

Case No. SCSL-2004-16-T  
THE PROSECUTOR OF  
THE SPECIAL COURT  
V.  
ALEX TAMBA BRIMA  
BRIMA BAZZY KAMARA  
SANTIGIE BORBOR KANU

FRIDAY, 8 JULY 2005  
9.25 A.M.  
TRIAL

TRIAL CHAMBER II

Before the Judges:	Teresa Doherty, Presiding Richard Lussick
For Chambers:	Mr Simon Meisenberg
For the Registry:	Ms Maureen Edmonds
For the Prosecution:	Mr Jim Hodes Ms Wambui Ngunya Ms Karen Abugaber (intern) Ms Maja Dimitrova (Case Manager)
For the Principal Defender:	No appearances
For the accused Alex Tamba Brima:	Mr Kojo Graham
For the accused Brima Bazy Kamara:	Mr Mohamed Pa-Momo Fofanah Mr Ibrahim Foday Mansaray
For the accused Santigie Borbor Kanuu:	Mr Ajibola E Manly-Spain

1 [TB080705A - EKD]  
2 Friday, 8 July 2005  
3 [The three accused present]  
4 [Open session]  
09:21:09 5 [Upon commencing at 9.25 a.m.]  
6 PRESIDING JUDGE: Good morning. Ms Thompson is not here, I  
7 see. Mr Graham, are you taking carriage of the matter?  
8 MR GRAHAM: Yes, Your Honour.  
9 PRESIDING JUDGE: I see. I am advised that the witness  
09:30:28 10 this morning has been the subject of special protective measures  
11 ordered by Trial Chamber I and that he will be giving - I think  
12 it is a he - his evidence by video link. That order was made by  
13 the Trial Chamber last year, I am informed. I will ask the court  
14 attendant to swear in the witness and we will proceed on. Madam  
09:30:58 15 Court Attendant, please. Mr Hodes, what number is the next  
16 witness, please?  
17 MR HODES: Your Honours, at this point we don't know that  
18 we are ready to proceed beyond this witness today, to be honest  
19 with you.  
09:31:13 20 PRESIDING JUDGE: What number is the witness?  
21 MR HODES: This witness, I'm so sorry. This is TF1-180.  
22 PRESIDING JUDGE: Since I am informed he is a juvenile, is  
23 he old enough to take the oath? I should have asked you that  
24 before I instructed the court attendant to swear him in. Is he  
09:31:34 25 old enough to take the oath?  
26 MR HODES: I believe he is, but if the Court wanted to  
27 inquire. I mean, age is a difficult thing to ascertain.  
28 PRESIDING JUDGE: There are ways and means of ascertaining  
29 the age of a juvenile, Mr Hodes. You are speaking to two judges



1 that have had this experience over many years and I think you  
2 should know how to do it too.

3 MR HODES: We think we know what his age is and we think he  
4 is capable of taking the oath.

09:32:04 5 PRESIDING JUDGE: That's what matters. My learned  
6 colleague has just pointed out the statement. There is no  
7 problem given his age as recorded.

8 MS EDMONDS: Are we ready for the witness to take an oath?

9 PRESIDING JUDGE: Yes, please, Madam Court Attendant.

09:36:20 10 MS EDMONDS: I'm sorry, we have a translation problem just  
11 at the moment.

12 PRESIDING JUDGE: What language does the witness speak,  
13 Madam Court Attendant?

14 MR HODES: Krio, Your Honour.

09:36:34 15 PRESIDING JUDGE: Is there a Krio interpreter in the booth?

16 THE INTERPRETER: Yes, My Lord.

17 PRESIDING JUDGE: Do you know what the problem is? Is it  
18 an audio visual problem or what is it?

19 THE INTERPRETER: No. Well, we thought this morning that  
09:36:49 20 the witness would testify in Krio -- in Temne, so we have to  
21 adjust here for the record. So we have to readjust it again.

22 PRESIDING JUDGE: I see. Please let us know when you're  
23 ready.

24 THE INTERPRETER: Thank you.

09:38:04 25 MS EDMONDS: We are ready to swear the witness now.

26 WITNESS: TF1-180 [Sworn]

27 [The witness answered through interpretation]

28 PRESIDING JUDGE: Was the oath administered, as we didn't  
29 hear anything?



1 MS EDMONDS: Yes, the oath was taken.  
2 JUDGE LUSSICK: On the Bible or on the Koran?  
3 MS EDMONDS: On the Koran.  
4 PRESIDING JUDGE: We all accept that?  
09:39:45 5 MS EDMONDS: Would you like me to go and do it again?  
6 PRESIDING JUDGE: Please proceed. Ms Ngunya, you're  
7 leading this witness, are you?  
8 MS NGUNYA: Yes, I am, Your Honour.  
9 PRESIDING JUDGE: Thank you, please proceed.  
09:40:19 10 MS NGUNYA: Thank you.  
11 EXAMINED BY MS NGUNYA:  
12 Q. Good morning, Mr Witness.  
13 A. How do you do?  
14 Q. Mr Witness, I will ask you a few questions this morning.  
09:40:32 15 Please begin by telling the Court when you were born.  
16 A. When I was born, in November 1986.  
17 Q. Mr Witness, do you have a birth certificate?  
18 A. Yes. Well, I have left all those things in Makeni.  
19 THE INTERPRETER: Your Honours, would the witness be  
09:41:03 20 advised to come closer to the mic.  
21 PRESIDING JUDGE: Mr Witness, did you hear the interpreter  
22 asking you to get a little closer to the microphone? I can  
23 see --  
24 THE WITNESS: Okay.  
09:41:22 25 MS NGUNYA:  
26 Q. Okay, Mr Witness, I will repeat the question, okay?  
27 A. Yes.  
28 Q. You answered when you were born. Where were you born?  
29 A. At That village.



1 MS NGUNYA: Your Honours, That is spelt XXXXXXXXX .

2 Q. Mr Witness, which district?

3 A. Bombali District.

4 MS NGUNYA: For the record Bombali is spelt B-O-M-B-A-L-I.

09:42:03 5 Q. Mr Witness, do you go to school?

6 A. Yes.

7 Q. What class are you in?

8 A. Form 2.

9 Q. Can you read and write?

09:42:17 10 A. I can try.

11 Q. Mr Witness, you mentioned you were born in That village,

12 Bombali District. Did anything happen to you in That?

13 A. Yes, yes, yes.

14 Q. Please tell the Court.

09:42:48 15 A. Well, there was one time when my mother gave me cakes to go

16 and sell in the other village.

17 Q. Please continue.

18 A. One day when I was going to sell the cakes, that was the

19 time that I heard that the other villages had been attacked.

09:43:12 20 Q. Attacked by who?

21 A. The rebels. They were the ones that attacked the village

22 in which I was going to sell the cakes.

23 Q. Mr Witness, what happened next?

24 A. So, when I was going, I met them on the way. So that was

09:43:42 25 the time that the four rebels escorted me --

26 Q. Mr Witness, four rebels escorted you; is that correct?

27 A. Yes, they were.

28 Q. How did you know they were rebels?

29 A. Well, they had fatigues on which you had the writing "RUF".





1 That was how I knew that they were rebels.

2 Q. Mr Witness, you said four rebels escorted you. What  
3 happened next?

4 A. Well, at that time, the four rebels that came -- there were  
09:44:30 5 many, but only four, they were the ones that escorted me to my  
6 mum.

7 Q. So they escort you to your mum. What happened next?

8 A. Yes. When we went to my mother, they asked whether she was  
9 my mother and she said yes, she was.

09:44:53 10 Q. Please continue.

11 A. So the rebel commander said -- they said they were to take  
12 me along. They said they were to take me along and that I was to  
13 get into their vehicle, and my mother said they should not take  
14 me along.

09:45:17 15 Q. What happened next, Mr Witness?

16 A. So that was the time the commander of the rebels said --  
17 asked my age and my mother said that the coming November 1986  
18 would make me 17 years.

19 Q. Please continue.

09:45:43 20 A. So unfortunately they left the village and they said they  
21 were taking me. And they drew a line and they said that if my  
22 mother were to cross that particular line they would kill her.

23 Q. What happened next, Mr Witness?

24 A. So, unfortunately, my mother continued and she stepped on  
09:46:09 25 the line that had been drawn by the rebel. And the commander  
26 said my mother was to be --

27 Q. One second, Mr Witness. I just want to know, when she was  
28 crossing the line was your mum speaking or doing anything?

29 A. Yes, she was still pleading with them that I should not be



1 taken along.

2 Q. Please continue, Mr Witness.

3 A. So at that time, that was the time that the commander  
4 passed an order that my mother should be shot at. So the fellow,  
09:46:49 5 a small boy, shot at my mother twice, and my mother started  
6 calling my name and she died finally.

7 Q. Mr Witness, after your mother died what happened next?

8 A. When my mother died, at that time they came with two  
9 vehicles and they parked them right up, but it was within the  
09:47:16 10 town. And they put me into the vehicle and I was locked up in  
11 the vehicle.

12 Q. At this time, Mr Witness, were you with others?

13 A. Well, at that time I was under the rebels' control.

14 Q. Please continue, Mr Witness.

09:47:42 15 A. At that moment they tried to go and lock me into the  
16 vehicle. That was the time that other rebels came again and  
17 captured some other vehicles and they put them into the vehicle.  
18 We, the small boys, were over 20, and the older ones, I do not  
19 know their number.

09:48:04 20 Q. So you said the small boys are over 20 and the old ones you  
21 don't know their number. What happened next?

22 A. So after that, some rebels sat upside the other vehicle  
23 where we were sitting. They came to us at Makeni police  
24 barracks.

09:48:29 25 Q. Just to be clear, Mr Witness, when you say "some rebels  
26 were sitting upside," what do you mean?

27 A. They were the RUF who came into the RUF -- who came into  
28 the village to attack. They were the ones that were seated up,  
29 for the vehicle to escort us, and they went us right up to Makeni



1 police barracks and that was where they were locked up for the  
2 moment.

