

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

THURSDAY, 14 JULY 2005  
9.20 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 Mr Neil Gibson
For the Prosecution:	Mr Jim Hodes Ms Melissa Pack Mr Alain Werner Ms Maja Dimitrova (Case Manager)
For the Principal Defender:	No appearances
For the accused Alex Tamba Brima:	Ms Glenna Thompson Mr Kojo Graham
For the accused Brima Bazy Kamara:	Mr Andrew William Daniels Mr Mohamed Pa-Momo Fofanah Mr Ibrahim Foday Mansaray
For the accused Santigie Borbor Kan:	Mr Ajibola E Manly-Spain

1 [AFRC140705A-SV]  
2 Thursday, 14 July 2005  
3 [Open session]  
4 [The three accused present]  
09:23:18 5 [The witness entered court]  
6 [Upon commencing at 9.20 a.m.]  
7 WITNESS: TF1-094 [Continued]  
8 PRESIDING JUDGE: Good morning. We're all present. I will  
9 remind the witness of her oath and then we will proceed on with  
09:23:31 10 cross-examination. Madam witness, yesterday you took the oath  
11 and promised to tell the truth. Do you remember this?  
12 THE INTERPRETER: The witness's mic is not on.  
13 PRESIDING JUDGE: I'm just trying to remedy that,  
14 Mr Interpreter. Mr Court Attendant, please switch on the  
09:23:51 15 witness's mic. Madam witness, that promise is still binding on  
16 you today and you must answer the questions truthfully. Do you  
17 understand this?  
18 THE WITNESS: Okay, sir.  
19 PRESIDING JUDGE: And, as I said to you yesterday, if you  
09:24:07 20 feel unwell please tell us.  
21 THE WITNESS: Okay.  
22 PRESIDING JUDGE: Mr Manly-Spain, please proceed.  
23 CROSS-EXAMINED BY MR MANLY-SPAIN: [Continued]  
24 Q. Good morning, Madam witness. How are you today?  
09:24:25 25 A. How is the morning, sir?  
26 Q. I do fine.  
27 A. I am also doing fine.  
28 Q. Madam witness, yesterday I was asking you about your  
29 journey to Freetown and Five-Five; do you remember?

1 A. Yes.

2 Q. Madam witness, I'm going to continue on that line. While  
3 you were coming to Freetown, Madam witness, was Five-Five always  
4 with you, the women?

09:25:16 5 A. We belonged to the same group.

6 Q. Madam witness, do you remember that you explained that you  
7 were divided into groups when you were coming. The soldiers, you  
8 have the advance team ahead and then pregnant women and so forth  
9 and so on. I'm asking you, was this man Five-Five always with  
09:25:50 10 the group that you were in whilst you were coming to Freetown?  
11 You know you were pregnant at the time, was he always with the  
12 group of pregnant women?

13 A. I did not say that he was always with the women who were  
14 pregnant, but we all belonged to the same group.

09:26:21 15 Q. Okay. Let me put it another way. Was he always close to  
16 where you were walking?

17 A. Well, he used to command everybody.

18 Q. Do you mean the men as well as the women?

19 A. Yes.

09:26:52 20 Q. And do you mean the captured men and women?

21 A. Both sides because he was a big man.

22 Q. I mean, what do you mean by both sides?

23 A. Whether a woman, a man or a child, everybody.

24 Q. Okay, thank you.

09:27:21 25 A. Thank you, too.

26 Q. So whilst you were coming to Freetown, did you see him  
27 every day?

28 A. That man, we were all travelling together so I was supposed  
29 to see him.

1 Q. No, please just answer. Did you see him every day?  
2 A. Yes.  
3 Q. Thank you. Madam witness, did you see him at Benguema?  
4 A. That man, there was not a place we went to when he was left  
09:28:01 5 behind. He was always with the group.  
6 Q. Please just answer the question. It's a simple yes or no.  
7 Did you see him at Benguema?  
8 A. Yes.  
9 Q. Thank you very much. And did you see him at Hastings?  
09:28:23 10 A. Yes.  
11 Q. When you got to Freetown, did you see him anywhere in  
12 Freetown?  
13 A. Yes.  
14 Q. Where was that?  
09:28:50 15 A. Well, when we were entering Freetown he gave us match to  
16 burn houses, to burn vehicles. So I saw him. By then I was in  
17 front and he was at my back. He gave me a box of match to burn.  
18 Q. Okay, you have said that when you entered Freetown. After  
19 you had entered Freetown, did you see him in any particular  
09:29:10 20 place?  
21 A. Yes.  
22 Q. Where was that?  
23 A. I saw him at the mental home.  
24 Q. Was that on your retreat from Freetown?  
09:29:28 25 A. At that time we were already attacked. When we were  
26 pulling out -- when we passed through the mental home, I saw him  
27 there when he was burning vehicles.  
28 Q. Yes, okay. Before you were retreating, did you see him  
29 anywhere in Freetown?

1 A. We pulled out together.

2 Q. When you came to Freetown with the group, did you go to any  
3 particular place?

4 A. Well, I wouldn't remember those places because I have told  
09:30:12 5 you that I didn't know Freetown. So I will not think where and  
6 where I went to. I do not know the parts. I was just following  
7 them like a dog following the owner.

8 Q. So you cannot remember any place in Freetown that you went  
9 to?

09:30:31 10 A. From there, when we were pulling out through -- by  
11 Waterloo, this place, Calaba Town.

12 Q. Madam witness, how long did you stay in Freetown before the  
13 retreat?

14 A. Well, I wouldn't count the dates.

09:31:02 15 Q. Was it like two weeks?

16 A. Well, we took some days.

17 Q. Seven days?

18 A. It was more than that.

19 Q. Where did you stay during those days in Freetown?

09:31:32 20 A. Papa, I didn't know, I had no stagnant place where I  
21 stayed. We were just passing, roaming about.

22 Q. And during that period whilst you were roaming about, just  
23 passing, was the person called Five-Five always with you?

24 A. That man, we were in the same group. Know that everywhere  
09:32:02 25 we went to he was there with us.

26 Q. Madam witness, do you know the place called Eastern Police  
27 in Freetown?

28 A. I couldn't remember it.

29 Q. Do you know a place called Clock Tower?

1 A. I don't know.  
2 Q. Do you know Savage Square Junction?  
3 A. I don't know.  
4 Q. Do you know Upgun?  
09:32:55 5 A. I don't know. All those places that you are calling, I  
6 don't know them. That was my first place of time of coming. If  
7 you name them -- even if you name them, I wouldn't know them.  
8 Q. I will continue to name them. Do you know Ferry Junction?  
9 A. I don't know.  
09:33:15 10 Q. Do you know Kissy Brook?  
11 A. I don't know.  
12 Q. Do you know Mayiba.  
13 MR MANLY-SPAIN: It is spelt, Your honour, M-A-Y-I-B-A.  
14 THE WITNESS: I don't know.  
09:33:32 15 MR MANLY-SPAIN:  
16 Q. Madam witness, whilst you were in Freetown, did you hear  
17 any of those names that I have called?  
18 A. No, sir.  
19 Q. Okay, Madam witness. Let us come to this matches business.  
09:34:05 20 You say that the man Five-Five gave all of you matches and told  
21 you to use it to burn houses; is that so?  
22 A. Yes, sir.  
23 Q. Where were you when he gave you these matches?  
24 A. Well, when we were entering, the main route we took, but I  
09:34:30 25 don't know the name of the main route, but the straight road we  
26 took, that was the route he distributed the match to people so  
27 that we'll burn houses. I don't know the name of the road, I  
28 don't know the name of the street. I have not been there before.  
29 we were just going through and we were just following them.

1 Q. Do you know how many people he gave matches to?

2 A. Well, I didn't count because he was distributing to  
3 everybody so I didn't count because I was really worried about my  
4 life.

09:35:06 5 Q. Where was Andrew at the time that he was giving these  
6 matches to everybody, as you say?

7 A. Well, Andrew at that time, I didn't know. He was with the  
8 advance team.

9 Q. Madam witness, did you use your matches?

09:35:36 10 A. My matches -- I tried to scratch it, but I was nerving so I  
11 was not able. Each time I attempted my hands would nerve and  
12 then I stopped.

13 Q. Apart from matches did the person called Five-Five give you  
14 anything else to use to burn houses?

09:36:03 15 A. No, sir.

16 Q. Madam witness, did you know the people with whom you were  
17 in that group?

18 A. Well, we are many. I wouldn't know everybody because it  
19 was a large population. Remember, the SLA group and the  
09:36:31 20 civilians who were captured, there were thousands of peoples. So  
21 I wouldn't say I would remember all of them. I wouldn't know  
22 them because there are -- some people we stayed together for a  
23 day and then the next day the person moves away. So I wouldn't  
24 know all of them.

09:36:47 25 Q. Okay, that's fair. Madam witness, I'm asking you about the  
26 civilians who you say were captured like yourself. You had been  
27 with them since -- what's the name of the place? Since you were  
28 in Koinadugu District you had been with them - is that not so -  
29 with captured civilians?

1 A. Yes.

2 Q. Did you know the names of some of those people that you  
3 were with?

4 A. I wouldn't know.

09:37:32 5 Q. You didn't know any names?

6 A. Well, every day they added to that number, so I will not  
7 say that I will know the names of everybody. That was a war  
8 period and everybody was really struggling to save him or  
9 herself.

09:37:50 10 Q. Yes, Madam Witness, I'm only asking you about a few names  
11 of people who were captives like yourself. Do you know any  
12 names?

13 A. I don't know.

14 Q. Do you remember, Madam Witness, you said that you were  
09:38:14 15 trained to fight, to use weapons; is that not so?

16 A. Yes.

17 Q. Were you trained alone?

18 A. We were many.

19 Q. Do you remember the names of any of the civilians with whom  
09:38:33 20 you were trained?

21 A. I don't know their names.

22 Q. At the time you allege that the man Five-Five gave you  
23 matches to use to burn houses, did you recognise any other person  
24 to whom he gave matches?

09:39:09 25 A. Well, I have told you that it was during night. I wouldn't  
26 see anybody, the place was dark. Fire -- there was fire burning  
27 everywhere. So I wouldn't say that I would know everybody. I  
28 wouldn't sit down there looking at some people's faces while  
29 bullets were flowing here and there. It was during the night.



1 Q. That night, Madam witness, were you walking on foot?  
2 A. Well, yes. Where was a vehicle for me to enter?  
3 Q. Were you in a line?  
4 A. Yes, sir.  
09:39:51 5 Q. And there was somebody walking ahead of you?  
6 A. When we were coming, everybody, we were many.  
7 Q. Please, was there somebody walking ahead of you?  
8 A. They gathered thousands of people who were walking. How  
9 would I say that there was nobody in front? Do you think I would  
09:40:25 10 be in the front? I was not fighting. Do you think I would have  
11 been in the forefront?  
12 Q. Madam witness, was there anybody walking immediately behind  
13 you?  
14 A. Yes.  
09:40:37 15 Q. Do you know that person?  
16 A. Well, the time that Five-Five was giving us the matches --  
17 Q. I'm not asking you about that. I'm asking you about who  
18 was --  
19 JUDGE SEBUTINDE: Mr Manly-Spain, it would help if you let  
09:40:57 20 the witness answer and finish, because you are speaking over the  
21 voice and we don't hear the interpretation.  
22 MR MANLY-SPAIN: Your Honour, my problem is that when I ask  
23 her a question, she know goes on to say what she wants to say --  
24 JUDGE SEBUTINDE: Don't interrupt her. Let her first  
09:41:14 25 finish and then reprimand her. That is what I am saying. Don't  
26 speak over her voice, because we don't hear you and we don't hear  
27 her.  
28 MR MANLY-SPAIN: I understand you now, I'm much obliged.  
29 Q. Madam witness, I just want a simple yes or no answer to

1 this question. Did you recognise the person that was walking  
2 immediately behind you?  
3 A. I have told you that I didn't know anybody. It was during  
4 the night.  
09:41:49 5 Q. Am I right, Madam witness, that of all the many, many  
6 people that you have said that were there you cannot remember  
7 anyone in particular?  
8 A. Papa, just imagine from Koinadugu District, they were -- as  
9 we left Koinadugu, as we walked along, they were capturing people  
09:42:12 10 together. Maybe when you are in the row, people are just  
11 jostling here and there, you would not know and we were all  
12 struggling to go. Some will come and pass by you and then others  
13 will remain behind, so that was the way -- we are just in -- we  
14 are in random movement. So that was how we walked into Freetown.  
09:42:34 15 Q. Madam witness, when you were returning from Freetown did  
16 you recognise any person that was in the group that you were  
17 with?  
18 A. Like what person?  
19 Q. Civilians. Civilians that you say were captured like you.  
09:43:05 20 A. We were many. I wouldn't know everybody.  
21 Q. I'm only asking you about one person, whether you knew one  
22 person. Not everybody, just one person.  
23 A. Well, you must know some people, but you'll not ask  
24 everybody's name. But you'll be together with one person today,  
09:43:36 25 the next day the person moves away.  
26 Q. Can you remember even one name?  
27 A. I couldn't remember.  
28 Q. But you do remember Five-Five; is that so?  
29 A. Yes.

1 Q. You say that you were at Crazy Yard.  
2 MR MANLY-SPAIN: It was spelt Crazy Yard yesterday,  
3 Your Honour.  
4 Q. How long did you spend at that place?  
09:44:13 5 A. Well, when we went there we were not there for long.  
6 Because when we got there, as soon as we got there, when we -- as  
7 we were getting there, Five-Five was there and burning vehicles.  
8 As we were climbing the hill, Kamajors emerged from the hill.  
9 And the time we left there we were running, because there was  
09:44:33 10 fire behind. There was shooting. Kamajors were also shooting.  
11 So wherever we went we all scattered. Nobody would know how we  
12 left there.  
13 Q. Did you spend one night there?  
14 A. Well, I couldn't remember.  
09:45:00 15 Q. Madam witness, were there soldiers with you at Crazy Yard?  
16 A. Well, I used to see people in combat. They were in combat.  
17 Q. Were they the same people in combat with whom you came to  
18 Freetown?  
19 A. Yes.  
09:45:40 20 Q. Apart from Five-Five, do you know any of these people in  
21 combat?  
22 A. Even if I knew them I wouldn't remember them, all of them  
23 now.  
24 Q. Do you remember one of them, the name of one of them?  
09:46:15 25 A. I don't know their names. I wouldn't remember their name.  
26 We were on the run and from that time to now it's difficult to  
27 remember. I would not be able to remember everybody's name in  
28 this war -- during this war.  
29 Q. All right, Madam witness. You told this Court that at

1 Yemandu [sic] the boss, as you called him, was one Ojagu; is that  
2 not so?  
3 A. Yes.  
4 Q. Did Ojagu come with you to Freetown?  
09:46:59 5 A. well, I did not see him.  
6 Q. You also told this Court that there was another commander  
7 called Syllabug; is that so?  
8 A. Yes.  
9 Q. Did he come with you to Freetown?  
09:47:26 10 A. well, I did not see him.  
11 Q. You also told the Court about one Colonel Junior. Did he  
12 come to Freetown with you?  
13 A. Yes, I saw him.  
14 Q. And you also told the Court about one Rambo. Did he come  
09:47:50 15 to Freetown with you?  
16 A. well, we left Rambo but he met us in Freetown. I saw him.  
17 Q. You saw him in Freetown?  
18 A. Yes.  
19 Q. Did you see Colonel Junior in Freetown?  
09:48:08 20 A. Yes.  
21 Q. Now, when you were at Crazy Yard on your retreat did you  
22 see Rambo there?  
23 A. well, I can't remember that, whether I saw him. I can't  
24 remember seeing him because there were so many groups.  
09:48:30 25 Q. Did you see Colonel Junior there?  
26 A. I did not see him.  
27 Q. Madam witness, whilst in Freetown did you go to a place  
28 called State House?  
29 A. well, I didn't go.

1 Q. You didn't go to State House. Madam witness, how long did  
2 it take you on the retreat from where you were at Freetown to  
3 Crazy Yard? How many hours or days, I'm asking about.

4 A. well, I did not check the hours, because the day we left,  
09:49:29 5 we pulled out we were taken there in a vehicle. Even the vehicle  
6 in which we were, Five-Five burnt it. Whosoever took a vehicle  
7 there, he will put you down and then burn the house. Whether  
8 there was any property on board, he will burn everything.

9 Q. So whilst you were in Freetown, is it the case that  
09:49:49 10 Five-Five was the only person that you saw burning vehicles?

11 A. well, I saw him. Many other people did it, but he -- I saw  
12 him.

13 Q. And was he the only one that you saw burning houses?

14 A. well, he used to command that then, because when we were  
09:50:19 15 entering I saw him command, when he went distributing matches and  
16 even there, he was there in the vehicle, burning the vehicles.  
17 whosoever brought a vehicle, he will ask the person down, and  
18 whatever was on board, he'll burn it. Even with me, I was  
19 pregnant. I only had a shirt on. I came down the vehicle and he  
09:50:43 20 burnt everything.

21 Q. Okay, Madam witness. Apart from Five-Five, did you see any  
22 other person sharing matches?

23 A. I have told you I did not see any other person.

24 Q. Madam witness, apart from Five-Five, did any other person  
09:51:14 25 hit you whilst you were coming to Freetown?

26 A. well, other people used to beat us, but Five-Five, he knew  
27 that I was pregnant. He took a stick and hit me on my back, and  
28 even up to now I used to feel the pain once in a while.

29 Q. You did not like him because of that?

1 A. Because of he was very wicked to me.  
2 Q. Will you please just answer my question. You do not like  
3 him because he hit you?  
4 A. How would I hate him? He was a human being.  
09:51:51 5 MR MANLY-SPAIN: I'm sorry, Your Honour.  
6 Q. But please, I'm asking you -- I'm putting it to you that  
7 you do not like him because he hit you.  
8 A. I have told you that the man hit me with a stick. How  
9 would I hate him? He is a human being like me.  
09:52:16 10 Q. Do you like him?  
11 MS PACK: I think this question has been answered.  
12 PRESIDING JUDGE: Actually we are verging on harassment,  
13 but that particular question has not been asked before and  
14 therefore has not been answered.  
09:52:41 15 MR MANLY-SPAIN: Much obliged.  
16 Q. Do you like him? If you don't want to answer I will not  
17 press you.  
18 A. But you've told me that --  
19 Q. Do you want to answer that question?  
09:53:04 20 A. I have told you that I would not hate him because he is a  
21 human being like me. So I must love him and I must like him like  
22 I like myself. It was only he who was wicked with me. He didn't  
23 think that -- he never thought that I was pregnant and he hit me  
24 with a stick to destroy my life, but I would not hate him for  
09:53:30 25 that.  
26 MR MANLY-SPAIN: If Your Honour pleases, I will move on.  
27 PRESIDING JUDGE: Yes.  
28 MR MANLY-SPAIN:  
29 Q. Madam Witness, yesterday I asked you about your pregnancy

1 and I asked you when was six months after August 1998 and you  
2 said January.  
3 A. Yes.  
4 Q. And you also said that it was early in January that  
09:54:05 5 Five-Five hit you with the stick; is that so?  
6 A. Yes.  
7 Q. You also said that at that time you were around Waterloo  
8 area?  
9 A. Yes.  
09:54:24 10 Q. Madam witness, where did you leave before you went to  
11 Waterloo?  
12 PRESIDING JUDGE: Mr Manly-Spain, did you say leave or  
13 live?  
14 MR MANLY-SPAIN: Leave, L-E-A-V-E, Your Honour.  
09:55:09 15 Q. Can you remember?  
16 A. What can I remember?  
17 PRESIDING JUDGE: Repeat the question, Mr Manly-Spain.  
18 MR MANLY-SPAIN:  
19 Q. The place you were at before you went to Waterloo?  
09:55:31 20 A. I have told you that we were coming, we were travelling  
21 along the road because we left Sanda and came to Waterloo.  
22 Q. Whilst you were coming to Waterloo from Sanda, did you go  
23 to Masiaka?  
24 A. I can't remember the town because it was during the night.  
09:56:16 25 That was the first time for me to travel and we used to travel in  
26 the night, it was not in the day.  
27 Q. On that journey between Sanda and Waterloo did you stop  
28 anywhere for one or two nights?  
29 A. Well, I'm telling you that they travelled at night. During

1 the night we don't sleep.

2 Q. Madam witness, during the day did you stay at any place for  
3 one or two days?

4 A. Let me tell you that there are times -- we will spend  
09:57:09 5 nearly a month in the bush without seeing a town. We are moving  
6 from one bush to the other.

7 Q. Okay, thank you. Do you remember that you said after you  
8 left Camp Rosos you walked to Kamaranka in Sanda area; is that  
9 so?

09:57:29 10 A. Yes.

11 Q. And you also said you were five months pregnant then; is  
12 that so?

13 A. Yes.

14 Q. Then you said that they went to Kamalo and captured Father  
09:57:50 15 Mario?

16 PRESIDING JUDGE: Mr Manly-Spain, could you give us some  
17 spellings and also that one Sanda that has been referred to,  
18 please?

19 MR MANLY-SPAIN: Kamaranka is K-A-M-A-R-A-N-K-A and Sanda  
09:58:08 20 is S-A-N-D-A. Then Kamalo, K-A-M-A-L-O.

21 PRESIDING JUDGE: Thank you.

22 MR MANLY-SPAIN:

23 Q. Madam witness, you said you were five months pregnant then;  
24 is that so?

09:58:27 25 A. Yes.

26 Q. Can you tell us what month it is, five months from August  
27 1998?

28 A. Well, I will not be able to calculate the months.

29 Q. Do you want me to help you? The first month after August



1 is September; is that not so?  
2 A. Check.  
3 Q. Yes, I'm checking, September. And the second month is  
4 October; is that so?  
09:59:24 5 A. Check.  
6 Q. The third month is November.  
7 A. Yes.  
8 Q. The fourth month is December of 1998. And the fifth month  
9 is January 1999. So, Madam Witness, I'm asking you, that fifth  
10:00:00 10 month of your pregnancy you have said you were at Sanda area. Do  
11 you remember whether it was at the beginning of the fifth month  
12 that you went to Sanda area?  
13 A. Papa, I have told you that I cannot understand the time  
14 because there were certain areas. When we reached there we did  
10:00:26 15 not sleep there, we just went through.  
16 Q. Okay, Madam Witness. Madam Witness, do you remember how  
17 long it took you from this Sanda area to get to Waterloo?  
18 A. We walked day in and out. Day in and night, except when we  
19 reached a particular area we'll be told that we've reached such  
10:00:57 20 and such an area.  
21 Q. Madam Witness, did you know Waterloo before?  
22 A. I have told you that I have never travelled in this road  
23 during that time. That was the very first time I travelled  
24 through that road.  
10:01:23 25 Q. How did you come to know that name?  
26 A. When we arrived at the place I was told that that was  
27 Waterloo.  
28 Q. Do you remember the name of any other place that you were  
29 told of between Sanda and Waterloo?

1 A. I cannot recall.

2 Q. Would I be right, Madam Witness, to say that the journey  
3 between Sanda and Waterloo was more than two weeks?

4 A. Well, I was not counting. I have told you that we were  
10:02:14 5 travelling every day and I am unable to calculate the days.

