

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

MONDAY, 17 JULY 2006  
9.22 A.M.  
TRIAL

TRIAL CHAMBER II

Before the Judges:	Richard Lussick, Presiding Teresa Doherty Julia Sebutinde
For Chambers:	Mr Simon Meisenberg Ms Evelyn Campos Sanchez
For the Registry:	Ms Maureen Edmonds Mr Geoff Walker
For the Prosecution:	Mr Karim Agha Mr Charles Hardaway Ms Melissa Pack Ms Maja Dimitrova (Case Manager)
For the Principal Defender:	No appearance
For the accused Alex Tamba Brima:	Mr Kojoo Graham Ms Glenna Thompson Mr Osman Keh Kamara Ms Rebecca Cohen (intern)
For the accused Brima Bazy Kamara:	Mr Andrew William Kodwo Daniels
For the accused Santigie Borbor Kanuu:	Mr Ajibola E Manly-Spain

1 [AFRC17JUL06A-RK]  
2 Monday, 17 July 2006  
3 [Open session]  
4 [The accused present]  
09:11:53 5 [The witness entered court]  
6 [Upon commencing at 9.22 a.m.]  
7 MR MANLY-SPAIN: Good morning, Your Honours.  
8 PRESIDING JUDGE: Good morning.  
9 MR MANLY-SPAIN: Your Honours, I'm going to lead the next  
09:21:24 10 witness who is DBK-100.  
11 PRESIDING JUDGE: All right. Just before you start,  
12 Mr Manly-Spain, I have got two announcements. The first one is  
13 we apologise for starting the Court late this morning. We had  
14 some other matters to attend to. The second one is that as you  
09:21:46 15 know on Wednesdays we have normally have a half day break. That  
16 half day break will be transferred to Friday for this week only.  
17 We will be sitting half a day Friday but we will be sitting the  
18 for the full day on Wednesday.  
19 Yes, Mr Manly-Spain.  
09:22:06 20 MR AGHA: Your Honours, before we proceed this morning with  
21 this witness --  
22 PRESIDING JUDGE: Yes, Mr Agha.  
23 MR AGHA: -- before we proceed with this witness the  
24 Prosecution would like to make a short application for an order.  
09:22:25 25 This arises out of the order of call, if I may address the Bench.  
26 Now last Tuesday the Prosecution alerted this Honourable Court to  
27 the difficulties which the Prosecution was facing on account of  
28 receiving insufficient notice of the order of call either in time  
29 or the number of witnesses. This was prejudicing the ability for

1 the Prosecution to adequately prepare for cross-examination and  
2 thereby test of the evidence of the witness. Unfortunately,  
3 despite the best efforts of the Learned Defence counsel, the  
4 situation remains the same. Namely, on Friday evening, we  
09:23:09 5 received the names of only three witnesses for this week. We  
6 requested that we could receive further names by 6.00 p.m. on  
7 Saturday to give us the opportunity to prepare for the coming  
8 week. But, unfortunately, we were not able to receive any.  
9 However, at around 6.00 p.m. Learned Defence counsel informed us  
09:23:37 10 that they had further names and indeed there was a possibility of  
11 a change to the three names they gave and that two of witnesses  
12 may not be here on time. So, in addition, from 6.00 p.m.  
13 yesterday, we were faced with preparing for two witnesses we were  
14 unaware of who may very well give evidence today.

09:23:52 15 Now obviously, as I mentioned before, the Prosecution does  
16 not want to seek adjournments, but it may have to do so if it is  
17 prejudiced in its ability to cross-examine. So, what the  
18 Prosecution would seek this morning, is an order from this Court  
19 that by 5.00 p.m. on each Friday the Defence provide the  
09:24:20 20 Prosecution with an order of witness call for the whole of the  
21 next week, as close as possible to their stated order of call  
22 pursuant to this Court's order of 26 April. Any witnesses which  
23 are not used up, the Prosecution can submit, can be rolled over  
24 into the following week. So in this manner we are able to  
09:24:42 25 hopefully adequately prepare ourselves without the need to  
26 perhaps request an adjournment, if it becomes necessary, Your  
27 Honour.

28 PRESIDING JUDGE: Just go over that order again that you  
29 are seeking.

1 MR AGHA: We're seeking an order that throughout the  
2 remainder of the trial that on each Friday by 5.00 p.m. the  
3 Defence disclose to the Prosecution the list of witnesses which  
4 they intend to call for the following week in as near as possible  
09:25:13 5 their actual order of call, and that should any witnesses not be  
6 used up, those be rolled over as being the first witnesses for  
7 the following week on the basis that the more witnesses  
8 notification the better we have, we can then divide up the  
9 preparation amongst our team accordingly.

09:25:53 10 PRESIDING JUDGE: Thank you, Mr Agha. Does Defence wish to  
11 say anything in relation to that order?

12 MR GRAHAM: Yes, good morning, Your Honours. In response  
13 to what my learned friend has said, Your Honours, in principle we  
14 do not have any objection in having to file the order of  
09:26:10 15 witnesses for the coming week, but, Your Honours, we're facing  
16 very, very serious problems with getting the witnesses over and  
17 the point is that we could well give you a list, but once you  
18 come to implementation, you are going to have serious problems.  
19 If you take this weekend, for example the witnesses that were  
09:26:35 20 slotted in here were not even here in Freetown. We had to work  
21 with WVS and WVS can confirm this. We had to stand standby  
22 vehicles literally to go in there and go and wait for them. So,  
23 these are some of the practical problem that we are facing with  
24 the witnesses. They've indicated their desire to come and  
09:26:48 25 testify but getting them over has been quite a big problem. As I  
26 have said, the WVS has been working very hard with us to try and  
27 solve this problem, so we don't have any objection to giving you  
28 the list but, as I'm saying, because of the way the witnesses are  
29 responding, Your Honours, the first accused took a longer time

1 than anticipated in chief. Most of the witnesses were on  
2 standby. As a result of that most of them had to go back, going  
3 back to their farming and a lot -- it has been a very difficult  
4 process and we are working very hard, you know, to make sure that  
09:27:17 5 the things flow in a very fluid way. That is all I have to say.

6 PRESIDING JUDGE: Well, I did not understand the  
7 Prosecution to be accusing you of not working hard, and I'm sure  
8 the Prosecution understands all your problems, but some order  
9 should be in place in my opinion. And if witnesses prove  
09:27:35 10 extremely difficult then I think the Defence will need to make a  
11 decision as to whether they can be available at all. But, in any  
12 event, if you will excuse us, we will just confer on this.

13 JUDGE SEBUTINDE: I haven't understood, Mr Graham. What is  
14 the difficulty? Is it transport? Is it the unwillingness of the  
09:27:55 15 witnesses? Exactly what is the problem?

16 MR GRAHAM: Your Honours, they are willing to come, but  
17 then again, a lot of excuses, the main being because it is the  
18 farming season. Most of them do not want to come in at all and,  
19 indeed, the witnesses who are coming in today request that they  
09:28:12 20 be brought in today and then be taken back today. These were the  
21 conditions that they gave us to come, so these are some of the --  
22 but they are willing to come but their commitments, we do not  
23 have control over those commitments, you know, their domestic  
24 commitments. That is the main problem. We will be addressing  
09:28:28 25 the Court before the end of the week on this matter, in terms of  
26 the problems we are having with our witnesses.

27 MR AGHA: Your Honour, if I may make just a brief  
28 observation: We do appreciate the problems the Defence is  
29 having, but what the Prosecution is asking that if we are given

1 eight names, or nine names, then it may be one or two will not  
2 come in that order. But at least those eight or nine we would  
3 have been able to prepare and have a backup position. So this is  
4 what we are really looking to do. And we do appreciate their  
09:28:57 5 problems.

6 PRESIDING JUDGE: Yes, Mr Agha. Your order really doesn't,  
7 correct me if I am wrong, but your order is not seeking any  
8 specific number of witnesses but merely a witness list for the  
9 following week, whatever the number might be.

09:29:12 10 MR AGHA: Yes, which the Defence reasonably feels will  
11 suffice to take us through to the whole of that week. It may be  
12 better if an extra witness or two is added because they seem to  
13 be having difficulties in some witnesses just not being prepared  
14 and at least in that case we could have prepared for all the ones  
09:29:27 15 which were there and thereby not waste the time of the Court.

16 PRESIDING JUDGE: We think the order sought by the  
17 Prosecution is a reasonable one and we are going to grant it. I  
18 will make a specific order now. But Mr Agha, if I have  
19 misinterpreted something you've said please let me know.

09:31:16 20 The Court orders that the Defence provide the Prosecution  
21 with, by 5.00 p.m. each Friday, with a witness list for the  
22 following week in as near as possible to the order of call and  
23 the witnesses not used up in that week will be rolled over for  
24 the following week. Does that cover it, Mr Agha?

09:31:42 25 MR AGHA: Yes, only to say that perhaps there should be  
26 more witnesses rather than less so that we do not run out on a  
27 Wednesday and then need to fill in more Thursday, Friday, Your  
28 Honour.

29 PRESIDING JUDGE: Yes. Well, in making that order the

1 Court would urge the Defence, wherever possible, to nominate  
2 extra witnesses in case some of the witnesses in the list --  
3 early in the list cannot attend court.  
4 Now, Mr Manly-Spain.  
09:32:15 5 MR MANLY-SPAIN: Thank you, Your Honour.  
6 JUDGE DOHERTY: Just a minute, Mr Manly-Spain, I don't  
7 think the witness has been sworn yet.  
8 WITNESS: DBK-100 [Sworn]  
9 [Witness answered through interpreter]  
09:33:22 10 MR MANLY-SPAIN: May it please Your Honour, this witness is  
11 going to give evidence in Krio.  
12 PRESIDING JUDGE: That is DBK-100?  
13 MR MANLY-SPAIN: 100. Yes.  
14 EXAMINED BY MR MANLY-SPAIN:  
09:33:34 15 Q. Madam Witness, good morning.  
16 A. Good morning.  
17 Q. Madam Witness, can you read or write in English?  
18 A. No, sir.  
19 Q. Can you read or write in any other language apart from  
09:34:00 20 English?  
21 A. No, sir.  
22 Q. Do you know when you were born?  
23 A. No, sir, I don't know.  
24 Q. Do you know where you were born?  
09:34:27 25 A. Yes, sir, at Binkolo sir.  
26 Q. Where do you live now?  
27 A. At Biriwa country, that is where I got my --  
28 Q. Where are you living now?  
29 JUDGE SEBUTINDE: The spelling of that place, please.

1 MR MANLY-SPAIN: The first one was Binkolo, and that  
2 B-I-N-K-O-L-O, and she said Biriwa country B-I-R-I-W-A.  
3 Q. When you said Biriwa country, do you mean Biriwa Chiefdom?  
4 A. I was in Freetown at that time. It was because of the war  
09:35:36 5 that I went with him to where he was born.  
6 Q. Where is your husband now?  
7 A. He is in the Biriwa country, Kamagbengbeh.  
8 Q. Do you have any children, Madam Witness?  
9 A. Yes, sir.  
09:36:01 10 Q. How many children do you have?  
11 A. I have eight, sir.  
12 Q. Are they all alive today?  
13 A. Yes, sir. I have buried three.  
14 Q. Am I right to say you have five children now?  
09:36:34 15 A. Sir?  
16 Q. Am I right to say that you presently have five children?  
17 A. Yes, sir.  
18 Q. Do you know where they are living now?  
19 A. Some of them are married. They have given birth. Some  
09:36:52 20 have three children. The other one has two.  
21 Q. Where are they now?  
22 A. They are with their husbands.  
23 Q. Where are their husbands living?  
24 A. They are in Biriwa country.  
09:37:13 25 Q. Do you know which chiefdom Biriwa country is?  
26 A. Because he had died.  
27 Q. Do you know what district Biriwa Chiefdom is?  
28 A. Bombali District, sir.  
29 Q. You say that your village is Kamagbengbeh Village?



- 1 A. Yes, sir. Near -- near Kamabai .
- 2 Q. Is it close to any other town or village?
- 3 A. There are many Biriwa country.
- 4 Q. What villages are close to Kamagbengbeh?
- 09:38:16 5 A. Kintiri , Kamanameh, Kateneh.
- 6 Q. Slowly, please.
- 7 A. Okay.
- 8 Q. And now tell us?
- 9 A. Kintiri .
- 09:38:27 10 Q. I can hazard a guess; K-I-N-T-I-R-I. Yes, what is the next
- 11 one?
- 12 A. Kamanameh.
- 13 Q. K-A-M-A-N-A-M-E-H. Yes, please?
- 14 A. Kateneh.
- 09:39:07 15 Q. K-A-T-E-N-E-H. You mentioned, Madam Witness, Kamabai , is
- 16 that so?
- 17 A. Yes, sir.
- 18 Q. Kamabai near to --
- 19 A. Kamabai , yes, sir. But it is about a mile-and-a-half.
- 09:39:28 20 Q. Thank you. Madam Witness, do you remember about eight
- 21 years ago in the year 1998?
- 22 A. Yes, sir.
- 23 Q. Do you remember that time, where were you living?
- 24 A. I was in Kamagbengbeh, sir.
- 09:39:52 25 Q. Before you went to live at Kamagbengbeh, where were you
- 26 living in that year?
- 27 A. I was in Freetown before.
- 28 Q. With whom did you stay in Freetown?
- 29 A. I was with my husband.

- 1 Q. Can you explain why you went to live in Kamagbengbeh that  
2 year?
- 3 A. Because they were shooting from Lungi to Freetown, so my  
4 husband told me to go to his hometown.
- 09:40:43 5 Q. Madam Witness, who was shooting from Lungi to Freetown?
- 6 A. We heard it was Tejan Kabbah.
- 7 Q. Where were you living in Freetown at the time?
- 8 A. In Kuntoloh, sir.
- 9 Q. I can spell that Your Honour. K-U-N-T-O-L-O-H where is  
09:41:20 10 Kuntoloh in Freetown.
- 11 A. It is from Wellington, but Kuntoloh is further around  
12 Wellington. Around Kissy.
- 13 Q. Thank you.
- 14 A. Yes, sir.
- 09:41:48 15 Q. Do you remember how you went to Kamagbengbeh from Freetown  
16 in that year?
- 17 A. When I left Freetown, about a year and a half, then this  
18 thing happened.
- 19 Q. Madam Witness, what is this thing that you are referring  
09:42:13 20 to? This thing that happened, I want you to explain to the  
21 Court?
- 22 A. The war sir.
- 23 Q. Where did you say the war met you?
- 24 A. In Kamagbengbeh, sir.
- 09:42:35 25 Q. Can you remember what time of the day or night it happened?
- 26 A. Yes, sir.
- 27 Q. What time was it?
- 28 A. Around 3.00 a.m.
- 29 Q. Please explain to the Court --

1 A. Yes, sir.

2 Q. -- at that time where were you in Kamagbengbeh?

3 A. May 8 we work during May. I was sleeping and I was lying  
4 down. So around 2.00 a.m. my mates called me you know, you know,  
09:43:22 5 he -- she hears Krio, say "don't you know what is happening  
6 outside?" So I opened.

7 Q. Hold on, Madam Witness I do not want you to be calling the  
8 names of people at this stage?

9 A. Yes, sir.

09:43:44 10 Q. And don't call your own name, okay?

11 A. Okay, sir, okay sir.

12 JUDGE SEBUTINDE: Could that name be redacted from the  
13 record please.

14 MR MANLY-SPAIN: Please do not call the name of anyone  
09:44:07 15 unless I ask you.

16 A. Okay, sir.

17 Q. When you say your mates, what you do you mean?

18 A. He knocked at my door but --

19 Q. Hold on. Please put the question that I have asked. Madam  
09:44:22 20 when you say your mate, whom do you mean?

21 A. [No interpretation]

22 Q. You have the same husband?

23 A. We are married to the same husband, yes, sir.

24 Q. Thank you. So please go on. She knocked at your door and  
09:44:42 25 what happened?

26 A. So she knocked on the door. So you don't know what is  
27 happening outside, since you are can hear Krio.

28 Q. Please go slowly, okay.

29 A. Okay, sir. Okay, sir.

1 Q. Continue, please.

2 A. So she knocked on the door and then I got up. After I got  
3 up, because I was sleeping, then a man held me. I saw a lot of  
4 people outside. There were lights and human beings.

