

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

WEDNESDAY, 13 JULY 2005
9.25 A.M.
TRIAL

TRIAL CHAMBER II

Before the Judges:	Teresa Doherty, Presiding Julia Sebutinde Richard Lussick
For Chambers:	Mr Simon Meisenberg
For the Registry:	Mr Geoff Walker
For the Prosecution:	Mr Jim Hodes Ms Melissa Pack Mr Mark Wallbridge(Case Manager) 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 Andrew Daniels Mr Ibrahim Foday Mansaray
For the accused Santigie Borbor Kanuu:	Mr Ajibola E Manly-Spain

1 [TB130705A - EKD]

2 Wednesday, 13 July 2005

3 [The accused Brima and Kamara present]

4 [The accused Kanu not present]

09:20:58 5 [The witness entered court]

6 [Open session]

7 [Upon commencing at 9.25 a.m.]

8 PRESIDING JUDGE: Sorry, counsel, I am a bit late this
9 morning due to administrative matters. I note there appears to
09:29:28 10 be only two of the three accused in court this morning.

11 MR MANLY-SPAIN: Good morning, Your Honour.

12 PRESIDING JUDGE: Good morning.

13 MR MANLY-SPAIN: Your Honour, may I apologise for the
14 absence of the accused Kanu. He is not well I am informed.

09:29:44 15 PRESIDING JUDGE: I am sorry to hear he is not well. I
16 hope he recovers. We will note that his absence is due to that
17 reason. We will proceed on. I note there is a new witness in
18 the witness box. Mr Hodes, this is your witness.

19 MR HODES: Your Honour, this is Witness TF1-147. He will
09:30:03 20 be led by Mr Mark Wallbridge and he will be speaking in Krio.
21 There is a small part of the questioning that could lead directly
22 to his identity and I have already spoken to Defence counsel
23 about it as to whether or not -- how the Court wants to proceed,
24 either at the beginning of his direct or at the end of his direct
09:30:23 25 testimony, in closed session. I don't believe the Defence
26 counsel has any objection to that.

27 PRESIDING JUDGE: Could you just give me the number again,
28 please, Mr Hodes?

29 MR HODES: TF1-147.

1 PRESIDING JUDGE: Thank you. As before, any matters
2 relating to closed session we will deal with the application as
3 it arises and hear both yourself and Defence counsel. If there
4 are no other matters I will ask that the witness be sworn in.
09:30:51 5 Please swear in the witness.
6 WITNESS: TF1-147 [Sworn]
7 [The witness answered through interpretation]
8 EXAMINED BY MR WALLBRIDGE:
9 MR WALLBRIDGE: Good morning, Your Honours.
09:31:45 10 Q. Good morning, witness.
11 A. Good morning.
12 Q. Witness, I am going to ask you a few questions and I just
13 want you to remember to listen carefully to me and to answer in a
14 clear voice to Their Honours, the judges. Is that okay?
09:32:13 15 A. Yes, yes.
16 Q. Witness, where were you born?
17 A. I was born in Blama, Kwamebai Krim Chiefdom in the Bonthe
18 District.
19 Q. Witness, where do you now live?
09:32:37 20 A. I am in Kabala now.
21 Q. Which district?
22 A. Koinadugu District.
23 Q. Could you spell that district name for the Court, thank
24 you?
09:32:57 25 A. Yes. K-O-I-N-A-D-U-G-U, Koinadugu.
26 Q. Can you also spell Kabala for the Court?
27 A. K-A-B-A-L-A, Kabala.
28 Q. How long have you lived in Kabala?
29 A. It's very long. I have been there permanently from 1992.

1 Q. Witness, what is your occupation?

2 A. I am a businessman. I am a petty trader.

3 Q. Witness, what languages can you speak?

4 A. I speak Krio now. I speak Mende. Then I speak some amount
09:34:05 5 of English.

6 Q. What languages can you read?

7 A. I read Mende. I could read Krio. Then I could read
8 English.

9 Q. And what languages can you write?

09:34:25 10 A. I could write Krio. I could write English. I could write
11 Mende also.

12 Q. Thank you, Witness. Witness, where were you in May 1997?

13 A. I was in Kabala.

14 Q. Can you tell this Court what happened in May 1997?

09:34:55 15 A. In Kabala?

16 Q. Do you remember anything in particular about May 1997?

17 A. Yes, I could remember the time when they overthrow the
18 Tejan Kabbah government.

19 Q. Can you tell the Court who "they" is? Sorry, you said that
09:35:35 20 "they overthrew the government of Tejan Kabbah". Can you explain
21 to the Court who "they" --

22 A. Yes, yes. We heard it over the radio, the BBC, that the
23 AFRC -- the radio said that it was the AFRC that overthrew the
24 Tejan Kabbah government.

09:35:59 25 Q. Now you said the AFRC overthrew the Kabbah government.
26 What did you hear about the AFRC?

27 A. Well, according to the radio, we were told that it was the
28 soldiers and the RUF. They were the AFRC.

29 Q. Can you now tell this Court what happened in Kabala after

1 the overthrow of the government by the AFRC?

2 A. Well, when the overthrow took place, we saw so many
3 soldiers who were wearing uniforms and some were not wearing
4 uniforms. They were wearing military uniforms. So many of them
09:37:01 5 came to Kabala.

6 Q. The soldiers that came to Kabala, what did you know or what
7 did you hear about the soldiers that came to Kabala?

8 A. Well, we heard that they were AFRC, and they and the RUF
9 came and settled there. From what they said we heard in the
09:37:36 10 town.

11 Q. What were the AFRC doing in Kabala?

12 A. When they came we saw so many of them selling things, like
13 clothing. They sold just anything.

14 Q. Do you know anything else that they were selling?

09:38:18 15 A. Like clothing and cosmetics. Just anything that people
16 could sell. They would bring them and sell them. We didn't know
17 where they got them from.

18 Q. What happened later, after the AFRC came to Kabala and
19 started selling things?

09:38:47 20 A. Nothing happened till when we heard, through the radio, BBC
21 radio, that they have been repelled from Freetown.

22 Q. When you say "they have been repelled from Freetown," who
23 do you mean?

24 A. We heard over the radio that it was ECOMOG.

09:39:30 25 Q. Sorry, Witness, I will just rephrase my question. You said
26 you heard that it was ECOMOG, but you also said that they were
27 overthrown in Freetown. Who did you mean by "they"?

28 A. The day -- it's the ECOMOG, according to the radio.
29 Because we were not in Freetown, we are upcountry, so we listen

1 to the BBC. So we heard that ECOMOG has overthrown the AFRC in
2 Freetown.

3 Q. What happened, after ECOMOG overthrew the AFRC in Freetown,
4 in Kabala?

09:40:31 5 A. After we've heard that, we started seeing so many of them
6 arriving. So many of these soldiers, the AFRC -- so many of them
7 came to Kabala. Some were in buses, passing through, going
8 further upcountry in Kabala.

9 Q. What happened after the AFRC started passing through
09:41:07 10 Kabala?

11 A. Nothing happened until we started receiving news over the
12 BBC that ECOMOG is coming to Kabala.

13 Q. Witness, can you just explain, after you heard this but
14 before -- sorry, I will start again. You heard that the ECOMOG
09:41:52 15 were coming to Kabala. Did anything happen before that?

16 A. Before ECOMOG arrived in Kabala, that night the AFRC, so
17 many of them ran away out of the town. They went further
18 upcountry.

19 Q. Did anything happen when the AFRC ran out of town and went
09:42:24 20 upcountry?

21 A. Initially nothing happened. They just run away. We
22 understood that they were running away from ECOMOG.

23 Q. So what happened after AFRC left Kabala Town?

24 A. When they had gone, ECOMOG arrived. Since then, there was
09:43:03 25 jubilation. We are all happy in the town because they were
26 talking to us to stay. So there was some amount of peace.

27 Q. And when did ECOMOG arrive in Kabala?

28 A. It was in 1998.

29 Q. Can you remember when in 1998?

1 A. I can't remember the day or the date, but maybe it was
2 around -- between March until May, within those months. I can't
3 recall.

4 Q. So you said when ECOMOG arrived in Kabala there was
09:44:05 5 celebration. What happened after this in Kabala?

6 A. As they stayed there, nothing happened initially. We were
7 happy, life returned to normal, everybody was doing what he was
8 able to do.

9 Q. Did anything happen after this?

09:44:43 10 A. Nothing happened until in July, the 27th, when we saw the
11 rebels. Because that was the name we knew. The rebels came and
12 attacked Kabala.

13 Q. So you say that the rebels came and attacked Kabala on 27th
14 July. What happened during this attack?

09:45:26 15 A. They attacked the town. Before they came, ECOMOG was
16 waiting. They said they were coming to base. We saw -- well,
17 people saw, I was not where they were. But they said they were
18 coming to surrender to ECOMOG. So during that period, there were
19 others behind. Then we heard some shooting all over the town.

09:45:55 20 So all of us ran away.

21 Q. If I take you back, you said that they said they were
22 coming to town to surrender. Who do you mean by "they"?

23 A. The rebels. Those who had come to attack. The rebels.

24 Q. Where were you when the attack started?

09:46:25 25 A. Well, I was not in town. I was in my farm. I had gone to
26 work in my farm. But it was nearer the town.

27 Q. How near was the town to your farm?

28 A. It was not up to half a mile.

29 Q. What did you do after this?

1 A. Well, I tried to return to the town, but I met people.
2 That very evening when they attacked, I tried to return to the
3 town, but I met a lot of people. Nobody was -- we all returned
4 and slept in the bush.

09:47:30 5 Q. What did you see during the attack?