6 Q. Madam Witness, you have calculated for us. You have been  
7 telling us, "when I was here my pregnancy was two months. When I  
8 was there it was four months. When I was there it was five  
9 months." So you had a yardstick by which you calculated; is that  
10:02:36 10 not so?

11 A. Well, let me tell you that I usually went to clinics. So  
12 when I went there I'd been told, "your pregnancy is such and such  
13 up to this month". It was not like I, sitting like that and  
14 imagine the number of days. At that time I was not all that was  
10:02:59 15 properly sensible. So it was the people that told me that I have  
16 had -- your pregnancy was two, three, four, and the number of  
17 months it had.

18 Q. Where were these clinics that you went to?

19 A. The people had doctors among them. Those were the people  
10:03:23 20 that took care of them. When they had wounds or injuries, those  
21 were the people that took care of them. So if they had these  
22 doctors, so when we had problems they took us to these people for  
23 treatment.

24 Q. Thank you. So do you remember any place you were that you  
10:03:40 25 went to see the doctor?

26 A. At times we were in the bush. When we are in the bush, if  
27 you felt a pain -- you explained to the person with whom you were  
28 so you will be taken -- he would refer you to the nurse. So you  
29 cannot say because it happened in the bush, you cannot say it

1 happened in such and such a forest. We were in the bush, so I  
2 cannot tell you that this is the name of the forest or the bush.  
3 Q. Madam witness, Kamaranka, do you remember how big it was?  
4 A. What size are you referring to?  
10:04:32 5 Q. How many houses were in Kamaranka?  
6 A. I did not walk through the town. Where I went, I sat and I  
7 did not go anywhere because I did not know the place. If I had  
8 left there and I was killed anywhere.  
9 Q. Okay, Madam witness. At Kamaranka was SAJ Musa there?  
10:05:04 10 A. That man was with us.  
11 Q. And there were other civilians there?  
12 A. Anywhere they went they captured people. Whilst civilians  
13 should not be there, we were there with them.  
14 Q. Madam witness, were the soldiers that you met with  
10:05:29 15 SAJ Musa -- were they there?  
16 A. They were all together. They were in the same group.  
17 Q. And was Andrew there?  
18 A. Yes.  
19 Q. Madam witness, was there any period of time on your journey  
10:05:58 20 to Freetown that Andrew was away from you?  
21 A. Well, many times -- at times it took three days, we never  
22 saw each other. At times it would be about one week we did not  
23 see each other except when at times we met.  
24 Q. Was there any occasion when you went to look out for  
10:06:33 25 Andrew?  
26 A. Where could I go and search for him? Well, if you want to  
27 go they will tell you to sit here. If you move they will say you  
28 are about to escape. They will kill you.  
29 Q. Madam witness, when you were at Bamukura did Andrew leave

1 you to go anywhere?  
2 A. which village? Call it again.  
3 Q. Bamukura.  
4 A. I and Andrew did not stay in Bamukura. It is my village in  
10:07:30 5 which I was captured. If you say Bamukoro, yes, but in that  
6 village I and Andrew did not stay together. He only captured me  
7 and went away with me.  
8 Q. Was there any occasion when you went to visit him where he  
9 was?  
10:07:58 10 A. Well, except the time when we came to Badela. We were in  
11 Tumanya, they were at Badela. And when we went there we were  
12 many. When they collected us that we should come, that was the  
13 time I could remember.  
14 Q. So you went to visit him; is that so?  
10:08:31 15 A. Yes, I went there.  
16 Q. Madam witness, yesterday you told us that you experienced  
17 two attacks; is that not so? The first one --  
18 MS PACK: If my learned friend could just clarify when and  
19 where, because that was quite a broad question.  
10:08:56 20 MR MANLY-SPAIN:  
21 Q. The first one was when you were at Kono -- Koidu in Kono.  
22 A. Yes.  
23 Q. Do you know who made that attack on Kono?  
24 A. That question that you've asked me, how would I know? That  
10:09:21 25 was the first time the rebels entered this country. How would I  
26 have known? Do you think I was with them?  
27 Q. Was the attack by rebels, that attack?  
28 A. Yes.  
29 Q. So you do know who did the attack?

1 A. Well, during that time everybody was saying that it was the  
2 rebels. They said rebels had attacked. So that was not any  
3 hidden secret to say that I have given the name rebels. It was  
4 not any hidden secret.

10:10:03 5 Q. Madam witness, whilst you were in Koinadugu did you see  
6 Superman?

7 A. Inside Koinadugu Town, which part?

8 Q. Anywhere. Anywhere that you were in Koinadugu.

9 A. Well --

10:10:26 10 Q. Did you see Superman anywhere in Koinadugu?

11 A. Well, the way you are expressing the -- well, you are not  
12 saying it in a precise way. If you say Koinadugu, you are  
13 referring to the village. You would have said Koinadugu  
14 District. So the way you have expressed the thing is not  
10:10:49 15 correct. The Koinadugu District, the area I saw Superman during  
16 that time, we were in Yemadugu. That was the time they had  
17 wanted to attack Kabala. That was the time I saw him.

18 Q. Where were you when you saw him?

19 A. I was at the verandah when I saw him. Somebody pointed at  
10:11:11 20 him and said, "This is the Superman that had the name."

21 Q. Where were you? What village were you?

22 A. Yemadugu.

23 MR MANLY-SPAIN: I believe we had that spelling before,  
24 Your Honour.

10:11:31 25 Q. After that did you see Superman again?

26 A. From that time except when we came to Makeni. That was  
27 during the infighting. That was the time I saw Superman again.

28 Q. Madam witness, you mentioned -- let me ask you this: Did  
29 you have a cousin who was also captured?

1 A. Yes.  
2 Q. And did you also have a brother who you said was captured?  
3 A. Yes.  
4 Q. When you came to Freetown -- when you were coming to  
10:12:36 5 Freetown was your brother with you?  
6 A. No.  
7 Q. Do you know where he was?  
8 A. I cannot tell where he was.  
9 Q. Madam witness, your journey, you said, went to Bafodia?  
10:13:15 10 A. Yes.  
11 Q. Before you went with your captors, had you gone to Bafodia  
12 before that time?  
13 A. No, sir. No, sir.  
14 Q. Do you know who was the commander of the men that took you  
10:13:37 15 to Bafodia?  
16 A. Yes.  
17 Q. Who was he?  
18 A. It was SAJ Musa.  
19 Q. Were there any other commanders with SAJ Musa at that time?  
10:14:08 20 A. Well, there were many. I cannot call all their names, but  
21 there were many.  
22 Q. Do you remember any one? Just one?  
23 A. I cannot recall.  
24 Q. Let me ask you was one Colonel Gold Teeth there, CO Gold  
10:14:48 25 Teeth?  
26 A. Yes.  
27 Q. And was Orga My Brother there?  
28 A. All of us went together. We were in the same group  
29 travelling.

1 Q. what about Ojagu?  
2 A. well, I did not see him.  
3 Q. And Colonel Junior, did you see him?  
4 A. Colonel Junior, they met with Five-Five at this place Camp  
10:15:29 5 Rosos.  
6 Q. And you were there?  
7 A. I was not there with them. We went and met them there.  
8 Q. Okay, Madam, I want you to remember now about Camp Rosos.  
9 How long were you there?  
10:15:52 10 A. well, I did not count the dates.  
11 Q. Do you know whether it was more than one day?  
12 A. Yes.  
13 Q. One month, was it?  
14 A. We did not take a month.  
10:16:12 15 Q. Madam witness, whilst you were at Camp Rosos was there any  
16 fighting there?  
17 A. well, I did not experience fighting there.  
18 Q. Did anybody attack you there?  
19 A. well, I did not experience an attack there.  
10:16:43 20 Q. Did Kamajors attack you at Camp Rosos?  
21 A. well, I did not see Kamajors attack there.  
22 Q. What about ECOMOG?  
23 A. I did not see them. I said there was no attack.  
24 Q. Yes. And am I right to say that you left there at the same  
10:17:13 25 time with everybody that was with the group? I mean both  
26 soldiers and civilians, you all left at the same time?  
27 A. Yes.  
28 Q. Madam witness, I will finish with you shortly but I want  
29 you to go back to Freetown, when you say you had just entered

1 Freetown, okay, after Hastings. You said it was at night that  
2 the matches were distributed to you by Five-Five. At the time he  
3 was distributing the matches were houses already on fire?  
4 A. Well, we are going and he used to share match and I saw  
10:18:20 5 fire with my eyes.  
6 Q. Listen to my question, please. It's a simple question. At  
7 the time he was giving you the matches did you see houses that  
8 were already on fire?  
9 A. I said I saw the fire with my eyes and now you're asking me  
10:18:47 10 if I saw it.  
11 Q. Please, try and understand my question. The time you saw  
12 the fire was it at that time Five-Five was sharing the matches to  
13 you?  
14 A. Well, the man came sharing the match. He said people  
10:19:07 15 should burn. If the commander had shared something and said  
16 burn, would you deny? If you deny you will be killed.  
17 Q. That is not what I'm asking you, Witness. I am asking you  
18 whether at the time he was giving the matches to you, as you  
19 allege, there were already houses on fire?  
10:19:35 20 A. Yes, the houses were burning. He even told us to use  
21 offensive languages. He said, "Let's use abusive languages."  
22 Q. Okay, thank you. Madam Witness, now on your way to  
23 Freetown you said Five-Five was always with you. On your way to  
24 Freetown were there any attacks on you by ECOMOG or CDF forces?  
10:20:10 25 A. Well, during the time we are coming Kamajors attacked, the  
26 ECOMOG attacked. Anywhere we went we experienced attacks.  
27 Q. Yes. And at that time was Five-Five with you?  
28 A. We were in the same group with Five-Five. Where would we  
29 have gone leaving Five-Five behind?



1 Q. Did he advise you as to how you can save yourself from  
2 being hit by the bullets that were being fired against you?  
3 A. well, when there was an attack on us everybody was told to  
4 lie on the ground, to crawl on his bellies. At that time I was  
10:21:03 5 carrying a child, so I was crawling like a snake on my stomach.  
6 Q. And when you did that you were not hit by bullets?  
7 A. well, we had already been told that if such and such  
8 happened this is what you should do. So if that thing happened,  
9 you should do it in order for you to save your life.  
10:21:31 10 Q. Madam witness, I am putting it to you that at no time did  
11 Five-Five, the person you call Five-Five, hit you with a stick.  
12 A. I am aware that he struck me with a stick.  
13 MR MANLY-SPAIN: That will be all, Your Honour.  
14 PRESIDING JUDGE: Mr Graham, you're next. Mr Graham, is  
10:22:21 15 it?  
16 MR GRAHAM: Yes, Your Honour.  
17 CROSS-EXAMINED BY MR GRAHAM:  
18 Q. Good morning, Madam witness.  
19 A. How is the morning, sir?  
10:22:41 20 Q. Madam witness, it was your earlier testimony that you were  
21 captured in your village in 1998; is that right?  
22 A. Yes.  
23 Q. It was also your testimony that after you alleged abduction  
24 you were taken to Yemadugu; is that right?  
10:23:17 25 A. Yes.  
26 Q. And also it was your testimony that at Yemadugu according  
27 to you there were a number of commanders; is that right?  
28 A. Yes.  
29 Q. And that, in your own words, the boss for them was Ojagu;

1 is that right?

2 MR GRAHAM: Your Honours, if I may spell Ojagu. I think

3 it's --

4 THE WITNESS: Yes, sir.

10:23:42 5 MR GRAHAM: O-J-A-G-U.

6 Q. That Ojagu was the boss for them; is that right?

7 A. Yes, in the village there.

8 Q. And also that Ojagu was an SLA; is that right?

9 A. Yes, sir.

10:23:53 10 Q. You also said that there was another commander by name

11 Syllabug; is that right?

12 A. Yes, sir.

13 MR GRAHAM: Your Honours, if I may spell Syllabug. I think

14 it's S-Y-L-L-A-B-U-G.

10:24:12 15 Q. It was also your testimony that Syllabug was also an SLA;

16 is that right?

17 A. Yes, because I saw him with the SLA group.

18 Q. Thank you. You also said there was another commander by

19 name Colonel Junior; is that right?

10:24:37 20 A. Yes, sir.

21 Q. You also said that there was another commander by name

22 Rambo who was also an SLA; is that right?

23 A. Yes, sir.

24 Q. And that it was also your testimony that all these

10:24:58 25 commanders were under the command of SAJ Musa; is that right?

26 A. Yes.

27 Q. Madam Witness, did you see these commanders receive orders

28 or commands from anyone else apart from SAJ Musa?

29 A. Well, SAJ Musa was the overall commander at that time. He

1 used to pass command to all of them, to the SLAs.

2 Q. So you are saying that the only person you saw these  
3 commanders receive command from was SAJ Musa and no one else?

4 A. Well, the SLAs, the overall commander was SAJ Musa.

10:26:03 5 Q. Did you at any point in time see or observe SAJ Musa  
6 receiving orders or commands from anyone else?

7 A. Well, I did not see that.

8 Q. Thank you, Madam witness. Then I will also take you back  
9 to the reference you made in your earlier testimony in respect of  
10:26:24 10 the conflict between SAJ Musa and Superman. In your earlier  
11 testimony you agree with me that you said that at some point in  
12 time there was some kind of conflict between SAJ Musa and  
13 Superman; is that right?

14 A. Yes, sir.

10:26:45 15 Q. And that as a result of that conflict, in your own words,  
16 the entire SLA came with SAJ Musa from Koinadugu; is that right?  
17 I'm referring to your --

18 A. I did not tell you that they brought him to camp, to  
19 Koinadugu. SAJ Musa pulled out from Koinadugu. All those from  
10:27:22 20 Bamukoro met in the particular village after Koinadugu. There  
21 they met. They joined there together, because he was their boss.  
22 They joined on the common patrol.

23 PRESIDING JUDGE: Just pause, Mr Graham. Is your client  
24 all right?

10:27:45 25 MR GRAHAM: Your Honour, he informs me he's not very well  
26 disposed. If, just for a second, I could just confer with him  
27 for a second. Thank you.

28 PRESIDING JUDGE: Please do so.

29 MR GRAHAM: Your Honours, he confirms his indisposition and

1 respectfully request that he be allowed to leave.

2 PRESIDING JUDGE: I think in the circumstances that might  
3 be the best thing to do. If he could be escorted out. We are  
4 approaching break and you can review the situation then,  
10:28:32 5 Mr Graham.

6 MR GRAHAM: Thank you, Your Honour.

7 Q. Madam Witness, you said after the conflict SAJ Musa and the  
8 troops moved to a village, the name that you don't very well  
9 remember now; is that right? From Koinadugu they moved to a  
10:29:09 10 village?

11 A. No, I don't know the name of the village.

12 Q. That is right. And I was referring to an earlier statement  
13 that you made, that you said -- and if you just listen very well.  
14 It was your testimony --

10:29:28 15 MR GRAHAM: Actually I would refer, with Your Honour's  
16 permission, to the transcript of yesterday's proceedings,  
17 specifically page 36, line 11 to 13. Your Honour, I think I will  
18 start from line 9.

19 Q. The question says:

10:29:51 20 "Q. On this road where you met those from Koinadugu do you  
21 remember seeing anyone in particular?

22 "A. Yes. We are all the same. We all just met there.

23 Those who were from Yemadugu, Bamukoro, they were -- the  
24 entire SLA came with SAJ Musa from Koinadugu, and they met  
10:30:19 25 in that village."

26 So I'm just trying to refer to the statement that the  
27 entire SLA moved with SAJ Musa to the village that you just  
28 referred to. My question in respect of that is that when they  
29 moved from Koinadugu and came to this village that you referred

1 to, SAJ Musa still remained in overall command of the troops; is  
2 that right?

3 A. Yes.

4 Q. And he remained as overall commander of the group until he  
10:30:53 5 met his death, according to you, at Benguema; is that right?

6 A. Yes, sir.

7 Q. Madam witness, I will take you back to your earlier  
8 testimony today. It was also your testimony that you could not  
9 identify those who captured your parents; is that right? You  
10:31:14 10 could not identify them?

11 A. Yes.

12 Q. And that you could not identify them because they were  
13 rebels and SLA, and the SLAs and the rebels were mixed up and so  
14 you couldn't actually identify who was who; is that right?

10:31:35 15 A. Well, yes because they all had combat. At that moment SLAs  
16 and rebels all had combat on. So both sides, I didn't know the  
17 main people from the -- the main person from the two groups that  
18 did the havoc, because they all had combats.

19 Q. Madam witness, so I'm right in saying that -- so it is your  
10:32:03 20 testimony - excuse me - that both rebels and soldiers, all of  
21 them had on combat uniforms; that is right, is that right?

22 A. Yes.

23 Q. And so, because of that, you couldn't identify who was a  
24 rebel and who was an SLA soldier; is that right?

10:32:23 25 A. Well, they had a uniform. They had soldier uniforms,  
26 combat uniforms made for soldiers. So I just take it for granted  
27 that they were all soldiers. Because they had soldier uniforms  
28 on and anyone who had uniforms must be known as a soldier.

29 Q. So you still stick to your position that the rebels also

1 had on combat uniforms?  
2 A. Yes.  
3 Q. Thank you.  
4 A. They had combats.  
10:32:56 5 Q. Okay, I'm going to move on to --  
6 PRESIDING JUDGE: Mr Graham, just pause a moment. You said  
7 you're going to move on. Is it to a new line?  
8 MR GRAHAM: Yes.  
9 PRESIDING JUDGE: In that case it may be appropriate to  
10:33:11 10 adjourn now for 15 minutes and resume. Mr Court Attendant,  
11 please adjourn court for 15 minutes.  
12 [Break taken at 10.30 a.m.]  
13 [On resuming at 10.50 a.m.]  
14 PRESIDING JUDGE: Mr Graham, please proceed. I note your  
10:57:48 15 client has still not returned. So the same situation as before  
16 the break?  
17 MR GRAHAM: That is so, Your Honour.  
18 PRESIDING JUDGE: Very well. Please proceed.  
19 MR GRAHAM: Okay, thank you.  
10:58:07 20 Q. Madam witness, I'm going to quickly refer to --  
21 MR GRAHAM: Your Honours, page 45 of the transcript of  
22 yesterday's proceedings and specifically reading from lines 3 to  
23 line 12 and if, with Your Honour's permission, I to proceed to  
24 read.  
10:58:31 25 Q. Madam witness, I'm referring to portions of your testimony  
26 yesterday. Reading from line 3:  
27 "Q. witness you said this when you were pulling out of  
28 Freetown. Did anything happen after that?  
29 "A. Yes.

1 "Q. what happened?  
2 "A. when we were pulling out of Freetown through the  
3 Cabala Town they were shooting, shooting at our back. The  
4 jets also was there shooting, but some of us were afraid so  
10:59:05 5 we wanted to go to our relatives to receive us."  
6 I think I'll end there. Madam witness, I just want to find  
7 out from you what you mean by "the jets also was there shooting".  
8 A. well, that area, when we were pulling out they were firing,  
9 shooting -- there was a jet up. I did not see where the jet  
10:59:43 10 really dropped a bomb but there was a jet up threatening, but the  
11 ECOMOG and the Kamajors were shooting while we were pulling out  
12 and running away.  
13 Q. Madam witness, could you explain a little bit further what  
14 you mean by the jets were threatening? Were they dropping? Did  
10:59:59 15 you see them dropping things off?  
16 A. I did not see that happen.  
17 MR GRAHAM: Your Honours, I don't have any further  
18 questions for this witness. Thank you very much.  
19 PRESIDING JUDGE: Thank you, Mr Graham. Mr Daniels, you  
11:00:16 20 have some questions for the witness?  
21 MR DANIELS: Yes, I do.  
22 CROSS-EXAMINED BY MR DANIELS:  
23 Q. Madam witness, good morning.  
24 A. How is the morning, sir.  
11:00:32 25 Q. Fine, thank you very much.  
26 A. Thank you too.  
27 Q. Madam witness, do you remember giving a statement to  
28 members of the Prosecution team. In fact, you gave different  
29 statements. You gave a statement on 29th October 2002. Do you

1 remember giving a statement?

2 A. Yes.

3 Q. Now, I want to take you back to the period that you were in  
4 Freetown. In your testimony yesterday and today you have told  
11:01:32 5 this Court that Five-Five gave you some matches to burn down some  
6 buildings. Do you remember?

7 A. Yes, sir.

8 [AFRC140705B-SGH]

9 MR DANIELS: Your Honours, I would like to refer to  
11:01:24 10 page 8186 of the testimony of the written statement of the  
11 witness. I am referring in particular to the very last line or  
12 the very last two lines of page 8186.

13 Q. I want to read a line or two from your statement.

14 A. Okay, sir.

11:02:10 15 Q. "In the night they gave us matches to burn houses. We did.  
16 I can't remember who was distributing the matches." Now in 2002  
17 you were not able to remember who gave you the matches; is that  
18 correct?

19 A. Well, at that time I said it. But now I have thought of  
11:02:35 20 the name of the person.

21 Q. But you will agree with me that the events were fresher in  
22 your mind in 2002 than they are today?

23 A. The time when we were going to obtain statement from me,  
24 but I didn't know that I was coming to talk here because I didn't  
11:03:15 25 know anything about court proceedings. From the time I was born  
26 this is the very first time for me to come to sit in this Court.  
27 So I didn't know that it was something that I was coming to  
28 explain. So when they went to obtain the statement they didn't  
29 tell me. They only told me that they had gone to see me. So the



1 names that I was able to think about were the names I gave. I  
2 said that I couldn't -- I told them that I couldn't remember the  
3 name of person who gave us the matches. So the person who went  
4 to obtain the statement, that is what I told him.

11:03:50 5 Q. The question was: The events of 2002 -- in 2002 the events  
6 of 1999 were fresher in your memory than they are today. This is  
7 the question.

8 A. I couldn't remember that.

9 Q. You couldn't remember what?

11:04:18 10 A. When you said the questions from the year 2002. But just  
11 imagine from that time to now, the time when the war ended,  
12 because when they mined -- because some of us were intelligent,  
13 from the time when the war happened, we didn't write it down on  
14 the paper; we were just thinking about it. It was not something  
11:04:35 15 written down. So you must miss some things out of it.

16 Q. And you forgot that it was Five-Five who gave you the  
17 matches?

18 A. Yes, I forgot the name and I told them that the person who  
19 gave me the matches I have forgotten the name at that time. But  
11:05:01 20 right now when I thought of the name so -- so I have to say that  
21 this was a person that gave me the match. By the time they went  
22 to me I couldn't remember them because it was something urgent.  
23 I never felt that I was -- I had to go, I went out to work and  
24 they met me where I was working.

11:05:20 25 Q. But several people were given matches; not so?

26 A. Yes, I saw Five-Five giving matches to many people.

27 Q. Now, you also said in your statement that - and this time I  
28 am referring to your statement.

29 MR DANIELS: I am referring to page 8188, Your Honours.

1 The third paragraph. The first line of the third paragraph.

2 Q. Do you know a man called Foday Sankoh?

3 A. Foday Sankoh? The only time I saw him was the time he went  
4 to Makeni. That was in 1999 when he went to Makeni. That was  
11:06:38 5 the only time I saw him at Rogbana Road [phon]. At that time he  
6 met us there when they left Freetown that he was going to visit  
7 his family members. That was the only time that I saw him.

8 Q. You saw him personally?

9 A. Yes.

11:06:56 10 Q. In your statement it says, "In 1999 Foday Sankoh came to  
11 Makeni to talk to his fighters." Do you remember saying that?

