an NPFL commander - a top NPFL
28 commander?

29 A. Yes.

1 Q. Why would a top NPFL commander go into another country and
2 collect men, if they had nothing to do with his force?

3 A. A complaint was lodged to Charles Taylor saying that there
4 are Liberians on the RUF soil who were not RUF. They were there
13:19:22 5 causing mayhem, so he wanted to have them out - to help him have
6 them out. So that was why he sent Dopee Menkarzon to collect
7 them from our territory.

8 PRESIDING JUDGE: Mr Witness, you said these words at line
9 18 of page 110, "They used to call Kailahun Kuwait."

13:19:42 10 THE WITNESS: Kuwait, yes.

11 PRESIDING JUDGE: Listen to me. Don't talk while I'm
12 talking, please. "Because any time they came, they met something
13 they wanted. Any time they came, they met something they
14 wanted." What do those words mean?

13:19:57 15 THE WITNESS: I mean by that any time they came, they took
16 something like the produce that was in the store. The coffee and
17 the cocoa that was there, they used to loot that one. They used
18 to take our cooking items from our territory. Even down to
19 mortar and pestles, they used to carry them. Benches. Benches,
13:20:27 20 tools, people - that women sit on in kitchens, they used to carry
21 them to Foya. So when they came and went back several times
22 still finding these things to be picked up, they referred to
23 Kailahun as Kuwait because, according to them, Kailahun has so
24 much property that they have not exhausted them yet.

13:20:56 25 MR KOUMJIAN:

26 Q. Who is "they", Mr Witness?

27 A. These - the looters from Liberia.

28 Q. Were they organised?

29 A. No, no, they were not organised.

1 Q. Why weren't the - why would the RUF allow them into stores
2 and to take things away?

3 A. They came with arms. I have said they picked up arms and
4 came over to us.

13:21:14 5 Q. So it was an armed force that was doing these crimes,
6 correct?

7 A. I don't know whether it was an organised armed force, but
8 they were armed men.

9 Q. In fact, it was a unit of the NPFL led by Sam Tuah, with
13:21:41 10 the man you called Charles Tingba as deputy, that was involved in
11 this fighting against the Sierra Leone RUF - against the RUF in
12 1992, isn't that true?

13 A. Counsel, I told the Court Charles Tingba died in August
14 1991. How could he take part in the war in 1992?

13:22:04 15 Q. If we could have the testimony from 23 September 2009, page
16 29462. So Charles Tingba died fighting against who?

17 A. Against the government soldiers in Daru in August.

18 Q. He died in the attempt to take Daru Barracks, correct?

19 A. Yes.

13:22:31 20 Q. That was a very important strategic objective for the RUF,
21 correct?

22 A. Yes, it was.

23 Q. Because it was probably the strongest fortified position in
24 Kailahun for the SLA - for the Sierra Leone Army, correct? That
13:22:47 25 was where they were strongest; at the barracks, correct?

26 A. Yes.

27 Q. If they could have been pushed out of the barracks, then
28 the whole district basically would have fallen under RUF control,
29 correct?

1 A. Yes.

2 Q. So page 29462. If we can go to the bottom. Line 15. This
3 is Charles Taylor testifying on - he is being asked questions by
4 his lawyer:

13:23:17 5 "Q. Do you recall a situation where Charles Timber was a
6 deputy to Sam Tuah?

7 A. Yes.

8 Q. When was that?

9 A. This was the time I would say about August/September of
13:23:30 10 1991. The unit that was sent - the special operations unit
11 that was sent to the borders with Liberia and Sierra Leone
12 to protect, that unit that ended up finally in that Top 20,
13 Top 40 fight, Sam Tuah commanded that unit; Charles Timber
14 was there. That's the unit.

13:23:56 15 Q. Charles Timber was there in what role?

16 A. As deputy to Sam Tuah at the time".

17 So Mr Witness, you told us that Charles Timber died in this
18 operation in about August 1991 to take Daru Barracks. He was
19 part of a unit sent by Charles Taylor to take part in that
13:24:18 20 fighting; isn't that true? He was the deputy.

