

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

TUESDAY, 19 JULY 2005
9.20 A.M.
TRIAL

TRIAL CHAMBER II

Before the Judges:	Teresa Doherty, Presiding Julia Sebutinde Richard Lussick
For Chambers:	Mr Simon Meisenberg
For the Registry:	Ms Maureen Edmonds
For the Prosecution:	Mr Jim Hodes Ms Wambui Ngunya Ms Maja Dimitrova (Case Manager)
For the Principal Defender:	No appearances
For the accused Alex Tamba Brima:	Ms Glenna Thompson
For the accused Brima Bazy Kamara:	Mr Mohamed Pa-Momo Fofanah Mr Ibrahim Foday Mansaray Mr Andrew William Jodwo Daniels
For the accused Santigie Borbor Kanu:	Mr Geert-Jan Alexander Knoop

1 [AFRC19JUL05A - CR]
2 [Tuesday, 19 July 2005]
3 [Open session]
4 [Accused Brima, Kamara and Kanu present]
09:18:57 5 [Witness entered court]
6 [Upon resuming at 9.20 a.m.]
7 PRESIDING JUDGE: Good morning. I note there is a new
8 witness. Unless there are other matters, I will ask the Court
9 Attendant to swear the witness in.
09:25:18 10 MR HODES: Your Honours, I rise with just one brief issue.
11 It deals with the witness TF1-045. He is much like a previous
12 witness whose identity would be easily discerned based on some
13 information that I believe that I can get out in closed session
14 fairly quickly. So I am making an application for a short closed
09:25:39 15 session to get to that information and then we can open up the
16 Court again. I believe I've already addressed it with Defence
17 counsel and there are no objections from Defence.
18 PRESIDING JUDGE: Is that the opening evidence, Mr Hodes,
19 you're referring to, so the application is an immediate
09:25:58 20 application?
21 MR HODES: It is, Your Honour.
22 PRESIDING JUDGE: Very well. Counsel for the Defence, you
23 have heard the application. What is your reply?
24 MS THOMPSON: Your Honour, we have no objections.
09:26:07 25 PRESIDING JUDGE: You speak on behalf of all Defence
26 counsel, Ms Thompson?
27 MS THOMPSON: Yes, Your Honour. It was actually mentioned
28 to us yesterday.
29 PRESIDING JUDGE: I see.

1 [Trial Chamber conferred]

2 [Ruling]

3 PRESIDING JUDGE: This is the ruling on the application for
4 a closed session. The Court accepts the need to protect the
09:34:26 5 witness's identity and notes the Defence do not object. But in
6 light of yesterday's evidence, we consider it the duty of counsel
7 to ensure that only matters that are really relevant to identity
8 are dealt with in closed session. The witness will be sworn in
9 in open session and preliminary matters not likely to reveal
09:34:48 10 identity adduced. The closed session will be allowed when
11 evidence that could likely reveal his identity is about to be
12 adduced.

13 Madam Court Attendant, please swear in the witness. I
14 understand it's Krio, Mr Hodes, is that correct?

09:35:14 15 MR HODES: It is Krio, Your Honour.

16 PRESIDING JUDGE: Mr Hodes, we will be depending on you to
17 give us the relevant indication, and then the ruling will be made
18 in public.

19 WITNESS: TF1-045 [Sworn]

09:35:59 20 [The witness answered through interpreter]

21 EXAMINED BY MR HODES:

22 Q. Mr Witness, good morning. Mr Witness, I'm going to ask you
23 some questions and I need you to listen to the interpreter before
24 you try to answer the questions; is that okay?

09:36:16 25 A. Yes, sir.

26 Q. I'm also going to need you to speak somewhat slowly so that
27 the interpreter can translate what you are saying into English;
28 okay?

29 A. It is not bad, sir.

1 Q. Later on, the Defence counsel will have a chance to
2 question you as well and I ask whether or not you can show them
3 the same restraint and respect in answering their questions;
4 okay?

09:36:53 5 A. No problem, sir.

6 Q. Mr witness, how old are you?
7 A. I'm up to 3X, 3X years old now.

8 Q. What district are you from?
9 A. From Pujehun District.i

09:37:28 10 Q. Mr witness, what is your native language?
11 JUDGE SEBUTINDE: Spellings, please.
12 MR HODES: Pardon me. Pujehun, I have spelt P-U-J-E-H-U-N.
13 THE WITNESS: You are correct, P-U-J-E-H-U-N.
14 MR HODES:

09:37:46 15 Q. Mr witness, what is your native language?
16 A. It is Mende and Krio.
17 Q. And you are comfortable enough speaking Krio to testify in
18 court today in Krio?
19 A. Better, better.

09:38:11 20 Q. Mr witness, what is your current occupation?
21 A. I'm just a farmer.

22 Q. Mr witness, did anything happen to you back in 1991?
23 A. Yes, sir.

24 Q. Would you please tell the Court what happened to you in
09:38:51 25 1991?
26 A. Yes, sir. In 1991, we were in our village in XXXXX
27 XXXXX in Pujehun District. We were there at around 1991
28 in March, 23rd. The Liberians and Sierra Leone and RUF rebels
29 crossed into Sierra Leone where we were in our home. They

1 reached there, so they captured me with some of my sisters with
2 other civilians. So they took us all. They took me straight to
3 the base which is in Pujehun District.

4 Q. Stop for one second. Where did they take you?

09:40:12 5 A. In at Gisiwolo base.

6 Q. Can you spell that for the Court, or try to spell it to the
7 Court to the best of your abilities.

8 A. Gisiwolo, that's what you mean?

9 Q. Yes.

09:40:29 10 A. No, I cannot spell it now.

11 Q. I will give the Court the spelling that I have. If Defence
12 counsel has a better sense of it -- but it is G-I-S-I-W-O-L-O.
13 That is also in Pujehun District.

14 PRESIDING JUDGE: There was the name of a village, too,
09:40:54 15 Mr Hodes, a little earlier in that part of the evidence.

16 MR HODES: Mr witness, do you still live in the village
17 that you were born in?

18 A. No.

19 Q. I'm not going to ask you where you live now, Mr witness, so
09:41:18 20 you don't have to answer that. What the Court wants to know is
21 how you spell the name of the village that you were living in
22 when the RUF arrived. Can you spell that village?

23 A. Yes. Where I was when they captured me in my village, you
24 are asking for the village in which I was when I was captured?

09:41:48 25 Q. Can you spell it?

26 A. Yes. Njewoma, yes. N-J-E-W-O-M-A. Njewoma.
27 N-J-E-W-O-M-A. Njewoma. B-A-R-R-I-E, Barrie. B-A-R-R-I-E,
28 Barrie. Pujehun District.

29 Q. Thank you, Mr witness.

1 A. Thank you, too.

2 Q. So just to get you back to where we were, the RUF rebels,
3 both Liberian and Sierra Leone, had captured you and taken you to
4 Gisiwolo. What did you do in Gisiwolo?

09:42:48 5 A. Well, after they had taken me there, they opened somewhere
6 which they say in the bush, which is a base, it is by a hill.
7 They trained us there as fighters when they captured me. So, I
8 was with them for long up to 1994.

9 Q. Mr Witness, let me stop you again. You just mentioned a
09:43:15 10 base. Was the base at Gisiwolo?

11 A. Yes, around Gisiwolo, around the outskirts in a bush. It
12 was there that they made their base.

13 Q. I think your testimony was that you were there until 1994;
14 is that correct?

09:43:51 15 A. No, I had been training so after the training, I graduated.
16 We had been together at Zogoda my area -- sorry, until 1994 until
17 we met with Foday Sankoh at Zogoda.

18 Q. Witness, I'm going to stop you again. I apologise if I
19 stop you every now and then. It's to clarify some things that
09:44:19 20 you might say, okay.

21 A. Yes, sir.

22 Q. I believe you just mentioned another town or village. One
23 of the things I'm going to ask you to do when I stop you is try
24 to spell the town or village that you mention, okay?

09:44:40 25 A. Yes, sir.

26 Q. You've just mentioned a village. I will be honest, I
27 didn't get it written down. I think it was So, something. Do
28 you recall what you just testified?

29 A. Yes, sir. I remember. It's something that I happened with

1 me, I remember everything. That was Sorogbama. It was a
2 chiefdom that was in Pujehun District.

3 Q. Can you spell that for the Court?

4 A. S-O-R-O-G-B-A-M-A, Sorogbama.

09:45:28 5 Q. What were you doing in Sorogbama?

6 A. Well, I would have been with them there. We have been as
7 fighters until they sent me somewhere where they said I should go
8 and sit down there. Because Foday Sankoh said since I have been
9 trained, I should be a security, so I was just at the

09:46:04 10 headquarters with the commanders so we were all there until 1994.
11 Foday Sankoh himself, he came and opened Zogodia. He called on
12 us, so in 1994, he had beaten Kailahun part, while we were at
13 Sorogbama. So it was in 1994 --

14 Q. You just mentioned another place, Zogodia. Can you spell
09:46:37 15 Zogodia for the Court?

16 A. Well, let me try. Z-O-G-O-D-I-A.

17 Q. Mr witness, what was happening in Zogodia when you were
18 there?

19 A. Well, I've been there to Foday Sankoh as security. One of
09:47:19 20 his security's department, who was called Sankoh's Strike Force.

21 Q. Mr witness, without telling us the next position you had
22 within the RUF, how long did you work as security for Foday
23 Sankoh? I'm just asking about how long you worked for
24 Foday Sankoh.

09:48:15 25 A. Well, from 1991, when I had graduated from the base, I had
26 been as a security. When he was -- he left me and he was at
27 Kailahun. From 1991 when he left Pujehun District, where we
28 trained, he was in Kailahun part. From 1991 to 1994 again, we
29 all met at Zogodia. So, again, let me say from 1991 up to 1995,

1 I had been with him. So later --

2 Q. Again, I don't want you to talk about other jobs you had in
3 the RUF at this time. I only want you to talk about the time
4 that you were with Foday Sankoh and working for Foday Sankoh. Do
09:49:05 5 you understand?

6 A. Repeat.

7 Q. I don't want you to mention the name of your next job, or
8 the person you worked for right now. Do you understand?

9 A. Yes, sir.

09:49:27 10 Q. All I want you to do is try to tell the Court and the
11 lawyers how long you worked for Foday Sankoh as security. Was
12 1995 the end of the time that you worked for Foday Sankoh as
13 security?

14 [By order of the Court this portion of the transcript, page
09:50:06 15 8, lines 14 to 15, was extracted and filed under seal]

16 Q. Mr Witness --

17 MR HODES: Can I ask for a closed session at this time.

18 PRESIDING JUDGE: In light of no objection by the Defence
19 and for the protection of the witness and the witness's identity,
09:50:16 20 we will now go into closed session.

21 [At this point in the proceedings, a portion of the
22 transcript, pages 9 to 16, was extracted and sealed under
23 separate cover, as the session was heard in camera.]

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1 [Open session]

2 MR HODES:

3 Q. Mr witness, I'm going to ask you about some of the names
4 that you just mentioned. First of all, Foday Sankoh. Who was
10:15:34 5 Foday Sankoh?

6 A. Well, Foday Sankoh, he was the leader of the RUF movement
7 for Sierra Leone.

8 Q. You also mentioned Sam Bockarie, also known as Mosquito.
9 who was Sam Bockarie?

10:16:09 10 A. Well, he was a vanguard for the RUF so he held some key
11 positions close to Foday Sankoh.

12 Q. Let me stop you for a second. You just used the word
13 "vanguard". What did you mean when you said Sam Bockarie was a
14 vanguard?

10:16:34 15 A. Well, that is what we were told, that those who held them
16 and trained them in Liberia who were Sierra Leoneans to come to
17 start the war in Sierra Leone, they called them the vanguards.

18 Q. Just so I understand your answer, the vanguards were
19 individuals that were trained in Liberia?

10:17:25 20 A. Yes, for the RUF war.

21 Q. How many vanguards were there in the RUF?

22 A. There were many, but the Sierra Leonean vanguards who were
23 trained for this war, whom I know, whom I was told, there were
24 about 350. The Sierra Leonean vanguards, the Sierra Leoneans who
10:17:57 25 were among the Liberians who were called the vanguards from
26 Sierra Leonean, about 350 of them.

27 Q. You also mentioned the name Issa Sesay. Who was Issa
28 Sesay?

29 A. General Issa Sesay. All of them, they were in the same

1 category. They were all vanguards.

2 Q. I'm not going to ask you about all of them. I'm just
3 asking you to tell us who Issa Sesay was. Go ahead.

4 A. Issa Sesay, he, too, was a vanguard for the RUF.

10:18:56 5 Q. What was Sam Bockarie's responsibilities or duties in the
6 RUF?

7 MR KNOOPS: Your Honour, we'll check, because so far we
8 believe the witness hasn't established any foundation himself for
9 being competent to testify on responsibilities. As I noted, the
10:19:23 10 witness, until so far, testified that he was trained and
11 graduated and he was several times promoted. It's not clear
12 whether he was in a position to know what he says. I think
13 before going further, we should get more information on the
14 possibilities of this witness to testify on the questions that
10:19:49 15 the Prosecutor is putting to him.

16 PRESIDING JUDGE: Your reply to that objection, Mr Hodes?

17 MR HODES: Your Honour, this witness has testified that he
18 had been with the RUF since 1991 all the way through to 2000;
19 worked as personal security for the highest commanders within the
10:20:12 20 RUF; was promoted all the way to lieutenant colonel within the
21 RUF. I can't think of any further foundation that would be
22 required to establish his knowledge of the functions of the RUF.
23 He was right there all the way through to 2000 and had close
24 personal contact with the highest commanders of the RUF.

10:20:45 25 MR KNOOPS: Your Honour, these are not the words of the
26 witness. The witness never used the words "highest commanders".
27 The witness merely testified that he was the security officer of
28 one of the alleged commanders. The questions were not put in the
29 way: is he in a position to tell, for instance, who Sam Bockarie

1 is. The Prosecutor merely asked, "Can you tell us who is Sam
2 Bockarie?"

3 Therefore, I believe that based on the information we have,
4 the witness should first clarify whether he is in a position to
10:21:22 5 elaborate on the positions within the RUF and even if somebody is
6 promoted to lieutenant captain or colonel, it doesn't say that he
7 has any knowledge of role command structure of any organisation
8 like the RUF. Clearly, the witness didn't testify that he was
9 with the highest commanders, as the Prosecutor just replied.

10:21:57 10 [Trial Chamber confers]

11 PRESIDING JUDGE: The objection is upheld. We consider
12 there requires to be more foundation before this question can be
13 put to the witness.

14 MR HODES: Thank you, Your Honour.

10:22:26 15 Q. Mr Witness, based on your experiences for nine years within
16 the RUF, did you come to learn over time what the duties were for
17 different individuals within the RUF?

18 A. Yes, I knew that. I knew the command structure in the RUF
19 High Command. From the time we were there at Zogoda in 1994.

10:23:17 20 Foday Sankoh, he was the leader of the RUF. Then CO Mohamed,
21 Casino, he was next to him as field commander.

22 Q. I'm going to stop you for one second. CO Mohamed?

23 A. Mohamed Tarawalie.

24 Q. Do you know how to spell that, by any chance?

10:23:39 25 A. Mohamed Tarawalie?

26 Q. Tarawalie?

27 A. Tarawalie, no.

28 MR HODES: Your Honours, I have a spelling for that.

29 T-A-R-A-W-A-L-I-E.

1 PRESIDING JUDGE: Please proceed, Mr Hodes.

2 MR HODES:

3 Q. Were you aware of the duties of Sam Bockarie aka Mosquito -
4 also known as Mosquito?

10:24:38 5 A. What did you say? If I knew that Sam Bockarie was called
6 Mosquito?

7 Q. No, what I'm asking you is whether or not you knew what his
8 job was in the RUF. Without telling me what his job was, I'm
9 asking you: Do you know what it was?

10:25:11 10 A. I knew.

11 Q. How, witness? How do you know what Sam Bockarie's job was
12 within the RUF?

13 A. Well, he was in the forefront as the first battle commander
14 until he became the field commander. He was directing and
10:25:37 15 supporting us to fight the war.

16 Q. Mr witness, how do you know that that was what Sam Bockarie
17 did for RUF? How do you have that knowledge?

18 A. Yes, I got it because I was with Foday Sankoh when we would
19 call him and both of them would sit down together and I would
10:26:09 20 know and see how he would tell him, and I would see when we are
21 all gathered and what they will tell him and they will introduce
22 him as the leader, the battlefield commander. So I had known
23 that because we were altogether and they say things and I would
24 hear, and that is how I came to know.

10:26:28 25 Q. What about Issa Sesay? Do you know what his job was within
26 the RUF? I don't want you to tell us what it was, just whether
27 or not you know.

28 A. Yes, I know Issa Sesay and I know the work.

29 Q. How do you know what Issa Sesay's work was or job was for

1 the RUF? How do you have that information?

2 A. Well, the information I had, we were altogether, just as I
3 have told you. Then I was together with the boss, the head of
4 the - so he would call them together in our presence and he would
10:27:22 5 say everything. So I would see them and I would hear. That is
6 how I came to know about his duties.

7 [AFRC19JUL05-RK]

8 Q. Now, Mr Witness, what were Issa Sesay's duties within the
9 RUF?

10:27:38 10 A. A long time. He was a commander, commander directing. He
11 was directing fighters. This latter part he took over as RUF
12 leader, so I saw him and both of us. I know him. He will pass
13 his order and I will hear it and I will see him.

14 Q. So, Mr Witness, is it your testimony that Issa Sesay was a
10:28:15 15 battlefield commander?

16 A. Yes. He became battle group commander, then he became a
17 field commander, yes.

18 Q. Okay. Now, Mr Witness, I'm going to ask you about
19 Commander B?

10:28:36 20 A. Yes, Commander B was just a man who had been with the RUF
21 as we saw him. He was just an administrator. He was not
22 fighting. He was an administrator who write the programme. I
23 would see him do that. Times -- when the peace time came and
24 they will be sent there to represent them.

