

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

FRIDAY 21, JULY 2006  
9.20 A.M.  
TRIAL

TRIAL CHAMBER II

Before the Judges:	Teresa Doherty, Presiding Julia Sebutinde
For Chambers:	Ms Carolyn Buff
For the Registry:	Ms Maureen Edmonds Mr Geoff Walker
For the Prosecution:	Mr Karim Agha Mr Charles Hardaway Ms Shyamala Alagendra Ms Maja Dimitrova (Case Manager)
For the Principal Defender:	No appearance
For the accused Alex Tamba Brima:	Mr Kojo Graham Mr Ibrahim Foday Mansaray (Legal assistant)
For the accused Brima Bazy Kamara:	Mr Andrew William Kodwo Daniels
For the accused Santigie Borbor Kanuu:	Mr Ajibola E Manly-Spain Mr Silas Chekera

1 [AFRC21JUL06A - CR]  
2 Friday, 21 July 2006  
3 [The accused present]  
4 [The witness entered court]  
5 [Open session]  
6 [Upon resuming at 9.20 a.m.]  
7 WITNESS: DAB-081 [Continued]

8 PRESIDING JUDGE: Good morning. Before we proceed, I will  
9 remind the witness of his oath, unless there are other matters.  
09:17:36 10 No.

11 Mr Witness, you remember yesterday you swore to tell the  
12 truth.

13 THE WITNESS: Definitely.

14 PRESIDING JUDGE: That is still binding on you today and  
09:17:44 15 you are obliged to continue to answer all questions truthfully.  
16 Do you understand?

17 THE WITNESS: Yes.

18 PRESIDING JUDGE: Thank you, Mr Witness.

19 THE WITNESS: Thank you, too.

09:17:54 20 EXAMINED BY MR MANLY-SPAIN [Continued]

21 Q. Good morning, Mr Witness.

22 A. Good morning.

23 Q. Mr Witness, to continue, I'm going to ask you just a few  
24 more questions. Mr Witness, remember yesterday you spoke about a  
09:18:21 25 civilian boy who was killed and, as a result of that, the two  
26 factions started to boast against each other. As a result,  
27 SAJ Musa left the village. Do you remember that?

28 A. Yes, quite.

29 Q. Mr Witness, do you remember who that boy was?

1 A. That boy was one of our son in the village, called Lansana  
2 Farroo.  
3 Q. Can you please spell that name?  
4 A. Farroo, F-A-R-R-O-O.  
09:19:23 5 Q. Do you know the circumstances that brought about the  
6 killing of this boy?  
7 A. Yes, while they were there at that moment, they recruited  
8 young boys and girls, so our son went on. These young boys and  
9 girls were kept in a particular area, the school area, and then  
09:19:52 10 they want no one to visit them at night. Lansana was put in  
11 charge of the gates, not to allow any individual to visit,  
12 because the RUF fighters were in the habit to visit the area for  
13 girls. So, one night, two RUF members went to visit the area for  
14 these girls. Lansana refused to let them in. In this respect,  
09:20:31 15 Lansana was shot dead by these two RUF members.  
16 Q. Thank you, Mr Witness. You talked about the recruitment.  
17 Who recruited these young boys and girls?  
18 A. Well, by them, all of them, both SLA and the RUF recruited  
19 these young boys and girls to add to their number.  
09:21:16 20 Q. Do you know what they were recruited to do?  
21 A. Well, they were recruited to safeguard the village from any  
22 enemy attack.  
23 Q. Do you remember, or could you tell at the time the ages of  
24 the boys and girls who were recruited?  
09:21:35 25 A. Some of these boys and girls were at the age of 14, 15, 16,  
26 17, 18.  
27 Q. Thank you very much. After this shooting and after  
28 SAJ Musa left the village, did this programme, this recruiting  
29 continue?

1 A. Well, everything collapsed. Some of these recruited young  
2 boys and girls escaped.

3 Q. Thank you very much. Mr Witness, after the time that  
4 SAJ Musa left the town, do you know whether anything happened to  
09:22:26 5 the town?

6 A. Yes. By then, I was in the bush. As I said earlier, when  
7 the remaining people there were the RUF fighters, they remained.  
8 They were left alone in the village with some civilians who were  
9 trapped. By then, I had already escaped outside. As I said  
09:22:52 10 earlier, I was already in my hideout when they were attacked by  
11 forces from Kabala, loyal to the government.

12 Q. Well, do you know how this attack took place?

13 A. As I said earlier, I was in my hideout. One early morning,  
14 at about 7.30 in the morning when we heard bomb sound from the  
09:23:20 15 direction of Kabala.

16 Q. Thank you. Do you know of any other attack, apart from the  
17 attack from Kabala on your village?

18 A. Well, that was the only last attack that I knew of. By  
19 then I was in the bush. We heard gunshots after they have left  
09:23:51 20 our village. They destroyed, devastated everything. They killed  
21 massively, and destroyed properties, the RUF soldiers. We were  
22 then in the bush. We feared not to enter our village for a week  
23 or more.

24 Q. Thank you. Mr Witness, whilst the SLA were in your  
09:24:16 25 village, did you come to know any members of the SLA that were  
26 there with SAJ Musa?

27 A. Well, I could not tell, because I was not getting closer to  
28 anyone for fear not to be abducted into the system.

29 Q. Thank you. Do you know whether there was anyone else there

1 with SAJ Musa referred to as Five-Five?

2 A. Not to my knowledge.

3 Q. Do you know whether there was anyone there with SAJ Musa  
4 referred to as Gullit?

09:25:02 5 A. Not to my knowledge also.

6 Q. Did you know of anyone there with SAJ Musa referred to as  
7 Ibrahim Kamara?

8 A. Not to my knowledge, absolutely.

9 Q. Thank you. Mr Witness, I want you to recall the month  
09:25:32 10 of August in 1998. Do you recall August in 1998?

11 A. In August 1998, I was in the bush.

12 Q. Do you recall the month of September 1998?

13 A. September 1998, I was also in the bush.

14 Q. Do you recall the month in which you first went into  
09:26:15 15 captivity in the house.

16 MR AGHA: Your Honour, these questions have been asked and  
17 answered yesterday.

18 THE WITNESS: Yes, I think I've answered to these  
19 questions.

09:26:26 20 PRESIDING JUDGE: What do you say, Mr Manly-Spain. I'm  
21 just checking my notes here.

22 MR MANLY-SPAIN: Not as that they have been put at this  
23 time, Your Honour. I'm only trying to lay the basis, or  
24 foundation for some answers he has given before.

09:26:53 25 PRESIDING JUDGE: I will allow the question.

26 MR MANLY-SPAIN: Thank you.

27 Q. Do you remember the month you were taken into captivity?

28 A. That was, as I said, early August while we were in the bush  
29 in search of food.

1 Q. Thank you. Mr Witness, you have told this Court that  
2 whilst you were there -- whilst they were there, there were no  
3 amputations.

4 A. Absolutely.

09:27:34 5 Q. How do you know that?

6 A. Well, I never saw anyone amputated. No one told me of any  
7 amputation. When they left and burnt the place, I never saw  
8 anyone amputated.

9 Q. Thank you. Mr Witness, you also spoke and told this Court  
09:28:02 10 this morning that these two RUF fighters went to this place to  
11 look for girls as a result of which you recalled the shooting of  
12 this civilian boy that you told us. How did you know that?

13 A. I said I was present. We were nearby the school building,  
14 which they made a training centre. We heard a cry and gunshot  
09:28:28 15 after that cry. When we asked these people what happened, they  
16 said they have shot Lansana dead.

17 Q. Thank you. Mr Witness, did anything else happen in the  
18 town during this period up to November 1998?

19 MR AGHA: Which period are we commencing from, please,  
09:29:18 20 Your Honour?

21 PRESIDING JUDGE: Yes, be more specific. And you  
22 mentioned November 1998, Mr Manly-Spain.

23 MR MANLY-SPAIN: Yes.

24 PRESIDING JUDGE: Is that a period included in the  
09:29:29 25 indictment?

26 MR MANLY-SPAIN: Yes.

27 Q. I mean the period from July to November 1998.

28 A. Well, that was the time they devastated our village. They  
29 destroyed, burnt the village, RUF soldiers when they were about

1 to leave.

2 Q. You have explained that. I want you to listen to please my  
3 question. My question is: Apart from what you've explained, did  
4 anything else happen to the village that caused destruction?

09:30:06 5 A. Yes, we used to get the jet fighter.

6 Q. What do you mean by we used to get the jet fighters?

7 A. The Alpha Jets used to go there and bombard.

8 Q. Do you know to whom the Alpha Jets belonged?

9 A. Well, we used to hear from them that this is from the  
09:30:34 10 government. The Alpha Jets have been sent to attack them there  
11 their settlements.

12 Q. To attack whom?

13 A. To attack the rebels, the RUF rebels in Koinadugu.

14 Q. Thank you. Do you --

09:30:56 15 JUDGE SEBUTINDE: He heard from who? He said he used to  
16 hear from them.

17 THE WITNESS: The RUF rebels themselves, the RUF rebels.  
18 The said jets will come and we all have to escape, we should not  
19 stand and wait. So whenever it appears, we all have to fight for  
09:31:12 20 our lives.

21 MR MANLY-SPAIN:

22 Q. Thank you. Mr Witness, do you recall when these jets first  
23 went to the village and bombarded the village?

24 A. Yes. Two houses were destroyed, one house, and then part  
09:31:32 25 of the second house.

26 Q. Do you recall when the first bombardment took place? The  
27 first time this happened?

28 A. Well, I couldn't remember this.

29 Q. Do you know the last time it happened?

1 A. The last time met me in the bush.

2 Q. Thank you. Can you recall about how many times the jets  
3 went there?

4 A. Well, I mean, frequently. Frequently. Because while we  
09:32:12 5 were in the bush, in the hideout, we used to see it flying above  
6 our heads in the bush.

7 Q. What do you mean by frequently?

8 A. Well, I mean by that, in two or three days time, the jet  
9 will appear in the area.

09:32:33 10 Q. Whenever they appeared, did they do anything?

11 A. Some time they bombard around the bushes, around the  
12 village, and sometime no bombardment is done, only view the area  
13 and then leave the area.

14 Q. Do you know whether anything happened as a result of these  
09:32:58 15 bombardments?

16 A. Yes.

17 Q. Please tell the court.

18 A. One of our girls arms was damaged during the last  
19 bombardment.

09:33:13 20 Q. Thank you. Do you know whether anything happened to the  
21 village as a result of the bombardment?

22 A. Well, the village, really, was not almost destroyed by the  
23 bombardments, only those two houses, as I am saying, but the rest  
24 of the damage was done by the RUF members, otherwise, if the  
09:33:36 25 village was completely bombarded by the jets, they themselves  
26 wouldn't have been there until the time they left the village.

27 Q. Thank you. How do you know that only these two houses were  
28 damaged by these bombardments?

29 A. Yeah. By then, at that time, at the first bombardment, I



1 was within the township, but the remaining bombardments met me in  
2 the bush. So I came to know this at the first strike.

3 Q. Thank you, Mr Witness.

4 MR MANLY-SPAIN: Thank you, that is all for me.

09:34:15 5 PRESIDING JUDGE: Thank you, Mr Manly-Spain. I understand  
6 this is a common witness; is that correct, counsel?

7 MR MANLY-SPAIN: Yes, Your Honour.

8 PRESIDING JUDGE: Thank you. No other matters. Counsel  
9 for the Prosecution.

09:34:29 10 CROSS-EXAMINED BY MR AGHA:

11 Q. Witness, I'm going to ask you a few questions this morning.

12 A. Okay.

13 Q. If you can just answer these truthfully and concisely, most  
14 of them can be answered with a yes or no or I don't know answer.

09:34:48 15 A. Okay.

16 Q. Now, yesterday you said that the armed men who came to your  
17 village had come from Kabala, didn't you?

18 A. Yes.

19 Q. The RUF and the SLA had been fighting ECOMOG in Kabala  
09:35:01 20 before coming to your village, hadn't they?

21 A. I have no knowledge of that.

22 Q. Both the RUF and the SLA came to your village at the same  
23 time, didn't they?

24 A. Yes.

09:35:12 25 Q. The SLAs, being soldiers, were more disciplined than the  
26 RUF, weren't they?

27 A. Exactly.

28 Q. And the SLA's followed SAJ Musa's orders, didn't they?

29 A. Yes.

1 Q. You mentioned yesterday that some of the SLAs had positions  
2 on their shoulders, didn't you?  
3 A. Exactly.  
4 Q. What do you mean by positions on their shoulders?  
09:35:41 5 A. Well, you have some sergeants, corporal, like that. Of  
6 course, I don't know their ranks detail.  
7 Q. But they were ranked --  
8 A. Yes, like that. Exactly.  
9 Q. Now, do you remember an SLA with SAJ Musa's group called  
09:36:02 10 O-Five?  
11 A. Not at all.  
12 Q. Now, you were made to work for RUF group, weren't you?  
13 A. Yes, exactly.  
14 Q. Now, other villagers were made to work for the SLA group,  
09:36:18 15 weren't they?  
16 A. Yes.  
17 Q. What kind of work were the villagers under the SLA made to  
18 do?  
19 A. Well, this is uniform job, building huts. It's in the same  
09:36:30 20 village. Guard post, to guard the village from enemy attack.  
21 Q. So they were doing the same type of work as you?  
22 A. Yes, we were doing the same thing.  
23 Q. Were the SLA group who had their civilians from the  
24 village, were they also those civilians held in captivity like  
09:36:55 25 your group?  
26 A. Oh, not at all.  
27 Q. They could come and go and leave the village as they chose?  
28 A. No, no. No one, no one is allowed to leave the village.  
29 Q. But they were treated less harshly?