3 Q. Mr Witness, you are now at Makeni police barracks. You  
4 have mentioned you were locked up. Did anything happen at Makeni  
09:49:04 5 police barracks?

6 A. Yes, yes.

7 Q. Please tell the Court.

8 A. Well, unfortunately, at that time they had two commanders,  
9 Corporal Vakeh --

09:49:21 10 THE INTERPRETER: Your Honours, would the witness please go  
11 slow and give us the names again.

12 PRESIDING JUDGE: Mr Witness, would you speak more slowly  
13 and please repeat the two names that you have already stated.

14 THE WITNESS: Okay, okay.

09:49:41 15 MS NGUNYA:

16 Q. Please repeat the names you just mentioned.

17 A. Well, the two commanders who guarded us in the barracks,  
18 Corporal Vakeh with Major --

19 THE INTERPRETER: I did not get that clearly, Your Honours.  
09:50:03 20 I did not get the last name clearly.

21 PRESIDING JUDGE: Mr Witness, please repeat the second  
22 name.

23 THE WITNESS: Second name, Major Shell. Major Shell.

24 MS NGUNYA: For Your Honours, the first name is Corporal  
09:50:19 25 Vakeh, spelt V-A-K-E-H. The second name is Major Shell,  
26 S-H-E-L-L.

27 Q. Mr Witness, what happened at Makeni police barracks?

28 A. So at any time they would beat us when they came with the  
29 food and when they came with the food, we would just grab it and



1 some would get and some would not get.

2 Q. You had mentioned earlier, Mr Witness, you were locked up.

3 Where were you locked up?

4 A. Well, at the police barracks. It was not I alone that was  
09:51:02 5 locked up. All of us that were brought from the village were  
6 locked up at the Makeni police barracks.

7 Q. For how long were you locked up, Mr Witness?

8 A. Well, we spent one week there.

9 Q. What happened after this one week?

09:51:25 10 A. After this one week, that was the time that Corporal Vakeh  
11 said that he was tired of keeping us.

12 Q. What happened next?

13 A. So he said he would go and tell his brother, Major Shell,  
14 that he was tired of keeping us.

09:51:49 15 Q. What happened next?

16 A. So, unfortunately, Major Shell passed an order that we  
17 should be taken out - we, the smaller boys - and that they should  
18 take us to a village after Magburka right in the bush.

19 MS NGUNYA: For Your Honours, the witness has mentioned a  
09:52:11 20 name. It is spelt M-A-G-B-U-R-K-A.

21 Q. Mr Witness, Major Shell passes an order that you be taken  
22 to Magburka. What happens next?

23 A. So when they are taking us to Magburka he said they were  
24 going to show us -- they said they were going to train us how to  
09:52:41 25 fight.

26 Q. Did they train you how to fight?

27 A. Yes.

28 Q. What did they teach you?

29 A. They showed us how to fire a gun and how to dodge a jet, a





1 bomb, and how to lay ambush when we are fighting.

2 Q. Mr Witness, who conducted your training at this time?

3 A. Yes. Well, there were two commanders, Corporal Vakeh and  
4 Major Shell.

09:53:28 5 Q. Mr Witness, how long did you train?

6 A. Well, we spent one month.

7 Q. What happened after your training?

8 A. After the training, we came back to the same place, Makeni  
9 police barracks.

09:53:48 10 Q. Did anything happen at Makeni police barracks?

11 A. Yes.

12 Q. Please tell the Court.

13 A. When we came to Makeni police barracks, they said we should  
14 go and test at Lunsar and they said they should line us up.

09:54:11 15 MS NGUNYA: For Your Honours, the town mentioned is Lunsar,  
16 L-U-N-S-A-R.

17 Q. Mr Witness, you mentioned they lined you up. What happened  
18 next?

19 A. After lining us up, they said they were -- they said they  
09:54:35 20 were going to give us cocaine and brown-brown so as to be very  
21 audacious whilst fighting.

22 Q. Who gave you this cocaine and brown-brown?

23 A. It was Major Shell.

24 Q. Mr Witness, can you describe what brown-brown is?

09:55:00 25 A. Yes, yes.

26 Q. Please do.

27 A. Well, the cocaine and what they said -- they gave us  
28 something like tablets, and the other they put in a bottle. It's  
29 like penicillin. So it was cut at the back, and they took --



1 they put it inside and they put a plaster.

2 Q. Mr Witness, what do you mean by cut at the back? Please  
3 explain.

4 A. It's at my nape. They cut me -- give me a cut on my nape  
09:55:50 5 and they put the cocaine, and after which they cover that with a  
6 plaster. So they did it so that the cocaine will not come out.  
7 So during that time my head, I had valued nothing and my head  
8 started turning.

9 PRESIDING JUDGE: Just a minute. What is amusing the  
09:56:10 10 accused? You behave in court. Continue, Mr Witness.

11 MS NGUNYA:

12 Q. Mr Witness, could you just point for the Court where this  
13 brown-brown was put.

14 PRESIDING JUDGE: I thought the witness said cocaine.

09:56:31 15 MS NGUNYA: I apologise.

16 Q. This cocaine was put. You said they made a cut at the  
17 back. Just point at it for the Court.

18 A. Well, it's behind here [indicates]. Yesterday I showed one  
19 white man and it's right at the back, here. Here. You see,  
09:56:54 20 there is a mark in fact.

21 MS NGUNYA: Thank you, Mr Witness. If the record could  
22 show he has indicated a part at the back of his neck.

23 PRESIDING JUDGE: It was more further up towards his head.

24 MS NGUNYA: Sorry, at the back of the head.

09:57:09 25 PRESIDING JUDGE: We will have the record show that the  
26 witness indicated the lower part at the back of his head.

27 MS NGUNYA:

28 Q. Mr Witness, so you were lined up and you were --

29 A. Yes.



1 Q. You were given these drugs?

2 A. Yes.

3 Q. Did they tell you why they gave you these drugs?

4 A. Well, they said they gave us two drugs -- with the  
09:57:40 5 brown-brown was in a bottle, it was taken from a bottle. It was  
6 an injection. So they injected into my leg. They said when you  
7 were working it will circulate right through the body and you  
8 won't be afraid of doing anything.

9 Q. Mr Witness, at this time do you remember how many boys you  
09:58:05 10 were in line? Approximate.

11 A. Well, almost -- we are almost 30 during that time.

12 Q. Mr Witness, so now you have been given the drug --

13 A. Yes.

14 Q. -- what happened next?

09:58:31 15 A. After they had given us drugs, that was the time that  
16 Corporal Vakeh and Major Shell said we should go at a test, let  
17 us go and fight Lunsar, to Superman. That was a test case.

18 Q. Mr Witness, what happened next?

19 A. Yes. After that, they put us in a vehicle, in their own  
09:59:00 20 vehicle, it was a car. We were before and they were behind us.

21 Q. Please repeat that again, Mr Witness. Who was before and  
22 who was behind you?

23 A. The two commanders, Corporal Vakeh and Major Shell, they  
24 were at -- behind us and we, the smaller boys, were right in  
09:59:24 25 front.

26 Q. Where did you go?

27 A. Well, we were heading for Lunsar, to see Pa Man, where  
28 Superman was.

29 MS NGUNYA: For the Court, Superman as it sounds,



1 S-U-P-E-R-M-A-N.

2 Q. Did you get to Lunsar?

3 A. Yes, yes.

4 Q. What happened in Lunsar?

09:59:54 5 A. So when we went, so there was a blockage. They said that  
6 we were to go to Lunsar and that we were to fight and they were  
7 going to stay. So a vehicle took us and went right inside Lunsar  
8 and we went into the market. And when we reached at Lunsar, that  
9 is where we met some rebels and they opened fire at us. And we  
10:00:22 10 also did the same thing and we started fighting.

11 Q. Do you know which group you were fighting?

12 A. Well, Superman's group. Superman was in charge of Lunsar,  
13 and he was in charge of all the rebels in Lunsar. He was in  
14 charge.

10:00:40 15 Q. What happened next?

16 A. At that time, we fought for the whole of the day. We are  
17 not able to defeat them. And out of our group a lot of people  
18 were killed. So we escaped. I escaped and came to Fofanah  
19 Street and I came to Freetown Highway and I went into the bush,  
10:01:03 20 and I met some other boys who went with me and we went and met  
21 the commanders. Because I was familiar with Lunsar.

22 Q. What happened after you met the commanders?

23 A. When we had met the commanders, they asked about the other  
24 fellows and we told them that we did not see them and they said  
10:01:32 25 that we were to go back where we came from. And we went into the  
26 vehicle and we came back where we came from, that is Makeni.

27 Q. Mr Witness, did anything happen in Makeni?

28 A. Yes.

29 Q. Please tell the Court.





1 A. When we came to Makeni, after two weeks, that was the time  
2 that our bra -- the commander of the town, they said --

3 THE INTERPRETER: Your Honours, would the witness please go  
4 over that again. I did not get it clearly.

10:02:09 5 PRESIDING JUDGE: Mr Witness, would you please repeat your  
6 answer. Thank you.

7 THE WITNESS: When we arrived at Makeni, and Major Shell  
8 came and said that the commander in Makeni had given them an  
9 order that they should gather little boys to go on food finding.

10:02:34 10 MS NGUNYA:

11 Q. Did Major Shell tell you which commanders gave this order?

12 A. Yes. It was not one. There were many.

13 Q. Please name them, if you can.

14 A. Yes.

10:02:56 15 Q. Go ahead.

16 A. Well, the commanders whom he called were General Issa  
17 Sesay, Major Five-Five, General Gullit with O-Five.

18 Q. And what happened after Major Shell passed this instruction  
19 to you?

10:03:21 20 A. Well, unfortunately, because during that time we were  
21 taking instructions, so we had to go to this food finding.

22 Q. What took place during those food findings?

23 A. Well, when we are going -- when we are going on these food  
24 finding, they also said that if we saw other small boys we should  
10:03:53 25 bring them. And the very first time that we went we came with 50  
26 small boys, and we handed them over to our boss man and this boss  
27 men handed over these children to the other elders.