21 A. I think I cannot say that one. Because just as I have said
22 before, these guys came as vanguards, and I said he died in
23 August 1991. He did not take part in 1992 problem. I'm talking
24 about the Top 20 and Top 40. He was not there. By then he had
13:24:51 25 died.

26 Q. Let me make my case clear to you, sir. The fact is Charles
27 Timber - Tingba, as you pronounce it - was NPFL. He was an NPFL
28 officer. Do you want to comment on that?

29 A. I cannot comment on it. Because this is a military matter,

1 and what we were made to understand was what I am saying. We
2 were made to understand that Charles Tingba was one of our
3 strongest fighters and that he was an RUF.

13:25:40 4 Q. Mr Witness, this place where the vanguards were trained,
5 Camp Naama, where is it - where was it?

6 A. I don't know its location in Liberia.

7 Q. It was in Liberia?

8 A. Yes.

9 Q. And who controlled that territory where the camp was?

13:25:52 10 A. I don't know who was controlling it. Because when the war
11 was being fought in Liberia, we had ECOMOG there, we had Charles
12 Taylor there, and so on. I don't know who was controlling it,
13 but it is in Liberia.

14 Q. You don't know that Charles Taylor's forces controlled Camp
13:26:08 15 Naama?

16 A. No, I don't know about that. It is possible, but I don't
17 know.

18 Q. Sir, I want to go on and talk to you about the bag of rice
19 that you sent to Charles Taylor. Can you tell us about that?

13:26:26 20 A. Yes. That was the first swamp rice we harvested
21 October/November 1991. Before then we were hearing that we were
22 getting everything from Charles Taylor. And the farmers in
23 Bandajuma Sinneh, one Mr Brima, whose surname I don't remember,
24 one of our master farmers, was met by me. I told him that all
13:27:17 25 over the place it is being said that Charles Taylor is our
26 pillar. He's giving us all the support that we need. And so
27 what I think we will do to erase this impression is for us to
28 send from what we have produced a bag of rice to he, Charles
29 Taylor himself. I said I will write a letter to him telling him

1 that we are able to be self-reliant. But it is being said all
2 over the place that he is our support. So if he has any means,
3 let him inform the world on our behalf that we have even sent him
4 food. He is not our support at all. We are using our own sweat.
13:28:36 5 We are using our own resources to run our campaign.

6 I gave the rice to - it was a whole bag of rice, husked
7 rice, a 100 kilogram bag of husked rice. I gave the rice to
8 Mr Foday Sankoh to take it to him because that was the time he
9 was coming and going - coming and going. He took it to him, but
13:29:11 10 he never came back with a reply. Neither did we ever hear on
11 radio that he had made an attempt to clear the air concerning his
12 support for us.

13 Q. Mr Witness, I want to ask you a few questions about what
14 you've just said. First of all, you said, "We were hearing that
13:29:37 15 we're getting everything from Charles Taylor." Where did you
16 hear that? Who was saying that?

17 A. We were hearing that on the radio.

18 Q. And did that upset you, sir, that the radio was saying that
19 the RUF was being supported by Charles Taylor?

13:29:50 20 A. Yes, indeed.

21 Q. Why?

22 A. Because we wanted to be seen - our idea was to be seen as a
23 self-reliant struggle, because Foday Sankoh met us and told us he
24 did not have anything, that we are to give our children to be
13:30:08 25 recruited, that we are to give our energies to be used to support
26 the conflict - to support the campaign, and we are to give our
27 time. So for us to hear that someone else whose efforts had no
28 evidence on the ground was our mainstay, was very much
29 disturbing.

1 Q. So, sir, didn't you feel that people believing that you
2 were supported the RUF by a powerful person like Charles Taylor,
3 wouldn't you believe that would be to your advantage? You told
4 us before that the SLAs didn't attack because they thought the
13:30:48 5 RUF was so well armed. So didn't you think it was to your
6 advantage to have people on the radio saying Charles Taylor was
7 supporting you?