1 A. Exactly.

2 Q. Now, you mentioned yesterday that you were made to carry  
3 food. You carried some of this food to the food store in the  
4 village, didn't you?

09:37:25 5 A. Yes. What I mean -- let me explain that again.

6 Q. Sure.

7 A. They will send us in the farmlands to collect food, in  
8 search of food to support feeding. This is what I meant. So,  
9 when we come with this food, there is a house which they call a  
09:37:43 10 store. This food is being stored there for future uses.

11 Q. Was this store house where the food was put, was this in  
12 the SLA or RUF part of town?

13 A. It was on the RUF side.

14 Q. You also mentioned that there was an ammunition  
09:38:06 15 store/ammunition dump in the village, didn't you?

16 A. Yeah.

17 Q. Were you made to carry ammunition or other things to the  
18 ammunition store?

19 A. I was not made to take any ammunition to the store.

09:38:17 20 Q. But were any other villagers made to take any --

21 A. Yeah, we have young men whom they used to carry these  
22 things, strong young men.

23 Q. And these strong young men were used by both the SLA and  
24 the RUF to carry these ammunitions?

09:38:34 25 A. The RUF, I mean, soldiers, used these young men to carry  
26 their arms.

27 Q. And what about the SLA, did they have anyone carrying any  
28 of their stuff?

29 A. No, no, they are doing it themself.

1 Q. Now, I want to come to a position in time before SAJ Musa  
2 shot the civilian which led to --

3 PRESIDING JUDGE: Was it SAJ Musa who shot the civilian. I  
4 thought the civilian was shot by the two RUF.

09:39:09 5 MR AGHA: I apologise, Your Honour.

6 Q. I'm coming to the point where SAJ Musa shot the RUF,  
7 because they had shot the civilian. I'm talking now before that  
8 period in time.

9 A. Yeah.

09:39:26 10 Q. Now, before then, both the SLA and the RUF used to take  
11 food from the village store, didn't they?

12 A. Yes.

13 Q. Before this time, both the SLA and RUF used to take  
14 ammunition from the ammunition dump, didn't they?

09:39:50 15 A. Yes.

16 Q. Now, how was this food distributed? Did the SLAs come and  
17 collect it themselves, or did the RUF go and give it to them?

18 A. Well, they had the men who are in charge of this food  
19 sharing, so in time of need, they will demand of any amount and,  
09:40:13 20 this will be taken to an individual.

21 Q. So the food was shared between the two groups?

22 A. Yeah.

23 Q. Now, prior to the shooting of the RUF man by SAJ Musa, this  
24 is still the period I'm talking about, the SLAs and RUF used to  
09:40:41 25 guard the town, I'm sorry, from attack against ECOMOG or  
26 Kamajors; is that right?

27 A. Well, at that moment, we had no attack from any outside.

28 Q. But they were ready and prepared?

29 A. Yeah, they were prepared, at any time.

1 Q. Could SLAs go into the part of town where the RUF were in  
2 the majority?

3 A. Of course, they were working in commonality. In the town,  
4 there was no barrier for anyone not to go any part of the  
09:41:14 5 village.

6 Q. So they were all mixing together?

7 A. Yes, it is one village, you can't make anybody -- they were  
8 travelling and working amongst themselves.

9 Q. Now, according to you, I believe you said the village was  
09:41:28 10 invaded by the RUF and SLAs in about August 1998; is that right?

11 A. Yeah, they came in together.

12 Q. Okay. According to you, SAJ Musa's group remained for  
13 about three months?

14 A. Yes.

09:41:43 15 Q. So would you agree with me that SAJ Musa's group left in  
16 about November 1998?

17 A. Not November, actually.

18 Q. October?

19 A. It was around -- because he took there nearly three months,  
09:42:00 20 during the conflict he left.

21 Q. So that would be August/September, about October?

22 A. Yeah. Yeah.

23 Q. Okay. So prior to SAJ Musa shooting the RUF, would you  
24 agree with me that the RUF and SLA used to co-operate with each  
09:42:27 25 other in sharing food and ammunition?

26 A. Before the shooting of that boy?

27 Q. Yes, by SAJ Musa.

28 A. Well, everyone has his own house and group, so I can't tell  
29 at that moment, because I'm not with them always as to go and

1 enter into one's house and see what is going within them. All  
2 what I know is they were living in the village together.  
3 Q. So they were co-existing?  
4 A. Yes, of course.  
09:42:55 5 Q. Okay. Now, did you hear, or were you aware that the RUF  
6 leaders and the SLA leaders used to hold meetings in the village  
7 to discuss food, ammunition and security?  
8 A. No, no, no. Not at all.  
9 Q. You're not aware of that.  
09:43:16 10 A. I'm not aware of that.  
11 Q. Now I also believe you also mentioned yesterday that  
12 Superman and his group sometimes used to leave the village on  
13 attacks?  
14 A. Yes.  
09:43:32 15 Q. Well, I put it to you. Let me ask this first: Did you  
16 ever go on any of these attacks?  
17 A. Myself?  
18 Q. Yes.  
19 A. No, no, no. Not at all.  
09:43:41 20 Q. I put it to you that some SLA soldiers also accompanied  
21 Superman's group on some of these attacks?  
22 A. Well, I can't tell, because this is military affairs. We  
23 are not told whether this or that is going.  
24 Q. But it's possible.  
09:43:57 25 A. Yes, of course, but we are not in the know as civilians.  
26 Q. Now, as you were doing your duties and other things in the  
27 village, were you aware of either the RUF or SLA having radio  
28 sets through which they could communicate with other people?  
29 A. This is never to my knowledge.

1 Q. Thank you. Now, was there a military training programme  
2 that was started by the two groups in the village?  
3 A. Why yes, I've said this earlier, to protect the village.  
4 Q. This is when you are talking about the training of the  
09:44:48 5 young boys?  
6 A. Yes, that is only meant to protect the village.  
7 Q. Thank you. Were they being trained by the SLA and RUF to  
8 protect the village?  
9 A. Yes.  
09:44:55 10 Q. Okay. You mentioned women came with SAJ Musa's group, is  
11 that right? Civilian women?  
12 A. Well, I mean, when they were there, some of them had their  
13 wives and children, because there wasn't any other area to leave  
14 their families. They had to travel together, for safety.  
09:45:24 15 Q. And these women were doing domestic duties like cooking for  
16 their husbands and so on?  
17 A. Of course.  
18 Q. I put it to you that some of these women were actually  
19 forced to be the wives of both RUF and SLAs.  
09:45:40 20 A. Well, I can't tell. All what I know, I saw women with  
21 them. I don't know how they procure them.  
22 Q. Now, you mentioned you saw SAJ Musa's group leave the  
23 village in groups.  
24 A. Yes.  
09:45:56 25 Q. Now, did you see anyone carrying any loads?  
26 A. Well, this is very common. They might have their bundles  
27 of clothings and other cooking utensils like pots. Because,  
28 obviously, these are the very present needs in anywhere you are,  
29 so that is common. You can see -- I saw some of these head

1 loads, bags, pots, something like that.

2 Q. Who were carrying these. Was it just the soldiers or were  
3 some of the civilians also carrying?

4 A. Well, everyone is carrying for their personal use.

09:46:36 5 Q. You mentioned that SAJ's group went, I believe, to the  
6 village Dankawalli, which was spelt, I believe, yesterday?

7 A. Yes.

8 Q. Do you know where SAJ's group went after that?

9 A. Well, I can't tell. I only saw them they took that  
09:46:51 10 footpath. Since then, I don't know where they went any longer.

11 Q. Thank you, Mr Witness.

12 MR AGHA: That completes my cross-examination, Your Honour.

13 PRESIDING JUDGE: Thank you, Mr Agha.

14 MR MANLY-SPAIN: No re-examination, Your Honour.

09:47:09 15 PRESIDING JUDGE: Thank you, Mr Manly-Spain. Thank you,  
16 Mr Witness, that is the end of your evidence. We thank you for  
17 coming to the Court and giving your evidence today. You are at  
18 liberty to leave, but you must first wait whilst they draw the  
19 curtains to allow you to leave unseen. Please sit there.

09:47:31 20 THE WITNESS: Thank you very much.

21 [The witness withdrew]

22 PRESIDING JUDGE: Yes, counsel, your next witness?

23 MS THOMPSON: Your Honour, the next witness is DAB-082.

24 PRESIDING JUDGE: What language will the witness speak,  
09:49:10 25 Ms Thompson?

26 MS THOMPSON: Your Honour, it's Koranko.

27 [The witness entered Court]

28 MR AGHA: Your Honours, just to correct, is this witness  
29 083?



1 MS THOMPSON: 083 will be coming after 082.

2 MR AGHA: Because on the list of call we had we had 082  
3 083. So we are actually prepared for the witness which was per  
4 call order, 083.

09:49:33 5 MS THOMPSON: I have both of them. If the call order has  
6 083, then we'll take 083 first. My list here says 082 first.

7 PRESIDING JUDGE: We haven't seen this call list, so I  
8 cannot arbitrate on this piece of typing. If 083, by agreement  
9 will be next --

09:49:53 10 MS THOMPSON: They're both here, Your Honour.

11 PRESIDING JUDGE: That's excellent. I will ask Court  
12 Management to bring in DAB-083; is that agreed?

13 MS THOMPSON: Yes, Your Honour.

14 MR AGHA: Thank you.

09:50:33 15 JUDGE SEBUTINDE: Is 083 speaking Krio?

16 MS THOMPSON: Your Honour, it's Krio, yes. 083 is Krio,  
17 082 is Koranko.

18 PRESIDING JUDGE: Thank you, Ms Thompson.

19 MS THOMPSON: Your Honour, I believe this is DAB-082.

09:52:49 20 PRESIDING JUDGE: Mr Agha, you have heard Ms Thompson, this  
21 is 082. How does that leave counsel for the Prosecution?

22 MR AGHA: Well, it means counsel who had prepared for this  
23 witness isn't here, so we would not be in a position to -- I  
24 actually do have the email I received last night from Louise

09:53:06 25 Songwe, who is a Defence counsel with the next witnesses and it  
26 was also copied to Chambers, the Court clerk, Mr Meisenberg, so  
27 the Chamber would be aware of it. It clearly says DAB-083,  
28 followed by DAB-082.

29 PRESIDING JUDGE: Is counsel who will be dealing with this

1 witness for the Prosecution within the Court precincts?

2 MR AGHA: Well, she also is dealing with another case at  
3 the same time. If the other witness is able to come, we will be  
4 able to proceed immediately, otherwise I can go and see if I can  
09:53:43 5 find her and bring her.

6 PRESIDING JUDGE: Just pause. Mrs Thompson, you've heard  
7 Mr Agha.

8 MS THOMPSON: The other witness is actually within the  
9 Court precincts.

10 PRESIDING JUDGE: Ms Thompson, in view of the fact that  
11 DAB-083 is here, that you had given notice that it would be  
12 DAB-083, I think, in fairness, we should have DAB-083 here to  
13 allow the relevant counsel to come at the appropriate time for  
14 this witness. I will ask Court Management to draw the curtains  
09:54:58 15 again, assist this witness to leave and bring in the other  
16 witness. Do you require us to leave the Bench?

17 MS THOMPSON: I think it can be done expeditiously,  
18 Your Honour. I saw them both this morning, they're here.

19 PRESIDING JUDGE: Thank you very much. Madam Court  
09:55:18 20 Attendant, we're going to change over witnesses. I would ask you  
21 to draw the curtains again, please, assist the gentleman to leave  
22 and bring in the other witness. Well will just wait.

23 MR AGHA: Thank you, Your Honour, for your understanding in  
24 this matter.

09:55:59 25 MS THOMPSON: Your Honour, before that's done, I have  
26 something to explain to the witness what this is happening.

27 PRESIDING JUDGE: Ms Thompson, I'm going to rely on the  
28 witness support unit to explain to him he's not being rejected in  
29 any way. Excuse me, the lady from witness support, could you

1 explain to the gentleman what has happened? Could you explain to  
2 the gentleman we thought it was going to be someone else. We  
3 will hear his evidence soon and he is not to be concerned or  
4 worried that we're swapping over.

09:58:22 5 [The witness entered Court]

6 WITNESS: DAB-083 [Sworn]

7 MS THOMPSON: Your Honour, before this witness starts, I  
8 would like to refer --

9 THE WITNESS: Ma'am, I would like to talk.

09:59:46 10 PRESIDING JUDGE: Just a moment, Mr Witness. Your time  
11 will come to talk. Just pause for a moment please.

12 THE WITNESS: Okay.

13 MS THOMPSON: I would like to refer the Court to the  
14 summary which was originally provided, and the first two lines,  
10:00:00 15 which indicate this witness's position within his community. In  
16 that regard, Your Honours, I would apply for short closed  
17 session, only for his identifying details. And when we come to  
18 the crux of the evidence, we will no longer need to be in closed  
19 session. I make this application pursuant to section 79(A)(ii)  
10:00:36 20 protecting his privacy and security under disclosure of a victim  
21 or witness, in this case, a witness. That is my application,  
22 Your Honour.

23 PRESIDING JUDGE: What is the Prosecution's reply to this  
24 application?

10:00:57 25 MR HARDAWAY: Good morning, Your Honours. As a general  
26 standing, there's no objection, but the Prosecution would inquire  
27 if this is something that could be handled through the writing of  
28 the position on paper, so on and so forth. I see my learned  
29 friend is shaking her head that it would not be feasible. So,

1 based upon that, the Prosecution would have no objection,  
2 Your Honour.