10:29:12 25 Q. Was Commander B invited to meetings of the leadership of
26 the RUF?

27 A. Yes, the time when I saw him.

28 Q. Mr Witness, I'm now going to take you back in time to 1997
29 and ask you whether or not you remember what happened here in

1 Sierra Leone in May of 1997. Do you remember that, Mr Witness?

2 A. Yes, sir.

3 Q. Can you tell us what happened in May of 1997?

4 A. Yes, sir. That was the time the soldiers they made a coup
10:30:19 5 against the President Tejan Kabbah.

6 Q. When did you learn of it or how did you learn of it,
7 rather? Just, how did you learn of it?

8 A. Well, I was in Liberia at that time. I was there with
9 Commander B, but later we went somewhere where he was arrested,
10:30:53 10 so I was waiting for him in Liberia. So later he was freed and
11 he came and met me in Liberia.

12 Q. Mr Witness. Mr Witness.

13 A. Yes, sir.

14 Q. My question to you was: How did you learn about the coup
10:31:10 15 in Freetown? How did you learn about it? Not where you were,
16 but how did you learn about it?

17 A. I heard it over the news, over the radio, the radio.

18 Q. In your earlier answer to that question, you indicated that
19 you were in Liberia with Commander B, why were you in Liberia
10:31:50 20 with Commander B?

21 A. Something happened in 1996 when the peace was signed at
22 Yamoussoukro. We were in Ivory Coast. So that was the time that
23 Foday Sankoh was arrested; Commander B too was arrested. I
24 escaped. I had some money. I escaped and came to Monrovia. I
10:32:33 25 was there in Congo Town. It was there that I was when I heard
26 about the coup. So I was there when Commander B was released.
27 He met me there.

28 Q. Go ahead and tell me what happened once Commander B met
29 with you in Liberia?

1 A. So when he met me in Liberia, it was almost the soldiers
2 had made the coup. So at that time the Sierra Leonean soldiers
3 were in Liberia; they were at Freeport. That was their
4 contingent base in the ECOMOG. So the soldiers who were there,
10:33:37 5 supported the coup which took place here. So --
6 Q. Let me stop you, Mr Witness. You indicated the name of a
7 place, I think Freeport?
8 A. Yes, Freeport in Monrovia.
9 Q. Okay. And who was it that was in Freeport?
10:34:01 10 A. Sierra Leone contingent.
11 Q. Sierra Leone contingent of what?
12 A. In the ECOMOG, in the Peace Accord, in the peace process.
13 They were there as peacekeepers.
14 Q. So there were Sierra Leone Army in Monrovia acting as
10:34:28 15 peacekeepers?
16 A. Yes. At that time there was a Sierra Leone contingent
17 there.
18 Q. I want to get you back to where Commander B meets you, all
19 right, Mr Witness.
10:34:53 20 PRESIDING JUDGE: Mr Hodes, could we have the name of the
21 place referred to in Ivory Coast where the peace was signed?
22 MR HODES:
23 Q. Mr Witness, you mentioned the name of a place in the Ivory
24 Coast. Can you repeat that and try to spell it and if not I will
10:35:17 25 help out?
26 A. Yes, where the Peace Accord was, it was called the
27 Yamoussoukro Peace Accord.
28 Q. Can you spell that, Mr Witness?
29 A. No, sir. No, sir.

1 MR HODES: I have to admit, Your Honours, I do not have a
2 proper spelling for it myself.

3 PRESIDING JUDGE: I'll take it phonetically, thank you,
4 Mr Hodes.

10:35:59 5 MR HODES:

6 Q. Mr witness, you have indicated that Commander B and Foday
7 Sankoh had been arrested in the Ivory Coast; right?

8 A. Yes, sir.

9 Q. And then at the time in May of 1997, Commander B was
10:36:16 10 released?

11 A. Yes, sir.

12 Q. And your testimony was that Commander B came to Liberia?

13 A. Yes, sir.

14 Q. Tell me what happened once Commander B and you were back
10:36:38 15 together reunited?

16 A. Well, when he came, he met me at Congo Town. He too when
17 he was freed, he heard about this coup. Then he met me there
18 then he said we should come with the -- where the Sierra Leone
19 contingent were. We came there at Freeport. When we came there,
10:37:13 20 he met one Mr Rashid who was the adjutant for the Sierra Leone
21 contingent there.

22 Q. Mr witness, can you spell Rashid?

23 A. No. No, sir.

24 MR HODES: I've have this one, Your Honours. It's,
10:37:41 25 R-A-S-H-I-D.

26 PRESIDING JUDGE: Mr Hodes, I notice you paused. Is this a
27 convenient time in your line of evidence to have the break?

28 MR HODES: Yes, Your Honour.

29 PRESIDING JUDGE: Very well. In that case we will take

1 15 minutes. Madam Court Attendant, please adjourn court.

2 MS EDMONDS: All rise.

3 [Recess taken at 10.34 a.m.]

4 [On resuming at 10.55 a.m.]

10:57:59 5 PRESIDING JUDGE: Please proceed, Mr Hodes.

6 MR HODES: Thank you, Your Honour. Defence counsel pointed
7 out something to me that I missed and that was before we entered
8 into closed session. Some members of the press may have been
9 present during some of my questioning, and so I would just ask
10:58:11 10 the Court to instruct any members of the press who may have been
11 present at that time to --

12 PRESIDING JUDGE: I will do so. Mr Hodes, is it personal
13 and place names or just personal names?

14 MR HODES: Just personal names, Your Honours.

10:59:57 15 PRESIDING JUDGE: This is an order of the Court directed to
16 members of press and media. Members of the press and media are
17 hereby ordered not to reveal or publish in any way any personal
18 names mentioned by this witness in the few answers of prior to
19 going into closed session.

11:00:23 20 MR HODES: Thank you, Your Honour. May I proceed?

21 PRESIDING JUDGE: Yes, please proceed.

22 MR HODES:

23 Q. Mr witness, before we took a break, you were telling us
24 about the Sierra Leone Army contingent that was working for
11:00:46 25 ECOMOG in Liberia and you mentioned Lieutenant Rashid.

26 PRESIDING JUDGE: Mr Hodes, I heard a Mr Rashid.

27 MR HODES: Sorry, Your Honour.

28 Q. With regards to Mr Rashid, was he with the Sierra Leone
29 contingent to ECOMOG?

1 A. [Microphone not activated]

2 PRESIDING JUDGE: The witness's mike is not on. Please
3 look after that.

4 JUDGE SEBUTINDE: Mr Hodes, I think the testimony before
11:01:32 5 the tea break was that this man, Rashid, was an adjutant.

6 MR HODES:

7 Q. Mr Witness, you identified Mr Rashid as an adjutant, was he
8 part of the Sierra Leone Army contingent to ECOMOG in Liberia?

9 A. Yes, sir.

11:01:56 10 Q. Was he a member of the Sierra Leone Army?

11 A. Yes, sir, he's a Sierra Leone soldier.

12 Q. Do you know what his rank was?

13 A. Yes. He was called Captain Rashid. He was a captain.

14 Q. You also indicated that he was the adjutant for the
11:02:32 15 contingent. Can you explain to the Court what that means?

16 A. Yes, sir. According to what I saw, he was the one that
17 wrote all their papers. The Sierra Leone contingent that was
18 there, he wrote for them.

19 Q. When you say "He wrote papers for the Sierra Leone
11:03:15 20 contingent," what are you talking about? Was he giving orders,
21 was he receiving orders? What does it mean that he wrote papers?

22 A. Well, that was what I saw. They said he was the adjutant.
23 He wrote. I had not been with them at that time. All that I
24 knew, I knew he was an adjutant and when we went there, they said
11:03:49 25 he was an adjutant.

26 Q. Okay, Mr witness. If you would, tell me why you and
27 Commander B had contact with Captain Rashid?

28 A. Yes. Earlier I told you, I said the soldiers overthrew
29 President Kabbah and the Sierra Leone soldiers who were in

1 Liberia all favoured that and when they took over, when they
2 overthrew Tejan Kabbah, the president, they called upon the RUF
3 soldiers who were in the bush to come and join, so Commander B
4 was eager to talk to Mosquito. He had almost been with the
11:04:57 5 soldiers in this town. So we came there for them to make --
6 because they had radio communication that he used to communicate
7 in Freetown here, so it was -- so that place that we went for
8 Commander B and Mosquito to talk and they talked.

9 Q. So you and Commander B made contact with Captain Rashid so
11:05:33 10 that Commander B could contact Mosquito; is that right?

11 A. Yes, sir.

12 Q. Was Commander B able to contact Mosquito?

13 A. Well, he took us to the radio station, the communication
14 room so we met the signallers there, whose name I cannot recall
11:06:08 15 now, but I saw him facially. He made the contact.

16 Q. Mr witness, my question was very simple and I'm going to
17 ask you again to listen to the questions and try to answer the
18 questions. The question to you was: Was Commander B able to
19 talk to or communicate with Mosquito at that time?

11:06:39 20 A. Yes, sir.

21 Q. Now, Mr witness, how did they communicate with each other
22 at that time?

23 A. Well, I saw him. There was a radio set before the
24 communication man, so he made the contact. Because Mosquito, who
11:07:03 25 was in Freetown, so Mosquito -- I heard his voice when he
26 answered, when both he and Commander B were talking. I heard
27 Mosquito's voice. When Commander B spoke, he replied to him.

28 Q. Mr witness.

29 A. Yes, sir.

1 Q. Were you present during the entire communication between
2 Commander B and Mosquito?
3 A. Yes, sir.
4 Q. What language were they speaking?
11:07:45 5 A. The same Krio.
6 Q. And you understood what was being said by both Mosquito and
7 Commander B?
8 A. Yes, sir. I was there. I heard it.
9 Q. Go ahead and tell us what it is you heard Commander B and
11:08:13 10 Mosquito discuss over the radio?
11 A. Well, after they had contacted Mosquito in Freetown here, I
12 heard -- he said to Commander B -- first, both of them greeted.
13 I heard that. Both from there, Mosquito expressed regret to
14 Commander B because of when -- because of his arrest. He had
11:08:54 15 been in jail for so long and fortunately he had been freed, he
16 said. He told him thanks and he prayed to God for his life. At
17 that moment he said he needed him urgently.
18 Q. Witness, I will slow you down a little bit because the
19 interpreter will need to keep up with you, but I will also ask
11:09:21 20 you to use the names Commander B and Mosquito when they're
21 talking so that we don't lose track of who is saying what, okay?
22 Do you understand?
23 A. Repeat.
24 Q. When you start talking about the conversation between
11:09:49 25 Commander B and Mosquito, I need you to identify who is speaking,
26 whether Commander B said this or Mosquito said this, instead of
27 he or him, okay?
28 A. Okay. Yes, sir.
29 Q. Thank you. Just to take you back, I think you were saying

1 Mosquito was telling Commander B that he was very happy to know
2 that Commander B had been released from jail that he was very
3 sorry about that. Can you continue from there.

4 A. Yes, sir. So after Mosquito told Commander B that he was
11:10:40 5 sorry for his arrest, Mosquito told Commander B that right now
6 there are brothers who are the soldiers whom they are fighting
7 against had made a coup and had overthrown the government and are
8 now calling the RUF to join them. So he said right now he was in
9 Freetown, Mosquito himself. So he said he wanted Commander B to
11:11:18 10 try his best and come over to Freetown, because he is urgently
11 needed to make a delegation, to review the Lome Peace Accord. So
12 Commander B said okay. He expressed thanks to Mosquito since he
13 was taking care of the fighters in the bush until he is now
14 called to town. So he prayed God to them, that is Commander B.
11:12:07 15 He tell them that he will fight -- he will do his best to come
16 and meet Mosquito in Freetown here.

17 Q. Mr witness, you just indicated that Mosquito wanted
18 Commander B to come to Freetown to be part of or to look at a
19 Peace Accord and you called it the Lome Peace Accord.

11:12:46 20 A. Yes, sir.

21 Q. Do you know for a fact that that was the name of the Peace
22 Accord that Mosquito wanted Commander B to look at?

23 A. Well, sorry. I'm talking about the Yamoussoukro Peace
24 Accord.

11:13:24 25 Q. Mr witness.

26 A. Yes, sir.

27 Q. Tell me what happened after this communication, after you
28 had heard Mosquito and Commander B talk. what did you do next?

29 A. Well, what we did, Commander B he tried all possible means

1 for us to come to Freetown. So we left Monrovia by a vehicle
2 that dropped us at one of -- a village called Kita. We walked
3 until we entered Buedu. When we reached Buedu, we came to Daru.
4 From Daru we came to Kenema. There we met Mosquito. We met --
11:14:33 5 we met that he had come from Freetown, so they met there. They
6 met there with Commander B.

7 Q. Was anyone else in Kenema either from the RUF or from the
8 SLA or AFRC when you arrived?

9 A. Yes. I knew about other commanders who were sent there as
11:15:17 10 a resident minister who was Eddie Kanneh.

11 MR FOFANAH: May it please, Your Honours. It is just a
12 point of observation which I want to draw to the attention of the
13 Court. My learned friend has just mentioned the AFRC, and to the
14 best of my knowledge, the witness has not said anything about
11:15:36 15 those acronyms as yet. So I don't know how he is getting to put them
16 to the witness.

17 PRESIDING JUDGE: I don't recall hearing that mentioned by
18 the witness, Mr Hodes.

19 MR HODES: Yes, Your Honour.

11:15:51 20 Q. Mr Witness, just to clarify something. When you heard
21 about the coup or the takeover in May of 1997, did you find out
22 whether or not the new government had a name?

23 A. Yes. Mosquito told Commander B, he said when the soldiers
24 had made the coup, they had been called and had formed armed
11:16:32 25 forces revolutionary council called RUF in which the RUF and the
26 soldiers came together and formed that government, but they made
27 our Pa as vice-chairman, Pa Sankoh. He is second in command to
28 Johnny Paul, but he was under arrest. Commander B was there.

29 Q. You just referred to somebody as "Pa Sankoh". Who is Pa

1 Sankoh? what is his real name, full name?
2 A. Pa Foday Sankoh.
3 Q. And is it the same Foday Sankoh who was the leader of the
4 RUF?
11:17:22 5 A. Yes, sir.
6 Q. Go ahead. You were about to say something else about
7 Commander B?
8 A. Yes, sir. I said Commander B had been where Foday Sankoh
9 was arrested. what was the RUF leader. It was for that reason
11:17:52 10 that Mosquito was eager to see him here in Freetown so that all
11 the AFRC members would sit down and make a delegation and he
12 would lead that delegation.
13 Q. When you say --
14 A. To Yamoussoukro.
11:18:06 15 Q. When you say "they," who are you referring to join with the
16 AFRC? You talked about them sitting down with the AFRC to create
17 a delegation. who are you referring to?
18 A. That is the RUF and the AFRC should sit down together and
19 form a delegation to review the Yamoussoukro Peace Accord.
11:18:42 20 Q. We got a little off track. I want to go back to Kenema.
21 You and commander B had arrived in Kenema, Mosquito, Sam
22 Bockarie, had met you there. I had asked you about any other
23 commanders or members of the RUF or members of the AFRC being
24 present. Do you recall that?
11:19:10 25 A. Yes.
26 Q. Do you remember when you arrived in Kenema, whether or not
27 there were other members of the RUF or the AFRC present at that
28 time?
29 A. Yes. The AFRC and the RUF were there together.

1 Q. You began to mention one name of a member of the AFRC. Do
2 you recall who that was?
3 A. Yes, sir.
4 Q. Who was that?
11:19:51 5 A. Eddie Kanneh.
6 Q. Can you spell Kanneh for me?
7 A. Yes.
8 Q. Go ahead.
9 A. K-A-N-N-E-H, Kanneh.
11:20:18 10 Q. Who was Eddie Kanneh? Which group was Eddie Kanneh with,
11 Mr witness?
12 A. Well, Eddie Kanneh was the resident minister of the east
13 for AFRC. He is an AFRC member.
14 Q. When you were in Kenema, did you meet with Eddie Kanneh?
11:21:03 15 A. Yes.
16 Q. Do you know who Eddie Kanneh reported to?
17 A. Yes, he was reporting directly to Johnny Paul.
18 Q. And again, if you know, what were Eddie Kanneh's duties, if
19 you know? If you don't know, please answer accordingly. If you
11:21:50 20 know, what were Eddie Kanneh's duties as resident minister?
21 A. Well, I don't know.
22 Q. Very good. Mr witness.
23 A. Yes, sir.
24 Q. Tell me what else happened when you and Commander B were in
11:22:17 25 Kenema at that time?
26 A. Well, when we entered Kenema, we met Mosquito. When I and
27 Commander B entered Kenema, we met Mosquito at NIC. It was at
28 NIC that he lodged. So he --
29 Q. Mr witness, NIC, what is NIC?

1 A. Well, it is -- it is a sort of company called National
2 Insurance Company. It is in that building that Mosquito was. He
3 occupied that place in Kenema.

4 Q. Thank you. Go ahead, I apologise for cutting you off. You
11:23:22 5 were about to tell us about the meeting between Commander B and
6 Mosquito at the NIC building?

7 A. Yes, sir. When we reached there, we sat together. I was
8 there. Commander B and Mosquito had talked about the same radio
9 conversation that took place in Monrovia between them. When we
11:23:45 10 reached again, we sat. He expressed sympathy for Commander B and
11 how -- why Commander B was arrested and Pa Foday Sankoh and he
12 said -- he explained about who caused those problems. He said he
13 had arrested those people. They are under him now, so now the
14 brothers who are the soldiers had formed a government to -- and
11:24:22 15 had called the RUF and that government is called AFRC. So he
16 said, "I needed you" -- they had made -- appointed our leader,
17 who is Pa Foday Sankoh as the second man to Johnny Paul, but at
18 that time he was under arrest. So he said --

19 Q. Mr witness, what I'm going to ask you to do is be very
11:24:57 20 careful with your responses and I'm going to slow you down a
21 little bit. All right?