09:45:27 5 Q. Yes, please carry on, what happened next?

6 A. A lot of people. So he held me and we fought. Then I  
7 escaped from him and I fell down at the back of the yard. Should  
8 I talk?

9 Q. Yes.

09:45:49 10 A. So I fell down at the yard then I ran, I left my child. I  
11 hid behind a palm tree. Any where around the town there were  
12 people, okay. Then we saw a lot of them going towards Kamabai.  
13 Everywhere there were human beings with lights. I leaned and I  
14 had a cloth around me, the rain, the breeze so I leaned on. It  
09:46:25 15 was not so long and the fork -- the cock crew.

16 Q. Stop there, Madam Witness?

17 A. Okay sir.

18 Q. You said you hid behind the palm tree. Whilst you were  
19 hiding there, were you able to see the village?

09:46:46 20 A. Because I was at the back of the yard, the palm tree is a  
21 Masankay it was at the back of our yard. That was where I laid.  
22 You will see clearly.

23 MR MANLY-SPAIN: Your Honours, she mentioned the word  
24 Masankay. It is spelt M-A-S-A-N-K-A-Y it is a type of palm tree,  
09:47:17 25 a species.

26 Q. Whilst you were hiding, Madam Witness were you alone?

27 A. There were a lot of people. We were many in the town, so  
28 you will hear some people talking over there who will call  
29 ourselves together and ask what has happened because we were

1 surprised, we were shocked. So I got up before dawn, I saw a boy  
2 and I called him and said "this is what we have encountered  
3 today," then I said "well, I'm hearing different noises and even  
4 the clothes that my husband has given me, they have taken it  
09:48:10 5 away."

6 Q. Okay, Madam Witness, please listen to this question.  
7 Whilst you were hide, did you hear anybody say anything from the  
8 village?

9 A. Yes, sir, I forgot.

09:48:24 10 Q. What did you hear?

11 A. The man when they got to the town, I heard the man spoke,  
12 he said there should be -- don't fire, this is Kamagbengbeh. No  
13 killing, no shooting. This is Kamagbengbeh. I heard the man say  
14 that where I was leaning, but I don't know about -- because there  
09:48:49 15 were a lot of people.

16 Q. These people whom you said were many, did you see how they  
17 were dressed, Madam Witness?

18 A. It was dark and you will see light. You won't be able to  
19 remember.

09:49:07 20 Q. Later on, Madam Witness you said you -- about in the  
21 morning hours, what did you do?

22 A. I peeped at my house. I was scared. I came stealthily to  
23 check on my child.

24 Q. Did you meet your child in the house?

09:49:38 25 A. Yes, sir, around 6.00, the fire entered I called. The  
26 child answered. I said "oh God," I said "I have been crying for  
27 you. Maybe they have taken you away." Then the child said,  
28 "Mama, one man gave me one blow" - that is 100 leones. He said  
29 he gave it to me and asked me where is your mother and the child

1 said "I myself I don't know." Then I held her and I said "Oh, my  
2 God, for you I was crying."

3 Q. Thank you, Madam Witness. Madam Witness let me remind you  
4 again, please do not call names of people?

09:50:20 5 A. Okay, sir.

6 Q. I'm asking that that name be redacted, which she mentioned?

7 PRESIDING JUDGE: I must say, I did not hear a name. If a  
8 name was mentioned, it must be redacted from the record.

9 MR MANLY-SPAIN: Thank you, sir.

09:50:37 10 Q. Madam Witness, when you came and you found your child, did  
11 you notice anything about your house?

12 A. Nothing, nothing, I didn't meet anything. All what we  
13 heard I didn't meet anything except some pieces of clothe. When  
14 I opened the door I saw them, I started picking them up and began

09:51:07 15 to cry and then my child said "Mama, they were here, a lot of  
16 them." Then I said "Okay." We picked them up. We piled them  
17 outside until dawn. Everybody came one at a time crying. By  
18 then they had gone. They had gone by --

19 Q. Thank you. You said they had taken everything. What are  
09:51:31 20 the things that they had taken?

21 A. My clothes, my husband's suitcase. My husband is a tailor.  
22 The things he had been keeping. Three bags. I didn't meet any  
23 of them.

24 Q. Thank you. On that night, witness --

09:51:58 25 JUDGE SEBUTINDE: Sorry, Mr Manly-Spain. She mentioned  
26 something, I don't know if it was a name or a title or  
27 something - nortello [phon], what is that?

28 MR MANLY-SPAIN: A tailor.

29 JUDGE SEBUTINDE: Oh, a tailor. I beg your pardon.

1 THE WITNESS: I said the things.

2 MR MANLY-SPAIN:

3 Q. Okay. Madam Witness thank you. Where was your husband  
4 that night?

09:52:21 5 A. My husband was not around. He was in Freetown. He went  
6 with the children. He said maybe Freetown would be better, not  
7 knowing that the war would meet us there.

8 Q. Thank you?

9 A. Yes, sir.

09:52:36 10 Q. When you returned to your house, you said other people were  
11 crying. Am I right?

12 A. Yes, sir, everybody in the town, everybody was crying.

13 Q. What were they crying about?

14 A. Because they took along 12 boys and three girls. Everybody  
09:53:01 15 was crying for his or her own child.

16 Q. Thank you. Madam Witness, did you continue to stay in  
17 Kamagbengbeh after this night?

18 A. Yes, sir. We were in the bush by then. We were in the  
19 bush by then. We were just peeping in order to hear what was  
09:53:29 20 happening. We were in the bush.

21 Q. Did anything later happen to Kamagbengbeh?

22 A. Because when we were in the bush -- then two boys from  
23 Kamandaha because when they took the 12 people, when the eight  
24 bombarded they escaped and met us. They told us that they killed  
09:54:08 25 the two boys in Kamandaha. Because when they would give them a  
26 luggage and they said they were tired, then we said they would  
27 kill him.

28 Q. Okay, madam, I want you to go over that again, a little  
29 slowly. What happened, you said, to the boys that were taken

1 away?

2 A. They killed two of them.

3 THE INTERPRETER: Your Honours, she has again called two  
4 names. I do not know if it is permissible to call those names.

09:54:49 5 Q. Please do not call names.

6 A. Oh, God. They killed two boys. Those who escaped told us  
7 they had killed the two boys at Kamandaha. All the suckling  
8 mothers were crying since they had taken everything and they were  
9 also crying for their children some of them they had taken them  
09:55:11 10 along.

11 Q. Thank you, Madam Witness.

12 JUDGE SEBUTINDE: I'm not sure as to the foundation of this  
13 last statement. She was in the bush and then she says blah,  
14 blah, blah - could we have some foundation.

09:55:27 15 MR MANLY-SPAIN:

16 Q. Madam Witness --

17 A. No, sir.

18 Q. - who told you that these two boys had been killed?

19 A. It was those who were there, they had taken along and they  
09:55:44 20 escaped. They came and told us that they had killed these boys.  
21 The women were crying and up 'til now they haven't seen them.

22 Q. Thank you.

23 A. Yes, sir.

24 Q. Madam Witness, that night after the people had gone into  
09:56:05 25 Kamagbengbeh, when you returned to the village, your village, did  
26 you see any dead bodies?

27 A. No, sir.

28 Q. Did you see any people who were wounded in the village?

29 A. No, sir. No, sir.



1 Q. Did you see any people who had their hands or feet cut off?

2 A. No, sir, because our own place is closer to the line. They  
3 were trying to cross in order to escape. What do I call them?  
4 Those people were helping us. They were there along the road.

09:57:01 5 They were trying to cross, but they didn't do anything. They  
6 only burnt down three houses in Kamagbengbeh.

7 MR AGHA: Your Honours, might I just say that the last  
8 batch questions, although I have let them go, have been leading  
9 questions. Just to bring that to your attention.

09:57:20 10 PRESIDING JUDGE: I take it Mr Agha will object to any  
11 further leading, Mr Manly-Spain.

12 MR MANLY-SPAIN: Yes, Your Honour.

13 Q. Madam Witness, did you see the houses that were burnt?

14 A. Yes, sir, because when you were in the bush you could see  
09:57:50 15 the smoke.

16 Q. Thank you.

17 A. When we came to town, the fire was out then.

18 Q. Thank you. Madam Witness, after this attack, which you  
19 have explained to the Court, did anything else happen at  
09:58:11 20 Kamagbengbeh?

21 A. The last thing that happened it was only yahyah and looting  
22 that happened. Even if you keep anything in the bush they will  
23 take the children to go in search of whatever you have in the  
24 bush. The remnants they left with us some of them call it --  
09:58:41 25 they are the children who will go to yahyah.

26 MR MANLY-SPAIN: I believe we have come across that word  
27 before.

28 JUDGE SEBUTINDE: Why don't you ask the witness to explain  
29 to us what she means, Mr Manly-Spain.

1 MR MANLY-SPAIN:

2 Q. Madam Witness what do you mean by yahyah?

3 A. It is to loot. That was what they referred to as yahyah.  
4 Everything they would meet they would take it. Everything, even  
09:59:26 5 like salt, if the meat you were cooking they will pour it into  
6 the pan and eat it. We will sit down and look at them eating it.

7 Q. How did you come to know that, Madam Witness?

8 A. Well, when they would meet us, sir.

9 Q. Thank you. Madam Witness we have talked about this first  
09:59:50 10 thing that you told us about. After that first one, did anything  
11 else happen at Kamagbengbeh?

12 A. No, sir. Some of them when they would come bringing the  
13 luggage from Freetown they will capture the boys in order to  
14 carry their luggage to Kamabai. Some of them will run away but  
10:00:20 15 if they meet you, even an old woman, they would give you  
16 something to carry and if you refused, you will just have to  
17 manage and take it along. But they didn't kill anybody, but  
18 regarding punishment, they actually punished us, they stole our  
19 things and they cleared everything we had.

10:00:42 20 Q. Madam Witness, listen to this question: Did anything else  
21 happen after this at Kamagbengbeh?

22 MR AGHA: Objection, Your Honour, this is asked and  
23 answered.

24 PRESIDING JUDGE: That is correct, Mr Manly-Spain.

10:01:04 25 THE WITNESS: The other thing that happened -- the other  
26 person who passed us is the one responsible for cutting arms and  
27 when they were based at Kamabai, they would come in groups and at  
28 dawn they will carry their guns and search for what they would  
29 eat. The last one was the one they said would be cutting hands

1 and then they passed by and went to Kamandaha. But they didn't  
2 do anything to anybody. We were scared. We would not go close  
3 to them.

4 Q. Madam Witness, you said the other one that came were the  
10:01:46 5 ones cutting hands. Did you hear about anybody that came with  
6 the other ones?

7 A. No. They came from over there, because they returned.  
8 Those who were over there, are not near the main road, but I did  
9 not see.

10:02:04 10 Q. Yes, Madam Witness, you said somebody came who was cutting  
11 hands; is that so?

12 A. Yes, sir. That is what I heard, sir.

13 Q. Did you hear the name of this person?

14 A. You said minutes ago I should not call.

10:02:29 15 Q. Thank you, for that Madam Witness. This one I want you to  
16 call the name of these people I'm asking. I do not want you to  
17 call the names of your relatives and other people in your  
18 village.

19 A. Okay.

10:02:46 20 Q. But the names of those who came to do bad things in your  
21 village, I want you to call, okay?

22 A. Yes, sir.

23 Q. Please tell us, now.

24 A. Yes, sir. They didn't do anything, to say they did  
10:03:06 25 something to us, no, but I heard they were seated over there.  
26 They would say this is Adama Cut Hand. Then I would peep and  
27 look. They will sit down, the men they have dreads on their  
28 heads. They have a red band on their head, a red clothe.

29 Q. Okay just stop there. You said they showed you somebody

1 called Adama Cut Hand; is that so?  
2 A. Yes, sir. They showed him to me, but I did not go near.  
3 Q. Was this person male or female?  
4 A. She is a lady, sir.  
10:03:59 5 JUDGE SEBUTINDE: Mr Manly-Spain who showed her Adama Cut  
6 Hand.  
7 MR MANLY-SPAIN: I will ask.  
8 Q. Who should you Adama Cut Hand?  
9 A. The people that were with them, they said that and if you  
10:04:20 10 understand the language, if somebody speaks, you will understand.  
11 Q. Thank you. Where was she, this Adama Cut Hand, where was  
12 she when you saw her?  
13 A. They were from Pompoma [as interpreted] that is the main  
14 road. They are from Pompoma Road the pass through Kamagbengbeh  
10:04:52 15 to Kabala Road.  
16 Q. Where was she when you saw her?  
17 A. I was by my house. We were not so close to them. I was in  
18 my veranda. They sat over there. In our own town we have a lot  
19 of stones. Some are over there, some are on the other hand.  
10:05:12 20 Q. Thank you. These people whom you said were with her, were  
21 they men or women?  
22 A. They are men, sir.  
23 Q. Do you recall how they were dressed?  
24 A. Because the, lady he had -- she had on combats with a lappa  
10:05:49 25 and I did not go near to her, because I was scared.  
26 THE INTERPRETER: Your Honours, can the witness go slowly.  
27 MR MANLY-SPAIN:  
28 Q. Madam Witness, please go slowly?  
29 A. Okay sir. Because I have a cold, my voice.

1 Q. Okay we're sorry about that, but you will be finished soon.  
2 A. Yes, sir.  
3 Q. Please explain again what you were telling the Court,  
4 slowly?  
10:06:23 5 A. Okay, sir.  
6 Q. Carry on.  
7 A. Then they got up. They didn't do anything. They drank,  
8 because in our own town the boys who have wine, palm wine, they  
9 will collect it for them. They drank the poyo and they returned.  
10:06:52 10 They went through Kabala Road, they went to Kamandaha. Around  
11 that area. That is where the area is. Those who were from  
12 Kamabai some of them come within two or three days. They would  
13 come to steal around. At that time we were in the place, we come  
14 one after the other, because they said that ECOMOG had come, so  
10:07:21 15 we had relief.  
16 Q. You were explaining to us how --  
17 JUDGE SEBUTINDE: Mr Manly-Spain. I am sorry to interrupt.  
18 I am personally finding it very difficult to follow this  
19 evidence. Because of too many they, they did this and they did  
10:07:36 20 that. And you are not seeking further clarification.  
21 MR MANLY-SPAIN:  
22 Q. Madam Witness, go slowly and listen to my questions and try  
23 to answer them very shortly. Do not give long, long  
24 explanations?  
10:07:57 25 A. Okay, sir. I'm almost finishing, I've finished what I  
26 wanted to say?  
27 Q. I was asking you how Adama Cut Hand was dressed?  
28 MR AGHA: Asked and answered already, Your Honour.  
29 PRESIDING JUDGE: She did not finish. She got as far as

1 [Overlappi ng speakers].

2 THE WITNESS: I said she had a clothe, a coat. I said he  
3 had it. [As interpreted]

4 MR MANLY-SPAIN: Explain now.

10:08:32 5 THE WITNESS: I said he had a coat. Something like a  
6 combat so, he had a lappa.

7 JUDGE SEBUTINDE: Madam Interpreter, you keep saying he.  
8 Are we still talking about Adama Cut Hand? Why do you keep  
9 calling her he?

10:08:58 10 THE WITNESS: I said she had everything --

11 MR MANLY-SPAIN: Okay, Madam Witness.

12 THE WITNESS: What is the he that I should say?

13 Q. Just listen to the questions. The people who were with  
14 Adama Cut Hand, do you know how they were dressed?

10:09:23 15 A. No, sir, some are civilians, but they have a red band on  
16 their head.

17 Q. Thank you. Apart from having the red band on their head,  
18 did they carry anything?

19 A. If they have a gun, the things they would collect, they  
10:09:50 20 have people who would carry them for them.

21 Q. Whilst Adama was in the village Kamagbengbeh, did you hear  
22 the name of any of the people who were with her?

23 A. I heard, because they say it around. The people will say  
24 that is her, that is her. Then I said.

10:10:27 25 Q. Who do you refer to as the people?