6 JUDGE LUSSICK: Yes, Mr Daniels.

7 MR DANIELS: My Lord, the witness did not say he saw the
8 attack.

9 JUDGE LUSSICK: No, he didn't either, Mr Wallbridge. He
09:47:51 10 didn't say he saw the attack at all.

11 MR WALLBRIDGE: Thank you, Your Honour, I will rephrase
12 that.

13 Q. Witness, how did you know the attack was going on?

14 A. Well, from the shooting that we heard. Because I was not
09:48:16 15 in the town, but I was close to the town. And those people who
16 were running away, coming to the place where I was, we heard
17 gunshots all over the town. That was how we knew that there
18 was -- there has been -- there was an attack, sorry.

19 Q. Did you go to the town later?

09:48:42 20 A. Yes, the next day I came.

21 Q. Had the attack finished?

22 A. Well, it had not finished because during that July attack
23 they were there for nearly four days. About four to five days in
24 the town.

09:49:08 25 Q. So you said before that you returned to town after one day?

26 A. Yes. Well, I came in order to go to the centre of town,
27 but I met people at the other part of the town. So we couldn't
28 reach the centre of the town, so we were just on the outskirts of
29 the town. That was where I was with other people. We were there

1 until all of these days lapsed and they were repelled.

2 Q. When you say you were there for all of those days, how many
3 days was that?

4 A. I was there for up to four days. From the attack on Monday
09:50:18 5 until Thursday, when the attack was over on Friday.

6 Q. You also said that they repelled those -- "they were
7 repelled". Who do you mean by "they were repelled"?

8 A. Well, what they called friendly forces. That is those who
9 had come from down, those soldiers -- I think they were the
09:50:56 10 soldiers who were on the side of the government, who had come
11 from down. They came and repelled them.

12 Q. Did you hear anything about those soldiers that were on the
13 side of the government?

14 A. Yes. After everything, we were in the town. We saw them
09:51:20 15 and some of them were our own soldiers together with the ECOMOG.

16 Q. And who did they repel?

17 A. The rebels.

18 Q. What did you hear about the rebels who attacked Kabala?

19 A. Heard what?

09:51:58 20 MR WALLBRIDGE: Sorry, can the witness please repeat that?

21 JUDGE LUSSICK: He said, "Heard what?"

22 THE WITNESS: I want to know, because he said what did I
23 hear. I want to know what did I hear about the attack, or what
24 they did?

09:52:16 25 MR WALLBRIDGE:

26 Q. What you heard about the attack.

27 A. Okay. After all the attack, we saw that houses were burnt
28 and some houses were still on fire when we came to the town on
29 Friday. On Friday, when the soldiers had come from down,

1 repelled them, we saw so many houses burnt and there was a
2 particular man whose house was looted. Those are the things we
3 saw -- I saw.

4 Q. You mentioned that you saw -- I will repeat that, sorry.

09:53:00 5 You mentioned that there was a man whose house was looted; is
6 that correct?

7 A. Yes. My own house. My own very house. It was not burnt,
8 but they carted away all the wares that I had in my house
9 including my personal belongings.

09:53:33 10 Q. Do you know who carted away your personal belongings?

11 A. Well, I didn't see the person, but we just concluded that
12 it was those who attacked.

13 Q. You mentioned earlier that you saw the houses burning in
14 Kabala. Do you know who burnt the houses?

09:54:00 15 A. Well, I didn't see the person who set the fire. But from
16 what all of us heard, and what I heard, was that those who
17 attacked burnt down the houses.

18 Q. You mentioned that your house was looted. Do you know of
19 any other houses that were looted?

09:54:51 20 A. Yes, that was news. I cannot call somebody's name now, but
21 all of us were crying, everybody telling his or own story about
22 what was looted, the houses that were burned. That was it. So
23 many people. Nobody came to me personally to tell me, but it was
24 like I was telling my story and somebody else was telling his own
09:55:18 25 story.

26 Q. You said before that the attackers were repelled on the
27 Friday. What happened in Kabala after that?

28 A. After they had been repelled, like how it normally happens,
29 nothing happened. We were in the town. Everybody was trying to

1 come to the town to resettle, to see what has remained and how
2 we'd manage our lives.

3 Q. Did people resettle and manage their lives?

4 A. Yes. We all came back and we settled. It was not long.

09:56:27 5 It was still in September.

6 Q. What happened in September?

7 A. Well, in September, that is September 17, we -- there was
8 another attack in the night.

9 Q. Witness, you said September 17; do you recall what year?

09:56:57 10 A. The same year, 1998.

11 Q. Thank you. When you said they attacked again, who do you
12 mean?

13 A. Well, we believe that it was the same people, the rebels.

14 Q. Where were you when that attack started?

09:57:34 15 A. Well, at that time I was in the town, because I was in my
16 house. I was unable to leave because they had surrounded the
17 town and that caused me not to be able to go out.

18 Q. Do you recall what time the attack started?

19 A. Well, I didn't look at my watch but it was getting a little
09:58:01 20 dark.

21 Q. So what happened during this attack?

22 A. This time I should say it was a big attack, because they
23 were shooting and the sound was very -- the explosion was very
24 big. It was like they were using big guns. And we saw houses on
09:58:44 25 fire. So I came out of my own house and hid in a house that was
26 close to a bush.

27 Q. So why did you move outside your house?

28 A. Because when we saw houses on fire and it was not too far
29 from ours, so I came out of my house and went to a nearby house

1 so that they wouldn't meet me in there and set it on fire.

2 Q. Do you remember who the fighting was between?

3 A. Yeah. At that time there were soldiers in the town who
4 were called SLAs and ECOMOG. So they were fighting against those
09:59:46 5 who had come from the bush, the rebels.

6 Q. How long did this attack last?

7 A. It lasted for the entire night. By morning they had
8 repelled them.

9 Q. Sorry, Witness, who had repelled them?

10:00:13 10 A. Those who were in the town, the soldiers whom we had in the
11 town.

12 Q. After the attack what did you see in Kabala?

13 A. After it was all over and we came out in the morning, we
14 saw corpses at the main junction in the town. They were strewn
10:01:07 15 on the tar in town.

16 Q. Did you hear anything about this attack?

17 A. Yes. Well, when we saw that, because what we heard, we
18 heard from a radio. Because whatever was happening, we would
19 hear through the radio. They would say they killed so many
10:01:36 20 people; we heard that from the radio. But what I saw was like 10
21 corpses lying in the centre of the town.

22 Q. Witness, sorry, I will rephrase my question. What did you
23 hear about the -- sorry, I will start again. After the attackers
24 had left what was Kabala like?

10:01:59 25 A. Again, like it normally happens, after the attack people
26 return to the town. All of us came back to town trying to
27 resettle.

28 Q. What was the condition of the town after the attack?

29 A. This time round, so many houses had been burnt through and

1 some were still on fire. They had stolen so many things. Those
2 that remained that they had not stolen, they stole this time
3 around.

4 Q. Did you hear anything else about the stealing?

10:02:59 5 A. Yeah. The only thing that we heard, because they were
6 always capturing people -- each time they attack they would
7 capture people and ask them to carry their loads for them.

8 Q. So when you say "each time they attacked", who do you mean
9 by "they"?

10:03:22 10 A. The same people, the rebels.

11 Q. And you said that they were capturing people during the
12 attack. Do you mean both the July attack as well as the
13 September attack?

14 A. Both attacks they captured people.

10:03:54 15 Q. How did you hear about the capturing of people?

16 A. Well, at first those who ran away, if they are lucky and
17 they escape during the attack, they would say it. And people in
18 the town would also talk -- would also say that after the attack,
19 they have not been able to see either their sister or their

10:04:28 20 brother or their uncle; that they've not seen them. They would
21 be saying it, that they've not seen their relatives, and at one
22 particular time they would just say they were taken away.

23 Q. You said before that the attackers, when they captured the
24 people, they got them to collect the stuff or the goods.

10:05:06 25 PRESIDING JUDGE: I thought the witness said carry.

26 MR WALLBRIDGE: Sorry, I will rephrase it.

27 Q. Witness, when you said before that the attackers captured
28 people and got them to carry the goods, can you explain that?

29 A. Well, I would only say that what I saw, because I was not

1 there, I did not see. I did not see where somebody was captured.
2 But what normally happens, like if we are all in town, when this
3 thing happens, after the people had gone, just as I said, people
4 would say their stories. They would say that they did not see my
10:05:53 5 own person. And those who run away from them, they would say
6 that they were given loads, because they would capture them and
7 give them loads to carry.

8 Q. You mentioned that houses were burnt in both the July and
9 September attacks. Do you know how many houses were burnt?

10:06:28 10 A. Well, I did not count them but many houses were burnt
11 during the two attacks.

12 Q. You mentioned that looting occurred during both the July
13 and September attacks and you mentioned that your property was
14 looted during the July attack. Was your property looted in the
10:07:07 15 later attack?

16 A. Yes.

17 Q. Do you remember what was looted from you?

18 A. Both attacks. July, my wares were taken away and September
19 I hadn't wares, so they carted away my personal property, my
10:07:44 20 clothes and the things I use.

21 MR WALLBRIDGE: Thank you, Witness. I have no further
22 questions.

23 THE WITNESS: Thank you.

24 PRESIDING JUDGE: Cross-examination, counsel?

10:08:30 25 MR MANLY-SPAIN: Just a couple of questions, Your Honour.

26 CROSS-EXAMINED BY MR MANLY-SPAIN:

27 Q. Mr Witness, when ECOMOG --

28 A. Yes.

29 Q. Good morning.

1 A. Good morning.

2 Q. When ECOMOG and the SLA soldiers went into Kabala did they
3 have weapons with them?

4 A. Yes, they had weapons. We saw them with guns.

10:09:05 5 Q. Did they have guns that were mounted on vehicles?

6 A. Well, that one, I was not able to see it, but they carried
7 gun with them. But there were many in very large vehicles and
8 they alighted from those vehicles.