3 PRESIDING JUDGE: Thank you. Just pause, please. We  
4 restate the Rules that this should be an open trial and a public  
10:02:43 5 hearing, and there is a need to keep closed sessions to a  
6 minimum, and if means such as writing can be used to ensure the  
7 safety and protection of witnesses and victims, then that should  
8 be followed. We accept the indication from counsel for the  
9 Defence that that is not feasible in this case. In the  
10:03:06 10 circumstances, we will order a closed session. This closed  
11 session is to protect the identity and the person of a witness  
12 and will be only on matters relevant to his identity.  
13 Thereafter, the evidence will be in public. Madam Court  
14 Attendant, please implement that closed session. Mr Hardaway,  
10:05:16 15 you're on your feet.

16 MR HARDAWAY: Just waiting, Your Honour, until the official  
17 notice --

18 [At this point in the proceedings, a portion of the  
19 transcript, pages 21 to 27, was extracted and sealed under  
10:05:23 20 separate cover, as the session was heard in camera.]

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1 [Open session]

2 PRESIDING JUDGE: Thank you, please proceed, Ms Thompson.

3 MS THOMPSON:

4 Q. Mr Witness, I want to ask you if you remember the  
10: 19: 36 5 months February, March of 1998?

6 A. February. To remember just the months, or what? I do not  
7 understand that area.

8 Q. Sorry, Mr Witness. I want to ask you if something happened  
9 in your village around that time, in 1998.

10: 20: 21 10 A. Yes, I have a lot of stories about that area at that time.

11 Q. Okay. Now, I want you to start from what happened the  
12 first time something happened in your village in 1998. Can you  
13 tell us what happened?

14 A. Yeah. Well, at one time we heard that they had dislodged  
10: 21: 04 15 the soldiers and the RUF from Freetown. Can I proceed?

16 Q. Okay. How did you hear that?

17 A. Well, from the news, the radio.

18 Q. Yes, proceed.

19 A. So we heard that all of them have assembled in Makeni.  
10: 21: 30 20 From there, they said ECOMOG had gone to Makeni and to Kabala and  
21 they've all filled Kabala. So we saw some people who were in  
22 Kabala were coming to our village, and they were saying in  
23 Kabala, Kabala is full of soldiers. After that, ECOMOG came.  
24 When they heard that ECOMOG had reached Fadugu --

10: 21: 52 25 Q. Wait, wait. You said ECOMOG. Mr Witness, I want to take  
26 this slowly. As I explained, what you say is important.

27 A. Okay, okay. Fine. Okay.

28 Q. You said something about ECOMOG had reached somewhere.

29 Where was ECOMOG at that time?

1 A. Yeah, Fadugu. Fadugu.

2 Q. How do you know that ECOMOG were in Fadugu at that time?

3 A. Well, through people.

4 Q. What people?

10:22:26 5 A. Well, we heard from civilians that ECOMOG had reached  
6 Fadugu.

7 Q. Okay. At this time, what did you hear about these soldiers  
8 that had been driven out of Freetown?

9 A. Well, we heard that they had dislodged them, because at  
10:22:54 10 that time, it was the AFRC. They said they have dislodged them  
11 from Freetown.

12 Q. Okay. Now, I want you to concentrate on your own village,  
13 Village B. Did anything happen in Village B?

14 A. Oh, okay. In my own village, we saw soldiers passing by,  
10:23:21 15 going towards Kurubonla.

16 Q. When you saw them passing by, were they all -- can you  
17 describe how they were dressed?

18 A. Well, they were mixed. Some wore combats, some didn't  
19 wear, some wore their hat, some people wore civilian clothing.

10:23:48 20 Women and men.

21 Q. Did they stop in your village at all?

22 A. Oh, no, we just saw them passing by. In groups, they were  
23 passing by.

24 Q. Did you speak to any of these people passing by?

10:24:05 25 A. No, no, no.

26 Q. Now, when you said you saw them going towards Kurubonla,  
27 can you tell us what happened after that?

28 A. Yeah. When they went to Kurubonla, after a long time we  
29 heard that they have attacked the Guineans in Mongor.

1 Q. Who had attacked the Guineans in Mongor?

2 A. Well, according to the news, it was the soldiers and the  
3 RUF.

4 Q. What happened after you heard that they had attacked the  
10:24:52 5 Guineans in Mongor?

6 A. So after a week, they announced the arrival of Foday  
7 Sankoh, on Saturday at 5.00. On that Saturday -- the Sunday at  
8 12.00, we heard that they've arrived at Koinadugu. We're in the  
9 farm. People ran and met us working. Then we asked them in  
10:25:24 10 Koranko, "What happened?"

11 Q. What did they tell you had happened?

12 A. They said Koinadugu is full of soldiers, there's no house,  
13 there's no place to go. Kabala is full of them, but they were  
14 not doing anything to anybody. They said they were going to  
10:25:45 15 surrender because they have brought Foday Sankoh. That happened  
16 on Sunday.

17 Q. Okay. Now, if you hold on a minute, now, you've mentioned  
18 Koinadugu, and we know there are several places called Koinadugu.  
19 Which Koinadugu are you talking about was full of soldiers?

10:26:04 20 A. Koinadugu I.

21 Q. You said there was an announcement about Foday Sankoh. Do  
22 you know who Foday Sankoh is, or was, I should say?

23 A. Well, according to the news, they said Foday Sankoh was the  
24 RUF leader.

10:26:30 25 Q. Where did you hear about Foday Sankoh, this news that you  
26 heard? Over what did you hear it?

27 A. Well, on a Saturday on the 5.00 news, we heard they had  
28 brought Foday Sankoh from Nigeria.

29 Q. Now, after these people went to your farm and told you

1 this, can you tell us what happened next?

2 A. We left, we dispersed. We stopped the work. We went to  
3 the town to bring our wives and children from the town. Because  
4 we were on the road, so we brought our children and wives to the  
10:27:15 5 farm.

6 Q. What happened after you brought your children and wives to  
7 the farm?

8 A. Then we, the men went to look in the town to see what is  
9 happening.

10:27:33 10 Q. What did you see was happening in the town?

11 A. On that Sunday, at 8.00 at night, we saw them passing. We  
12 saw them passing by. They did that for over three hours in a  
13 queue. In Village B, they left the highway and went on the  
14 left-hand side to a village called Farandugu on Sockrala.

10:28:08 15 Q. Before we get to the spelling of those, you said "they."  
16 "Who is "they" that left the town and was passing through?

17 A. I said we had taken our wives. We, the men, went to look  
18 at the town and at 8.00, we saw them passing by, at 8.00, going.  
19 On Sunday night at 8.00.

10:28:36 20 Q. Okay. I understand you. Now, who did you see passing on  
21 Sunday night at 8.00 o'clock?

22 A. The soldiers and the RUF.

23 Q. Okay. Now, you said they went into two towns -- no, two  
24 villages. What were the names?

10:28:56 25 A. Farandugu and Kamadogbo Sockrala. They abandoned the  
26 highway and used this shortcut.

27 MS THOMPSON: Farandugu, I think is F-A-R-A-N-D-U-G-U.

28 Q. And the other one was? Mr Witness?

29 A. Sokrala.



1 MS THOMPSON: S-O-C-K-R-A-L-A, I think.

2 Q. Mr Witness, after you saw them going to these two villages,  
3 what did you do?

4 A. Well, it happened at night. In the morning, we and some  
10:29:53 5 young men we all appeared in the town again, Town B. All of us  
6 appeared there and we started asking one another, "Did you see  
7 them?" "Yes, I saw them." "Did you see them?" "Yes, I saw  
8 them." But they were not doing anything but so many of them had  
9 passed, we were saying that amongst ourselves.

10:30:11 10 Q. Now, at this time when you saw them, can you describe what  
11 they were wearing?

12 A. It was at night. We were not close to them. We just saw  
13 the groups passing by. We couldn't identify what colour or what  
14 colour that night.

10:30:40 15 Q. Can you recall whether they were mixed, women and men and  
16 children?

17 A. On that night, we could not decide that. We could not know  
18 that on that night.

19 Q. How were they travelling?

10:30:58 20 A. They were in a queue. They were in a single queue.

21 Q. All right. You said you and your fellow villagers were  
22 discussing. What happened after that?

23 A. After that, at 8.00 in the morning, we saw another group  
24 passing by from the road coming towards Village B.

10:31:27 25 Q. Okay. Now, what happened in Village B at that time?

26 A. They passed. They continued passing by and they were using  
27 the main road to Kabala.

28 Q. Did they stay in Village B?

29 A. No, they did not stay.

1 Q. After they left to go to Kabala, can you recall if anything  
2 happened?  
3 A. Yeah. Around 5 o'clock, we heard shooting in Kabala.  
4 Q. Now, from where you were, can you tell us roughly how far  
10:32:22 5 Kabala was?  
6 A. From Village B to Kabala, it's about 13 miles.  
7 Q. Okay. Now, can you recall how long this shooting lasted  
8 for?  
9 A. We heard shooting for four days. On the fifth day, the  
10:32:50 10 shooting started subsiding.  
11 Q. Okay. You were not there, but do you know who was  
12 shooting? Did you subsequently come to know who was shooting?  
13 A. Oh, yes. They said the soldiers and the RUF have attacked  
14 Kabala.  
10:33:16 15 Q. Now, you said "they said." Who is "they" who told you?  
16 A. The civilians who were running away.  
17 Q. Now, after this shooting had subsided, what happened?  
18 A. Well, all of them returned to our own end, they occupied  
19 one, two, three, four, five -- one, two, three, four, five,  
10:33:52 20 six -- six villages. They occupied six villages.  
21 Q. Do you know which villages they occupied?  
22 A. Yes, sir.  
23 Q. Are these villages we know about, that you've told us about  
24 before?  
10:34:09 25 A. I had called the villages. It's the section, but not all  
26 the eight villages that they cover, but those on the main road,  
27 they covered.  
28 Q. When they occupied these villages, can you tell the Court  
29 what happened?

1 JUDGE SEBUTINDE: Ms Thompson, I'm not sure who are these  
2 people who returned and occupied the villages?  
3 MS THOMPSON: I will clarify that, Your Honour.  
4 Q. Now, you said they came back and occupied these villages.  
10: 34: 48 5 Who came back and who occupied these villages?  
6 A. Those soldiers and the RUF.  
7 Q. Okay. I also want you to tell us where you were at the  
8 time they came to occupy these villages.  
9 A. Well, we were in our farm, in our Village B farms at that  
10: 35: 15 10 time.  
11 Q. When night came, where did you sleep?  
12 A. Well, we usually took our people, came to the town, climbed  
13 a tree to see what was happening.  
14 Q. Where did you go to leave your people?  
10: 35: 40 15 A. In my farm, sir.  
16 Q. And by people, who are you referring to?  
17 A. I mean -- you mean the civilians or what? I do not  
18 understand that area.  
19 Q. You said you went to leave your --  
10: 36: 04 20 A. My family.  
21 Q. I just want to --  
22 A. My family. My family.  
23 Q. All right. Thank you. Now, once they had occupied these  
24 villages, can you tell this Court what happened next?  
10: 36: 16 25 A. Yes, sir. Then we started receiving information in Koranko  
26 that they've caught one person there, they've caught another  
27 there. They started telling us on the farms.  
28 Q. Now, who is "they" who gave you this information?  
29 A. Well, at that time, the few civilians who were escaping to

1 meet us in the bush gave us this information. So if you went to  
2 any farm, those who would escape from that farm to another farm  
3 would give us these pieces of information.

4 Q. Now, they told you that these people did what?

10:37:12 5 A. They said they've started capturing people, they're beating  
6 people up. We started receiving those two pieces of news at the  
7 same time on their first arrival.

8 Q. Did they tell you, these people who were doing the  
9 capturing, whether they had a leader or leaders?

10:37:44 10 A. Those people whom they were capturing? Those people who  
11 were being captured already had a leader?

12 Q. No, no, no, no, no.

13 A. I do not understand that part.

14 Q. You've told us that the soldiers and the RUF occupied some  
10:38:07 15 villages.

16 A. Yes, sir.

17 Q. You also told us that they came to tell you that they had  
18 started capturing.

19 A. Started. Yes, sir.

10:38:16 20 Q. These RUF and soldiers who you refer -- who they told you  
21 about, do you know whether they have a leader?

22 A. Well, they told -- well, they identified two people to us  
23 who were their superiors.

24 Q. Now, first of all, I want you to tell me who told you about  
10:38:43 25 their leaders.

26 A. Yes, sir. Well, the people who were escaping from them,  
27 they were the ones who were telling us.

28 Q. Okay. I also want you to tell me the names of these people  
29 that they told were their leaders.

1 A. SAJ Musa and Superman.  
2 Q. Okay. Did they call any other name to you that you can  
3 recall?  
4 A. No, sir.  
10:39:19 5 Q. Now, correct me if I am wrong. You said at this time you  
6 were living on your farm?  
7 A. Yeah.  
8 Q. Did you ever come and see these people with your own eyes?  
9 A. Oh, no, no, no. No.  
10:39:41 10 Q. Apart from the capturing and the beatings and the leaders,  
11 did they tell you anything else about this group of soldiers and  
12 RUF?  
13 A. Oh, yeah. At that time, about three to four pieces of  
14 news --  
10:40:16 15 THE INTERPRETER: Your Honours, can the witness please take  
16 that again? It's not very clear.  
17 PRESIDING JUDGE: Mr Witness, would you please repeat your  
18 answer and the interpreter will interpret it.  
19 THE WITNESS: Okay.  
10:40:37 20 MS THOMPSON:  
21 Q. Maybe I ought to repeat the question. My question was:  
22 Did they tell you anything else about this group of soldiers and  
23 RUFs?  
24 A. Yes, sir. According to the people who had run away,  
10:41:00 25 because at that time, at my own farm, I had a food, I was a  
26 semi-master farmer, so many people went to me who stayed there.  
27 They would come and tell us that they have beaten up so and so  
28 person there, they have wounded so and so person there, they have  
29 raped somebody there. All that news was coming at that time.