22 A. Okay, sir.

23 Q. You were in this meeting with Mosquito and Commander B?

24 A. Yes, sir.

11:25:11 25 Q. And Mosquito went over some of the same things that he had
26 gone over in the radio communication; is that right?

27 A. Yes, sir.

28 Q. At the meeting, did Mosquito ask Commander B to do anything
29 in particular?

1 A. Yes, sir. What he told Commander B, that Commander B
2 should come down to Freetown so that they could form a delegation
3 to review the Yamoussoukro Peace Accord. So from that time
4 Mosquito provided a vehicle for Commander B, which took him
11:26:09 5 straight to Freetown here. But while he was coming, he left me
6 with Mosquito in Kenema. I was with Mosquito.
7 Q. Okay. Mr witness, if you recall, how long did you stay
8 with Sam Bockarie, also known as Mosquito, in Kenema?
9 A. I was with him from two to three weeks -- two weeks
11:26:53 10 roughly. Then he went me to Tongo.
11 Q. Why Tongo?
12 A. While I was with him and I had just come, there was no way.
13 And I had my family who live with me. Tongo was a place wherein
14 if you're hard working, you will be able to get your living from
11:27:22 15 there. So he sent me there. I went there waiting for
16 Commander B.
17 Q. What district is Tongo in, if you know?
18 A. Yes, it is in the Kenema District, lower Babare Chiefdom.
19 Q. You wouldn't know how to spell Babare by any chance, would
11:28:00 20 you ?
21 A. Yes.
22 Q. Go ahead.
23 A. B-A-B-A-R-E.
24 Q. Now, Mr witness, what kind of work were you going to Tongo
11:28:23 25 to do?
26 A. I was mining. I did mining.
27 Q. How did you get to Tongo, Mr witness?
28 A. I went with the vehicle.
29 Q. Were you with anyone?

1 A. Yes.

2 Q. Who were you with?

3 A. I was with other two men and Major Gweh.

4 Q. Do you know how to spell Gweh?

11:29:03 5 A. No, sir.

6 MR HODES: The spelling I have for it is G-W-E-H?

7 Q. Mr witness, who was Major Gweh?

8 A. He was an RUF.

9 Q. Do you know who he reported to?

11:29:42 10 A. Yes.

11 Q. Who did he report to?

12 A. To Mosquito.

13 Q. Did Major Gweh have any specific responsibilities or duties

14 in Tongo?

11:30:20 15 A. Yes.

16 Q. What were they?

17 A. He did personal mining for Mosquito. It was Mosquito that

18 arranged it for him. He gave him the instruments to mine

19 diamonds for him.

11:30:41 20 Q. By he and him, who gave who mining instruments, just to

21 make sure it's clear?

22 A. Well, Mosquito gave him the instruments and he ordered him

23 to mine for him.

24 Q. All right. Now, I just want to make sure this is clear.

11:31:07 25 "Mosquito gave him the instruments." When you say "him," who are

26 you referring to?

27 A. Major Gweh.

28 Q. What did you do once you arrived in Tongo?

29 A. When I reached Tongo, there were commanders there who were

1 taking care of that place at that time. One was Captain Yamao
2 Kati.
3 Q. Can you spell Yamao Kati?
4 A. No, sir.
11:32:00 5 MR HODES: Your Honours, the spelling I have is: First
6 name, Y-A-M-A-O; last name K-A-T-I.
7 Q. I apologise for cutting you off, Mr Witness. You were
8 about to tell us who Yamao Kati is?
9 A. Yes.
11:32:29 10 Q. Please go ahead.
11 A. And the other commander was there who was next to him.
12 Q. I cut you off before you were able to explain who Yamao
13 Kati was or is. Could you please tell us who Yamao Kati was?
14 A. Yes, sir. Yamao Kati was a captain who was in charge of a
11:32:59 15 whole company. The soldiers who were both RUF and AFRC based
16 there in Tongo. So he was there as a commander and the fighters.
17 So that was his duty. Then we had another commander --
18 Q. Mr Witness, do you know, and please answer only if you
19 know, who Yamao Kati was with, which organisation?
11:33:42 20 A. He was a soldier with the AFRC.
21 JUDGE SEBUTINDE: I thought in his earlier testimony he
22 said Yamao Kati of the RUF.
23 PRESIDING JUDGE: No, I heard... [Microphone not activated]
24 MR HODES:
11:34:03 25 Q. Just to clear things up, Mr Witness, you've just testified
26 that Yamao Kati was with the AFRC and one of the Justices
27 believes that you may have said RUF for Yamao Kati earlier. Can
28 you tell us for sure, if you know for sure which organisation
29 Yamao Kati was affiliated with?

- 1 A. Yes, Captain Yamao Kati was a soldier. He was with the
2 AFRC. Captain Yamao Kati, he was a soldier. I know him. I've
3 talked to him. We've discussed. He was a soldier. He was a
4 soldier, although he is already dead.
- 11:34:47 5 Q. Thank you, Mr witness. You indicated that Captain Yamao
6 Kati was in charge of a company of men that included RUF and SLA.
7 What was this company of soldiers doing in Tongo at this time?
- 8 A. Well, they were there. According to what I saw, they were
9 fighting. They were there to fight the Kamajors, because there
11:35:27 10 were Kamajors coming to attack. So they were also doing mining.
11 So he organised the fighters who went to fight against the
12 Kamajors who were not able to remove them where they were based
13 in Tongo.
- 14 Q. While you were in Tongo, did you ever see Yamao Kati or any
11:35:59 15 of his subordinates take troops out into the bush?
- 16 A. Well, I did not see that. But I saw at the time when I was
17 there, we heard firing and the Kamajors would come to attack. So
18 I will hear them call the armed men and send them.
- 19 Q. And the person who did that was who?
- 11:36:38 20 A. Captain Yamao Kati. He was a soldier.
- 21 Q. Do you know who Captain Yamao Kati reported to?
- 22 A. Yes, at that time when Mosquito was in Kenema, they will
23 drop in there. All the messages, he will give report to
24 Mosquito.
- 11:37:21 25 Q. If Mosquito was not in Kenema, do you know who Captain
26 Yamao Kati would report to?
- 27 A. No, no.
- 28 Q. Were there any other commanders that you knew of present in
29 Kenema when you were there?

1 A. Yes, sir.

2 Q. Do you recall who else was present?

3 MR FOFANAH: May it please Your Honours. May we be guided
4 as to the time, because we don't know if this witness has left
11:38:18 5 Tongo and come back to Kenema or is my learned friend referring
6 to the period when the witness came to Kenema.

7 MR HODES: Absolutely, and I withdraw the question. In
8 fact, I misspoke.

9 Q. This is all during the time in Tongo. Mr Witness, if you
11:38:35 10 would, tell us about how long did you spend in Tongo.

11 A. I was in Tongo up to three months, about two to three
12 months.

13 Q. During the three months that you were in Tongo, Mr Witness,
14 do you remember seeing any commanders other than the ones you've
11:39:09 15 already mentioned, like Mosquito, Captain Kati or Eddie Kanneh?
16 Actually, I take that back.

17 A. Yes, yes.

18 Q. Just Mosquito and Captain Kati, were there any other
19 commanders present?

11:39:36 20 A. Yes.

21 Q. Do you recall who they were?

22 A. Yes.

23 Q. Who else was there in Tongo when you were present?

24 A. Major Eagle.

11:39:58 25 Q. Who was Major Eagle and do you know how to spell Eagle?
26 A. No.

27 MR HODES: I have it down just as E-A-G-L-E.

28 Q. Who was Major Eagle, Mr Witness?

29 A. He was an RUF.

1 Q. Do you know what his duties were in Tongo?
2 A. Yes, sir, what I was told and what I saw, he was next to
3 Captain Yamao Kati as deputy.
4 Q. Anyone else you can think of present in Tongo during the
11:41:05 5 three months that you were there?
6 A. Yamao Kati, Eagle, Amuyepéh.
7 Q. Can you spell that?
8 A. No, sir.
9 MR HODES: I don't have the spelling for that one either,
11:41:31 10 Your Honours.
11 PRESIDING JUDGE: Can we have it again so we can have it
12 phonetically.
13 MR HODES:
14 Q. Can you pronounce the name that you just mentioned and say
11:41:40 15 it again slowly?
16 A. Amuyepéh.
17 Q. Who was Amuyepéh?
18 A. Well, he was a soldier who was captured by the RUF. He was
19 a captured soldier, but he had been with the RUF for long.
11:42:09 20 JUDGE SEBUTINDE: Mr Hodes, these are questions relating to
21 other commanders in Tongo?
22 MR HODES: Correct, Your Honour.
23 JUDGE SEBUTINDE: So this person Amuyepéh would be another
24 commander in Tongo.
11:42:24 25 MR HODES: Correct.
26 Q. Were there any other commanders that you met again who were
27 either members of the RUF or the SLA or AFRC?
28 A. Yes, they were there. Like, the PLO 2 was there. I have
29 just forgotten his name, but PLO 2 was there. He was with the

1 AFRC, then Sergeant Junior he too was with the AFRC. He was the
2 OC secretariat.

3 Q. If you would stop for one second.

4 MR KNOOPS: Your Honour, if I may interrupt at this moment.
11:43:34 5 I think I should either object against the line of questioning or
6 the -- and/or the answering of the witness. I think without
7 further clarification given by the witness, the witness is, in my
8 humble opinion, giving conclusions because he is not giving any
9 information as how he was able to distinguish between AFRC and
11:43:59 10 soldiers SLA.

11 For instance, he mentions in respect to Mr Kati, at one
12 moment AFRC soldier and a few minutes later, he said he was a
13 soldier. In the questions the Prosecution has put to the witness
14 until so far, especially the last question, the question
11:44:21 15 enumerates RUF, AFRC and SLA. Therefore, without any foundation
16 given by the witness, he is giving conclusions when he mentions
17 the one time AFRC and at the other time soldier. He is simply
18 concluding on issues without presenting facts as to whether and
19 how to distinguish between AFRC and SLA.

11:45:02 20 PRESIDING JUDGE: Your reply Mr Hodes -- sorry, Mr Knoops.

21 MR KNOOPS: In addition to that, I believe in the time
22 frame we're speaking about the coup d'etat just emerged so the
23 question arises how witness is able to speak about AFRC members
24 shortly after the coup and how they arrived in Tongo or Kenema.
11:45:31 25 So I think this reinforces my objection that the witness is
26 giving merely conclusions and not facts.

27 MR HODES: Your Honour, at this point I believe we've
28 established that this witness, certainly with regards to the RUF
29 faction, is aware of, familiar with, has knowledge of every

1 aspect of the operations and every commander and is familiar
2 with -- perhaps not every commander because I haven't gone into
3 questioning him about every commander, but he has been involved
4 with the RUF basically since 1991 and has worked, again, as I
11:46:20 5 said previously, based on some his closed testimony, worked with
6 the highest levels of the commanders in the RUF. So he certainly
7 has the basis of knowledge to testify about who was in the RUF
8 and who were the commanders in the RUF. As far as the AFRC, I
9 will be happy to go back over that with the witness to help
11:46:40 10 establish how it is that he knew who these individuals were and
11 what their titles were within those organisations. But as far as
12 the RUF goes, I believe that the foundation has been laid for
13 this witness to be able to testify to just about anything within
14 the RUF hierarchy and organisation.

11:47:00 15 PRESIDING JUDGE: The witness also used the words "SLA".

16 MR HODES: I'll clarify that with him, Your Honour.

17 MR KNOOPS: Your Honour, with all due respect, it was not
18 the crux of my objection. The crux of my objection is that the
19 witness is not able, without any clarification, to speak about
11:47:26 20 individuals belonging to the AFRC and individuals belonging to
21 the SLA at this particular point in time. This is, I think, a
22 crucial distinction the witness should be able to make in order
23 to say Mr Kati was AFRC and another person was simply SLA,
24 because he mentions twice AFRC and he was a soldier, speaking
11:47:51 25 about the same person, namely, Mr Kati. So this is the crux of
26 my objection.

27 I'm not contesting that the witness has no knowledge on the
28 RUF. I contest that he has knowledge without giving further
29 facts on the structure of the AFRC. We never heard testimony

1 until so far that he was a member of the AFRC.

2 PRESIDING JUDGE: Anything to add in the light of that,
3 Mr Hodes?

4 MR HODES: No, Your Honour. I will clarify how he had the
11:48:29 5 knowledge of different individuals, whether or not they were SLA
6 and loyal to the Sierra Leone government, or SLA and part of the
7 AFRC and clarify that for each individual that he has mentioned.

8 [Trial Chamber confers]

9 PRESIDING JUDGE: In relation to the AFRC and the SLA, the
11:49:16 10 objection is a valid one, but we allow the Prosecution to clarify
11 the issues that have been raised in the objection by the Defence.

12 MR HODES: Thank you, Your Honour.

13 Q. Mr Witness, I'm going to go over a couple of the names you
14 have just mentioned and clarify your knowledge of these
11:49:38 15 individuals. I'm going to start with Captain Kati. You know, at
16 different times I believe you identified him as a soldier, SLA
17 and AFRC. If you would, please explain to the Court how you know
18 of Captain Kati, first of all?

19 [AFRC19JUL05C-SGH]

11:49:59 20 A. Well, Captain Yamao Kati is just as I have told you, he was
21 with the AFRC. So, how I know him is when I got there, when I
22 got to Tongo to them, every morning he had his place wherein all
23 other commanders will go to him. So, luckily, when I was there,
24 in the morning all of us would go to him and there they made the
11:50:31 25 introductions. Saying that this is the AFRC commander. He was
26 the commander for here. So that is how I came to know him.

27 Q. Mr Witness, do you know Captain Kati, who you learned was a
28 member of the AFRC. Do you know whether or not he had been a
29 member of the Sierra Leone Army?

1 A. Yes, sir. He was in the Sierra Leone Army until they
2 formed the coup on Tejan Kabbah. So he was sent there as a
3 commander. When the AFRC and RUF joined and formed the
4 government, so he was there as a commander for the AFRC and RUF
11:51:22 5 in Tongo.

6 Q. Mr witness, how did you know that Captain Kati had been a
7 soldier or a member of the Sierra Leone Army?

8 A. Well, I knew through the conversation. We sat down and
9 they introduced him. They made introduction. So that is how I
11:51:54 10 came to know that he was in the Sierra Leone soldier -- he was a
11 Sierra Leone soldier who -- when after the overthrow and we all
12 became AFRC soldier. So that is how I came to know that he was
13 in the Sierra Leone Army before the coup and then he was a
14 commander for Tongo.

11:52:20 15 Q. Mr witness, did Captain Kati tell you that himself or did
16 someone else tell you about Captain Kati's background?

17 A. Yes, Yamao Kati is somebody who was Major Eagle's deputy,
18 who was close to -- he was an RUF man. So when we were all
19 together, he made the introduction.

11:52:49 20 Q. Mr witness, I just want to clarify something that I
21 think -- I just want to make sure it is clear. The way it was
22 explained just now by the interpreter is that Yamao Kati was
23 deputy to captain or Major Eagle. Who was in charge? Who was in
24 command of the company of fighters in Tongo and who was the
11:53:16 25 deputy?

26 A. That is what I am saying. Captain Yamao Kati, he was the
27 commander. Major Eagle was his deputy. The rank was not a
28 matter, but the assignment.

29 Q. Thank you, I just wanted to clarify that.

1 A. Yes.

2 Q. You mentioned -- let's take Major Eagle from the RUF. How
3 did you know Major Eagle that he was affiliated with the RUF,
4 just to be very clear about that?

11:54:09 5 A. What? Are you asking me to tell you what he had been doing
6 for the RUF or how I knew him to be an RUF commander?

7 Q. Correct. How you knew him to be an RUF commander.

8 A. Well, before I went there, RUF -- Mosquito had told me
9 before I got there and when I got there I saw him. So I went
11:54:32 10 straight to him because I, too, was an RUF man. So the RUF
11 commander that was there, so I went to him. Then I knew that he
12 was a deputy. He was assigned next to Yamao Kati.

13 Q. Mr witness, did you know Major Eagle before you even
14 arrived in Tongo?

11:54:59 15 A. Yes, sir.

16 Q. You also identified some other people who you identified as
17 being members of the AFRC. You started with an individual who
18 you identified as a PLO2, but you didn't know the person's name.
19 First of all, how did you know that this person was part of the
11:55:24 20 AFRC?

21 A. Well, he, too, I did not know him before. It was in Tongo,
22 when I go to Tongo, when the introductions were made, that was
23 the time I was told. And that was the time I knew that he was an
24 AFRC. That he was assigned there as a PLO, as PLO2.

11:55:59 25 Q. Who made the introductions to you as PLO2? Who made that
26 introduction, if you recall?

27 A. What, the PLO2? Who introduced him to me?

28 Q. Yes.

29 A. It was during the meeting.

1 Q. And by the meeting are you referring to the command meeting
2 that Captain Kati would have in the mornings?
3 A. Say that again.
4 Q. You said in a meeting. Are you referring to the meeting
11:56:38 5 that you indicated before in which Captain Kati would meet with
6 his other commanders in Tongo?
7 A. Well, I said when I reached -- when I got there. Each time
8 I reached a place, the commanders who are on the ground you have
9 to meet them before ever you could do anything. So when I went,
11:57:02 10 I went straight to because I knew that there were commanders
11 there. But the one whom I knew before was Major Eagle. So when
12 I went to him, all of us went to the next day to the commander
13 who is Captain Yamao Kati. So we met the PLO2 there. We met
14 Sergeant Junior there who was the OC secretariat. So they made
11:57:22 15 introductions there.
16 Q. Okay. Mr Witness --
17 A. Yes, sir.
18 Q. -- the introductions were made to the PLO2 and to Sergeant
19 Junior. And did somebody identify which group - I am going to
11:57:44 20 start with PLO2 - did someone identify which group PLO2
21 represented?
22 A. Yes, sir.
23 Q. What group did PLO2 represent?
24 A. AFRC.
11:58:02 25 Q. You also just indicated that introductions were made
26 between you and Sergeant Junior and you met Sergeant Junior?
27 A. Yes, sir.
28 Q. Did somebody indicate what group Sergeant Junior was with
29 when you met him?