28 Q. When you say you handed over to your boss man, who is this  
29 boss man?



1 A. Well, our boss man that was in charge in Makeni. He was  
2 the one to whom we gave these boys.

3 Q. Mr Witness, does the boss man have a name?

4 A. Yes, yes.

10:04:35 5 Q. Please tell the Court.

6 A. The boss man to whom we handed them over were Issa --  
7 General Issa, O-Five -- Brigadier Five-Five with General Gullit.

8 Q. Mr Witness, did anything else take place in Makeni?

9 A. So because after the food finding -- we went there twice,  
10:05:08 10 food finding.

11 Q. Did anything else happen in Makeni after the food finding  
12 missions?

13 A. Yes.

14 Q. Please tell the Court.

10:05:26 15 A. So unfortunately, at that moment, we took some weeks -- two  
16 weeks. That was the time our commander said -- he said, "Those  
17 small boys are supposed to go and fight in Kabala." That was the  
18 time that Brigadier Issa and some other bras - Brigadier  
19 Five-Five, Gullit, O-Five - they said they had given an order  
10:05:51 20 that all of us should be captured, the smaller boys in the  
21 street, that we should go and fight.

22 Q. What happened next, Mr Witness?

23 A. After that, they came with a vehicle and they captured us  
24 and they put us into the vehicle. We did not know anything and  
10:06:11 25 we were supposed to take instructions, so we went. And vehicles  
26 came and they gave us guns. And we asked who were to be given  
27 guns and they said, "Don't you know the bras in Makeni."

28 Q. What do you mean by "bras in Makeni"?

29 A. Well, it's these four people that I called: General Issa



1 with Brigadier Five-Five, General Gullit with O-Five. They said  
2 they were the ones that passed the order that we should go and  
3 fight.

4 Q. Mr Witness, do you recall about how many of you small boys  
10:06:52 5 went to fight?

6 A. Well, the vehicle was packed full. We were almost 150.  
7 The vehicle was packed full of people.

8 Q. Where did you go, Mr Witness?

9 A. When we left Makeni, we went to Kamasike.

10:07:23 10 Q. What happened next?

11 A. So after that we continued on our patrol.

12 Q. Where did you go?

13 MR FOFANAH: May it please Your Honours --

14 THE WITNESS: We were trying to go to Kabala.

10:07:43 15 MR FOFANAH: May I respectfully ask for the spelling of --  
16 [Overlapping speakers]

17 THE WITNESS: So we went and blocked this place.

18 PRESIDING JUDGE: Just a moment, Mr Witness, counsel wishes  
19 to say something. Please pause.

10:07:58 20 MR FOFANAH: May I respectfully ask for the spelling of  
21 Kamasike, thank you.

22 MS NGUNYA: My apologies. Kamasike is spelt

23 K-A-M-A-S-I-K-E.

24 PRESIDING JUDGE: Thank you. Please continue with -- I  
10:08:16 25 think the witness's mic is turned off. It is on again.

26 Mr Witness, could you please continue telling us what you were  
27 telling us before.

28 THE WITNESS: What do you mean by saying that let me tell  
29 you what I was saying?



1           PRESIDING JUDGE: You said, "We were trying to go to  
2 Kabala." Continue with your evidence.

3           THE WITNESS: Okay. So when we went, they alighted from  
4 the vehicle, so we went in the bush. We were in the bush for  
10:09:01 5 some time and they told us that we were to enter Kabala sharp  
6 3.00 p.m., and they said we were to start the operation.

7           MS NGUNYA:

8 Q. Mr Witness, just to be clear, who told you you were to  
9 start the operation at 3.00?

10:09:17 10 A. Well, our commander who went with us. He was the one that  
11 said so.

12 Q. Does he have a name?

13 A. Yes.

14 Q. Please tell the Court.

10:09:32 15 A. Well, the commander who went with us was called --

16           THE INTERPRETER: Your Honours, let him go over that name  
17 again.

18           PRESIDING JUDGE: Mr Witness, please repeat the name.

19           THE WITNESS: He was called Merciful Killer.

10:09:54 20           MS NGUNYA: Your Honours, I neglected to spell Kabala.

21 K-A-B-A-L-A.

22 Q. Mr Witness, did anything happen at Kabala?

23 A. Yes.

24           JUDGE LUSSICK: I didn't get the name of that commander.

10:10:08 25           THE WITNESS: Unfortunately during that time, we entered  
26 Kabala at night and we started the operation.

27           THE INTERPRETER: Your Honours, the name of the commander  
28 was Merciful Killer.

29           JUDGE LUSSICK: Thank you very much.





1 THE INTERPRETER: Welcome.

2 MS NGUNYA:

3 Q. Please continue, what happened?

4 A. So we arrived there. So when we arrived there, we started  
10:10:38 5 the operation. Because the operation that we went for, we went  
6 for two groups: Guineans and ECOMOG. So we went to attack two  
7 groups, and that was the time that we started the operation.

8 MS NGUNYA: Thank you very much, Mr Witness. I have no  
9 further questions, Your Honours.

10:11:17 10 PRESIDING JUDGE: Yes, Mr Manly-Spain, cross-examination.

11 CROSS-EXAMINED BY MR MANLY-SPAIN:

12 Q. Good morning, Mr Witness.

13 A. Yes, good morning, sir. How do you do?

14 Q. Mr Witness --

10:11:31 15 A. Yes, sir.

16 Q. -- do you know the months of the year?

17 MR MANLY-SPAIN: I don't know whether the question has been  
18 put to him.

19 PRESIDING JUDGE: Mr Witness, did you hear the question?

10:12:05 20 THE WITNESS: Which question?

21 MR MANLY-SPAIN:

22 Q. Do you know the months of the year?

23 A. The months of the year?

24 Q. Yes.

10:12:19 25 A. What do you mean by the months of the year? The time that  
26 this operation took place?

27 Q. Do you know the different months that are in a year? Do  
28 you know the different months that make up a year, Mr Witness?

29 A. Yes, but during that time I was not normal. I was not a



1 normal human being to be able to understand the months of the  
2 year.

3 THE INTERPRETER: I did not get that clearly, Your Honours.  
4 Your Honours, would the witness go over what he said, the last  
10:13:23 5 bit.

6 PRESIDING JUDGE: Mr Witness, the interpreter needs you to  
7 repeat the last part of your evidence. Please repeat it.

8 THE WITNESS: I said the question that you are trying to  
9 ask about the months of the year, I do not understand them.  
10:13:50 10 Except the time that the commander who took us along said some  
11 words and these are the words that I was able, you know, to put  
12 into my memory. Now, if you talk about months of the year, I  
13 wouldn't be able to tell you.

14 MR MANLY-SPAIN: Thank you.

10:14:06 15 Q. Do you remember when you were abducted, Mr Witness, what  
16 year you were abducted?

17 A. I cannot tell you, because during that time I was afraid  
18 that I was going to be killed. So it was only the rebel that was  
19 with me that discuss these things. That was the time that I  
10:14:43 20 understood what was happening.

21 Q. Mr Witness, do you remember who was the head of state in  
22 Sierra Leone at the time you were abducted?

23 A. Yes.

24 Q. Can you please tell the Court?

10:15:07 25 A. Well, at that time it was Tejan Kabbah. He was the one  
26 that was in power. That is the time that they captured me.

27 Q. Do you remember the date you were released?

28 A. What do you mean by "released"?

29 Q. Let me ask you another question. Were you part of the DDR



1 program?

2 A. Well, no.

3 PRESIDING JUDGE: Mr Manly-Spain, for purposes of record  
4 could we have the proper title of DDR.

10:16:11 5 MR MANLY-SPAIN: I think it is Disarmament, Demobilisation  
6 and Rehabilitation.

7 Q. Were you part of that program? I'm sorry, you said no.

8 A. Which one?

9 Q. You said no. Have you ever heard of that program,  
10:16:41 10 Mr Witness, the DDR program?

11 A. Yes, I have heard about it before, a long time.

12 Q. Do you remember the year that it took place?

13 A. Well, what I can remember, except the time that we went to  
14 disarm at Kabala, that was the time that I heard that DDR has  
10:17:11 15 come to Makeni.

16 Q. To whom did you disarm at Kabala?

17 A. Well, we went and disarmed to the SLA. When we were going  
18 to go and disarm to the SLA, that was the time that the UNAMSIL  
19 came into the compound. It was the UNAMSIL that gave us the zeal  
10:17:39 20 to disarm and we told that we had come to disarm at Kabala.

21 Q. Who was the RUF commander at that time?

22 A. During the time that we disarmed?

23 Q. Yes, during that time.

24 A. Well, during that time it was Foday Sankoh.

10:18:07 25 Q. Was there any RUF commander with you in Makeni at that  
26 time?

27 A. Yes.

28 Q. Who was that person?

29 A. Well, it was Issa Sesay. He was in charge of Makeni. So



1 we all looked to him.

2 Q. Mr Witness --

3 A. Yes.

4 Q. -- how long were you in total with the RUF?

10:19:08 5 A. Well, almost two years.

6 Q. At the time you disarmed was Tejan Kabbah still in power?

7 A. At the time we disarmed?

8 Q. Yes, yes.

9 A. No, it wasn't he.

10:19:29 10 Q. Who was in power?

11 A. It was JP Koroma.

12 JUDGE LUSSICK: I can't hear you, Mr Interpreter. Could  
13 you please speak up.

14 THE INTERPRETER: Your Honours, would the attorney put the  
10:19:45 15 question again.

16 MR MANLY-SPAIN:

17 Q. I said who was in power at the time that he disarmed?

18 A. Well, at that moment, at the time when we disarmed, so  
19 almost it was JP Koroma. It was JP Koroma. He was the one that  
10:20:10 20 we understood that was in power, because he was the one that  
21 was -- whose name was famous.

22 Q. Do you remember, Mr Witness, making a statement to the  
23 investigators of the Special Court?

24 A. When and where? In Freetown or Makeni?

10:20:52 25 MR MANLY-SPAIN: Unfortunately I cannot answer that  
26 question, Your Honour. The statement I have here is undated and  
27 it does not state where the statement was taken.