- 1 Q. Now, you have mentioned SAJ Musa and Superman.
- 2 A. Yes.
- 3 Q. I want you to concentrate your mind now on SAJ Musa. Did  
4 they tell you anything about SAJ Musa?
- 10:41:42 5 A. They did not tell me anything at that time. They were all  
6 mixed up. They just said that the leader was SAJ Musa and  
7 Superman.
- 8 Q. Okay. Did they tell you anything about Superman?
- 9 A. They said Superman was the RUF's leader.
- 10:42:04 10 Q. Now, do you know how long SAJ Musa stayed in the area?
- 11 A. Yes, I can explain that part a little, if you give me time.
- 12 Q. Carry on, Mr Witness. I'll stop you if you go too --
- 13 A. So, after they had stayed in those villages and our farms,  
14 one day, they sent us in disarray. I ran away. One man left her  
10:42:37 15 girl child. I took that girl child and went across the swamp and  
16 we hid and we watched where my families and the other families --  
17 where they'd all gone in disarray. We saw them bring two girls.  
18 The other girl I know who was --
- 19 Q. Now, you have mentioned, "They sent us in disarray." Who  
10:42:54 20 is "they"?
- 21 A. Those former soldiers and RUF.
- 22 Q. Okay. Where did they find you, that they sent you in  
23 disarray?
- 24 A. At my farm hut.
- 10:43:14 25 Q. How many of them came to your farm hut?
- 26 A. I saw four of them, four, with my own eyes, because some  
27 went that way, some went the other way, but, in that part, I saw  
28 four. When I hid behind the swamp, I saw four at that time.
- 29 Q. Now, I want you to take it slowly. You said you had got to

1 the stage where you [microphone not activated] --

2 A. Okay.

3 Q. -- a girl with you. Where was your family at that time?

4 A. I run away with her.

10:44:04 5 Q. Where was your family at that time?

6 A. Oh, my own family.

7 Q. Your own family.

8 A. They had all gone in disarray, because I was sleeping.

9 When we had gone hunting the previous night, when you come back

10:44:16 10 to town, it was in the morning that I was sleeping. I just heard

11 that they've come. And we all went in disarray. Nobody was in

12 control of anybody. The only -- that only girl who was

13 abandoned, I took and went and hid.

14 Q. Now, I want you to tell us what happened after that

10:44:32 15 incident.

16 A. When, together with that girl child we hid, we saw that

17 they brought two girl children who were sitting across the swamp.

18 We saw them. They made them -- they stripped them naked and they

19 entered with them into the farm hut. I do not know what happened

10:44:54 20 into the farm hut, but they were stripped naked under the mango

21 tree with my own eyes.

22 Q. Okay. Who took them into the farm hut?

23 A. Well, at that time, they were -- some wore combat, some of

24 them were -- I do not -- I was unable to detect who was who.

10:45:15 25 Q. After that incident, did anything else happen?

26 A. Well, since then, I had known that this was not a child's

27 play. At that time, they have driven from the bush, I started

28 searching for my people and we left Kabala.

29 PRESIDING JUDGE: Ms Thompson, I note the time. Normally

1 we would have our mid-morning break at that time. Is that a  
2 convenient point?

3 MS THOMPSON: It is, Your Honour, yes.

4 PRESIDING JUDGE: Thank you. Mr Witness, we will now take  
10:45:46 5 a short break. Please remain where you are and you will be  
6 assisted.

7 THE WITNESS: I'm at -- going to Kabala, that's where I am.

8 PRESIDING JUDGE: We'll hear the rest of the story when we  
9 come back. Thank you, Mr Witness. Depending on which clock  
10:46:05 10 we're looking at, we'll take a 15-minute break.

11 [Break taken at 10.50 a.m.]

12 [Upon resuming at 11.08 a.m.]

13 PRESIDING JUDGE: Thank you, Mrs Thompson.

14 MS THOMPSON:

11:05:24 15 Q. Mr Witness, if my memory serves me right, we were at the  
16 point where you said you went to Kabala, or on your way to Kabala  
17 you ran away?

18 THE INTERPRETER: His microphone is not on.

19 MS THOMPSON:

11:05:52 20 Q. Mr Witness, if we start again, you were at the point where  
21 you said you ran away to Kabala.

22 A. When we ran away to Kabala, then they -- we were organised.  
23 They said that all the CDF -- "You came because ECOMOG do not  
24 know the terrain. Those of you who are here, you know the

11:06:20 25 terrain," so they organise us again to come together with some  
26 youths.

27 Q. Now, I don't want to focus too much about that. I want you  
28 to tell us if you subsequently came back to your village.

29 A. When we went to Kabala, we were not able to come back to



1 our village because, at that time, they had become aggressive.

2 Everybody was running away to Kabala.

3 Q. Do you know whether SAJ Musa left your village at any time?

4 MR HARDAWAY: Objection, Your Honour.

11:07:08 5 PRESIDING JUDGE: Yes, Mr Hardaway.

6 MR HARDAWAY: There is no indication that SAJ Musa was at  
7 the witness's village. There is no evidence led to that.

8 PRESIDING JUDGE: I don't recall that either, Ms Thompson.  
9 Could you refer me to it, please?

11:07:21 10 MS THOMPSON: Your Honour, perhaps I'm just running ahead  
11 of myself. I will go over it again. I will go over the  
12 evidence.

13 PRESIDING JUDGE: Another point is, the last I heard of the  
14 witness, he was in the swamp with one of his girl children.

11:07:37 15 MS THOMPSON: I think, Your Honour, he mentioned they were  
16 going towards Kabala.

17 PRESIDING JUDGE: Yes, he did mention they were going  
18 towards it, but he hadn't reached it.

19 MS THOMPSON: Okay.

11:07:47 20 THE WITNESS: No, no, no, no, no.

21 MS THOMPSON: I will backtrack. Well, I'll go halfway, not  
22 start again.

23 Q. Mr Witness, you remember that you had told us that some  
24 rebels -- I beg your pardon, some RUF and soldiers had come to  
11:08:04 25 your village; people had told you that?

26 A. Mmm-hmm.

27 Q. And they told you that their leaders were SAJ Musa and  
28 Superman.

29 A. Yes.

- 1 Q. Now, do you know where SAJ Musa and Superman were based?
- 2 A. In Koinadugu I.
- 3 Q. Now, from Village B to Koinadugu I, what was the distance
- 4 between the two?
- 11:08:41 5 A. Around three miles, because I'm not literate.
- 6 Q. All right. You say around three miles, but you've also
- 7 said you're not literate. If you're walking, how long will it
- 8 take you to walk?
- 9 A. Like an hour.
- 11:09:04 10 Q. Now, you then told us that you were hiding in the swamp
- 11 when the soldiers and RUF came to your farm. Then you ran away
- 12 towards Kabala. Did you eventually reach Kabala?
- 13 A. Yes. I finally got there with my family. We used the
- 14 bypass route.
- 11:09:35 15 Q. Okay. Now, did you come back to your village area later?
- 16 A. The only time we came back, it was us and some ECOMOG and
- 17 SLA.
- 18 Q. Do you know how long after you went to Kabala that you came
- 19 back?
- 11:10:08 20 A. How long when we came back with the SLA, or what?
- 21 Q. From the time you went to Kabala to the time when you came
- 22 back with the ECOMOG, do you know how long it was?
- 23 A. Around two to three months. By then, they'd taken a long
- 24 time now that happened.
- 11:10:37 25 Q. All right. Now, when you came back, do you know if
- 26 SAJ Musa and Superman were still in Koinadugu I?
- 27 A. No. Well, before we came, we got news that the civilians
- 28 who had been freed, we heard news that they had an in-fight in
- 29 Koinadugu.

1 Q. Who had the in-fight in Koinadugu?  
2 A. They said the soldiers and the RUF.  
3 Q. Okay. Now, you were told this.  
4 A. Mmm-hmm.  
11:11:14 5 Q. Did they tell you if anything happened after the  
6 in-fighting?  
7 A. What happened before the in-fight or what happened after  
8 the in-fighting? I don't understand that portion.  
9 Q. After the in-fighting, did anything happen with these  
11:11:36 10 soldiers and the RUF?  
11 A. Well, after the in-fighting, we heard that SAJ Musa took  
12 his troop to go to Dankawalli.  
13 Q. Okay. Did you hear what happened to Superman and his  
14 troops?  
11:11:56 15 A. Superman left Koinadugu, together with his troop at that  
16 time.  
17 Q. Okay. Now, apart from SAJ Musa and his troops, and  
18 Superman and his troops, did you hear of any other person with  
19 troops in the area?  
11:12:17 20 A. No. No.  
21 JUDGE SEBUTINDE: I'm sorry, Ms Thompson, where did  
22 Superman go? I didn't catch --  
23 MS THOMPSON: Superman stayed in Koinadugu, was there for  
24 days.  
11:12:37 25 Q. Now, when you returned to your area, was Superman still in  
26 Koinadugu?  
27 A. Well, we came with some ECOMOG and some SLA and CDF. We  
28 got on to the hill to go up and then they started shooting. So  
29 three of us fell down, two of them died on the spot. We

1 retreated. By then, we didn't have anything, so we returned. We  
2 returned to Kabala. We left them there.

3 Q. Now, the hill to go up, go up where?

4 A. Go up to Koinadugu I, because Koinadugu I is on top of a  
11:13:28 5 hill.

6 Q. Okay. You said they shot at you; is that the evidence?

7 A. Yes. They shot three of us. Two of them died on the spot.  
8 We were able to help the other one.

9 Q. Okay. Who shot at you and killed these two people?

11:13:49 10 A. Well, it was Superman and his troops. By then, SAJ Musa  
11 had gone to Dankawalli.

12 Q. How do you know it was Superman and his troops who were  
13 doing the shooting?

14 A. Well, we had got information from the in-fighting.

11:14:08 15 SAJ Musa had taken his troop. We heard his name in Dankawalli.  
16 Again, we heard it in Bafodia that he was going with his troops.

17 MS THOMPSON: Your Honours, I think you have got the  
18 spelling of Dankawalli. I think the next one was Bafodia, if I  
19 could hazard a guess, B-F-U-D-I-A.

11:14:35 20 Q. After you retreated to Kabala, did you eventually make a  
21 second attempt -- another attempt to come back to your area?

22 A. Yes, they told me after --

23 MR HARDAWAY: This was asked and answered. Is this the  
24 second and are we talking a third?

11:14:57 25 MS THOMPSON: No, we're talking about the second. It  
26 wasn't asked and answer.

27 THE WITNESS: The second.

28 MS THOMPSON: The evidence was they attempted to come.  
29 When they got to the foot of the hill, they were shot at, two

1 people died, one they were able to save, and they retreated to  
2 Kabala.

3 THE WITNESS: Yes, we retreated.

4 MS THOMPSON: The question is whether or not they did make  
11:15:13 5 another attempt to come back.

6 PRESIDING JUDGE: Come back where? You have talked of  
7 them coming back to --

8 THE WITNESS: Koi nadugu I.

9 PRESIDING JUDGE: -- Koi nadugu I, which is it?

11:15:27 10 MS THOMPSON: My words were --

11 THE WITNESS: Koi nadugu Village.

12 PRESIDING JUDGE: Just a moment, Mr Witness. We're trying  
13 to sort something out. Just wait, please.

14 MS THOMPSON: The words I used were his area. I will be  
11:15:36 15 more specific, if that would help, Your Honour.

16 PRESIDING JUDGE: His area could mean anything.  
17 Mr Hardaway, on your objection, my understanding is that they had  
18 gone once to Koi nadugu I to attack. Counsel is going to clarify  
19 that.

11:15:51 20 MR HARDAWAY: Thank you, Your Honour.

21 MS THOMPSON:

22 Q. Mr Witness, your evidence was that you tried to come at the  
23 foot of the hill, Superman and his men shot at you, two people  
24 died, and you said you retreated to Kabala.

11:16:09 25 A. We returned, together with the ECOMOG, SLA, CDF. All of us  
26 returned to Kabala.

27 Q. Did you make another attempt to go back to Koi nadugu I?

28 A. Yes. Yes, Ma.

29 Q. Did you, in fact, arrive at Koi nadugu I?

1 A. At the second round, because we had news, they said they'd  
2 burnt down Koinadugu. They put the people in the houses and set  
3 it on fire. Then they organised us to go back to Koinadugu. We  
4 got up to the town, during the second attempt. When we went  
11:16:52 5 there, we went up into the town and we observed that the entire  
6 town had been burnt down. I only saw the mosque and --  
7 Q. Slow down. Mr Witness, please, like I said before, we have  
8 to take it slowly, okay. Now, I want us to go back --  
9 A. Okay, okay.

11:17:08 10 Q. -- to the point where you said they had burnt Koinadugu.  
11 Okay. Now, first of all, I want you to tell us --  
12 A. They had pulled out.  
13 Q. Okay. Before we get to that stage, you were at the point  
14 when you said you had heard. Firstly, I want you to tell us who  
11:17:38 15 told you about Koinadugu.  
16 A. Well, the civilians who were afraid, I heard a man who was  
17 called Karim he was captured. He told me that they had burnt  
18 down the place and they had crossed the river.  
19 Q. Who is "they" who had burnt down the place?

11:17:48 20 A. Well, it was Superman and his group.  
21 Q. Apart from burning down the place, did you hear of Superman  
22 and his group having done anything else?  
23 A. Well, they put the people in the houses, they set it on  
24 fire. Then I saw a suckling mother and her child dead on the  
11:18:18 25 road when we went there with the troops.  
26 Q. Okay. We haven't got to the part when you went there.  
27 A. Okay, okay, okay.  
28 Q. You said, then, you went -- you eventually arrived at  
29 Koinadugu I.