1 A. Yes, sir.

2 Q. What group did they say Sergeant Junior was with?

3 A. The AFRC, sir.

4 Q. With regards to the PLO2 from the AFRC, do you remember
11:58:54 5 what his duties or responsibilities seemed to be in Tongo based
6 on your observations?

7 MR KNOOPS: This is a question that calls for speculation.

8 PRESIDING JUDGE: Mr Hodes, seems to be is --

9 MR HODES: I will re-phrase.

11:59:05 10 Q. Mr witness --

11 MR FOFANAH: In addition to that, sorry. In addition to
12 that, I am objecting on the grounds that a proper foundation has
13 to be laid. I mean, the witness has not told this Court if he
14 knew as to whether this man performed any responsibilities or had
11:59:19 15 duties in Tongo. Thank you.

16 MR HODES: I will clarify.

17 Q. Mr witness, when you were in Tongo was the person you
18 identified as the PLO2 in Tongo for a period of time as well?

19 A. I did not get you. I don't understand it.

11:59:52 20 Q. You remember you identified somebody as being a PLO2 from
21 the AFRC; do you recall that?

22 A. Yes, sir.

23 Q. And that that person was in Tongo and that you met him in
24 Tongo; do you recall that?

12:00:07 25 A. Yes, sir.

26 Q. Do you recall how long that person was in Tongo while you
27 were still in Tongo? were they there, for instance, the whole
28 three months you were there or less than that?

29 A. well, less than that because he was there for sometime and

1 later he was arrested. So he left me there.

2 Q. When you and the PLO2 were in Tongo the same time though,
3 did you see what the PLO2 was doing in Tongo? Could you actually
4 observe what his actions were?

12:01:01 5 A. Yes. When I reached -- what I was told and what I saw, I
6 was told that he was the PLO2 and he was in charge of the mining.
7 The diamond mining for the AFRC, that he was in charge. He had
8 control over it.

9 Q. And with regards to Sergeant Junior, who you also
12:01:41 10 identified as being AFRC, was he in Tongo for the same period of
11 time you were or for less time than you were?

12 A. Yes, sir.

13 Q. Which? How long was he in Tongo?

14 A. Well, he was there up to the three months and I left him
12:02:08 15 there.

16 Q. During the time that you were in Tongo could you observe
17 what Sergeant Junior was doing in Tongo?

18 A. Yes, it was later on that I saw and the one that I know
19 that he was the OC secretariat, the civilian administration, and
12:02:41 20 I saw sometimes he will call the elders, the civilians in the
21 town. He would talk to them. I saw him. I saw vehicles
22 entering. They will take commission for all vehicles entering.
23 The vehicle will stop by the secretariat and I saw that work
24 going on. Most of the time that was the work he did.

12:03:17 25 Q. How many people were mining in Tongo, approximately? We do
26 not need an exact figure, how many people in your mind were
27 mining in Tongo back at this time in 1997?

28 A. Well, many. It can be 300, 500, I cannot estimate.

29 Q. Of those, how many of them were civilians?

1 MR KNOOPS: Your Honour, I think this is again a question
2 that calls for speculation. The witness is not able to give the
3 exact number of the people who were mining. I don't think it is
4 a matter of facts, but a matter of guessing right now.

12:04:12 5 MR HODES: I will re-phrase the question.

6 Q. Mr witness, who did the mining work in Tongo?

7 A. Well, the AFRC, but they used civilians to do this.

8 Q. How did the AFRC organise this mining operation?

9 MS THOMPSON: Your Honour, unless this witness tells us he
12:05:21 10 was a member of the AFRC or he had some other knowledge of the
11 AFRC, I don't see how he can answer the question as to how the
12 AFRC organised the mining operations in Tongo or elsewhere. I
13 object to the question --

14 MR HODES: I will re-phrase.

12:05:30 15 MS THOMPSON: -- in its present form in any event.

16 MR HODES: I will withdraw and re-phrase.

17 Q. Mr witness --

18 A. Yes, sir.

19 Q. Was there any organisation to the mining operations in
12:05:50 20 Tongo that you were aware of?

21 A. Yes.

22 Q. What was the organisation with regards to mining operations
23 in Tongo; can you explain that to us?

24 A. Well, I saw they formed something like committees that
12:06:27 25 combines with civilians. This committees was in charge of their
26 colleagues and civilians that they gather and present them to the
27 secretariat. They divide them to do this mining.

28 Q. The committees, what else did the committees do with
29 regards to the mining operations in Tongo?

1 A. Well, this committee that was formed, as I told you, was in
2 charge of the civilians. When they go in search of civilians
3 they would give them armed men. They would be behind them to
4 collect civilians. Their colleagues --

12:07:45 5 Q. I am going to stop you right there, Mr witness. You were
6 just saying that people would go out to get civilians, armed men
7 would go out to get civilians. Can you explain that?

8 A. I said when they are going, this committee -- this
9 security -- this committee you have the security. These security
12:08:19 10 behind them. Wherever they reach they will gather manpower
11 there. So they would hand over -- this committee would hand over
12 these people that they gather to the armed men and these armed
13 men will take them to the secretariat to make sure that nobody
14 would escape.

12:08:41 15 Q. The people -- you are saying that there are people who were
16 taken by armed men? Is that what you are saying?

17 A. It was not the fighters that went and brought them. It was
18 their own company civilians who would go. Their colleagues.

19 THE INTERPRETER: My Lord, let the witness repeat his
12:09:11 20 answer. The last bit of his answer.

21 PRESIDING JUDGE: Mr witness, can you repeat the last part
22 of your answer slowly so the interpreter can hear you, please?

23 THE WITNESS: I said these civilians who are on this
24 Committee, they would go and collect their colleague civilians.
12:09:47 25 They handed them over to these fighters. Then these fighters
26 would move them to the secretariat.

27 MR HODES:

28 Q. So, Mr witness, are you saying that civilians from Tongo
29 would go out with weapons and pick up other civilians to help

1 mine?

2 A. I said at first they were doing that. It was the civilian
3 themselves who were controlling their colleague civilians at that
4 time to do this mining. But at any time they went the AFRC
12:10:33 5 fighters would go there with them. They would have the arms,
6 maybe there would be five or ten. If these civilians gathered
7 their own colleague civilians they would hand them over to these
8 fighters and these fighters would guard them until they bring
9 these civilians that are gathered to the secretariat.

12:11:05 10 Q. Just trying to clarify this, Mr Witness, are you saying
11 that the civilians would start the process of forcing other
12 civilians to come, but then soldiers or members of either the
13 AFRC or RUF would then make sure they came and did the mining?

14 A. Yes, it was by force. It was a force that they were
12:11:36 15 making. Nobody was happy that this was done to a civilian. That
16 is why the armed men were with them, so if the armed men were not
17 there the civilian would not be able to force. But if the
18 civilians see the armed men they would agree that is force.

19 MR KNOOPS: Your Honour, I must again object against the
12:11:56 20 answer the witness gives us. It is totally unclear whether the
21 witness is merely giving his conclusions or giving us facts.
22 Every time in a rather unresponsive happy look of the witness. I
23 am not sure whether the witness has direct knowledge on these
24 events or he is merely assuming facts. So, without having any
12:12:29 25 proper clarification, we object to answering of the witness in
26 the way it is being pursued right now.

27 MR HODES: I actually think the witness is testifying to
28 what he observed, but I can certainly clarify how it is that he
29 says that these people were forced, other than the fact that they

1 were under armed guard.

2 PRESIDING JUDGE: We are of the view that it does require
3 clarification as to how he became aware of the evidence he is
4 giving and, in particular, the use of the word force.

12:13:15 5 MR HODES: Very well, Your Honour.

6 Q. Mr Witness, the things that you have just testified to, did
7 you observe these things?

8 A. Yes, it was something that I saw. I saw it myself.

9 Q. And you indicated that these civilians were forced to do
10 things. What makes you say that these civilians were forced to
11 do things? What is it that you saw that makes you believe that
12 they were forced to do things?

13 A. Well, why I said that, when they went -- the way you are
14 captured, you will be undressed, they will remove their shoes
12:14:23 15 from your feet. At times they will tie, if you have a shirt, a
16 shirt, they will tie this to the other person. You will be in
17 line and you will come. So I knew that it was a force. That was
18 how I saw it.

19 Q. Were there people with guns around the civilians?

12:14:57 20 PRESIDING JUDGE: I am not clear at what point in the
21 operation you are talking about, Mr Hodes. There is a collection
22 and there is a secretariat and thereafter.

23 MR HODES:

24 Q. During the collection of the civilians, Mr Witness, were
12:15:14 25 they collected at gunpoint?

26 A. Yes, sir. Yes. They did that.

27 Q. And when the civilians were brought to the Tongo mining
28 area were they under gunpoint as well?

29 A. When they did mining at the site? Is that you are trying

1 to ask about, sir?

2 Q. Well, Mr Witness, you have indicated that first they
3 collected the civilians. What I am trying to ask you is whether
4 or not after they have been collected and were being brought,
12:16:07 5 just brought to the mines, were those civilians kept under
6 gunpoint when they were being brought to the mines?

7 A. Yes. At first they would collect their colleague
8 civilians, but it come to a time when they convene a meeting.
9 They said the manpower that they saw, that is the civilians in
12:16:34 10 town. So -- and the type of civilians that they saw at the
11 secretariat was not enough. So the commanders of the AFRC, they
12 held a meeting.

13 Q. Mr Witness, I am going to ask you the question again. I
14 want you to just listen to the question I am asking you; all
12:16:52 15 right?

16 A. Yes, sir.

17 Q. After the civilians had been collected at gunpoint and were
18 being brought to the mining area, were they under gunpoint during
19 that time? When they were being brought to the mining area, were
12:17:15 20 they under gunpoint?

21 A. Yes.

22 Q. And once they were at the mining area, Mr Witness, were the
23 civilians under gunpoint in the mining area?

24 A. Yes.

12:18:03 25 Q. What happened in Togo when a diamond was found?

26 PRESIDING JUDGE: I cannot hear. The witness's microphone
27 has been turned off. Madam Court Attendant, could you please
28 rectify that.

29 THE WITNESS: I have put it on.

1 PRESIDING JUDGE: Please start again from the beginning,
2 Mr witness, as we did not hear.

3 THE WITNESS: Yes. What I said, I said these diamonds,
4 when the civilians went to the site for mining they would be
12:18:56 5 guided by armed men and the representatives that they formed
6 through civilians, through the civilian committee, and this PLO2,
7 his men are there who were under him, they would all at that
8 river. When the civilians picks a diamond, the armed man that is
9 standing by will take it -- will take it from the civilian. That
12:19:25 10 is to say later they will hand over these diamonds to the PLO2.

11 Q. Just so that we are all clear on this, if a diamond was
12 found it would find its way to the PLO2? Is that what you are
13 saying?

14 A. Yes, that would be weighed, after which they gave to it
12:19:51 15 him.

16 Q. And what would the PLO2 do with the diamonds that were
17 being collected?

18 A. Well, he would hand over them to the -- at the time to the
19 resident minister or he will send them to Freetown here. But at
12:20:22 20 one time I was there when he handed them to Mosquito.

21 Q. Mr witness, you mentioned, I believe, a minister or
22 something along those lines that the PLO2 would give the diamonds
23 to. Who were you speaking of? What was the name of the person
24 who was this minister who the PLO2 would pass the diamonds to?

12:20:54 25 A. Eddie Kanneh.

26 Q. Would Eddie Kanneh come to Tongo?

27 A. Well, I did not see him there.

28 Q. Did the PLO2 go to Kenema?

29 A. Yes, sir.

1 MS THOMPSON: Your Honour, I don't know, my learned friend
2 has paused. I am not sure if he is moving to new area. I didn't
3 object to this line of questioning because I thought something
4 was going to follow as to how this witness is able to tell --
12:21:40 5 what the witness has stated he is not the PLO to somebody else,
6 he is the PLO2, a person's name he does not remember. But the
7 witness has failed to tell us how he knows what the PLO2 does
8 with these diamonds, save to say he was present on one occasion
9 when the diamond was handed over to Mosquito. But he does not
12:22:00 10 know when, how or if these diamonds were handed over to the
11 resident minister, Eddie Kanneh. And he has just said that he
12 has never seen Eddie Kanneh in Tongo, but PLO2 went to Kenema.
13 we don't know how he came by that knowledge. We don't know if he
14 doubled up as the PLO2's assistant or something. We know
12:22:23 15 absolutely nothing as to how this witness is able to give that
16 evidence. Indeed, if I go back I can start from what the
17 civilians did when they handed it over to the PLO2 after it was
18 weighed. We know nothing as to how this witness can give that
19 evidence.

12:22:42 20 MR HODES: I will clarify that, Your Honour.
21 Q. Mr Witness, you just testified that the PLO2 would receive
22 the diamonds after they had been mined. And then you indicated
23 that the PLO2 would then take the diamonds to Eddie Kanneh in
24 Kenema. Mr witness, can you explain to us how you know that the
12:23:15 25 PLO2 would take the diamonds from Tongo to Kenema to give to
26 Eddie Kanneh?

27 A. Yes. What I saw, when it was brought we were all at the
28 secretariat. They will weigh it to know the amount of carat and
29 they will know the amount of pieces. Then it will be given to

1 him who will see his vehicle and he will tell us who he was going
2 to hand over. So who saw it? I did not see where he give
3 personally, but he said that he was going to give this to Eddie
4 Kanneh, resident minister, the diamond.

12:23:54 5 Q. By he you mean the PLO2?

6 A. Yes. PLO2, yes, sir.

7 Q. Thank you. In your presence did you ever witness anything
8 happen to civilians who were mining in Tongo?

9 A. Well, yes, I saw. That was done the forced mining. The
12:24:35 10 time of the forced mining. When they were doing the mining, some
11 of them were forced to do the mining. You see. So, I saw that.

12 Q. Again, if you know or if you saw, what would happen to a
13 civilian who refused to mine?

14 A. Well, if he refused to mine and you are captured, you will
12:25:05 15 be beaten. You will undergo serious torture, if -- and if you
16 are not lucky you will die. They will shoot you with a gun.

17 Q. Mr witness, did you see this happen to civilians in Tongo?

18 A. I saw it on many occasions when it took place. I saw it.

19 Q. Mr witness --

12:25:36 20 A. Yes, sir.

21 Q. -- you indicated that you had stayed in Tongo for three
22 months. What did you do once you left Tongo? Where did you go,
23 first of all?

24 A. Well, when I was in Tongo I left there and Commander B came
12:26:03 25 and collected me. Then we came to Freetown here. I left them
26 there.

27 Q. When you came to Freetown, what job did you take? What was
28 your responsibility or your duty as part of the RUF - and again I
29 don't want you to mention any specific names - but what were you

1 doing in Freetown?

2 A. Well, as I told you early, I was just a security to
3 Commander B.

4 Q. And as security to Commander B, were you with him all the
12:26:54 5 time in Freetown?

6 A. Yes, I was with him.

7 Q. When you arrived in Freetown, and as part of the security
8 for Commander B, did you see or meet with other members of the
9 RUF?

12:27:53 10 A. Yes. When I came to Freetown I saw General Issa Sesay, I
11 saw Morris Kallon, who were all RUF members. I saw Superman,
12 Dennis Mingo. I saw CO Isaac, Rambo. All of them were RUF
13 members.

14 Q. And at that time in Freetown did Commander B introduce you
12:28:33 15 to any members of the AFRC?

16 A. Well, not introduction mostly, but when I was with him the
17 one with whom he had contact I knew them who were AFRC commanders
18 and when I used to see them.

19 Q. Who did Commander B meet with in Freetown in your presence
12:29:08 20 amongst the AFRC members?

21 A. Well, I saw Kowas.

22 Q. If can you spell Kowas.

23 A. No, sir.

24 MR HODES: Your Honours, I have it as K-O-W-A-S.

12:29:31 25 Q. And do you know what Kowas' duties or responsibilities were
26 in the AFRC? Did Commander B tell you about that?

27 A. Well, they only showed me his position. They said he was
28 the chief of army staff.

29 Q. Was there anyone other than Kowas who Commander B met with

- 1 in Freetown in September or whenever it is that you arrived in
2 Freetown?
- 3 A. Yes, sir.
- 4 Q. Who was?
- 12:30:28 5 A. Chief of defence staff was there who was Johnny Paul's
6 brother. He was called Mr Koroma. I have forgotten his other
7 name, sir.
- 8 Q. What was Commander B's position or responsibilities within
9 the RUF when you arrived in Freetown?
- 12:31:16 10 A. Well, under AFRC he was a member of the council. He was
11 just there as administrator. He used to write.
- 12 Q. When you say council, do you recall if there was a specific
13 name for the council that Commander B was a member of?
- 14 A. It was for AFRC.
- 12:32:10 15 Q. Mr witness, I am now going to ask you about some specific
16 things that happened while you were in Freetown. Do you recall a
17 meeting in September of 1997 in Freetown?
- 18 A. Yes, sir.
- 19 Q. Do you recall where this meeting took place?
- 12:32:39 20 A. Yes, sir.
- 21 Q. Where was this meeting held?
- 22 A. At officers' mess at Wilberforce.
- 23 Q. Was Commander B there?
- 24 A. Yes, sir.
- 12:33:09 25 Q. If you would, tell the Court which other RUF commanders
26 were present at this meeting?
- 27 A. Commander B was there. Issa Sesay was there. Morris
28 Kallon was there. Superman was there. Eldred Collins was there.
- 29 Q. Can you stop. Did you say Eldred Collins?

1 A. Yes, sir.

2 Q. Thank you. Go ahead, please.

3 A. Rambo, he too was there. Gibril Massaquoi, all of them
4 were there.

12:34:06 5 Q. Do you recall any AFRC commanders who were present at that
6 meeting?