12 A. Well, in 1991 --

13 Q. 1999?

14 A. In 1999, yes. When he went there I saw him.

11:07:21 15 Q. How many fighters were there, roughly?

16 A. Well, I couldn't count them because there were so many.  
17 There were many in Makeni. The civilians were few. We were few.  
18 The civilians were few.

19 Q. And when you say his fighters, what did he do to them?  
11:07:51 20 was he just talking? Did he mix with them? What did he do to  
21 them?

22 A. Who was the person -- who you ran? You mean me or the  
23 person who talked to them?

24 Q. You say he was talking to his fighters. I mean, how was he  
11:08:11 25 talking? Was he on a platform? Was he walking with them? Was  
26 he on a microphone? How was he talking to them?

27 PRESIDING JUDGE: Mr Daniels, name the person you are  
28 referring to.

29 MR DANIELS:

1 Q. How was Mr Foday Sankoh talking to his fighters?  
2 A. Well, I did not go in the field. He met me at Rogbana Road  
3 in Makeni, but I did not follow him to the field. But so many  
4 people ran to the field there. People who were playing who went  
11:08:42 5 there to welcome him. But I didn't go there.  
6 Q. And what is Mr Foday Sankoh's position vis-a-vis his  
7 fighters? What is his position?  
8 MS PACK: Could that just be a time specific question?  
9 MR DANIELS:  
11:09:05 10 Q. We are talking about 1999?  
11 A. Well, I don't know, because I was not with Foday Sankoh in  
12 the same place. So I don't know.  
13 Q. When you say his fighters, what do you mean?  
14 A. When he went I heard people say that their boss man was  
11:09:32 15 coming.  
16 Q. So is it fair to say that he was their overall boss?  
17 A. Well, I was not moving with their group. So when he came  
18 they said he was their boss. So I didn't know whether he was the  
19 overall boss or who the overall boss was. I don't know. But  
11:09:55 20 they said he was their boss.  
21 Q. Now I also want to take you to the time that you were  
22 retreating from Freetown. You remember you told this Court that  
23 you made your way to Makeni?  
24 A. What?  
11:10:30 25 Q. You said when you were retreating from Freetown you made  
26 your way to Makeni; is that correct?  
27 A. Yes.  
28 Q. How did you go?  
29 A. Well, we walked from Freetown to Waterloo. From Waterloo

1 we boarded a vehicle because the people with whom we went with  
2 were Baala people. They put us in their vehicles and we went to  
3 Makeni.

4 Q. who did you go with?

11:11:03 5 A. well, the one who captured me he was fired. I went with  
6 him.

7 Q. Did you go with Andrew?

8 A. Yes.

9 JUDGE SEBUTINDE: I am sorry I have to ask. I heard the  
11:11:17 10 word -- did I heard the interpreter say "The one I was with was  
11 fired"?

12 THE INTERPRETER: Sorry, I mean shot, was shot.

13 THE WITNESS: Yes.

14 MR DANIELS:

11:11:37 15 Q. You are referring to who?

16 A. Andrew.

17 Q. And where was he shot?

18 A. On his foot.

19 Q. And at Makeni did he receive any medical attention?

11:12:04 20 A. well, he was taken to the hospital in Makeni. His leg was  
21 amputated.

22 Q. He saw some doctors. Please don't mention their names.  
23 But when he went to Makeni did he see some doctors?

24 A. well, the hospital where we were I used to see doctors  
11:12:23 25 there. They told me that they were doctors. They were the  
26 people that treated them there.

27 Q. Do you know which fighting force the doctors belonged to?

28 A. well, I don't know the group. The only -- I was only taken  
29 to the hospital that they were going to cure that man. I don't

1 know whether they were rebels or they were soldiers or they were  
2 civilians. I don't know.

3 MR DANIELS: Your Honours, I would like to refer to page  
4 8187, the last line of the first paragraph.

11:13:20 5 Q. Do you remember telling the Prosecution Office that the  
6 doctors were both RUF doctors?

7 A. Well, I can't remember that again.

8 Q. The question is did you ever say so?

9 A. I couldn't remember saying that again.

11:13:59 10 Q. And as regards your relationship with Andrew, did he  
11 capture you or did he save you?

12 PRESIDING JUDGE: What time period are you referring to,  
13 Mr Daniels?

14 MR DANIELS:

11:14:18 15 Q. We are talking about the very first time that the rebels  
16 came into your village?

17 A. He captured me.

18 MR DANIELS: Your Honours, I would like to refer to page  
19 8185 of the witness's statement, reading from line six.

11:15:06 20 Q. I will read to you your statement. "One of them, whose  
21 name I do not know, saw him and returned to kill me. They said  
22 they would kill me too. But another one called Andrew saved my  
23 life. He said no because they had already killed my parents. He  
24 said he would take me to be his wife." What is your position;  
11:15:34 25 did he save you or did he capture you?

26 A. Well, when they went to capture me I told them that -- I  
27 told them to release me because they had killed my parents. Then  
28 Andrew took his ID card that he was not a bad person, that he was  
29 going to save me. But if you were saving somebody -- if you are

1 saving somebody you would not rape that person.

2 Q. At the time you were pregnant, Andrew told you that he  
3 would perform marital rites; do you remember? He said he would  
4 marry you.

11:16:21 5 A. well, because when I became pregnant my colleagues asked me  
6 to abort. They said because we were on the run and I would not  
7 be able to run -- to run, but he told me not to abort.

8 Q. So you liked him, didn't you?

9 A. How would I say at that time that I hated that man? He  
11:16:52 10 would have killed me.

11 Q. Did he look after you?

12 A. well, the time when we were together he used to care for  
13 me.

14 Q. And while you were under cross-examination today you had  
11:17:21 15 said to Mr Manly-Spain that you did not know any part of Freetown  
16 and that this was the very first time you had come to Freetown;  
17 did you remember?

18 A. Yes.

19 Q. Do you still stand by that position?

11:17:52 20 A. well, yes. Because that was the first time for me to come  
21 to Freetown. I didn't know the part. I was just following them.  
22 when they -- I was asked to go this way, I would go with them.  
23 wherever they went I used to -- I would follow them. So I would  
24 not be able to name all the places. I don't know the names of  
11:18:10 25 the places.

26 MR DANIELS: Your Honours, I wish to refer to page 8186 of  
27 the witness statement, the third paragraph.

28 Q. In your statement you said, "H Ojagu and Syllabug commanded  
29 us. They were AFRC/SLA. The boys were fighting and I and other

1 girls were being thrown around like handbags. I was all over the  
2 place, Kissy, Calaba Town, Kissy Old Road, Kissy By-pass." Did  
3 you ever say that to the person who took the statement from you?  
4 A. Well, I can't remember that any more.

11:19:10 5 Q. The question I am asking is: Did you ever tell the person  
6 who took the statement that you were all over the place: "Kissy,  
7 Calaba Town, Kissy Road, Kissy By-pass." Did you ever say that?  
8 A. Well, I did not tell them. How could I have said it  
9 because I did know the places? How could I have told the names?

11:19:31 10 Q. So your answer is no.  
11 A. Yes. Yes.

12 MR DANIELS: Your Honour, that will be all.  
13 PRESIDING JUDGE: Any re-examination, Ms Pack?  
14 MS PACK: No re-examination, Your Honour.

11:19:40 15 PRESIDING JUDGE: Thank you. Madam witness, thank you very  
16 much. This is the end of your evidence and you can now leave the  
17 Court. We thank you for coming to court and giving your evidence  
18 yesterday and today. Just wait one moment, please, while the  
19 curtains are drawn. Mr Court Attendant, please assist the  
11:20:30 20 witness.  
21 [The witness withdrew]

22 MS PACK: Your Honour, the next witness is TF1-269. This  
23 witness will be testifying in Temne. And she being a witness to  
24 sexual violence she will also be testifying with the additional  
11:21:36 25 protective measures of voice distortion.  
26 PRESIDING JUDGE: Have those already been ordered?  
27 MS PACK: Yes, already been ordered.  
28 [The witness entered court]  
29 PRESIDING JUDGE: Very well. Please swear in the witness

1 and counsel, this time we will definitely have no talking or  
2 moving around during the oath. Please proceed, Mr Court  
3 Attendant.

4 THE INTERPRETER: Your Honour, I think something is wrong  
11:24:38 5 with the channeling.

6 PRESIDING JUDGE: Mr Court Attendant, we have just had a  
7 message from the interpreters that there is something wrong with  
8 the channeling. So pause and could you please investigate it?

9 WITNESS: TF1-269 [Sworn]  
11:24:50 10 [The witness answered through interpreter]

11 PRESIDING JUDGE: Ms Pack, are you leading the witness?  
12 MS PACK: Yes, Your Honour.  
13 PRESIDING JUDGE: Please proceed.  
14 MS PACK: Thank you, Your Honour.

11:25:47 15 EXAMINED BY MS PACK:

16 Q. Witness, good morning to you.  
17 A. Good morning.  
18 Q. Witness, where were you born? which village?  
19 A. At XXXXX.

11:26:14 20 MS PACK: That is X-X-X-X-X, Your Honour.

21 Q. Where do you live now?  
22 A. Rosos.  
23 Q. Are you married?  
24 A. Yes.

11:26:42 25 Q. Do you have any children?  
26 A. Yes.  
27 Q. How many children do you have, witness?  
28 A. I have nine children.  
29 Q. Witness, what do you do in your village, Rosos, now? What



1 is your occupation?  
2 A. I am a farmer.  
3 Q. Witness, what is your ethnicity?  
4 A. I am a Temne by tribe.  
11:27:40 5 Q. Witness, during the war in Sierra Leone, where were you  
6 living? which village?  
7 A. At Rosos.  
8 Q. And who were you living there with?  
9 A. We were living at Rosos.  
11:28:10 10 Q. When you were living at Rosos during the war, witness, did  
11 anything happen there?  
12 A. Yes.  
13 Q. Tell us what happened?  
14 A. The rebels entered there and they ran after me and they  
11:28:35 15 captured me. when they captured me --  
16 Q. Wait a moment. How do you know that these men, these  
17 people who captured you, were rebels?  
18 A. They said so.  
19 Q. Do you remember what they were wearing?  
11:29:14 20 A. Some were wearing vests and others were wearing combat.  
21 Q. After the rebels came, what did you do?  
22 A. We ran and they captured me. when they captured me --  
23 where they captured me, they raped me. Three of them at the same  
24 time. They raped me. After raping me --  
11:29:51 25 Q. Wait a moment, witness.  
26 A. They pushed me.  
27 Q. Wait a moment. Thank you, witness. Do you remember when  
28 it was that they came, these rebels, and captured you?  
29 A. During the raining season. By then the rains were heavy.

1 Q. Are you able to remember the year?  
2 A. I can't recall because I don't know the year.  
3 Q. How many rebels captured you, witness?  
4 A. At first there were three and the three of them raped me at  
11:30:40 5 the same time.  
6 Q. When you say rape, what do you mean by rape?  
7 A. They took their penis and put it into my vagina.  
8 Q. Were these three rebels who raped you, were they armed?  
9 A. The one had the gun and the other had a knife.  
11:31:26 10 Q. Do you remember how they captured you before they raped  
11 you?  
12 A. They ran after me. I could not run and they captured me.  
13 They pushed me and I fell down and they raped me.  
14 Q. After they raped you, did anything happen?  
11:31:54 15 A. Yes.  
16 Q. What happened?  
17 A. After they had raped me they pushed me and I fell down on  
18 the ground. And when I fell the one came with the knife and cut  
19 me at the back of my neck. Right now I have the scar on me.  
11:32:25 20 Then the two said, "Please let us don't kill her. Let us go."  
21 Q. Let us just pause there a moment. You have just said you  
22 still have a scar on your neck from where you were cut.  
23 A. Yes. Yes. Right now I have it.  
24 Q. Witness, I am just going to ask you if you would just turn  
11:32:57 25 round, please - and don't get up - to show us, please, the scar  
26 is on your neck that you still have from where you were cut.  
27 Just show with your finger.  
28 A. Shall I touch it with my finger? It is on my left-hand  
29 side. [Witness complies]

1 Q. If you could just turn around a little bit, just so we can  
2 see. Just turn to the right side so we can see and the other  
3 side as well.

4 A. [Witness complies]

11:33:21 5 MS PACK: Your Honour, I think my learned friends can see,  
6 but if the record could reflect the scar to the back of the  
7 witness's neck at about I think an inch or two.

8 PRESIDING JUDGE: Counsel, you have seen the witness.

9 MR GRAHAM: [Microphone not activated]

11:33:39 10 PRESIDING JUDGE: Thank you.

11 MS PACK:

12 Q. Thank you, witness. You can look round to the front again  
13 now. Witness, you said after your neck was cut something was  
14 said. What was said?

11:34:29 15 A. I said they said I should show them where the civilians  
16 were hiding and we went. When we went the civilians were not  
17 there. We only met the rebels all over. When we met them one of  
18 the rebels called me. When I went --

19 Q. Pause a moment. The group of three men who spoke to you  
11:34:50 20 and asked you to show them where the civilians were hiding, do  
21 you remember what language they were speaking to you in?

22 A. They were speaking Temne.

23 MR MANLY-SPAIN: I heard my colleague say hiding. I didn't  
24 hear the witness say they asked to me show where the civilians  
11:35:17 25 were hiding, just where the civilians were.

26 MS PACK: My apologies.

27 MR MANLY-SPAIN: That is the interpretation I got.

28 MS PACK: My apologies for --

29 PRESIDING JUDGE: I have hiding.

1 MR MANLY-SPAIN: No, she mentioned hiding, my learned  
2 colleague. Well the witness, the interpretation --  
3 PRESIDING JUDGE: Let us check the transcript because my  
4 record -- Please, let us have the transcript of the last answer  
11:35:36 5 given by the witness prior to the question on language.  
6 [Transcript at page 43, lines 15 to 18 read back]  
7 MR MANLY-SPAIN: My apologies.  
8 PRESIDING JUDGE: Thank you, that is my record also,  
9 Mr Manly-Spain. Thank you for that assistance.  
11:36:39 10 MS PACK: Thank you, Your Honour.  
11 Q. Witness, you said that you went with the group of three who  
12 had raped you And you saw other rebels.  
13 A. Yes.  
14 Q. Whereabouts were you --  
11:36:57 15 A. Yes.  
16 Q. -- you when these other rebels?  
17 A. Just within the same area. In the bush, that is where we  
18 met the others. So when we met them the first three that took me  
19 they left me. So the last one we met called me. When he called  
11:37:23 20 me he took me in the bush and he took out his penis and put it in  
21 my mouth and I suck it. After sucking it --  
22 Q. Pause a moment. Pause a moment.  
23 A. Okay.  
24 Q. This man who did this, did he say anything to you?  
11:37:38 25 A. Yes.  
26 Q. What did he say?  
27 A. When I refused he said he will take me to be killed. Then  
28 he struck me with the stick on my head. Up till now I have this  
29 scar on my head where he hit me with the stick to the people he

1     took me to.  
2     Q.     Pause a moment. This man who did this to you, do you  
3     remember what he was wearing?  
4     A.     Yes.  
11:38:11 5     Q.     What was he wearing?  
6     A.     He was wearing a T-shirt and a he had a towel on his neck.  
7     He didn't have a knife. He was not holding anything.  
8     Q.     After he put his penis in your mouth and then after he hit  
9     you, did anything else happen to you?  
11:39:30 10    A.     He was not the one who hit me with the stick. When he took  
11    his penis and put it into my mouth he was -- he was going to have  
12    sex with me. But when I refused he took me to his colleagues.  
13    His colleagues hit me with a stick on the head. Right now I have  
14    the scar on my feet.  
11:39:53 15    Q.     Where did his colleagues hit you? Which part of your body?  
16    A.     My left foot.  
17    Q.     What was the condition of your left foot after it was hit?  
18    A.     It was swollen. In fact, I wasn't able to walk except they  
19    helped me.  
11:41:00 20    Q.     Now, I don't want you to get up again, but if you could  
21    just put your leg out, whichever one it was that was hit, and  
22    just show, if you can --  
23    A.     Yes.  
24    Q.     -- where it was you were hit.  
11:41:17 25    A.     If you say I should show it, I will show it.  
26    Q.     Thank you.  
27    A.     Shall I take it out?  
28    Q.     Yes, please, witness.  
29    A.     [Witness complies] This is it. This is it.

1 Q. I think my learned friends can see the witness is pointing  
2 to a position on her left, lower left limb. And there is a scar,  
3 if the record could reflect that, on the lower left limb of this  
4 witness.

11:41:52 5 MR DANIELS: Your Honour, we can confirm we can see a  
6 marking.

7 MS PACK: Thank you.

8 JUDGE SEBUTINDE: Ms Pack, is the scar on the foot or the  
9 leg? We can't see this far.

11:41:53 10 MS PACK: If my learned friend --

11 MR DANIELS: It is on the shin of the left leg.

12 THE WITNESS: On the shin.

13 JUDGE LUSSICK: Ms Pack, you can ask her to put her leg  
14 back down.

11:42:25 15 MS PACK:

16 Q. Witness you can put your leg back down now. Thank you very  
17 much.

18 A. I have taken it out. I am pointing it.

19 Q. You can put it back now. Thank you very much. Thank you,  
11:42:54 20 witness? Now, witness, after you were hit, did anything else  
21 happen to you?

22 A. Yes.

23 Q. What else happened to you, witness?

24 A. After I have been hit with the stick, the one who hit me  
11:43:04 25 with the stick the same group, the other one drew me and held me.  
26 He said we should go. And when we went he also raped me. After  
27 raping me he asked me to go away to my parents and later I was  
28 released. The last one, after raping me, he allowed me to go.  
29 So it was five of them who raped me in all. So I went to my

1 relatives. I went in search of them. Later I saw them and later  
2 went to Roloko.  
3 Q. Pause a moment.  
4 A. Okay. Okay.  
11:43:50 5 Q. Now this last man who raped you, do you remember what he  
6 was wearing?  
7 A. Yes.  
8 Q. What was he wearing?  
9 A. Civilian dress. Just this T-shirt that people put on.  
11:44:13 10 Q. And this last group of rebels that you were talking about,  
11 the one from which this man came, were they armed?  
12 A. They were mixed up. Some had guns some did not have.  
13 others had sticks. Others had knives.  
14 Q. Do you remember this group -- do you remember what they  
11:44:37 15 were wearing, the men in this group?  
16 A. I said previously that they had combat and civilian  
17 T-shirts. They were mixed up.  
18 Q. Now, after this last rebel who raped you released you,  
19 where did you go?  
11:45:18 20 A. I went in search of my parents in the bush and we went far  
21 away from the town and we went to a town called Roloko where  
22 there were no rebels.  
23 Q. If you can't --  
24 A. Because we can't go back into our town.  
11:45:36 25 Q. Did you find your parents?  
26 A. Yes. I discovered them later very late at night.  
27 Q. What did you do?  
28 MR FOFANAH: May it please Your Honours, can we kindly have  
29 the spelling for Roloko? I have Rolako, but I also have Roloko,

1 so I don't know if we can have the spelling.

2 MS PACK: Let me ask the witness to repeat that and then I  
3 can spell it.

4 Q. Witness, where did you go once you found your parents and  
11:46:06 5 just name the place and then I can spell it, Your Honours.

6 A. It is not a town. It is in the bush, but we have crossed  
7 the river. After we have crossed Rosos, we went across the  
8 river. Roloko is at the other side of the river. It is not in  
9 the bush -- it is not in town, it is in the bush. That was where  
11:46:31 10 we hid with my parents. Then they were curing my sore with  
11 native herbs.

12 Q. Pause a moment. I can't get the first bit of the Loko, but  
13 the second bit, Loko,, is L-O-K-O. I am afraid the first bit  
14 will have to be dealt with phonetically, Your Honour.

11:46:49 15 JUDGE SEBUTINDE: Could the interpreter spell the name of  
16 such a place?

17 THE INTERPRETER: Roloko is spelt R-O-L-O-K-O.

18 JUDGE SEBUTINDE: Thank you.

19 MS PACK:

11:47:06 20 Q. And this area, witness, that you went to, Roloko, in which  
21 area is it in Sierra Leone? Are you able to say?

22 A. Yes.

23 Q. Which area?

24 A. The Batkanu area. That is the area.

11:47:36 25 MS PACK: I will spell Batkanu. It is B-A-T-K-A-N-U, Your  
26 Honour.

27 Q. Now, witness, you said that you couldn't go back to the  
28 town. Where couldn't you go back to at this time?

29 A. The rebels told us that they were going to be based in our



1 village, so no civilians should go there. So we had to leave.

2 Q. And by our village, just remind us which village you are  
3 referring to.

4 A. Rosos, I said previously.

11:48:39 5 Q. Did you ever return to Rosos?

6 A. Yes. After they have left -- during the dry season, we  
7 returned back to Rosos.

8 Q. So if you could just repeat which time of year was it that  
9 you returned to Rosos?

11:49:08 10 A. During the dry season. By the end of the rains. So we  
11 passed through the river and we crossed and went to our village.

12 Q. What state was Rosos in when you returned?

13 THE INTERPRETER: Your Honours, can the attorney please go  
14 over the question.

11:49:36 15 Q. What state was Rosos in on your return?

16 A. The houses were burnt down and even my house was unroofed.  
17 The one that ~~XXXXXX~~ left. I met, the house was unroofed. In  
18 fact, now presently we are living in another man's house. They  
19 took all the zinc and went into the bush to build some booths.

11:50:10 20 THE INTERPRETER: Your Honours, can the witness please go  
21 over the last segment of her testimony.

22 PRESIDING JUDGE: Madam witness, would you repeat the last  
23 part of your last answer, please?

24 THE WITNESS: I said they burnt down our town and they  
11:50:34 25 unroofed the zincs. In fact, they unroofed my own house.  
26 Presently I am living in another man's house.

27 MS PACK:

28 Q. Does your house remain without a roof even today?

29 A. I don't have the chance. I don't have the money. I have

1 nothing. It has collapsed. In fact, it is already area now you  
2 will see.

3 Q. After these attacks on you that you have described, what  
4 was your physical condition?

11:51:38 5 A. I am not well. Sometimes I will have a serious problem  
6 with my neck. I can't walk any longer. I can't carry any load  
7 any longer. If you venture then you will experience serious  
8 problem. The veins are aching.

9 Q. Thank you, Witness. Those are all the questions I have to  
11:52:02 10 ask but if you would wait there there will be further questions  
11 for you.

12 MS PACK: Your Honour, those are my questions.

13 PRESIDING JUDGE: Thank you, Ms Pack. Counsel for the  
14 Defence, Mr Manly-Spain, do you have any questions for the  
11:52:13 15 witness?

16 MR MANLY-SPAIN: Just a couple of questions, Your Honour.

17 CROSS-EXAMINED BY MR MANLY-SPAIN:

18 Q. Madam Witness, good morning.

19 A. Good morning.

11:52:35 20 Q. Madam Witness, on the day of these events that you have  
21 narrated to the Court how many rebels did you see?

22 A. I did not count them. I was trembling. I had my problems  
23 because by then I was having my saw. In fact, I was trembling.

24 MR MANLY-SPAIN: No more questions.

11:53:13 25 PRESIDING JUDGE: Please proceed, Mr Graham.