- 1 A. Yes, the second round. Yes, the second round.
- 2 Q. Let's take it slowly from there. Be guided by my  
3 questions, if I can say so, okay. When you got to Koinadugu I,  
4 was Superman still there?
- 11:18:56 5 A. No, they had pulled out. They had crossed the river.
- 6 Q. Who else went to Koinadugu I with you at this time?
- 7 A. Well, CDF, SLA and some ECOMOG.
- 8 Q. Did you notice anything in Koinadugu I?
- 9 A. The only -- I saw that Koinadugu was burnt down and they  
11:19:35 10 showed us the last house that they will call the downside where  
11 they will put the people in the houses, set it on fire, and I saw  
12 a suckling mother and her child dead on the road.
- 13 Q. Apart from the dead people you just told us you saw, and  
14 the burnt houses, was there anything else that you noticed?
- 11:20:10 15 A. No, no, no. If any other thing happened, no. It's what I  
16 saw, that is what I have spoken about.
- 17 Q. Thank you, Mr Witness. Apart from Superman being in  
18 Koinadugu I, and SAJ Musa having left Koinadugu I, did you hear  
19 of any other name of people who occupied Koinadugu I?
- 11:20:35 20 A. Well, after everybody has dispersed, SAJ Musa had gone with  
21 his troop and Superman had gone to Alikalia, so we heard that  
22 he'd come to Freetown. Then we heard that a Colonel Mani -- they  
23 came from the provinces, they passed through our village. Their  
24 group was the last group to pass by.
- 11:21:00 25 Q. Which village did Colonel Mani's own group pass through?
- 26 A. Well, Colonel Mani passed through Koinadugu. They went  
27 through the main road. They attacked Kabala. They were unable  
28 -- they returned. They took the bypass to come to Fadugu.
- 29 Q. Now, apart from Colonel Mani's --

1 JUDGE SEBUTINDE: Sorry, Ms Thompson. He mentioned a place  
2 where Superman went to, the spelling of which we don't yet have.  
3 MS THOMPSON: Okay. I'll ask the question again.  
4 Q. When Superman left Koinadugu I, do you know where he went?  
11:21:45 5 A. He was based at Komoya. From Komoya, he --  
6 MS THOMPSON: Let me hazard a guess. I think that would be  
7 K-O-M-O-Y-A.  
8 Q. Do you know from Komoya where he went?  
9 A. Yes, they passed by Alikalia.  
11:22:11 10 MS THOMPSON: Alikalia, I think we have the spelling of  
11 that already.  
12 Q. Now, apart from Superman, SAJ Musa, Colonel Mani's group,  
13 did you hear of anything else happening around your village area  
14 at this time?  
11:22:32 15 A. No, no, no.  
16 MS THOMPSON: Your Honours, may I have a moment's grace?  
17 Grateful, Your Honour.  
18 Q. Were there any other attacks by any other group?  
19 A. Well, the last attack, the last attack --  
11:23:15 20 PRESIDING JUDGE: That's a very broad question. We have  
21 heard of various attacks in various places. I think something a  
22 little more specific.  
23 MS THOMPSON: Yes, Your Honour.  
24 Q. In Koinadugu I -- I'm now talking about Koinadugu I, okay.  
11:23:30 25 Concentrate your mind on Koinadugu I. Were there any other  
26 attacks on Koinadugu I?  
27 A. No.  
28 Q. Before you came to Koinadugu I, are you aware of any  
29 attacks on the village before you arrived there? Any attacks on



1 Superman's troops?  
2 A. I don't understand that question.  
3 Q. Before you arrived at Koinadugu I, when Superman was there,  
4 are you aware of any attacks on the village?  
11:24:50 5 A. Oh, yeah. After we had left there --  
6 PRESIDING JUDGE: Pause, please.  
7 THE WITNESS: -- that's the only attack I know about after  
8 he had burnt down the place.  
9 PRESIDING JUDGE: Mr Hardaway.  
11:25:03 10 MR HARDAWAY: Just a point of clarification. We're hearing  
11 of villages and towns, if there can be some specificity as to  
12 which one, please.  
13 PRESIDING JUDGE: I had recorded before you came to  
14 Koinadugu I, attack on the village. Is that Koinadugu I,  
11:25:19 15 Ms Thompson?  
16 MS THOMPSON: Indeed, Your Honour, yes.  
17 MR HARDAWAY: Thank you, Your Honour.  
18 PRESIDING JUDGE: Mr Witness, we didn't hear your answer.  
19 Please repeat your answer.  
11:25:29 20 THE WITNESS: Mmm-hmm. I want to have the question again.  
21 MS THOMPSON:  
22 Q. Okay, let me ask you this way: You said you came with  
23 ECOMOG, okay, to Koinadugu?  
24 A. Yes, Ma. The second time. Okay, yes.  
11:25:48 25 Q. Did ECOMOG ever attack --  
26 MR HARDAWAY: Leading, Your Honour. Objection.  
27 PRESIDING JUDGE: It is leading, Ms Thompson.  
28 MS THOMPSON:  
29 Q. When you were coming with ECOMOG, was there any attack on

1 the village?

2 MR HARDAWAY: Objection. Leading again, Your Honour.

3 PRESIDING JUDGE: It is both leading, and we're back to  
4 "the village." Which one? We've heard of eight so far.

11:26:11 5 MS THOMPSON: Your Honour, with respect to my learned  
6 friend, the witness's evidence was that they came to attack. He  
7 said he, with the CDF, some SLAs and ECOMOG came to attack  
8 Koinadugu I. That's my own recollection. If I then ask the  
9 question whether any part of this group did attack Koinadugu I,  
11:26:39 10 I'm not sure that I'm actually leading. I'm not putting any  
11 words into his own mouth.

12 PRESIDING JUDGE: Your question was who else went to  
13 Koinadugu I and he gave that list you've recited. You asked him  
14 what else -- what he noticed. He then answered that. The  
11:26:54 15 question of the word "attack" was not in any of those questions  
16 and, therefore, it is leading, in my view.

17 MS THOMPSON:

18 Q. When you were going to Koinadugu I with the CDF, the SLA  
19 and the ECOMOG, what were you going to do in Koinadugu I? The  
11:27:23 20 second time.

21 A. The second time, when they told us that they had burnt down  
22 the place, they'd burnt people, so they organised us again to see  
23 if it was true. Then we went up again. But at that time we  
24 didn't shoot because -- the second round.

11:27:43 25 Q. The second time you didn't shoot. The first time when you  
26 were going with this group, what were you going to do?

27 A. Well, when they told us SAJ Musa had left there, it was  
28 only them who there. Then organised us to go and remove them  
29 there.

1 Q. How were you going to remove them?

2 A. Well, we had short guns, SMG and some bombs. The bulky  
3 ones, I don't know them. The bulky ones, smaller ones like this.  
4 Those were the ones we had.

11:28:31 5 Q. Now, in this group, you had ECOMOG with you. What did  
6 ECOMOG have with them to go and remove these people from  
7 Koinadugu I?

8 MR HARDAWAY: Objection, Your Honour. The witness stated  
9 "we." Now, if my learned friend wants to clarify as to  
11:28:47 10 specifically was it "we, CDF," "we, ECOMOG," then I will suggest  
11 that's the better way to do it. Because the "we" as given by the  
12 witness is all inclusive, and he's answered the question as to  
13 what they had, and he responded we had, and he then gave his  
14 response.

11:29:04 15 PRESIDING JUDGE: Yes, Ms Thompson. What do you say to  
16 that objection?

17 MS THOMPSON: The witness has answered that he was part of  
18 a group and they had different organisations within this group.  
19 He was in one organisation, and they had other organisations  
11:29:20 20 within this group. If my learned friend wants me to specifically  
21 say who had the small bombs and the ammunition, or the weapons  
22 he's described, I can do it that way.

23 PRESIDING JUDGE: When he gave the answer to the original  
24 explanation about going up the hill to Koinadugu I the first  
11:29:37 25 time, he said we went up, they shot, three fell, two died. He  
26 did say who returned, but he didn't actually say who went up. I  
27 think you will have to clarify that.

28 MS THOMPSON:

29 Q. Mr Witness, when you went up to Koinadugu I, the first

1 time -- we're talking about the first attack now, the first time  
2 you attempted to go up to --  
3 A. Yes, Ma.  
4 Q. And you have told us that [microphone not activated] --  
11:30:10 5 A. Yes, Ma.  
6 Q. Who was going with you to Koinadugu I? Apart from your  
7 group, which other group was going with you to Koinadugu I?  
8 A. ECOMOG and SLA.  
9 Q. ECOMOG and SLA, were they going to do the same thing that  
11:30:33 10 you were going to Koinadugu I for?  
11 A. Well, by then all of us were within the same command,  
12 because all of us were one at the time.  
13 Q. Now, who went up the hill with you?  
14 A. Well, at that time, it was ECOMOG and SLA. They were  
11:31:06 15 ruling us. We were just directing them at that time.  
16 Q. Now, you've told us about weapons that you had. Do you  
17 know what weapons ECOMOG had?  
18 A. Yes, I saw two types of weapons. One weapon that has black  
19 and has a handle, I saw that one, they were holding it. Then the  
11:31:34 20 other one whose butt gets broken and they put it together, they  
21 were carrying that as well. Those are the ones I saw with them.  
22 Q. Now, did ECOMOG do anything when you went to Koinadugu I?  
23 A. Well, when we started climbing up the hill, they had come  
24 there and had an ambush up the hill, so we also started shooting  
11:32:04 25 rapidly, but they were able to defeat us and we retreated.  
26 Everybody shot at that time.  
27 Q. What did ECOMOG use -- do you know, I should say, what  
28 ECOMOG used to return fire?  
29 MR HARDAWAY: Objection, Your Honour. The witness has

1 testified to the weapons that were possessed by ECOMOG at this  
2 time, so I don't understand counsel's question.

3 PRESIDING JUDGE: Ms Thompson, strictly, the witness said  
4 shot rapidly, but he didn't actually say who shot rapidly. There  
11:32:52 5 is an inference, but, strictly, he didn't specify.

6 JUDGE SEBUTINDE: Could Court attendant please switch on  
7 the microphone of the witness.

8 MS THOMPSON: Perhaps I get ahead before everybody else. I  
9 will try and come back.

11:33:12 10 Q. Now, when the RUF started shooting at your group, who  
11 returned fire? You said "we returned fire." Who returned fire?

12 A. CDF, SLA, ECOMOG. All of us returned firing.

13 Q. Do you know what the ECOMOG used to return fire?

14 A. That is what I mentioned a while ago. There's a gun. I  
11:33:51 15 don't know what you call it in English language. It has a  
16 handle, a black handle and the one that has a broken butt. I  
17 don't know how to call it, but those are the two I saw them  
18 holding.

19 Q. Let's move on. That was the first attack. The second  
11:34:04 20 attack we've dealt with. The second time, sorry, not attack, but  
21 second time you went to Koinadugu I and you were there. When you  
22 went to Koinadugu I, did you see -- were you able to see people  
23 who were alive in Koinadugu I?

24 PRESIDING JUDGE: Presumably this is the [microphone not  
11:34:26 25 activated] --

26 THE WITNESS: At that time --

27 PRESIDING JUDGE: -- Ms Thompson?

28 MS THOMPSON: Yes.

29 THE WITNESS: No, no. We didn't meet anybody at that time,

1 but, at that time, they had burnt down the place, everybody had  
2 gone. They, too, had gone across the river to go to Kakomia. We  
3 only went there to look at the place and return. At that time,  
4 we did not exchange any firing, the second rounds.

11:34:53 5 MS THOMPSON:

6 Q. Did you subsequently speak to anybody who was in Koinadugu  
7 I at the time Superman was there?

8 A. The time Superman was living in Koinadugu. Oh, yes, one  
9 Mr Karim who was captured, but it was not that same day that  
11:35:23 10 we didn't meet him in -- Mr Karim had escaped from them, so he  
11 explained to us while Superman was there.

12 Q. Did Mr Karim tell you -- no, I'll rephrase. What did Mr  
13 Karim tell you about the people who were fighting in Koinadugu I?

14 A. Well, Mr Karim told us -- he said the first time he was  
11:35:51 15 captured when he was with them, I think he said SAJ Musa and  
16 Superman -- how SAJ Musa --

17 THE INTERPRETER: Please, Your Honour, can the witness go  
18 over the last portion?

19 PRESIDING JUDGE: Just pause, Mr Witness, please. We would  
11:36:04 20 like you to repeat what you've just said a little more slowly so  
21 the interpreter can interpret it for us.

22 THE WITNESS: Okay.

23 PRESIDING JUDGE: Please start, when you're ready.

24 MS THOMPSON:

11:36:43 25 Q. Should I repeat the question?

26 A. Okay.

27 Q. Now, you said Mr Karim told you some things. I want to  
28 know what Mr Karim -- if Mr Karim told you anything about the  
29 fighting in Koinadugu I after, I should say, after SAJ Musa had

1 left.

2 A. Yes, he told us. He said, after the in-fight, after  
3 SAJ Musa had gone, Superman had left. He said they were doing  
4 very bad things then, so he tried to escape so that they wouldn't  
11:37:24 5 kill him.

6 Q. Do you know if anything happened in Koinadugu I Village  
7 in November 1998?

8 A. The only thing I remember is that the village was burnt  
9 down. They put people in houses and burnt them down, and that  
11:37:49 10 was information I had, and when we went there, they showed us the  
11 place.

12 Q. All right, Mr Witness. Thank you very much. Those are all  
13 the questions I have for you. If you wait there, my colleagues  
14 from the other side will have some questions for you.

11:38:05 15 PRESIDING JUDGE: Thank you, Ms Thompson. I gather this is  
16 a common witness; is that correct?