7 A. Yes, sir. Those I saw.

8 Q. Can you tell us who you saw from the AFRC at that meeting
9 in Wilberforce Barracks or officers' mess rather?

12:34:36 10 A. Yes, sir. The army chief of staff was there; Kowas.
11 Five-Five was there.

12 Q. Let me stop you for one second. The person you have
13 identified as Five-Five, do you know his real name?

14 A. No, sir.

12:35:08 15 Q. How do you know him as Five-Five?

16 A. Well, he was called just as you are standing there and then
17 somebody calls you by his AKA name. That was the time that I
18 knew that that was his name. And it was from that time that I
19 knew him that he was in the meeting.

12:35:27 20 Q. And you actually saw and heard somebody refer to him as
21 Five-Five?

22 A. Yes, my master. He knew them. He introduced him to me.

23 Q. Commander B?

24 A. Commander B. Yes, Commander B. He knew all of them.

12:35:51 25 Because anyone whom I was suspicious of I would ask him, "who is
26 that person? Do you know that person?" And he will say, "Yes,"
27 he will tell me that is -- this is that person and he is a member
28 of the council. And so that is how I came to know about them.

29 Q. Is that how you came to know the person you have identified

1 as Five-Five? The person you have named as Five-Five?
2 A. Yes, sir, that is how I knew him.
3 Q. Which other members of the AFRC did you see at the
4 wilberforce officers' mess?
12:36:28 5 A. Bazzy was there?
6 Q. Do you happen to know his real name? His full name, I
7 should say?
8 A. I have forgotten. That was an -- it was an open
9 introduction. They showed their name, but I could not remember
12:36:43 10 his real name.
11 Q. And was it Commander B that again introduced you to or
12 mentioned who that person was?
13 A. Well he just said that he, too, was a member of the council
14 for the AFRC.
12:37:28 15 Q. What else did Commander B tell you about the person he
16 called Five-Five? If he told you anything, did he tell you
17 anything about the person named Five-Five?
18 A. No. His real name was there which they told me. But I
19 have forgotten his real -- I have forgotten the real name.
12:37:59 20 Q. Right. If you would - and if you know - what was the
21 meeting at the wilberforce officers' mess about?
22 A. Well, the meeting that was called, when we entered after
23 the prayers, they did personal introduction. Everybody did that.
24 Q. Mr witness --
12:38:32 25 A. Both AFRC and the RUF.
26 Q. -- please stop for one second. As the personal security to
27 Commander B, were you inside the meeting room or were you outside
28 the meeting room?
29 A. Well, I was inside because, although I was a security, but

1 I was an officer. So I sat down just like all of them were
2 seated. So it was not a matter of security that I went, but we
3 were all seated together.

4 Q. And so you heard what was discussed in this meeting?

12:39:14 5 PRESIDING JUDGE: Mr Hodes, please guard against leading
6 the witness on this part of the evidence.

7 MR HODES:

8 Q. Mr witness, did you hear discussions inside this meeting?

9 A. Yes, sir.

12:39:23 10 Q. Go ahead and tell us what it is you heard in this meeting.

11 A. Well, after the chief of army minister, who chaired the
12 meeting, after he had done the prayers, personal introductions,
13 then they talked about the problems affecting the AFRC
14 particular, between the AFRC and the RUF soldiers, because there
12:39:58 15 was no respect for each other. So, they gave a warning for the
16 RUF and AFRC to come together in that they have all come together
17 to form a government. They shall operate as one government.
18 Again, they said something about the same government, President
19 Kabbah and the international committee were present the
12:40:26 20 government -- so that they could bring back the government to
21 power. And later Eldred Collins stood up and said something
22 about a Pa, Pa Foday Sankoh, who was under arrest and later they
23 talked again about the army chief of staff. He explained about
24 the corridor that was open for ammunition to land in the
12:40:53 25 Magburaka airfield.

26 Q. Mr witness --

27 A. Yes sir.

28 Q. Can you spell Magburaka airfield, if you know?

29 A. No, sir.

1 MR HODES: The spelling I have, Your Honours is
2 M-A-G-B-U-R-A-K-A.

3 Q. Mr witness, I am also going to take you back into your
4 testimony for a second. who chaired the meeting?

12:41:33 5 A. I have said it, it was the army chief of staff. Chief of
6 army staff, Kowas.

7 Q. And again, just to be clear, which organisation was Kowas
8 part of?

9 A. AFRC.

12:42:08 10 Q. And you indicated that there had been talk about the need
11 for unity between the RUF and the AFRC. who talked about that
12 aspect of things at the meeting?

13 A. well, that particular part, it was the chief of army staff.

14 Q. And again, his name?

12:42:24 15 A. Kowas.

16 Q. Did anyone from the RUF talk about that issue?

17 MR FOFANAH: Objection. I think that question has been
18 answered. I mean the question was clear and he said it was an
19 army chief of staff who talked about it. The question has been
12:42:57 20 asked and it has been answered.

21 PRESIDING JUDGE: I don't think so. It is quite different,
22 who spoke and then did anybody else speak? It is different. The
23 question is allowed.

24 MR HODES:

12:43:15 25 Q. Mr witness, with regards to the issue of bringing the RUF
26 and the AFRC together, you indicated that the army chief of
27 staff, Kowas, who was AFRC, discussed this issue. Did anyone
28 else discuss this issue in the meeting at the wilberforce
29 officers' barracks, or mess, rather?

1 A. Yes, Commander B also spoke. Eldred Collins also talked,
2 who was an RUF.
3 Q. I missed the first name. Can you say it again? There was
4 a name you just said?
12:44:03 5 A. Commander B.
6 Q. Okay. And Commander B discussed this issue about the RUF
7 and AFRC working together?
8 A. Yes, he, too, talked on the same issue. And he said that
9 the RUF and the AFRC shall co-operate together and there should
12:44:37 10 be respect, mutual respect, between one another and that they
11 should send --
12 THE INTERPRETER: Excuse me, Your Honour, let -- excuse me,
13 My Lord, let the witness take the last bit about sending it. I
14 don't know whether it was aid he was talking about.
12:44:57 15 PRESIDING JUDGE: Mr Witness, can you please repeat the
16 last part of your answer slowly so the interpreter can hear you?
17 THE WITNESS: Yes, sir. I said that after they had spoken,
18 they said something about the harassment of the civilian
19 population in Freetown here. So Commander B also said something
12:45:33 20 about that that they should send a message to all the commanders
21 who occupied various areas. So that the harassment of civilians
22 should stop and they should take care of it and wherever there
23 was an AFRC and RUF soldiers they should move together as one.
24 They should work together as one.
12:46:05 25 Q. And I think you also indicated that Eldred Collins
26 discussed this issue; is that correct?
27 A. Yes, he also said the same thing about how the two units
28 should come together in unity and to achieve the same goal. He
29 also talked that there is pressure for them to hand over the

1 power that the international committee was really putting
2 pressure on them to hand over. That they also said that the
3 power was under arrest. Whatever recognition they should arrange
4 so that the Pa could be freed before they could hand over the
12:46:42 5 power. So I think that was mostly what they discussed.

6 Q. Thank you, Mr witness.

7 MR HODES: I don't know if this is appropriate time.

8 PRESIDING JUDGE: Yes, I note the time, Mr Hodes. You are
9 coming into a new aspect of your evidence?

12:47:02 10 MR HODES: Yes, Your Honour.

11 PRESIDING JUDGE: In that case it seems an appropriate time
12 to adjourn for the lunch break. Madam Court Attendant, could you
13 adjourn court until 2.15 p.m., please.

14 [Luncheon recess taken at 12.45 p.m.]

14:41:19 15 [Upon resuming at 2.18 p.m.]

16 [AFRC19JUL05D-CR]

17 PRESIDING JUDGE: Please proceed, Mr Hodes.

18 MR HODES:

19 Q. Good afternoon, Mr witness.

14:41:19 20 A. Good afternoon, sir.

21 Q. You have just finished describing the meeting that took
22 place at the wilberforce officers' mess. Was there another
23 meeting in Freetown in 1997?

24 A. Yes, sir.

14:41:19 25 Q. Where did that meeting take place?

26 A. At the Youyi building.

27 Q. Can you spell Youyi?

28 A. If I can spell Youyi building? Y-O-U-Y-I.

29 Q. Mr witness, where is the Youyi building?

1 A. It is here, at the Brookfield's area, in Freetown. It is
2 in Freetown.
3 Q. Do you recall when in 1997 this meeting took place?
4 A. Around October to November.
14:41:19 5 Q. Mr witness, did Commander B take part in this meeting?
6 A. Yes, sir.
7 Q. Were you present with commander B at this meeting?
8 A. Yes, sir.
9 Q. When you were at the Youyi building, did you see any other
14:41:22 10 RUF commanders?
11 A. Yes, sir.
12 Q. Who else do you remember seeing at the Youyi building other
13 than Commander B?
14 A. Morris Kallon went there with RUF. Superman was there, who
14:41:22 15 is RUF.
16 Q. His real name, Mr witness, if you know it?
17 A. Denis Mingo.
18 Q. Anyone else, Mr witness?
19 A. Gibril Massaquoi was there.
14:41:22 20 Q. Mr witness, do you know how to spell Gibril Massaquoi, or
21 does the Court require that we -- do you know how to spell
22 Gibril Massaquoi?
23 A. No, sir.
24 MR HODES: I have the spelling. It is G-I-B-R-I-L, Gibril.
14:41:23 25 Massaquoi, M-A-S-S-A-Q-U-O-I.
26 Q. Who else, Mr witness?
27 A. CO Isaac was also there.
28 Q. That's CO Isaac?
29 A. Yes, sir.

1 Q. Do you know how to spell Isaac?
2 A. No, sir.
3 Q. That's I-S-A-A-C. Were there any other commanders there?
4 A. Yes, sir. Bioh was there.
14:41:23 5 Q. Do you know how to spell that for the court?
6 A. No, sir.
7 MR HODES: It is Steve and then the last name B-I-O-H, is
8 my understanding.
9 Q. Who else was present, Mr witness. Who else did you observe
14:41:24 10 there?
11 A. Issa Sesay was there.
12 Q. Anyone else?
13 A. Morris Kallon was there.
14 Q. When you were at this meeting, did you see any AFRC
14:41:24 15 commanders?
16 A. Yes, they went there.
17 Q. Who did you see there who you already knew by sight?
18 A. I saw Five-Five there. I saw the army chief of staff,
19 Kowas. I saw General Bupleh.
14:41:24 20 Q. Do you know how to spell General Bupleh?
21 A. No, sir.
22 MR HODES: I believe the spelling is B-U-P-L-E-H.
23 PRESIDING JUDGE: Was the previous name Kowas?
24 MR HODES: Kowas.
14:41:25 25 PRESIDING JUDGE: Thank you.
26 MR HODES:
27 Q. Was there anyone else present, Mr witness, from the AFRC,
28 who you recognised?
29 A. Bazzy. I saw --

1 MR HODES: I believe he gave an answer.
2 PRESIDING JUDGE: I heard Bazzy.
3 MR HODES: I did too.
4 THE INTERPRETER: Can the witness please repeat his
14:41:25 5 response, please.
6 PRESIDING JUDGE: Could you please repeat what you have
7 just said so the interpreter can hear you?
8 THE WITNESS: Bazzy. I saw Bazzy.
9 MR HODES:
14:41:25 10 Q. Mr witness, were you allowed inside the meeting?
11 A. Yes, sir.
12 Q. Did you hear what was discussed at the meeting?
13 A. Yes, sir.
14 Q. Do you know who chaired the meeting?
14:41:25 15 A. Yes, sir. It was the army chief of staff. Chief of army
16 staff, Kowas.
17 Q. You have previous identified that person as being with the
18 AFRC; is that right?
19 A. Yes, sir.
14:41:25 20 Q. If you would, tell us what was discussed at the meeting
21 that took place at the Youyi building.
22 A. Well, when went there, when we all entered, the AFRC
23 members, they spoke about the harassment and the raping that was
24 going on in the town by the AFRC. That is both RUF and the AFRC
14:41:26 25 members. So they discussed about that and they found a solution
26 how to amend it by passing all the information to the other
27 commanders, AFRC commanders who were in town so that they will
28 desist from the practice because the practice was rampant. They
29 attacked civilians, killed civilians, so they spoke on that, and

1 they also discuss about the international pressure which was on
2 the government, which was heavy on the AFRC government, that is
3 for them to hand over the power.

14:41:27 4 Q. Slow down, Mr witness. Remember the interpreters have
5 to --

6 A. Yes, sir.

7 Q. You were just starting to talk about international
8 pressure. Go ahead and, if you would, finish your thought with
9 regards to the discussion point of international pressure on the
14:41:27 10 government.

11 A. Well, the international pressure was on the AFRC that they
12 had no discussion with them unless they hand over the power to
13 President Kabbah. So, at that time, they called the meeting
14 specifically for the RUF commanders who were present so that they
14:41:27 15 could find a solution as to how they could find a way to hand
16 over the power or have a dialogue with the President. But at
17 that time, Pa Foday Sankoh was still under arrest, so a
18 especially Steve Bio, he said, the only solution, unless we
19 continue to fight and manage to free Foday Sankoh so that he will
14:41:27 20 join Johnny Paul, and they can work out strategies on how to hand
21 over power so as to bring a solution to the problem. Then Steve
22 Bioh went on to say, the RUF, when they came, they used to pay
23 the soldiers. So he has said he has just come, because Pa Foday
24 Sankoh is not present, so he himself will step his foot into
14:41:28 25 Foday Sankoh's shoes so as to represent him.

26 Q. I'm going to ask you to slow down for a bit. I want you to
27 talk about the meeting and I'm going to ask you to stop after
28 each discussion point that was discussed so I can ask you a
29 possible question if I need to, or to let the interpreter catch

1 his breath, okay.

2 A. Yes, sir.

3 Q. You were talking about international pressure to hand over
4 the government to President Kabbah in the first part. Who was it
14:41:29 5 who was discussing that with the group, if you recall?

6 A. Yes, it was Kowas, the chief of army staff.

7 Q. And then you indicated that Steve Bioh, whom I believe you
8 have already testified to as being a member of the RUF, talked
9 about Foday Sankoh and the need to get him out of jail; is that
14:41:29 10 correct?

11 MR FOFANAH: May it please Your Honours, just before my
12 colleague goes forward, I think this is the first time we are
13 hearing the name Steve Bioh and no foundation has been laid --

14 PRESIDING JUDGE: I have him listed as one of the people
14:41:29 15 that was at the meeting. Answer to a question, "when at the
16 Youyi building did you see any other RUF commanders?" And I have
17 his name down there, Steve Bioh, between CO Isaac and Issa Sesay.

18 MR FOFANAH: That is what I mean, Your Honour. This is the
19 first time in this line of questioning. We didn't hear the name
14:41:29 20 before we left for the break. Since the name has come up, my
21 learned colleague has not asked the witness who that person was.

22 PRESIDING JUDGE: I don't quite understand the objection,
23 because when the question was asked, "who are the other RUF
24 commanders," that name was given.

14:41:30 25 MR FOFANAH: I'm not particularly clear if Steve Bioh was
26 an RUF commander, that's the point. I am also not clear as to
27 what particular role he was playing in this meeting. The name
28 has just come up in the meeting.

29 PRESIDING JUDGE: Mr Fofanah, I have the following record:

1 "When you were at the Youyi building, did you see any other RUF
2 commanders?" "Yes. Morris Kallon; Superman, whose name is Denis
3 Mingo; Gibril Massaquoi; Co Issac; Steve Bioh; Issa Sesay."

4 MR FOFANAH: As Your Honour pleases. Thank you.

14:41:31 5 MR HODES: May I proceed?

6 PRESIDING JUDGE: Please do so. Your question started,
7 with Steve Bioh.

8 MR HODES:

9 Q. Mr witness, you have testified also that Steve Bioh
14:41:31 10 addressed the meeting to discuss the situation of Foday Sankoh.
11 would you go ahead and explain that, or tell the Court what Steve
12 Bioh said to the meeting.

13 PRESIDING JUDGE: I have Steve Bioh addressing a slightly
14 different item, but there has been no objection. I just note
14:41:32 15 that.

16 THE WITNESS: well, after they have discussed, the chief of
17 army staff has spoken. Steve Bioh also spoke about about the
18 continued detention of Pa Foday Sankoh who was absent. He
19 himself said at the main time, as he is now in Freetown and a
14:41:32 20 member of the RUF, they came mainly to represent Pa Foday Sankoh
21 on some issues and problems that are facing them in town. One
22 problem was the soldiers were getting allowances when we entered
23 in Freetown, but the RUF did not have any allowance. So Steve
24 Bioh came and said he would discuss the issue with the chairman
14:41:32 25 Johnny Paul Koroma so that they will find a solution as to AFRC
26 captain and the lieutenant. Likewise, the RUF also should
27 benefit the same. They discussed on that. So that is what I
28 heard mostly.

29 Q. Were there any other issues that were discussed during the

1 course of this meeting, Mr Witness?

2 A. And then Kowas also said the consignment, which was the
3 ammunitions which was supposed to arrive at the Magburaka
4 airfield had arrived, and it was Major Dumbuya who was there. He
14:41:33 5 was in charge.

6 Q. I'm going to stop you right there. Do you know how to
7 spell Dumbuya?

8 A. No, sir.

9 MR HODES: The spelling I have, Your Honours, is
14:41:33 10 D-U-M-B-U-Y-A.

11 JUDGE SEBUTINDE: what's the place where the ammunition had
12 arrived, the spelling of that, please.

13 MR HODES: It is Magburaka, which he testified to earlier.
14 It is spelled M-A-G-B-U-R-A-K-A.

14:41:33 15 Q. Mr Witness, I apologise for cutting you off, if you could
16 continue what you were talking about.

17 A. So that is it. When Chief of army staff said the
18 ammunitions, which were supposed to arrive at the Magburaka
19 airfield, had arrived, it was there. And Major Dumbuya, by then
14:41:34 20 it was there, and he was in charge of them. That, he said, they
21 will discuss later with Johnny Paul.