26 A. They came. When they came some would pass by our way and  
27 they will talk about her and we would listen to them.

28 Q. Thank you. Did you hear the names of any of the people who  
29 came with Adama Cut Hand?

1 A. No, sir.

2 Q. These are the names I want you to call?

3 A. The names of who, again? Those I have called, I have  
4 called them. These I don't know their names. The people are  
10:11:25 5 many. I can't tell their names.

6 Q. Thank you. Madam Witness, did any other group go to  
7 Kamagbengbeh, apart from Adama Cut Hand and her group?

8 A. Yes. Some people went then they said we are all one, all  
9 the people in Biriwa country met with us, they said we are all  
10:11:59 10 one now, so everybody should leave the bush until they came to  
11 Kamagbengbeh.

12 Q. When they came to Kamagbengbeh, did anything happen there?

13 A. Yes.

14 THE INTERPRETER: Your Honours, can the witness go over  
10:12:25 15 that statement again.

16 MR MANLY-SPAIN:

17 Q. Please, Madam Witness, go over that. What did these people  
18 do at Kamagbengbeh?

19 A. They came. They came for a meeting to say that we are all  
10:12:41 20 one, that we should leave the bush. So the people -- the people  
21 came around to say thanks.

22 Q. Where were you then, Madam Witness?

23 A. In Kamagbengbeh, sir.

24 Q. What happened then, in Kamagbengbeh?

10:13:09 25 A. That is what I said, I said it was a meeting. They came to  
26 say that everything had finished, so we should come together and  
27 be one.

28 Q. After that did anything happen in Kamagbengbeh?

29 A. No, sir.

1 Q. These people you are referring to as they, who were they?  
2 A. Somebody you don't know. How could you tell him, because I  
3 don't know them. You see, sir.  
4 Q. Madam Witness, you were talking about people drinking palm  
10:14:06 5 wine and they were beating, I want you to explain what happened  
6 on that occasion?  
7 A. When they bring the palm wine, they would not beat them.  
8 They would say thanks to them, you see.  
9 Q. Listen to me, they were beating drums?  
10:14:32 10 A. Okay. They would beat the drums, they would embrace her,  
11 say nice words to her. Since we were in the bush they would sing  
12 for her.  
13 Q. Who were they embracing and singing for?  
14 A. You said I should not call names, should I?  
10:15:00 15 Q. [Overlapping speakers]. I want you to call these names?  
16 A. Those who were singing.  
17 Q. They were praising and embracing [Overlapping speakers]?  
18 A. They were praising, okay, sir. They would sing, there were  
19 so many people because people had come from all these areas and  
10:15:26 20 they were beating drums.  
21 THE INTERPRETER: Your Honours, she is singing in Limba --  
22 MR MANLY-SPAIN:  
23 Q. Madam Witness go slowly with the song?  
24 A. Okay. So they were singing. "God likes so, oh yeah."  
10:15:52 25 That was what they were doing and then it ended. We all went  
26 away. We all sat there in town, you see.  
27 Q. Who were they singing for? I want you to call the name of  
28 the person they were singing for?  
29 A. Didn't you hear when I sang it? And we don't know much



1 about them because they were many. I did not know who was this  
2 and who was that. Thank you, sir.

3 Q. So they were singing for [Overlapping speakers] is that so?

4 A. Yes, sir.

10:16:31 5 JUDGE DOHERTY: Sorry, Mr Manly-Spain. I did not hear all  
6 your question. Could you repeat it.

7 MR MANLY-SPAIN:

8 Q. I said: So they were singing for one Savage, is that so?

9 MR AGHA: I object to that, Your Honour. That is putting  
10:16:42 10 words in the witness's mouth.

11 PRESIDING JUDGE: I won't allow that question.

12 MS THOMPSON: Your Honour, she did mention the name, the  
13 interpretation just did not come out. She mentioned the name.

14 THE WITNESS: Yes, you see.

10:16:54 15 MS THOMPSON: She said it in the song. We didn't hear, but  
16 when it was interpreted that did not come through. I think  
17 Mr Manly-Spain probably heard what she said which is what I heard  
18 as well, but I also heard the interpretation and that wasn't  
19 mentioned in the interpretation.

10:17:06 20 JUDGE SEBUTINDE: But Mr Manly-Spain asked a direct  
21 question to this witness, who were they singing for and she said  
22 she didn't know.

23 MR MANLY-SPAIN: She said didn't you hear me say it in the  
24 song. Then I said, who was it. Then she said Savage.

10:17:29 25 MR AGHA: That, Your Honour. We did not get any  
26 interpretation whatsoever on that.

27 MR MANLY-SPAIN: Can I ask her again.

28 MR AGHA: What is the point now.

29 MR MANLY-SPAIN: But she said it, she said it.

1           PRESIDING JUDGE: Mr interpreter, was the name Savage  
2 mentioned when this witness was describing the song?

3           THE INTERPRETER: No, My Lord. We did not hear any Savage  
4 name.

10: 18: 17 5           PRESIDING JUDGE: Mr Manly-Spain. There is no  
6 interpretation. The only mention of Savage we have heard on the  
7 Bench is from you.

8           MR MANLY-SPAIN: No, Your Honour, I am sorry, Your Honour.  
9 If I can recollect what happened. She sang this song and I asked  
10: 18: 36 10 her who were they singing about or word to the effect. And she  
11 said to me didn't you hear me say it in the song, Savage.

12           PRESIDING JUDGE: That is what she said but the interpreter  
13 said she didn't mention Savage.

14           MR MANLY-SPAIN: No, he didn't interpret it but it is what  
10: 18: 57 15 she said. I don't know whether she sang it in the song or after  
16 it had been interpreted, I said whom were they singing about and  
17 she said didn't you hear, it was in the form of a question,  
18 didn't you hear me say Savage in the song.

19           JUDGE SEBUTINDE: Mr Manly-Spain. There is a difference  
10: 19: 06 20 between who were they sing to and who were they singing about.

21           MR MANLY-SPAIN: I said about.

22           JUDGE SEBUTINDE: You asked her who they were sing to.

23           MR MANLY-SPAIN: No no, for.

24           JUDGE SEBUTINDE: Now the answer you are giving, it seems  
10: 19: 19 25 to me, that they were in their song they were mentioning a name  
26 Savage, but that is not necessarily who they were sing to.

27           MR MANLY-SPAIN: My question, Your Honour, with respect  
28 wasn't who were they singing to. I said who were they singing  
29 for. That is why I did not deliberately lead her. It came from

1 her. Your Honours the record shows what has been interpreted,  
2 but honestly I did not lead her on that. She asked me the  
3 question. Didn't you hear me say it in the song, Savage.

4 PRESIDING JUDGE: What do you say, Mr Agha.

10:20:10 5 MR AGHA: I say, Your Honour, that when the witness gives a  
6 reply, it is interpreted in the English language for the benefit  
7 of the Court and the transcript and if that does not come out in  
8 the interpretation, even if I learned counsel for the Defence  
9 thought otherwise, then surely the proper solution is to re-ask  
10:20:29 10 the question so it does come out for the transcript in the  
11 English language. In this situation I would regard that question  
12 as a direct leading for an answer which the Defence had been  
13 trying to get from the witness and although I do not believe it  
14 can be struck from the record I do not think that question at all  
10:20:48 15 should be allowed in that form.

16 PRESIDING JUDGE: I agree with Mr Agha, Mr Manly-Spain. We  
17 won't allow that question.

18 MR MANLY-SPAIN: Your Honour, as Your Honour pleases.

19 Q. Madam Witness, whilst you were -- whilst you were in  
10:21:08 20 Kamagbengbeh when this meeting was going on, did you see anybody?

21 THE INTERPRETER: Her microphone is not on.

22 THE WITNESS:

23 PRESIDING JUDGE: Perhaps you can ask that again,  
24 Mr Manly-Spain. Her microphone was not on.

10:21:40 25 MR MANLY-SPAIN: I asked you whilst this celebration was  
26 going on, this meeting, whilst they were beating and dancing, did  
27 you see anybody in Kamagbengbeh.

28 THE WITNESS: The times were many in Kamagbengbeh, they  
29 were supposed to be there because all the other times they had

1 announced that they should come to the town Kamagbengbeh, so you  
2 see sir.

3 Q. Thank you.

4 A. Yes.

10:22:17 5 MR AGHA: May I just briefly, I beg your pardon for  
6 interrupting. When we're talking about the celebration, we're  
7 talking about beating. In the context of much of the evidence  
8 beating has a different connotation. So if my learned friend  
9 could kindly when they are beating drums make it clear they are  
10:22:40 10 not beating people.

11 THE WITNESS: No, sir, no, sir.

12 MR MANLY-SPAIN:

13 Q. Of the many people who came to Kamagbengbeh that day, did  
14 you hear the names of anybody?

10:22:50 15 A. No, sir.

16 Q. The song that you said they were singing, what was it  
17 about?

18 A. It is a Bundu drum that they were beating. For us to come  
19 together.

10:23:28 20 Q. You have sung this song but I want you, Madam Witness, to  
21 interpret it into Krio. What language did you sing it?

22 A. Yes, sir. It is in Limba. It is in Limba, they sang it in  
23 Limba.

24 Q. Can you interpret it into Krio?

10:23:52 25 A. It said that man likes me. He likes us in this country he  
26 likes us in this country. He wants us. That is why we have all  
27 come out. That is the song.

28 Q. You have mentioned that man, Madam Witness. To whom did  
29 they refer to as that man?

1 A. I said those men who had come because I do not know their  
2 names. They had dreadlocks on their heads and they had that red  
3 thing.

4 Q. Listen again.

10:24:36 5 MR AGHA: That question has been asked now on a number of  
6 occasions and she says she doesn't know the people. They were  
7 just people who came.

8 MR MANLY-SPAIN: My question could not been answered. I  
9 asking about that man who loves me or loves us, as she  
10:24:57 10 interpreted.

11 THE WITNESS: You said just now that I should not call  
12 names.

13 PRESIDING JUDGE: Go ahead and ask but your question was --

14 THE WITNESS: I said you've told me.

10:25:08 15 PRESIDING JUDGE: Witness, will you please be quiet for a  
16 minute.

17 WITNESS: Okay, sir.

18 PRESIDING JUDGE: The question you put to her was not  
19 admissible in that form, Mr Manly-Spain. You said who were they  
10:25:23 20 referring to, that man, who were they referring to or words like  
21 that. That is leading, that is implying that that man did have  
22 another name. I won't allow it in that form.

23 MR MANLY-SPAIN: As Your Honour pleases.

24 Q. Madam Witness. I know --

10:25:43 25 MR MANLY-SPAIN: You see some of the things she's saying  
26 are not being interpreted, because she is saying "I'm not calling  
27 names because you told me not to call names." So I am asking  
28 her, I am trying to explain to her that this time the names I'm  
29 asking for I want her to call.

1           PRESIDING JUDGE: If there are any names. That may be the  
2 only reference she has.  
3           THE WITNESS: No, sir. I do not know their names.  
4 [Overlapping speakers].  
10:26:08 5           MR MANLY-SPAIN:  
6 Q. Madam Witness.  
7 A. You see.  
8           MR AGHA: Your Honour, she has answered again. I do not  
9 know their names.  
10:26:16 10          PRESIDING JUDGE: That is your answer, Mr Manly-Spain. She  
11 says she doesn't know the names.  
12          THE WITNESS: I said I don't know them.  
13          MR MANLY-SPAIN:  
14 Q. Madam Witness, after the dancing in that area, did anything  
10:26:32 15 happen in Kamabai, Kamagbengbeh sorry?  
16 A. No, sir. We had all dispersed. We had all gone. You see.  
17 What I saw is what I should say. If I didn't see anything, I  
18 would not talk about it.  
19          MR MANLY-SPAIN: That is all.  
10:27:09 20          PRESIDING JUDGE: Mr Manly-Spain. I take it this witness  
21 is a common witness; is that correct.  
22          MR MANLY-SPAIN: Yes.  
23          PRESIDING JUDGE: Nothing else in chief from the Defence.  
24 All right, Mr Agha.  
10:27:22 25          MR AGHA: No cross-examination, Your Honour.  
26          PRESIDING JUDGE: Thank you, Mr Agha. Madam Witness thank  
27 you for coming to court and giving evidence.  
28          WITNESS: Okay, sir.  
29          PRESIDING JUDGE: You will be allowed to leave now. As

1 soon as the court attendant makes some arrangements.

2 THE WITNESS: Okay sir.

3 [The witness withdrew]

4 PRESIDING JUDGE: Can the Defence tell us what is the  
10:30:40 5 pseudonym of the next Defence witness.

6 MR DANIELS: The next Defence witness is DBK-095.

7 PRESIDING JUDGE: We have already dealt with.

8 MR DANIELS: 085 we have dealt with, witness number 15 on  
9 the order.

10:31:15 10 JUDGE DOHERTY: From which order.

11 MR DANIELS: The filing order of 26 April -- 10th of May.

12 JUDGE DOHERTY: Would you look at number 9 on that list,  
13 please.

14 MS EHRET: Your Honours, may I assist the Court. Because  
10:32:21 15 of the language --

16 MR DANIELS: I stand corrected it is 090.

17 PRESIDING JUDGE: 090.

18 JUDGE DOHERTY: So, Mr Daniels, we have a 9 and a 15 on  
19 your list of the 10 May with the same number. At some point that  
10:32:59 20 will have to be clarified. Not necessarily now.

21 MR DANIELS: Very well, Your Honour.

22 JUDGE SEBUTINDE: For this witness, the summary appears as  
23 number 2 on the filed summaries, plus there is an additional  
24 summary filed or at least supplied by email this morning; is that  
10:33:31 25 correct.

26 MR DANIELS: That is correct.

27 [The witness entered court]

28 PRESIDING JUDGE: Madam Court Attendant, swear the Witness  
29 please.

1 WITNESS: DBK-090 [Sworn]  
2 [Witness answered through interpreter]  
3 JUDGE DOHERTY: Could the detention officials note that  
4 there is to be no moving around during the oath and that includes  
10: 38: 13 5 them.  
6 PRESIDING JUDGE: Is this a common witness, Mr Daniels.  
7 MR DANIELS: That is so, Your Honour.  
8 JUDGE SEBUTINDE: And the language.  
9 MR DANIELS: The language I'm told will be Krio. This  
10: 38: 35 10 change was made this morning for security reasons.  
11 PRESIDING JUDGE: Go ahead.  
12 EXAMINED BY MR DANIELS:  
13 Q. Good morning, Mr witness?  
14 A. Good morning.  
10: 38: 55 15 Q. Mr Witness, where you were born?  
16 A. I was born in Bombali, Gbendembu Ngowahun.  
17 Q. Is that the name of the chiefdom?  
18 A. Yes, Gbendembu Ngowahun.  
19 MR DANIELS: Ngowahun is spelt. N-G-O-W-A-H-U-N.  
10: 39: 36 20 JUDGE SEBUTINDE: What was the first prefix to that word?  
21 MR DANIELS: G-B-E-D-E-M-B-U [sic].  
22 Q. Which district?  
23 A. Bombali.  
24 Q. Do you know your date of birth?  
10: 40: 20 25 A. No.  
26 Q. Do you know how old you are?  
27 A. I am about 58.  
28 Q. Why do you say so?  
29 A. The reason I say that, presently my first son is 25 years



1 this year.

2 Q. What is your religion?

3 A. I am a Christian.

4 Q. Can you read or write in the English language?

10:41:19 5 A. No. I'm not literate.

6 Q. Can you read or write in any other language?

7 A. No.

8 Q. Are you married?

9 A. Yes, I'm married.

10:41:52 10 Q. How many wives do you have?

11 A. I have two wives.

12 Q. Please do not mention any names of your relatives. Do you

13 understand?

14 A. Yes.

10:42:14 15 Q. How many children do you have, or do you have any children?