28 Q. Do you remember at any time if you made a statement to  
29 investigators of the Special Court, which they wrote down?





1 [TB080705B-SGH]

2 A. Well, the first time it was a white man that went to Makeni  
3 and that white man -- they said that white man came from a  
4 different country. England and America. These were the ones  
10:21:30 5 that came to me and they said that they were working on the TRC.  
6 So they said they were not part of the Special Court and at that  
7 time I feared. I did not say anything that was important. And  
8 that the cocaine and the brown-brown, brown were in me, working  
9 on me. So, I did not have enough experience. So I was not able  
10:21:52 10 to say anything that was of importance.

11 Q. Did you make any statement at all to [Microphone not  
12 activated]

13 A. Well, some -- I will not be able to say anything. I did  
14 not know whether -- well, if I said -- please, sir, please read.  
10:22:25 15 If you read -- if it's true then I will say it's true. But if I  
16 do not know I will tell you that I do not know anything.

17 Q. [Microphone not activated] first of all you say YOU did not  
18 make the statement. Did you make a statement?

19 A. Yes. I said something, but during that time -- but during  
10:22:50 20 that time I did not have any experience because by then we are  
21 just from the bush. So it took a long time because the cocaine  
22 was also on me, working on me. So all that I was saying I would  
23 not be able to recollect. So, now that I am normal I will not be  
24 able to recollect what I said because it seemed as if I wanted to  
10:23:22 25 go off. So, at every month you see these things happen to me.  
26 It seems as if I want to go off.

27 Q. When you were making this statement, Mr Witness, was it  
28 being written down?

29 A. Well, the white men they were writing. They were writing.



1 Q. After you have finished was it read over and explained to  
2 you?

3 A. Well, yes, they explained to me.

4 Q. Did you --

10:24:06 5 A. They read it again.

6 Q. Did you say that the statement was read over and explained  
7 to you was true and correct?

8 A. Well, it's the same thing that I was saying during that  
9 time because anything that I said I will just answer because  
10:24:27 10 during that time my -- I was not normal. I was not normal. So I  
11 wasn't able to say anything that was of importance. So anything  
12 that they said to me I would just say yes. Whether it was lie or  
13 truth, I will just say yes. Later I gained myself, so I was able  
14 to say something that was of importance.

10:24:54 15 Q. Yes, Mr Witness, but did you tell the person who took down  
16 the statement that it was true and correct?

17 A. Yes. Yes.

18 Q. Did you later make another statement?

19 A. Well, during that time it has taken a long time. So that  
10:25:17 20 was the time that all the black men came to the town and they  
21 said they came from Freetown and during that time I was normal.  
22 So, I had everything in my head and all that had happened to me  
23 all that I saw and what they were saying. So when they came so I  
24 told them the truth.

10:25:38 25 Q. Do you remember when these black men went to you and told  
26 them the truth?

27 A. Yes. Yes.

28 Q. Do you remember what year?

29 A. Yes.



1 Q. What year was it?

2 A. Well, it was 2001. You see at that time I was in class  
3 six. It was in 2001.

4 Q. Do you remember making a statement in 2003?

10:26:21 5 A. Well, I cannot recall. I cannot recall again.

6 Q. Mr Witness --

7 A. Yes.

8 Q. -- do you recall 16th May 2005, that is this year? Do you?

9 A. What are you asking me about, if I could remember it?

10:27:03 10 Q. Do you remember that date, 16th May this year, 2005?

11 A. Well, it is only guys that came from Freetown and  
12 interviewed me. It was the same interview that they gave me.  
13 When I told them about the problems that took place and the  
14 problems that took place that happened a long time.

10:27:45 15 Q. Did you give additional information to the people from the  
16 Special Court on 16th February 2005 -- 16th May 2005, Sorry.

17 A. Yes.

18 Q. Where were you when you did that?

19 A. Well, at that time because when they came -- when they came  
10:28:16 20 first they came under Caritas and the Caritas came to me. They  
21 said they were searching for me. So they handed over the guys to  
22 me and we discussed and that was the time I discussed. I told  
23 them about the war. How they killed my mother. And after  
24 killing her saying what happened and I explained everything to  
10:28:35 25 them.

26 Q. Where did you do that, Mr Witness?

27 A. Well, we went to Caritas office or sometimes they would  
28 take me from school and we would go to an extra place like a  
29 school, for instance. A primary school and a secondary school.



1 At times we would go by a vehicle and we would go and park in a  
2 corner and they start asking me.

3 Q. Do you remember how many times this happened that you spoke  
4 with these people?

10:29:10 5 A. Yes.

6 Q. How many times?

7 A. Three times.

8 Q. Well, how many times did they write down what you were  
9 saying?

10:29:36 10 A. Three times again. When I was coming and during that time  
11 I was normal and I used to tell them the same thing and as I was  
12 talking they were writing.

13 Q. Mr Witness --

14 A. Yes.

10:30:01 15 Q. -- you said you were abducted whilst President Kabbah was  
16 in power.

17 A. Yes.

18 Q. And you said you were disarmed whilst JP Koroma was in  
19 power?

10:30:12 20 A. Yes.

21 Q. Do you remember the date JP Koroma was removed from power?

22 A. Well, no. No, I will not be able to tell the time.

23 Q. Do you remember the year? Do you remember the year?

24 A. No, no, I cannot recall the year. I cannot recall the year  
10:31:05 25 and the time.

26 Q. I want to ask you, Mr Witness, do you know, at the time you  
27 were abducted, which force, which fighting force, was in control  
28 of Makeni?

29 A. Well during that time it was the People's Army and the RUF.





1 They were the ones that are in control of Makeni; People's Army  
2 with RUF.

3 Q. You said, Mr Witness, that you went to attack Kabala?

4 A. Yes.

10:32:12 5 Q. Whom did you attack in Kabala? What fighting force was it  
6 in Kabala?

7 A. Well, there were three groups in Kabala. AFRC with ECOMOG  
8 with Guinean soldiers. They were the ones that joined Kabala.

9 But the AFRC we did not go for them. We went for two groups,  
10:32:33 10 ECOMOG and the Guineans. When we went we were successful. We  
11 were able to oust them out of Kabala.

12 Q. Do you know of the SLA?

13 A. Yes.

14 Q. Were they in Kabala at the time?

10:33:21 15 A. Yes.

16 Q. Is it the SLA that you referred to as the AFRC?

17 A. Yes, they were.

18 Q. Did you fight with the SLA when you went to Kabala?

19 A. No, we did not fight. We did not fight them. Before we  
10:33:54 20 went, we had communicated with them that when we were coming, we  
21 were not going to fight them and that we are coming to fight two  
22 groups. And when we went, it was the same thing that we did. We  
23 went in for two groups.

24 Q. Mr Witness, let us try and clarify a point. You have told  
10:34:12 25 this Court that the first time people went to talk to you, you  
26 were not in a good state of mind because of the drugs et cetera.  
27 On that first occasion when they went to talk to you, when you  
28 said you just told them and give answers to them which, just to  
29 answer them, did they write down what you were telling them?



1 A. Yes. Yes. They wrote anything that I said.

2 Q. And you say those people were from the TRC; the Truth and  
3 Reconciliation Commission. Is that so? Did you say that?

4 A. Yes.

10:34:59 5 Q. The first people were from the TRC?

6 A. Yes.

7 Q. You spoke about people from Caritas; is that not so?

8 A. Yes.

9 Q. Did they also write down what you were telling them?

10:35:31 10 A. No. They did not write. When these people came and they  
11 gave us a special office where we used to meet. And that was the  
12 office that they gave us and we had somebody that would translate  
13 what they were saying.

14 Q. All right, Mr Witness, now I am asking you, did you meet  
10:36:09 15 with people from this Court, the Special Court?

16 A. What?

17 Q. Did you meet with people from the Special Court in Makeni?  
18 Let me rephrased it.

19 A. Yes. It was in Makeni that they met me.

10:36:31 20 Q. And did they take down your statement in Makeni?

21 A. Yes, at any time that they went they would write.

22 Q. And it was that statement that was read over to you and  
23 they said it was correct?

24 A. Whose statement do you mean?

10:36:55 25 Q. The statement that was taken from you that you made in  
26 Makeni to the people from the Special Court. I want to refer to  
27 that statement and read some of the things that you told the  
28 people from the Special Court. Do you understand?

29 A. Okay.



1 MR MANLY-SPAIN: Your Honour, may I refer to his statement?  
2 I mentioned earlier that it is undated. But I wish to refer  
3 first of all to page 10391. It is the third paragraph, Your  
4 Honour, and if I may read. "After spending three months in  
10:38:06 5 Kamabay, a group came to collect them. All the fighters were  
6 collected and they proceeded to Kabala."  
7 A. The word is not Kamabay, it is Kamabai.  
8 Q. [Microphone not activated] something, Mr Witness. Do you  
9 understand English?  
10:38:11 10 A. I do understand a little.  
11 Q. I will ask you, please, to wait until my questions are  
12 translated to you.  
13 A. Okay.  
14 Q. "When they left Kamabay for Kabala there was heavy  
10:38:52 15 resistance for the SLAs in Kabala. They fought for three days.  
16 On the 5th day they are able to overrun the SLAs." Mr Witness --  
17 A. Yes.  
18 Q. Did you say that to the -- did you -- please listen to the  
19 question.  
10:39:17 20 A. Okay.  
21 Q. Did you say that to the person who took down your  
22 statement?  
23 A. Well, I did not say so.  
24 MR MANLY-SPAIN: I want to go a little further, Your Honour. Let  
10:40:18 25 me just read that so that we have the full paragraph in context.  
26 Q. "They fled and then the rebels deployed." Did you say  
27 that, Mr Witness?  
28 A. All this that they are trying to say?  
29 Q. Yes, what are you [microphone not activated]?



1 A. I want to us to get the full matter. The full thing.

2 Q. Okay. Let me continue. Yes, I will read the full thing.

3 "The rebels were at Gbaoye 1 and 2 at Yogomaja. Yogomaja was a  
4 helipad. They stayed for one month. Then they were attacked.