22 Q. Mr Witness, Major Dumbuya, had you met him before?

23 A. Yes, at that time, I had not seen him, but later I saw him.

24 Q. When you saw him later, did you learn which organisation he
14:41:34 25 was with?

26 A. Yes, sir.

27 Q. How did you learn which organisation he was with when you
28 met him later?

29 A. Well, I saw him and I was told from the meeting that he is

1 an AFRC member.

2 Q. Mr Witness, was anything else discussed concerning any
3 other issues at the meeting at the Youyi building?

4 A. Yes, they spoke lately about how to make a delegation, so
14:42:30 5 go for the Conakry peace plan.

6 Q. Do you know if they decided who would be part of that
7 delegation at that meeting?

8 A. No, sir, they only discussed it. But they said they will
9 have to meet with Johnny Paul. That was where they arranged it.
14:43:09 10 I was not there. What they spoke is what I am testifying.

11 Q. Was anything else brought up at this meeting, or is that
12 all that you can recall?

13 A. That is all I can recall. That is all I can recall, sir.

14 Q. Do you recall another meeting after this one at the Youyi
14:43:40 15 building at some other location here in Freetown?

16 A. Yes, sir.

17 Q. When did this next meeting occur after the Youyi building
18 meeting?

19 A. Well, it was around November. I can't recall exactly, but
14:44:24 20 it was closer to December, you know. I can't recall exactly or
21 the specific month.

22 Q. Mr Witness, do you recall where that meeting took place?

23 A. Yes, sir.

24 Q. Where did that meeting take place?

14:44:47 25 A. At Johnny Paul's lodge at Spur Road in Freetown.

26 Q. Was Commander B at the meeting?

27 A. Yes, sir.

28 Q. Do you recall seeing other members of the RUF command at
29 this meeting?

1 A. Yes, sir.

2 Q. Can you tell us who else was present from the RUF?

3 A. Yes, sir. Issa Sesay was there; Morris Kallon was there;

4 Denis Kemanah; Denis Mingo was there; Superman; and Colonel Isaac

14:45:41 5 was there; Rambo was there. These are the names I could

6 remember. These are the names I can recall presently who are RUF

7 members.

8 Q. Mr witness, do you recall seeing any members of the AFRC at

9 this meeting?

14:46:23 10 A. Yes, sir.

11 Q. If you would, tell us who you saw at the meeting at Johnny

12 Paul Koroma's residence, or lodge.

13 A. I saw Gullit; I saw the army chief of staff, Kowas; I saw

14 the defence staff, Mr Koroma, who was Johnny Paul Koroma's elder

14:46:57 15 brother; I saw Dumbuya himself; I saw General Bupleh; I saw

16 Johnny Paul Koroma himself.

17 Q. Mr witness, at this meeting, were you allowed inside the

18 actual meeting?

19 A. No, sir. I was serving as security. I stood at the door.

14:47:56 20 I never entered.

21 Q. Did you at sometime later learn what was discussed at this

22 meeting?

23 A. Yes. When they came out and Commander B told me what

24 obtains -- part of it, not everything.

14:48:29 25 Q. Tell us what it was that Commander B told you had been

26 discussed in this meeting.

27 A. Well, Commander B told me, he said the meeting that was

28 convened, Johnny Paul served as the chairman of the meeting. He

29 spoke about how the AFRC were faring on in terms of the behaviour

1 they were putting on, which was not in place; how they attacked
2 civilians; how the civilians were raped; and how they looted
3 properties; and how they attacked them; and how the international
4 pressure is on them for them to hand over the power. So he said
14:49:23 5 --

6 Q. Slow down, Mr witness.

7 A. So he said the international pressure is on them to hand
8 over the power so that was why he summoned the members of the
9 AFRC to discuss the issue to find a solution so as to bring the
14:49:54 10 AFRC and the government to peace. They said they discussed that
11 and then they themselves said the only solution that will bring
12 peace, unless they would demand that Foday Sankoh be freed
13 because they have joined, because they said they have nothing
14 accept Foday Sankoh. So they should free Foday Sankoh so he can
14:50:28 15 join Johnny Paul to find a solution to total peace.

16 Q. Mr witness, I want to take you back to something you
17 mentioned with regards to the meeting. You said that Commander B
18 told you that they again discussed at this meeting the treatment
19 of civilians in Freetown.

14:51:06 20 A. Yes, sir.

21 Q. And that there was looting and raping going on.

22 A. Yes, sir.

23 Q. Did Commander B tell you who they identified as being
24 involved in the looting and raping?

14:51:38 25 A. Yes, he did not point out specific individuals, but he said
26 it was both the AFRC and the RUF.

27 Q. Mr witness, were there any further meetings in Freetown
28 before the end of 1997?

29 A. Well, the other meetings that I personally attended, those

1 - when I was present, the ones that I was present, I witnessed.
2 Those are the ones that I can recall.

3 Q. Do you recall any meeting in particular, or was there more
4 than one meeting after this one at Johnny Paul's lodge prior to
14:52:50 5 the end of 1997?

6 A. Well, it was the same place that they went. There was no
7 other meeting, but we only went to Johnny Paul's place again. I
8 saw them. They went there and discussed. I was present, but I
9 did not enter. It was at the same - Johnny Paul's lodge,
14:53:21 10 Spur Road.

11 Q. Again, if you can just tell us at this next meeting which
12 RUF commanders did you see?

13 A. I saw Commander B himself, he went there; Issa Sesay went
14 there; Morris Kallon went there; Colonel Isaac went there; Rambo
14:53:58 15 went there, you know. Those are the ones. These were the main
16 ones.

17 Q. What about AFRC commanders? Did you see any AFRC
18 commanders at this next meeting at Johnny Paul Koroma's
19 residence?

14:54:16 20 A. Yes. But the ones that I'm able to recall during that
21 period, those are the ones, the army chief of staff,
22 General Bupleh, because all of us went together, I saw them and
23 the chairman himself, Johnny Paul Koroma, I saw them.

24 Q. Did you go inside this meeting?

14:54:42 25 A. No, sir.

26 Q. Did Commander B go inside this meeting?

27 A. Yes, sir.

28 Q. Did Commander B discuss this meeting with you at sometime?

29 A. Well, it was the same thing he repeated. It was of this

1 pressure, this international pressure was their problem so as
2 they could hand over power. So at any time, the pressure mounted
3 on him, Johnny Paul, he could call Commander B and other
4 commanders so that they could sort out a solution, and the
14:55:37 5 harassment that was on, that was what they were discussing, the
6 harassment in Freetown here, that is what he told me.

7 Q. Mr Witness, how long did you stay in Freetown?

8 A. I was in Freetown about three to four months from September
9 when I came.

14:56:11 10 Q. Okay, Mr Witness, do you recall when you left Freetown?

11 A. Yes, sir, it was around - it was 1997, really,
12 around December. Then I went back to Kenema, Tongo. Commander B
13 sent me there again.

14 Q. Why did Commander B send you to Tongo?

14:57:06 15 A. Well, he said I should go and mine diamond for him.

16 Q. Did Commander B give you anything before you left Freetown?

17 A. Yes, sir.

18 Q. What did he give you?

19 A. He gave me a shovel; a shaker; rice; a bailing machine;
14:57:52 20 diesel; he gave me petrol; he gave me a vehicle. Then I went.

21 JUDGE SEBUTINDE: Sorry, was that bedding machine or
22 bathing machine? What was that?

23 MR HODES: I believe it is bailing machine, but I can ask
24 again.

14:58:12 25 Q. Mr Witness, you mentioned a machine you were given by
26 Commander B. Could you just say it clearly for the interpreter
27 what kind of machine that was?

28 A. Well, it was a bailing machine that he gave me. That was a
29 Robbine. It is three inches. It is there to -- where we did the

1 mining, you cannot scoop the water with your hand. It was that
2 machine that we used to start so that it could scoop all the
3 water in the pit so that we'll be able to mine.

4 Q. Mr witness, go ahead and tell us what happened when you
14:59:10 5 left Freetown.

6 A. So, after I left Freetown, I and three other people who
7 were all security to Commander B, so we went straight to Tongo.

8 Q. Mr witness, who was in control of Tongo when you arrived,
9 or what organisation, I should say?

14:59:50 10 A. It was the AFRC.

11 Q. If you know, who was the AFRC commander in Tongo when you
12 arrived?

13 A. During that time it was Captain Jalloh, an AFRC.

14 Q. Can you spell Jalloh?

15:00:14 15 A. No, sir.

16 MR HODES: I have it as J-A-L-L-O-H?

17 Q. You indicated that Captain Jalloh was AFRC. How do you
18 know that Captain Jalloh was AFRC?

19 A. Well, when I arrived there, I met with the same commander
15:00:43 20 for RUF that was there, that is Eagle. When I arrived, I went to
21 him. I told him that I have come, Commander B had sent me to do
22 some mining here. So he himself took me. He met with another
23 commander. The commander who was there had died. So there was a
24 new commander that was Captain Jalloh, an AFRC. We went where he

15:01:15 25 was. He made an introduction. I myself made my own
26 introduction. It was through that I knew that he was an AFRC.

27 Q. So Captain Jalloh explained that he was AFRC to you?

28 A. Yes, sir.

29 Q. Go ahead and tell us what you did once you arrived in Tongo

1 and met with Captain Jalloh.

2 A. So, when I met them, I too told him that Commander B had
3 sent me so that I could live with you here so that you can help
4 me to continue mining, so that I could do some mining for him.

15:02:14 5 They agreed. They said okay. They gave me a place, which was a
6 headquarters in Tongo. That is where I resided. Myself
7 organised the mining, and I was helped with other, you
8 understand, place where I could park my things, everything. They
9 gave me that place, so I myself organised my own mining, but
15:02:49 10 during that period, our own focus for the mining, there the
11 mining had ceased there, that was Cyborg, so I never mined there
12 again. The other man that I went with who was with me, Kamara, I
13 had to send him to one of the villages, Lahoma to do the mining
14 there.

15:03:17 15 Q. Stop for one second, Mr witness. You've just mentioned a
16 new name, Kamara. Do you recall how to spell Kamara?

17 A. No, sir.

18 MR HODES: The spelling I have, Your Honours is K-A-M-A-R-A
19 and that was his associate who he sent to a village. The village
15:03:40 20 you named was Lahoma. Do you know how to spell Lahoma?

21 A. No, sir.

22 MR HODES: Again, the spelling I have for that is
23 L-A-H-O-M-A.

24 Q. Mr witness, what happened after you sent Kamara to Lahoma?

15:04:04 25 A. Well, there was another commander at Lahoma. That was an
26 RUF commander whose name was Gaddafi. I sent him to him
27 directly. He went there. Gaddafi helped him to show him the
28 area that he could do the mining. So he went to him. He was
29 helping him to get some civilians every day so that he could

1 continue his mining. But fortunately, the mining did not go
2 through. Then the Kamajors attacked them and he left there and
3 came back to Tongo. He met me there. So I went back to the
4 commanders and I explained to them. I said there my men have
15:05:11 5 been evicted there, so I want to be here to continue the mining.
6 They accepted. They showed me another site, and every morning
7 they give me civilians, ten to 15 civilians to do that mining.

8 MR DANIELS: Respectfully, Your Honour, my client has just
9 sent me a note, he would like to attend nature's call.

15:05:39 10 PRESIDING JUDGE: He should be escorted out, Mr Daniels.

11 MR DANIELS: I'm most grateful.

12 MR HODES:

13 Q. You said that Mr Kamara had been sent to Tongo and he
14 requested permission to continue mining in Tongo.

15:06:22 15 A. Yes.

16 Q. What year was that taking place in, if you recall?

17 A. Well, it was 1998, January.

18 Q. Do you recall hearing about anything happening in Freetown
19 in February of 1998?

15:07:02 20 A. Yes, sir.

21 Q. What did you hear happened in Freetown in February of 1998?

22 A. I heard about the ECOMOG intervention when they evicted the
23 AFRC finally in this town.

24 Q. How did you hear about the ECOMOG intervention?

15:07:46 25 A. I heard it over the radio.

26 Q. Mr witness, where were you when you heard about the ECOMOG
27 intervention?

28 A. Well, during that time, it was in Kenema. I was with
29 Mosquito in Kenema.

1 Q. What were you doing in Kenema at that time?
2 A. Well, I went back there because the mining in Tongo and the
3 attacks were frequent, so I preferred to go back to Kenema so
4 that I could stay there. Then I sent to Commander B, saying that
15:08:51 5 we've been evicted from Tongo, and that I'm now still in Kenema
6 with Mosquito. This is the message I sent to Commander B and he
7 responded by saying, "Okay."
8 Q. While you were in Kenema, who was in charge?
9 A. It was General Mosquito, Sam Bockarie.
15:09:43 10 Q. Were any other commanders present in Kenema at that time?
11 A. Yes, during that time, Eagle was there; Manawa was there.
12 Q. Just a second. Manawa? Can you spell that?
13 A. Yes, Manawa. No, sir.
14 MR HODES: I'm not sure about this one. We have it
15:10:16 15 phonetically as M-A-N-A-W-A.
16 Q. Captain Eagle you've already identified as RUF; is that
17 correct, or Major Eagle?
18 A. Yes, sir.
19 Q. Who was Manawa affiliated with, which organisation?
15:10:41 20 A. RUF.
21 Q. Were there any other commanders present in Kenema at that
22 time?
23 A. Yes, the resident Minister Eddie Kanneh was there.
24 Q. Again, just to be clear, who was Eddie Kanneh affiliated
15:11:25 25 with, which organisation?
26 A. AFRC.
27 Q. Did Sam Bockarie, Mosquito, ever hold a meeting in Kenema
28 of these commanders?
29 MS THOMPSON: Your Honour, with respect, that's leading.

1 THE WITNESS: well --

2 PRESIDING JUDGE: [Microphone not activated].

3 MR HODES:

4 Q. Wait a second. Were there any meetings in Kenema during
15:12:03 5 this period, Mr witness?

6 A. Well, not like that. It was only later we had a
7 discussion. It wasn't like a meeting when they summons
8 everybody, no.

9 Q. Who was present when you had this discussion?

10 A. Well, Eagle was there; Denis Kemanah was there.

11 Q. Can you spell Denis Kemanah?

12 A. No, sir. No, sir.

13 MR HODES: The spelling I have is Denis D-E-N-I-S. Last
14 name K-E-M-A-N-A-H.

15 Q. Who was Denis Kemanah affiliated with, which organisation?

16 A. RUF.

17 Q. I'm sorry for interpreting, Mr witness. Who else was part
18 of this discussion?

19 A. Well, there was another one, an MP SLA Junior, rather,
15:13:31 20 AFRC.

21 Q. Mr witness, this Junior you have just identified, is that
22 the same Junior that you spoke about being in Kenema earlier in
23 your testimony?

24 A. Well, it was in Tongo that the other Junior was. The other
15:14:01 25 one that I've talked about, it was in Kenema. He was an MP. The
26 other one, the Junior was OC Secretariat. The other one, it was
27 in Kenema, and he was an AFRC.

28 Q. Let me try to clarify. You have just identified somebody
29 named Junior from the AFRC in Kenema in approximately February of

1 1998. The question is: Is this the same Junior that you
2 identified as OCS Junior, OC Secretariat Junior?

3 A. No.

4 Q. Okay. You indicated that this Junior was a member of the
15:15:02 5 AFRC. How did you know that?

6 A. Well, when I was in Kenema, he was the MP sergeant at the
7 brigade, so I saw him and I knew that he was an AFRC.

8 Q. Just also to be clear, you were present for the discussion
9 with Mosquito?

15:15:49 10 A. Well, I went there, really. When I went there, because we
11 observed something, that is why all of us went to him.

12 Q. Mr witness, were you present at the discussion that you've
13 just described which included Mosquito, Eagle, Kemanah and
14 Junior? Were you physically present at that discussion?

15:16:18 15 A. Yes, sir.

16 Q. Mr witness, what was discussed?

17 A. Well, after they had attacked Freetown, the ECOMOG had
18 attacked the AFRC and they finally evicted them from this town we
19 were in Kenema. Then one day we saw Mosquito, Sam Bockarie. He
15:16:49 20 went and took three trucks from one Lebanese, that Ms Saad. He
21 loaded his property in these vehicles, his family and some
22 medicines, which he took from the hospital.

23 Q. Mr witness, I'm going to stop you. I'm going to try to ask
24 the question again, okay.

15:17:15 25 A. Yes, sir.

26 Q. I'm going to state as clearly and easily as I can so it can
27 be interpreted properly for you. You just told us in Kenema that
28 there was a discussion between Mosquito, Eagle, Kemanah, and
29 Junior and yourself. What I'm asking you is what was discussed,

1 or what was talked about?

2 A. Well, this is what I'm trying to explain. After that, we
3 went and met Mosquito. Mosquito told us that - he said now - he
4 said, "This AFRC, they've finally been evicted from Freetown,
15:18:16 5 which is the headquarters," he said, "And we, the RUF, we had an
6 objective before ever the AFRC called on us." He said, "If this
7 had happened that they had been evicted from Freetown," he said,
8 "right now, if anything somebody wants to do in this town, take
9 anything that you feel he can lay hands on, loot any vehicle.

15:18:49 10 That is Operation Pay Yourself." He said we should do that.
11 Then we leave the town before we were attacked there so that we
12 could take anything we feel like taking.

13 Q. Let me slow you down, Mr witness. So the content of the
14 meeting was Mosquito saying, "You can take whatever you want."
15:19:25 15 Is that basically what was discussed at this meeting?

16 A. Basically that was it, that we should withdraw from Kenema
17 and we should do operation Pay Yourself and we leave the town.

18 Q. Thank you, Mr witness. If you would, tell us what happened
19 next.

15:19:46 20 A. Then what happened from there, we left Kenema, we went to
21 Daru.