16 A. Yes, I have children.

17 Q. How many?

18 A. I have 10 children.

19 MR DANIELS: Your Honour, is this a convenient time to

10:42:34 20 apply for the morning break?

21 PRESIDING JUDGE: Yes. I take it you have gone through the

22 preliminaries and now you are going to get into the substance; is

23 that right?

24 MR DANIELS: There are more preliminaries, but I will go

10:42:50 25 beyond.

26 PRESIDING JUDGE: We will take the break now.

27 MR AGHA: Your Honour, I would like to say if, during

28 preliminaries, learned counsel wants to lead, we have no

29 objection to leading on preliminaries.



1           [At this point in the proceedings, a portion of the  
2 transcript, pages 35 to 39 was extracted and sealed under  
3 separate cover, as the session was heard in camera.]  
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1 [Open session]

2 PRESIDING JUDGE: Go ahead, Mr Daniels.

3 MR DANIELS:

4 Q. Mr Witness, we are back in open session.

11:25:06 5 A. Yes, sir.

6 Q. So please do not mention the names of your relatives. And,

7 in respect of where you come from, your village, just refer to it

8 as "my village." Do you understand? Mr Witness, do you remember

9 anything happening in your village on Thursday, 8 May 1998?

11:26:00 10 A. Yes, sir.

11 Q. What do you remember happening?

12 A. Well, that Thursday, 1998, that was Yon Ben Deh Day.

13 Q. Hold on, please. What do you mean by Yon Ben Deh Day?

14 A. Well, the Muslim usually say the new year for them.

11:26:44 15 MR DANIELS: Your Honours, I think the spelling is Y-0-N

16 B-E-N D-E-H.

17 JUDGE SEBUTINDE: Could you run that spelling again,

18 please.

19 MR DANIELS: I have Y-0-N B-E-N D-E-H three separate words.

11:27:14 20 Q. Where were you?

21 A. I was in my town.

22 Q. Were you doing anything?

23 A. That particular day?

24 Q. Yes.

11:27:36 25 A. That night, the Wednesday, I was preparing that the

26 following morning, which is a Thursday, I would come to Makeni to

27 see a doctor.

28 Q. That was the Wednesday. You said the night before you were

29 preparing to go to Makeni to see a doctor; is that correct?

1 A. Wednesday night. The morning, Thursday.  
2 Q. Did anything happen the next day?  
3 A. The morning, on Thursday, I was on my way.  
4 Q. Before you carry on, Mr Witness, what time of day or night  
11:28:20 5 was this?  
6 A. Early in the morning, around half past 6.00.  
7 Q. How do you know it was around half past 6.00?  
8 A. Well, I had a watch, because the vehicle I was trying to go  
9 catch up with would leave by half past 7.00.  
11:28:53 10 Q. Please carry on.  
11 A. So I was on my way and I met four men going ahead having  
12 cutlasses, guns.  
13 Q. For how long had you left your town before you met the four  
14 men you are referring to?  
11:29:27 15 A. Well, it was not up to a mile where I met them.  
16 Q. These four men did you see them yourself?  
17 A. Yes, I saw them.  
18 Q. Was it dark or was it light?  
19 A. It wasn't dark.  
11:30:03 20 Q. When you met the four men, can you tell this Court: What  
21 were they wearing?  
22 A. Yes. Two of them were in plain clothes.  
23 Q. And the other two?  
24 A. The other two had this two-pack T-shirt, the black T-shirt.  
11:30:44 25 Q. Did I hear you say - correct me if I'm wrong - that they  
26 were carrying guns?  
27 A. A gun, just one gun.  
28 Q. Were they carrying anything else apart from the gun?  
29 A. They had cutlasses with gun. That is what they had.

- 1 Q. How many cutlasses did you see?
- 2 A. I saw three at first and then a gun on the four men.
- 3 Q. You have just told this Court that, as you were leaving  
4 your town, you met four men, one with a gun and the rest with  
11:31:39 5 cutlasses. Did anything else happen?
- 6 A. Yes, sir.
- 7 Q. Please tell us, but go slowly. What happened?
- 8 A. When I met with them, then I stood up, because they were  
9 sweating. I stood up.
- 11:32:12 10 Q. What happened?
- 11 A. When I stood still. I wanted to run. Then they hand  
12 stopped me with the gun. They said, "If you run, we'll shoot at  
13 you."
- 14 Q. How do you know that they were sweating?
- 11:32:36 15 A. Well, the place was clear. It was not dark. It was about  
16 half past 6.00. I saw them. They were standing and I was  
17 standing as well.
- 18 Q. So after they asked you not to run, what happened?
- 19 A. After they had met me, they were around me. Then one of  
11:33:03 20 them asked me, "Are you a soldier."
- 21 Q. Hold on, Mr Witness. What language we they speaking?
- 22 A. It was in Krio.
- 23 Q. Please carry on. What did he say?
- 24 A. They said if I was a soldier, then I said, "No, I am not a  
11:33:30 25 soldier."
- 26 Q. Did anything happen after that?
- 27 A. Yes.
- 28 Q. What happened?
- 29 A. Then the other one said to chop the man.

1 Q. What do you mean by "chop the man"?

2 A. He said he should chop my hand off with the cutlass.

3 Q. Did anything happen after that?

4 A. At that time, I wanted to retreat and then the other one  
11:34:25 5 chopped off this, my hand. He chopped me on this hand. When he  
6 chopped me, then I put my hand behind.

7 PRESIDING JUDGE: I think the witness is indicating the  
8 bottom of his left forearm.

9 MR DANIELS: Yes.

11:34:42 10 Q. Could you show that to the Court again, please. So your  
11 hand was slashed; is that what you said?

12 A. Yes, they chopped off my arm.

13 Q. Please describe it. How did they do it?

14 A. Okay. I was trying to turn around to run then they chopped  
11:35:24 15 off my leg. They chopped it and break it. The half of it fell  
16 off.

17 PRESIDING JUDGE: He is indicating the right shin now.

18 MR DANIELS: Very well.

19 JUDGE SEBUTINDE: Mr Daniels, the interpreter keeps saying  
11:35:47 20 chopped off. But, clearly, this witness has not lost a limb,  
21 neither a hand nor a leg. Is that what he is saying: They  
22 chopped off my leg?

23 MR DANIELS: Your Honour, I have the same problem.

24 Mr Interpreter, can you assist the Court? Is the witness  
11:36:08 25 referring to cutting or chopping off in your literal translation?

26 THE INTERPRETER: Cutting.

27 MR DANIELS: Then please use the appropriate word, with  
28 respect.

29 THE INTERPRETER: Yes, Your Honour.

1 MR DANIELS:

2 Q. Now, you have told us about two cuts, on your left hand and  
3 on your right ankle, if I could say so. Please tell us how it  
4 was your left hand was cut. I want to know how it happened.

11:36:49 5 A. When they met me, by the time I wanted to run, and the  
6 hands of me they -- they slashed my hand. By the time I could  
7 know it, they slashed my foot.

8 Q. After they slashed your foot. Did anything happen?

9 A. Yes, it continued. Then they slashed my arm. It's marked.

11:37:33 10 Q. Hold on, Mr Witness. Can you show us, without standing up,  
11 the other cut on your arm. Is it possible for you to remove your  
12 coat, without standing up, to show the Court exactly where you  
13 were injured?

14 A. Yes.

11:37:45 15 Q. Please do so. Just remove your coat and then show the  
16 Court.

17 A. Look at this arm.

18 PRESIDING JUDGE: Yes.

19 THE WITNESS: They cut here.

11:38:31 20 PRESIDING JUDGE: The witness is indicating, firstly, a cut  
21 along his right tricep.

22 MR DANIELS: You can put your clothes back on.

23 THE WITNESS: There are some areas around here. It's an  
24 arrow. They stuck it into me and they cut here again, right in  
11:39:03 25 here. Even this man, my leg, they cut it around there. They cut  
26 this, my leg, and they cut it around here. When I fell down.

27 MR DANIELS: Wait. Your Honours, I think the witness also  
28 referred to an injury to the left --

29 PRESIDING JUDGE: Bottom of the left ribs, and another



1 injury on top of the left shoulder.

2 MR DANIELS:

3 Q. Please put your clothes back on.

4 PRESIDING JUDGE: Mr Daniels, did your witness say he had  
11:39:54 5 an injury to the left leg as well as the right leg?

6 MR DANIELS: I believe he was pointing to another injury on  
7 the right leg, making it a second injury.

8 Q. Mr Witness, can you clarify? You also showed us another  
9 injury, a second time, to your leg. Were you injured a second  
11:40:19 10 time on your leg?

11 A. Yes. Both of my legs, they chopped it.

12 PRESIDING JUDGE: [Microphone not activated].

13 MR DANIELS:

14 Q. We're not talking about your head. I'm talking about your  
11:40:29 15 leg. Were you injured in two places on your right leg?

16 A. Yes. No. Yes. My right leg, they cut down and cut up.  
17 On the left, it's on the leg.

18 PRESIDING JUDGE: I can't see where he's indicating. He's  
19 mentioned two injuries to his right leg and one to his left leg.

11:40:57 20 MR DANIELS: I will leave it at that. Very well.

21 Q. You were --

22 A. Do you want to see it? I can show you.

23 PRESIDING JUDGE: Mr Daniels, it's up to you.

24 THE WITNESS: Because at the moment --

11:41:15 25 MR DANIELS: I think we will need to see these injuries.

26 Q. Can you show it to us without standing up?

27 A. Yes.

28 Q. Very well, please assist the Court.

29 MR DANIELS: I believe the witness is pointing to a cut on

1 his upper left thigh.

2 PRESIDING JUDGE: Yes, there is a cut -- an indentation  
3 mark on the inside of the left thigh. And I think I have  
4 inadvertently switched the witness's microphone off as well. I  
11:43:02 5 think, Mr Daniels, he also pointed to another mark on his right  
6 thigh; is that right.

7 MR DANIELS: Yes.

8 PRESIDING JUDGE: There is one to the right lower leg  
9 around the shin area and one to the right thigh.

11:43:15 10 MR DANIELS: Yes.

11 Q. Mr Witness, you also mentioned some injuries to your head.  
12 Can you point out to the Court where exactly you were injured on  
13 your head?

14 A. Yes, sir. The other side is around here.

11:43:48 15 Q. Thank you.

16 PRESIDING JUDGE: The witness is indicating the right side  
17 and back of his skull.

18 MR DANIELS:

19 Q. Thank you, Mr Witness. Did anything happen after this  
11:44:15 20 incident?

21 A. Yes, sir.

22 Q. What happened?

23 A. So I was lying down on the road. I was helpless then they  
24 put their hand in my pocket. I had some money that had I wanted  
11:44:40 25 to use to buy medicines.

26 Q. Hold on. Do you remember how much money you had?

27 A. Yes.

28 Q. Please tell the Court.

29 A. Had 100,000 Leones.

- 1 Q. You said you were going to buy medicine with the money.  
2 What medicine were you going to buy?
- 3 A. To buy tablets, buy injections and also my transport was  
4 included to return.
- 11:45:23 5 Q. Did anything happen after that?
- 6 A. Yes.
- 7 Q. What happened?
- 8 A. When I laid down there, I saw a lot of groups coming. If I  
9 should count them, they would be over 500.
- 11:45:48 10 Q. Now 500 what?
- 11 A. People.
- 12 Q. Can you describe them, were they men, women, children?  
13 Describe the 500 you are talking about?
- 14 A. Well, the 500 that I'm talk about, there were children  
11:46:14 15 among, but they were not so young, 15 years, 10 years of age.  
16 Women were among some wore Tupac clothes, some wore ronko, some  
17 wore Kamajors clothes. They wore different attires.
- 18 Q. Where were you at this time when you saw the 500?
- 19 A. I was in the middle of the road. They had a bypass where  
11:47:02 20 they used. I was in the middle of the road where they had cut  
21 me.
- 22 Q. Do you know where they were coming from?
- 23 A. They were coming from the other end crossing over the river  
24 to go.
- 11:47:32 25 Q. What happened?
- 26 A. After they had taken the money, they left me lying down  
27 there. When these people were passing by, then another one came.  
28 He peeped over me and asked -- he said: "Major Adama, do you  
29 know this man?" And he said: "No, I don't know him."

1 Q. Please go over what you just said. Who said do you know  
2 this man?  
3 A. It was a man. I don't know that man.  
4 Q. You mentioned also Major Adama. How did you hear that  
11:48:21 5 name?  
6 A. Well, I was lying down on the road and they jumped over me.  
7 Some were passing on this side and the others on the other side.  
8 I was in the middle of the road, but I heard the name when they  
9 called, "Major Adama, do you know this man?" And he said -- she  
11:48:44 10 said "No, I don't know him."  
11 Q. What language was all this said in?  
12 A. It was in Krio.  
13 Q. Were you able to see the Major Adama with your own eyes?  
14 A. I saw her when I lay down there, because at that time I was  
11:49:20 15 not so much affected. They just say me, just some passed.  
16 Q. Can you describe the Major Adama you just referred to.  
17 A. When I looked at the woman, she is slim, she is tall and  
18 she is fair in complexion.  
19 Q. What happened after that?  
11:49:59 20 A. After they had all passed, about four hours, during that  
21 four hours, people were passing by. After they had passed the  
22 very last that had been left behind were wearing combat,  
23 soldiers.  
24 Q. Hold on, Mr Witness. Do you know -- those who you referred  
11:50:28 25 to as having passed, do you know where they were going to?  
26 A. I did not know, but when I was in Makeni, in the hospital.  
27 Q. We'll come to that. We'll come to that. So carry on, what  
28 happened after you said you saw the last group passed, what  
29 happened?

1 A. The one who met me was a big man. He met me. I was lying  
2 down in the middle of the road, then he took his hand and put it  
3 on my chest, the soldier, and then he said --

4 Q. You just said he was a soldier. How do you know he was a  
11:51:19 5 soldier?

6 A. Well, when I saw the combat that he wore.

7 Q. What -- can you describe it?

8 A. He was tall, he had some weight, he had buttons on this  
9 side, a lieutenant.

11:51:49 10 Q. How many buttons did you see?

11 A. Three. There were three on this side and three on the  
12 other side.

13 Q. You just told this Court that he put his hand to your  
14 chest. Did anything else happen?

11:52:08 15 A. Yes, sir.

16 Q. What happened?

17 PRESIDING JUDGE: I think the record should show that when  
18 the witness mentioned three buttons on this side and three on  
19 that side, he was pointing to his shoulders.

11:52:24 20 MR DANIELS: Most grateful, Your Honour.

21 Q. I just asked you a question. When the soldier put his hand  
22 on your chest, did anything happen?

23 A. Yes, sir.

24 Q. What happened?

11:52:49 25 A. When he put his hand on my chest, he saw that I was  
26 bleeding slowly and he said --

27 Q. Breathing or bleeding?

28 A. I said bleeding.

29 Q. Very well. Please carry on.

1 A. Then he held me. He --

2 THE INTERPRETER: Your Honours, can the witness take that

3 bit again.

4 MR DANIELS:

11:53:25 5 Q. Mr Witness, can you please repeat what you said.

6 A. Yes. He said, "They should not cut this man. They have

7 done a very bad thing." Then he went and put his arm under my

8 shoulder because there was so much blood over me --

9 THE INTERPRETER: Your Honours, can the witness take that

11:54:02 10 bit.

11 PRESIDING JUDGE: What bit, interpreter? Where do you want

12 him to start from?

13 THE INTERPRETER: The point of him being dragged.

14 PRESIDING JUDGE: Witness, you mentioned being dragged.

11:54:19 15 Can you finish your answer from there, please. The interpreter

16 did not get all of what you said.

17 THE WITNESS: Okay, sir. When he placed his hands on my

18 chest, three of them were coming, the soldiers. They said, "Oh,

19 they shouldn't have cut this man." He held me. He was trying,

11:54:46 20 because the sun was penetrating into my eyes, so he placed his

21 hand under my shoulders, but since I had weight he did not want

22 the blood to be all over him. So he dragged me a little and

23 placed my head under the shed so that the sun would not penetrate

24 into my eyes. That was what he did to me and then passed by.