17 MS THOMPSON: He is indeed, Your Honour, yes.

18 PRESIDING JUDGE: Thank you, Ms Thompson.

19 CROSS-EXAMINED BY MR HARDAWAY:

11:38:22 20 Q. Mr Witness, good morning, sir.

21 A. Yes. How's the morning, sir?

22 Q. Fine, sir. As with my learned friend on the other side,  
23 I'm going to ask you some questions, and I want you to answer  
24 them as concisely as possible and most often times, the answer  
11:38:44 25 can be yes, no, or I don't know. Do you understand, sir?

26 A. No.

27 Q. You don't understand?

28 A. Okay, sir.

29 Q. So you understand that last part I just said to you?

1 A. Yes, sir.

2 Q. First off, Mr Witness, are you aware that you are currently  
3 giving evidence on behalf of individuals who are alleged to have  
4 been members of the AFRC, SLA?

11:39:20 5 A. No.

6 Q. You're not aware that you're giving evidence on behalf of  
7 individuals who are alleged to be part of the AFRC?

8 PRESIDING JUDGE: He's answered the question, Mr Hardaway.

9 MR HARDAWAY: Very well, Your Honour, I'll move on.

11:39:36 10 THE WITNESS: No.

11 MR HARDAWAY:

12 Q. Mr Witness, without revealing any identifying information,  
13 would you agree with me that, because of the position you held,  
14 that you would be in a position to know of all the events that  
11:39:57 15 happened in Koinadugu District in 1998?

16 A. Yes, in my own section, sir. I do not know what happened  
17 in the other places, but in my own section.

18 Q. Sir, you had mentioned in your direct evidence of an  
19 RUF/soldier attack on Kabala. Do you remember that, sir?

11:40:30 20 THE INTERPRETER: Your Honours, can lawyer please repeat  
21 his question again.

22 MR HARDAWAY: I will. I apologise to the interpreters.

23 Q. Mr Witness, in your evidence, you spoke of an attack on  
24 Kabala by the RUF and soldiers; do you remember that?

11:40:56 25 A. When they attacked Kabala?

26 Q. Yes, sir. Are you aware of an attack on Kurubonba? I  
27 believe it is spelt K-U-R-U-B-O-N-B-A by the RUF and soldiers in  
28 1998?

29 A. I don't have any idea about Kurubola. That attack, I don't



1 have any idea about that attack.

2 Q. I put it to you, sir, that there was an attack on Kurubona  
3 in 1998 by --

4 MS THOMPSON: Your Honour, if I may interrupt my friend. I  
11:41:46 5 think they're talking about two separate places.

6 THE WITNESS: I don't have any idea about Kurubonla attack,  
7 sir.

8 MS THOMPSON: [Microphone not activated] in fact what I'm  
9 saying. The place the witness is talking about is different from  
11:41:59 10 what my learned friend is putting to him.

11 PRESIDING JUDGE: I do hear a different pronunciation,  
12 Mr Hardaway. Perhaps if you would repeat the name of your place  
13 again, and let us see if the witness hears that place.

14 MR HARDAWAY:

11:42:16 15 Q. Mr Witness, the place I am referring to is Kurubonba, I  
16 believe. Kurubonla. I apologise to all the parties involved; I  
17 got it wrong. It is Kurubonla, Mr Witness. Are you aware of any  
18 RUF/soldier attack in Kurubonla in 1998?

19 A. No, I don't have any idea about the Kurubonla attack.

11:42:50 20 Q. I put it to you, sir, that there was a joint RUF/soldier  
21 attack on Kurubonla in 1998 in Koinadugu District. What is your  
22 response, sir?

23 A. I don't have any idea, sir, about the Kurubonla attack.

24 Q. Mr Witness, did you ever hear of a gathering of SLA  
11:43:27 25 soldiers in Mansofinia in May and June of 1998?

26 A. That area is far away from us, but although when they ran  
27 away, we heard that they were all assembled there, but I don't  
28 have any idea about that. If it is far away from us.

29 Q. So you heard there were SLAs assembled in Mansofinia?

- 1 A. Yes. My ears heard that, but I did not see them and I  
2 didn't know what happened there, but we heard that soldiers were  
3 parked there, Mansofinia, but I did go there. But my ears heard  
4 that they were parked there.
- 11:44:09 5 Q. Thank you, Mr Witness. Did you hear the name of SAJ Musa  
6 as being at Mansofinia at any time?
- 7 A. No, no, no.
- 8 Q. At any time, did you hear the name Gullit as being in  
9 Mansofinia or anywhere in Koinadugu District?
- 11:44:36 10 A. No, sir.
- 11 Q. Did you hear the name Alex Tamba Brima?
- 12 A. No, sir.
- 13 Q. Did you hear the name Bazzy?
- 14 A. No, sir. It was over the FM, during this latter part, that  
11:45:02 15 I heard that name.
- 16 Q. What do you mean by latter part, Mr Witness?
- 17 A. We have the FM Bintumani calling out those names. That is  
18 where I heard.
- 19 Q. Did you hear the name Five-Five?
- 11:45:28 20 A. No, sir, because we were far away from them. It's far  
21 distance. Mansofinia is far away from where we were. But I  
22 didn't hear that name.
- 23 Q. Mr Witness, you had testified earlier that there was  
24 in-fighting between the RUF and the SLA in Koinadugu I, I  
11:45:48 25 believe; is that correct?
- 26 A. Yes, sir.
- 27 Q. Did you hear when that in-fighting took place?
- 28 A. Yes, I heard at that time, sir.
- 29 Q. What time was that, Mr Witness? Do you have an idea as to

1 what month and what year?

2 A. Either September or October, around that area. I wouldn't  
3 know the right time, but between that time.

4 Q. All right. I want to take you to before you heard about  
11:46:32 5 the in-fighting, sir, all right?

6 A. I do not understand that area.

7 Q. I want to take you to the time period before you heard  
8 about the in-fighting between the RUF and the soldiers and when  
9 SAJ Musa left and went in his direction, and Superman left and  
11:46:54 10 went in his direction. Do you understand my question, sir?

11 A. Yes, sir.

12 Q. Before that split took place, according to all the  
13 information you had; do you understand my question so far?

14 A. Yes, sir.

11:47:13 15 Q. According to all the information you had prior to the  
16 split, did you know -- let me rephrase. Was it your  
17 understanding that the RUF and the soldiers were working  
18 together?

19 A. Yes, sir. They were together before ever they split.

11:47:43 20 Q. Thank you, Mr Witness.

21 MR HARDAWAY: Your Honour, if I may just have a moment's  
22 indulgence. I thank the Court.

23 Q. Mr Witness, I want to thank you for your time and attention  
24 here this morning. I have no further questions of you.

11:48:03 25 MR HARDAWAY: Your Honours, this completes my  
26 cross-examination.

27 PRESIDING JUDGE: Thank you, Mr Hardaway. Any  
28 re-examination for the Defence?

29 MS THOMPSON: Yes, Your Honour, just on one point.

1 RE-EXAMINATION BY MS THOMPSON:

2 Q. Now, Mr Witness, my colleague on the other side  
3 mentioned -- asked whether you heard the names Five-Five, Bazzy,  
4 Gullit, Alex Tamba Brima, and you said you heard them over a  
11:48:30 5 radio Bintumani FM?

6 A. Yes. I said, those names, I heard them over the radio.

7 Q. Now, can you tell me -- you may not be able to give us the  
8 date, but if I say to you: Can you tell me when, around what  
9 year you heard those names on the radio Bintumani?

11:48:58 10 A. Almost -- we started hearing it last year, if I've not  
11 forgotten. It's quite a long time.

12 Q. Thank you, very much, Mr Witness. That will be all, thank  
13 you.

14 PRESIDING JUDGE: Mr Witness, that is the end of your  
11:49:19 15 evidence. We thank you for coming to the Court to give your  
16 evidence. You are now free to leave.

17 THE WITNESS: Thank you.

18 PRESIDING JUDGE: Just sit for a little bit while they draw  
19 the curtains to allow you to leave in private. Mr Court  
11:49:38 20 Attendant, please assist.

21 THE WITNESS: Okay.

22 [The witness withdrew]

23 MS THOMPSON: Your Honour, the next witness will be  
24 DAB-082. I believe the language is still Koranko.

11:51:27 25 WITNESS: DAB-082 [Sworn]

26 [The witness answered through interpreter]

27 MS THOMPSON: Your Honour, like before, I have an  
28 application to make. I would direct the Court's attention to 31  
29 on page 19 of the summaries and the first line, in fact, of this

1 witness's position within his community.

2 PRESIDING JUDGE: Did you say 31?

3 MS THOMPSON: Thirty-one, Your Honour.

4 PRESIDING JUDGE: Witness number 31?

11:53:34 5 MS THOMPSON: Yes, witness number 31, DAB-082 on page 19.

6 My application again would be for the identifying details  
7 personal background of this witness to be given in closed session  
8 pursuant to Rule 79(A)(2) of the Rules of this Court.

9 PRESIDING JUDGE: Again, Ms Thompson, are there any other  
11:53:59 10 means by which this witness could convey this information in  
11 writing?

12 MS THOMPSON: Your Honour, he's illiterate.

13 PRESIDING JUDGE: Ms Alagendra, are you representing the  
14 Prosecution in this matter?

11:54:16 15 MS ALAGENDRA: Yes, I am, Your Honour.

16 PRESIDING JUDGE: You have heard counsel's application.

17 MS ALAGENDRA: Yes. We have no objections, Your Honour.

18 PRESIDING JUDGE: In the circumstances, pursuant to  
19 Rule 79, we will allow a short closed session for personal  
11:54:49 20 details of the witness in order to protect the identity of the  
21 witness and for reasons of security.

22 [At this point in the proceedings, a portion of the  
23 transcript, pages 61 to 64, was extracted and sealed under  
24 separate cover, as the session was heard in camera.]

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1 [Open session]

2 MS THOMPSON: Your Honour, before I proceed, the second  
3 accused would like to use the convenience.

4 PRESIDING JUDGE: Yes, he may be escorted out.

12: 05: 53 5 MS THOMPSON:

6 Q. Mr Witness, I'm going to ask you some questions about 1998.  
7 Do you recall anything happening in your Village C in 1998?

8 A. Mmm-hmm.

9 Q. Can you tell the Court what happened?

12: 06: 28 10 A. Well, what happened in my presence, what I heard, I can  
11 explain.

12 Q. Can you explain to us what happened in your presence?

13 A. Yes, I can explain.

14 Q. Carry on.

12: 06: 56 15 A. Explain?

16 Q. Yes, please, Mr Witness.

17 A. We were at work.

18 Q. Yes, carry on.

19 A. A child went and called me and said, "Rebels have entered  
12: 07: 17 20 the town."

21 Q. Now, when you say you were at work, where were you working?

22 A. We were working in our farm.

23 Q. Can you remember what time of the day this was --

24 THE INTERPRETER: Your Honours, the interpreter would like  
12: 07: 39 25 to make a correction. Instead of farm, it's swamp. We were  
26 working in our swamp.

27 THE WITNESS: It was during the afternoon prayer, 2 o'clock  
28 prayers.

29 MS THOMPSON:

1 Q. Okay. So you say a child came to call you that rebels had  
2 entered the town. Do you know who the child --  
3 A. Yes, have entered the town.  
4 Q. Now, do you know who the child was referring to as rebels?  
12:08:15 5 A. When we came, we couldn't enter the town.  
6 Q. Who couldn't enter the town?  
7 A. Those of us who had come from work. We were afraid. We  
8 couldn't enter the town.  
9 Q. So what did you do?  
12:08:45 10 A. We hid.  
11 Q. Where did you hide, Mr Witness?  
12 A. We hid in the bush.  
13 Q. When you say "we," who was hiding with you?  
14 A. I hid, together with my uncle because, at that time, we  
12:09:08 15 were in disarray.  
16 Q. How long were you in hiding for?  
17 A. We were in that hiding -- we slept there until the morning.  
18 Q. When morning came, what happened?  
19 A. In the morning, we bypassed them and went to our  
12:09:41 20 villages --  
21 THE INTERPRETER: Our swamp. Correction, interpreter.  
22 MS THOMPSON:  
23 Q. When you got to the swamp, did anything happen there?  
24 A. When we went to our farms, nothing happened there. On that  
12:09:55 25 same day, nothing happened there.  
26 MS ALAGENDRA: Your Honour, just a clarification. The  
27 interpreter used the word farm.  
28 JUDGE SEBUTINDE: That's what I was about to ask. He says  
29 farm on the one hand and then swamp on the other. Is this an

1 interpretation problem?

2 THE INTERPRETER: No. He had at first used swamp and now  
3 he's using farm.

4 MS THOMPSON: I will clarify.

12: 10: 23 5 Q. Mr Witness, your farm, is it in a swamp?

6 A. Mine is in upland, upland farming. That's where they met  
7 us.

8 Q. Did you use the word "swamp" earlier?

9 THE INTERPRETER: Can learned counsel please repeat the  
12: 11: 07 10 question?

11 MS THOMPSON:

12 Q. Mr Witness, did you use the word "swamp" earlier?

13 A. Yes, that's my companion's swamp. I went to pay him his  
14 debt. We are in a kind of relationship. He would work for me  
12: 11: 24 15 one day and I would work for him the other. That was not my own  
16 farm.

17 MS THOMPSON: I have lost myself. I think we are now at  
18 the upland farming. I'm not sure, Your Honour.

19 PRESIDING JUDGE: My record shows in the morning we went to  
12: 11: 42 20 the swamp. When we went to the farms, nothing happened.

21 MS THOMPSON: Thank you, Your Honour.

22 Q. Now, after you went to your farm and nothing happened, did  
23 something happen afterwards, not at the farm, but did something  
24 happen later?

12: 11: 59 25 A. After that, they came and took us and they said we should  
26 come to town.