8 A. No, there was no advantage in me, because what was on
9 ground was not the reality - sorry, because the reality was on
13:31:02 10 the ground and they were not talking about the reality.

11 Q. So you wanted the government to know that you were not
12 supported. You wanted the Government of Sierra Leone to know
13 that you were not supported by Charles Taylor.

14 A. Very much so, because we wanted them to know that we were
13:31:15 15 citizens who were actually loyal to the campaign.

16 Q. So, sir, in order to have the Government of Sierra Leone
17 know that you were not supported by Charles Taylor, why would you
18 send rice to Charles Taylor?

19 A. I sent the rice - I think I have explained it. I said we
13:31:32 20 sent that rice to Charles Taylor with a note in it telling him to
21 help us talk to the world, because by then we did not have any
22 access to the media. Help us talk to the world to let them know
23 that in fact he was not supporting us. He could have used his
24 spokesman at that time to make that pronouncement to clear the
13:31:54 25 air concerning his relationship with us.

26 PRESIDING JUDGE: I have my eye on the time. I think the
27 tape has run out, I'm advised. And as you know, we're only
28 sitting until now. We cannot sit for the rest of the day for
29 reasons that the Court is not available.

1 Mr Fayia, we're going to adjourn and I caution you as I
2 normally do not to discuss your testimony.

3 Now, as for the parties, the schedule that you are aware of
4 shows that tomorrow is a half day sitting. However, in the
13:32:33 5 course of this morning's hearing it's been brought to my
6 attention reliably that the Court is available tomorrow the whole
7 day. Now, I wouldn't want to announce or dictate a sitting
8 schedule to the parties without hearing from you.

9 Mr Griffiths, do you have an objection to sitting a normal
13:32:53 10 full sitting day tomorrow starting 9.30 until 4.30?

11 MR GRIFFITHS: Speaking for myself, I would welcome it.

12 PRESIDING JUDGE: Mr Koumjian?

13 MR KOUMJIAN: No, your Honour. We prefer to have the time
14 to prepare the cross-examination, so my preference is clearly to
13:33:08 15 have the half day.

16 [Trial Chamber conferred]

17 PRESIDING JUDGE: Frankly speaking, I think it is only fair
18 to stick to the published schedule. I would only have changed
19 the schedule if both parties agreed to the change. I think it's
13:34:09 20 only fair to stick to the schedule as published.

21 Mr Griffiths, I see you are on your feet.

22 MR GRIFFITHS: Out of respect but also to add this: That
23 Mr Taylor will not be here first thing in the morning tomorrow
24 for [microphone not activated].

13:34:30 25 PRESIDING JUDGE: I suppose that he has given you the
26 go-ahead for the Court to continue. That we will deal with
27 tomorrow. But --

28 MR KOUMJIAN: Could I make one suggestion on that? Could
29 we then do a later schedule to allow Mr Taylor to be here for the

1 whole time? That we start later and use the afternoon schedule.

2 PRESIDING JUDGE: Mr Griffiths, what do you say?

3 MR GRIFFITHS: Maybe my eagerness to have the whole day
4 tomorrow was rather misplaced because I've a rather disgruntled
13:35:32 5 accused behind me who had made arrangements for tomorrow
6 afternoon. I hadn't consulted him before I made that indication
7 and he is not well pleased.

8 PRESIDING JUDGE: Well, that settles it then. Tomorrow
9 afternoon is not convenient to either party, and so I will
13:35:48 10 adjourn the proceedings to tomorrow at 9 o'clock. So we'll sit
11 tomorrow 9 o'clock to 1.30. Court adjourns accordingly.

12 [Whereupon the hearing adjourned at 1.35 p.m.
13 to be reconvened on Tuesday, 20 April 2010 at
14 9.00 a.m.]

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I N D E X

WITNESSES FOR THE DEFENCE:

DCT-306	39253
CROSS-EXAMINATION BY MR KOUMJIAN	39253