11:55:18 25 Q. If you can remember, approximately what time was this?

26 A. When the thing happened.

27 Q. No, I'm referring to the incident about you being dragged?

28 A. If I can remember the hour? It is around 2.00 that time.

29 Q. Did anything else happen after that?

- 1 A. Yes, sir, then they took me. My brother searched for me  
2 around 3.00 to 4.00. He searched for me, but he did not see me,  
3 my elder brother.
- 4 Q. Mr Witness, do you do you know your elder brother was  
11:56:07 5 searching for you.
- 6 A. Well, the time he met me on the way, he took me and he told  
7 me the people that guarded -- I didn't see you. I was searching  
8 for you not knowing that you were lying here.
- 9 Q. Thank you. Please carry on.
- 11:56:35 10 A. Then he called my colleagues from the town. They took me.  
11 I was -- I was placed on a vehicle and taken to Makeni.
- 12 Q. How were you placed in the vehicle that took you to Makeni?  
13 A. They took me with a hammock from the road up to the  
14 Junction of Kabala Highway.
- 11:57:05 15 Q. How many people took you?  
16 A. There were many, a lot of young people took me.  
17 Q. Then what happened?  
18 A. Then they placed me into the vehicle and brought me and I  
19 was admitted at Makeni.
- 11:57:41 20 Q. For how long were you admitted at Makeni?  
21 A. Well, when I was at the government hospital there was not  
22 enough medicine. The people were not taking good care of us. So  
23 I told my brother --
- 24 THE INTERPRETER: Your Honour, he has called another name.  
11:57:59 25 MR DANIELS:
- 26 Q. Please, Mr Witness, I reminded you not to mention the names  
27 of your relatives or your close friends. Do you remember?  
28 A. Yes.  
29 Q. Please, unless I ask you to mention a name, please do not

1 mention a name. Please carry on.

2 A. Yes. They had killed my elder brother.

3 THE INTERPRETER: Your Honours, I think the witness is  
4 still mentioning names.

11:58:38 5 MR HARDAWAY: Excuse me, Your Honour, I did not catch that  
6 last phrase. Was that killed or cured?

7 PRESIDING JUDGE: I thought it was killed. Mr Daniels, you  
8 better tell your witness to refrain from mentioning names.

9 MR DANIELS:

11:58:57 10 Q. Mr Witness, I'm going to ask you for the third time, please  
11 for your own security purposes, do not mention the names of your  
12 relatives. Unless I ask you to mention a name, do not mention a  
13 name. Do you understand? If it is your brother, say your  
14 brother. If it is sister, say your sister. Do not mention the  
11:59:23 15 name.

16 A. Okay.

17 PRESIDING JUDGE: Now, I think he just said they either  
18 killed my elder brother or they cured my elder brother. Can you  
19 clear that up, Mr Daniels.

11:59:40 20 MR DANIELS:

21 Q. Mr Witness, we heard you say either they killed your elder  
22 brother or they cured him. What did he say about two minutes ago  
23 to this Court?

24 A. My brother, when he left me in Makeni, he went for money.

12:00:01 25 Q. Please you answer the question first and then you explain.  
26 Did you say that your brother was killed or your brother was  
27 cured?

28 A. He was killed.

29 Q. Thank you. Now, who killed your brother?



1 A. I don't know who killed him.  
2 Q. Do you know why he was killed?  
3 A. Well, it was during the war.  
4 Q. Do you know where he was killed?  
12:01:03 5 A. Yes. I know where he was killed.  
6 Q. Where was he killed.  
7 A. When he went to collect this money to take it in order to  
8 get medicine for me --  
9 Q. Mr Witness, I asked you a question. You said you know  
12:01:27 10 where he was killed. Where was your brother killed?  
11 PRESIDING JUDGE: I thought he was just about to tell us,  
12 Mr Daniels. He was talking about his brother going to collect  
13 some money and something probably happened.  
14 MR DANIELS: Very well. Please carry on.  
12:01:42 15 PRESIDING JUDGE: Mr Witness, you said your brother went to  
16 collect some money for your medicine. What happened after that?  
17 THE WITNESS: After he had collected this money, it was  
18 money they had given me to keep. I had that money. When there  
19 was no medicine, I told him to go and collect that money so he  
12:02:06 20 went and he was captured at Kambia. They caught two of them .  
21 JUDGE SEBUTINDE: Was that cut or caught?  
22 THE INTERPRETER: Caught.  
23 THE WITNESS: They were captured and taken away.  
24 MR DANIELS:  
12:02:48 25 Q. Who asked him to go for this money?  
26 A. I told him. I said brother: "There is no medicine. If we  
27 don't have money, I will die." So he asked me where I kept the  
28 money and I showed him.  
29 Q. Where were you when you told him?

1 A. At that time I was in the hospital.

2 Q. Did you eventually get to leave the hospital?

3 A. Yes. But when he went I was unable to see him for more  
4 than five days, so I was confused. So I was there.

12:03:42 5 MR DANIELS: Please do not mention names.

6 THE WITNESS: Then I was told.

7 MR DANIELS: Your Honour, a name was mentioned if that  
8 could be redacted.

9 PRESIDING JUDGE: All right. That name the witness just  
12:03:57 10 mentioned must be redacted from the transcript. I think it is  
11 only in the recording.

12 MR DANIELS:

13 Q. I said did you eventually get to leave the hospital?

14 A. Yes.

12:04:15 15 Q. Where did you go to after you left the hospital?

16 A. I went to my home.

17 Q. When you went back to your home, did anything happen?

18 A. Yes, sir.

19 Q. What happened?

12:04:34 20 A. Well, that time I was there and I saw another group. We  
21 wanted to run away and they said we shouldn't run away.

22 Q. Thank you. A group of who?

23 A. Well, they said they were rebels. They said they had come  
24 to look for food and they referred to it as Jahjah.

12:05:11 25 MR DANIELS: Jahjah, Your Honour. We have that spelling  
26 already, J-A-H-J-A-H.

27 Q. These rebels who came, how were they dressed?

28 A. They had on civilian clothing. Some had tattered combat.  
29 They had guns.

- 1 Q. This was how long after you returned to your home.
- 2 A. Well it was nine months, I was in hospital for eight  
3 months. When I left the hospital and returned, that was when  
4 this incident happened.
- 12:06:03 5 Q. So the incident happened, are you saying it happened -- how  
6 soon after you returned home? I'm not asking about how soon  
7 after you left Makeni, how soon after you returned home did this  
8 incident take place?
- 9 A. It took a long time before that incident happened.
- 12:06:40 10 Q. Do you know who these persons reported to?
- 11 A. Yes.
- 12 Q. Who did they report to?
- 13 A. When they came and misbehaved in the town, beat us, raped  
14 women, then we followed them again.
- 12:07:15 15 Q. You followed who?
- 16 A. The rebels.
- 17 Q. And you followed them to where?
- 18 A. I followed them up to where their boss man was and we met  
19 him and explained to him that this is what your children have  
12:07:34 20 done to us.
- 21 Q. Now, this time I want you to mention the name, if you know.  
22 Do you know the name of the boss man?
- 23 A. Yes. We know that name because when they came.
- 24 Q. Please tell us the name?
- 12:08:01 25 A. Adama.
- 26 Q. Did you eventually go to meet with Adama?
- 27 A. Yes, sir.
- 28 Q. What happened?
- 29 A. We told her that when we were in the bush, you told us to

- 1 come to the town, now we were with you. Now we are feeding you,  
2 anything you want, we should do it. When your children came,  
3 they said they want rice, palm oil, we have given it to them.  
4 But they have beaten us, raped the women and they said we should  
12:08:49 5 come and tell you. Then she said these people have done a bad  
6 thing.  
7 Q. Wait. Wait. Go ahead?  
8 A. Said, "Well we've told them that they should not rape.  
9 They should not kill."  
12:09:06 10 Q. Who said that?  
11 A. It was Adama.  
12 Q. Did you hear it with your ears when Adama was speaking?  
13 A. Yes, sir.  
14 Q. Please carry on.  
12:09:23 15 A. So she begged us and said "They have done a bad thing."  
16 She said "So please, I'm begging you, please go." Then we  
17 returned. By that time they had taken a lot of things from us,  
18 our rice, our dresses and taken them away.  
19 Q. Did you say anything after she had pleaded with you?  
12:10:00 20 A. No. Well, she usually send them to go and search for food.  
21 She was the superior. So they would hand over everything to her.  
22 Q. When you met her, was she alone?  
23 A. She was not alone. We met three people, but we don't know  
24 all of them.  
12:10:43 25 Q. How were they dressed?  
26 A. They had on civilian clothing.  
27 Q. Did you get to find out whether those rebels took orders  
28 from any other person, apart from Adama, whom you have mentioned?  
29 A. Well, I wouldn't know, because they were in groups. As

1 these ones would go there, the others will come.

2 Q. So would you be able to identify Adama today?

3 A. No, because the time I saw her and now, it has taken a long  
4 time. But she is fair in complexion and she is tall.

12:12:03 5 Q. You also mentioned some rapes taking place in your village.  
6 Do you remember you told this Court a few minutes ago about some  
7 rapes?

8 A. Yes.

9 Q. How do you know that some rapes took place in your village?

12:12:30 10 A. Well, it was not in our absence. We saw them tie some and  
11 took some women and put them in the room. They were there. They  
12 were shouting the whole day.

13 Q. Did you actually see them being raped with your eyes?

14 A. Yes. The other child was wounded, and after they had used  
12:13:04 15 her, they brought her outside in the middle of the town. She was  
16 naked and they opened wide her legs. Everybody saw that.

17 Q. Did they do anything else apart from raping in your  
18 village, during that period?

19 A. They took along some things and went away.

12:13:32 20 Q. What things?

21 A. Like rice, palm oil, dresses.

22 Q. After this attack, you are referring to, or this visit,  
23 were there any other attacks on your village that you know of?

24 A. There were two attacks. The first one was when I was cut.  
12:14:20 25 The second was -- they didn't come to kill, but they came to take  
26 along properties and rape women and take them along.

27 Q. Mr Witness, since the time the incident took place to this  
28 date, have you ever heard of the name?

29 MR HARDAWAY: Excuse me, Your Honour. If we could have a

1 clarification as to which incident.

2 PRESIDING JUDGE: You can ask that in cross-examination,  
3 Mr Hardaway. Go on, Mr Daniels.

4 MR DANIELS:

12:15:20 5 Q. Mr Witness, did you ever hear the name Alex Tamba Brima,  
6 alias Gullit, being responsible for the atrocities that took  
7 place in your village in respect of both attacks?

8 A. Well, I don't know them, but I saw a lot of people and I  
9 don't know their names and their faces.

12:16:05 10 Q. Did you ever hear name of Brima Bazzy Kamara, alias Ibrahim  
11 Bazzy Kamara, as being responsible for those attacks you told  
12 this Court about?

13 A. I was not able to see those people. I would see them, but  
14 I wouldn't recognise them, and so I wouldn't say that I saw them,

12:16:36 15 because there were many. Some would go and come every day.

16 Q. Mr Witness, the question was specific. The question was:  
17 Did you ever hear the names? This is the question.

18 A. When we were in the bush, when we were in hiding, they took  
19 us to town and said we should sit down. They would call

12:17:15 20 somebody's name and said this man said we should send food for  
21 them. But we didn't know the people, you see.

22 Q. Did you ever hear the name Santigie Borbor Kanu, alias  
23 Five-Five, as being responsible for the attacks in your village?

24 A. I wouldn't be able to say anything about that because I  
12:17:48 25 didn't see him. I used to see people, but I didn't know them. A  
26 lot of people.

27 MR DANIELS: Your Honour, I have no further questions at  
28 this stage.

29 PRESIDING JUDGE: Thank you, Mr Daniels. I take it there

1 is no more in chief?

2 MR DANIELS: No.

3 PRESIDING JUDGE: Yes, Mr Hardaway.

4 CROSS-EXAMINED BY MR HARDAWAY:

12: 18: 13 5 Q. Mr Witness, good afternoon, sir.

6 A. Yes, sir. How are you sir?

7 Q. I'm fine, thank you, sir. I have a few questions for you.

8 I just want you to listen carefully to them and answer them as

9 clearly and as concisely as possible. All right, sir?

12: 18: 40 10 A. Okay. Sir.

11 Q. Mr Witness, you had stated that among the roughly 500  
12 people you saw when you personally were attacked were children;  
13 is that correct?

14 A. I gave a condition concerning the children. I said the  
12: 19: 04 15 children were 15 years, 10 years. They were there. Some were  
16 carrying luggage on their heads.

17 Q. All right. So some of the people you said were children  
18 were carrying luggage on their heads. Were any of the women  
19 carrying anything?

12: 19: 27 20 A. Some had luggage, some didn't have luggage. They held  
21 their clothes, some held their lappas.

22 Q. The people you've described as children, sir, did you see  
23 any of them carrying any guns or cutlasses?

24 A. The children. Yes, some had cutlasses, but they were not  
12: 19: 54 25 little children.

26 Q. I understand, sir. Did any of the people you've described  
27 as children carry guns?

28 A. Some carried guns, some carried luggage.

29 Q. The time you went back to your village and you went to see

1 the boss man, as my learned colleague from the other side has  
2 said, and you named as Adama, do you remember that part of your  
3 testimony, sir?  
4 A. Well, I said it was Adama. I don't understand, sir.  
12:20:44 5 Q. Okay. When you went to see Adama, where specifically did  
6 you go, do you know?  
7 A. Yes, sir.  
8 Q. Where was that, sir?  
9 A. Where she was?  
12:21:10 10 Q. Yes, sir.  
11 A. The place where she was lodged, that was where we met her  
12 because they left Makeni and went away.  
13 Q. What villages are nearby where Adama was lodged when you  
14 saw her?  
12:21:31 15 A. The village?  
16 Q. Yes.  
17 A. Well, I really want to talk about that, but I have security  
18 concerns.  
19 MR DANIELS: The witness is expressing his fear of being  
12:21:58 20 identified. Maybe counsel could take the cue.  
21 MR HARDAWAY: I understand. If I may just have a brief  
22 moment, Your Honour.  
23 Q. Mr Witness, are there any villages near where Adama was  
24 lodged when you went to see her that you can mention without  
12:22:46 25 endangering your security?  
26 A. No.  
27 PRESIDING JUDGE: I can't accept that. When he was giving  
28 evidence in chief, there was only one village that he couldn't  
29 name, and that was his own village, and he referred to that as



1 his village without naming.

2 MR HARDAWAY: Yes, Your Honour.

3 PRESIDING JUDGE: Now it seems there are a number of  
4 villages he can't name. What is the explanation for that,  
12: 23: 18 5 Mr Witness?

6 THE WITNESS: Well, the villages, why I don't want to call  
7 them, we were scared, because we know what had happened. We  
8 don't know what will happen tomorrow and, where we are, we don't  
9 have security.

10 PRESIDING JUDGE: Mr Hardaway is not asking you about  
11 villagers, the people. He is asking you about villages, the  
12 towns. Do you understand that?

13 THE WITNESS: The towns where we were?

14 PRESIDING JUDGE: That is what you are being asked about.  
12: 24: 09 15 If you need to mention your town, you simply have to say that,  
16 your town. You don't have to give a name. Is that clear?

17 THE WITNESS: Okay.

18 MR DANIELS: Respectfully, Your Honour, while I was leading  
19 him in cross, he did mention other towns close to his village  
12: 24: 29 20 which he has not mentioned in open session. I really believe his  
21 fears are genuine and, respectfully, I think, for the second  
22 time, he has expressed his fear.

23 PRESIDING JUDGE: Let's get this straight first. I think  
24 he might have been under some misapprehension that you're asking  
12: 24: 54 25 about villagers, the names of villagers instead of the names of  
26 towns.

27 MR HARDAWAY: Thank you, Your Honour. I will take the cue  
28 from the Court.

29 Q. Mr Witness, I am not asking you about specific people. I

1 am asking you about towns. Do you understand, sir?