27 Q. Who is "they" who came to take you?

28 A. The rebels.

29 Q. Now, I'm going to ask you about these rebels. Do you



1 remember how they were dressed?  
2 A. Yes. They were wearing civilian clothing, just like we are  
3 wearing ours now.  
4 Q. Do you know how many there were?  
12:12:41 5 A. Those who met me at my farm hut, one of them had his hair  
6 plaited.  
7 Q. Do you remember how many of these rebels met you at your  
8 farm hut?  
9 A. I said those two people who went and met me at my farm hut,  
12:13:02 10 together with my children.  
11 Q. Did these two people tell you if they belonged to a group?  
12 A. They said, "Do you know us?" And I said, "No, I don't know  
13 you." And he said, "We are called rebels."  
14 Q. Now, when they met you at your farm hut, how many of you  
12:13:30 15 were in the farm hut?  
16 A. I, together with my three children, the other was not  
17 there. He was with his mother. I was with my three children.  
18 Together with my three children, plus me, we're four.  
19 Q. Okay. Now, can you remember what happened after they met  
12:13:54 20 you there?  
21 A. What happened to us, together, the children, I can explain.  
22 Q. Carry on.  
23 A. They said they should kill me. The others said, "Eh, don't  
24 kill him. He has children." He said, "He has children, don't  
12:14:20 25 kill him." So they let go of me and I run away.  
26 Q. What happened to your children?  
27 A. Where my children went and slept, we did not sleep  
28 together.  
29 Q. Where did you go?

1 A. I went into the bush. I went and hid separately and my  
2 children went and hid separately. We slept there in our separate  
3 ways.

4 Q. Did anything happen after you had hid in the bush?

12: 14: 53 5 A. Nothing happened to me. I slept there in the bush. In the  
6 morning, I went in search of my children.

7 Q. Mr Witness, much later, in your village, Village C, did  
8 anything happen to you?

9 MS ALAGENDRA: Your Honour --

12: 15: 23 10 THE WITNESS: That night --

11 PRESIDING JUDGE: Just pause, Mr Witness.

12 MS ALAGENDRA: Your Honour, there hasn't been any  
13 foundation laid to show that this witness eventually returned  
14 back to his village. We're still at the farm or swamp and he's  
12: 15: 35 15 gone to hide.

16 PRESIDING JUDGE: I think that is correct, Ms Thompson. He  
17 was at the farm, he ran away, he slept somewhere.

18 MS THOMPSON: Your Honour, I'll clarify.

19 Q. Did you eventually leave your farm, Mr Witness?

12: 15: 49 20 A. I left there completely and came to town. I took them and  
21 we came to town.

22 Q. Who did you take? When you say, "I took them," who did you  
23 take?

24 A. I took my family, my wife and my children, and we came to  
12: 16: 10 25 town.

26 Q. Is "town" Village C?

27 A. Yes, Village C. We came to Village C, indeed.

28 Q. When you came to Village C, did anything happen there?

29 A. Something happened there. They took us and carried us,

1 because some of my colleagues joined us, together with my own  
2 family. They said Pa Johnny --  
3 THE INTERPRETER: Your Honours, he's called --  
4 Your Honours, Your Honours --  
12:16:44 5 MS THOMPSON: Mr Witness.  
6 PRESIDING JUDGE: Mr Witness.  
7 MS THOMPSON: Please wait.  
8 PRESIDING JUDGE: What's the problem, Mr Interpreter?  
9 THE INTERPRETER: I heard a name.  
12:16:54 10 PRESIDING JUDGE: Now, Mr Witness, as you know, for your  
11 own safety, if you're going to mention the name of the village,  
12 you must I have Village C and don't mention your own name. If  
13 people address you, just --  
14 THE WITNESS: Okay, okay. Okay. I will not do it again.  
12:17:12 15 MS THOMPSON:  
16 Q. Now, Mr Witness, I want us to go back just a little bit.  
17 You said, "They took us." Who took you?  
18 A. The rebels took us to their boss.  
19 Q. Now, these rebels who took you to their boss, do you  
12:17:44 20 remember how they were dressed?  
21 A. They wore civilian clothing, just like the ones we are  
22 wearing now. We did not know their distinction.  
23 Q. Do you remember how many of them took you to their boss?  
24 A. Four of them. Those of them who took us, there were many,  
12:18:07 25 but four of them led us.  
26 Q. Now, you say they took you to your boss -- to their boss.  
27 I beg your pardon, to their boss. How many of you went with  
28 them?  
29 A. Fifteen of us. Some other people joined my family when we

1 went. Fifteen of us.

2 Q. Now, this boss that they took you to, do you know the name  
3 of the boss?

4 A. Yes, I know his name, because he called him and he came  
12: 18: 51 5 out.

6 Q. Can you tell us his name?

7 A. Yes, I can.

8 Q. Please do so.

9 A. They said, "Sergeant, come here, they have brought  
12: 19: 10 10 civilians here." SAJ Musa.

11 Q. So the boss was called SAJ Musa?

12 A. Yes.

13 Q. When you were taken to SAJ Musa, can you tell the Court  
14 what happened?

12: 19: 25 15 A. What happened to us at that time, I can explain.

16 Q. Yes, please.

17 A. SAJ Musa said now that they've brought them, let nobody  
18 beat any civilian. Take them to the MP.

19 Q. Do you know what MP was, what it meant?

12: 19: 55 20 A. I do not know what it meant. They were wearing a red hat.  
21 That was when I knew that these were the people who were being  
22 referred to as MP.

23 Q. The MP wore a red hat. Okay. Now, Mr Witness, when  
24 SAJ Musa was saying this, can you remember how many people were  
12: 20: 17 25 present when he was saying this?

26 A. There was a good crowd there. I can't tell. I can only  
27 remember the 15 of us who had come. Those of us who were there,  
28 we were many.

29 Q. Okay. Do you remember where this -- when he was saying

1 this, do you remember where this happened, what part of the town  
2 this happened?  
3 A. Yes. I can remember that. I know the house.  
4 Q. Was it inside the house, or outside the house?  
12:21:04 5 A. Outside. He was standing on the veranda, and we were  
6 standing outside.  
7 Q. Now, apart from SAJ Musa, did you see or hear of any other  
8 person who they said was the boss?  
9 A. Yes. I saw him.  
12:21:30 10 Q. Do you know that person's name?  
11 A. I know his name.  
12 Q. Can you mention that person's name, please?  
13 A. I can, definitely.  
14 Q. Please do so.  
12:21:42 15 A. They call him Superman.  
16 Q. Now, apart from SAJ Musa and Superman, did you hear of any  
17 other person who was a boss in that place?  
18 A. Apart from SAJ Musa and Superman, I did not hear anybody  
19 else's name. I did not hear, I did not see them. Those are the  
12:22:12 20 two people that I saw.  
21 Q. Now, you said there was a large crowd and SAJ Musa was  
22 there and Superman was there. After this meeting, did anything  
23 happen?  
24 A. Nothing happened to us in that short time. They took us  
12:22:40 25 and left us at MP. In the morning, they took me and they said we  
26 should go on food-finding.  
27 Q. Did you go on food-finding?  
28 A. Yes, in our farms. Yes, the farms which we had cultivated.  
29 We went and harvested the millet and we brought it, the Village C

1 farms, we went and harvested the millet and brought them.

2 Q. Can you recall how long SAJ Musa was in your village and  
3 how long you had to go and do this food-finding?

4 PRESIDING JUDGE: Ms Thompson, you have two questions in  
12: 23: 26 5 one there.

6 THE WITNESS: Oh, I can't remember that.

7 MS THOMPSON: I just realised that. I think he's answered  
8 the question, so I will move on.

9 MS ALAGENDRA: Your Honour, it's not clear which question  
12: 23: 38 10 the witness has answered, because there were two questions.

11 MS THOMPSON: Okay, I will ask the second one again.

12 Q. Do you remember how long you had to go on -- sorry, I beg  
13 your pardon. I'll rephrase. Do you remember for how long you  
14 had to go on food-finding missions?

12: 24: 08 15 A. I can remember once when I slipped and took my family  
16 members and went away, far away.

17 Q. Okay. Where did you take your family members to?

18 A. I went with them to my farm where they had met us. There  
19 was a farm there. We went there. That's where we stayed. When  
12: 24: 32 20 we went there, we did not stay at the farm hut this time, we went  
21 further into the bush.

22 Q. Do you remember how long you stayed in the bush for?

23 A. The time we spent there, it was quite a long time. I could  
24 not know how long.

12: 24: 56 25 Q. Did you eventually leave the bush?

26 A. Yes, they went and took us. They said, "Come. Don't run  
27 away. We're not going to do anything to you." At that time, SAJ  
28 was there.

29 Q. Okay. Start, first, with who took you from the bush. Who

1 took you and said nothing will happen to you?  
2 A. The very rebels went for us and said, "Come. Nothing will  
3 happen to you. Don't leave us alone in this town."  
4 Q. And you said, at that time, SAJ was there. Where was SAJ,  
12:25:40 5 without mentioning names. Where was SAJ?  
6 A. SAJ?  
7 Q. Yes.  
8 A. SAJ Musa?  
9 Q. Yes.  
12:25:54 10 A. At that time, he was in the town.  
11 Q. Okay.  
12 A. But at that time, they were not doing anything to  
13 civilians.  
14 Q. Okay. Now, Mr Witness, after they took you and said  
12:26:09 15 nothing will happen to you, where did they take you to?  
16 A. We were in Village C when we established a place and they  
17 called that Joe bush. In the morning we would go there and in  
18 the evening we will return. In the morning we will go there and  
19 in the evening we will return.  
12:26:34 20 Q. Now, do you recall anything happening in Village C after  
21 you had come back?  
22 MS ALAGENDRA: Your Honour, if I can just clarify  
23 something. This place they say they go --  
24 THE WITNESS: Yes.  
12:26:48 25 PRESIDING JUDGE: Just wait a moment, Mr Witness.  
26 MS ALAGENDRA: Your Honour, the place the witness is saying  
27 they go to in the morning and come back, I didn't quite get the  
28 name of it.  
29 PRESIDING JUDGE: I heard it as Joe bush. Ms Thompson, can

1 you assist us?

2 MS THOMPSON: That's what I heard, Your Honour. It is a  
3 literal spelling.

4 MS ALAGENDRA: Is there a spelling for that place?

12: 27: 15 5 MS THOMPSON: I thought it was Joe as in Joe and bush.

6 JUDGE SEBUTINDE: Also, it is not clear who established  
7 this place. He said they established a place, who established  
8 this place?

9 MS THOMPSON: I will go back to that.

12: 27: 25 10 Q. Mr Witness, you said people established a place called Joe  
11 bush.

12 A. That was built by us. When we built that hut, they named  
13 it. They said it is called Joe bush.

14 Q. Thank you, Mr Witness.

12: 27: 59 15 JUDGE SEBUTINDE: It is still not clear. Is it the  
16 civilians of their own free will or somebody else?

17 MS THOMPSON: I thought when he said us, he was meant his  
18 own people.

19 JUDGE SEBUTINDE: So now they are free to go and come.

12: 28: 10 20 MS THOMPSON: Your Honour, I don't think that was the way  
21 it came out, but anyway, I will clarify.

22 Q. When you say that was built by us, who do you mean? Who  
23 built it?

24 A. We built it ourselves. In our Koranko, it's our farm hut,  
12: 28: 32 25 but they call it Joe bush. In our Koranko, we call it farm hut.  
26 We'll say, "Let's go to the farm hut."

27 Q. Who called this Joe bush?

28 A. It was the rebels who named it. They said they will call  
29 it Joe bush. We told them that we do not know that. We call



1 it -- it's our farm hut.

2 Q. Mr Witness, who asked you to build -- to establish Joe  
3 bush?

4 A. They said that if you are coming to stay here, if it's  
12:29:13 5 going to rain and you get wet, you build this hut, so that's when  
6 we built the hut.

7 Q. And who was it built for?

8 A. We built it for ourselves.

9 Q. Who used it?

12:29:30 10 A. We ourselves, when we left the town in the morning, they  
11 would bring us out in the morning, and we would go and stay the  
12 day there.

13 Q. Now, how many of these places did you build?

14 A. No, it was only one. We only built one.

12:29:59 15 Q. After that, after you had built this Joe bush, did anything  
16 happen in Village C? Do you know if anything happened in Village  
17 C?

18 A. Yes. After we had built it, we were there when SAJ Musa  
19 and Superman, when we heard that SAJ Musa and Superman had  
12:30:27 20 fought. I was not there. I asked somebody that I was hearing  
21 gunshots and that person told me that it was a fight between  
22 SAJ Musa and Superman.

23 Q. Okay. Now, you say you were not there. Can you tell the  
24 Court where you were?

12:30:41 25 A. Where I was, I was at the farm. I was at the farm. That  
26 is where I was. That person who came running met me there.

27 Q. Which farm were you at? Your farm?

28 A. Where we had built this hut. My own farm was fine, we were  
29 not going there any more. Where we had built this hut, that is

1 where we used to come.

2 Q. Okay. When you heard that SAJ Musa and Superman had  
3 fought, can you recall what you did next?

4 A. What I did was that I said in the evening we came to town  
12:31:36 5 and when we came, they said SAJ Musa has left.

6 Q. Do you recall what happened next, after you heard that  
7 SAJ Musa had left?

8 A. Well, what I could remember was when Superman said that his  
9 people, civilians, "You civilians, you would know what would  
12:32:03 10 happen now that SAJ Musa has gone, because he cared for you."

11 Q. Were you present when Superman said that?

12 A. I was not there when Superman said that. His followers  
13 were telling us this. I saw Superman twice.

14 Q. You say you saw Superman twice. When was the first time  
12:32:47 15 you saw --

16 A. I saw him twice. Only twice.

17 Q. Okay. When was the first time you saw Superman?

18 A. I saw him when they brought us. The first time when they  
19 brought us, when they took us to SAJ, when we were passing by, he  
12:32:49 20 was sitting on the veranda.