9 MR MANLY-SPAIN: That will be all, Your Honour.

10:09:35 10 PRESIDING JUDGE: Mr Graham? Sorry, excuse me, Mr Daniels,
11 have you any questions of the witness?

12 MR DANIELS: Just a couple, My Lord.

13 CROSS-EXAMINED BY MR DANIELS:

14 Q. Mr Witness, good morning.

10:09:54 15 A. Good morning.

16 Q. You just said that you didn't see any of the attacks as
17 they took place. You didn't witness them personally. Is that
18 correct?

19 A. Well, I would not say that I did not witness them, because
10:10:17 20 what -- but I said that I did not see the person because I will
21 not stand there to see the person when we were the targets. So I
22 will not wait to see them. But I knew that an attack took place
23 because I heard the shootings in the town.

24 Q. In respect of the first attack, how intense was the
10:10:41 25 fighting? How long did it last for?

26 A. Well, the first attack, the people were there for long.
27 They were nearly there for four and five days, but they occupied
28 the town.

29 Q. And the second attack, how long was the fighting for?

1 A. That one, it was just for a night.

2 MR DANIELS: That will be all, thank you.

3 THE WITNESS: Thank you.

4 MR GRAHAM: Thank you.

10:11:23 5 CROSS-EXAMINED BY MR GRAHAM:

6 Q. Good morning, Mr Witness.

7 A. Good morning, sir.

8 Q. Mr Witness, in your earlier testimony today you did say
9 that there were two attacks. One in July of 1998 and the other
10:11:42 10 in September of 1998; is that right?

11 A. Yes, you are right.

12 Q. In respect of the attack in July '98, it was also your
13 testimony that the attack involved an exchange of fire between
14 what you called the rebels and the ECOMOG and SLA soldiers; is
10:12:08 15 that right?

16 A. Yes, you are right.

17 Q. And it was also your testimony that the fighting was very
18 intense; is that right?

19 A. Yes, you are right.

10:12:27 20 Q. And it was also your testimony that after the fighting
21 during the first attack there was a lot of destruction of
22 property and houses as well; is that right?

23 A. Yes, you are right.

24 Q. Mr Witness, am I right in saying that, since you were not a
10:12:53 25 witness to the actual fighting, you were not really in a position
26 to know who actually caused the burning of the houses. It could
27 have been the result of the fighting - is that right - since
28 there was exchange of fire between both parties?

29 A. Well, indeed, I wasn't -- I did not see where the houses

1 were burnt because I did not stay there to see. But I would say
2 it was a normal thing which all of us know. These people would
3 not shoot at houses to burn the houses. Most of the time they
4 lit the houses and other things we had, like petrol, kerosene,
10:13:43 5 anything, they would set the houses on fire. It was not by
6 firing, shooting. Because the guns they carried, they fired in
7 the town, they were not guns that will really cause fire to
8 catch. That was what we heard.

9 Q. Did you see anyone carrying -- setting fire to any of the
10:14:08 10 houses? Did you personally witness any of them setting fire to
11 the houses?

12 A. I did not see it personally because I did not wait to see.

13 Q. That's fine. Did you also see any of them carrying tanks
14 of petrol or anything that was used in setting the houses on
10:14:30 15 fire?

16 A. Well, I did not see. But what we used to hear, the petrol
17 stations are the areas from where they obtained petrol. Even
18 before then some people who sell petrol, that is what they used
19 to say; that the petrol stations were the areas they get their
10:14:52 20 petrols to spray on the houses.

21 Q. My question is that you did not see any of the rebels
22 pouring petrol -- pouring it on any of the houses and setting it
23 on fire. That is my question. Did you?

24 A. No, I did not see it.

10:15:09 25 Q. And, Mr Witness, you would agree with me -- are you very
26 familiar with a kind of weaponry that can cause fire? I am
27 saying this because in your earlier testimony you did say that
28 because of the type of guns that they were carrying -- could not
29 have caused or could not have -- the shooting could not have

1 resulted in any of the houses being set on fire and I am saying
2 that are you very familiar with military weapons?

3 A. Well, indeed, I would not say, because I am not a soldier,
4 that every gun will cause fire to put. But what I am saying is
10:15:56 5 what I used to hear is what I am saying now. Because I did not
6 see that this gun will burn a house or this gun will not burn a
7 house, but what I used to hear is what I am saying.

8 Q. I next want you to focus on what happened during the
9 attacks and not on what you heard. So you agree with me that
10:16:16 10 there is no way you actually would have known how those houses
11 were set on fire?

12 A. Well, if I would say what I know, sometimes like the last
13 one which was a night attack, which was a last attack, when many
14 houses were burned, the people who remained in the town, the old
10:16:45 15 people, because the house was burnt was close to mine -- it's
16 what they told us is what I am saying here, but I did not see it.

17 Q. So, Mr Witness, your testimony is that there were two
18 factions fighting. You had the ECOMOG and government SLA troops
19 on one side and then you also had the rebels on one side; is that
10:17:14 20 right?

21 A. Yes.

22 Q. There was a heavy and intense exchange of fire; is that
23 right?

24 A. Yes, I heard that.

10:17:29 25 Q. And very loud explosions as well; is that right?

26 A. No, no, I wouldn't know between explosion and a gunshot,
27 because I heard a lot of gunshots. That is what I heard.

28 Q. It was also your testimony that during the first attack the
29 rebels were repelled; is that right?

1 A. Yes.

2 Q. So you agree with me that they were repelled because ECOMOG
3 and the SLA troops had heavy or stronger firepower, is that
4 right?

10:18:12 5 PRESIDING JUDGE: Is that a fair question, Mr Graham? He
6 has just said he doesn't --

7 THE WITNESS: Well, I wouldn't know, because I wouldn't
8 know whether -- because I was not in the fight. I don't know
9 what could have -- what caused them to push them away. But it
10:18:32 10 took some time and they'll push them away. And what we were
11 told, they will fight for a whole day and the next day we would
12 not see anything. So I wouldn't know how or what caused them --
13 how they managed to repel them. Only we prayed that -- we praise
14 our soldiers because each time we saw that we, as human being
10:18:55 15 people, would be happy because they've left.

16 MR GRAHAM:

17 Q. Okay, Mr Witness. I will move on also to the attack in
18 September of 1998. In September 1998 you said a similar attack
19 on Kabala also took place by the rebels; is that right?

10:19:23 20 A. Yes, from July and then September '98.

21 Q. And once again there was heavy and intense fighting and
22 loud explosions; is that right?

23 A. Well, I wouldn't say loud explosions, but there was so many
24 gunshots. It couldn't be loud, but even if it were not a loud
10:19:54 25 sound, it was not a loud explosion, but there were many gunshots
26 in the town.

27 Q. But it was enough to make you afraid and go into hiding; is
28 that right? I mean the shooting and the sound of the shooting.

29 A. Well, why I ran is because I saw houses that were far from

1 us, they were on fire. They were on fire, burning, and that was
2 the reason why I came out and ran away. That is the reason why I
3 hid.

4 Q. Once again, during this second attack, Mr Witness, you
10:20:31 5 never saw anyone setting any of the rebels -- yourself personally
6 never saw any of them setting any house on fire, did you? And
7 Mr Witness, it was also your testimony that in the morning, after
8 the fighting, you saw --

9 JUDGE SEBUTINDE: Mr Graham, he has not answered the
10:20:49 10 earlier question. We are all waiting for the answer.

11 MR GRAHAM: Sorry, Your Honour. Sorry, Mr Witness, I will
12 hold my horses.

13 PRESIDING JUDGE: Put your questions one at a time,
14 Mr Graham. Repeat the first one.

10:21:00 15 MR GRAHAM: Thank you, Your Honour.

16 Q. Mr Witness, my question was that it was your testimony
17 earlier on today that after the fighting, when you got back into
18 the town, you saw dead bodies in the main street in the centre of
19 the town; is that right?

10:21:17 20 A. Yes, you are right.

21 Q. And because during the fighting you were in hiding, there
22 was no way you would know who was actually responsible or who
23 caused their deaths; is that right?

24 A. I did not see when they were killed, but we only saw their
10:21:41 25 corpses in the morning.

26 Q. So it is possible that they could have been killed as a
27 result of the fighting, as a result of the exchange of fire
28 between the two parties; is that right?

29 A. Well, that was what we heard anyway. Because when we came

1 back, the soldiers that were in the town, with whom we were in
2 the town, they told us that during the fight -- these people were
3 killed during the fight.

4 Q. And I am saying that you wouldn't know whether -- you were
10:22:19 5 not in a position to tell us whether they died as a result of
6 gunshots from the rebels or the ECOMOG or SLA soldiers; is that
7 right? You are not in a position to tell us that.

8 A. Well, the only thing, the people, they had blood marks on
9 them which are the gun, that they were shot with guns. But they
10:22:42 10 told us that the rebel caused their death and that was all we
11 heard.

12 Q. Who told you the rebels cause their death? Their dead
13 bodies told you? Who told you?

14 A. No, I did not say that rebel caused their deaths. But the
10:23:03 15 soldiers in the town, those that were killed, they were the
16 rebels. Which means like any other person will answer that the
17 soldiers shot them.

18 Q. Mr Witness, did I hear you say that the dead bodies that
19 you saw were dead bodies of rebel soldiers? Is that what I heard
10:23:32 20 you say?

21 A. Yes, yes, that was what we were told.

22 Q. So you were told they were rebel soldiers and you were told
23 also that they had been killed by who?

24 A. Yes, yes. They told us that the soldiers killed them
10:23:52 25 during the fight.

26 Q. ECOMOG and SLA soldiers killed them during the fight.

27 MR GRAHAM: Your Honour, I don't have any --

28 THE WITNESS: Yes.

29 MR GRAHAM: Your Honour, I don't have any further questions

1 for this witness, thank you.