10:41:20 5 When it got too heavy they decided to leave and they went to  
6 Bafodia (Koinadugu District). Witness was still under Brigadier  
7 Ali. They stayed for one month there, but they had no food.

8 They were suffering a lot. So Brigadier Ali communicated to his  
9 senior commander, General Fula, who was in charge of Makeni and  
10:41:50 10 said to him that they were suffering and they wanted to leave.

11 General Fula said they should not leave the ground, but that he  
12 would send reinforcements that they can attack other places to  
13 stay. When the reinforcement came from Makeni there was heavy  
14 fighting at Bafodia area. With the help of the reinforcement

10:42:24 15 they were able to overrun the SLAs and they were able to take the  
16 place. The reinforcement group was headed by General Fula  
17 himself. When they got rid of the SLAs they called the civilians  
18 to come out of the bush. The civilians learned to live with the  
19 rebels. After 2 Brigadier Ali was accidentally shot by one of

10:43:01 20 his bodyguards. After the death of Brigadier Ali, RSM Gbassay  
21 was appointed commander for their own group. By then witness was  
22 appointed a corporal. This is when JPK was in power because they  
23 were then called People's Army and not RUF any more. At the time  
24 they fought together with AFRC against the SLA. During this time

10:43:24 25 with the rebels, after he was abducted, he was always fought in  
26 northern area around Kabala/Guinea border. He attacked villages  
27 like Batodia, Kalakana, Gbakona, Madina, Madingo, Maseboy,  
28 Kapunton." Did you, Mr Witness, remember making this statement  
29 to the person who took down what you were saying?





1 A. Yes, I made this.

2 Q. Okay.

3 MR MANLY-SPAIN: I will go to the next page, Your Honour. 10392.

4 You can get the paragraphs clearly, it is the two lines which starts  
10:44:45 5 with "When UNAMSIL came."

6 Q. Would you listen to me now, Mr Witness. "When UNAMSIL came  
7 to Makeni in 1998 they collected all the children and brought  
8 them to disarmament. That's where he was collected." Did you  
9 make that statement to the person who --

10:45:16 10 A. What? Please repeat it again.

11 Q. Did you tell the person who wrote down what you were saying  
12 that, "When UNAMSIL came to Makeni in 1998 they collected all the  
13 children and brought them to disarmament"?

14 A. Yes. Yes.

10:45:37 15 Q. In this instance, Mr Witness, are you sure of the date,  
16 1998?

17 A. Yes. Yes. I am sure.

18 Q. Mr Witness, earlier in the day this morning you said that  
19 major shell told you that the commanders, General Issa Sesay,  
10:46:12 20 General Gullit, Major Five-Five and O-Five, ordered that you  
21 should go for food-finding; is that so?

22 A. Yes.

23 Q. Do you remember when that happened? Do you remember when  
24 that happened?

10:46:58 25 A. Well, I cannot recall again.

26 Q. You also said that these people also -- these four people  
27 you have mentioned, you have mentioned four of them, that they  
28 also give orders for you to go and fight for all small boys in  
29 Makeni to be taken to go and fight; is that so?



1 A. Yes, that's true.

2 Q. Do you remember when that happened?

3 A. Well, the only -- the only thing that -- the only thing  
4 that I can remember it was when JP Koroma was in power, that was  
10:47:53 5 the time that I can recall. That is the time that I can recall  
6 when JP was in power.

7 Q. Okay. Let me ask you, did these four people speak to you  
8 directly?

9 A. No.

10:48:17 10 THE INTERPRETER: Your Honours, I think there is something wrong  
11 with the witness's mic. The voice is not coming out distinctly.

12 PRESIDING JUDGE: I see that he is sitting a bit closer to  
13 it now, Mr Interpreter. We will give that a try and come back to  
14 me if it is not satisfactory.

10:48:40 15 MR FOFANAH: Your Honours, may I be excused for a short  
16 while?

17 PRESIDING JUDGE: No. Have you many more questions,  
18 Mr Manly-Spain?

19 MR MANLY-SPAIN: Yes, Your Honour, I think I have a few.

10:48:54 20 PRESIDING JUDGE: When you say a few, how many is a few, a  
21 lot or a few?

22 MR MANLY-SPAIN: I am just going to the really crucial  
23 questions.

24 PRESIDING JUDGE: Well, in that case since it is past the  
10:49:04 25 time for break, I thought you might have finished and there is a  
26 problem with this mic. We will adjourn now for 15 minutes.  
27 Please adjourn court for 15 minutes, Madam Court Attendant.

28 [Break taken at 10.45 a.m.]

29 [TB080705C - SV]



1 [Upon resuming at 11.00 a.m.]

2 PRESIDING JUDGE: Please proceed, Mr Manly-Spain.

3 MR MANLY-SPAIN:

4 Q. Good morning, Mr Witness.

11:06:12 5 A. How do you do, sir.

6 Q. Mr Witness, when you were abducted by the RUF did they have  
7 other commanders apart from Corporal Vakeh and Major Shell?

8 A. Yes.

9 Q. Were these commanders in Makeni?

11:06:43 10 A. Yes.

11 Q. Was Brigadier Ali one of them?

12 A. Well, when -- it was not he, but he also had somebody he  
13 relied on.

14 MR MANLY-SPAIN: No, please, let him understand my  
11:07:16 15 question. Was Brigadier Ali one of the RUF commanders in Makeni  
16 at the time he was abducted.

17 THE WITNESS: Yes.

18 MR MANLY-SPAIN:

19 Q. Was there also one commander General Ofley?

11:07:39 20 A. Yes.

21 PRESIDING JUDGE: Mr Manly-Spain, can we have a spelling of  
22 Ofley, please?

23 MR MANLY-SPAIN: Sorry. Ali is A-L-I and Ofley is  
24 O-F-L-E-Y.

11:07:56 25 THE WITNESS: Ofley.

26 MR MANLY-SPAIN:

27 Q. What?

28 A. Ofley, Ofley.

29 MR MANLY-SPAIN: O-F-L-E-Y.



1 Q. Mr Witness, were they still in Makeni in 1998 when you say  
2 you went on disarmament with UNOMSIL?

3 A. Yes, yes.

4 Q. Do you know whether these commanders were senior to Shell  
11:08:48 5 and Vakeh?

6 A. Yes.

7 JUDGE LUSSICK: I'm not sure whether he's saying, "Yes, I  
8 know", or, "Yes, they were senior".

9 MR MANLY-SPAIN:

11:09:07 10 Q. Please tell this Court whether they were senior to Shell  
11 and Vakeh?

12 A. Yes, they were senior to them.

13 Q. Thank you. And was General Fula the most senior of them  
14 all?

11:09:33 15 A. Yes, yes.

16 PRESIDING JUDGE: Fula is yet a different person, is it?  
17 Is that a third person?

18 MR MANLY-SPAIN: Yes, a third person. It's F-U-L-A.

19 Q. At the time, Mr Witness, that you were abducted were there  
11:10:01 20 any other commanders apart from those I have mentioned to you in  
21 Makeni, RUF commanders?

22 A. Yes.

23 Q. Do you know their names?

24 A. Yes.

11:10:19 25 Q. Can you tell us their names?

26 A. Well, General Issa Sesay with Brigadier Five-Five, General  
27 Gullit with 0-Five. We had another one, his name was not that  
28 famous. He was called General Buckley.

29 Q. They were in Makeni at the time you were abducted?





1 A. Yes.

2 Q. Thank you. I want you to tell me now -- you have mentioned  
3 these people, Gullit, Five-Five, 0-Five. Please tell me  
4 whether -- do you know about ranks?

11:11:11 5 A. Yes.

6 Q. Well, just tell me by what rank they were called, if any.  
7 Let us start with Five-Five.

8 A. Okay. Five-Five initially he was a brigadier. His rank  
9 was brigadier.

11:11:44 10 Q. Okay. What about Gullit?

11 A. Gullit, he was general.

12 Q. Issa Sesay?

13 A. Issa also, he was a general previously.

14 Q. 0-Five?

11:12:14 15 A. 0-Five was a colonel.

16 Q. Did you meet with these four people at any time in Makeni?

17 A. Well, these people, I did not meet them at any time. But  
18 they used to pass in town. They used to go around the town with  
19 their vehicles frequently. See, and whenever they passed I used  
11:12:37 20 to see them.

21 Q. Okay. You did not meet with them but you do know that they  
22 were in Makeni at the time you were captured?

23 A. Yes, they were based in Makeni.

24 Q. Do you know whether these four people were still in Makeni  
11:13:01 25 at the time you went for disarmament?

26 A. Yes, yes. They were still based there. They were still  
27 based there.

28 Q. Can you help us now, Mr Witness, if you can remember the  
29 month in 1998 that you went for disarmament. If you cannot



1 remember I will ask you another question which is really a repeat  
2 of a former question. You cannot remember? Can you remember?

3 A. No, no, I cannot.

4 Q. But you do remember that it was JP Koroma that was in power  
11:14:13 5 then?

6 A. Yes, yes.

7 Q. Okay, thank you. Mr Witness, I have asked you about your  
8 statement several times. I want to read the beginning of your  
9 statement.

11:14:37 10 MR MANLY-SPAIN: Your Honours, may I read from the first  
11 line --

12 PRESIDING JUDGE: Yes, please proceed.

13 MR MANLY-SPAIN: -- page 10390.

14 Q. "Witness does not know his exact date of birth. His mother  
11:14:50 15 told him that he will be 17 this coming November." Do you  
16 remember saying that to the person who wrote down your statement?

17 A. Repeat what you said.

18 Q. "Witness does not know his exact date of birth. His mother  
19 told him that he will be 17 this coming November." Did you say  
11:15:33 20 that to the person who took down your statement?

21 A. Yes.

22 Q. Wasn't your mother killed before you made this statement?

23 A. Not at all. The time that I said these words she was still  
24 alive.

11:16:12 25 Q. Are you saying you made this statement before your mother  
26 died?