22 Q. Before you left Kenema, based on the discussion with
23 Mosquito, did anything happen in Kenema?

24 A. Yes. Before we left, or after we've held the meeting,
15:20:23 25 other things happened. That's what I've explained, the looting,
26 operation Pay Yourself, so we could vandalise the town. We were
27 to leave there before time.

28 Q. Who was looting in Kenema?

29 A. AFRC, RUF.

1 Q. Did you see the AFRC looting in Kenema, Mr Witness?
2 A. A lot.
3 Q. Could you see what was being taken in the looting?
4 A. Yes, I saw a lot.
15:21:37 5 Q. Could you just give the Court some examples of things you
6 saw being taken during the course of the looting in Kenema?
7 A. Yes. They took vehicles, Hondas; opened shops, loot
8 everything that was in the shops; looted clothing, trousers,
9 shoes; buckets; plastic. Anything you could lay your hands on, a
15:22:24 10 lot of things; captured civilians and took them along.
11 Q. Did you see civilians being captured?
12 A. Yes, I saw.
13 Q. Did you see what happened to the civilians who were
14 captured during the looting of Kenema?
15:23:03 15 A. Well, after the looting, those that I saw, they put them in
16 the vehicles together with the looted items and took all of them
17 to Daru.
18 Q. Go ahead and tell us what happened in Daru. Can you spell
19 Daru for the Court?
15:23:46 20 A. No. No, knowledge.
21 MR HODES: I have it as D-A-R-U, Your Honours.
22 Q. Go ahead and tell us what happened at Daru.
23 A. So when we arrived at Daru, the following morning I saw one
24 of my elder brother's sibling who was ~~XXXXXXX~~, who was one of the
15:24:20 25 victims that was captured. He said he was captured by one
26 Ibrahim. In the morning I saw her. I took her from the man and
27 took her home. From there, we were there when Mosquito arrived.
28 He called us --
29 Q. Let me stop you for one second, Mr Witness.

1 MS THOMPSON: Before my learned friend goes on, can I ask
2 that the interpreter interprets the witness's last statement.
3 what I heard about the elder brother, somebody, that is not what
4 I heard in the interpretation.

15:24:54 5 MR HODES: That's what I need to clarify, because that is
6 very unclear.

7 MS THOMPSON: The word "sibling" was used by the
8 interpreter, but that is not what I heard the witness say.

9 PRESIDING JUDGE: I have recorded "sibling". Let us have
10 the answer again. Please repeat your answer, Mr Witness.
11 Mr Interpreter, please give us the interpretation.

12 THE INTERPRETER: Can the learned counsel repeat his
13 question so the witness can repeat the answer.

14 MR HODES:

15:25:34 15 Q. Mr witness, you began telling us about someone named
16 XXXXXXX. In as slow a voice as possible, and without revealing
17 any other names, can you tell us exactly who XXXXXXX is in
18 relation to you?

19 A. Well, this XXXXXXX was my nephew, my elder brother who is
15:26:10 20 in Kenema, that is his son. So she was there attending school.
21 She was up to 12 or 13.

22 Q. Mr witness, I'm going to stop you for a second. I'm going
23 to ask for a clarification from the interpreter as I ask the
24 question. Mr witness, are you speaking about a male or a female
15:26:35 25 when you talk about XXXXXXX?

26 A. A woman.

27 Q. Thank you.

28 PRESIDING JUDGE: Mr Interpreter, there is a difference
29 between a man and a woman, and you should have learnt it by now.

1 Please interpret properly.

2 MR FOFANAH: With respect to Your Honours, it was the
3 witness himself who used that word "nephew". Thank you.

4 THE WITNESS: My niece, yeah.

15:27:04 5 MR HODES:

6 Q. Mr witness, ~~XXXXX~~ we now know is a female. How is she
7 related to you?

8 A. Well, the way she is related to me, I said my elder
9 brother, who is my elder brother, that is his daughter. We were
10 all living in Kenema, but later, after the whole thing, when
11 Mosquito said we should go on looting, that was the time she was
12 captured, together with the civilians, and they were taken to
13 Daru.

14 Q. Thank you, Mr witness. Again, please tell the Court what
15 happened once you found your niece.

16 A. Well, I asked her. I said, "What happened? What brought
17 you here?" She said, "At night our father was missing," because
18 they were looting and when they went home, one soldier captured
19 her, one RUF, and she called her name as Ibrahim, so he captured
20 her and said she is his wife. In that morning when I saw her, I
21 know she is my elder brother's daughter, so I went to her
22 straight off and I asked her, "Why are you here?" And she said,
23 "I was captured at night by Ibrahim and he said, I am going to be
24 his wife." I said, "Let us go to Ibrahim," and went to him. I
25 said to Ibrahim, "This is a student and she is a young girl. She
26 is my elder brother's daughter. Now that you have brought her
27 here, thank you." So I took her and she was staying with me
28 throughout, up to 1999, and I brought her back to my elder
29 brother.

1 Q. Mr witness, in the time that your niece was with Ibrahim,
2 did anything happen to her?

3 A. Yes, she told me that he had sex with her, because he raped
4 her.

15:29:49 5 JUDGE SEBUTINDE: Sorry, was that "he told me" or "she told
6 me"? I'm not quite sure what the witness is saying.

7 MR HODES:

8 Q. Mr witness, who told you?

9 A. The lady herself, the woman ~~XXXXXX~~. She told me that when
15:30:04 10 she was captured by the man, he raped her.

11 Q. At that time, back in 1998, did you know how old your niece
12 was?

13 A. Well, I will estimate. I can only estimate, but I can't
14 remember. But she was around 14 to 15 -- 13. She was up to 13
15:30:38 15 years.

16 Q. Mr witness, tell us what else happened in Daru after you
17 had found your niece.

18 A. Well, after I saw my niece, the next night General Mosquito
19 came, General Mosquito, Sam Bockarie. He said -- he called me;
15:31:21 20 he called Manawa; he called Gweh; and he called Eagle. That is
21 just all of us. There was no extra person, and he said --

22 Q. Sorry, Mr witness.

23 MR HODES: Your Honour, I think all of those have been
24 spelt. If there is any name that you need help with --

15:31:52 25 JUDGE SEBUTINDE: What was the name before Eagle?

26 MR HODES: Major Gweh, I believe, G-W-E-H.

27 Q. I apologise for cutting you off, Mr witness, but go ahead
28 and finish what you were saying about the meeting that
29 Sam Bockarie had called.

1 A. Well, when he summonsed this meeting, he told us that now,
2 as AFRC has been removed from the town, even where we are now
3 gathered at Daru, they too would soon remove us there and the
4 RUF, we should organise ourselves. He told Eagle that he should
15:32:57 5 go and take care of one room from Daru to Gbaima that leads to
6 Kailahun, and he told Manawa to take care of Kuiva. That's
7 another road leading from Daru to Kailahun. He told me --
8 Q. I'm going to ask you to slow down again, Mr Witness. Slow
9 down. You have just mentioned some villages and some town names.
15:33:20 10 You mentioned roads, I think, that connected towns and villages.
11 I think the first one was Daru to Gbaima. Can you spell those
12 names for us?
13 A. No. Gbaima.
14 MR HODES: Daru, I think we have. But Gbaima, again, I
15:33:44 15 think it is G-B-A-I-M-A.
16 Q. Mr Witness, again, I'm going to ask you to keep things slow
17 so the interpreter can keep up with you. The road that Mosquito
18 was asking of you to keep open was the road from Daru to Gbaima;
19 is that correct?
15:34:16 20 A. Well, it is not open. He said we should close it, we
21 should close. He said we should close the road for any further
22 enemy, or ECOMOG, or Kamajor so they wouldn't be able to go where
23 he is. And they told me again that I and Major Gweh, we should
24 go and receive Johnny Paul Koroma at Gandorhun Kpaneh.
15:35:04 25 Q. Can you spell Gandorhun Kpaneh?
26 A. No, sir.
27 MR HODES: Your Honours, the spelling I have is
28 G-A-N-D-O-R-H-U-N. Second word, K-P-A-N-E-H.
29 Q. Mr Witness, Mosquito ordered you and Major Gweh to meet

1 Johnny Paul Koroma at Gandorhun Kpaneh; is that correct?
2 A. Yes, sir.
3 Q. After he issued that order, what did you and Major Gbweh
4 do?
15:36:06 5 A. Well, we came to Pendembu. He gave us armed men to go and
6 we went through Manawa, we went and crossed the Manawa.
7 Q. Stop there. Do you know how to spell Manawa?
8 A. No, sir.
9 MR HODES: The spelling I have is M-A-N-A-W-A.
15:36:30 10 Q. You also mentioned another place, Pendembu. Do you know
11 how to spell Pendembu?
12 A. No, sir.
13 MR HODES: The spelling I have is P-E-N-D-E-M-B-U.
14 Q. Mr witness, you also indicated that Sam Bockarie give you
15:36:50 15 armed men. How many men did Sam Bockarie give you and
16 Major Gbweh?
17 A. Up to 40, up to 50. Between that.
18 Q. These men, were they affiliated with either side, either
19 organisation that we've been discussing?
15:37:37 20 A. Yes, they were AFRC.
21 Q. I think I stopped you after you had crossed through Manawa.
22 where did you go next?
23 A. When we left Manawa, we took one bush road, Sandaru, up to
24 Koidu Gieya then we came to Gandorhun Kpaneh itself. That was
15:38:13 25 where we stayed and they brought Johnny Paul from Kono, together
26 with his family.
27 Q. I'm going to ask you to stop there. You just mentioned
28 taking a bush road. I think you said Sandaru.
29 A. Yes, sir.

1 Q. Do you know how to spell Sandaru?
2 A. No, sir.
3 MR HODES: I just have S-A-N-D-A-R-U.
4 Q. From Sandaru, Mr witness, you indicated you passed through
15:38:44 5 Koidu or Koidu Town.
6 A. Koidu Gieya. We bypassed. We didn't enter. We took a
7 bypass. We bypassed Koidu Gieya and we went to Gandorhun Kpaneh.
8 Q. Do you know how to spell Koidu Gieya?
9 A. No, sir.
15:39:12 10 MR HODES: I only have one this phonetically, Your Honours,
11 K-O-I-D-U G-I-A. I'm about to get into another area if --
12 JUDGE SEBUTINDE: I missed the very last spelling of a
13 place. Can you repeat the name of that last place? They
14 bypassed Koidu Gieya and then went to a third place.
15:39:40 15 MR HODES: Gandorhun Kpaneh, that's the place where they
16 ended up meeting Johnny Paul Koroma. I can have him explain.
17 Your Honour, if you need a spelling --
18 PRESIDING JUDGE: Thank you for your the indication
19 Mr Hodes. We will now adjourn for 15 minutes.
15:40:29 20 [Break taken at 3.35 p.m.]
21 [AFRC19JUL05E-SGH]
22 [On resuming at 3.55 p.m.]
23 MR HODES:
24 Q. Mr witness, just before the break I believe you and
15:58:26 25 Major Gweh and the soldiers had made it to Gandorhun Kpaneh; is
26 that correct?
27 A. Yes, sir.
28 Q. Go ahead and tell us what happened after you and the
29 soldiers made to it Gandorhun Kpaneh?

1 A. When we arrived at Gandorhun Kpaneh, we were there when
2 they came with -- I saw Colonel B, that is Commander B; I saw
3 Issa Sesay; I saw Morris Kallon; I saw Johnny Paul Koroma; I saw
4 his wife with his children; I saw Mr Dumbuya, that is
15:59:51 5 Major Dumbuya; I saw Rambo, who was a security commander to
6 Johnny Paul himself. So during that time where we were, those
7 were the people I saw.

8 Q. Mr witness, did you see those people when you arrived in
9 Gandorhun Kpaneh?

16:00:08 10 A. Yes.

11 Q. Tell me what happened once you met up with Johnny Paul
12 Koroma in Gandorhun Kpaneh.

13 A. Well, when we arrived at Gandorhun Kpaneh, they said we
14 should go and receive when they said. After we had arrived at
16:01:06 15 Gandorhun Kpaneh, Johnny Paul Koroma and all those people whose
16 names I have called, all of them came together and we held a
17 meeting. This meeting, we told General Issa that Mosquito, Sam
18 Bockarie, had sent us to receive him with Commander B with Gullit
19 with he, Johnny Paul Koroma. Because during that time Gullit had
16:01:54 20 already arrived in Kailahun because he was in Kailahun. He went
21 there before we moved to receive Johnny Paul. We received Johnny
22 Paul and his family. Rambo, his bodyguard, with Sami.

23 Q. Mr witness, let me stop you so we can clarify some of the
24 things that may or may not be clear. When you arrived in
16:02:17 25 Gandorhun Kpaneh, were all of those people you mentioned: Johnny
26 Paul Koroma; Morris Kallon; Issa Sesay; Commander B;
27 Major Dumbuya; and Rambo already in Gandorhun Kpaneh? Were they
28 already there when you got there?

29 A. Yes, sir. I did not meet them there but when I arrived

1 they came with them. They were in Kono. As we arrived, they
2 came with them. So we arrived first before they were brought. I
3 saw them there; they met me there.

4 Q. All right. Once there, is it your testimony that there was
16:03:04 5 a meeting between all of these people that you have just
6 mentioned?

7 A. Yes, sir.

8 Q. To clarify what took place at that meeting, I just want to
9 make sure I understand. You mentioned Gullit?

16:03:34 10 A. Yes, sir.

11 Q. Was he at that meeting?

12 A. At that moment, no, sir. His name was there among those
13 who would have collected him, but not --

14 THE INTERPRETER: The interpreter is sorry. He cannot get
16:03:56 15 the other name that the witness has mentioned. So would the
16 Court order the witness to repeat his testimony?

17 PRESIDING JUDGE: Mr Witness, could you pause for a moment
18 and then go back and repeat the answer you have just given.
19 Thank you.

16:04:05 20 MR HODES:

21 Q. We need to speak very slowly, Mr Witness. You mentioned
22 Gullit again. And you mentioned that Gullit was not at this
23 meeting in Gandorhun kpaneh?

24 A. At that time he has gone to Kailahun.

16:04:39 25 Q. Okay. Who was there at that meeting in Gandorhun kpaneh
26 from the RUF?

27 A. Issa Sesay was there; Morris Kallon was there; Commander B
28 was there. They were with their securities. They were the
29 commanders. They were the high command there.

1 Q. And all three of them were at this meeting with Johnny Paul
2 Koroma in Gandorhun Kpaneh?
3 A. Yes, sir.
4 Q. Other than Johnny Paul Koroma, Mr Witness, did you
16:05:55 5 recognise any of the people representing the AFRC at this meeting
6 in Gandorhun Kpaneh?
7 A. Yes, sir. Apart from Johnny Paul Koroma, Rambo was there;
8 Sami was there - Honourable Sami. Then with this, Major Dumbuya.
9 He himself was there. All of them were AFRC members.
16:06:35 10 Q. Do you know, by any chance, how to spell the Honourable
11 Sami? Do you know how Sami was spelled?
12 A. No, sir.
13 MR HODES: Your Honours I believe it is just S-A-M-I.
14 Q. Mr Witness, were you at that meeting?
16:07:04 15 A. Yes, sir, and Leather Boots and AFRC he, too, was there.
16 Q. Let me ask my question again. Were you at this meeting in
17 Gandorhun Kpaneh?
18 A. Yes, sir.
19 Q. Did you hear what was discussed at this meeting in
16:07:33 20 Gandorhun Kpaneh?
21 A. Yes, sir.
22 Q. Tell us what was discussed at this meeting in Gandorhun
23 Kpaneh?
24 A. Well, when we arrived at Gandorhun Kpaneh, all these people
16:08:00 25 whose names I have called, they were together - all of us sat
26 together. Then the commander Major Gweh, he told them that it
27 was Mosquito who sent them to collect Johnny Paul Koroma and his
28 family, Commander B, Issa Sesay with other people that were with
29 Johnny Paul that should go with him -- that we should go with

1 them to Kailahun. So Johnny Paul himself thanked us and he
2 talked to us nicely. He said he was ready, and we took him, his
3 family, Commander B and Issa Sesay along, and Major Dumbuya with
4 Honourable Sami, Leather Boots. Then all of us went to Kailahun.
16:09:17 5 From Kailahun -- it was in Kailahun we met Gullit. We left him
6 there. We went to Buedu.

7 Q. Mr Witness, what happened when you and the group that you
8 were escorting arrived in Buedu?

9 A. Well, when we arrived in Buedu after three days, the
16:10:01 10 meeting was summoned. This meeting, Mosquito was there; Issa
11 Sesay was there; Commander B was there; Johnny Paul Koroma
12 himself was present; Honourable Sami was there; Leather Boots was
13 present.

14 Q. Let me stop you for one second. You have referred to
16:10:40 15 Leather Boots and I think you have also indicated that he was
16 AFRC. Do you know Leather Boots' real name?

17 A. Well, no, that was the way we used to call him. I don't
18 know his real name.

19 Q. Okay. Again, I apologise for cutting you off. Who else
16:11:04 20 was at the meeting in Buedu?

21 A. Well, these were the people that I can recall now were
22 present in that meeting.

23 Q. Were you present during that meeting, Mr Witness?

24 A. Yes, sir.

16:11:37 25 Q. Did you hear what was discussed at this meeting in Buedu?

26 A. Yes, sir.

27 Q. Tell us what was discussed at this meeting in Buedu?

28 A. Well, what was discussed in that meeting, the time we went
29 with Johnny Paul, when we went with him, the meeting was

1 summoned. He told Mosquito, Issa Sesay and others. He said --
2 he thanked them the way they have taken care of him up to the day
3 they have taken him there with his family. And he told them that
4 he had a package that was for the AFRC, which was given to him
16:12:37 5 that he had it. That was a diamond. Up to nine plastics. He
6 said that he and Mosquito should arrange so that they will find a
7 way in order for him to cross to Liberia to Charles Taylor so as
8 to sort out a solution, they could arrange what we should get,
9 we, the soldiers, what we needed to pursue the war that will
16:13:09 10 encourage the soldiers. So he said he had it that Mosquito
11 should make that way so that he could see Charles Taylor and they
12 will discuss with regards that. During the meeting Mosquito told
13 him that he should forget about his commandership and all other
14 things he was trying to explain. He said his own government was
16:13:38 15 over and that his own government as commander was inexistent, and
16 all that Johnny Paul went with should be handed over to him. He
17 should --

18 Q. Mr Witness, I am going to stop you for a second so that we
19 can clarify what it is you are testifying to. Again, I am going
16:14:01 20 to speak as slowly as possible so the interpreters can understand
21 what I am saying and I am going to ask you to do the same; okay?