2 PRESIDING JUDGE: Thank you, Mr Graham. Re-examination,
3 Mr Wallbridge?

4 MR WALLBRIDGE: No, Your Honour.

10:24:22 5 PRESIDING JUDGE: Thank you.

6 JUDGE SEBUTINDE: Mr Witness, at the very beginning of your
7 testimony you mentioned a chiefdom where you were born. Could
8 you please repeat the name of that chiefdom.

9 THE WITNESS: Kwamebai Krim Chiefdom, Bonthe District.

10:24:52 10 JUDGE SEBUTINDE: Could you also spell those names, spell
11 the name of the chiefdom.

12 THE WITNESS: Kwamebai, K-W-A-M-E-B-A-I, Kwamebai. Krim,
13 K-R-I-M.

14 JUDGE SEBUTINDE: And the district?

10:25:14 15 THE WITNESS: Bonthe District, B-O-N-T-H-E.

16 PRESIDING JUDGE: Thank you, Mr Witness. That is your
17 evidence now completed and we thank you for coming to the Court
18 to give your evidence today. Just wait for a few moments where
19 you are sitting. Mr Court Attendant, can you assist the witness
10:25:46 20 to leave the Court?

21 MR WALKER: Certainly.

22 PRESIDING JUDGE: Thank you. Mr Hodes, it is twenty past
23 ten. We usually break fairly soon, but can you indicate to us if
24 you have another witness immediately available. What is the
10:26:09 25 situation?

26 MR HODES: Your Honours, we do have another witness that we
27 anticipate testifying this morning, but I don't believe that
28 witness is available for another few minutes.

29 PRESIDING JUDGE: In the light of that, I think it would be

1 appropriate that we adjourn then for 15 or so minutes. Let's
2 make it 20 in view of that problem and we will reconvene in 20
3 minutes. Mr Court Attendant, please adjourn court for 20
4 minutes.

10:26:49 5 [Break taken at 10.23 a.m.]

6 [TB130705B-SGH]

7 [On resuming at 10.50 a.m.]

8 PRESIDING JUDGE: Mr Hodes, your next witness.

9 MR HODES: Your Honour, the next witness is going to be
10:53:19 10 TF1-094 and she will be testifying in Krio. The problem right
11 now that we are having is simply this: Ms Pack is leading this
12 witness. Unfortunately, she is finishing a witness in Trial
13 Chamber I. I have been in there during the break and they
14 anticipate being finished with that witness within the next few
10:53:35 15 minutes. So we would appreciate the Court's consideration.

16 PRESIDING JUDGE: Mr Hodes, you have carriage of this case.
17 Are you not prepared to at least start your witness?

18 MR HODES: Your Honour, the witness is somewhat a sensitive
19 one. It is a child abductee who was the victim of rapes and
10:54:39 20 things of that nature, and this particular witness has worked and
21 been interviewed by Ms Pack. I think the witness would probably
22 feel more comfortable with Ms Pack than she might with me. So we
23 would just ask for an extra five or 10 minutes. I can run over
24 to the other Trial Chamber and see whether or not Ms Pack has
10:55:02 25 finished or nearly finished. She should be. When I was there
26 earlier they indicated 10 to 15 minutes.

27 PRESIDING JUDGE: Counsel, in the light of the fact that
28 this is a witness that requires some delicacy and in the light of
29 what you have submitted, we will grant a brief adjournment to

1 allow Ms Pack to be here. We wish to stress that this is not
2 setting a precedent for future lack of counsel or preparedness on
3 the part of co-counsel. I accept what you have said and in the
4 light of that we will grant -- we note you say ten minutes.
10:57:05 5 Please advise, Court Attendant, we will adjourn for a further ten
6 minutes in the light of that application. Please adjourn court
7 for a further ten minutes.

8 [Break taken at 10.55 a.m.]

9 [On resuming at 11.10 a.m.]

10:57:12 10 PRESIDING JUDGE: Yes Mr Hodes.

11 MR HODES: Your Honour, I just want to apologise to both
12 yourselves as well as to the Defence for the inconvenience and
13 also to express my appreciation for the patience and the
14 consideration in this matter.

11:13:21 15 PRESIDING JUDGE: Thank you, Mr Hodes. These things happen
16 to the best of us. Ms Pack, I understand you are leading the
17 witness. I will ask the usual question that I have asked in
18 relation to other young people. The witness is old enough to
19 take the oath?

11:13:29 20 MS PACK: Yes, Your Honour.

21 PRESIDING JUDGE: Very well. In that case I will ask the
22 Court Attendant to swear in the witness. What language will the
23 witness speak?

24 MS PACK: She will be testifying in Krio, Your Honour.

25 PRESIDING JUDGE: Thank you.

26 WITNESS: TF1-094 [sworn]

27 [The witness answered through interpreter]

28 EXAMINED BY MS PACK

29 Q. Good morning, Witness.

1 A. How is the morning?
2 Q. Witness, I will be asking you a few questions this morning.
3 A. Okay.
4 Q. Let me start with 1998. The year 1998. Where were you
11:15:01 5 living at that time?
6 A. I was in Bamukura village.
7 MS PACK: That is B-A-M-U-K-U-R-A, Your Honour.
8 Q. Where is Bamukura Village, Witness?
9 A. It is in the Koinadugu District.
11:15:37 10 Q. Are you able to say about how far Bamukura is from Kabala
11 in Koinadugu District?
12 A. Well, it is really far.
13 Q. Witness, did anything happen at your village in 1998?
14 A. Yes.
11:16:04 15 Q. What happened?
16 A. Well, in 1998 they went to our village and attacked there.
17 Q. Who attacked your village, Witness?
18 A. The rebels and the SLAs.
19 Q. Do you know where these rebels and SLAs had been before --
11:17:03 20 pause a moment. Could someone from the Witness Unit perhaps
21 assist the witness, please?
22 PRESIDING JUDGE: If the witness wants to have a break that
23 is all right. But just let us see if we can convey that to the
24 witness. Is the witness all right?
11:17:22 25 WITNESS SUPPORT OFFICER: Yes, Your Honour, and she is
26 ready to continue.
27 PRESIDING JUDGE: Very well. Can you explain to the
28 witness if she feels in need to have a break or go out, she must
29 let us know.

1 WITNESS SUPPORT OFFICER: Yes, Your Honour, she promise.
2 MS PACK:
3 Q. Are you ready to go on, Witness?
4 A. Yes.
11:19:23 5 Q. Thank you very much.
6 A. Thank you, too.
7 Q. Now, Witness, I was asking you about the attack on your
8 village in 1998. My question to you is this: Do you know if any
9 other place was attacked by the SLAs and the rebels before they
11:19:51 10 came to your village?
11 A. Yes.
12 Q. Where was attacked before they came to your village?
13 A. Kabala was first attacked.
14 Q. How do you know that?
11:20:22 15 A. Well, they first passed us and went to Kabala. From there
16 they returned.
17 Q. Now, when these SLAs and rebels came to your village, what
18 did you do?
19 A. We ran into the bush.
11:20:47 20 Q. Who did you run into the bush with?
21 A. My parents.
22 Q. Did you have any other family members?
23 A. We were many.
24 Q. Do you remember when in the day it was when you ran away
11:21:12 25 into the bush?
26 A. I couldn't remember. I could not remember day, but it was
27 in August.
28 Q. Are you able to remember the time of day, whether it was
29 the morning, middle of the day, evening, night-time?

1 A. Well, they passed in the evening to Kabala and when they
2 were returning, they returned in the morning.

3 Q. After you went to the bush with your parents and the others
4 you were with did anything happen?

11:22:11 5 A. Yes.

6 Q. What happened?

7 A. My parents were captured.

8 Q. Who captured your parents?

9 A. Well, I could not identify the people, but they were rebels
11:22:46 10 and they were mixed up. SLAs and the rebels.

11 Q. After they captured your parents, do you know what happened
12 to your parents?

13 A. Yes.

14 Q. What happened to your parents?

11:23:16 15 A. They captured them and put them in the house. After
16 they've placed them in the house, they were removing them one
17 after the other. They killed them.

18 Q. Have you got a glass of water there, Witness. Just have a
19 drink. How do you know that they killed your parents, Witness?

11:23:51 20 A. They captured them together with my cousin.

21 Q. Go on.

22 A. After they've been captured, it was my cousin that
23 explained to me that they have killed my father and my mother.
24 So when I went there I saw my father's head. I saw my father.

11:24:26 25 His head was scattered. My mother, too. Both of them were
26 killed. They were removed them one after the house [sic] from
27 the house and slaughtered them.

28 Q. Witness, did anything happen to you?

29 A. Yes.

- 1 Q. What happened to you?
- 2 A. Well, we ran into the bush. I was captured there.
- 3 Q. Who captured you?
- 4 A. Andrew.
- 11:25:10 5 Q. Do you know who Andrew was?
- 6 A. He was an SLA.
- 7 Q. Did you have any other family members who went with you to
- 8 the bush apart from your parents?
- 9 A. Yes.
- 11:25:39 10 Q. Who?
- 11 A. My auntie -- my aunt and my uncle.
- 12 Q. Witness, when you were captured what class were you in in
- 13 school?
- 14 A. Well, I was in Class 2.
- 11:26:21 15 Q. Are you able to say, Witness, whether when you were
- 16 captured you had reached puberty?
- 17 A. No.
- 18 Q. Had you reached puberty?
- 19 A. No, I hadn't messed by then. I hadn't seen my menstrual
- 11:26:31 20 period by then.
- 21 Q. What was Andrew wearing when he captured you?
- 22 A. He was in combat.
- 23 Q. Did he take you anywhere?
- 24 A. Yes.
- 11:27:20 25 Q. Where did he take you?
- 26 A. Yemadugu.
- 27 MS PACK: Your Honour, that is Y-E-M-A-D-U-G-U.
- 28 Q. Did anything happen when you got to Yemadugu?
- 29 A. Yes.