26 CROSS-EXAMINED BY MR GRAHAM:

27 Q. Good morning, Madam Witness.

28 A. Good morning.

29 Q. Do you, per chance, remember how old you were at the time

1 of the alleged attack by the rebels in 1998?

2 A. I can't recall because I am not literate, I can't write.

3 In fact, when the night comes and the day comes I can't count

4 anything. Since I was born I have never been to school. I know

11:53:59 5 nothing.

6 Q. But you can tell me how many children you had at the time

7 of the attack, can't you?

8 A. Yes.

9 Q. How many children did you have at the time of the attack?

11:54:30 10 A. My children, I had nine children. By the time we were

11 attacked they were -- some of them were not with me. I took them

12 somewhere to be -- to my relatives to help me. They were not

13 staying together with me. For my children, I had nine children

14 but they are with my cousins.

11:54:57 15 Q. Madam witness, my question is how many children --

16 A. Yes.

17 Q. -- do you have at the time of the attack?

18 A. I said I had two. The ones I bear are nine but they are

19 not staying with me. The one I had were just two. That was what

11:55:22 20 I said initially.

21 Q. Thank you. So you had two at the time of the attack.

22 A. Yes.

23 Q. How many children have you had since the attack?

24 MS PACK: Your Honour, that is not what the witness said

11:55:41 25 actually. What she said was she had two with her at the time of

26 the attack. So if my learned friend is going to suggest she has

27 had seven children since, then that might be a little unfair.

28 PRESIDING JUDGE: I had: I said I had two. The ones I

29 bear were nine. Some were not with me. So I am not clear really

1 either so I am going to allow that question. But perhaps if --

2 MR GRAHAM: Your Honour, I could well go back to get  
3 clarification for it. I think I would be fair to do that in  
4 these circumstances.

11:56:17 5 Q. Madam Witness, I simply want to know at the time of the  
6 attack how many children had you had then, including those that  
7 you had sent to your relatives that you say. How many children  
8 did you have at the time of the attack?

9 JUDGE SEBUTINDE: Mr Graham, there is a difference between  
11:56:33 10 how many children did you have and how many children had you  
11 given birth to.

12 MR GRAHAM: That is exactly --

13 JUDGE SEBUTINDE: So what is the question you are putting,  
14 because this witness doesn't understand.

11:56:37 15 MR GRAHAM: Okay. Thank you, Your Honour.

16 Q. Witness, my question is simply this: How many children had  
17 you given birth to at the time of the attack?

18 A. I said they are nine in number, but the time we were  
19 captured the others were not with me. I had sent them out to be  
11:57:12 20 taken care of. The ones that were with me, there were two in  
21 number. Others were with their parents.

22 Q. You said you had two with you at the time of the attack; is  
23 that right?

24 A. Yes.

11:57:31 25 Q. And, if I recall well, you said the others had been sent to  
26 their parents; is that right?

27 A. Yes, to their relatives. We are not together. But I bear  
28 them. They were with their relatives.

29 Q. So apart from the two that you had with you at the time of

1 the attack how many did you send to your relatives?

2 A. The number of children that I sent out when we were -- I  
3 sent them out before we were attacked, but the two were with me.  
4 So I never went in search of them. I was with the two.

11:58:35 5 Q. Madam witness, I don't think you have answered my question.  
6 I understand you -- you said you had two of your children with  
7 you and then you sent the rest to your relatives. Now, what I  
8 just want to find out is how many apart from the two --

9 A. No, I said I bear nine children. But before the war their  
11:58:58 10 relatives took them to up bring them. So I told you that I only  
11 had two when we were attacked. These children were taken away.  
12 when we bear children in Sanda, if they have their aunt, their  
13 relatives, they could come to you and take them away to up bring  
14 them.

11:59:19 15 Q. So how many children did your relatives -- how many of your  
16 children did your relatives take away to look after?

17 A. They are seven. Out of nine, if you have two, what would  
18 remain? I remained with two and they were nine. What do you  
19 think will remain?

11:59:59 20 Q. It would remain seven by my account. So are you saying --  
21 is it your testimony that, apart from the two you had with you,  
22 you had seven other children being looked after by your  
23 relatives? Is that your case?

24 A. That's correct. I have them. There is no need for me to  
12:00:24 25 say lies that the child that I never gave birth, then I say I  
26 gave birth to her -- to him or her. If I had not given birth to  
27 them I wouldn't have said so.

28 Q. Madam witness, I am not challenging you on the number of  
29 children that you had. I am simply trying to find out how many

1 children you had given birth to at the time of the attack.

2 PRESIDING JUDGE: I think that has been determined,  
3 Mr Graham.

4 MR GRAHAM: Very well, Your Honour.

12:00:58 5 Q. Madam Witness, so it is your testimony that at the time of  
6 the attack you had given birth to all your nine children; is that  
7 right?

8 MS PACK: This has been asked and answered.

9 PRESIDING JUDGE: Mr Graham, you are coming to a point  
12:01:09 10 close to harassing this witness.

11 THE WITNESS: I am no longer a child. I am older somebody.  
12 I had given birth to them before that time. Before that -- after  
13 I have given birth to them I have never given birth to any other  
14 child. I am now an older person in this world, because if I were  
12:01:24 15 a child I would have said well, I have not given birth. The I  
16 gave birth even -- I even gave birth to twins.

17 MR GRAHAM: Very well.

18 Q. Madam Witness, have you had any more children --

19 A. Yes.

12:01:36 20 Q. -- since --

21 PRESIDING JUDGE: Mr Graham.

22 MR GRAHAM: Your Honour, I am moving on.

23 PRESIDING JUDGE: I see. I am going on to a different  
24 premise, Your Honour.

12:01:46 25 MS PACK: She has just actually said that she hasn't had  
26 any further children, in fact, in her last answer. So I don't  
27 think that needs to be asked.

28 MR GRAHAM: I didn't hear her.

29 THE WITNESS: Yes.

1 MR GRAHAM:

2 Q. Madam witness, did I hear you say that, yes, you have had  
3 additional children -- you have had children again after the  
4 attack?

12:02:15 5 A. No. Only the ones I had before are the ones that are still  
6 there. They are the same children, the ones I had before, but  
7 they are younger children.

8 MR GRAHAM: Thank you, Your Honour. I don't have any  
9 further questions for this witness.

12:02:36 10 PRESIDING JUDGE: Thank you, Mr Graham. I am not telling  
11 you to stop by any means.

12 MR GRAHAM: [Microphone not activated].

13 PRESIDING JUDGE: Yes, Mr Daniels.

14 CROSS-EXAMINED BY MR DANIELS:

12:02:56 15 Q. Madam witness, good afternoon. It is almost afternoon.

16 A. Good afternoon. How do you do?

17 Q. Very well, thank you.

18 A. Okay.

19 Q. What is the state of your health at the moment?

12:03:23 20 A. I am not well. For now let me just tell you that I have a  
21 problem. Now I cannot do anything. At the end of month I have  
22 problems. I feel a lot of pains. Now, well, I doubt it if I  
23 could continue to survive for long because if somebody has cut  
24 you on the nape you cannot carry anything on your head. When you  
12:03:43 25 carry something then you get pain from your veins. I wonder if I  
26 will continue to live longer.

27 Q. Have the Prosecution said to you that they will assist you  
28 to get some medical care?

29 A. Yes.

1 Q. Have you actually started some of the treatment?  
2 A. Here now?  
3 Q. [Microphone not activated].  
4 A. Yes. I have explained the problem to them and they have  
12:04:30 5 started giving me some treatment. They gave me some medicines.  
6 I have them. Even yesterday I was checked up.  
7 Q. Thank you very much.  
8 A. Okay.  
9 MR GRAHAM: Your Honour, that will be all.  
12:04:49 10 PRESIDING JUDGE: Thank you, Mr Daniels. Ms Pack, any  
11 re-examination of the witness?  
12 MS PACK: No re-examination, Your Honour.  
13 PRESIDING JUDGE: Thank you.  
14 QUESTIONED BY THE COURT:  
12:04:57 15 JUDGE SEBUTINDE: Madam witness, you have just -- when one  
16 gentleman was --  
17 A. Yes.  
18 JUDGE SEBUTINDE: [Inaudible] a question. If you can look  
19 at me.  
12:05:14 20 A. Well, I don't know you. I am just focusing on one point.  
21 I don't know you.  
22 JUDGE SEBUTINDE: will you please look at the judges in  
23 front who are wearing red. When the gentleman was asking you are  
24 you were feeling well you replied to him that, "At the end of the  
12:05:41 25 month I don't feel well". Is that not so?  
26 A. Yes.  
27 JUDGE SEBUTINDE: what did you mean that "at the end of the  
28 month I do not feel well"? I am afraid I didn't quite  
29 understand. Can you please elaborate?



1 A. Don't you understand this. Well, I am Temne so I will  
2 explain this better. In Temne, by the time the month would have  
3 ended if you have any pains in your body you tend to feel them.  
4 You feel your body, you feel the pains, you wouldn't feel good.

12:06:29 5 JUDGE SEBUTINDE: Are you referring to the monthly period  
6 of a woman? Is that what you're referring to?

7 A. No, that is not. We -- by the time the month would have  
8 ended in Temne, not because somebody explains his menstrual  
9 cycle -- if you have pains in your body in Temne and by the time  
12:06:56 10 the end the month would have ended you feel all those pains that  
11 you have in your body. At the time the month would have ended  
12 you feel all pains in your body, except you find medication.

13 JUDGE SEBUTINDE: Thank you, Madam Witness.

14 A. Okay.

12:07:22 15 PRESIDING JUDGE: Thank you very much, Madam Witness. That  
16 is the end of your evidence and we thank you for coming to court  
17 today to give your evidence. Please wait while the attendant  
18 assists you to leave the Court.

19 THE WITNESS: Okay.

12:07:35 20 [The witness withdrew]

21 MS PACK: Your Honour, my learned friend Mr Werner will be  
22 taking the next witness. Witness number TF1-058 and this witness  
23 will be testifying in English.

24 JUDGE SEBUTINDE: Ms Pack, could you repeat the -- what is  
12:09:15 25 the number of the witness?

26 [The witness entered court]

27 MR WERNER: Maybe I can assist, 058. He will testify in  
28 English and he is a Muslim.

29 PRESIDING JUDGE: Please swear in the witness.

1 WITNESS: TF1-058 [Sworn]  
2 PRESIDING JUDGE: Please proceed, Mr Werner.  
3 MR WERNER: Thank you, Your Honour.  
4 EXAMINED BY MR WERNER:  
12:12:25 5 Q. Good afternoon.  
6 A. Good afternoon, sir.  
7 Q. I am going to ask you some questions, if you can just  
8 answer my questions.  
9 A. Yes, sir.  
12:12:46 10 Q. Mr witness, before we start, are you able to spell in the  
11 English language?  
12 A. Yes, sir.  
13 Q. So throughout your testimony I will ask you to spell the  
14 names of the location or the name of people. Is that all right  
12:13:02 15 with you?  
16 A. Which location, sir?  
17 Q. We will come to that. I am just telling you that I will  
18 ask to you spell names.  
19 A. All right, sir.  
12:13:12 20 Q. Mr witness, could you tell this Court where you were born?  
21 A. I was born in Mano Town, Dasse Chiefdom, Moyamba District.  
22 Q. Could you spell Mano Town for the Court?  
23 A. Capital M-A-N-O, Mano. Town, T-O-W-N.  
24 Q. Just the name not the -- could you spell the name of the  
12:13:40 25 chiefdom you gave?  
26 A. The town is capital M-A-N-O, Mano.  
27 Q. Yes, and you gave the name of you chiefdom?  
28 A. Dasse Chiefdom. D-A-S-S-E, Dasse.  
29 Q. And the district?

1 A. The district is Moyamba District.  
2 Q. Could you spell it for the Court?  
3 A. Moyamba, M-O-Y-A-M-B-A. District --  
4 Q. That is all right. That is all right, Mr Witness, thank  
12:14:12 5 you. Do you know, Mr witness, how old you are?  
6 A. I'm about 4X to 4X years old.  
7 Q. Do you have children?  
8 A. I have dependents but not children of my own.  
9 Q. Mr witness, do a remember the month of the year May 1998?  
12:14:45 10 A. Yes, sir.  
11 Q. Mr witness, where were you in May 1998?  
12 A. I was in Karina Town, Karina section, Biriwa Chiefdom,  
13 Bombali District.  
14 Q. Could you spell the name of the town?  
12:14:56 15 A. Yes, sir.  
16 Q. Please do so?  
17 A. Capital K-A-R-I-N-A, Karina. Town, T-O-W-N.  
18 Q. And the chiefdom?  
19 A. Biriwa Chiefdom, B-I-R-I-W-A Chiefdom.  
12:15:16 20 Q. That's all right. And the district?  
21 A. Bombali District. B-O-M-B-A-L-I, Bombali.  
22 Q. Thank you, Mr witness. Could you tell this Court what you  
23 were doing at that time in Karina?  
24 A. I am XXXXXXXXXXXX in Karina. I am XXXXXXXXXXXX  
12:15:36 25 XXXXXXXXXXXXXXXXXXXXXXXXXXXX, Karina Town.  
26 Q. And at that time?  
27 A. Yes, sir. I am XXXXXXXXXXXX, even up to this time.  
28 Q. Now, do you know if anything happened in your village in  
29 May 1998 that you can remember?

1 A. Yes, sir.

2 Q. Could you tell this Court what happened?

3 A. It happened on Thursday. Due to the length of time, I  
4 cannot tell whether on 7th or on 8th May, but it was on 7th or on  
12:16:16 5 8th May which was Thursday morning. I woke up from sleep early  
6 in the morning between the hours of 6.00 to half past 6.00 in the  
7 morning. I felt like going to toilet. I went to the toilet and  
8 then came back. When I reached at the verandah of my room I met  
9 my aunt sitting taking ablutions for early morning prayers. I  
12:16:47 10 had wanted pass my aunt when we heard a gunshot. When we heard  
11 the gunshot she said the gunshot is peculiar, enemies have  
12 entered. I told her, I say, "Aunt, I have been asking around  
13 here why gunshots are going here. They said if one hear any one  
14 single gunshot around here it is done by hunters". She said,  
12:17:18 15 "well, this one is too strange". I said, "well, but this is what  
16 I have heard before". I wanted to enter my room then we heard a  
17 second shot.

18 [TB140705C - EKD]

19 Q. Just pause for one second. Just one second. Then what  
12:18:15 20 happened?

21 A. We heard the second shot. Then I turn my eyes above my  
22 toilet to where I heard the sound. I saw a huge amount of smoke  
23 in front of me from the nearby village. Very huge amount of  
24 smoke.

12:18:41 25 Q. Do you know which village?

26 A. That was Mayomgbo village.

27 Q. Could you spell it?

28 A. Capital M-A-Y-O-M-G-B-O, Mayomgbo.

29 Q. What happened after that, Mr witness?

1 A. I saw a huge amount of smoke and therefore I believed what  
2 my aunt has said. I entered my room and took my trousers which I  
3 were in hurriedly. Then I sent my hand under my pillow case. I  
4 took my wrist watch and my cigarette basket, put them in my  
12:19:28 5 pocket. Then I went around not wearing my shirt while trying to  
6 find my way for safety. Now I passed through the garden behind  
7 my window. I wanted to go down the hill. I saw a large number  
8 of people moving by the side of -- between the bush there and the  
9 garden, my garden there.

12:19:55 10 Q. Who were these people, Mr witness?

11 A. I didn't take -- I didn't -- I can't identify actually who  
12 they were. But when I saw the large crowd, I decided not to go  
13 that way. So I decided to go back and then cross the road, go  
14 down by the riverside, so that, I mean, I will keep up there to  
12:20:18 15 know what actually is going on. I crossed the main road now,  
16 went under -- I passed the house. I was immediately about to  
17 pass the orange tree to climb a tree running down by the  
18 riverside, a man halted me. He said, "You stop". I tried to  
19 run, he said, "No, don't run. Stop". I tried, he said no, he  
12:20:46 20 refused the third time, and therefore I stopped.

21 Q. Was he armed, Mr witness?

22 A. He was armed.

23 Q. He said, "Come here". But I was not far away from him so I  
24 went closer. He said, "Look, where is the money?" I told him, I  
12:21:07 25 said, "I haven't" --

26 PRESIDING JUDGE: Mr witness, do you need a break? would  
27 one of the victims support people please assist the witness.  
28 Mr Court Attendant, would you go and speak to the witness and ask  
29 him if he needs a break, please.

1 MR WERNER: I think we do request for a break. we do  
2 request for a break.  
3 PRESIDING JUDGE: Yes, I think -- just let us see how he  
4 feels first and -- does the witness want to go out? we will have  
12:22:52 5 a break in the circumstances and we will take an early lunch  
6 adjournment and we will reconvene at the usual time.  
7 Mr Court Attendant, please adjourn court until a quarter past  
8 2.00 and allow the witness time to recover.  
9 [Luncheon recess taken at 12.20 p.m.]  
14:20:14 10 [TB140705D - SV]  
11 [On resuming at 2.20 p.m.]  
12 PRESIDING JUDGE: Mr Witness, are you feeling better?  
13 MR WERNER: I think the mic --  
14 PRESIDING JUDGE: Mr Court Attendant, please assist the  
14:25:02 15 witness both to put on his earphones and to get his mic switched  
16 on, and I notice Mr Graham is missing.  
17 MR MANLY-SPAIN: Yes, Your Honour. He sent word to say  
18 that he is tied up with his client in the detention centre and  
19 that he will be coming a little late.  
14:25:20 20 PRESIDING JUDGE: Yes, his client had to go out this  
21 morning, as you know. Now, Mr Witness, are you feeling better?  
22 THE WITNESS: Yes.  
23 PRESIDING JUDGE: And you feel able to proceed?  
24 THE WITNESS: Yes, ma'am.  
14:25:35 25 PRESIDING JUDGE: Good. Has someone got a watching brief  
26 from Mr Graham?  
27 MR MANLY-SPAIN: Yes, Your Honour. I will be looking after  
28 his interests.  
29 PRESIDING JUDGE: Thank you, Mr Manly-Spain.

1 MR WERNER: Thank you, Your Honour.  
2 Q. Good afternoon, Mr Witness.  
3 A. Good afternoon, sir.  
4 Q. How are you?  
14:26:17 5 A. Fine, thank you, sir.  
6 Q. I will carry on with my questions. I will go slowly. Just  
7 take your time to answer my questions. This morning before the  
8 break we were talking about the man who stopped you and asked you  
9 about your money. Do you remember?  
14:26:40 10 A. I remember exactly, sir.  
11 Q. Okay. Could you tell us what happened after the man asked  
12 you for your money?  
13 A. Now, when he asked me for money I told him that I haven't  
14 any money, I was just a poor XXXXXXXX. So he told me to go and  
14:27:10 15 sit under the mango tree. A few steps from him, I touched my  
16 wristwatch and the packet of my cigarettes. I came back and gave  
17 them to him. Then I left him, I went and sat among other people.  
18 Q. Mr witness, who were these people -- you say you went and  
19 sat with other people. who were those people you sat with under  
14:27:43 20 the mango tree?  
21 A. I was convinced they were juntas because they were plain  
22 men and armed.  
23 Q. So there were juntas under the mango trees. Was there  
24 anyone else?  
14:27:58 25 A. Those seated were not juntas. They hadn't any weapon. But  
26 standing by were armed men.  
27 Q. And who were those people who were not juntas?  
28 A. Those with whom I sat?  
29 Q. Yes. who were they?

1 A. With whom I sat were the same civilians as myself.  
2 Q. And where were they coming from, those civilians?  
3 A. Well, they were instructed to sit there just like myself.  
4 I was told this, to go and sit with them.  
14:28:36 5 Q. But who were they? Did you know them before, those  
6 civilians?  
7 A. No, I couldn't make any distinguish of them except  
8 afterwards.  
9 Q. Okay. And what happened after that, Mr witness?  
14:28:52 10 A. Well, after that one of the armed men asked in Krio that  
11 let some take the bags, bags whom I came to know were looted. He  
12 asked for them to take the bag. They got up and took these bags.  
13 Q. Who got up, Mr witness?  
14 A. Some of the men with whom I was sitting.  
14:29:24 15 Q. Civilians?  
16 A. They were civilians. They got up, they took these bags.  
17 The commander instructed for some to be ahead of them and some to  
18 be --  
19 Q. What do you mean "some to be ahead of them"?  
14:29:45 20 A. The arrangement was some people to lead, to lead the -- to  
21 lead ahead. And they asked these young men to form two lines,  
22 the one who took the baggages. Now, they had -- these women who  
23 were captured, they were all naked, except for one whom I saw  
24 with a loincloth. Now, these too were lined up behind these men.  
14:30:25 25 Q. When you said "these too," what do you mean - the two  
26 lines?  
27 A. Yeah, they formed two lines after the men, the one with the  
28 bags. Now, they were on the left and some were on the right. So  
29 they started to go away. When they had left, we were commanded



1 in krio that we should lie down.  
2 Q. Okay. Just pause here for just one second. So two lines  
3 left, one of men and one of women.  
4 A. No. The men who took the bags formed two lines, two  
14:31:09 5 straight lines. The women also followed behind formed two  
6 straight lines.  
7 Q. Okay, so there were four lines?  
8 A. Yes, sir. So they walked in line.  
9 Q. Do you know if anyone was leading those four lines?  
14:31:29 10 A. Well, the lines were not separated. Just as you would make  
11 school children march, so the lines were.  
12 Q. Was anyone going with those people forming those lines?  
13 A. No. Only those armed were with them.  
14 Q. Did you see them?  
14:31:56 15 A. Yes, I saw them.  
16 Q. Do you know what happened to those people who left?  
17 A. Those who left?  
18 Q. Yes.  
19 A. Well, later on I came to know that some of the young men  
14:32:13 20 were killed and some really became free late afterwards.  
21 Q. Do you know -- do you have any names of those who were  
22 killed?  
23 A. Well, I know of one, Abu Mansaray.  
24 Q. Okay, could you spell the name for the Court?  
14:32:32 25 A. Capital A-B-U, Abu; Mansaray, M-A-N-S-A-R-A-Y.  
26 Q. Do you know where he was killed or how he -- do you know  
27 where he was killed?  
28 A. No, I wasn't told because I was told that he died.  
29 Q. Do you know who killed him?

1 A. No, they didn't tell me. I didn't ask after that.  
2 Q. Anyone else? Do you know about anyone else?  
3 A. Yes. And there was laughter. There was a crazy man  
4 staying in a village there, the village where they were going.  
14:33:08 5 There is a village on the way. So this crazy man approached  
6 them. Well, they had to slash him to death.  
7 Q. Well, what do you mean by "a crazy man"?  
8 A. I mean he came making fun, as they said. So he was slashed  
9 there.  
14:33:27 10 Q. And you say they slashed him?  
11 MR MANLY-SPAIN: May it please Your Honour.  
12 THE WITNESS: They said they killed him.  
13 MR MANLY-SPAIN: I respectfully submit that no foundation  
14 has been laid for this piece of evidence. He said they went away  
14:33:40 15 and a crazy man was in another village, they had to slash him  
16 down. He has not said the source of his information at least.  
17 MR WERNER: I will clarify that, Your Honour.  
18 Q. Mr witness, you said that you were told about the death of  
19 Abu Mansaray and the crazy man. How do you know that?  
14:34:04 20 A. Those who were captives came later on. It was they who  
21 said that when they were going they met with this crazy man and  
22 then he had to approach them with fun and they were aggravated.  
23 This was how I came to know that that this crazy man was slashed  
24 to death.  
14:34:38 25 Q. Okay. Now, Mr witness, you talked earlier on about women  
26 forming two of the lines. Did you know -- at that time did you  
27 know any of those women?  
28 A. Yes, sir. I know those women.  
29 Q. Could you tell us who you knew at that time, which women

1 you knew?