27 A. What statement are you talking about?

28 Q. That your mother told you you would be 17 this coming  
29 November, that is the year you were making this statement?



1 A. Yes, yes.

2 Q. Was your mother still alive?

3 A. No. My mum had told me this and after that she was killed.

4 At that time they had been writing down when I was saying this

11:16:51 5 and I also crammed it [as interpreted].

6 Q. But you made this statement after disarmament; is that not  
7 so?

8 A. Yes, yes. No, no, this statement that I made, at that

9 time, by then the disarmament was -- had not yet come. At that

11:17:28 10 time they only -- they captured me. I was captured. It was not

11 the time of disarmament. It was far away when I made this

12 statement.

13 Q. Before or after disarmament?

14 A. Before, before, before. I had not even thought about

11:17:58 15 disarmament.

16 Q. Mr Witness, do you remember who you made this statement to,

17 that your mother told you you would be 17 in November of that

18 year?

19 A. Well, it was to the bra with whom I went to That village

11:18:31 20 and he was the one to whom I explained, and he then wrote all

21 that I said.

22 Q. The bra. Who was the bra?

23 A. Well, it was the RUF commander with whom I went to That

24 village.

11:18:51 25 Q. Is he the one that wrote this statement for you?

26 MR HODES: Your Honours, I'm going to object.

27 Mr Manly-Spain continues to refer --

28 THE WITNESS: Well, he asked my mother and when he asked my

29 mother and my mother explained to him and he wrote and I also



1 crammed it [as interpreted]. When he asked my mum, he wrote.  
2 He, the commander, wrote and I also was able to catch up with  
3 some words which I put into my brain.

4 PRESIDING JUDGE: Your objection?

11:19:22 5 MR HODES: My objection is that if Defence counsel wants to  
6 pose a question concerning a specific statement that he should  
7 refer to the statement, whether or not who it was made to. I  
8 think Mr Manly-Spain in this case is referring to a very specific  
9 statement within a statement and so, in fairness to the witness,  
11:19:42 10 I think he should clarify when he asks a question "Did you make  
11 this statement?" What the reference is.

12 PRESIDING JUDGE: Mr Manly-Spain read out an extract from  
13 page 10390 and the line of questioning is continuing from that  
14 extract. Are you saying that if that line of questioning has  
11:20:07 15 changed?

16 MR HODES: I'm just saying that I'm not sure that the  
17 witness necessarily understands that the questions still emanate  
18 from the statement that was read to him from within the larger  
19 statement.

11:20:21 20 PRESIDING JUDGE: I understand your objection.

21 Mr Manly-Spain, you've heard counsel for the Prosecution.

22 MR MANLY-SPAIN: Your Honour, I have asked the follow-up  
23 questions - let me put it that way - because I am trying to be  
24 fair to the witness to have him clarify the position. Because  
11:20:41 25 after his first answer and he went on to explain, I thought that  
26 what he had explained was confusing. That is why I asked the  
27 follow-up question, but I think the point I'm making has been  
28 made. I will not continue on that line. I will go on to  
29 something else.





1 Q. Mr Witness, you said that after it was ordered that small  
2 boys in Makeni should be taken to go and fight, there were almost  
3 150 small boys that were taken to Kamasike from Makeni; is that  
4 so?

11:21:40 5 A. When we went to Kamasike --

6 Q. From Makeni to Kamasike. Did you say 150 of you were put  
7 in a vehicle, you were packed in a vehicle?

8 A. Yes, yes.

9 Q. Who was in command of the 150 boys, small boys?

11:22:21 10 A. It was not that -- it was not that we were too small. We  
11 also had some big guys with us. We had bigger boys and we the  
12 smaller boys, we were so many. We were in one vehicle. It was  
13 not that we were too small and so they just put us together with  
14 the bigger ones.

11:22:42 15 MR MANLY-SPAIN: Your Honour, I stand to be guided because  
16 my notes, I may be wrong -- but he said that: "Issa, Five-Five,  
17 0-Five and Gullit gave order that all of us small boys in Makeni  
18 should be taken to go and fight. We were almost 150."

19 THE WITNESS: Yes.

11:23:03 20 MR MANLY-SPAIN:

21 Q. Did you use the words small boys?

22 A. Yes.

23 Q. Are you now saying that there were bigger boys?

24 PRESIDING JUDGE: But I recall him saying there were bigger  
11:23:15 25 boys as well as the small ones.

26 MR MANLY-SPAIN: Now, Your Honour. Now. Originally in  
27 chief --

28 PRESIDING JUDGE: In chief he said there were both the  
29 small ones and big ones. He couldn't determine the number of the



1 bigger ones.

2 MR MANLY-SPAIN: As Your Honour pleases. We have the  
3 transcript, we will look at it later. Okay.

4 Q. Where did the 150 boys come from?

11:23:45 5 A. Well, it was just in town because when we were -- were in  
6 the township of Makeni and those in the other villages. It was a  
7 group that was sent to capture us. So whether you were a small  
8 boy, whether you were a bigger boy, you would be captured. But  
9 the only thing is that we, the smaller ones, were many compared  
11:24:21 10 with the bigger ones.

11 Q. Before that date, Mr Witness, had you been released by the  
12 RUF?

13 A. No, no. That was the time that we were in Makeni and we  
14 were on the stand-by to go and attack Kabala.

11:24:42 15 Q. So you were still with the RUF?

16 A. Yes, yes.

17 Q. Nobody captured you a second time?

18 A. Not at all. Not at all.

19 Q. The person who led you on this attack from Makeni you say  
11:25:05 20 was called Merciful Killer?

21 A. Yes.

22 Q. Was he RUF?

23 A. No, he was -- he was his own group. It was the People's  
24 Army.

11:25:34 25 Q. He was not RUF, he was People's Army. You also said,  
26 Mr Witness, that when these four commanders gave orders you were  
27 told that they gave orders that you should go food finding; is  
28 that so?

29 A. Yes.



1 Q. And that you should abduct children?  
2 A. Yes.  
3 Q. That you brought back 50 children?  
4 A. No, it was not 50.  
11:26:22 5 Q. How many? How many did you bring back?  
6 A. Well, during that food finding we went two times.  
7 Q. Just answer how many you brought back?  
8 A. We came with 30. Second 15. First 15.  
9 Q. Okay, you went two times?  
11:26:53 10 A. Yes, yes.  
11 Q. First 30, second 15. How many of you went on this food  
12 finding?  
13 A. Well, we were many. We were almost 80.  
14 Q. Eighty?  
11:27:10 15 A. We were many.  
16 Q. Mr Witness, did you ever stay in a camp controlled by the  
17 RUF? Did you?  
18 A. Where?  
19 Q. Anywhere. In Makeni, in Kabala?  
11:28:08 20 A. Except when we were at Kamabai. During that time we were  
21 in control. Any RUF that passed through, we would leave him.  
22 But if it was the People's Army or RUF we would put them under  
23 control.  
24 Q. Mr Witness, let's now go on to Kabala. Is it true that  
11:28:44 25 after the second attack you captured Kabala?  
26 A. Which second attack are you talking about?  
27 Q. On Kabala.  
28 A. Because the attack that we launched -- because we went for  
29 two groups and we succeeded. The second one -- when we attacked



1 the three groups were mixed up. So we were not able. We were  
2 not able to capture. So what we did was to go back and we  
3 escaped.

4 Q. Let me ask you, did you ever capture Kabala, your group?

11:29:31 5 A. Yes, yes.

6 Q. Led by General Fula, captured Kabala. How long did you  
7 stay in Kabala after you captured it?

8 A. Yes, we stayed there for one month.

9 Q. You were just saying that the three groups that were in  
11:30:06 10 Kabala were mixed up. Who are the three groups?

11 A. Three groups were mixed up.

12 Q. Just name them. Just name the three groups?

13 A. AFRC.

14 Q. Yes, carry on, please.

11:30:22 15 A. AFRC, Guineans with ECOMOG.

16 Q. So those are the people you removed from Kabala?

17 A. Yes. When we went there we had a plan to oust two groups.  
18 The other group we did not -- we were not determined, you know,  
19 to take them out and these people were the AFRC. So we ousted  
11:30:51 20 two groups.

21 Q. All right, Mr Witness. Mr Witness, do you know what  
22 district Kabala is?

23 A. Yes.

24 Q. What district is it?

11:31:11 25 A. It is Koinadugu.

26 Q. At the time you went to Kabala and you said the AFRC was  
27 there, do you know whether they had a commander, an overall  
28 commander?

29 A. Which commander do you mean?





1 Q. The AFRC commander.

2 A. Well, they had but I did not know him. They had one.

3 Q. At the time, Mr Witness, when you went to attack Kabala,  
4 where was Issa Sesay? Where was he?

11:32:27 5 A. Who?

6 Q. Issa Sesay. Okay, let me put it this other way: At the  
7 time you were going to attack Kabala, was Issa Sesay in Makeni?

8 A. Well, yes. Yes, by then Issa Sesay was in Makeni.

9 Q. Okay. At that time -- also at that time was -- is it  
11:32:52 10 Brigadier Five-Five you called him? Was he in Makeni?

11 A. Yes, yes.

12 Q. And you said General Gullit. Was he in Makeni at that  
13 time?

14 A. Yes, he was also there.

11:33:09 15 Q. And you said also General 0-Five. Was he in Makeni also?

16 A. Yes, he also was there.

17 Q. Mr Witness, I am putting it to you that Brigadier Five-Five  
18 was not in Makeni at that time with Issa Sesay?

19 A. He was there. He was there. Brigadier Five-Five.

11:33:57 20 Brigadier Five-Five was not under Sesay. Everybody had his own  
21 group that he had been controlling. He had his own group that he  
22 had been controlling. So everybody was separated. So they were  
23 not in the same place. They were in different areas.

24 Q. What about General Gullit? Did he have his own group?

11:34:19 25 A. He also had his own group. General Gullit with Brigadier  
26 Five-Five, they were in the same area. They were in the same  
27 area. They were just adjacent to each other.

28 Q. Yes, but did they have separate groups?

29 A. Yes. Everybody has their own group that he had been



1 controlling.