1 Q. What happened?

2 A. He raped me.

3 Q. When you use the word "rape," what do you mean by that?

4 A. He has sexual intercourse with me.

11:28:18 5 Q. Did you feel that you were able to refuse to have sexual
6 intercourse with him?

7 A. Well, if I denied they would have killed me.

8 Q. After he raped you on this first time in Yemadugu, did
9 anything else happen to you?

11:29:06 10 A. Yes.

11 Q. What?

12 A. Well, I was pregnant.

13 Q. Did you have sexual intercourse with him again after that?

14 A. Yes.

11:29:44 15 Q. Did you feel that you were able to refuse to have sexual
16 intercourse with him?

17 A. Well, I hadn't the power to deny him.

18 Q. Did you have to do anything for Andrew apart from have
19 sexual intercourse with him?

11:30:09 20 A. Yes.

21 Q. What did you have to do for Andrew?

22 A. I used to launder for him and many other chores. I used to
23 work for him.

24 Q. How long were you with Andrew after he captured you?

11:31:01 25 A. Well, we were together for a long time.

26 Q. Do you know what Andrew considered you to be?

27 A. He considered me as his wife.

28 Q. Do you remember any commanders in Yemadugu?

29 A. Yes.

- 1 Q. Can you give us their names, please?
- 2 A. Well, the boss for them was Ojagu.
- 3 Q. Just wait a moment while I spell that for Their Honours.
- 4 MS PACK: O-J-A-G-U, Your Honour.
- 11:32:17 5 Q. Do you know what group Ojagu came from?
- 6 A. Yes.
- 7 Q. Which group did he come from?
- 8 A. He was an SLA.
- 9 Q. Do you remember any other commanders in Yemadugu?
- 11:32:41 10 A. Yes.
- 11 Q. Could you give the Court their names, please?
- 12 A. Syllabug too was there.
- 13 MS PACK: The spelling I have for that, Your Honour, is
- 14 S-Y-L-L-A-B-U-G.
- 11:33:19 15 Q. Do know which group Syllabug came from, Witness?
- 16 A. Well, he was an SLA.
- 17 Q. Is there anyone else you remember, any other commander you
- 18 remember in Yemadugu?
- 19 A. Yes.
- 11:33:38 20 Q. Go on.
- 21 A. Colonel Junior.
- 22 Q. Is that his full name?
- 23 A. Well, that is the name I knew for him.
- 24 Q. Do you know which group Colonel Junior came from?
- 11:34:01 25 A. Yes.
- 26 Q. Which group?
- 27 A. SLA.
- 28 Q. Is there anyone else, any other commander whose name you
- 29 remember?

1 A. Yes.

2 Q. Who else in Yemadugu?

3 A. Well, there was Rambo there. SLA.

4 Q. Apart from these SLA commanders you have named was there
11:34:52 5 anyone else in Yemadugu?

6 A. Yes.

7 Q. Who else was there?

8 A. There were many, but I don't know their names.

9 Q. Were they SLAs, were they rebels, were they civilians; are
11:35:17 10 you able to say?

11 A. Yes.

12 Q. Which group did you see in Yemadugu?

13 A. Well, I couldn't identify the group because they all had
14 uniform. Rebels and soldiers were putting on uniforms.

11:35:56 15 Q. Were you the only civilian in Yemadugu, or were there other
16 civilians there?

17 A. There were other civilians there.

18 Q. Are you able to say how many?

19 A. Well, I could not tell the number but we were many.

11:36:17 20 Q. And do you know where these civilians had come from?

21 A. Well, I could not know the village, but they were coming
22 from -- they were captured from different villages.

23 Q. Were they men, women or children?

24 A. Both sides.

11:36:55 25 Q. Was there anyone else from Yemadugu?

26 A. I can't understand that question.

27 Q. Were there any other civilians from Yemadugu who had been
28 captured?

29 A. Well, I would not be able to identify them. We were many.

1 We would not know ourselves.

2 Q. I am sorry, my question was incomprehensible because I
3 asked you about the wrong place. Were there any civilians that
4 you recognised from XXXXXXXX , your village, in Yemadugu?

11:37:47 5 A. Yes.

6 Q. Now Witness, in Yemadugu what were the civilians doing?

7 A. Well, they will punish us and send us on work. They will
8 send us to do all kinds of work, all different types of work to
9 do for them.

11:38:26 10 Q. Who would send you to do different types of work?

11 A. Well, the rebels and the SLAs, because they were mixed up
12 at that time.

13 Q. What sort of work were you being sent to do?

14 A. To harvest rice in the bush, launder, to cook, to pound
11:38:54 15 rice. Different types of work they will send us to do for them.

16 Q. When you say that they will punish you, what do you mean by
17 that?

18 A. Well, if you refuse to do the work, the work you are asked
19 to do, either they kill you or punish you or they beat you.

11:39:22 20 There were many punishments given to people.

21 Q. Was there anything else going on in Yemadugu that you
22 remember?

23 A. Yes.

24 Q. What else?

11:39:54 25 A. Well, they used to train -- train us to use weapons.

26 Q. Who was training you?

27 A. There were many, but the one whose name I know, the man was
28 called Orga My Brother.

29 MS PACK: The spelling I have for Orga is O-R-G-A and then

1 it is My Brother, Your Honour.

2 JUDGE SEBUTINDE: Is "My Brother" part of the name?

3 MS PACK: Yes.

4 THE WITNESS: Orga My Brother.

11:40:20 5 MS PACK:

6 Q. He wasn't actually your brother?

7 A. Orga My Brother. No, he was not my brother, but that was

8 how he was called. That was the name I heard people calling him.

9 JUDGE SEBUTINDE: Sorry, Ms Pack, that spelling again.

11:40:47 10 MS PACK: Orga is O-R-G-A and then My Brother.

11 Q. Did he have another name that he was known by?

12 A. Well, Alusine, because he was a twin. He said he was a

13 triplets.

14 MS PACK: I heard Alusine, but I am going to have to ask

11:41:14 15 that that be dealt with phonetically because I don't have a

16 spelling for that.

17 Q. Do you know which group Orga My Brother came from?

18 A. He was an SLA.

19 Q. You said you received training from him. What sort of

11:41:52 20 training did you receive?

21 A. Training in weapon.

22 Q. Who else received training, as far as you remember, in

23 Yemadugu?

24 A. Well, we were many. Even my brother was trained.

11:42:24 25 Q. Was your brother in Yemadugu?

26 A. Yes.

27 Q. Where had he come from?

28 A. From the same village, from XXXXXXXX. He is my elder

29 brother.

1 Q. How long did your training that you received go on for?
2 A. Well, it was not long.
3 Q. After Yemadugu did you go anywhere else?
4 A. Yes.
11:43:25 5 Q. Where did you go?
6 A. Went to Bamukoro.
7 MS PACK: That's B-A-M-U-K-O-R-O.
8 Q. Who did you go there with?
9 A. We were many. We were many in Yemadugu. It was Superman
11:43:54 10 who said he wouldn't want to see any woman in Yemadugu. If he
11 does he would kill that woman. So we went to Bamukoro.
12 Q. How do you know that Superman said this?
13 A. I know Superman. Then he sent a message that whoever he
14 finds -- any woman he finds there, because it's us the women that
11:44:27 15 are causing the men not to fight.
16 Q. Do you know where Superman was based at this time that this
17 message was sent?
18 A. Yes.
19 Q. Where was he based at this time?
11:44:43 20 A. In Koinadugu.
21 Q. How do you know he was based in Koinadugu?
22 A. Well, you know that wherever the big guns are you, the
23 children, would know that these people are there and they will
24 tell us that their bosses are in Koinadugu.
11:45:42 25 Q. Did Andrew come with you to Bamukoro?
26 A. Andrew stayed at Yemadugu.
27 Q. Witness, you have told us that you became pregnant after
28 Andrew raped you. Are you able to say about how far through the
29 pregnancy you were when you left Yemadugu?

1 A. Yes.

2 Q. How far through were you?

3 A. Well, the pregnancy was more than two months.

4 Q. How long did you stay in Bamukoro?

11:46:48 5 A. We were not there for too long, but we spent some time
6 there.

7 Q. Did Andrew remain in Yemadugu?

8 A. Well, they were at Yemadugu, but they later joined us at
9 Bamukoro.

11:47:23 10 Q. Are you able to remember about how far through your
11 pregnancy you were when Andrew came to Bamukoro?

12 A. It was going to three months.

13 Q. After Andrew came to Bamukoro where did you go?

14 A. When Andrew came to Bamukoro, before we left, there was
11:48:03 15 infighting in Koinadugu.

16 Q. How did you know about the infighting in Koinadugu?

17 A. We heard the shooting from where we were, because from
18 where we were, the distance to Koinadugu is not far off. We
19 heard this shooting. When they are shooting we'd hear the sound.

11:48:40 20 Q. Do you know who the infighting was between?

21 A. Well, yes.

22 Q. Who?

23 A. SAJ Musa and Superman.

24 MS PACK: You have heard those names before. SAJ Musa is
11:49:08 25 S-A-J Musa, M-U-S-A.

26 Q. After you heard about the infighting in Koinadugu, what
27 happened?

28 A. Well, they sent reinforcements there in the person of
29 Rambo. SLA Rambo was among those who went there.

1 Q. After they sent reinforcements what happened to you?

2 A. We pulled out, because the rebels and the soldiers -- after
3 they had fought the SLAs pulled out.

4 Q. Where did you, in Bamukoro, pull out to?

11:50:31 5 A. Those of us who were in Bamukoro, together with the ones
6 who were in Koinadugu, there was one village behind there, so we
7 all assembled there, those who had come from Koinadugu. We all
8 just met on that road.