2 A. Yes.

3 Q. Do you know the town where Adama was lodged when you went  
4 to see her?

12:25:19 5 A. The place where we met her, I know the name of the village.  
6 We slept there and the morning, when they get what they wanted,  
7 they will go. They were not based there.

8 Q. But when you went to see her, sir, what is the name of the  
9 town where she was at when you saw her?

12:25:57 10 MR DANIELS: Again, Your Honours, I hate to rise, but I do  
11 not know whether the witness can appreciate the difference  
12 between a village and a town, being that he is illiterate. I do  
13 not know whether that distinction has to be made to him in order  
14 to assist the court.

12:26:10 15 MR HARDAWAY: I can use the terminology village, Your  
16 Honour, if that would help.

17 Q. Mr Witness, what village was Adama in when you followed to  
18 see her? When you went to complain about what had happened,  
19 where did you go to see her?

12:26:42 20 A. The village where she was that is where I went to see her.

21 Q. What I'm asking you, Mr Witness, is the name of that  
22 village. Can you please tell the Court the name of that village?

23 MR DANIELS: Your Honours, as I believe the witness has  
24 said it once and he has said it again, and as counsel I'm  
12:27:17 25 pleading that he seems uncomfortable mentioning the name of the  
26 village.

27 PRESIDING JUDGE: Mr Witness, why do you not wish to name  
28 that village?

29 THE WITNESS: The reason, we are afraid. Where we are

1 there are houses not around, soldiers are not close by, because  
2 of the security problem, that is why we are hesitating.

3 MR HARDAWAY: With the Court's indulgence for a moment.

4 [Prosecution counsel conferred]

12: 28: 21 5 [Trial Chamber conferred]

6 MR HARDAWAY: Your Honour, this is my last question on  
7 cross-examination, so if it would make the witness feel at ease,  
8 the Prosecution would move to go into closed session pursuant to  
9 Rule 79(A)(ii), I believe. And with that answer then come back  
12: 28: 42 10 and I would conclude my cross-examination.

11 PRESIDING JUDGE: It does seem as though the witness is  
12 concerned for his safety. He is worried about the answer giving  
13 away his identity. I cannot understand why it would, but then  
14 again the witness knows what he knows. I think the Court is not  
12: 29: 05 15 prepared to take any chances with this witness's security. So in  
16 the circumstances, we're going to have to order a closed court  
17 for the next question. Madam Court Attendant, if you would make  
18 arrangements, please.

19 [At this point in the proceedings, a portion of the  
12: 29: 24 20 transcript, pages 64 to 67, was extracted and sealed under  
21 separate cover, as the session was heard in camera.]

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1 [Open session]

2 MS EDMONDS: Court is in open session.

3 QUESTIONED BY THE COURT:

4 JUDGE DOHERTY:

12:40:47 5 Q. Mr Witness, in one of your answers you said, "The second  
6 time when they came to take properties, rape women and take them  
7 away." What or who was taken away? What do you mean by "take  
8 them away"?

9 A. The rice, the palm oil, the chickens and the clothes, that  
12:41:21 10 is what they took away.

11 JUDGE DOHERTY: Thank you, Mr Witness. That was my only  
12 question.

13 PRESIDING JUDGE: Anything arising from that with the  
14 Defence?

12:41:32 15 All right. Look, Mr Witness, thank you for coming to court  
16 today and giving evidence. Your testimony is completed now. We  
17 are going to adjourn for lunch, so if you would just sit there,  
18 you will be let out of the Court as soon as the judges leave and  
19 we will adjourn now until 2.15.

12:42:31 20 [Luncheon recess taken at 12.45 p.m.]

21 [AFRC17JUL06B-RK]

22 [Upon resuming at 2.25 p.m.]

23 [The witness entered court]

24 PRESIDING JUDGE: Yes, Mr Manly-Spain.

14:21:50 25 MR MANLY-SPAIN: May it please, Your Honour. Your Honour,  
26 this morning whilst I was leading witness DBK-100 a small matter  
27 arose as to whether our witness mentioned a certain name in  
28 examination-in-chief. And when you verified from the interpreter  
29 she said or he said that the witness did not mention that name.

1 We on this side have taken the opportunity of going to the office  
2 where the recordings of the proceedings are made to listen to the  
3 recording and we have discovered that she did mention the name  
4 Savage audibly at the time 10.15.16 of the recording. We are  
14:22:48 5 praying, Your Honour, that you direct Court Management to verify  
6 this and if it is so, for that part of the recording to be  
7 incorporated into the transcript of this morning's session.

8 PRESIDING JUDGE: I think it would normally come out on the  
9 transcript anyway, wouldn't it.

14:23:17 10 MR MANLY-SPAIN: The problem is that the transcript only  
11 contains what was interpreted and this, the interpreter said the  
12 witness did not say. So the interpreter did not interpret that.  
13 It wouldn't be on the record, on the transcript.

14 PRESIDING JUDGE: Does the Prosecution wish to say  
14:23:34 15 anything?

16 MR AGHA: Provided it can be verified that that indeed is  
17 what the witness said, then the Prosecution would not object to  
18 it coming on record, Your Honour.

19 PRESIDING JUDGE: Thank you, Mr Agha. I think if that was  
14:23:48 20 truly said, then it should be on the record. The order you are  
21 asking is what, that the Court Management be directed to?

22 MR MANLY-SPAIN: To check it out. If it is verified, for  
23 it to be incorporated into the transcript, translated and  
24 incorporated into the transcript.

14:24:11 25 PRESIDING JUDGE: That was DBK-100, wasn't it?

26 MR MANLY-SPAIN: Yes, Your Honour. Thank you.

27 PRESIDING JUDGE: What part of the transcript was that? I  
28 think from memory it was where she was singing a song that was  
29 being sung at the meeting.

1 MR MANLY-SPAIN: It is just after the song but we were able  
2 to get the time, which is 10.15.16.

3 [Trial Chamber conferred]

4 PRESIDING JUDGE: Yes, we think the application by the  
14:28:28 5 Defence is quite reasonable and if that word "Savage" was used by  
6 the witness then it should be shown on the record. In respect of  
7 witness DBK-100 we order that Court Management verify from the  
8 audio records whether the word "Savage", I will repeat that  
9 S-A-V-A-G-E, Savage was mentioned in the song sung by the  
14:28:56 10 witness. We're looking at -- what was the reference again  
11 10.15.16.

12 MR MANLY-SPAIN: 10.15.16. The position is not only the  
13 song that even after the song she said "I said Savage."

14 PRESIDING JUDGE: All right. Thank you. We're looking at  
14:29:20 15 that part of the audio record 10.15.16. If that word appears on  
16 the audio then it should appear on the transcript. We trust that  
17 the audio record of all of the song sung by the witness will also  
18 be shown on the transcript as it appears on the audio. I think  
19 that is it, Mr Manly-Spain.

20 [Interpretation correction for the Transcript of Monday, 17  
21 July 2006, page 24 line 24 to page 25 line 1.

22 A: They were praising, okay, sir. They were singing that  
23 because when they were beating the Bundu drums so many  
24 people from around that area came. They were beating the  
25 Bundu drums and sang 'Sabage likes us. Eh Sabage likes us.  
26 In this section. He likes us, eh.'

27 INTERPRETER: Your Honours, she is singing in Limba.

28 MR MANLY-SPAIN: Madam Witness go slowly with the song.

29 A: Okay. So they were singing. 'Sabage likes us, eh. He

1 likes us in this section.' So then they were beating until  
2 the song was finished. Everybody went away. We all sat  
3 there in town, you see.

4 Q: Who were they singing for? I want you to call the name  
5 of the person they were singing for.

6 A: Did you not hear when I was singing? I said they said  
7 Sabage. And we do not know about them because they were  
8 many.]

9 MR MANLY-SPAIN: Yes, Your Honour.

14:29:54 10 PRESIDING JUDGE: This gentlemen sitting in the witness  
11 box, that is witness number --

12 MR GRAHAM: Your Honours, good afternoon, that is DBK-095.  
13 095, Your Honours and he will be testifying in --

14 JUDGE DOHERTY: 095 did you say, Mr Graham.

14:30:09 15 MR GRAHAM: Yes, Your Honour.

16 PRESIDING JUDGE: There is some problem here. The fourth  
17 witness we heard who gave testimony on 10 of July, their number  
18 was DBK-095 as well and there's two DBK-095s in that witness list  
19 filed by the Defence.

14:31:19 20 MR AGHA: Your Honours, if I may be of assistance. I think  
21 that the witness who testified at number three -- number four was  
22 096 and it would be mistakenly put in the summary as 95, this is  
23 actually 95, I believe.

24 PRESIDING JUDGE: That's right, it is all clear to me now,  
14:31:41 25 thank you.

26 MR GRAHAM: Your Honours, before the witness is sworn in.  
27 With your kind permission, I would want to draw Your Honours  
28 attention to something we had hoped we will probably be drawing  
29 the Trial Chamber's attention to on Wednesday. Since Your

1 Honours said that we would be having a half day on Friday and  
2 because these are pressing issues, we thought that probably to be  
3 the most propitious time to draw Your Honours attention to these  
4 issues relating our Defence witnesses.

14:32:22 5 PRESIDING JUDGE: Yes, go ahead.

6 MR GRAHAM: Yes, Your Honours, I was saying I would hope,  
7 with your kind indulgence, that we would probably have time for a  
8 status conference sometime down the line as part of the schedule  
9 so that it would probably afford us a good platform to inform  
10 Your Honours about some of the issues and constraints that we are  
11 facing in the course of our defence. More importantly, Your  
12 Honours, I need to draw your attention to some of the constraints  
13 that we are presently facing regarding our witnesses. Your  
14 Honours, I believe during our prior status conferences we had the  
15 opportunity to draw your attention to some of the hindrances and  
16 bottlenecks that we are facing. By way of our strategy, we  
17 decided to call our witnesses from Bombali District first, which  
18 I think we have been doing. Our plan was also to follow up with  
19 witnesses from the Koinadugu District and we have some of these  
20 witnesses here in the safe house, but we are having a number of  
21 issues arising from the fact that most of the investigative work  
22 that we did earlier on in this district still remains incomplete.  
23 We have a number of witnesses, I think we have about nine of them  
24 who came in from Koinadugu District this weekend. I must say WVS  
25 has been very supportive and they have been working with us to  
26 make sure that we get things done. Unfortunately, Your Honours,  
27 we are having some problems with these witnesses ranging from  
28 one, the initial investigations were done by our legal assistants  
29 and investigators and the same cultural issues are coming up



1 again in that the witnesses also want to see the late counsel and  
2 some are even insisting that they meet the accused persons before  
3 they testify, so as they want to know on whose behalf they are  
4 testifying. More importantly, also the issue of verification of  
14:34:20 5 the interview notes and statements that were taken by  
6 investigators, we need to also verify and reconfirm some of these  
7 interview notes that have been taken by our investigators and  
8 junior counsel. And also there is an issue that keeps coming up  
9 relating to commitments of some of these witnesses. Your Honour,  
14:34:41 10 this witness we have in the box, for example, agreed he was going  
11 to come only on one condition, which was that he was going to  
12 come in today and then leave today. So we had to work with the  
13 WVS to get a car on standby in Karina from yesterday and leave  
14 early this morning to bring him in. The one who testified before  
14:34:56 15 him, also put out the same condition. Indeed our guys have been  
16 waiting in Kambia since Saturday just to persuade him to come  
17 over. He got in here yesterday at 12.00 midnight by which time  
18 it was literally impossible for us to go in and to have any  
19 verification on his statement because of the WVS -- I mean,  
14:35:23 20 visiting hours. Of course, also the issue of the farming  
21 commitments. Most of them are also saying that it is the farming  
22 season. They have to go in and go attend their farms. With  
23 Bombali also, we have this major chieftaincy election which we  
24 hear has been coming on in the Bombali District for quite some  
14:35:34 25 time now and most of the witnesses seem to be -- want to be part  
26 of it and it has also kind of put a kind of a brick on our  
27 activities.

28 The one issue also arising from a Koinadugu witness, Your  
29 Honours, we have done our classifications of the witness into

1 common witnesses and individual witnesses. One issue which is  
2 coming up now is that some of the common witnesses have indicated  
3 their preference to testify as individual witnesses. These are  
4 issues that we also need to sort out sooner than later. Then, of  
14:36:16 5 course, we have the main logistical problems. Your Honours, we  
6 expect that as soon as we come we are in here almost on a daily  
7 basis trying to push our case forward, but then we cannot get our  
8 investigators -- our investigators cannot be assigned a vehicle  
9 without counsel going along with them. And that has been a major  
14:36:27 10 constraint, but what that means is that if counsel is here in  
11 court, we can't get our investigators to go out there and do as  
12 much follow-up work as we need to do and that is also a major  
13 constraint. Your Honours will recall that during our status  
14 conference we did state, in no uncertain terms, that we had  
14:36:44 15 completed our investigations in Bombali. We were halfway in  
16 Koinadugu and had done very little in Bo, Kenema and the other  
17 areas. Looking at the fact that we also are to file our final  
18 witness list sometime in the third week of August this year, the  
19 challenge for us is really real if we actually have to comply  
14:37:07 20 with order. We thought it was important to draw Your Honours  
21 attention to that. As it stands now, I think including today, we  
22 have ten witnesses more, including the two who testified for this  
23 session. We will be having a meeting with our -- indeed, our  
24 investigators and legal assistants are not here because they have  
14:37:24 25 gone down there to try to talk to the witnesses to see whether we  
26 can get any additional witnesses who will be committed to testify  
27 this session. We prefer that probably a status conference  
28 probably would have been a better platform. Because this is a  
29 pressing need, we thought that it was something that we need to

1 draw Your Honours' attention to that immediately and probably we  
2 can follow up and give you more information in due course. But  
3 we thought, at least, we need to give you a bird's eye view of  
4 where we are now and the constraints that we are facing. As it  
14:37:54 5 stands now, we would need to - as soon as we get some time - get  
6 back to the field and then begin to do what we were doing before.  
7 These are my humble submissions this afternoon, Your Honours.

8 PRESIDING JUDGE: I think the Court has been very generous  
9 with the time it has allocated to the Defence. All of the  
14:38:15 10 problems you have mentioned, Mr Graham, are problems for you as  
11 Defence counsel to solve. If you have difficulty getting  
12 witnesses coming to court, perhaps the Court can help you there  
13 by issuing subpoenas, but we note that we don't have any  
14 applications in that regard before us at the moment. The other  
14:38:38 15 problems are problems that you are going to have to apply  
16 yourself to - all Defence counsel - and solve them if you want  
17 these people to be giving evidence in your case.

18 JUDGE SEBUTINDE: Also, Mr Graham, I am just wondering  
19 since the majority of these witnesses are common witnesses and  
14:38:57 20 normally there is only three of you lead counsel usually seated  
21 in court, but you all have co-counsel with you, is it not  
22 possible for your various co-counsel to go out there and be doing  
23 this research and not have to sit in court at the same time as  
24 you? That way you save time.

14:39:18 25 MR GRAHAM: I think we have been doing that on a limit  
26 scale. As you can see, the co-counsel for Mr Kamara is not here  
27 because they are working on some witnesses from Freetown. So we  
28 have been doing that on a limited base, but beyond Freetown it  
29 becomes a little more difficult, the logistics beyond what I

1 think we can do as Defence counsel. They are real logistical  
2 constraints, Your Honour. They are real -- that is why I said,  
3 for example, the Special Court has not assigned vehicles to  
4 investigators without counsel. That is just the tip of the  
14:39:51 5 iceberg. That is just by way of information we are still working  
6 hard to make sure that we get our witnesses here before this  
7 Court.

8 PRESIDING JUDGE: All right. Thanks, Mr Graham. We have  
9 taken note of what you've said. We will deal with applications  
14:40:09 10 if and when any are made. You can get on with the testimony of  
11 this witness now. Perhaps he could be sworn.

12 WITNESS: DBK-095 [Sworn]

13 [Witness answered through interpreter]

14 THE INTERPRETER: Your Honour, I think the witness is not  
14:40:56 15 taking the oath in Krio. I hear him speaking another language, I  
16 don't know which language is that.