2 A. well, I knew three of them and I knew more than that after

3 the exercise. But --

4 Q. okay, could you give --

14:35:11 5 A. Prompt, prompt I knew three of them.

6 Q. okay, so let's start with the ones you knew at the time.

7 who are they? Do you remember the names?

8 A. I knew of Mbalu Mansaray.

9 Q. Could you spell that name for the Court?

14:35:25 10 A. M-B-A-L-U M-A-N-S-A-R-A-Y, Mansaray.

11 Q. Anyone else you can remember?

12 A. Mbalu Sheriff. The same M-B-A-L-U, Mbalu; Sheriff

13 S-H-E-R-I-F-F, Sheriff.

14 Q. Anyone else?

14:35:48 15 A. Yes, Fanta Nawa.

16 Q. Could you spell it?

17 A. F-A-N-T-A, Fanta; N-A-W-A, Nawa.

18 Q. Anyone else?

19 A. well, those were the three that I was able to distinguish

14:36:03 20 promptly at that stage -- instant.

21 Q. what about later? were you told later about other of the

22 women?

23 A. I came to know the figure, most of the people that I was

24 seeing, I came to know them later.

14:36:22 25 Q. So can you remember other names?

26 A. Later on, yes, I can remember names.

27 Q. who told you that later?

28 A. well, when they came back, like Sayone Fanta.

29 Q. Could you spell that name?

1 A. S-A-Y-O-N-E, Sayone, F-A-N-T-A.  
2 MR FOFANAH: May it please Your Honours, may it further be  
3 clarified as to who are the "they" who came back. He said when  
4 they came back.  
14:36:54 5 MR WERNER: I will clarify that.  
6 Q. Mr witness, I asked you how did you know about these other  
7 women and you told me yes, I was told when they came back. When  
8 who came back?  
9 A. When those who came back were Mbalu Sheriff, she came back.  
14:37:11 10 Fanta Nawa came back, Sayone Fanta came back.  
11 Q. Okay, and who told you about the other women?  
12 A. Sayone Fanta told me about Binti Fofanah, that they were  
13 all together.  
14 Q. Could you spell that name for the Court?  
14:37:29 15 A. Binti, B-I-N-T-I F-O-F-A-N-A-H.  
16 Q. And who told you about Fanta Nawa?  
17 A. No, Fanta Nawa, he came -- she came.  
18 Q. Okay. Anyone else who left on that day?  
19 A. Yes. Tidankay Sheriff left.  
14:37:57 20 Q. Okay, could you spell that name for the Court?  
21 A. T-I-D-A-N-K-A-Y, Tidankay.  
22 Q. Okay. Now, Mr witness, you said they came back. When did  
23 they come back? How long after?  
24 A. Well, they came back after, let's say -- after a year.  
14:38:20 25 Because it was during the time now when they came here to  
26 restore, in order to restore the democratic government. It was  
27 at that time they returned. Just imagine when they were taken  
28 along since May 1998.  
29 Q. And did they tell you what happened to them over that year?

1 A. when they were taken along?  
2 Q. Yes, did you know what happened or were you told what  
3 happened to them?  
4 A. well, I didn't make proper investigation but they told me  
14:38:56 5 they were going from place to place. But from there they went to  
6 a village called Mandaha, where they based, but they were  
7 scattered by a jet plane.  
8 Q. Could you spell Mandaha for the Court?  
9 A. Capital M-A-N-D-A-H-A, Mandaha.  
14:39:13 10 Q. Mr witness, did these women tell you anything else about  
11 what happened to them during that year?  
12 A. During that time?  
13 Q. Yes.  
14 A. If anything happened?  
14:39:24 15 Q. Did they tell you if anything happened to them?  
16 A. In Mandaha?  
17 Q. No, over that period of one year.  
18 A. Over?  
19 Q. Do you know what they did during that year, these women?  
14:39:42 20 what did they do during that year?  
21 A. During that year?  
22 Q. Yes.  
23 A. The women?  
24 Q. Yes.  
14:39:49 25 A. well, when I saw them later, some were hospitalised with  
26 me. But those who they went with now came back free.  
27 Q. One year later?  
28 A. One year later. You see, it is after the -- that was May  
29 1998 when this incident happened. And now they gained their

1 freedom when the peace and reconciliation has been done. It was  
2 at that time I saw them. So I would like if you could look into  
3 that length of time for me, because I didn't go as far as to  
4 that.

14:40:34 5 Q. Now, Mr Witness, I am going to move on. I'm just going to  
6 ask you another question a last time. I'm not asking you where  
7 they went over that year. I'm not asking you that. I am just  
8 asking you if you were told or if you know if they did anything  
9 over that year, these women who were with those juntas? Do you  
14:40:51 10 know anything or not?

11 A. Well, I can't tell what they did there because I wasn't  
12 there.

13 Q. That's fine. Now, Mr Witness, you told us about those  
14 women. Was there anyone else who left with the group?

14:41:10 15 A. Like Mamie Thuay, she returned.

16 Q. Could you spell that name for the Court?

17 A. Mamie Thuay. That is -- I could say Mama Thuay because it  
18 is the same.

19 Q. Could you spell Thuay for the Court?

14:41:25 20 A. T-H-U-A-Y.

21 Q. So what happened to Mamie Thuay?

22 A. Well, we were all hospitalised.

23 Q. Do you know what happened to her?

24 A. Yes, she had a cut on the head.

14:41:40 25 Q. Did she leave with those rebels? Did she leave at the same  
26 time with this group?

27 A. Yes, I saw her. I saw her with two other women.

28 Q. And what happened?

29 A. They are three now. The other woman was amputated.

1 Q. Mr witness, we will talk about that but just focus for one  
2 second about Mamie Thuay. She left with the other women and what  
3 happened to her?  
4 A. She was admitted in the hospital.  
14:42:07 5 Q. Okay. why was she admitted to the hospital?  
6 A. Makeni Government Hospital.  
7 Q. Yes, but why was she admitted to the hospital?  
8 A. Because she had cuts.  
9 Q. Okay. And do you know how did that happen? why was she  
14:42:20 10 cut?  
11 A. On the head.  
12 MR FOFANAH: Objection. Your Honours, at this stage I'm  
13 objecting on the grounds that my learned colleague seems to be  
14 veering into an area in which this witness would clearly not have  
14:42:32 15 any idea. I mean, the witness has been asked to report on what  
16 happened to somebody else and now he's going further to inquire  
17 of this witness to speculate about why what he said happened to  
18 that woman happened. In my estimation I think my colleague is  
19 inviting the witness to speculate and that is the basis of the  
14:42:56 20 objection.  
21 MR WERNER: I'm happy to move on.  
22 PRESIDING JUDGE: Could we have your reply to the objection  
23 or are you --  
24 JUDGE LUSSICK: He's moving on.  
14:43:07 25 MR WERNER: I'm happy to move on.  
26 Q. Now, you told us about Mamie Thuay and these women who left  
27 at that time. Do you know if anyone else left at that time?  
28 A. Those women who left?  
29 Q. Yes.

1 A. And came back?

2 Q. Yes. Anyone else with that group you can remember?

3 A. Yes. Women left. I mean, like Neneh Fanta, they were

4 taken and came back. But, I mean, she died later. Not because

14:43:37 5 of any of the havoc done by those people, but she became sick

6 later.

7 Q. Okay, but she left at that time as well? Did she leave at

8 that time as well?

9 A. Yes, she was taken but she tried to gain her freedom just

14:43:51 10 as Mamie Thuay did, you see, but she died later of sickness.

11 Q. Okay, could you spell her name?

12 A. Neneh Fanta?

13 Q. Yes.

14 A. It is N-E-N-E-H.

14:44:13 15 Q. Okay. What happened after that, Mr witness?

16 A. Well, this -- I was trying to talk what happened in Karina

17 that morning but you asked me to explain about these women.

18 Q. Yes, and you did that. You did that, Mr witness. Now,

19 what happened after that?

14:44:33 20 A. Now, when they had gone now, those people who were to line

21 -- who lined up went now, one of the commanders asked us in Krio

22 that we should lie down.

23 Q. Who are "we"?

24 A. We should lie down.

14:44:50 25 Q. Who are "we," Mr witness?

26 A. Pardon?

27 Q. "We should lie down"; who are "we"?

28 A. We, the ones sitting down. I was one of those people now.

29 Q. And what happened?



1 A. Now we all lay down. I prostrated myself on my chest.  
2 Q. And what happened?  
3 A. Now, while I was lying on my chest, my face to the ground,  
4 they started chopping. One of the man came and chopped me on my  
14:45:24 5 head.  
6 Q. When you say "one of the man," who were they?  
7 A. One of the armed men. One came and chopped me on the head.  
8 He left me, went to the --  
9 Q. Just pause for one second. With what did he chop you?  
14:45:40 10 A. Cutlass.  
11 JUDGE SEBUTINDE: Sorry, was that "jumped" or "jabbed"?  
12 MR WERNER: I understood "shoved".  
13 THE WITNESS: Chop.  
14 MR WERNER:  
14:45:52 15 Q. Chopped?  
16 A. Yes, chopped.  
17 JUDGE SEBUTINDE: Chopped?  
18 THE WITNESS: Yes.  
19 MR WERNER:  
14:46:02 20 Q. Mr witness, could you explain to the Court what you mean by  
21 "chopped"?  
22 A. Chopped, when they hit you with cutlass to get you wounded  
23 is what we mean.  
24 Q. And what was the condition of your head then?  
14:46:21 25 A. I was bleeding. I started bleeding.  
26 Q. And what happened after that?  
27 A. He left me, he went to the Fullah man and he did the same  
28 thing.  
29 Q. Where was the Fullah man?

1 A. He was lying on the left-hand side -- on my left-hand side.  
2 Q. And when you said he did the same thing, what did he do?  
3 A. He hit him just as he hitted me.  
4 Q. where?  
14:46:46 5 A. On the head.  
6 Q. And do you know what was the condition of the Fullah man  
7 after that?  
8 A. well, no, I didn't try to look at that so much.  
9 Q. okay. what happened after that?  
14:47:04 10 A. He came now and hit the next man on my right. Then --  
11 Q. who was that man? Did you know him?  
12 A. well, I believe he was Manju Mansaray.  
13 Q. okay, could you spell that name for the Court?  
14 A. M-A-N-J-U, M-A-N-S-A-R-A-Y, Mansaray.  
14:47:28 15 Q. And what did he do with Manju Mansaray?  
16 A. He chopped him too.  
17 Q. where?  
18 A. well, he chopped him on the shoulder. He chopped him on  
19 the shoulder.  
14:47:49 20 Q. And what happened after that?  
21 A. That was the beginning of the entire havoc, so I was  
22 actually trying to know what was about me but I was actually  
23 frightened. So the chopping now continued. He came the next  
24 time and chopped me.  
14:48:04 25 Q. who is he? Is he the same man?  
26 A. The same man. He chopped me again and chopped me again,  
27 so --  
28 Q. where, Mr witness?  
29 A. On my head. All on my head. I was bleeding now at that

1 time. So I hadn't any chance now to try to know what actually  
2 was happening around me.  
3 Q. And after he came back and chopped you again on the head,  
4 what happened after that?  
14:48:29 5 A. I was bleeding now. I was bleeding more and more.  
6 Q. And what happened after that?  
7 A. I received numerous chops on my back.  
8 Q. By the same man?  
9 A. By the same man, Nomiross [phon].  
14:48:48 10 Q. Was it again by a cutlass?  
11 A. With cutlass and dagger. He used cutlass. Then another  
12 man came, he used dagger, because I was stabbed with dagger.  
13 Q. And where did they hit you exactly?  
14 A. With the dagger I was stabbed in the back and in the hip,  
14:49:09 15 my waist bone. I was stabbed there.  
16 Q. How many times?  
17 A. Well, the waist bone now, I was stabbed there two times.  
18 Then the back there, I was given deep stabs, three deep stabs.  
19 Q. And what was the condition of your hips and your back?  
14:49:26 20 A. They were serious. In fact, they had to condemn my first  
21 treatment. There was re-treatment, you know that, for the place  
22 to get healed.  
23 Q. Could you describe how you were feeling just at that moment  
24 after what you described?  
14:49:49 25 A. I was helpless. I was helpless. Because the loss of blood  
26 and, in fact, if I had not shown as if I'm dead, you see, more  
27 wounds would have been inflicted again.  
28 Q. Could you explain what happened after that, just after  
29 that?

1 A. well, since the cuttings had been going on, one of the men  
2 lit the house.  
3 Q. what do you mean by "one of the men"?  
4 A. The men who were -- who did this havoc with us. One lit  
14:50:27 5 the house in front of us there, the house started burning.  
6 Q. Did you know this house?  
7 A. Yeah, it is just in front of the mango trees there. Just  
8 -- the house was just in front of the mango trees.  
9 Q. Did anything else happen at that time?  
14:50:40 10 A. I saw one of them again throwing a little girl from  
11 upstairs storey building. They threw a little girl down.  
12 Q. Again, when you say "one of them"?  
13 A. It was another man.  
14 Q. From the same group?  
14:50:56 15 A. From the same group; yes, sir.  
16 Q. what he did do exactly?  
17 A. He took the girl and threw her down to the ground.  
18 Q. Could you describe the building?  
19 A. It is a two-storey building.  
14:51:16 20 Q. Do you know what happened with the girl?  
21 A. well, the girl was lying there helpless. But actually I  
22 cannot tell what happened really.  
23 Q. And what happened after that, Mr Witness?  
24 A. After that, no.  
14:51:33 25 Q. Are you okay?  
26 A. I'm okay, sir.  
27 Q. what happened after that, Mr Witness?  
28 A. well, after that I tried now to leave where I was lying to  
29 keep myself somewhere, because already I had life in me although

1 I was helpless. Now, I tried to get up, but I don't have much  
2 energy to stand on my legs. So I tried to lie down again to  
3 stand up again with force, more than before, so that I will  
4 stand. Then this young man lying by me had to step on my right  
14:52:18 5 feet, he stepped on my right feet.  
6 Q. which one of them?  
7 A. This Manju. He just pushed my right feet down.  
8 Immediately he pushed my right feet down, I knew we are in danger  
9 and that this means break. So I just laid down again.  
14:52:35 10 Q. And what happened?  
11 A. When I laid down I saw women. Now women came and passed.  
12 Q. Who were they?  
13 A. Well, they were making companionship. I know they were  
14 among with -- they were with the army men. They were making  
14:52:53 15 companionship. They went.  
16 Q. Did anyone else come at that time?  
17 A. Two young men came again. These two young men, one of them  
18 said they should cut our hands.  
19 Q. When you say "they should cut their hands" --  
14:53:21 20 A. Yes, he told his friends, "Let us cut their hands." He  
21 said, "These are bastards." He said "Tejan Kabbah is your  
22 father. Well, go to him now. Go and tell him this is what we  
23 have done." But the next friend, he didn't say anything.  
24 Q. Okay. And what happened that?  
14:53:40 25 A. They left.  
26 Q. Who are "they," Mr witness?  
27 A. These two men who said this, they left.  
28 Q. And what happened after that?  
29 A. I wanted to rise again. Then this young men he did the

1 same thing. He squeezed my foot, so I had to lie down again as  
2 if I'm dead. Then they started coming in now, in line, which was  
3 -- the number was more than 150 people.  
4 Q. who are "they"?  
14:54:13 5 A. Armed men, just as before. They were now passing, but they  
6 didn't say anything to anyone. They didn't say anything to us.  
7 All that they knew that we are dead men, so they just passed.  
8 But they were all armed.  
9 Q. what happened after that?  
14:54:31 10 A. When they had gone now I was convinced now that no more.  
11 Then I tried now to stand up but in serious pain, in severe pain.  
12 I managed now to go to my mother's verandah. Well it was there  
13 now I knew that the Fullah man is dead, Manju is dead at that  
14 moment now, Sayone Alpha is dead.  
14:54:58 15 Q. Just pause for a moment.  
16 A. Junnu is dead.  
17 Q. Mr witness, just pause for a moment. So when you say the  
18 Fullah man is dead, are you referring to the men who were  
19 standing on your side when you were lying on the ground?  
14:55:12 20 A. Yes, sir. It is they that I am referring.  
21 Q. How do you know they died?  
22 A. They didn't move again as I did. And they were all buried  
23 behind my window.  
24 Q. So you talked about the Fullah man?  
14:55:22 25 A. Yes.  
26 Q. who else?  
27 A. The Fullah man, Manju, Alpha.  
28 Q. Just pause one second, Mr witness. Manju, who is Manju?  
29 A. Manju is the man who was lying on my right-hand side.

1 Q. And how do you know that he died?  
2 A. He didn't move again.  
3 Q. So you talked about the Fullah man and Manju. Was anyone  
4 else killed on that day?  
14:55:52 5 A. Yes, Sayone Alpha died.  
6 Q. Could you spell that name for the Court?  
7 A. S-A-Y-O-N-E, Sayone, A-L-P-H-A.  
8 Q. And how do you know that?  
9 A. That he died?  
14:56:09 10 Q. Yes.  
11 A. Well, I was passing. In fact, I was passing while he was  
12 lying. When I got up -- when I got up to go to my mother's  
13 house, Alpha's corpse was lying when I passed. I passed his  
14 corpse.  
14:56:26 15 Q. Did anyone else die on that day in Karina?  
16 A. Yes, sir, Junnu Sheriff. I'm saying Junnu Sheriff, I'm  
17 sorry. Junnu Mansaray.  
18 Q. Could you spell that name for the Court?  
19 A. Well, I would say it is capital J-U-N-N-U.  
14:56:55 20 Q. Could you spell Mansaray?  
21 A. M-A-N-S-A-R-A-Y.  
22 Q. Mr witness, do you know if anyone else died on that day in  
23 Karina?  
24 A. Yes, sir.  
14:57:12 25 Q. Who died?  
26 A. Alhaji Issa Sheriff.  
27 Q. Could you spell that name for the Court?  
28 A. Capital A-L-H-A-J-I, Alhaji. Issa, I-S-S-A. Then --  
29 Q. How do you know that Alhaji Issa died?

1 A. I saw his corpse.  
2 Q. where?  
3 A. I saw his corpse when they removed his corpse now for  
4 safety to be buried in the morning.  
14:57:49 5 Q. okay. Anyone else?  
6 A. Alhaji Baba too.  
7 Q. So Alhaji is the same spelling?  
8 A. Yes, sir, it is the same spelling, A-L-H-A-J-I.  
9 Q. And Baba?  
14:58:03 10 A. B-A-B-A.  
11 Q. And how do you know about Alhaji Baba?  
12 A. They were moved. Both of them were moved. I saw their  
13 corpse.  
14 JUDGE SEBUTINDE: Sorry, what were the full names of Alhaji  
14:58:16 15 Baba something?  
16 MR WERNER: Yes.  
17 Q. Okay, Mr witness, do you know the full name of Alhaji Issa  
18 and Alhaji Baba?  
19 A. Yes, sir.  
14:58:24 20 Q. Could you tell this Court the full name?  
21 A. Alhaji Baba Sheriff, Alhaji Issa Sheriff. Those are from  
22 the same father.  
23 Q. Okay. Now, do you know or were you told about anyone else  
24 killed on that day in Karina, Mr witness?  
14:58:49 25 A. well, I have named all that I saw.  
26 Q. Yes, I understand that. But my question is were you  
27 told --  
28 A. Yes, people were stabbed and died later, but not that day.  
29 Those who died that day instant is what I have named.



1 Q. Who died later?  
2 A. Alhaji Saccoh Sheriff. He was the section chief. He died  
3 later.  
4 Q. Could you spell Saccoh for the court?  
14:59:13 5 A. S-A-C-C-O-H, Saccoh.  
6 Q. And how do you know that he died later?  
7 A. The message met me in the hospital.  
8 Q. And why did he die?  
9 A. He died in Freetown here.  
14:59:29 10 Q. No, but why?  
11 A. Because of the cut on the head.  
12 Q. Anyone else?  
13 A. Yes. Kankoh Fanta Sheriff and Kankoh Fanta Fofanah.  
14 Q. Could you spell Kankoh for the court?  
14:59:44 15 A. Yes, sir. Capital K-A-N-K-O-H, Kankoh; Fanta, F-A-N-T-A,  
16 Fanta.  
17 Q. And how did you know that Kankoh Fanta died?  
18 A. I was told three days after that she died in Freetown here.  
19 Q. And why did she die?  
15:00:06 20 A. Pardon?  
21 Q. Same question: why did she die?  
22 A. She was stabbed in the abdomen.  
23 Q. On the same day?  
24 A. On the same day.  
15:00:17 25 Q. Anyone else, Mr witness?  
26 A. Later on, yes, I discovered one young man who told me that  
27 that day he was wounded. Then when I went --  
28 Q. Mr witness, we are coming to the people who were wounded.  
29 Do you know if anyone else died on that day? Died.

1 A. On that day?  
2 Q. Yes.  
3 A. No, but I want to name them.  
4 Q. Okay. Do you know if anyone was wounded?  
15:00:43 5 A. Yes, sir.  
6 Q. Who was wounded?  
7 A. One Loko man. We went to the hospital together.  
8 Q. Which hospital?  
9 A. The government hospital Makeni.  
15:00:52 10 Q. And how -- what was his condition?  
11 A. Well, he was cut all over the body just as myself.  
12 Q. And when did that happen?  
13 A. It happened on Thursday.  
14 Q. The same day?  
15:01:11 15 A. Yes, sir.  
16 Q. Anyone else?  
17 A. Yes.  
18 Q. Who else?  
19 MR FOFANAH: May it please Your Honours. Again foundation  
15:01:17 20 has to be laid. How did he come to the knowledge that it  
21 happened on Thursday, the Loko man?  
22 MR WERNER: I thought it was clear. I'm going to ask the  
23 question again.  
24 Q. So how do you know that the Loko man was cut all over his  
15:01:34 25 body like yourself on Thursday? How do you know that?  
26 A. We were hospitalised on the same day.  
27 Q. So how do you know?  
28 A. They took both of us from Karina. Immediately we reached  
29 at the outpatient of the Government hospital. They took both of

1 us to the theatre. Only that my own movement was a little bit  
2 free than his.  
3 Q. And did you speak with him?  
4 A. No, I didn't speak with him.  
15:01:58 5 Q. Okay, so how did you know -- if you didn't speak with him,  
6 how do you know that he was wounded on that day?  
7 A. From Karina.  
8 Q. Yes, how do you know for the Loko man?  
9 A. They are giving -- all were giving our statements. They  
15:02:14 10 had to ask us first our name and address.  
11 Q. Who else, Mr Witness, was wounded on that day?  
12 A. One Sedafa Fofana, but he died later.  
13 Q. Okay, could you spell that name?  
14 A. S-E-D-A-F-A, Sedafa. S-E-D-A-F-A, Sedafa Fofana.  
15:02:39 15 F-O-F-A-N-A, Fofana.  
16 Q. And what happened to Sedafa Fofana?  
17 A. He died later in Freetown here.  
18 Q. Why did he die later?  
19 A. Because of those wounds. The wounds inflicted.  
15:02:48 20 Q. And how do you know that?  
21 A. The wounds were inflicted?  
22 Q. No. How do you know that Sedafa Fofana was wounded on that  
23 day?  
24 A. From Karina?  
15:02:57 25 MR FOFANAH: I'm objecting. Your Honours, I think I have  
26 raised the objection before. My learned colleague seems to be  
27 building speculation on hearsay. I mean, what the witness is  
28 telling this court is what he was allegedly told by someone else  
29 and now he's being asked to infer from that hearsay as to why

1 that happened. I'm objecting on the basis of foundation.