9 Q. On this road where you met those from Koinadugu, do you
11:50:54 10 remember seeing anyone in particular?

11 A. Yes. We are all the same, we all just met there. Those
12 who were from Yemadugu, Bamukoro, they were -- the entire SLA
13 came with SAJ Musa from Koinadugu, and they met in that village.
14 I can't remember -- I can't recall that village now.

11:51:36 15 Q. After you met with the SLAs from Koinadugu with SAJ Musa,
16 where did you go?

17 A. We went to Badela.

18 MS PACK: That is B-A-D-E-L-A, Your Honour.

19 Q. How long did you spend in Badela?

11:52:09 20 A. We passed the night and following day we went to Tumanya.
21 We spent -- the day we reached we only slept and went to Tumanya
22 the following day.

23 MS PACK: Tumanya is T-U-M-A-N-Y-A.

24 Q. Are you able to say how long you spent in Tumanya?

11:52:40 25 A. We spent some time there.

26 Q. Was Andrew with you in Tumanya?

27 A. Andrew were on orders at Badela.

28 Q. Do you know why he was at Badela?

29 A. They were in a combat camp.

- 1 Q. Do you remember any commanders in Tumanya?
- 2 A. SAJ Musa was the commander.
- 3 Q. Do you remember if Tumanya had any other name?
- 4 A. Yes.
- 11:53:38 5 Q. What was the other name?
- 6 A. Pumpkin Ground.
- 7 MS PACK: That is just as in food, Pumpkin Ground, Your
- 8 Honour.
- 9 Q. Why was it called Pumpkin Ground?
- 11:54:09 10 A. Well, there was a lot of pumpkin there.
- 11 Q. After Tumanya where did you go?
- 12 A. From Tumanya I came back to Badela, slept there for three
- 13 nights. Then my pregnancy reached its fourth month.
- 14 Q. And after that where did you go?
- 11:55:05 15 A. Well, they sent some people to come and collect us. In
- 16 fact, that was in the night. That we should move to Tumanya.
- 17 Q. How long this time did you spend in Tumanya?
- 18 A. We just slept for one night.
- 19 Q. And after one night in Tumanya where did you go?
- 11:55:42 20 A. We went to Bafodia.
- 21 MS PACK: That is B-A-F-O-D-I-A.
- 22 Q. Do you know how long you spent in Bafodia?
- 23 A. About one week. About one week. About that. We didn't
- 24 complete the one week but around that.
- 11:56:28 25 Q. After Bafodia where did you go?
- 26 A. To Camp Rosos.
- 27 MS PACK: That is R-O-S-O-S, Your Honour.
- 28 Q. On your way to Camp Rosos, who were you with?
- 29 A. With the SLA group.

1 Q. Where was Andrew?
2 A. We were in the same group.
3 Q. What happened -- at this time where were the civilians who
4 had been with you in Yemadugu?
11:57:32 5 A. We travelled together.
6 Q. Did you get to Camp Rosos?
7 A. Yes.
8 Q. How far through your pregnancy were you when you got to
9 Camp Rosos?
11:58:01 10 A. Well, the pregnancy was four months old.
11 Q. About how long were you in Camp Rosos for?
12 A. Well, I would not tell the number of days we spent there.
13 I can't check the number of days.
14 Q. When you got -- when you were at Camp Rosos do you remember
11:58:36 15 seeing anyone in particular there?
16 A. Yes.
17 Q. Who did you see there?
18 A. I saw Five-Five.
19 Q. Anyone else?
11:58:55 20 A. Yes.
21 Q. Who else?
22 A. Adama Cut Hand.
23 MS PACK: That is Adama, A-D-A-M-A, Cut Hand.
24 Q. When you got to Camp Rosos are you able to say how many of
11:59:32 25 you civilians there were in your group?
26 A. Well, we were many. They counted some, but we were many.
27 They counted but the only number that I could recall is 584 when
28 they counted the women. But the men and the children, I can't
29 recall that because it's quite a long time now.

1 Q. Who counted you?

2 A. I can't identify the person anymore because there were
3 many. I was unable to identify the person because sometimes he
4 is just the person that arrived there on that day, so you can't
12:00:39 5 identify that that is the person who did that. You would not
6 know the right person. Sometimes he would just come and you see
7 him counting, and he would go by. So you can't recall his
8 identity. But if you had stayed together for long, then you
9 could be able to recall the person's identity.

12:00:58 10 Q. How often were you counted?

11 A. Well, it was done frequently.

12 Q. After Camp Rosos, where did you go?

13 A. We started walking.

14 Q. Which area did you walk to?

12:01:43 15 A. We came to this place, Kamaranka.

16 MS PACK: K-A-M-A-R-A-N-K-A, Your Honour.

17 Q. Do you know which area Kamaranka was in?

18 A. In the Sanda area.

19 MS PACK: That is S-A-N-D-A.

12:02:14 20 Q. Do you remember how pregnant you were when you got to
21 Kamaranka?

22 A. Well, the pregnancy was around five months old.

23 Q. When you got to Kamaranka, do you remember anything
24 happening whilst you were there?

12:02:38 25 A. Yes.

26 Q. What happened?

27 A. Well, they went to Kamalo and captured Father Mario.

28 MS PACK: Let me spell Kamalo. K-A-M-A-L-O. And it's
29 Father Mario, M-A-R-I-O.

1 Q. Who went to Kamalo and captured Father Mario?

2 A. It was the SLA group.

3 Q. After Kamaranka where do you next remember going?

4 A. Well, we passed through Kamalo.

12:03:41 5 Q. And after that where did you go?

6 A. We walked towards Freetown, Waterloo.

7 Q. On the way -- on the walk toward Freetown, toward Waterloo,
8 who were you walking with?

9 A. We the civilians were placed in a line, because they would
12:04:33 10 do it in groups.

11 Q. What groups then? How did that work out?

12 A. The advanced team would be -- would go ahead, SAJ Musa's
13 group follows the advanced team, and the pregnant women's group
14 and SAJ Musa's group and the suckling mother's group, and those
12:05:15 15 who are not pregnant nor are they suckling mothers. And from
16 that one you would have the soldiers at the back and on flank, so
17 that we would not escape.

18 Q. These soldiers who were flanking you so you didn't escape,
19 do you remember them doing anything on the way to Waterloo, to
12:05:53 20 Freetown.

21 A. Yes.

22 Q. What did they do?

23 A. They would beat us up, they would insult our mothers. For
24 instance, Five-Five would insult our mothers and he said he would
12:06:28 25 shove stick into our mothers. There were so many other things
26 that they said to us. Because Five-Five carried a stick and he
27 kept saying that he would shove a stick into our mothers' private
28 parts.

29 Q. Pause a moment there. You have told us about Five-Five

1 insulting your mothers and saying these things about the stick he
2 was carrying. Was there anything else that you remember
3 Five-Five doing on your way to Waterloo?

4 A. Yes.

12:07:32 5 Q. What do you remember?

6 A. He beat me with a stick on my waist. At that time my
7 pregnancy was reaching maturity.

8 Q. Do you remember how many months through your pregnancy you
9 were at this time?

12:07:57 10 A. Well, the pregnancy was about six months old.

11 Q. Do you know why he hit you with a stick?

12 A. Yes.

13 Q. Why?

14 A. Well, when we are placed on the road, they would ask us to
12:08:20 15 form a queue and would ask us to walk. After they had put us in
16 this queue for up to two hours and the foetus had come from below
17 my abdomen so I felt the pain and I bowed down. So when he came
18 and met me, he hit me with the stick on my waist and asked me why
19 I was getting out of the queue. Because I had stood there and I
12:08:43 20 was beginning to feel the pain.

21 PRESIDING JUDGE: Are you all right, Madam Witness? Are
22 you all right?

23 THE WITNESS: Yes.

24 PRESIDING JUDGE: If you are not, you must tell us.

12:09:19 25 Continue, Ms Pack.

26 MS PACK: Thank you, Your Honour.

27 Q. Did you get to Waterloo, Witness?

28 A. Yes.

29 Q. How far through your pregnancy were you when you got to

1 Waterloo?

2 A. Six months.

3 Q. Do you remember anything happening in Waterloo?

4 A. When we reached Waterloo it was at night and we saw fire.

12:10:02 5 We saw things burning.

6 Q. Who of you saw things burning, saw fire?

7 A. All of us because we were in the same group.

8 Q. Do you know what happened in Waterloo?

9 A. Houses were being burned, they were shooting around the

12:10:46 10 street. But it was at night so I couldn't identify that this is

11 exactly what they did. But I saw a person that they were

12 shooting around.

13 Q. Who was shooting and burning houses?

14 A. Well, it was the SLA group.

12:11:20 15 Q. After Waterloo where do you remember going?

16 A. To Benguema.

17 MS PACK: That is B-E-N-G-U-E-M-A, Your Honour.

18 Q. Do you remember anything happening at Benguema?

19 A. Yes.

12:11:51 20 Q. What happened at Benguema?

21 A. That was where SAJ Musa had his problem and that was where

22 he died.

23 Q. After Benguema, what do you remember happening next?

24 A. The ammunitions store was broken into and they removed the

12:12:29 25 ammunition. You know, anywhere we go at night you would see the

26 fire that was being used to burn houses as they went along

27 burning houses.