17 PRESIDING JUDGE: What language is this witness supposed to  
18 be speaking, Mr Graham?

19 MR GRAHAM: Your Honours, Madingo. Initially Krio, but he  
14:41:07 20 changed this morning and together with the head of the  
21 translation unit, together with myself confirmed that it was  
22 going to be in Madingo, as of this morning.

23 THE INTERPRETER: Your Honour. As it is for now, it is  
24 only the Krio interpreters that are here. The Madingo  
14:41:33 25 interpreters are not here. We are asking the Court to give us a  
26 few minutes so we can get the interpreters for Madingo. Thank  
27 you.

28 PRESIDING JUDGE: I do not know how these things happen.  
29 We are obviously going to have to go off the Bench until the

1 right interpreters are organised. We will go off the Bench and  
2 Court Management can let us know when we have the right  
3 interpreters here.

4 THE INTERPRETER: Your Honours, the Madingo interpreters  
14:42:36 5 are here present.

6 PRESIDING JUDGE: All right. We will swear the witness  
7 again.

8 WITNESS: DBK-095 [Sworn]

9 [Witness answered through interpreter]

10 PRESIDING JUDGE: Mr Interpreter --

11 THE INTERPRETER: Your Honours, the witness seems to be  
12 saying things that he is not being told. The interpretation is  
13 being done but he is saying something else.

14 JUDGE SEBUTINDE: We want to hear what he is saying.  
14:43:37 15 Interpret it, so that we hear.

16 PRESIDING JUDGE: Mr Interpreter, we cannot deal with this  
17 problem if it is a problem unless you tell us what the witness is  
18 saying.

19 THE INTERPRETER: Let's try it again.

14:43:55 20 JUDGE SEBUTINDE: What did the witness say?

21 THE INTERPRETER: He is saying "I am swearing on the  
22 Bible." "On the Koran." I am sorry. "I am not here to say  
23 anything except the truth. I am going to speak only the truth."  
24 That is not what we have as a translation of the oath.

14:44:31 25 PRESIDING JUDGE: That, in essence, is the oath he is  
26 required to take. He has already taken the oath; is that right?

27 THE INTERPRETER: Yes, he has.

28 PRESIDING JUDGE: All right. We will hear his evidence.

29 EXAMINED BY MR GRAHAM:

1 Q. Mr Witness, good afternoon, Mr Witness.  
2 A. Good afternoon.  
3 Q. Mr Witness, do you know your date of birth?  
4 A. I was born 15 of August 1919; 15 of August 1919.  
14:45:46 5 Q. Thank you, Mr Witness. How do you know you were born on  
6 that day you just mentioned? How do you know?  
7 A. My father was a soothsayer. He knew quite a lot of things.  
8 My father was a learned man and he knew quite a lot from here to  
9 Guinea, all his children were registered according to the date of  
14:46:21 10 birth in the Koran, so he was a learned man.  
11 Q. Thank you, Mr Witness. Mr Witness, do you know where you  
12 were born?  
13 A. I was born in Segbwema, Mende.  
14 Q. Your Honours, I would spell that, for Your Honours.  
14:46:35 15 Segbwema is spelled S-E-G-B-W-E-M-A, Mende, I think that is  
16 M-E-N-D-E.  
17 A. Segbwema. You don't know the meaning? Segbwema.  
18 PRESIDING JUDGE: It is all right. Please, Mr Witness, you  
19 really don't have to speak until you are asked a question.  
14:47:07 20 MR GRAHAM:  
21 Q. Mr Witness, are you educated?  
22 A. Yes.  
23 Q. Which schools did you attend?  
24 A. I went to methodist.  
14:47:38 25 Q. Mr Witness, I didn't -- could you repeat yours, you said  
26 you went to methodist. Could you complete? Mr Witness --  
27 A. Methodist school Bonthe, where teacher Grey was headmaster.  
28 Q. Your Honours, Bonthe, I think we have had that before.  
29 Mr Witness, did you complete your schooling at the methodist

1 school at Bonthe?

2 A. I started there but then things are difficult, so I went to  
3 about standard five, standard six, and they brought all of us to  
4 Wilberforce here.

14:48:33 5 Q. Mr Witness, can you tell this Court how many languages do  
6 you speak?

7 A. I was born a Madingo. I could speak a bit of Mende because  
8 that is where we were brought up and a bit of English language  
9 because Kono and Madingo, they are very close.

14:49:04 10 Q. Thank you, Mr Witness.

11 MR GRAHAM: Your Honours, I'm going to ask the witness a  
12 question, but in order to avoid having to go into closed session  
13 for that, I will respectfully request that he be given a piece of  
14 paper. I'm going to ask him his profession and I think that is  
14:49:23 15 key to disclosure of his profession, where he applies his  
16 profession. If he can be given a piece of paper.

17 PRESIDING JUDGE: Please, Mr Court Attendant.

18 MR GRAHAM:

19 Q. Okay. Mr Witness, I'm going to ask of you a few questions  
14:49:52 20 and I would want you to write your response on the paper that you  
21 have in front of you. Do you understand?

22 A. Yes.

23 Q. Mr Witness, what is your profession? You do not have to  
24 tell me. You can write that on the piece of paper, if you can.

14:50:54 25 I'm going to ask you a question now. I expect you would also  
26 write the answer on the piece of paper.

27 A. [The witness complied] yes.

28 Q. The question is: I want you to write the place where you  
29 practice your profession. I want you to write the place where

1 you practice your profession on the paper in front of you.

2 Mr Witness, are you done?

3 A. [The witness complied] yes, I am all right. I am through.

4 PRESIDING JUDGE: See if we can have that piece of paper.

14:55:19 5 What do you want to do with this paper?

6 MR GRAHAM: I want that sheet to be given back to the  
7 witness, Your Honour.

8 PRESIDING JUDGE: Please, Mr Court Attendant.

9 THE WITNESS: I came here to testify and I want to go back  
14:55:38 10 today. I did not get the question. What did you say?

11 MR GRAHAM:

12 Q. Mr Witness, you have patience. You will finish and you  
13 will go back.

14 PRESIDING JUDGE: Just ask some questions, Mr Graham.

14:56:01 15 MR GRAHAM:

16 Q. Mr Witness, you have in front of you a sheet of paper. I  
17 asked you to write your profession on the piece of paper and  
18 where you practice your profession and you did that on the piece  
19 of paper. Now I'm going to ask you a few questions, but please  
14:56:17 20 do not mention your position.

21 Mr Witness, the profession that you have written on the  
22 piece of paper that you have in front of you, and the place where  
23 you practice this profession, when did you hold --

24 A. I had that -- are you telling me this is not enough  
14:56:51 25 information on the paper.

26 Q. No, it is enough. Just listen to me Mr Witness, I am just  
27 asking you a question, be patient and listen. I am saying that  
28 on the piece of paper that you have in front of you, you have  
29 written a position that you occupied and I'm asking you when did



1 you occupy that position?

2 A. I started it. It is a long time, but the rest of the work  
3 I started it in 1949, 1949 and that was where I was 'til I  
4 realised myself -- I am the first police officer that they sent  
14:57:50 5 to Kenema and we were -- I was on that 'til I left the police and  
6 when I left the police, I went to Sefeya I was in Sefeya.

7 PRESIDING JUDGE: [Microphone not activated]

8 MR GRAHAM: Mr Witness, please listen to me carefully. I'm  
9 saying that you have written your current position and profession  
14:58:16 10 that you hold in the town and you have also written the name of  
11 the town on the paper in front of you. I'm asking you: When  
12 were you appointed to that position, Mr Witness, the position you  
13 have written on the paper in front of you. When were you  
14 appointed to that position.

14:58:37 15 THE WITNESS: You want me to write it.

16 PRESIDING JUDGE: Could you please put down the pen. You  
17 are not required to write.

18 MR GRAHAM:

19 Q. When you were you appointed?

14:58:55 20 A. I said 1983 I became the --

21 THE INTERPRETER: Your Honours he has called his position,  
22 are we permitted to state it?

23 Q. Mr Witness, please listen to me. I said don't mention your  
24 position. That is why I asked you to write it on the paper.  
14:59:15 25 Please, listen to me carefully. If you need to write anything I  
26 will tell you. You have to answer the questions and not write.  
27 Thank you.

28 A. You want me to write it?

29 Q. No, I will tell you if you have to write. Mr Witness, can

1 you tell this Court who appointed you to that position in 1983?

2 A. Let me say it.

3 Q. Yes, please, say it.

4 A. From 1983 we transferred to Karina, Alhaji Tejannie and  
15:00:11 5 Alhaji Baba they made me what I am.

6 Q. Was there any reason, any particular reason why they chose  
7 you to that position. Do you know why -- sorry, Your Honours.

8 Do you know why you were chosen to occupy that position,  
9 Mr Witness?

10 A. He was sick. He was sick and he had done that job over a  
11 hundred years and when I came he said I should continue with that  
12 work.

13 Q. Thank you, Mr Witness. Mr Witness, you have told this  
14 Court you were appointed to that position in 1983. Have you held  
15:00:54 15 that position since 1983?

16 A. Up 'til this morning I left them there. It is still in my  
17 hands.

18 Q. Thank you, Mr Witness. Mr Witness, where do you  
19 normally -- sorry, Your Honours, I withdraw that question.

15:01:25 20 Mr Witness, do you know how many mosques there are in the town  
21 which name you have written on the piece of paper you have in  
22 front of you. Do you know how many mosques there are, without  
23 mentioning the town, that are presently there as of today?

24 A. One mosque. One mosque only.

15:01:59 25 Q. Mr Witness, can you tell this Court what you do in that  
26 position that you occupy. What do you do?

27 PRESIDING JUDGE: I think you are skating on pretty thin  
28 ice here if you want to conceal his identity. If he tells you  
29 what he does, you would not need to be a genius to work out his

1 position.

2 MR GRAHAM: I agree, Your Honours.

3 Q. Mr Witness, do you know where you were on May 8, 1998?

4 A. When the rebels came, May 8?

15:02:51 5 Q. Yes, Mr Witness. I asked you: Do you know where you were  
6 on that day?

7 A. Oh, May 8 I was here, I was here in Freetown. I came to  
8 the doctor to cure myself and then I heard that there was a  
9 problem behind me -- and that so many people had -- and that they

15:03:29 10 had burnt so many houses and when I came, I went back to the  
11 house, I --

12 Q. Mr Witness, hold on. Hold on and answer the questions  
13 briefly. I asked you where you were on May 8, 1998 and you told  
14 this Court you were in Freetown. And I am asking you --

15:03:54 15 A. I was here.

16 Q. Mr Witness, listen. I'm asking you a question, please.  
17 I'm saying that -- do you live at the place which name you have  
18 written on the piece of paper in front of you? You have written  
19 the name of a place on the piece of paper in front of you, is  
15:04:20 20 that where you live?

21 A. Where I was born, I have gone there only once. That was --  
22 I was in Sefeya then I went to Segbwema, otherwise I have not  
23 been there.

24 Q. Mr Witness, did you -- Mr Witness, where were you living at  
15:04:48 25 the time that you left to go to Freetown, as you have told this  
26 Court? Where were you living?

27 A. I was in town here when I heard that there was a problem in  
28 town and that morning I went. All the places that I had been  
29 sitting, the war had gone there, but this particular one met me

1 here and in the morning, the following morning I went back.

2 Q. You went back to where, Mr Witness?

3 A. I went to Makeni and I was very close to Makeni, but they  
4 told me to wait until I am asked.

15:05:50 5 Q. Mr Witness, just listen to me carefully. Just listen to me  
6 carefully, please. You have told this Court that the day the  
7 rebels attacked Karina you were not there and that you were in  
8 Freetown and I am asking you that before you went to Freetown,  
9 where were you? You left from where to go to Freetown?

15:06:21 10 A. I was from Karina. I came from Karina to Freetown.

11 Q. Thank you, Mr Witness. Mr Witness, how long had you been  
12 living in Karina before you left to come to Freetown, do you  
13 know?

14 A. I came to Karina and built a house there in -- from 1952 up  
15:07:12 15 to 1960 I was buying things and sending them to Karina and then I  
16 went there and built a house and then in 1963 I returned to  
17 Karina. We were in Sefadu, Sefeya and the house I built in  
18 Karina I got all the money in Sefeya.

19 Q. Thank you, Mr Witness. Mr Witness, are you married?

15:07:49 20 A. I had four wives. One is dead. The other we have  
21 divorced, now I have two.

22 Q. These two, do they live with you?

23 A. The one is here. The one is with me in Karina.

24 Q. Mr Witness, do you have any children?

15:08:28 25 A. The children the one in town here I have eight children  
26 with me and the other in Karina six, so I have about 14 but they  
27 could have reached up to 20 but most of them died. They died.

28 Q. Thank you, Mr Witness. Mr Witness, you have told this  
29 Court that the day of the attack on Karina you had left for

1 Freetown. Do you know how many days before the attack that you  
2 left Karina for Freetown? Do you know?  
3 A. Yes.  
4 Q. Please tell this Court if you know?  
15:09:14 5 A. I said that I left there on Tuesday, Wednesday, Thursday  
6 they entered.  
7 Q. Thank you, Mr Witness. Mr Witness, why did you leave  
8 Karina for Freetown?  
9 MR HARDAWAY: Objection, Your Honour, asked and answered.  
15:09:29 10 PRESIDING JUDGE: No. Don't answer that.  
11 THE WITNESS: I was sick had I gone to the hospital.  
12 PRESIDING JUDGE: The question is not allowed.  
13 MR GRAHAM:  
14 Q. Mr Witness, whilst you were in Freetown, did you hear about  
15:09:46 15 the attack in Karina?  
16 A. Yes.  
17 Q. What did you hear, Mr Witness?  
18 THE INTERPRETER: He has called the name of the Lord.  
19 THE WITNESS: I was in the night I dreamt they don't  
15:10:19 20 trouble me because I was sick by then and so that morning I went  
21 to the hospital. When I came from the hospital, I found people  
22 shouting at Eastern Police saying that they had killed people in  
23 Karina and that houses had been burnt and then I found women  
24 crying.  
15:10:51 25 MR GRAHAM:  
26 Q. Mr Witness, when you heard that, did you do anything?  
27 A. Yes, I left on that day to go back, but then the elders in  
28 Freetown here did not allow me to go on that day. They said I  
29 should go the other day and the following day I took a vehicle

1 and then went back and very close to Port Loko Junction, the  
2 bridge that is there that is where I met a vehicle that there  
3 were rebels that had entered in Karina and that they had killed  
4 the section chief and that two of his elder brothers had also  
15: 11: 35 5 been killed.

6 Q. Mr Witness.

7 A. When I met them at the bridge at -- at the bridge I went  
8 and then I said I was going talk to Alhaji Sacoh, but I could not  
9 talk with him. So the women that were there, I talked to them  
15: 11: 57 10 and then I went to Makeni. I put some petrol in the vehicle and  
11 then went to Karina. And when I came there, they explained to  
12 me.

13 Q. You have told this Court a number of things. You told this  
14 Court that you left Freetown when you heard the information about  
15: 12: 21 15 what had happened in Karina. How did you leave Freetown,  
16 Mr Witness?

17 A. I went in a car.

18 Q. And you have also told this Court that you met some people  
19 at Port Loko Junction. Can you tell this Court who you met at  
15: 12: 46 20 Port Loko Junction, Mr Witness?

21 A. Yes.

22 Q. Please tell this Court whom you met at Port Loko Junction.

23 A. With Alhaji Sacoh he was fighting to survive. There was a  
24 woman who was cut in her stomach. She too was in the vehicle.

15: 13: 21 25 Q. Mr Witness, thank you. Mr Witness, who is Alhaji Sacoh?

26 A. He was a section chief. He was head of all the sections.  
27 He was a section chief.

28 Q. He was head of all the sections in where, Mr Witness?

29 A. Madina, the two Madinas, wherever the Madingos were, they

1 called that place Karina section. Karina section.

2 Q. Mr Witness, you have told this Court that the people you  
3 met there told you something. What did they tell you? Please  
4 tell this Court.