22 A. Yes, sir.

23 Q. You began telling us that Mosquito, Sam Bockarie, was not
24 very happy with what Johnny Paul Koroma was suggesting; is that
16:14:29 25 correct?

26 A. Yes, sir.

27 Q. Why don't you pick up from there and tell us what it was
28 that Mosquito, Sam Bockarie, then said to Johnny Paul Koroma?

29 JUDGE SEBUTINDE: Mr Hodes, I am not sure I understood the

1 bit about the diamond and nine plastics and the gift and all
2 that. I am not sure what all that was about. Do you think you
3 could back up that far?

4 MR HODES: Yes. By starting at this point, I think the
16:15:18 5 witness will cover that as well, Your Honour. If he doesn't I
6 will go back and tie that in as well.

7 Q. Mr Witness, again, it is very important that we allow the
8 interpreters time to translate what I am saying and what you are
9 saying; okay?

16:15:40 10 A. Yes, sir.

11 Q. I guess to tie it back, Johnny Paul Koroma had suggested
12 using some diamonds to go to Charles Taylor to open up an avenue
13 or a corridor to get weapons; is that correct?

14 A. Yes, sir.

16:16:15 15 Q. And that is what upset Sam Bockarie, also known as
16 Mosquito; is that correct?

17 A. Yes, sir.

18 Q. Please pick up at that point what it is that Sam Bockarie
19 then said to Johnny Paul Koroma at this meeting in Buedu?

16:16:41 20 A. Okay. After Johnny Paul had spoken, he himself, Mosquito,
21 stood. He thanked Johnny Paul with regards all what he has said
22 and what he had done. He said the only problem now - he said
23 Johnny Paul should forget about being a commander again. What
24 ever suggestions he was trying to put out with regards what he
16:17:22 25 had discussed, he said it is now that he will take Johnny Paul
26 Koroma, that, as of now, he was the commander. If there was
27 anything to buy, arms or ammunition, or to take care of the
28 soldiers, he said he should hand over everything to him, and that
29 he knew what should be done because we are no longer in town, we

1 are in the bush, and he knew very well about the idea concerning
2 the bush.

3 Q. Mr witness, you just said he knew very well about the bush.
4 who do you refer to when you say "he" in that statement?

16:18:19 5 A. It was he who said General Mosquito. He said, "Johnny Paul
6 we are no longer in town. We are now in the bush," and in the
7 bush he, Mosquito, was the commander there.

8 Q. Tell us what happened next at this meeting in Buedu?

9 A. Well, after that, Johnny Paul said he wasn't alone, he
16:19:00 10 should contact the other commanders with regard to that, but
11 Mosquito did not give him chance. He told him that where he was
12 seated, by the time he would have stood up he should hand over
13 everything that he came with which he had talked about, otherwise
14 he will face humiliation. Johnny Paul had not wanted to do so.

16:19:28 15 But they used force.

16 Q. Wait a second, Mr witness?

17 A. Issa --

18 Q. I think you are about to answer it, but who used force
19 against who? I want you to use names.

16:19:52 20 A. Issa Sesay; Mosquito, Sam Bockarie, they used force on
21 Johnny Paul. They ensured that where he was seated he stood up
22 and ordered him to hand over whatever he had. They had arms,
23 there were all armed men around. They had their pistols and they
24 were talking to him. So they used force on him and took all that
16:20:24 25 he had. They stripped the shirt off him. They took the diamond.
26 Issa Sesay held his wife and said he was shouting for diamonds.
27 He went and raped Johnny Paul's wife.

28 Q. Mr witness.

29 A. Yes, sir.

1 Q. How do you know Issa Sesay raped Johnny Paul Koroma's wife?

2 A. Well, the woman was present in that meeting. From there we
3 were there. He called her, look at her own - look at his house
4 and we saw them there. They went into their room. They were
16:21:18 5 there about to ten to 30 minutes. The woman came out crying.
6 Mosquito asked her what happened. She said Issa raped her. He
7 asked Issa, then Issa responded by saying that he went and
8 checked her for diamonds.

9 Q. Mr witness, did Johnny Paul Koroma's wife say that to
16:21:47 10 Mosquito in your presence?

11 A. Yes, he said it. She was crying while saying it. When
12 Mosquito asked her, she said Issa raped her. That was what she
13 said.

14 Q. Mr witness, what happened to Johnny Paul Koroma and his
16:22:14 15 family after this meeting in Buedu?

16 A. Well, after they have taken everything, after they had
17 taken everything from him, they stopped all communication because
18 they had a fear that if he had a way of communicating to other
19 people there would have been a problem. So, he and his family
16:22:49 20 was taken from the village and taken to another village known as
21 kangama which was three miles from Buedu. That was the place he
22 was taken and his family.

23 Q. Mr witness, can you spell kangama for the court?

24 A. No, sir.

16:23:06 25 MR HODES: Your Honours, the spelling I have is
26 K-A-N-G-A-M-A.

27 Q. Mr witness, what happened after that? Did you and
28 Commander B go anywhere from there from Buedu?

29 A. Well, we were there. I left him because -- I left him

1 there. Commander B was still there. He was still there in
2 Buedu. Later, I was sent in another area. It was Mosquito who
3 sent me there. It was Mosquito who took me from Commander B and
4 sent me to Gbaima.

16:24:16 5 Q. Mr witness, do you know has how to spell Gbaima?

6 A. No, sir.

7 MR HODES: Your Honours, I think we have had the spelling,
8 but just to play it safe, I believe it is G-B-A-I-M-A.

9 Q. Mr witness, after this incident involving Johnny Paul
16:24:43 10 Koroma, were there any incidents involving any of the other
11 commanders of the AFRC?

12 A. Yes, sir.

13 Q. What was that?

14 A. Before ever they sent Johnny Paul to Kangama, after they
16:25:05 15 have taken everything from him, that day I was in the meeting
16 when Issa Sesay called me. All of us boarded a vehicle. We went
17 to Kailahun because he said he had information that Gullit had
18 diamonds and he was the PLO1 in Kono. So he had a diamond that
19 he failed to present to Johnny Paul. Well, he was not present
16:25:43 20 when the coup took place and he went with me to Kailahun. So he
21 ordered us to collect the diamond from him. It was Issa who said
22 so. We went where I was in the vehicle and we did not meet
23 Gullit in town.

24 Q. Mr witness, I will slow you down for a second. When you
16:26:03 25 say "we went in a car", who were you with?

26 A. Well, myself, Issa Sesay, with his securities, that
27 CO Mohamed. There were many. But these are the ones that I can
28 recall. All of them were RUF members. So when we went, we did
29 not meet Gullit in the town. We met him in one of the villages

1 by the border. Guinea by Guinea border called Bedu. That was
2 where they had transactions. RUF had been carrying transactions
3 there with the Guineans.

4 Q. Mr Witness --

16:26:59 5 A. That was the business area. That was where we met Gullit.

6 Q. I am sorry to interrupt you again, Mr witness, but you
7 mentioned another town that is at the border or some place close
8 to the border with Guinea. Can you repeat the name of that town?

9 A. Bedu. Bedu. Bedu crossing point.

16:27:28 10 Q. Mr witness, do you know how that is spelt?

11 A. No, sir.

12 MR HODES: Your Honours, I only have a phonetic spelling
13 for that and it is just B-E-D-U.

14 Q. Mr witness - and again I apologise for cutting you off -
16:27:53 15 but you indicated that you, Issa Sesay and several of his
16 securities, Issa Sesay's securities, found Gullit in Bedu in this
17 border town; is that correct?

18 A. Yes, sir.

19 Q. Go ahead and tell the Court what happened once you met up
16:28:17 20 with Gullit.

21 A. Well, Issa Sesay called Gullit and asked him. They
22 disarmed him with all his securities that he had. He disarmed --
23 Issa Sesay disarmed Gullit with all his securities. He gave us
24 the arms and he asked Gullit for the diamonds. I think he had
16:28:54 25 diamonds because we were somewhere when he called him at some
26 distance with all of his securities. What he told me that he
27 collected the diamonds. It was Gullit -- it was one of Gullit's
28 securities that kept it. So, he took the diamond with Gullit
29 himself and he returned to Buedu.

1 Q. Mr witness --
2 A. Yes, sir.
3 Q. Were any AFRC commanders at Bedu along with Gullit?
4 A. Well, they were there, but I don't know their names. It
16:29:36 5 was Gullit himself that I knew very well.
6 Q. After Bedu, Mr witness --
7 A. Yes, sir.
8 Q. -- did you return to Kailahun?
9 A. Yes, we came to Kailahun. Then we passed and we came to
16:30:02 10 Buedu. When we arrived in Buedu, I don't know what they
11 discussed with Gullit, but he came back to Commander B and I gave
12 up my room to Gullit. I left him there when I was assigned -- I
13 left them there with Commander B. So, that was where he was for
14 some weeks. So he prepared to leave there to come back to Kono.
16:30:37 15 Like Kono area or Makeni area.
16 Q. When Gullit was in Commander B's house in Buedu, did he
17 have any weapons with him?
18 A. Well --
19 MS THOMPSON: [Microphone not activated] I am not sure we
16:30:52 20 have established whether --
21 THE WITNESS: He had no weapons.
22 PRESIDING JUDGE: I didn't hear you. Could please repeat
23 that?
24 MS THOMPSON: I am not sure whether he has established
16:31:09 25 whether Gullit was in Commander B's house. What I have done is
26 "I gave up my room to Gullit". I am not sure that we have got to
27 that stage.
28 MR HODES: I will clarify it. I thought I had heard him
29 say that he was Commander B's house but --

1 MR KNOOPS: In addition to that, I think it is a leading
2 question whether somebody has a weapon with him.
3 PRESIDING JUDGE: Yes, it is leading Mr Hodes.
4 MR HODES: I will move on.
16:31:29 5 Q. Mr Witness --
6 A. Yes, sir.
7 Q. -- after this incident in Bedu, did you begin to work for
8 Commander B again?
9 MR FOFANAH: May it please Your Honours, may we get that
16:32:06 10 clear? Is it Bedu or Buedu because Bedu seems much like Buedu.
11 I think I heard Bedu, the crossing point. That is what you
12 meant.
13 MR HODES: Let me ask the witness.
14 Q. Mr Witness --
16:32:18 15 A. Yes, sir.
16 Q. -- the crossing point in Guinea, do you pronounce it Bedu
17 or Bedo?
18 A. It is Bendu. B-E-N-D-U, Bendu.
19 Q. Bendu?
16:32:47 20 A. Bendu. Bendu crossing point.
21 Q. My question to you, Mr Witness, was whether or not at some
22 point you began working for Commander B again.
23 A. Well, I was with him, but later there was a problem. When
24 Mosquito assigned me to Gbaima. I have told you about it. There
16:33:36 25 was a problem between I and Issa. For this same diamond issue.
26 Q. Well, actually I was just going to ask you about whether or
27 not you recall anything happening in June of 1998.
28 A. 1998, June. No.
29 Q. Okay. Do you remember after the meeting that you have just

1 described whether or not there was another meeting of some kind
2 amongst commanders in Bendu?
3 A. No, at Bendu, no.
4 Q. Buedu. Buedu, I am sorry.
16:35:20 5 A. Yes. It was within RUF. After they had released Johnny
6 Paul, Issa Sesay -- Mosquito told him that --
7 Q. Who was in Buedu for this meeting?
8 A. Well, it was RUF.
9 Q. Do you remember who?
16:35:48 10 A. Yes, sir.
11 Q. Tell us who was present.
12 A. Commander B was there. Issa Sesay was there. Then
13 Mosquito himself was there. SYB Rogers was there. Well, they
14 were the most important people that I knew that were present at
16:36:21 15 that meeting.
16 Q. Do you remember if there were any AFRC members at that
17 meeting?
18 A. Yes, yes, they were there, those that I can remember.
19 Q. Do you remember which AFRC members were at that meeting?
16:36:52 20 A. Leather Boots was present. And Sami too was present. And
21 the MP general, he too was, the one in Kenema was also present.
22 They are all AFRC members.
23 Q. Mr witness, were you inside the meeting or were you outside
24 the meeting?
16:37:35 25 A. Akim was also present. Akim.
26 Q. Mr witness, Akim do you know how that is spelt?
27 A. No, sir.
28 MR HODES: Your Honours, I only have it as A-K-I-M.
29 Q. Mr witness, do you know who Akim -- which organisation Akim

1 was with? which group Akim was with?
2 A. Yes, sir.
3 Q. Which one?
4 A. It was AFRC.
16:38:25 5 Q. Mr witness, did you actually attend the meeting?
6 A. Yes.
7 Q. Could you hear what was being discussed?
8 A. Well, later, later, when Mosquito called on all the
9 commanders on the front and representatives to convene the
16:38:47 10 meeting. And I and Junior, we came from ~~XXXXX~~ ~~XXXXX~~ Battalion.
11 We came to attend that meeting.
12 Q. Mr witness --
13 A. The meeting -- yes, sir.
14 Q. Sorry.
16:39:04 15 A. Yes, sir.
16 Q. My question to you was whether or not you heard what was
17 discussed in this meeting. Did you hear what was discussed?
18 A. Yes, sir.
19 Q. Go ahead and tell us what was discussed at this meeting.
16:39:32 20 A. Well, what we discussed, we discussed at the meeting,
21 Mosquito called on the commanders and informed them that they
22 have done a lot. That is by defending their positions that he
23 assigned them. That is all commanders, but now it has come to a
24 point when we have been circled and it is only a small portion
16:39:59 25 that is left for us. And in fact we have got an access for arms
26 and ammunitions or any other thing that we think we could lay
27 hands on to fight the war. He said we has got access to them.
28 So, we should arrange -- Issa Sesay should go to Kono to join
29 Morris Kallon, Akim and Superman, to attack Kono up to Makeni.

1 He said he will stay there with the other commanders. He will
2 attack Daru, Segbwema. Attack Kenema. So that we can have -- if
3 we don't do that and only sit, then the ECOMOG will kill
4 everybody. So, that is what was discussed at the meeting. Then
16:41:12 5 from there I saw he came with ammunitions, arms and handed them
6 to Issa Sesay to take them to attack Kono and he gave the other
7 ammunitions and gave them to us. We, too, we joined and we went
8 to Pendembu and we arranged to attack Segbwema, Daru and Kenema
9 and Bumbumbu.

16:41:50 10 MR HODES: Those towns are Segbwema, S-E-G-B-W-E-M-A.
11 Bendu, B-E-N-D-U. Bumbumbu, B-U -- I don't know if you said
12 Bumbumbu, but Daru, D-A-R-U and Kenema, K-E-N-E-M-A.

13 Q. Mr witness, did Mosquito say anything about treating
14 civilians during this meeting?

16:42:25 15 A. Yes, sir.

16 Q. What did he say?

17 A. He said that this attack should not be directed to
18 civilian, but he needed the land. Wherever there are civilians
19 or Kamajors or ECOMOG, whatever you want to do with that just to
16:42:49 20 gain access to the town, he should do it. If you don't want to
21 save civilian you should kill him, but not capture. Either you
22 go or you release them. But that was what he said.

23 Q. Mr witness, again, I think maybe you and I speak too fast
24 for the interpreters. So, I am going to ask you to slow down
16:43:10 25 your answer. My question to you was whether or not Mosquito said
26 anything about how to treat civilians. So, I am going to ask you
27 again, specifically with regards to civilians, what did Mosquito
28 say during this meeting?

29 A. Well, he said it -- he said it is an operation -- an

1 Operation Spare No Soul. So we should spare no civilian or we
2 should not capture anybody. That is what he told us. He told
3 Issa and Issa too said, "wait until I go across. He know the
4 decision that we are going to take which is going to be drastic
16:44:01 5 than what Mosquito has told him." He said he too, when he went
6 there he will do whatever to civilian. He can kill, wound or
7 whatever. So that will raise the concern of the international
8 community and reverse so that we will have peace. So -- but if
9 he doesn't do that, we attack ECOMOG or Kamajor. They will not
16:44:25 10 take it serious. But if they see that we will kill civilians,
11 wound them, the international community will intervene so that
12 there will be peace. So that is what he said.
13 Q. Thank you, Mr witness.
14 MR HODES: I don't have any further questions Your Honours.
16:44:38 15 A. welcome.
16 PRESIDING JUDGE: Very well. Cross-examination, counsel?
17 [AFRC19JUL05F - CR]
18 MR KNOOPS: Your Honour, we prefer, if the Court permits,
19 to start tomorrow, because we will be interrupted by the hour.
16:45:19 20 PRESIDING JUDGE: Just a moment, please.
21 [Trial Chamber confers]
22 PRESIDING JUDGE: In the light of that application, we will
23 adjourn early and recommence court tomorrow morning with
24 cross-examination at 9.15. Mr witness, your evidence is not yet
16:45:42 25 finished. There will be questions that the other lawyers wish to
26 ask you. We will start again tomorrow morning. Between now and
27 all the time that your evidence is finished, you must not discuss
28 your evidence or your story with any other person. Do you
29 understand what I have said to you?

1 THE WITNESS: Yes, sir.
2 [whereupon the hearing adjourned at 4.42 p.m.
3 to be reconvened on wednesday, the 20th day of
4 July 2005, at 9.15 a.m.]

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WITNESSES FOR THE PROSECUTION:

WITNESS: TF1-045 3

EXAMINED BY MR HODES 3