28 [TB130705C - EKD]

29 Q. Where did you go after Benguema?

- 1 A. We went through Hastings, coming towards Freetown.
- 2 Q. Did you get to Freetown?
- 3 A. We couldn't reach Freetown that night.
- 4 Q. Do you remember when you reached Freetown?
- 12:14:00 5 A. Yes.
- 6 Q. When did you reach Freetown?
- 7 A. It was January 6th.
- 8 Q. Do you know the year?
- 9 A. Yes.
- 12:14:29 10 Q. Which year?
- 11 A. It was in 1999.
- 12 Q. Had you been to Freetown before?
- 13 A. No.
- 14 Q. When you entered Freetown, did anything happen?
- 12:15:02 15 A. Yes.
- 16 Q. What happened?
- 17 A. Well, they went about shooting. Five-Five was giving --
- 18 distributing matches to people to burn houses and vehicles in
- 19 Freetown.
- 12:15:27 20 Q. Just pause a moment on that. How do you know that
- 21 Five-Five was distributing matches for burning houses and
- 22 vehicles in Freetown?
- 23 A. Well, even me here, he gave me match to do burning.
- 24 Q. Who else was he giving matches to for the burning?
- 12:16:02 25 A. Well, he distributed it to everybody.
- 26 Q. Did you yourself use the matches?
- 27 A. Well, the matches that was given to me, when I tried to
- 28 scratch it, it was not good.
- 29 Q. Did you see anything happen in Freetown after the matches

1 were distributed?

2 A. Well, I saw fire.

3 Q. Are you able to say whereabouts you saw fire?

4 A. In the -- along the main road which we used to come. This
12:17:06 5 was my first time to come to Freetown. I was not able to
6 identify the area, but I believe that it was on the main route
7 that we used to come in, and I saw fire along that road.

8 Q. Did you see what was being burned?

9 A. Well, that night I saw fire on houses and vehicles. I saw
12:17:33 10 fire on them. And we were passing -- since we were passing, I
11 can't tell whether the fire went off after we had left, but I saw
12 the fire on.

13 Q. Apart from this burning, do you remember anything else
14 happening in Freetown?

12:18:01 15 A. Yes.

16 Q. What else do you remember?

17 A. Well, I remember the time when they went to release the
18 prisoners at Pademba Road.

19 Q. What did you see happen?

12:18:23 20 A. Well, after they had released them, I saw the prisoners.
21 They all held black plastics in their hands.

22 Q. Did you see anything else happen in Freetown when you were
23 there?

24 A. Yes.

12:18:47 25 Q. What else did you see?

26 A. During the time we were pulling out, we went through Crazy
27 Yard, where Five-Five, he used -- he put -- he set vehicles
28 ablaze. I saw that happen.

29 Q. You said -- just one moment witness.

1 MS PACK: The word was Crazy Yard, Your Honour. We have
2 had that before. C-R-A-Z-Y Yard.

3 Q. Witness, you said this was when you were pulling out of
4 Freetown. Did anything happen after that?

12:19:42 5 A. Yes.

6 Q. What happened?

7 A. When we are pulling out of Freetown, through the Calaba
8 Town, they were shooting, shooting at our back. The jets also
9 was there shooting. But some of us were afraid, so we wanted to
10 go to our relatives to receive us. But we were afraid in case
11 you went to a place and then they will drive you away, capture
12 and give you over that we were rebels. And we were captured. So
13 we had that fear.

14 Q. Do you know who was shooting at your back?

12:20:24 15 A. Well, the ECOMOG and Kamajors, they were shooting at our
16 back.

17 Q. After Calaba Town where did you go?

18 A. We went to Waterloo.

19 Q. Do you remember who was in Waterloo when you got there?

12:21:05 20 A. Well, Andrew was there. I went together with Andrew.

21 Q. Were there other civilians with you?

22 A. Yes, there were civilians there, rebels who were there. We
23 found the rebels there.

24 Q. What do you mean you found the rebels there?

12:21:36 25 A. The SLA groups that came from Freetown, when we went there,
26 we met the rebels there in Waterloo.

27 Q. From Waterloo, where did you go?

28 A. I went to Makeni. We went to Makeni.

29 Q. Who did you go with to Makeni?

1 A. Andrew.

2 Q. Did anything happen when you got to Makeni?

3 A. The time we went to Makeni, when we went, we went with the
4 wounded and Andrew died in Makeni.

12:22:48 5 Q. Do you know what he died of?

6 A. He was shot.

7 Q. How far through your pregnancy were you when you arrived in
8 Makeni?

9 A. When we went to Makeni, I was already in the seventh month
12:23:06 10 of pregnancy.

11 Q. What happened to you after that, after you arrived in
12 Makeni?

13 A. When my husband died, I delivered the baby but it passed
14 away. But the pregnancy reaches ninth month.

12:23:35 15 Q. When did you deliver your baby?

16 A. Well, I gave birth in 1999. April 19, on the Monday.

17 Q. When did the baby die?

18 A. The baby -- the foetus died in my stomach.

19 MS PACK: Witness, those are all the questions I've got to
12:23:58 20 ask you. There will be more questions so if you wait there.

21 Your Honour, those are all my questions.

22 PRESIDING JUDGE: Thank you, Ms Pack. Counsel for the
23 Defence, Mr Manly-Spain.

24 CROSS-EXAMINED BY MR MANLY-SPAIN:

12:24:13 25 MR MANLY-SPAIN:

26 Q. Madam Witness, good afternoon.

27 A. How are you?

28 Q. Thank you, fine.

29 A. Thank you too.

1 Q. Mr Witness, please just listen to my questions and try to
2 answer them as best as you can.
3 A. Okay, sir.
4 Q. Do you remember the month in 1998 that you say you were
12:24:49 5 captured?
6 A. Yes.
7 Q. What month was it?
8 A. It was in August.
9 Q. Before your capture, had you always been in your village,
12:25:19 10 XXXXXXXX?
11 A. Well, the time I was captured, I was in my village.
12 Q. I want to know before that were you always at XXXXXXXX?
13 A. Well, Bamukoro is not my village.
14 THE INTERPRETER: Can the witness go over that, please.
12:25:52 15 PRESIDING JUDGE: Madam Witness, could you please repeat
16 what you have just said in answer to the question.
17 THE WITNESS: The man asked me whether the thing that
18 happened with me, if it was in Bamukoro. But I said Bamukoro was
19 not my -- my village is not Bamukoro, but XXXXXXXX.
12:26:21 20 Q. Sorry, XXXXXXXX?
21 A. Yes.
22 Q. Thank you for correcting me.
23 A. Thank you too.
24 Q. Were you always at XXXXXXXX --
12:26:33 25 A. Yes.
26 Q. -- before you were captured?
27 A. Yes.
28 Q. Madam Witness, before you were captured were there SLA
29 soldiers in Koinadugu District?

1 A. Well, in my village I did not see any soldier until the
2 time the rebels went there. I did not see any soldier. That was
3 the time when I saw soldiers, the time when they attacked us.
4 Thank you too.

12:27:21 5 Q. Madam Witness --

6 A. Yes.

7 Q. -- counsel asked you whether at the time you were captured
8 you had reached puberty by then. Do you understand that
9 question?

12:27:48 10 A. Yes.

11 Q. And you replied that you hadn't seen your menstrual period
12 by that time?

13 A. No.

14 Q. Madam Witness, do you know how old you were then?

12:28:09 15 A. I didn't know.

16 Q. Madam Witness, before you went to live in Bamukura, did you
17 live anywhere else?

18 A. Yes.

19 Q. Where was that?

12:28:43 20 A. Well, I was born in Kono and that was where I grew up, and
21 that was the place I started growing up. But when the first
22 attack came, we ran away and came to our village.

23 Q. You ran away from Kono and went to your village?

24 A. Yes, sir.

12:29:04 25 Q. Do you remember when this first attack took place?

26 A. Well, I couldn't remember because by then I was small.

27 Q. If you cannot remember the date, do you remember the number
28 of years in between the first and that second attack?

29 A. Which part?

1 Q. Let me ask you, first of all, where were you when this
2 first attack took place?
3 A. I was in Kono.
4 Q. Where in Kono?
12:30:01 5 A. In Koidu Town.
6 Q. Koidu Town. So do you remember how many years between the
7 first attack at Kono and this attack at XXXXXXXX.
8 A. I can't remember.
9 Q. Madam Witness, was it five years?
12:30:33 10 A. Well, I cannot calculate the period.
11 Q. You say the attack, whilst you were in Kono at that time,
12 you were small; is that so?
13 A. Yes.
14 Q. When this attack occurred in XXXXXXXX, were you still small
12:31:17 15 or were you then a big girl?
16 A. By then I told you that I was not much older. By then I
17 had not seen my menstrual period the time that thing took place.
18 Q. At the time you say Andrew raped you, you had not seen your
19 menstrual period; is that so?
12:31:49 20 A. Yes.
21 Q. How long after that initial rape did you get pregnant?
22 A. The month -- the very month that I was raped was the very
23 month that I got pregnant.
24 Q. Do you remember the month that he raped you?
12:32:24 25 A. Yes.
26 Q. Which month?
27 A. It was in August.
28 Q. You told this Court that XXXXXXXX village is in the
29 Koinadugu District; is that so?

1 A. Yes.

2 Q. Do you know which district Kabala is?

3 A. It is in the Koinadugu District.

4 Q. You also mentioned Koinadugu - is that so - when you said

12:33:15 5 that there was fighting -- infighting at Koinadugu?

6 A. Yes.

7 Q. Is that a town?

8 A. It is a town. It is the name that the district is known

9 by. It is a village, but not a small village. It's a little bit

12:33:45 10 big.

11 Q. So you are saying that there is a town in the Koinadugu

12 District called Koinadugu?

13 A. Yes.

14 Q. Thank you.

12:33:57 15 A. Thank you too.

16 Q. Madam Witness --

17 A. Sir.

18 Q. -- you went with Andrew to a number of places; is that not

19 so?

12:34:22 20 A. Yes.

21 Q. Did those places include somewhere called Colonel Eddie

22 Town?

23 A. I couldn't remember that.

24 Q. Did you go with him to a place called Gberemantmatank?

12:35:00 25 A. I don't know there. I couldn't remember that.

26 Q. Madam Witness, when you said the SLA groups from

27 Koinadugu --

28 A. Yes.

29 Q. -- and Yemadugu met at a road by village that was the

1 first time -- did you see SAJ Musa?