2 Q. And the same went for 0-Five?

3 A. 0-Five also had his own group because he was a colonel. He  
4 had his own group that he had been controlling. Everybody had  
11:34:57 5 his own group that he had been controlling.

6 Q. But did you say that these four people were the ones who  
7 gave the order for you to go and abduct children? You were told  
8 that the four of them gave the order; is that so?

9 A. Yes.

11:35:19 10 Q. Okay. What was the name of Issa Sesay's group?

11 A. Well, I cannot tell. I did not know the names of the  
12 groups. I only know the names of the commanders because  
13 everybody has their own group. My own group, at that moment I  
14 was under Major Shell because by then I was in Makeni.

11:35:57 15 Q. Mr Witness, have you not just told this Court that General  
16 Issa, Brigadier Five-Five, General Gullit and General 0-Five were  
17 superior to General Ofley?

18 A. What do you mean?

19 Q. Just what I've asked you.

11:36:36 20 A. To say what?

21 Q. Do you remember I asked you a question as to who was senior  
22 between brigadier -- between Vakeh and Shell as against Ofley?

23 A. Well, it was Ofley that was senior to them.

24 Q. Yes. Then I asked you also whether there was somebody  
11:37:05 25 senior to Ofley; is that not so?

26 A. Yes.

27 Q. And you said Issa Sesay, 0-Five, Five-Five and Gullit were  
28 senior?

29 A. Yes, yes.



1 Q. Now you are saying they belonged to different groups?

2 A. Yes, because any commander -- any commander who had a big  
3 name - brigadier, general - he had his own group. Everybody had  
4 his own group. As long as he's a big man, who was popular, he  
11:37:51 5 had his own group.

6 Q. Okay, let me ask you about the group you were with. Who  
7 was the most senior person in the group that you belonged to?

8 A. Well, during that time I was in Makeni. I was with Major  
9 Shell because by then I was in Makeni. We had not yet gone to  
11:38:21 10 UNOMSIL.

11 Q. Yes, I'm asking you who was the most senior commander in  
12 your own group?

13 A. In my own group it was Major Shell because by then I was in  
14 Makeni. He was the one with whom I stayed at that moment.

11:38:36 15 Q. Wasn't General Ofley senior for Major Shell in your group?

16 A. He was senior to him but what I mean, General Ofley -- it  
17 was not that he was with us. The one that was with us whom we  
18 knew as a big man is the one that I'm talking about, Major Shell.  
19 So he was the one that was controlling us. Anywhere that we

11:39:08 20 went, he was the one that was controlling us. He was the one  
21 that was with us and these were the one that I'm talking about.

22 Q. Was General Ofley ever in Makeni?

23 A. Yes. He would go to Makeni, but he did not stay in Makeni.  
24 I did not know his mission. I did not know where he stayed.

11:39:54 25 Q. Let me remind you --

26 A. Because he had his own vehicle.

27 Q. Let me remind you of your statement.

28 MR MANLY-SPAIN: Your Honours, may I refer to page 10391  
29 from the first line, Your Honour?



1 Q. "While they were at Kamabay often the AFRC came and looted  
2 villages around their place. Brigadier Ali was against that. He  
3 used to attack them. When they were in genuine missions from the  
4 government then he let them go. Witness had no own rifle.  
11:40:44 5 Brigadier Ali would divide them into groups of two or three.  
6 Some had rifles, others not. The armed ones would go on offence.  
7 The others would stay in the camp. During their stay in Kamabai  
8 Brigadier Ali was having a wife. Witness and two others had to  
9 help her wash and cook. With him was Abu Kamara and Amadou  
11:41:24 10 Sesay. The wife was called Abibatu Jalloh. Brigadier Ali had a  
11 boss who died during an attack in Makeni. When this one died Ali  
12 got another commander, General Ofley. He was based in Makeni."

13 Mr Witness, did you say what I have just read --

14 A. Yes.

11:41:24 15 Q. -- to the person who took your statement?

16 A. Yes. That was what I said but he says some things -- they  
17 miss what, some of the things that I said.

18 Q. Okay. Let me ask you again. Was General Ofley part of the  
19 group that you were with?

11:42:04 20 A. Yes. He was -- did not belong to our group.

21 Q. I didn't get that. "He was -- did not belong to our  
22 group"?

23 A. No, he did not belong to our group.

24 THE INTERPRETER: I'm sorry, attorney, I go by what the  
11:42:44 25 witness says.

26 MR MANLY-SPAIN: I know. I understand, Mr Interpreter. I  
27 just wanted to make that clear.

28 Q. Are you saying now he did not belong to your group?

29 A. Yes.





1 Q. When you told the investigator that "Brigadier Ali had a  
2 boss who died during an attack in Makeni. When this one died Ali  
3 got another commander, General Ofley. He was based in Makeni",  
4 you were not speaking the truth?

11:42:52 5 A. I was saying the truth, but what I meant to say -- that he  
6 was with us like our bra who was with us permanently. You know,  
7 he would leave us and he would say that he was going to check in  
8 Makeni with his bra who was a General Fula. And to say that we  
9 knew him very well, no. He would only say that he would go to  
11:43:21 10 meet General Fula and there was a certain time he said that  
11 General Fula, his boss at Makeni, had died.

12 Q. Yes, you have explained something but you have given us two  
13 different things about Ofley now. The one you have told us  
14 today, is it a correct thing?

11:43:57 15 A. What are you talking about?

16 Q. That General Ofley was not based in Makeni?

17 A. It was General Fula who was staying in Makeni. When our  
18 bra said that his boss man had died in Makeni, Fula, Fula.

19 Q. Who died in Makeni?

11:44:24 20 A. General Fula.

21 Q. Was that after the expedition to Kabala?

22 A. Yes. That was the time when we came from Kabala. That was  
23 the time when we came from Kabala. That was where this problem  
24 took place.

11:44:48 25 Q. Mr Witness, did you say in cross-examination when I was  
26 asking you questions earlier that the boss of the group you were  
27 with, the RUF, was General Issa Sesay?

28 A. I -- this group in which I was, we were under Issa. So  
29 because Issa was in charge of controlling Makeni, so that is why



1 we were under him. But in my own group we had one man that was  
2 called Colonel Ali. But all of us were under Issa.

3 Q. And what was the name of all the groups that Issa  
4 commanded?

11:46:01 5 A. There are many groups. I only knew our own group.

6 Q. What was the name of your group?

7 A. Well, they used to call us -- they used to call us  
8 previously Cobra, the Cobra group.

9 Q. Were you part of the RUF?

11:46:33 10 A. Well, me -- me, I was an RUF.

11 Q. You were an RUF?

12 A. Yes.

13 Q. Let me ask you now: This Brigadier Five-Five that you  
14 referred to, was he RUF?

11:46:51 15 A. Well, unfortunately, I was not able to know whether  
16 Brigadier Five-Five was RUF or AFRC. I wasn't able to know  
17 because I only saw the groups. I only saw different groups  
18 because we had People's Army -- we were with People's Army, we  
19 were with RUF. So I was not able to know the distinction.

11:47:15 20 Q. Okay. Do you know whether 0-Five was RUF?

21 A. 0-Five, he was RUF, yes.

22 Q. What about General Gullit? Was he RUF?

23 A. Well, General Gullit, he was the same. I was not able to  
24 know his own position at this particular time because he was a

11:47:45 25 big man. So I wasn't able to assess the group to which he  
26 belonged except these two people.

27 MR MANLY-SPAIN: No more questions, Your Honour.

28 PRESIDING JUDGE: Mr Graham?

29 MR GRAHAM: Your Honour, respectfully in respect of the



1 sequence of questioning today Mr Fofanah will be the next to do  
2 cross-examination.

3 PRESIDING JUDGE: I see. Very well. Mr Fofanah, please  
4 proceed.

11:48:25 5 MR FOFANAH: Most grateful, Your Honour.

6 CROSS-EXAMINED BY MR FOFANAH:

7 Q. Mr Witness, good morning.

8 A. How are you, sir?

9 Q. I'm fine, thank you. Mr Witness, have you ever heard about  
11:48:49 10 a town called Koinadugu Town?

11 PRESIDING JUDGE: We can't hear you very clearly,  
12 Mr Fofanah. What was the question again?

13 MR FOFANAH: The question was: Have you ever heard of a  
14 town called Koinadugu Town - and I will spell Koinadugu as  
11:49:09 15 K-O-I-N-A-D-U-G-U.

16 PRESIDING JUDGE: Mr Graham. Would you turn off your  
17 microphone, it's making an echo. Try again. Mr Witness, did you  
18 hear the question?

19 THE WITNESS: Which question?

11:49:33 20 PRESIDING JUDGE: Put it again, please.

21 MR FOFANAH:

22 Q. Mr Witness, have you ever heard about a town called  
23 Koinadugu Town?

24 A. Well, when they talk about Koinadugu Town it is not a town.  
11:49:49 25 It is a district, as they say Bombali District. It is the same,  
26 Koinadugu District.

27 Q. So there is no town, to the best of your knowledge, called  
28 Koinadugu Town?

29 A. No.



1 Q. Mr Witness, you've said your mother told you you will be 17  
2 in November. What year did your mother tell you that?

3 A. Well, at that time I could remember the 15.

4 Q. What year did she tell you that you will be 17 in November?

11:50:49 5 A. Well, to say I would remember the year, what I know --  
6 except when Tejan Kabbah was in power, it was the time that I  
7 remember that that was the year. But to say that I know the  
8 year, I cannot remember that.

9 Q. Do you recall telling the Court that it was in 1986 that  
11:51:19 10 your mother told you that you would be 17 in November?

11 PRESIDING JUDGE: I don't remember the witness saying that.

12 THE WITNESS: Yes, yes. I remember.

13 MR FOFANA: I stand guided by the records. At the  
14 beginning of his testimony-in-chief.

11:51:37 15 PRESIDING JUDGE: I understand the question was: "When  
16 were you born?" Answer: "November 1986".