2 MR WERNER: Your Honour, hearsay is admissible in  
3 international criminal law. I'm asking the witness to clarify  
4 the basis of his knowledge and he's said that he was told by  
15:03:29 5 someone else.

6 JUDGE SEBUTINDE: Counsel, I'm just wondering, there are  
7 two issues here. One relates to the wounding. We don't know  
8 where this witness knew that this man was wounded from. The  
9 evidence he's given is that this man was wounded in Karina and he  
15:03:56 10 died in Freetown from his wounds. So these are two instances.  
11 Now, I think the objection from counsel opposite is the  
12 foundation relating to both. One, how does he know that the man  
13 was wounded in Karina? And, two, how does he know that he died  
14 from those wounds in Freetown? Do you feel that you've laid that  
15:04:15 15 foundation?

16 MR WERNER: I was going to ask the witness the question.  
17 He was going to answer the question when my learned friend stood  
18 on his feet. He was going to answer the question. I'm going  
19 over that now.

15:04:39 20 PRESIDING JUDGE: Ask the question.

21 MR WERNER: Thank you, Your Honour. I will.

22 Q. Mr witness, we are talking about Sedafa Fofana now. How do  
23 you know that Sedafa Fofana was wounded in Karina on the same  
24 day? How do you know that?

15:04:58 25 A. Sedafa Fofana and ourselves lived in Karina before. We  
26 lived together in Karina before. Not that I knew of Sedafa  
27 Fofana because of that incident. I knew of Sedafa Fofana before  
28 that incident and we were all together in Karina Town.

29 Q. Okay, just answer my question. How do you know that Sedafa

1 Fofana was wounded? How do you know that?

2 A. Because I saw him lying on a sick bed, a brother sitting by  
3 him. And he was never there -- he was there when I came there.  
4 we all came together.

15:05:46 5 Q. Okay. Now how do you know that he died later?

6 MR FOFANAH: Before that, Your Honours, how do you know  
7 that he died on the Thursday in question? We still haven't got  
8 an answer to that.

9 MR WERNER: He didn't die on the Thursday. It was never --

15:06:04 10 MR FOFANAH: No, he was wounded, sorry. He was wounded on  
11 the Thursday in question. Sorry about that.

12 MR WERNER:

13 Q. So, Mr witness, how do you know that Sedafa Fofana was  
14 wounded on Thursday?

15:06:24 15 A. Now, let me say Sunday or probably Monday, I cannot  
16 actually know, but two days later -- two days after Thursday -- I  
17 mean, brothers now went to visit Sedafa Fofana. They went to  
18 visit him. They were discussing this matter now that Sedafa  
19 Fofana actually it's because he's not sensible enough to have ran  
15:06:57 20 away. You see, when they send the machete down to cut him he  
21 sends his hand there. So his hands had so many slashes and the  
22 head too. So when they were saying this, from them I knew that  
23 these were the victims on that day.

24 Q. And, Mr witness, was he in hospital with you, Sedafa  
15:07:22 25 Fofana?

26 A. Yes, sir, he was with me. He was removed later.

27 Q. How do you know that he died later?

28 A. The message met us.

29 Q. Coming from where?

1 A. From Freetown here that he's dead. His father went with  
2 the message.  
3 Q. Now, Mr Witness, we're talking about -- you told us that a  
4 Loko man was wounded in Karina on that day?  
15:07:47 5 A. Yes, sir.  
6 Q. Was anyone else wounded in Karina on that day?  
7 A. Yes, sir.  
8 Q. Could you tell this Court who was wounded?  
9 A. Alhaji Sheku Sheriff and his wife Tity were wounded.  
15:07:59 10 Q. Could you spell Sheku for the Court?  
11 A. S-H-E-K-U.  
12 Q. Could you spell Tity?  
13 A. T-I-T-Y, Tity.  
14 Q. How do you know that Alhaji Sheku Sheriff and Tity Sheriff  
15:08:16 15 were wounded on that day in Karina? How do you know that?  
16 A. They are our neighbours.  
17 Q. Sorry?  
18 A. They are my neighbours.  
19 Q. Did you speak with them?  
15:08:23 20 A. Yes, I spoke with them.  
21 Q. Did they tell you that?  
22 A. Yes, sir. I mean, it is obvious that it was on Thursday  
23 because no other attack has been done like that to say they  
24 attacked Karina on Wednesday, then Thursday was another attack.  
15:08:38 25 It was Thursday that was the attack.  
26 Q. Could you describe the wound of Alhaji Sheku Sheriff?  
27 A. It was on the head.  
28 Q. And do you know what happened to him?  
29 A. Yes, sir. He was healed in the Government hospital and

1 discharged. The wife too.

2 Q. Could you describe the wound of Tity Sheriff?

3 A. Yes, sir, it was on the head too. She too was treated

4 there. After healing she was discharged.

15:09:04 5 Q. Okay. Now, Mr witness, anyone else was wounded in Karina

6 on that day?

7 A. Well, no. I think this is all now. Only that those taken

8 along, two small girls and their little brother were taken and

9 never came again. Those are the grandsons of my aunt in that

15:09:27 10 with us -- [Overlapping speakers]

11 Q. Please do not give any names. I just want to know when did

12 they leave?

13 A. That very Thursday morning.

14 Q. When?

15:09:38 15 A. That very Thursday morning they were taken along. Two

16 little girls and their younger brother.

17 Q. When you say "they were taken along," by whom were they --

18 A. By those armed men.

19 Q. And do you know what happened to them?

15:09:53 20 A. They didn't come again.

21 Q. Now, Mr witness, you told us before that you saw one

22 soldier setting one house on fire?

23 A. Yes, sir.

24 Q. Did you see other houses being set on fire on that day in

15:10:15 25 Karina?

26 A. Yes, sir.

27 Q. Could you tell this Court what you saw?

28 A. In all I saw five houses on fire.

29 Q. Sorry?

1 A. Five houses on fire. I saw five houses on fire.  
2 Q. Did you see them?  
3 A. I saw them burning. In fact, there was the smoke that day,  
4 while we were lying there.  
15:10:37 5 Q. Now, Mr witness, did anything happen to your house?  
6 A. To my house?  
7 Q. Yes.  
8 A. well, when I came later on I met my clothes were looted and  
9 my flags.  
15:10:51 10 Q. who looted your clothes and your flags?  
11 A. well, I would just say it is the same men. I have no one  
12 to blame for that.  
13 Q. Do you know if there was any other looting on that day?  
14 A. Yes. Haja Sesay, she was looted.  
15:11:09 15 Q. Could you spell Haja for the Court?  
16 A. H-A-J-A.  
17 Q. who was Haja Sesay?  
18 A. Haja Sesay Sheriff.  
19 Q. who was she? Did you know her?  
15:11:20 20 A. Yes, I know Haja Sesay Sheriff.  
21 Q. okay, and did you speak with her?  
22 A. well, when I came back of course.  
23 Q. what did she say? Did she tell you anything?  
24 A. Yes, sir.  
15:11:31 25 Q. what did she tell you?  
26 A. They looted her money.  
27 Q. Do you know how much money?  
28 A. Yes, sir.  
29 Q. Could you tell this Court how much money they looted?



1 A. It was 900,000 leones.  
2 Q. Do you know who did they? Did she tell you who did that?  
3 A. Yes, it was those men. That was on Thursday morning.  
4 Q. Can you remember any other looting on that day?  
15:11:57 5 A. Well, those were the looting that I knew of.  
6 Q. Now, Mr witness, what happened -- so you told us that you  
7 saw many men and women coming and then leaving. Then what  
8 happened?  
9 A. Men left. Those Nomiross men, armed men left, the number  
15:12:23 10 of which was more than 150 armed men. They were marching along  
11 Mandaha.  
12 Q. Could you spell Mandaha for the Court?  
13 A. M-A-N-D-A-H-A, Mandaha.  
14 Q. How do you know that they were marching towards Mandaha?  
15:12:41 15 A. Because it was --  
16 MR FOFANAH: Objection, did he say towards or, I mean --  
17 PRESIDING JUDGE: No, he did not say towards.  
18 MR WERNER: Sorry, I misunderstood.  
19 Q. So where were they going, these armed men?  
15:12:53 20 A. These armed men, later on it was known now that they were  
21 going to Mandaha. But previously they were leading towards  
22 Mandaha, but later on we came to know that they went to Mandaha.  
23 Q. Okay. Mr witness, what did you do after that, yourself?  
24 A. Myself, I tried to gain movement now to come to my mother's  
15:13:19 25 verandah while those houses were on fire. The house opposite  
26 where I was lying had finished burning, then the one in front of  
27 my mother's house has finished burning. But two house after --  
28 two house down a bit and one house by my mother's residence was  
29 still in fire. It was still on fire when I tried to sit down.

1 Q. And what happened after that? what did you do after that?

2 A. Well, my mother now came. I heard her crying while she was  
3 coming. She said my brothers have all gone today and left me.  
4 So she was crying when she came. When she came she saw me. But  
15:14:02 5 when she came closer now, she saw me in pool of blood and she  
6 started to cry more and more again.

7 Q. And what happened to you after that, Mr witness? what did  
8 you do after that?

9 A. She came to remove my shirt from my body. So I started  
15:14:19 10 bleeding more because the cloth had dried to me wounds. So I  
11 started bleeding. She prepared place in the parlour there for me  
12 to go and lay down and rest.

13 Q. And what did you do after that?

14 A. Well, later a younger cousin came from the bush. He asked  
15:14:39 15 for my mother to look for hammock so that he will invite friends,  
16 they will take me to the Karina junction. Say he has heard that  
17 the Red Cross has known about the incident, about this danger  
18 now. He say they have started coming to collect people. So my  
19 mother should provide hammock so that he will take me to the  
15:15:00 20 junction. Then the Red Cross will come for me there. Now my  
21 mother went to the store -- to her store to look for the hammock.  
22 well, the little boy said, "well, cousin, since aunt is looking  
23 for the hammock, let me go round and see what has been done. Let  
24 me see." I said, "Okay." He left me lying, he went there. Then  
15:15:21 25 after some time he came, he said, "Cousin, you have numerous  
26 wounds and then you -- the bleeding was too much." He said, "But  
27 the section chief, Alhaji Saccoh, has only one wound on the  
28 head." He said, "The wound is too severe. I want to take that  
29 to the -- to Karina junction in the hammock so that I will come

1 for you later."

2 Q. Okay, Mr Witness, did you go to Karina junction? Did you

3 go to Karina junction?

4 A. I went to Karina junction but the following day.

15:15:57 5 Q. And on the way -- could you describe to the Court the route

6 you took to go to Karina junction?

7 A. Yes, sir. I reached Mayomgbo.

8 Q. Could you spell that name for the Court?

9 A. M-A-Y-O-M-G-B-O, Mayomgbo.

15:16:17 10 Q. Where is Mayomgbo?

11 A. Mayomgbo is yards away from Karina. To say 350 to 400

12 yards away from Karina.

13 Q. Okay. Did you see anything in Mayomgbo?

14 A. Yes, sir, I saw corpses.

15:16:34 15 Q. How many?

16 A. I saw three corpses.

17 Q. Did you know these people before?

18 A. Yes, sir.

19 Q. Do you know their names?

15:16:42 20 A. Kalilu Kallay, I saw him.

21 Q. Could you spell that name for the Court?

22 A. Capital K-A-L-I-L-U.

23 Q. Could you spell Kallay as well?

24 A. K-A-L-L-A-Y, Kallay.

15:16:54 25 Q. Any --

26 A. Sayone.

27 Q. Could you spell the name?

28 A. S-A-Y-O-N-E, Sayone.

29 Q. Anyone else?

1 A. Yes, sir. Mohamed Koroma.  
2 Q. Now, did you look at those bodies? Did you look?  
3 A. Yes, sir. I looked at their bodies. With Kalilu I saw  
4 blood. With Sayone there was dried grass, burnt dried grass on  
15:17:27 5 top of him now, his corpse. They laid, as I understood, it was  
6 the grass of a mattress. They scattered round him and burnt it.  
7 Q. How did you understand that?  
8 A. I saw it. I saw burnt grass.  
9 Q. But you say "how I understood"?  
15:17:42 10 A. No, I saw burnt grass on him. To know that the grass came  
11 from mattress is what I mean.  
12 Q. How did you know that?  
13 A. It was someone now who told me that the grass came from a  
14 mattress and that it was the mattress he was lying on.  
15:17:58 15 Q. Now what about Mohamed Koroma?  
16 A. Mohamed Koroma, I saw his corpse.  
17 Q. What did you see when you looked at Mohamed Koroma?  
18 A. No, I didn't try to look to that.  
19 Q. Did you see anything else, Mr Witness, at Mayomgbo?  
15:18:14 20 A. Yes, sir. I saw burnt houses.  
21 Q. How many?  
22 A. I saw three burnt houses.  
23 Q. Where did you go after Mayomgbo?  
24 A. After Mayomgbo I went to Ndaraya.  
15:18:24 25 Q. Could you spell that name for the Court?  
26 A. Capital N-D-A-R-A-Y-A.  
27 Q. What is the distance between Mayomgbo and Ndaraya?  
28 A. The distance between Mayomgbo and Ndaraya, maybe 500 to 550  
29 yards.

1 Q. okay. Did you see anything in Ndaraya?  
2 A. Yes, sir, I saw.  
3 Q. what did you see in Ndaraya?  
4 A. I saw two corpses. The corpse of two ladies. Different  
15:18:51 5 places.  
6 Q. Did you know them?  
7 A. Yes, sir. I knew them before.  
8 Q. who were they?  
9 A. The first one was Fanta Turay. The mother of twin  
15:19:07 10 partners.  
11 Q. Could you just spell Turay for the Court?  
12 A. T-U-R-A-Y.  
13 Q. And did you look at the corpse of Fanta Turay?  
14 A. No, sir. I didn't try to look. But each time if I tried  
15:19:22 15 to see, I will see blood. This is -- I want you to be convinced.  
16 Q. what about the other corpse, Mr Witness?  
17 A. That one has -- in fact, while I was passing I saw blood in  
18 the verandah there.  
19 Q. You say that you knew both of them. You told about Fanta  
15:19:42 20 Turay. who was the other one?  
21 A. Kaday Fofanah.  
22 Q. Could you spell kaday for the Court?  
23 A. K-A-D-A-Y, Kaday.  
24 Q. I believe Fofanah was already spelt.  
15:19:54 25 A. F-O-F-A-N-A-H, Fofanah.  
26 Q. Mr witness, after Ndaraya where did you go?  
27 A. well, there is two houses between Ndaraya and a village  
28 called Kamadogbo.  
29 Q. Could you spell kamadogbo for the Court?

1 A. K-A-M-A-D-O-G-B-O.  
2 Q. what is the distance between Ndaraya and Kamadogbo?  
3 A. well, between Ndaraya and Kamadogbo it's just 20 to 25  
4 yards.  
15:20:34 5 Q. Did you see anything on the way?  
6 A. Yes, sir.  
7 Q. what did you see?  
8 A. They had two houses. One on the right, one on the left.  
9 Now, the one on the left is an unfinished house. The one on the  
15:20:48 10 right is a finished house. It was burnt down.  
11 Q. Did you enter Kamadogbo?  
12 A. Yes, sir.  
13 Q. Did you see anything in Kamadogbo?  
14 A. Yes, sir. The first house on the right was burnt down and  
15:21:01 15 I even came to know that two boys there now, they met me, we were  
16 together in the hospital, in the Catholic mission hospital in  
17 Makeni.  
18 Q. where?  
19 A. Two boys now. They were Marco -- two boys, however. The  
15:21:20 20 one was amputated, he was amputated on that same day, and the one  
21 was slashed on the neck and on the hand.  
22 Q. Did you speak with them?  
23 A. while we were in the hospital, yes.  
24 Q. And what did they tell you?  
15:21:32 25 A. They were from Kamadogbo.  
26 Q. And did they tell you what happened to them?  
27 A. Yes, sir. They were attacked the same morning as I was.  
28 Q. Did they tell you who attacked?  
29 A. Yes, sir. They said the same men.

1 Q. what do you mean "the same men"?  
2 A. Those men who attacked us in Karina. They said they were  
3 passing from Bonoya so they met them. It was early in the  
4 morning.  
15:22:01 5 Q. Now, where did you go after Kamadogbo?  
6 A. After Kamadogbo I went to Bonoya.  
7 Q. Could you spell Bonoya for the Court?  
8 A. B-O-N-O-Y-A.  
9 Q. Did you enter Bonoya?  
15:22:16 10 A. Yes, sir, I entered Bonoya.  
11 Q. Did you see anything in Bonoya?  
12 A. Yes, sir. I saw burnt houses but I didn't see any corpse.  
13 Q. Now, Mr witness, you talk about the Makeni hospital. Did  
14 you go to the Makeni hospital?  
15:22:35 15 A. Yes, sir. A government hospital. I was first hospitalised  
16 there.  
17 Q. How many days did you spend there?  
18 A. Well, I spent eight days there, sir.  
19 Q. And what happened to you there?  
15:22:45 20 A. I was treated and then referred later on. On the eighth  
21 day I was referred to the Red Cross at the Javohey Home.  
22 Q. Could you spell Javohey?  
23 A. Javohey. This is how the catholics, the nurse there, they  
24 call there. It is a boarding -- it is a boarding home for girls.  
15:23:11 25 Q. Could you spell Javohey for the Court?  
26 A. J-A-V-O-H-E-Y, Javohey.  
27 Q. Mr witness, in the Makeni hospital you told us that you  
28 spoke with two boys from Kamadogbo. Did you speak with anyone  
29 else in the Makeni hospital?

1 A. In the Makeni hospital?  
2 Q. Yes.  
3 A. I want to specify the hospitals.  
4 Q. Yes, Makeni -- are you okay, Mr Witness?  
15:23:55 5 A. Because the Makeni has two hospitals.  
6 Q. Yes, sorry. The government Makeni hospital where you spent  
7 eight days.  
8 A. Yes, sir.  
9 Q. Okay, I'm talking about this one now.  
15:24:07 10 A. Yeah.  
11 Q. The Government hospital where you spent eight days.  
12 A. Yes, sir.  
13 Q. You told us that you met two people from Kamadogbo?  
14 A. No, sir, not from Kamadogbo.  
15:24:16 15 Q. Sorry.  
16 A. I saw from Mayomgbo. I saw three women and a man stabbed  
17 in the abdomen.  
18 Q. Where did you meet these people?  
19 A. They came -- we were in the hospital, in the Makeni  
15:24:30 20 Government hospital. They were from Mayomgbo. The man was  
21 slashed in the abdomen. One of the ladies was amputated. It was  
22 there again that I remained and there was a patient by my bed who  
23 was admitted and given a bed by my own bed. He was amputated.  
24 But exactly I didn't try to know, but later on I came to  
15:24:58 25 realise -- to understand the attack in Kathanta was the same  
26 attack.  
27 Q. Pause here just for one second, Mr witness. Let's talk for  
28 one second about the one from Mayomgbo. Did you speak with them?  
29 A. Those from Mayomgbo?



1 Q. Yes.  
2 A. Yes, sir.  
3 Q. what did they tell you?  
4 A. They were attacked there.  
15:25:18 5 Q. who attacked them?  
6 A. The armed men.  
7 Q. which armed men?  
8 A. The juntas.  
9 Q. Did they tell you when they were attacked in Mayomgbo?  
15:25:26 10 A. It was on Thursday.  
11 Q. Now, you talked about someone from Kathanta?  
12 A. Yes, sir.  
13 Q. Could you spell Kathanta for the Court?  
14 A. K-A-T-H-A-N-T-A.  
15:25:42 15 Q. In which district is Kathanta?  
16 A. Bombali District.  
17 Q. Did you speak with that person from Kathanta?  
18 A. Yes, sir.  
19 Q. And was he a man or a woman?  
15:25:53 20 A. He was a male, man.  
21 Q. And did he tell you anything?  
22 A. Yes, sir.  
23 Q. what did he tell you?  
24 A. He was amputated, both hands were amputated. Now he said  
15:26:02 25 it happened in Kathanta early in the morning.  
26 Q. And did he tell you who did that?  
27 A. Yes, sir.  
28 Q. what did he tell you?  
29 A. He said the same people that hurt me were the same people

1 who hurt him.

2 Q. Now, Mr Witness, did you see anyone -- I'm talking now  
3 about the governmental Makeni hospital. Did you meet anyone else  
4 there in the governmental Makeni hospital?

15:26:28 5 A. If I meet people there?

6 Q. Did you meet or did you speak with anyone that you can  
7 remember?

8 A. well, I spoke with these people from Mayomgbo. I spoke  
9 with them.

15:26:38 10 Q. Okay. Did you speak with anyone else?

11 A. well, except this Sedafa because they were hospitalised  
12 there but they were helpless. He was helpless because they had  
13 already removed Alhaji Saccoh to Freetown here and Kankoh Fanta,  
14 they brought them here to Freetown.

15:26:58 15 Q. That's fine. Now, Mr Witness, when you were in the  
16 Catholic mission how many days did you spend in the Catholic  
17 mission?

18 A. well, I spent 37 days.

19 Q. How many?

15:27:08 20 A. 37 days. I even have my discharge card. I spend -- I took  
21 one month, 15 days in the hospital.

22 Q. And what did you do during 37 days in the Catholic mission?  
23 what did you do?

24 A. I was there for treatment. They washed my wounds every  
15:27:32 25 day.

26 Q. Mr Witness, in the Catholic mission did you speak with  
27 anyone else?

28 A. In the Catholic mission?

29 Q. Yes.

1 A. With doctors.  
2 Q. Okay, and apart from doctors did you speak with anyone  
3 else?  
4 A. Yes, sir.  
15:27:47 5 Q. With whom did you speak?  
6 A. Well, I spoke with Americans. They were going there.  
7 Q. Okay. Anyone else?  
8 A. Yes, sir. Nigerians, they were going there.  
9 Q. Anyone from your district?  
15:28:03 10 A. From my district, yes, I saw a young man in Ndaraya. He  
11 too was hurt and admitted there.  
12 Q. When you say "I saw" --  
13 A. I saw him there. I saw the man there.  
14 Q. In the Catholic mission?  
15:28:17 15 A. Yes, sir.  
16 Q. And where was he from?  
17 A. He said he was from Ndaraya.  
18 Q. And did you speak with him?  
19 A. Yes, sir.  
15:28:23 20 Q. And did he tell you anything?  
21 A. Yes, sir. He said he was hurt the same morning as myself  
22 but he now, when the hurt was inflicted he started running from  
23 kamadogbo. He started running.  
24 Q. And did he tell you who did that to him?  
15:28:41 25 A. He said it was the juntas.  
26 Q. And when?  
27 A. He said it was the same Thursday. Then I saw Sahr Lebbie  
28 again. Sahr Lebbie, he now -- with Sahr Lebbie, I have never  
29 known him -- I mean, to have decided to come to Kono. But what

1 really happened, when we saw now he said he had went with a woman  
2 there. He said a lady took him along because of the war, the war  
3 in Kono. So she took him there.