15:14:14 5 A. They said the rebels have entered Karina and they have  
6 caused some destruction. They have burnt houses and they killed  
7 people. That is what they told me. That your wives are on their  
8 way, one was injured on her foot.

9 Q. Mr Witness, please tell us who told you what you have just  
15:14:37 10 told this Court?

11 A. My younger sister.

12 THE INTERPRETER: Your Honours, he has again called a name.

13 MR GRAHAM:

14 Q. Mr Witness, please don't mention names, any names of family  
15:14:54 15 members or close relatives, please?

16 A. It is okay.

17 Q. You were telling us who told you what you have just told  
18 this court?

19 A. Those two people told me.

15:15:08 20 Q. Mr witness, you said you saw Alhaji Sacoh. Did you talk to  
21 him?

22 A. I spoke to him but he was unable to reply.

23 Q. Do you know why he was unable to reply?

24 A. What they told me was that they had cut him in his head and  
15:15:39 25 his brain was popping out. That the rebels had wounded him and  
26 blood was oozing.

27 Q. Who told you that, Mr Witness. Can you tell this Court who  
28 told you that?

29 A. You said I shouldn't name people. My wife told me and when

1 they brought him to the doctor here, I saw him.

2 Q. Thank you, Mr Witness. Mr Witness, what happened after you  
3 met this group of people at Port Loko Junction? What happened  
4 after that? After they told you what you court this Court, what  
15:16:25 5 happened after that?

6 A. I returned here and stayed here. For two years I did not  
7 return.

8 Q. Mr Witness, from Port Loko Junction did you continue with  
9 your journey?

15:16:49 10 A. I passed and went to Makeni. I went there and took my  
11 family members. They came to Makeni. We met on the way and I  
12 met them here in Freetown.

13 Q. Mr Witness, you just told this Court that you went to  
14 Makeni to meet your family members. Which family members did you  
15:17:19 15 meet at Makeni, Mr Witness?

16 A. My wife and my child and my wards.

17 Q. When you met your wife, including other members of your  
18 family, did you do anything?

19 A. After that I found food for them and left them there and  
15:17:58 20 told them that they should wait until everything subsides and  
21 then return.

22 Q. So, Mr Witness, after you told them that, what did you do?  
23 Did you do anything after that?

24 A. When I left them there --

15:18:22 25 THE INTERPRETER: Your Honours, can the witness kindly  
26 repeat his last answer.

27 MR GRAHAM:

28 Q. Mr Witness, the interpreter has asked that you repeat the  
29 answer. I had asked you that after you met your family and you



1 said you said. Did you do anything after that? Please tell this  
2 court and speak a bit loudly so we can hear you, please.

3 A. I said we should go to town. We went there. Those who  
4 agreed to go, they went.

15:19:12 5 Q. So, Mr Witness, you have just told this Court those who  
6 agreed, they went. What do you mean by that? Can you explain  
7 that to this Court?

8 A. My eldest wife she was afraid. She left Makeni and she  
9 went to Kindia. My youngest wife at that time she was here with  
15:19:40 10 me. They all went away. It was only when I got back to Karina  
11 that she returned.

12 Q. Mr Witness, how long did you stay in Makeni during this  
13 time? How long did you stay in Makeni?

14 A. In Makeni, when my wives arrived there, after I had  
15:20:11 15 arranged with them for their lodging, I did not stay long there.  
16 I only spent two nights there. I organised their stay and I  
17 returned.

18 Q. Okay. Mr Witness, where did you return to?

19 A. Pardon me.

15:20:31 20 Q. I said, from Makeni, where did you return to?

21 A. For Karina. I left here for Karina -- excuse me. When I  
22 went to Makeni, I came back here and spent two years here. After  
23 the two years I went to Karina.

24 Q. When you say "here," what do you mean by you came here for  
15:20:53 25 two years? What place is here? Can you tell this Court?

26 A. I was staying with the Alhaji.

27 THE INTERPRETER: He has again called the name of Alhaji  
28 where he stayed.

29 MR GRAHAM:

1 Q. Mr Witness, do not mention the name, but this Alhaji that  
2 you mentioned, where was he staying?  
3 A. Here you don't want me to call the name. You want me to  
4 tell the number of the street?  
15:21:47 5 Q. I just want you to tell me the town where the Alhaji you  
6 were staying with, the town where you were staying, where?  
7 Mr Witness, you can mention the name of the place, the town. You  
8 do not have to write it down?  
9 A. You say you don't want -- I said Hill Street.  
15:22:19 10 Q. Where is Hill Street?  
11 A. It is at Pademba Road, close to Pademba Road.  
12 Q. Is Pademba Road in Freetown?  
13 A. Yes. You would use that route and you would -- use that  
14 route to go to Hill Street.  
15:22:41 15 Q. Thank you, Mr Witness. How long did you stay in Freetown  
16 when you came back?  
17 PRESIDING JUDGE: He said two years.  
18 MR GRAHAM: Okay.  
19 Q. Mr Witness, can you tell this Court when did you leave --  
15:22:57 20 did you leave Freetown? After that two years where did you go?  
21 A. I did not go anywhere. I was here in town.  
22 Q. You have told this Court that you were in Freetown and I'm  
23 asking you that from Freetown, after you stayed in Freetown with  
24 this Alhaji, did you leave Freetown?  
15:23:37 25 A. I returned to Karina at my house. Since then, that is  
26 where I was.  
27 Q. Thank you, Mr Witness. Mr Witness, when you returned to  
28 Karina, did you hear anything about the May 1998 attack by the  
29 rebels?

1 A. Yes, I heard.

2 Q. What did you hear, Mr Witness?

3 A. What I heard was that they said the day that I left one  
4 day, then the second day the rebels attacked us. They told me  
15:24:34 5 the number of people whom they killed and the number of houses  
6 they burnt, they told me. But I was not working, I was just in  
7 the same place. Where I was I saw five houses.

8 Q. Mr Witness, who told you that? Who told you?

9 A. Those who told me when I went I entered -- those who told  
15:25:10 10 me, there was the town chief. All that had happened in the town  
11 he explained to me, the town chief. They knew that I never left  
12 my house. When I go to the mosque, after the prayers, after the  
13 [i ndiscernible] I return. They told me just like my wife had  
14 explained. That is what I discovered. Even if they had said  
15:25:30 15 something else or they added something, but it happened in my  
16 absence.

17 Q. Thank you, Mr Witness. Mr Witness, did you see the mosque  
18 where you used to worship when you returned to Karina?

19 A. Even this morning --

15:25:51 20 THE INTERPRETER: Again, Your Honours, he has said  
21 something that maybe I wouldn't like to -- because it might lead  
22 to his identity being revealed.

23 MR GRAHAM:

24 Q. Mr Witness, do not mention your position or any names. I  
15:26:11 25 asked you simply whether you saw the mosque on your return to  
26 Karina, yes or no? Mr interpreter, I didn't hear the answer to  
27 that question?

28 A. I saw it. I saw it with my own very eyes.

29 Q. Thank you. Mr Witness, can you tell this Court whether the

1 mosque was any different structurally than the way it was when  
2 you left?

3 A. What I saw, it was altered. The paint that was on the  
4 mosque most were removed. Evenly today we are only trying to  
15:27:19 5 repair it.

6 Q. Mr Witness, did you see any damages to the mosque?

7 A. I did not see anything that was damaged except for  
8 something they showed to me. What do you call it, in fact? They  
9 showed it to me, but they had repaired it now. They did not go  
15:27:53 10 into the mosque.

11 Q. Mr Witness, you have just told this Court that they did not  
12 go into the Court. Who did not go into the Court, can you tell  
13 this Court?

14 A. The rebels did not enter.

15:28:09 15 Q. How do you know that?

16 MR HARDAWAY: Objection, Your Honour, there is no  
17 foundation for that.

18 PRESIDING JUDGE: I think he is just going to lay the  
19 foundation now.

15:28:20 20 MR GRAHAM:

21 Q. How do you know that the rebels did not enter the mosque,  
22 Mr Witness?

23 A. The person whom I left told me, because he had jumped  
24 through the window, the person, who was the Imam. When the  
15:28:41 25 people went, they did not enter the mosque. They stopped at the  
26 door and they called them out.

27 Q. Mr Witness, you have just told this Court that the person  
28 that you left jumped through the window, if I'm right. How do  
29 you know that?

1 A. Yes, he jumped through the window.

2 Q. I'm saying how do you know that? Who told you that he  
3 jumped through the window? How do you know that?

4 A. He told me. He said, "I myself jumped through the window."  
15:29:25 5 He told me.

6 Q. Mr Witness, did you hear on your return to Karina whether  
7 anyone was killed inside the mosque during the attack by the  
8 rebels?

9 A. When I was here, I heard that they have entered the mosque  
15:29:51 10 and they have killed people, but when I went there, he did not  
11 tell me that and I did not see that. The person whom I left in  
12 charge did not tell me that that happened.

13 Q. Mr Witness, do you know whether anyone was kill outside the  
14 mosque during that attack by the rebels?

15:30:28 15 A. Outside, Alhaji Issa and Alhaji Baba, they died in the  
16 compound of the mosque. Alhaji Sacoh died here.

17 Q. How do you know that, Mr Witness, that the two persons you  
18 just mentioned died in the compound of the mosque? How do you  
19 know that?

15:30:53 20 A. I heard it when I was here. I was here in Freetown when I  
21 heard that and when I went, I met the corpses. Those who did not  
22 die, they told me. When I went -- when I went and I met them.

23 Q. Mr Witness, when you left Karina for Freetown, and I don't  
24 want you to mention any name. I would want you to write the  
15:31:24 25 answer to this question on the piece of paper in front of you.  
26 When you left Karina for Freetown, did anyone perform your duties  
27 in your absence?

28 A. [Witness complied]

29 JUDGE SEBUTINDE: Could you pass the paper to the lawyer,

1 please, if he is finished writing.

2 THE WITNESS: Here.

3 PRESIDING JUDGE: We are waiting on you, Mr Graham.

4 MR GRAHAM: If the piece of paper can be passed around.

15:33:56 5 Q. Mr Witness, please stop using your pen to hit the top of  
6 the desk, thank you.

7 A. Okay.

8 PRESIDING JUDGE: What do you want to do with this paper?

9 MR GRAHAM: Your Honours, I think at this point, subject to  
15:34:52 10 any objections from my learned friends on the other side, we want  
11 to tender this paper in evidence.

12 MR HARDAWAY: No objection, Your Honour.

13 PRESIDING JUDGE: This paper on which Witness DBK-095 has  
14 written the answers to questions asked of him by counsel in  
15:35:23 15 examination-in-chief will be admitted as Exhibit D18. I will  
16 hand it back to Mr Court Attendant.

17 [Exhibit No. D18 was admitted]

18 MR GRAHAM:

19 Q. Mr Witness, can you tell this Court, do you know whether  
15:35:48 20 the person's whose name you have written down on that piece of  
21 paper, do you know whether he was killed by the rebels during  
22 that attack in Karina? Do you know?

23 A. The single person whom I was told about, I was not there.

24 Q. Mr Witness, the name that you just wrote, the name on the  
15:36:22 25 piece of paper, do you know where that person presently is? The  
26 name you wrote on the piece of paper?

27 A. At the moment he is in Karina. He's replacing me at the  
28 moment.

29 Q. Thank you, Mr Witness. Mr Witness, I'm going to ask of

1 you -- Mr Witness, if I told that you a witness from the  
2 Prosecution testified in this Court that you were killed in the  
3 mosque by the first accused on May 8, 1998 during the rebel  
4 attack, what would you say to that?

15: 37: 02 5 MR HARDAWAY: Objection, Your Honour. Objection to the  
6 question. If you recall the testimony, if my learned friend is  
7 reciting correctly, it was xxx xxx not necessarily this witness  
8 in particular.

9 PRESIDING JUDGE: Yes, you can respond.

15: 37: 32 10 MR GRAHAM: Your Honour --

11 PRESIDING JUDGE: Look, I'm sorry. I have again  
12 accidentally turned the witness's microphone off.

13 MR GRAHAM: Your Honour, we have had evidence --

14 PRESIDING JUDGE: I cannot see the point in asking that  
15: 37: 48 15 question and it is up to the Court to evaluate the weight to be  
16 given to any evidence from a witness. It is not up to counsel to  
17 put the evidence of other witnesses to this witness and ask them  
18 what sort of veracity or otherwise they put on it.

19 JUDGE SEBUTINDE: Plus, Mr Graham, you stand the danger of  
15: 38: 11 20 exposing this witness yet again.

21 MR GRAHAM: Okay, very well.

22 Q. Mr Witness, do you know how many mosques there were in  
23 Karina?

24 PRESIDING JUDGE: He has already answered that.

15: 38: 31 25 MR GRAHAM: Your Honours, I'm asking on a specific day.

26 PRESIDING JUDGE: All right, go ahead.

27 MR GRAHAM:

28 Q. Mr Witness, I'm asking you, do you know how many mosques  
29 there were in Karina on May 8, 1998 when the rebels attacked?

1 How many mosques there were in Karina?

2 A. Only one mosque was there. Only one mosque.

3 Q. Thank you.

4 A. Up 'til now there is only one mosque.

15:39:07 5 MR GRAHAM: Thank you, Your Honours, I don't have any  
6 further questions for this witness. I'm grateful for the time.

7 PRESIDING JUDGE: Thank you, Mr Graham. Yes, Mr Hardaway.  
8 I take it there is no other questions in chief; is that correct?

9 MR MANLY-SPAIN: Yes.

15:39:23 10 PRESIDING JUDGE: Yes, go ahead.

11 MR HARDAWAY: Thank you, Your Honour. In an over abundance  
12 of caution, based on the comments of my learned friend, my  
13 cross-examination will be short. But out of the security issues  
14 of the witness, I would ask that we move into closed session for  
15:39:33 15 my cross-examination, because I will be referring to various  
16 specific locations and places and that might put the witness's  
17 security at risk. So pursuant to Rule 79(A)(ii) I would ask that  
18 we go into the closed session.

19 PRESIDING JUDGE: All right. I take it that the Defence  
15:39:57 20 would have no objection. Well, members of the public some  
21 questions are going to be asked now that might put this witness's  
22 security at risk, so we are going to go into closed session.

23 [At this point in the proceedings, a portion of the  
24 transcript, pages 97 to 99, was extracted and sealed under  
15:40:04 25 separate cover, as the session was heard in camera.]

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1 [Open session]

2 MR WALKER: Court is now in open session, Your Honour.

3 PRESIDING JUDGE: Is there anything in re-examination?

4 MR GRAHAM: No, Your Honours, not at all. Thank you.

15:51:25 5 PRESIDING JUDGE: Mr Witness, we would like to thank you  
6 for coming to court and giving evidence today. You are now free  
7 to leave, but please wait until the Court attendant makes the  
8 arrangements for you to leave.

9 [The witness withdrew]

15:51:47 10 PRESIDING JUDGE: Mr Graham, do you have another witness  
11 ready to call?

12 MR GRAHAM: Yes, Your Honour, I believe so. I don't know  
13 whether the witness is within the Court premises, but we  
14 definitely do have one witness waiting to testify.

15:52:48 15 PRESIDING JUDGE: I think, Mr Graham, we will take that  
16 witness first thing in the morning. Could you tell us what  
17 number he will be?

18 MR GRAHAM: Your Honour, I'm grateful for the five minutes.  
19 Your Honours, I think we have witness DBK-105 and I believe he  
15:53:14 20 will be speaking in Loko. DBK-105, Your Honours.

21 PRESIDING JUDGE: Thank you, Mr Graham. We will adjourn  
22 the Court now until 9.15 tomorrow morning.

23 [Whereupon the hearing adjourned at 3.57 p.m.  
24 to be reconvened on Tuesday, the 18th day of  
25 July, 2006, at 9.15 a.m.]

26  
27  
28  
29

EXHIBITS:

Exhibit No. D18 94

WITNESSES FOR THE DEFENCE:

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EXAMINED BY MR MANLY-SPAIN 7

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