17 MR FOFANA: There was a statement to the effect that the  
18 rebel commander asked that I be taken along but my mother  
19 refused. Then just after that he made another statement: My  
11:51:58 20 mother said that the coming November of 1986 will make me 17  
21 years. I stand guided by the records, but that is what I have.

22 PRESIDING JUDGE: Could we check the transcript? I don't  
23 have a year, but there is definitely something there.

24 MR FOFANA: As Your Honour pleases.

25 THE WITNESS: My head is turning. I feel like having my  
26 head turning.

27 PRESIDING JUDGE: Is it the witness speaking?

28 THE INTERPRETER: Yes, My Lord.

29 PRESIDING JUDGE: Mr Witness, are you describing a problem





1 you have? Do you mean you're not feeling well?

2 THE WITNESS: Yes.

3 PRESIDING JUDGE: All right. Will someone from the witness  
4 support please check if the witness requires a break, just to see  
5 what is the problem.

6 WVS OFFICER: Your Honour, the witness requires some break.

7 PRESIDING JUDGE: Could we have a report -- has Witness  
8 Support been able to speak to the witness?

9 WVS OFFICER: Yes, Your Honours. The witness requires some  
10 break.

11 PRESIDING JUDGE: Well, we will allow the witness a break.  
12 It's five to 12.00. Could you please ask him how much break he  
13 needs and how badly he feels.

14 WVS OFFICER: Your Honours, the witness is asking for a one  
11:56:02 15 hour break.

16 PRESIDING JUDGE: The witness has informed us through  
17 Witness Support that he requires an hour's break and I think it  
18 would not be proper, in the circumstances, to deny him that break  
19 if he's not feeling well. That's number one.

11:56:20 20 The second point is we've now got the transcript,  
21 Mr Fofanah and, as you correctly put to the witness, the  
22 transcript shows that: "So that was the time the commander of  
23 the rebels said -- asked my age and my mother said the coming  
24 November 1986 would make me 17 years". So that is the correct  
11:56:43 25 record as you recorded it.

26 MR FOFANAH: Most grateful, Your Honour.

27 PRESIDING JUDGE: Since the witness requires a break, plus  
28 this would bring us into the lunch time adjournment, we will  
29 reconvene at 2.00 p.m. Madam Court Attendant, please stand the



1 Court until 2.00 p.m.

2 [Luncheon recess taken at 12.55 p.m.]

3 [TB080705D - EKD]

4 [Upon resuming at 2.00 p.m.]

14:06:27 5 PRESIDING JUDGE: I note there are two of the accused  
6 absent.

7 MR MANLY-SPAIN: Yes, we must apologise for the absence.  
8 Before they left they told us that they had some medical to  
9 attend to.

14:06:41 10 PRESIDING JUDGE: I do recall that Mr Brima had some  
11 medical appointments earlier in the week, so that must be  
12 ongoing. Very well.

13 MR MANLY-SPAIN: Much obliged.

14 PRESIDING JUDGE: Madam Court Attendant, we had adjourned  
14:06:53 15 early because the witness wasn't feeling too well. What is the  
16 situation now, have you any information for us?

17 MS EDMONDS: The witness is fine to carry on at the moment.

18 PRESIDING JUDGE: Mr Fofanah, you had just about started  
19 your cross-examination if you wish to continue with that. I  
14:07:21 20 understand the witness is ready to proceed. Mr Witness, are you  
21 feeling all right?

22 THE WITNESS: Yes, yes.

23 PRESIDING JUDGE: Proceed, Mr Fofanah.

24 MR FOFANAH:

14:07:35 25 Q. Good afternoon, Witness.

26 A. Good afternoon, sir.

27 Q. Mr Witness, when we broke off I read out to you that what  
28 you had earlier told the Court in examination-in-chief was that  
29 your mother said that the coming November of 1986 you will be 17



1 years. Is that the case?

2 A. Yes.

3 Q. Mr Witness, you said you are currently in Form 2; not so?

4 A. Yes.

14:08:18 5 Q. That's in the secondary school; not so?

6 A. Yes.

7 Q. Do I take it that you were in Form 1 last year, 2004?

8 A. Yes, yes.

9 Q. Now, from Class 6, what class did you go to?

14:08:49 10 A. From Class 6 I sat to the NPSA, then I went to Form 1.

11 Q. How long did you take in Class 6?

12 A. In Class 6, I spent there one year.

13 Q. You will agree with me that it was in 2003 that you were

14 promoted to Form 1; not so?

14:09:17 15 A. Yes.

16 Q. And, therefore, you might have been in Class 6 between 2004

17 and 2003, some time between that?

18 A. Yes.

19 Q. Do you recall telling this Court that you were in Class 6

14:09:43 20 in 2001, when Mr Manly-Spain was cross-examining you?

21 A. Well, this question, I did not tell him. What I told him

22 was I was in Form 2.

23 Q. I am putting it to you that when he asked you a question

24 relating to your education, you said in 2001 you were in Class 6.

14:10:27 25 I am putting that to you, that that is what you said under

26 cross-examination. That you said in 2001 you were in Class 6.

27 A. Yes. Even at that time it was through that -- it was that

28 year I promoted to Form 1.

29 Q. In 2001?



1 A. No, in 2002.

2 Q. Okay, I will leave that. Now, one last question for you,  
3 Mr Witness, or at least a line of questions in one series. Now,  
4 to the best of your knowledge, were Corporal Vakeh and Major

14:11:30 5 Shell answerable to Brigadier Ali whilst you were at Makeni?

6 A. During that time, this Colonel Ali, it was this last time  
7 when we came from Kabala, Corporal Vakeh and Major Shell. It was  
8 during the time that I was just captured, when we came from  
9 Magburka after the training, it was that time that I was with

14:12:05 10 them.

11 Q. Did you know that those two men, Corporal Vakeh and Major  
12 Shell, were answerable to Brigadier Ali?

13 A. Well, no. During that time, I was not with Colonel Ali at  
14 -- it was this later time that I was with Mr Ali, when we came

14:12:30 15 from Kabala at the fighting.

16 Q. Was Ali brigadier or colonel?

17 A. He was a colonel.

18 Q. Was he RUF?

19 A. Yes, he was an RUF.

14:12:56 20 Q. Did you also serve in his group, Brigadier or Colonel Ali's  
21 group?

22 A. Well, I was with him, but it was this later time when we  
23 came from Kabala when I was with him.

24 Q. Whilst you were with him were you aware that he was  
14:13:27 25 answerable to General Ofley?

26 A. Well, it is not anything that we knew, we, the young boys,  
27 except that they tell us.

28 Q. Did they tell you that he was answerable to General Ofley,  
29 Colonel Ali?





1 A. Yes, he was telling us about that.

2 Q. Did he also later tell -- okay, you said he died, so I  
3 don't -- in that case, I don't have any further questions, thank  
4 you?

14:14:26 5 MR GRAHAM: Thank you, Your Honour, I just have a question,  
6 too.

7 CROSS-EXAMINED BY MR GRAHAM:

8 Q. Good afternoon, witness.

9 A. Good afternoon, sir.

14:14:36 10 Q. I just need you to --

11 A. Yes, okay.

12 Q. -- clarify. Gullit, I thought I heard, is it? Because  
13 the way you pronounced it, it sounds like "Good Eat". Is it  
14 "Good Eat" or "Gullit"; just clarify that?

14:14:52 15 A. It is Gullit, Gullit.

16 MR GRAHAM: Thank you. Your Honour, I don't have any  
17 further questions for this witness. Thank you very much.

18 MS NGUNYA: Your Honour, no redirect.

19 PRESIDING JUDGE: Thank you, Mr Witness, that is the end of  
14:15:23 20 your evidence. We have no more questions to ask you.

21 THE WITNESS: Okay.

22 PRESIDING JUDGE: And we thank you for coming to the Court  
23 to tell your story today.

24 THE WITNESS: Okay.

14:15:33 25 PRESIDING JUDGE: You are free to leave the Court when you  
26 want. Bye-bye.

27 Your next witness, Mr Hodes.

28 MR HODES: Your Honours, as I announced earlier today, we  
29 are not ready to proceed with our next witness this afternoon.



1 We will be ready with this witness first thing Monday morning.

2 PRESIDING JUDGE: I seem to recollect this being said other  
3 times this week.

4 MR HODES: It is true, Your Honour, and with all due  
14:16:16 5 respect, I think we have all worked hard and we have tried to get  
6 the witnesses together as quickly as possible. We do have a lot  
7 of witnesses coming in, both yesterday and today, for testimony  
8 next week. We are doing the best we can.

9 JUDGE LUSSICK: I think counsel on both sides have worked  
14:16:44 10 very hard this week, Mr Hodes, and probably we're entitled to an  
11 early mark. But tell me, what is the number of the next witness?

12 MR HODES: We anticipate TF1-033, Your Honour.

13 PRESIDING JUDGE: It would appear that there are no other  
14 witnesses for today. In the circumstances, we have not much  
14:17:45 15 choice but to adjourn court to 9.15 a.m. on Monday and go back to  
16 our paperwork. Madam Court Attendant, please adjourn court to  
17 9.15 a.m. on Monday morning.

18 THE INTERPRETER: Your Honours, in what language would the  
19 next witness be testifying on Monday?

14:18:02 20 PRESIDING JUDGE: Sorry, just a moment. Mr Hodes, please  
21 advise what language will be required for interpretation on  
22 Monday.

23 MR HODES: I will contact the interpreter's office and let  
24 them know. I don't have that information right now.

14:18:16 25 PRESIDING JUDGE: Very well, thank you.

26 THE INTERPRETER: Thank you, Your Honour.

27 [Whereupon the hearing adjourned at 2.15 p.m.,  
28 to be reconvened on Monday, the 11th day of  
29 July 2005, at 9.15 a.m.]



WITNESSES FOR THE PROSECUTION:

WITNESS: TF1-180	3
EXAMINED BY MS NGUNYA	4
CROSS-EXAMINED BY MR MANLY-SPAIN	18
CROSS-EXAMINED BY MR FOFANAH	48
CROSS-EXAMINED BY MR GRAHAM	54