4 Q. Mr witness, Sahr Lebbie -- is he the same Sahr Lebbie you  
15:29:23 5 referred to before?

6 A. The same Sahr Lebbie?

7 Q. You told us about one Sahr?

8 A. Sahr Lebbie, yes. I saw him during the hospital there. He  
9 had a slash on the hand.

15:29:32 10 Q. Okay. And did he tell you who did that?

11 A. He said it was the same juntas. In fact, he said while  
12 they were trying to cut him down he had to set his hand there.  
13 It was one sharp cut that was given to the hand and he jumped and  
14 ran away from the man.

15:29:51 15 Q. And when did that happen to Sahr Lebbie?

16 A. He said it was on that same Thursday.

17 Q. No, where, where?

18 A. In Karina.

19 MR WERNER: Thank you very much, Mr witness. I don't have  
15:30:06 20 any further questions.

21 PRESIDING JUDGE: Counsel, will there be cross-examination?  
22 I'm just looking at the time.

23 MR MANLY-SPAIN: Yes, Your Honour.

24 PRESIDING JUDGE: I think it might be appropriate to have  
15:30:51 25 the afternoon adjournment and then start the cross-examination on  
26 return. Mr Court Attendant, please adjourn court for 15 minutes.

27 [Break taken at 3.25 p.m.]

28 [AFRC140705E-SGH]

29 [On resuming at 3.45 p.m.]

MS THOMPSON: Your Honours, I have remained standing to offer my  
2 apologies to the Court.

3 PRESIDING JUDGE: [Microphone not activated]

4 MS THOMPSON: I am sorry, Your Honour.

15:49:32 5 PRESIDING JUDGE: I said could you please repeat that, I  
6 did not hear.

7 MS THOMPSON: I am sorry, I was saying I remained standing  
8 to offer my apologies to the Court.

9 PRESIDING JUDGE: We were concerned that your client --  
15:49:54 10 since quarter past two, there has been nobody in here.

11 MS THOMPSON: Yes, Your Honour, it was really circumstances  
12 which I will not put before the Court now, but I do believe  
13 Mr Spain was indeed watching our brief, as it were.

14 PRESIDING JUDGE: He did inform us of that.

15:50:15 15 MS THOMPSON: Yes. I did come as soon as I was able to.  
16 In fact the reason why I didn't apologise before we went on the  
17 short break was because I was still trying to catch my breath  
18 having run up here. Your Honour, I do apologise and I do tell  
19 this Court that it is not something that will repeat.

15:50:32 20 PRESIDING JUDGE: Right. I will just remind counsel of  
21 their duty to be present in court to represent their clients and  
22 the obligations imposed upon them according to the directives of  
23 this Court.

24 MS THOMPSON: Thank you, Your Honour.

15:50:44 25 JUDGE SEBUTINDE: Counsel, all of you on the Defence side,  
26 we were just wondering. The rules say that every accused person  
27 is entitled to be represented by his own counsel. I am sure you  
28 are aware of that rule. And in fact they prohibit counsel  
29 representing two accused persons, unless specifically the accused

1 person has consented to that situation arising. And we have been  
2 noting with concern really this practice of a watching brief and  
3 we are concerned that we may be causing an injustice along the  
4 way if we permit this to go. I do not know how you interpret the  
15:51:34 5 rules. Ordinarily, it may not matter if you hold a watching  
6 brief for one another, but the rules clearly prohibit it, unless  
7 the accused person himself has consented at that stage that that  
8 be so. We have not yet got it on the record that that is so.  
9 whether you get up to go to the bathroom or whether you are held  
15:51:50 10 up somewhere, whatever the circumstance, we are concerned that  
11 this situation continues to arise and may lead to a grave  
12 injustice as we go along. We don't know how you see it.

13 MR MANLY-SPAIN: May it please Your Honour. We will  
14 discuss this amongst ourselves and we shall put the position  
15:52:08 15 right.

16 PRESIDING JUDGE: Thank you, Mr Manly-Spain. The witness  
17 has completed his evidence-in-chief.

18 MR MANLY-SPAIN: Yes, Your Honour.

19 CROSS-EXAMINED BY MR MANLY-SPAIN:

15:52:29 20 Q. Good afternoon, Mr Witness.

21 A. Good afternoon, sir.

22 Q. Yes, I have a few questions for you which I would like you  
23 to answer. Mr Witness --

24 A. Yes, sir.

15:52:42 25 Q. During your evidence-in-chief you said to this Court or  
26 words to the effect, "It was Thursday that they attack ... that  
27 the attack was done because there was no other attack on Karina".  
28 Do you remember saying that?

29 A. Yes. It was May Thursday.

1 Q. And, Mr witness, am I right to say that you said the date  
2 was either 7th or 8th May 1998?  
3 A. Yes.  
4 Q. Thank you, Mr witness. Mr witness --  
15:53:14 5 A. Yes, sir.  
6 Q. -- as you lived in Karina are you still living in Karina?  
7 A. I am still living there, yes.  
8 Q. Can you tell me how many houses there are in Karina?  
9 A. well, exactly I have never made intentions for that. I  
15:53:57 10 could only guess when they had the youth integration training  
11 there. We are given such homework to find out how many houses  
12 are in Karina. But I have not gone as far as to take in the  
13 number of houses in Karina.  
14 Q. would you say, Mr witness -- thank you. would you say that  
15:54:12 15 there are more than 50 houses in Karina?  
16 A. well, there are up to 200.  
17 Q. Yes, up to 200 houses in Karina. Mr witness, do you know  
18 of Bonoya? Do you know how many houses are there at Bonoya?  
19 A. Yes, sir, I would say there are 150 houses.  
15:54:36 20 Q. 150 houses. Mr witness --  
21 A. Yes, sir.  
22 Q. -- how many houses did you see were burnt that day in  
23 Karina?  
24 A. In Karina? well, I am not trying to say how many houses  
15:55:02 25 were burnt in Karina. I was trying to say how many houses were  
26 burnt in Karina on that day that I saw. That was on Thursday  
27 morning.  
28 Q. Thank you, that is what I am asking you.  
29 A. There were five houses.

1 Q. Five houses. You saw how many houses burnt in Bonoya?  
2 A. Yes, sir, I saw how many houses burnt?  
3 Q. How many were there?  
4 A. Well, exactly I was not attentive about that, but I knew  
15:55:45 5 the damage is there.  
6 Q. On that day, Mr witness --  
7 A. Yes, sir.  
8 Q. -- how many corpses did you see at Karina?  
9 A. Well, except you allow to me count.  
15:56:17 10 Q. Please, please do.  
11 A. I saw the corpse of Fullah man. I saw corpse of  
12 Manju Mansaray. I saw the corpse of Sayone Alpha Sheriff. I saw  
13 the corpse of Junnu Mansaray. I saw the corpse of Alhaji Baba  
14 Sheriff. I saw the corpse of Alhaji Issa Sheriff. Promptly  
15:56:44 15 those were the corpses that I saw.  
16 Q. So how many have you counted?  
17 A. I have counted six.  
18 Q. Six corpses. Thank you. How many wounded people did you  
19 see there that day?  
15:57:00 20 A. In Karina?  
21 Q. In Karina, yes.  
22 A. Well, to be accurate I saw two.  
23 Q. Two people?  
24 A. Yes.  
15:57:29 25 Q. You mentioned, Mr witness, that bodies were buried at the  
26 back of your house; not so?  
27 A. Yes, sir.  
28 Q. How many bodies did you see that were buried at the back of  
29 your house?



1 A. I saw the bodies of Alhaji Issa Sheriff, Alhaji Baba  
2 Sheriff, Sayone Alpha Sheriff, Manju Mansaray, Junnu Mansaray,  
3 and a Fullah man. I saw their corpses.  
4 Q. Again six?  
15:57:55 5 A. They were all buried behind my window.  
6 Q. That is six. The number is six; is that so?  
7 A. It is six.  
8 Q. Yes, thank you. Mr witness, in Bonoya when you were  
9 passing to go to Karina Junction, did you say you saw burnt  
15:58:20 10 houses but no corpses?  
11 A. Yes, I saw burnt houses but no corpses.  
12 Q. Are you able to tell us how many burnt houses you saw?  
13 A. well, I said for now, but at that time I can't tell you.  
14 Q. If you know now can you tell us how many?  
15:58:40 15 A. Yes. well, I know of four.  
16 Q. Four. Did you see amputated people in Karina?  
17 A. well, no amputee came from Karina.  
18 Q. No amputee came from Karina. And, Mr witness --  
19 A. Yes, sir.  
15:59:10 20 Q. whilst you were going to Karina Junction, were you walking  
21 or were you being carried on somebody's back?  
22 A. I was walking.  
23 Q. You were walking?  
24 A. I cannot be carried away.  
15:59:33 25 Q. Thank you. Then finally, Mr witness, you have spoken about  
26 junta. Do you know the meaning of junta?  
27 A. Yes.  
28 Q. what is it?  
29 A. That is a lawless man who is armed.

1 Q. Thank you very much, Mr Witness.  
2 MS THOMPSON: Your Honour, I have no questions for this witness.  
3 PRESIDING JUDGE: Mr Daniels, have you any questions for  
4 the witness? Mr Manly-Spain, your microphone.  
16:00:14 5 MR DANIELS: Thank you, Your Honour.  
6 CROSS-EXAMINED BY MR DANIELS:  
7 Q. Mr Witness, good afternoon.  
8 A. Good afternoon, sir.  
9 Q. Mr Witness, on 18th January 2003 you gave an interview to  
16:00:37 10 the Special Court Prosecution; do you remember?  
11 A. 18th January.  
12 Q. Yes.  
13 A. 2003. At this Court?  
14 Q. The Prosecution office, not this Court. People from the  
16:00:52 15 Prosecution office.  
16 A. Where, which office?  
17 Q. This of the Special Court.  
18 A. It is not me.  
19 MR WERNER: I just raise to help. Prosecution office may  
16:01:08 20 be confusing for the witness and if my learned friend would say  
21 investigator that may help because I think it is a bit confusing.  
22 PRESIDING JUDGE: Mr Werner, you must allow counsel to put his own  
23 questions.  
24 MR DANIELS:  
16:01:29 25 Q. You heard that, did you give an interview to an  
26 investigator?  
27 A. Interview, you mean in Freetown here?  
28 Q. No.  
29 A. Where is it?

1 Q. In Karina?  
2 A. In Karina?  
3 Q. Yes.  
4 A. well, people have been going there taking statements.  
16:01:46 5 Q. From you?  
6 A. Yes.  
7 Q. And I have talking about 18th January 2003.  
8 A. well, I am sorry, sir. You see, if you quote dates you  
9 will send me differently. You see each time they go there to  
16:02:13 10 take statements from us, they try for as much for us to  
11 understand, not the importance of what we are on, but the  
12 importance of the truth is what they are in need of. This is how  
13 they take to meet with us. If you want to quote date or figures  
14 except you give us certain priority. If not we --  
16:02:37 15 Q. okay, let us just say in early 2003.  
16 A. Yes, when you quote date, I mean --  
17 Q. Is that okay?  
18 A. You have not given me priority.  
19 Q. The question I am asking is that have you given an  
16:02:59 20 interview about this incident to the Prosecution office of this  
21 Court -- to an investigator? Have you given a statement before?  
22 A. I have given statements.  
23 Q. And --  
24 A. Not even one statement.  
16:03:10 25 Q. You have given several statements?  
26 A. Several statements.  
27 Q. So it is possible that you gave one on the 18th or at least  
28 in January 2003?  
29 A. It could be possible, sir.

1 Q. Very well. Very well. Well, I have a statement here  
2 signed by you.  
3 A. Yes.  
4 Q. And I just want to refer you to a couple of things of your  
16:03:26 5 statement --  
6 A. Okay.  
7 Q. -- so that perhaps you could refresh your memory.  
8 A. Okay.  
9 Q. Before I can get onto that, in your testimony today --  
16:03:44 10 A. Yes.  
11 Q. -- you told this Court that on that Thursday you were made  
12 to lie down, to lie prostrate with your face to the ground. Do  
13 you remember?  
14 A. I remember.  
16:04:08 15 Q. And you said at that time you were chopped with a cutlass  
16 on your head.  
17 A. Yes.  
18 Q. On two occasions?  
19 A. Three.  
16:04:15 20 Q. Three occasions. You remember you said that?  
21 A. Yes, sir.  
22 Q. You also said that you saw at that time a soldier throw a  
23 little girl from the second floor of a storey building. Do you  
24 remember you said that?  
16:04:38 25 A. I remember.  
26 Q. So the question I want to ask you is how were you able to  
27 see that it was a soldier throwing somebody from the second  
28 storey of a building while your face was to the ground?  
29 A. If this had been a previous statement --

1 Q. No, I am not talking about a previous statement. I am  
2 talking about [Overlapping speakers]

3 A. Please excuse me, sir. The question you are asking now,  
4 you are trying to refer me to a statement which I had given  
16:05:12 5 earlier this January 2000 -- earlier January 2003. Is that not  
6 it? [Overlapping speakers]

7 Q. I will come to that. I am talking about what you have said  
8 today.

9 A. It is what I am coming to. I am coming to now. If you  
16:05:24 10 refer to soldier in this case, as I have termed the entire group  
11 to be juntas, if you refer to them to be soldiers, then you are  
12 locally trying for us to -- for me to understand the meaning of  
13 juntas. Because the local people in our area they are called  
14 soldiers to be juntas. They call juntas to be soldiers. But I  
16:05:47 15 normally -- what I know are juntas are un-uniformed men, armed  
16 un-uniformed men who are lawless. So I cannot see -- I mean, an  
17 armed man who is not uniformed throwing a little girl from a  
18 two-storey building to the ground. I say he is a soldier. All I  
19 know soldiers dress in combats.

16:06:05 20 PRESIDING JUDGE: Just a moment, Mr Daniels. My record says, "I  
21 saw one of them throw a little girl."

22 MR DANIELS: I have that, Your Honour.

23 Q. I will quote what you said today, earlier on today. You  
24 said, "I saw one of them throwing a little girl from up the  
16:06:25 25 storey building." That is what I have.

26 A. I said so, but I didn't say he was a soldier.

27 Q. So who was? Who were you referring to when you said  
28 "them"?

29 A. When I said one of them, he is the armed men who were

1 passing commands. They were passing commands -- they asked  
2 certain people.

3 Q. Now, thank you very much. The question I am asking is, if  
4 you face was to the ground, how did you see someone throwing a  
16:06:54 5 person from a storey building?

6 A. This is why I said when I prostrated on the ground my face  
7 was rested on my hands. I didn't bury my face to the ground.

8 Q. What time did that incident take place? What time of day?

9 A. In the morning hours.

16:07:28 10 Q. And not long after that you said that you saw more than 150  
11 armed men marching by. You said it two times. Do you remember?  
12 You said that today.

13 A. Yes. I saw more than 150 plain cloths men, armed person  
14 while I was lying on the ground. In fact I pretended as if I am  
16:07:53 15 dead.

16 Q. Mr Witness, I want to read to you a portion of your  
17 statement that was in January 2003.

18 A. Okay.

19 Q. Respectfully, I wish to refer to page 13862. The last  
16:08:33 20 paragraph, second line from the bottom. I will read: "I saw our  
21 20 men marching passing along us going to the direction where the  
22 other men went." I will read it before. "I tried my face to the  
23 ground and I put my eyes to watch what was going on. I saw our  
24 20 men marching passing along us going the direction of where the  
16:09:00 25 other men went." Did you make that statement?

26 A. If the statement had given the figure to be 200, I may say  
27 you are correct. But to say 20, that has never been stated by  
28 me. Why I believe there were more than 100 and cannot quote 20.

29 Q. So you are saying that if the figure here is 20, it is not

1 correct?

2 A. Yes, I want you to give me that regard as a teacher that I  
3 am calculative.

4 Q. That is exactly what I am doing.

16:09:29 5 A. Yes.

6 Q. I want to give you that regard.

7 A. Okay. I am calculative.

8 Q. Thank you very much. So it is not correct? What is in  
9 record is not correct?

16:09:44 10 A. Well, I said it was 150. If that figure had shot to 100 I  
11 would have accept it. But 20, no. I have never said so.

12 Q. Very well.

13 MR HODES: Your Honours, I rise only -- I apologise. I rise only  
14 to point out that in the hand-written report on page 13857, this looks  
16:10:05 15 like a scrivener's error in that he says specifically in the handwritten  
16 portion, "I saw over 200 men marching". It is the same part of the  
17 paragraph that my colleague is citing to in the typed portion. So I  
18 would just ask that the Court take notice of that as well as Defence  
19 counsel that it could actually be just simply a scrivener's error.

16:10:37 20 PRESIDING JUDGE: Yes, Mr Daniels, do you see the original  
21 referred to by counsel?

22 MR DANIELS: Yes.

23 PRESIDING JUDGE: It does say 200.

24 MR DANIELS: Very well, My Lord, it just shows us that  
16:10:45 25 there can be mistakes in the typewritten testimony.

26 PRESIDING JUDGE: Indeed.

27 MR DANIELS: Thank you very much.

28 Q. You also said - and I am referring to a statement taken  
29 from you on 12th and 13th July. In the last couple of days a

1 statement was taken from you from an investigator of the  
2 office of the Prosecution. Do you remember?  
3 A. July, this month?  
4 Q. Yes, the last couple of days.  
16:11:17 5 A. Okay.  
6 Q. You remember?  
7 A. Yes.  
8 Q. Okay. You said very early on - and I am referring to  
9 paragraph one - that, "I saw some civilians leaving my village on  
16:11:31 10 the order of one commander." Do you remember saying that?  
11 A. Well, I didn't give statement this July. The statement was  
12 read to me, but I didn't give any statement. The statement was  
13 read to me.  
14 Q. Very well. But I am saying that the orders that were given  
16:11:50 15 were they by one, a commander?  
16 A. Now, the statement read to me they didn't even describe  
17 what you are now saying. They described, I mean, a junta asking  
18 his men to allow young men to take their baggage and form a queue  
19 of line. That is what I said in the statement. Now armed men  
16:12:32 20 were in front of these lines and then they were by their sides;  
21 the left side and the right side.  
22 Q. So would you per chance know the name of the person who  
23 gave any command on that day?  
24 A. Well, actually I was helpless that day. I cannot even  
16:12:54 25 remember their faces again.  
26 Q. So the answer is you cannot remember?  
27 A. I cannot remember even their faces to say their names.  
28 Q. And you also told this Court today that some 9,000 Leones  
29 were looted from -- -



1 MR WERNER: I am sorry, I said 900,000.  
2 MR DANIELS: 900,000, I beg your pardon, Leones were looted  
3 from the house of Aunt Haja Sesay?  
4 A. Sheriff, yes.  
16:13:22 5 Q. Yes, you said that.  
6 A. Yes. Yes, I said so. It happened.  
7 Q. Did you happen to know that Haja Sesay had 900,000 Leones  
8 before it was looted? Before it was looted?  
9 A. No, I never knew she had 900,000 Leones. But I know she  
10 gets money.  
11 Q. So, you never saw 900,000 Leones?  
12 A. I didn't see 900,000 Leones, but I know that she gets  
13 money.  
14 Q. Very well. Thank you very much.  
15 A. Thank you, sir.  
16 MR DANIELS: Your Honour, that will be all.  
17 PRESIDING JUDGE: Re-examination, Mr Werner?  
18 MR WERNER: No re-examination. Thank you, Your Honour.  
19 QUESTIONED BY THE COURT:  
16:14:36 20 JUDGE SEBUTINDE: Mr Witness, in your testimony in court  
21 today you said something which I didn't quite understand when I  
22 think the lawyer on this side was asking you to describe the  
23 injuries you saw on the corpses. You said, "I saw blood  
24 everywhere. I would turn and I saw blood everywhere." Did you  
16:14:58 25 say that.  
26 A. I mean, please quote the instance. That instance where  
27 I turned and saw blood everywhere. I want -- I want you to  
28 quote the instance. What I mean I exactly want to understand.  
29 If this happened in Ndaraya which of the corpses that I turned

1 and saw blood.

2 JUDGE SEBUTINDE: Okay. This is when the lawyer asked you,  
3 you remember your being to the junction now after all the  
4 troubles are over and they are taking you for treatment to the  
16:17:11 5 junction, Karina Junction, to get a vehicle to go to hospital.  
6 And the lawyer was asking you what you saw on the way at each  
7 time as you were being carried. And then you said -- I think he  
8 asked you at Ndaraya what you saw. And you said --

9 MR WERNER: It should be Ndaraya, Your Honour, Ndaraya.

16:17:33 10 JUDGE SEBUTINDE: Ndaraya. And you spoke of three corpses  
11 of women. You named the women. And he also asked you what you  
12 saw at Kamadogbo.

13 A. Kamadogbo.

14 JUDGE SEBUTINDE: And he also asked you what you saw at --  
16:18:21 15 Okay, you said you saw three corpses: Kalilu Kallay, Sayone  
16 Mohamed Koroma and he asked you to describe what were the wounds  
17 on the bodies that you saw. And then you say, "I saw blood."  
18 You said, "I saw blood everywhere. I would turn, I saw blood."  
19 Now, I didn't understand that answer.

16:18:49 20 A. Okay. Now, I was not asked, I mean, with regard to that of  
21 [indiscernible] wounding when I turned, I saw blood around Kalilu  
22 Kallay, but I didn't turn to find out where blood is on the  
23 corpse of Mohamed Koroma. That of Sayone expresses that because  
24 he is already a corpse with grass over his body, burnt grass over  
16:19:20 25 his body. I saw blood, spills of blood, in the verandah of the  
26 corpse of Kaday Fofana. Therefore, I took it to be wherever I  
27 want to find blood I will see blood if this is my reason. I  
28 didn't say I turned, I saw blood, but if I was looking to see  
29 blood over those corpses, it would have been possible is what I

1 was saying.

2 JUDGE SEBUTINDE: Thank you.

3 PRESIDING JUDGE: Thank you, Mr Witness. That is the end of your

4 evidence and we are grateful. Thank you for coming to court to give

16:19:59 5 your evidence today. You are now at liberty to leave the Court, but

6 just pause for a moment so we could have the curtains drawn. Mr Court

7 Attendant, if you could assist us, please. Mr Hodes, you have another

8 witness?

9 MR HODES: We do, Your Honour. It is TF1-114.

16:20:10 10 PRESIDING JUDGE: Thank you.

11 THE INTERPRETER: My Lord, in what language will the next

12 witness be testifying in?

13 PRESIDING JUDGE: Could you please advise us what language

14 the witness will use?

16:22:01 15 MR HODES: English.

16 PRESIDING JUDGE: English. Thank you.

17 WITNESS: TF1-114 [sworn]

18 EXAMINED BY MR HODES:

PRESIDING JUDGE: Please proceed.

16:24:14 20 Q. Mr Witness, good afternoon.