2 A. Yes.

3 Q. Was that the first time that you saw him?

4 A. Yes.

12:35:51 5 Q. When these two groups met, did they join together? Your
6 own group from Yemadugu and SAJ Musa's group.

7 A. Yes.

8 Q. When they joined together, do you know who the overall
9 commander was of the two groups that joined together?

12:36:26 10 A. Yes.

11 Q. Who was that person?

12 A. It was SAJ Musa.

13 Q. You have told this Court that SAJ Musa met his problem and
14 died at Benguema.

12:36:55 15 A. Yes.

16 Q. Since the time you joined with SAJ Musa until the time he
17 died, were you in his group all the time?

18 A. Yes, it was the same group that we belonged. He was the
19 overall commander there.

12:37:19 20 Q. Thank you.

21 A. Thank you too.

22 Q. You say you have never heard the name Colonel Eddie Town?

23 A. Not at all.

24 Q. Am I right to say that you never went through such a place?

12:37:42 25 A. Well, that is why I said that many villages which I went
26 through, I don't know their names, because we are just passing
27 there. Maybe we pass there in the night. So I couldn't remember
28 that these villages named again, because I was not born there. I
29 was captured and we are passing, so I could not tell the names of

1 all the villages. I could not name them one after the other.

2 Q. The same is likewise, I am asking you the same question.

3 Am I right to say you did not pass through Gberemantmatank?

4 A. Well, that Gberemantmatank you talk, I can't remember the
12:38:36 5 name. If it has any other name by which I could remember, then
6 call it that way. But when you say Gberemantmatank, I know some
7 areas at Gberi junction, but when you say Gberemantmatank, I
8 don't remember it.

9 Q. Thank you.

12:38:55 10 A. Thank you too.

11 Q. Madam Witness, after you had joined with SAJ Musa, did you
12 -- did your group, SAJ Musa's group, did you go to any town
13 before Camp Rosos where you stayed for some time?

14 A. Well, there are many places which we went through which I
12:39:25 15 have told you about. I could not remember them. I don't know
16 the names of the towns. But the places were many. If I say I
17 should name them from Koinadugu District until Freetown, there
18 were many, many villages. I could not remember them.

19 Q. Yes, I understand that. I am asking you about places where
12:39:43 20 you stopped, you stayed there for a while, maybe like one month,
21 two weeks. Do you remember any such place?

22 A. Well, the only place which I could really remember, this
23 place that I told you about, Pumpkin Ground. We spent some time
24 there. But apart from that, the other villages, we only went
12:40:14 25 through them. There are times we spent one week or maybe less
26 than one week.

27 Q. All right, Madam Witness, I understand that.

28 Madam Witness --

29 A. Sir.

1 Q. -- when you got to Camp Rosos, how old was your pregnancy?

2 A. Well, it was about four months old, because the fourth
3 month was a -- when we were on our way and we were not long when
4 we reached Camp Rosos.

12:41:03 5 Q. Do you know the months of the year, Madam Witness -
6 January, February, March, et cetera?

7 A. Well, at that time I didn't know the names of the months.

8 Q. When did you get to know the names of the months?

9 A. Well, now, when I am now matured, I could tell small. But
12:41:34 10 at that time I didn't know, I didn't know the names of the months
11 to call them that this is the name of this month or the name of
12 that month. But August, one could remember it.

13 Q. Okay. Do you remember whether it was the beginning of
14 August, middle or end that you were captured?

12:41:58 15 A. Well, August had gone up to 15 days.

16 Q. Now that you know the months of the year, four months after
17 August is what month?

18 MS PACK: Your Honour, I am not sure why the witness should
19 be asked to do a mathematical calculation now. She said she did
12:42:44 20 not know the month then. I don't see why it is fair that she
21 should now be asked in Court to tote up the number of months
22 after August. It is not the position that she said she knew what
23 months were, apart from August, at the time that these matters
24 she has testified about happened to her.

12:42:59 25 MR MANLY-SPAIN: I believe the witness says she now knows
26 the months of the year now that she is mature. At the time she
27 didn't. The point is that it is easy for the Prosecution to come
28 and say this thing happened in August and I gave birth in April,
29 then we should not cross-examine as to the intervening period.

1 Because we are here to show that the timing may be wrong, the
2 placing of people in certain places may be wrong, and we can only
3 do it by testing her as to the time of the occurrence of the
4 events. I believe, Your Honour, that this is a proper question
12:43:42 5 because she has said that she knows the months of the year. I am
6 asking her now that you know the months of the year, can you tell
7 what month it is four months after August? That, I believe, is a
8 fair question and I am trying to be fair to her.

9 [Trial Chamber confers]

12:44:11 10 PRESIDING JUDGE: Ms Pack, you have heard the reply. Is
11 there anything further you wish to say?

12 MS PACK: No. Just to add, Your Honours, that Your Honours
13 may have noticed - my learned friend will certainly have - that
14 the way the witness was testifying was to give an account of what
12:44:47 15 was happening at the various stages in her pregnancy and that was
16 how she was able to estimate time then and therefore how she gave
17 her evidence today. It is just my submission that it is a little
18 unfair now, years after the event, to ask the witness to engage
19 in an arithmetic exercise.

12:45:09 20 PRESIDING JUDGE: Yes, we have heard that, your objection.

21 [Trial Chamber confers]

22 PRESIDING JUDGE: We consider this is a fair question and
23 we allow the question.

24 MR MANLY-SPAIN: Much obliged.

12:45:28 25 Q. Madam Witness, can you please answer my question?

26 PRESIDING JUDGE: Perhaps for ease of reference you should
27 repeat it, Mr Manly-Spain. There has been a bit of a gap in
28 time.

29 MR MANLY-SPAIN: Yes, Your Honour.

1 Q. Madam Witness, now that you know the months of the year,
2 can you tell four months from August what month it was?
3 A. Yes.
4 Q. What month was it?
12:46:02 5 A. November.
6 Q. Thank you very much. Madam Witness --
7 A. Sir.
8 Q. -- you said to this Court that when you were six months
9 pregnant the man you referred to as Five-Five beat you with a
12:46:25 10 stick; is that not so?
11 A. Yes.
12 Q. Can you tell this Court six months after August what month
13 that was?
14 A. That was in January.
12:47:01 15 Q. Thank you, Madam Witness. Madam Witness --
16 A. Yes, sir.
17 Q. -- do you remember whether it was the beginning, middle or
18 end of January that this incident took place?
19 A. Well, it was at the beginning.
12:47:27 20 Q. Thank you.
21 A. Thank you too.
22 Q. Where were you when this beating by Five-Five took place?
23 A. Around that Waterloo area. I cannot recall the exact area
24 but it was around Waterloo.
12:48:07 25 Q. Madam Witness, do you remember that you said on 6th January
26 you were in Freetown; is that not so?
27 A. Yes.
28 Q. And you also said that before that you had been to Waterloo
29 and Benguema; is that not so?

1 A. Yes.

2 Q. Madam Witness, do you remember how old your pregnancy was
3 when you got to Benguema?

4 A. It was six months.

12:49:02 5 Q. Do you remember which month of the year you and the troops
6 with SAJ Musa were at Benguema?

7 A. It was in January.

8 Q. Was it in January that SAJ Musa died?

9 A. Well, I can't identify, but it was in January.

12:49:38 10 Q. Madam Witness, at the time you said Five-Five beat you with
11 a stick, was he carrying a gun?

12 A. He was carrying a stick at that time.

13 Q. Was he carrying a gun?

14 A. He must have a gun.

12:50:14 15 Q. I want you to tell us what you saw, Madam Witness. You are
16 telling us that he had a stick. I am asking you did he have a
17 gun?

18 A. The people always have their weapons that they carried on
19 their backs. Sometimes you could carry something on your back
12:50:36 20 and still hold a stick in your hand.

21 Q. I know that, I am not really asking you -- please, did you
22 see him at that moment with a gun?

23 A. I've told you that the man was carrying the weapon on his
24 back and he held a stick in his hand.

12:51:01 25 MR MANLY-SPAIN: As Your Honour please.

26 Q. Now you tell me that. Whilst you were walking to Freetown
27 was this person you refer to as Five-Five always with you, the
28 women?

29 A. He was among us.

1 Q. All the time?

2 A. He was. Yes.

3 PRESIDING JUDGE: Mr Manly-Spain, have you many more
4 questions in this line?

12:51:46 5 MR MANLY-SPAIN: No, I was going to say I think it will be
6 convenient so I can start off something new in the morning?

7 PRESIDING JUDGE: You have a new line of questioning.

8 MR MANLY-SPAIN: Yes, Your Honour.

9 PRESIDING JUDGE: Well, it is the normal time for
12:51:59 10 adjournment, today being Wednesday. We will reconvene tomorrow.

11 Madam Witness, there are some more questions which the lawyers
12 wish to ask you. Today we are a half day. We will start again
13 tomorrow morning when you will be asked some more questions.

14 Between now and the time you finish all your evidence you should
12:52:20 15 not discuss your evidence with any other person. Do you
16 understand what I have said?

17 THE WITNESS: Yes.

18 PRESIDING JUDGE: Thank you, Madam Witness.

19 Mr Court Attendant, please adjourn court to tomorrow morning,
12:52:44 20 9.15.

21 [Whereupon the hearing adjourned at 12.50 p.m.,
22 to be reconvened on Thursday, the 14th day of
23 July 2005 at 9.15 a.m.]

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WITNESSES FOR THE PROSECUTION:

WITNESS: TF1-147	3
EXAMINED BY MR WALLBRIDGE	3
CROSS-EXAMINED BY MR MANLY-SPAIN	14
CROSS-EXAMINED BY MR DANIELS	15
CROSS-EXAMINED BY MR GRAHAM	16
WITNESS: TF1-094	24
EXAMINED BY MS PACK	24
CROSS-EXAMINED BY MR MANLY-SPAIN	46