21 A. Good afternoon, sir. Good afternoon, Court.

22 Q. I will be asking you some questions.

23 A. Yes, sir.

24 Q. And I want you to just listen to my questions.

16:24:23 25 A. Yes, sir.

26 Q. And then answer them to the best of your abilities. Okay?

27 A. Yes, sir.

28 Q. Likewise, later on, Defence counsel may have questions for

29 you.

1 A. Yes, sir.  
2 Q. I would ask you to do the same for them. Is that okay?  
3 A. Yes, sir.  
4 Q. All right. Mr witness, where were you born?  
16:24:37 5 A. I was born in XXXXXXXX.  
6 Q. Can you spell that for the court?  
7 A. XXXXXX XXXXXXXX, Bo District, Southern  
8 Province, Sierra Leone.  
9 Q. Mr witness, when were you born?  
16:24:59 10 A. I was born on XXth December 196X. '6X.  
11 Q. '6X or '6X?  
12 A. '6X, 196X. 26 December.  
13 Q. How far did you get in school, Mr witness?  
14 A. Well, I am a fifth form graduate.  
16:25:21 15 Q. And in school did you learn to speak English?  
16 A. Yes, sir. I try. I try.  
17 Q. Do you feel comfortable speaking English?  
18 A. I try. The level I stop in the school, I try. I am a  
19 junior graduate scholar?  
16:25:30 20 Q. Okay.  
21 A. Yes, sir.  
22 Q. You want to testify today in English; is that right?  
23 A. Yes, sir.  
24 Q. Mr witness, at some point after you finished your school,  
16:25:45 25 did you join the Sierra Leone army?  
26 A. Yes, sir.  
27 Q. When did you join the Sierra Leone army?  
28 A. Well, I joined the army when the war broke out in this  
29 country. 1991.

1 Q. And at that time, Mr Witness, did you receive basic  
2 training?  
3 A. Yes, sir.  
4 Q. Where did you do your basic training?  
16:26:12 5 A. I was trained in Daru, XXXXX barracks.  
6 Q. Can you spell that for the court?  
7 A. D-A-R-U, Daru, in the eastern region, Sierra Leone.  
8 Q. Mr Witness, were you still in the Sierra Leone army in  
9 1997?  
16:26:37 10 A. Yes, sir.  
11 Q. What were your duties at that time with the Sierra Leone  
12 army?  
13 A. 1997, I was XX XXXXXXXXXXXX.  
14 Q. Did you say XXXXXX?  
16:26:55 15 A. XXXXXXXX in the electrical engineering corp.  
16 JUDGE SEBUTINDE: Sorry, I didn't catch that.  
17 Q. Electrical?  
18 A. Engineering. Electrical mechanical engineering unit. Juba  
19 Barracks, Freetown.  
16:27:21 20 Q. Did you say XXXXXX or XXXXXXXX?  
21 MR HODES: XXXXXXXX.  
22 THE WITNESS: XXXXXXXX.  
23 MR HODES:  
24 Q. Spell it for the Court.  
16:27:31 25 A. X-X-X-X, XXXXXXXX.  
26 Q. As XXXXXXXX in the military, tell the court what you would  
27 do.  
28 A. Well, in the military I served there as XXXXXX, XXXX  
29 XXXXXXXX.

1 Q. XXXXXXXX?  
2 A. XXXXXXXX, yes, sir.  
3 Q. Okay. You just indicated that you were at the Juba  
4 barracks.  
16:27:52 5 A. Yes, sir.  
6 Q. In 1997? Were you there in May 1997?  
7 A. Yes, sir.  
8 Q. And you also said the Juba barracks are here in Freetown;  
9 is that correct?  
16:28:13 10 A. Yes, sir.  
11 Q. Do you remember anything happening in May 1997 here in  
12 Freetown?  
13 A. Yes, sir.  
14 Q. Tell the Court what happened in May 1997 that you recall?  
16:28:30 15 A. Well, late in '97 I was in my XXXXXXXX. In the morning we  
16 just heard a firing all over Freetown here. Later we came to  
17 know that there was a coup plot against the SLPP government by  
18 the junta forces. AFRC. Junta forces.  
19 Q. How did you learn that, Mr Witness?  
16:28:52 20 A. It was announced by the mass media. Yes.  
21 PRESIDING JUDGE: [Microphone not activated] Proceed,  
22 Mr Hodes.  
23 MR HODES:  
24 Q. Do you recall any of the names that were announced as being  
16:29:26 25 part of this?  
26 A. Yes. Late Corporal Gborie made the announcement.  
27 Q. Can you spell that name for the Court?  
28 A. Of course, Corporal is CPL. Gborie is G-B-O-R-I-E, Gborie.  
29 Q. Were there any other names that were being announced by the

1 mass media with regards to this overthrow of the government?

2 A. Well, at that time some names you are called out like Alex

3 Tamba Brima, yes. Those were one of the PLO, alias Gullit.

4 Q. Anyone else that you recall?

16:30:24 5 A. Extor. Honourable Extor.

6 Q. Can you spell that?

7 A. E-X-T-O-R, Extor. Honourable Extor. Yes.

8 Q. Okay. I want to take you forward in time a little bit. Do

9 you recall anything happening in Freetown -- actually let me

16:30:58 10 take -- were you still in Freetown --

11 A. Yes, sir.

12 Q. -- in February 1998?

13 A. I could retell a lot of things that weren't out of control

14 here.

16:31:06 15 Q. Mr witness --

16 A. Yes, sir.

17 Q. -- the question is were you still in Freetown --

18 A. Yes, sir.

19 Q. -- in February 1998?

16:31:16 20 A. Yes, sir.

21 Q. Okay. Do you recall anything happening in Freetown in

22 February 1998?

23 A. Yes, sir.

24 Q. Tell the Court what happened in Freetown in February 1998.

16:31:36 25 A. On that day Freetown went out of control. There was

26 fighting in this town. Breaking down shops. A lot of motoring

27 accidents. Soldiers, civilians, whoever fall on the junta line.

28 Q. Mr witness --

29 A. Yes, sir.

1 Q. -- you said there was fighting in February 1998.  
2 A. Yes, sir.  
3 Q. Who was fighting in February 1998?  
4 A. The AFRC.  
16:29:42 5 [AFRC14JUL05F 4.30 p.m. - AD]  
6 Q. Who were they fighting with?  
7 A. They fought to the present government, SLPP government.  
8 Q. Did one side win the fight?  
9 A. Yes, sir, SLPP won the fight.  
16:33:23 10 Q. What happened to those folks that lost the fight?  
11 A. SLPP recognised diplomacy. They brought -- they call upon  
12 ECOMOG to come and restore full-fledged democratic government in  
13 Sierra Leone.  
14 Q. What happened to the AFRC people?  
16:33:46 15 A. The AFRC, they took their lives in the jungle. They all  
16 went to the jungle.  
17 Q. What did you do, Mr Witness?  
18 A. Myself, I followed the convoy.  
19 Q. If you would, tell us where you went first when you left  
16:34:18 20 Freetown?  
21 A. Yes, sir.  
22 MR MANLY-SPAIN: May it please Your Honour, we are not so  
23 clear as to what he means by "the convoy". "I followed the  
24 convoy."  
16:34:29 25 PRESIDING JUDGE: We are all waiting, Mr Manly-Spain.  
26 MR MANLY-SPAIN: As Your Honour pleases.  
27 MR HODES:  
28 Q. Mr Witness.  
29 A. Yes, sir.



1 Q. Please explain to the Court what you meant when you said  
2 "convoy".  
3 A. Convoy, well, this is a compartment of people moving  
4 without vehicle. Thousands of people fleeing without vehicle,  
16:34:52 5 with their loot.  
6 Q. Were you part of this convoy?  
7 A. Yes, sir.  
8 Q. Where did you and the convoy go after you left Freetown?  
9 A. From Freetown to Masiaka.  
16:35:21 10 Q. What happened in Masiaka?  
11 A. In Masiaka. Masiaka was too populated at that time. So  
12 the Alpha jet came there.  
13 Q. What did the Alpha jet do?  
14 A. The Alpha jet came there and started assaulting the area.  
16:35:50 15 So we left.  
16 Q. When you say "we", who do you mean Mr Witness?  
17 A. I left together with my aunt.  
18 Q. Also for the Court could you try to spell Masiaka.  
19 A. M-I-L-E, Mile [sic]; S-H-A-K-I-A, Shakia [sic]. Masiaka.  
16:36:20 20 Q. Let me ask you this, Mr Witness?  
21 A. Yes, sir.  
22 Q. If you would describe a village or two that are near  
23 Masiaka for the Court. Just their names. You do not have to  
24 describe them. Just the names of some villages near Masiaka. If  
16:36:49 25 you know.  
26 A. Okay. From Masiaka you can go to Gberi Junction.  
27 Q. Is Gberi spelt G-B-E-R-I?  
28 A. G-B-A-R-I.  
29 Q. Okay, just to try and clear this up is Masiaka spelt

1 M-A-S-I-A-K-A?  
2 A. Yes. It is spelt so.  
3 Q. You said you left Masiaka with your aunt; is that correct?  
4 A. Yes, sir.  
16:37:37 5 Q. Where did you and your aunt go at that point?  
6 A. From Masiaka to Makeni.  
7 Q. Were you and your aunt part of the convoy?  
8 A. Yes, sir.  
9 Q. So there were still a lot of people with you?  
16:37:55 10 A. Yes, sir.  
11 Q. What happened in Makeni?  
12 A. In Makeni, we get to Makeni, we met a lot of armed men  
13 there looting. At that time --  
14 Q. Let me stop you there. Did you say you met a lot of army?  
16:38:18 15 A. Armed men.  
16 Q. Armed men?  
17 A. Yes.  
18 Q. What were the armed men doing?  
19 A. Some were looting.  
16:38:33 20 Q. Looting?  
21 A. Yes, sir.  
22 Q. Did you see that?  
23 A. Yes, sir, I saw one of the commanders telling them to stop  
24 looting.  
16:38:43 25 Q. What happened then?  
26 A. From there we decided to go to Kono.  
27 Q. When you say we, Mr witness, who are you talking about?  
28 A. The same convoy.  
29 Q. Were you with your aunt still?

1 A. At that time I was with Collins, Eldred Collins, the  
2 spokesman for the forces.  
3 Q. How did you meet Eldred Collins?  
4 A. I came to know Eldred Collins, the driver who drove for  
16:39:20 5 Eldred Collins was my friend. He too was a soldier, Staff  
6 Sergeant Kanneh.  
7 Q. Can you spell that for us.  
8 A. Yes, sir. K-A-N-N-E-H, Kanneh.  
9 Q. Now earlier you said the convoy was people on foot and now  
16:39:50 10 you are saying there was a car. Now were there cars in the  
11 convoy?  
12 A. Say again.  
13 Q. Were there cars or trucks, vehicles in the convoy?  
14 A. Yes, sir.  
16:40:01 15 Q. Okay. Did Eldred Collins have a vehicle?  
16 A. Yes, sir.  
17 Q. So you met Eldred Collins in Makeni?  
18 A. Yes, sir.  
19 Q. If you can spell Makeni for the Court?  
16:40:24 20 A. M-A-K-I-N-E.  
21 Q. Could it be M-A-K-E-N-I?  
22 MR FOFANAH: Objection. I think my learned friend has done  
23 this once. If the spellings are coming from the witness and the  
24 witness is very categorical and clear about the spelling, I think  
16:40:47 25 it would be very leading of my colleague to put another spelling.  
26 PRESIDING JUDGE: You are challenging your own witness,  
27 Mr Hodes.  
28 MR HODES: I will refrain from that.  
29 JUDGE LUSSICK: I don't really think it's necessary,

1 Mr Hodes. These names like Makeni and Masiaka have come up time  
2 and time again. We have got the spelling.  
3 MR HODES: Very good, Your Honour.  
4 Q. Mr witness?  
16:41:09 5 A. Yes, sir.  
6 Q. Tell the Court what happened once you left Makeni.  
7 A. In Makeni? A lot of group of people were in Makeni, armed  
8 men, people were looting.  
9 Q. I am asking you about after you left Makeni.  
16:41:35 10 A. Yes, sir.  
11 Q. Where did you go from Makeni?  
12 A. From Makeni we left for Magburaka.  
13 Q. And after that, where did you go?  
14 A. From Magburaka to Kono.  
16:41:57 15 Q. Where exactly in Kono did you go?  
16 A. We stop at Mortema.  
17 Q. Is Mortema part of another place?  
18 A. Mortema is a section in Koidu. The first section  
19 approaching Koidu.  
16:42:18 20 Q. What was happening in Mortema when you arrived?  
21 A. When we arrived there was heavy fighting between the forces  
22 and the CDF.  
23 Q. When you say "forces", who are you referring to?  
24 A. The AFRC.  
16:42:47 25 Q. In Mortema, did you see any of the commanders or bosses of  
26 the different groups?  
27 A. Yes, sir.  
28 Q. Who did you see in Mortema?  
29 A. I saw Johnny Paul Koroma was there; Eldred Collins was

1     there; Alex Tamba Brima was there.  
2     Q.     was there anybody else that you remember?  
3     A.     Colonel Isaac was there, Superman was there.  
4     Q.     How long was there fighting in Mortema while you were  
16:44:00 5     there?  
6     A.     The fighting lasted nearly for 30 minutes.  
7     Q.     About how long did you stay in Mortema?  
8     A.     I just took 30 minutes there; went to Koidu.  
9     Q.     who else went to Koidu?  
16:44:39 10    A.     I walked together with Eldred Collins.  
11    Q.     Did the whole convoy go to Koidu?  
12    A.     Yes, sir.  
13    Q.     What did you observe while you were in Koidu?  
14    A.     I saw a lot of things in Koidu.  
16:45:10 15    Q.     Do you see any bad things happen?  
16    A.     Yes, sir, burning houses.  
17    Q.     Was there anything else?  
18    A.     Looting houses, demolishing houses, arresting innocent  
19    civilians -- their enemies.  
16:45:58 20    Q.     Mr witness, how long did you and the convoy stay in Koidu?  
21    A.     We stayed there nearly a week.  
22    Q.     Where did you go from Koidu?  
23    A.     From Koidu to Gandorhun.  
24    Q.     Did the entire convoy go?  
16:46:34 25    A.     Yes, sir.  
26    Q.     The commanders and the bosses that you mentioned earlier,  
27    were they part of the convoy?  
28    A.     Yes, sir.  
29         MS THOMPSON: My learned friend has asked the question

1 about commanders and bosses. But I am not sure we have heard any  
2 evidence of commanders and bosses. We have heard evidence of  
3 people he has seen, met, saw, travelled with, but not positions  
4 that these people held.

16:47:19 5 PRESIDING JUDGE: There were names given but not positions.  
6 Is that what you are saying?

7 MS THOMPSON: That is exactly what I am saying, Your  
8 Honour.

9 PRESIDING JUDGE: That is correct, Mr Hodes. There were  
16:47:29 10 four names given - there may be five, I am miscounting - but no  
11 specified positions.

12 MR HODES: I will clarify that, Your Honour.

13 Q. Mr Witness, you mentioned some names earlier. I would like  
14 to go over those names with you. Okay?

16:47:42 15 A. Okay. At that time --

16 Q. Excuse me, Mr Witness. Wait for the question. You  
17 mentioned Johnny Paul Koroma. What was his position?

18 A. He was the leader of the AFRC.

19 Q. You mentioned Eldred Collins. What was his position?

16:48:03 20 A. Eldred Collins at the time he was a spokesman.

21 Q. For?

22 A. AFRC.

23 Q. You mentioned Alex Tamba Brima. What was his position?

24 A. He was a PRO.

16:48:18 25 Q. Did you say PLO?

26 A. PRO.

27 Q. You mentioned Superman.

28 A. Superman was an OPS, an operation officer.

29 Q. For who?

1 A. AFRC.  
2 Q. You mentioned Colonel Isaac.  
3 A. Colonel Isaac was also operation.  
4 Q. For who?  
16:48:40 5 A. AFRC. And Edward Kenneh, resident minister at that time.  
6 He was the resident minister eastern region.  
7 Q. Who?  
8 A. Edward P Kenneh.  
9 Q. Can you spell that name for the Court?  
16:48:54 10 A. E-D-W-A-R-D P K-E-N-N-E-H, Kenneh.  
11 Q. Mr witness, that is a name you didn't mention previously.  
12 Is that someone you saw in the convoy?  
13 A. Yes, sir.  
14 Q. You just indicated that his position was. Can you repeat  
16:49:30 15 that?  
16 A. Yes, like Superman.  
17 Q. I am talking about Edward P Kenneh that you mentioned?  
18 what was his position?  
19 A. Eastern region, he was a resident minister at that time.  
16:49:44 20 Q. For whom.  
21 A. He represented eastern region.  
22 Q. For who?  
23 A. For AFRC.  
24 Q. At some point did you end up in Buedu?  
16:49:58 25 A. Yes, sir.  
26 Q. Tell the Court what you did in Buedu?  
27 MR FOFANAH: May it please Your Honours, we have not heard  
28 this name before. Can we kindly have the spelling?  
29 MR HODES: If I could spell it. It is B-E-U-D-U.

1 THE WITNESS: Yes Buedu, B-U-E-D-U.  
2 Q. Okay, Mr Witness, the question to you is this: When you  
3 got to Buedu, what were you doing there?  
4 A. I was a military police adjutant, defence headquarter  
16:50:50 5 Buedu.  
6 Q. Who did you report to in Buedu?  
7 A. I report to at that time, to Mr Alex Alie, Captain Alex  
8 Alie.  
9 Q. Was Captain Alex Alie from the Sierra Leone Army?  
16:51:18 10 A. No, sir, he was in the RUF.  
11 Q. What were your responsibilities or duties as an MP in  
12 Buedu?  
13 PRESIDING JUDGE: He did not use the word MP, Mr Hodes.  
14 MR HODES:  
16:51:45 15 Q. Were you a member of the military police when you were in  
16 Buedu?  
17 A. Yes, sir.  
18 Q. To shorten "military police" do you refer to it as "MP"?  
19 A. I was there responsible for --  
16:52:05 20 Q. Listen to the question, Mr Witness. Do you or other people  
21 in the Sierra Leone Army refer to military policemen by a certain  
22 shortened name?  
23 A. No, sir.  
24 Q. You have never used the letters "MP"?  
16:52:25 25 A. MP, military police. That is the abbreviation, MP.  
26 Q. Thank you. Again, what were your responsibilities or your  
27 duties as a military policeman in Buedu?  
28 A. As a military police I was there to reinforce law, to  
29 implement law and punish law breakers. I was taking care of POW,



1 prisoners of war.  
2 Q. Did you have any other duties?  
3 A. Yes, sir.  
4 Q. What were your other duties? Did you hear my question?  
16:53:20 5 A. I want you to be louder.  
6 Q. Okay. What were your other duties as an MP in Buedu?  
7 A. My duties were, one, to issue passes.  
8 Q. What do you mean by "passes"?  
9 A. We give clearance to people to move within or out of Buedu  
16:53:44 10 without intimidation or molestation.  
11 Q. Did you have any other duties when you were in Buedu?  
12 A. Yes, sir.  
13 Q. Please tell the Court what they were.  
14 A. When civilians come for government work they have to report  
16:54:08 15 to me to take their names to get a comprehensive list of the  
16 civilians for that work.  
17 Q. The civilians that came to work, do you know if they were  
18 paid for their work?  
19 A. They were not paid. They do it for the movement free.  
16:54:37 20 Q. Did they do it willingly for the movement?  
21 A. No, sir.  
22 Q. Where they forced?  
23 A. Yes.  
24 Q. What kind of work were these people forced to do in Buedu?  
16:55:03 25 A. Most time when the commanders have farms, or at times when  
26 they are trying to construct roads for vehicle, they will take  
27 the civilians to come and work there unpaid.  
28 Q. Was there any other work that these civilians were forced  
29 to do?

1 A. Yes, sir.  
2 Q. what else?  
3 A. Taking loads for commanders.  
4 Q. Can you explain that, Mr witness?  
16:55:37 5 A. For instance, you are a commander, I am a civilian. If he  
6 happens to come here, take a lot of properties, he will look for  
7 manpower. If you don't have vehicle, you take those civilians  
8 and give them the loot to take them along for you.  
9 Q. Mr witness, in Buedu did you see any other commanders or  
16:56:15 10 bosses while you were present?  
11 A. Yes, sir.  
12 Q. who did you see in Buedu when you were there?  
13 A. General Mosquito, ex-General Mosquito; Edward P Kenneh;  
14 Captain Prince Taylor.  
16:56:43 15 Q. That is Captain Prince, P-R-I-N-C-E.  
16 A. Yes.  
17 Q. T-A-Y-L-O-R.  
18 A. Yes, sir. He was the G5 responsible for the civilian  
19 population there.  
16:56:58 20 Q. was there anyone else that you saw?  
21 A. Eldred Collins was there.  
22 Q. with regard to the civilians that were forced to work  
23 finally, what were your responsibilities towards them?  
24 A. My responsibility was to get their names with me, to make  
16:57:33 25 sure that after they work I give them passes to their various  
26 locations.  
27 Q. while you were in Buedu did you see anything happen to  
28 female civilians who were in the village?  
29 MR FOFANAH: Objection. It has not been established if

1 female civilians were at Buedu.  
2 MR HODES:  
3 Q. Were there any female civilians in Buedu when you were  
4 there?  
16:58:14 5 A. Yes, sir.  
6 Q. Did anything happen to the female civilians?  
7 A. Yes.  
8 Q. Will you please tell the Court what happened to some female  
9 civilians?  
16:58:26 10 A. At that time, as an MP adjutant, I got a lot of complaints.  
11 People try to rape, people tried to marry civilian women by  
12 force.  
13 Q. When you say that people tried to rape or people tried to  
14 marry, who do you mean by "people"?  
16:58:45 15 A. Members of this organisation, members of this group, RUF  
16 and AFRC men.  
17 Q. You mentioned some commanders that were there. Did you  
18 ever hear any of those commanders try to stop what was happening  
19 in Buedu?  
16:59:15 20 A. None of the commanders stopped it.  
21 Q. Thank you, Mr Witness. No further questions.  
22 A. Thank you, sir.  
23 PRESIDING JUDGE: Counsel, since we are so close to our  
24 normal closing time I think it might be more appropriate to  
16:59:52 25 commence cross-examination afresh rather than start and interrupt  
26 it. As all our Sierra Leone colleagues are going off to their  
27 Bar Association tomorrow, I will be looking forward to seeing you  
28 there at 9.30 morning.  
29 In the meantime, I will remind the witness of his oath.

1 Mr witness, it is now time to finish the Court for today. There  
2 are other questions that may be asked of you by the counsel for  
3 the Defence. We are not sitting tomorrow in Court; we are  
4 starting again on Monday morning at 9.15. Between now and the  
17:00:31 5 time that you finish all your evidence you are not to discuss  
6 your evidence with any other person because you have taken the  
7 oath to tell the truth. Do you understand this?

8 THE WITNESS: Yes, Ma'am. Thank you very much for  
9 briefing.

17:00:49 10 PRESIDING JUDGE: You're welcome. Mr Court Attendant,  
11 please adjourn Court until Monday at 9.15.  
12 [whereupon the hearing adjourned at 5.01 p.m.,  
13 to be reconvened on Monday, the 18th of July  
14 2005, at 9.15 a.m.]

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