21 Q. Can you tell us the second time you saw Superman?

22 A. The time that I saw him, the second time, was when they had  
23 brought us out, that we were going to our place. I met him, and  
24 his bodyguard were with him. He was wearing a short trousers.

12:33:11 25 Q. You say -- before I get to that instance when you met him  
26 there, you say when they had brought us out, and they were taking  
27 us to our place. Now, firstly, who brought you out?

28 A. The rebels would bring us out. When we sleep in the town,  
29 in the morning, they will bring us out and tell us to go to the

1 bush. That's where we would stay the day.

2 Q. Now, when you saw Superman the second time, did he say  
3 anything to you?

4 A. He did not tell me anything. They just passed me by.

12:34:00 5 Q. Now, after SAJ Musa left and Superman's followers had told  
6 you this thing that you said they told you about, you being  
7 civilians, can you recall if anything happened in Village C?

8 A. Well, that was when they really did bad things.

9 Q. Who are they who did these bad things?

12:34:32 10 A. The rebels.

11 Q. These rebels who did these bad things, do you know who  
12 their boss was at this time?

13 A. I can't know that, because I heard that Superman was the  
14 head of those rebels. The soldiers, it was SAJ who was their

12:34:58 15 head. Those are the two heads that I knew.

16 Q. Now, when you say they did bad things, I think I'm right in  
17 saying you said this was after SAJ Musa had left?

18 A. At that time, SAJ Musa had gone completely.

19 Q. Okay. Now, what sort of bad things did they do? Can you  
12:35:23 20 recall?

21 A. Oh, yes. I can explain some, because I came here to speak  
22 the truth.

23 Q. Please, Mr Witness, help us. Tell us.

24 A. When that happened, Superman's followers, they put people  
12:35:49 25 in houses and cut them. They cut people. Those people whom they  
26 cut that I can remember, four of them, because I, too, was  
27 afraid.

28 Q. Okay. Firstly, I want you to tell us, did you see these  
29 things happening? Did you see these people being cut?

1 A. They put them in a house. We were in a veranda. We heard  
2 the screaming in the house.  
3 Q. What else happened?  
4 A. The first person --  
12: 36: 32 5 THE INTERPRETER: Your Honours, he has again called another  
6 name.  
7 MS THOMPSON:  
8 Q. Mr Witness --  
9 MS THOMPSON: I don't think that will reveal his identity  
12: 36: 45 10 if it's another person's name.  
11 PRESIDING JUDGE: Thank you for the information,  
12 Mr Interpreter.  
13 JUDGE SEBUTINDE: Mr Interpreter, please call the name.  
14 THE INTERPRETER: Okay.  
12: 36: 55 15 THE WITNESS: Bamba Ferenkeh was killed.  
16 MS THOMPSON: Your Honours, that's B-A-M-B-A. Ferenkeh is  
17 F-E-R-E-N-K-E-H.  
18 Q. Can you recall others who were killed?  
19 JUDGE SEBUTINDE: Ms Thompson, no one said they were  
12: 37: 16 20 killed. He said cut. Cut.  
21 MS THOMPSON: The interpretation was Bamba Ferenkeh was  
22 killed.  
23 JUDGE SEBUTINDE: I do beg your pardon.  
24 MS THOMPSON:  
12: 37: 27 25 Q. Mr Witness, do you recall if anyone was killed?  
26 A. Those were twins. His twin partner too was cut, but he did  
27 not die there. He died in Makeni in a hospital.  
28 Q. Now, apart from these cuttings --  
29 MS ALAGENDRA: Can we have the spelling for the second name

1 he called?

2 MS THOMPSON: He said twin partner. May I just ask the  
3 interpreter if there was a name mentioned, because I didn't hear  
4 a name.

12: 38: 02 5 PRESIDING JUDGE: I didn't hear either. Mr Interpreter,  
6 the twin partner [microphone not activated].

7 THE INTERPRETER: No, no name was mentioned, just twin  
8 partner.

9 MS THOMPSON: Your Honour, I will move on, but before I do,  
12: 38: 23 10 the first accused would like to use the convenience.

11 PRESIDING JUDGE: The first accused should be escorted.  
12 One at a time, please.

13 MS THOMPSON:

14 Q. Mr Witness, apart from the people you said were cut and the  
12: 38: 35 15 one who was killed, can you recall anything else happening, that  
16 you saw?

17 A. Yes. They killed Kubona [phon]. They killed Yeyileh  
18 [phon]. They killed Mama Yenyie [phon]. Those are the people I  
19 saw, including Baba Lansana, but he died in Makeni.

12: 39: 09 20 MS THOMPSON: Your Honour, Bamba Lansana is Bamba, then  
21 Lansana is L-A-N-S-A-N-A. The other names, I think we will have  
22 to do with a phonetic spelling.

23 JUDGE SEBUTINDE: Ms Thompson, perhaps we could establish  
24 who did these killings.

12: 39: 35 25 MS THOMPSON: I was about to, Your Honour.

26 Q. Now, you say these were the ones you saw. Did you see who  
27 was doing these things?

28 A. They were in their house. I did not see those who did it.  
29 It was when they died that I saw them. I found them dead. But

1 when this screaming was going on in the house, I was out there.  
2 But I was confused. I did not know where to go, where to go  
3 then.

4 Q. Now, after you saw these killings, did you do anything?

12:40:16 5 A. I ran away --

6 PRESIDING JUDGE: Ms Thompson, he didn't say he saw the  
7 killing, he saw the dead bodies afterwards.

8 MS THOMPSON: I beg your pardon.

9 Q. After you saw these dead bodies, did you do anything?

12:40:37 10 A. I did not do anything. I ran away into the bush. I was  
11 afraid.

12 Q. Did you go to the bush alone?

13 A. I came alone and saw them and I alone went. I met people  
14 in the bush and I told them that they've -- I counted them like  
12:40:56 15 I've done, and I told them that I've seen their corpses.

16 Q. Can you remember how long you stayed in the bush for?

17 A. In that year, we spent one year in that bush because, at  
18 that time, there was no house -- we had no house in the town.  
19 They had burnt all down. We had no house, so we were in the  
12:41:24 20 bush.

21 Q. Who had burnt the houses down?

22 A. The rebels burnt down the houses because, at that time, the  
23 SLAs had left completely. SAJ Musa had left completely.

24 Q. Now, did you -- you said you were in the bush for one year.  
12:41:45 25 Did you go back to the town?

26 A. We came to town to build houses.

27 Q. Now, apart from the burnt houses that you saw in the town,  
28 did you see anything else?

29 A. To say that I saw something, it was only when they told us

1 in the bush before we could come to town to come and build the  
2 houses. When we were in the bush and they were running in fear,  
3 they told us that the house that is in this road, on the road,  
4 they said that is where they put people and burnt the house, but  
12: 42: 31 5 I did not see that at all. I heard that they went and told me in  
6 the bush and I said I would not go there, I cannot witness that  
7 kind of thing.

8 Q. All right. Who told you that they put people in houses and  
9 burnt them? Who told you that? Who gave you that information?

12: 42: 46 10 A. The person who told me was one of my companion called  
11 Demba. He was the one who went and told me on the farm.

12 Q. Now, when he said they put people in houses and burnt them,  
13 do you know who he said did these things? Which group of people  
14 were doing these things?

12: 43: 18 15 MS ALAGENDRA: Your Honour, perhaps it could first be  
16 established [microphone not activated] --

17 THE WITNESS: He did not tell me that. He only told me  
18 that they had burnt the town and they put those people in the  
19 house and they torched that house on fire. But it was the same  
12: 43: 32 20 people, the rebels. I did not witness that, but he told me that  
21 it was the rebels.

22 MS THOMPSON:

23 Q. Apart from that, did Demba tell you anything else?

24 A. Yes, he explained something else to me.

12: 43: 58 25 Q. What else did he explain to you?

26 A. He said, at that time, it was up to two weeks now, and he  
27 said, "Oh, my colleague, your father-in-law was killed by a jet."

28 Q. Did he tell you which jet?

29 A. He did not tell me that. He only told me about the jet,

1 but not the type of jet. He didn't explain that to me. He said,  
2 "Can't you see the fragment on my neck?"  
3 Q. Whose father-in-law he said was killed by a jet?  
4 A. My own father-in-law, the one that was killed by the jet.  
12: 44: 49 5 I married his younger sister.  
6 Q. Now apart from -- you said you married his younger sister?  
7 A. Yes. He's my brother-in-law, in that case.  
8 Q. Okay.  
9 JUDGE SEBUTINDE: This is Demba? Demba is his  
12: 45: 13 10 brother-in-law?  
11 MS THOMPSON: No, no, Your Honour. I think he said the  
12 person who was killed by the jet.  
13 JUDGE SEBUTINDE: Demba is his brother-in-law. They  
14 married sisters, and therefore --  
12: 45: 24 15 THE WITNESS: No, no.  
16 JUDGE SEBUTINDE: That's how I understood it.  
17 MS THOMPSON:  
18 Q. Mr Witness, let's start with Demba. Who is Demba to you?  
19 A. That Demba is my friend. He's my neighbour. The one that  
12: 45: 49 20 was killed by the jet is my brother-in-law.  
21 Q. Thank you. Mr Witness --  
22 PRESIDING JUDGE: Mrs Thompson, before you go on, I notice  
23 the time. First of all, have you much more evidence?  
24 MS THOMPSON: No, Your Honour. We're at the tail end.  
12: 46: 07 25 PRESIDING JUDGE: Ms Alagenda, will you likely have long  
26 cross-examination of the witness?  
27 MS ALAGENDRA: Your Honour, I think we can finish today,  
28 just a few questions I have.  
29 PRESIDING JUDGE: Counsel, I'm conscious of the fact that,



1 first of all, it was agreed we have a half day today to make up  
2 for Wednesday, but I'm also conscious of the fact that the  
3 Defence are anxious to have their witnesses return to their home  
4 areas. If it is convenient to all parties, it might be best to  
12: 47: 10 5 try to finish this witness's evidence this morning. Is that  
6 convenient to counsel and to the witness?

7 MS THOMPSON: Yes, Your Honour.

8 MS ALAGENDRA: It's fine with us, Your Honour.

9 PRESIDING JUDGE: Very good. We'll continue. If anyone  
12: 47: 19 10 feels in need of a short break, please indicate, and we will do  
11 so. I have to bear in mind, of course, the detainees have to  
12 have their lunch. Let's take it, Ms Thompson, for a few more  
13 minutes and see how things shape up.

14 MS THOMPSON:

12: 47: 47 15 Q. Mr Witness, you've mentioned Superman, you've mentioned  
16 SAJ Musa. When you went back to Village C, did you hear of any  
17 other name, of any other boss of these rebels who came to your  
18 town?

19 A. I did not hear that at all. I did not hear it and I did  
12: 48: 05 20 not see it.

21 Q. Apart from your brother-in-law, did anything else happen to  
22 any anyone as a result of the jets, do you know?

23 A. No. I only know about my brother-in-law. That was what  
24 they told me in the farm. I cried a lot on that day.

12: 48: 38 25 Q. Do you know the name of any other soldier who was in  
26 Village C?

27 A. If I say that, I will be telling lies. I do not know the  
28 name of any other soldier after that. Those are the two people  
29 whose names I knew.

1 Q. Thank you very much, Mr Witness, I have no more questions  
2 for you, but my friend will have some questions for you.  
3 PRESIDING JUDGE: Again, I will ask for confirmation that  
4 this is a common witness.  
12:49:17 5 MS THOMPSON: He is a common witness.  
6 PRESIDING JUDGE: Thank you. Ms Alagendra, again, we will  
7 watch the time, if there is a problem. I have to bear in mind  
8 the detainees.  
9 MS ALAGENDRA: Yes, Your Honour.  
12:49:32 10 CROSS-EXAMINED BY MS ALAGENDRA:  
11 Q. Good afternoon, Mr Witness.  
12 A. Good afternoon.  
13 Q. Mr Witness, you told us you were taken to the farms by the  
14 rebels; is that right?  
12:49:49 15 A. Can I tell lies? I came here to tell the truth. I  
16 wouldn't tell lies for anybody.  
17 Q. No, Mr Witness, I'm not saying you're telling lies. I'm  
18 just confirming what you said earlier, that's all. During this  
19 time --  
12:50:09 20 A. That's what I said. It's true.  
21 Q. During this time, Mr Witness, SAJ Musa was in Koinadugu  
22 Town --  
23 MS ALAGENDRA: I apologise, Your Honour.  
24 PRESIDING JUDGE: No, he wasn't. First of all,  
12:50:23 25 Ms Alagendra, there are three places bearing a common name, but  
26 the witness did not say what you have said. He said something  
27 else. Please rephrase your question.  
28 MS ALAGENDRA:  
29 Q. Mr Witness, at this time that you were being taken to the

1 farms, SAJ Musa was in Village C; is that correct?

2 A. When they took me to the farm, at that time, SAJ Musa had  
3 gone. He had gone.

4 Q. Mr Witness, when you were taken to the farms, why were you  
12:51:04 5 taken there?

6 A. They did not want us to go with them in the town. So, at  
7 night, when they are afraid, so they wouldn't want ECOMOG to find  
8 them alone in the town, so they will send us and, in the evening,  
9 we will return.

12:51:27 10 Q. Thank you, Mr Witness.

11 MS ALAGENDRA: No further questions, Your Honour.

12 PRESIDING JUDGE: Thank you, Ms Alagendra. Re-examination,  
13 Ms Thompson?

14 MS THOMPSON: None, Your Honour.

12:51:41 15 PRESIDING JUDGE: Mr Witness, that is the end of your  
16 evidence. You will now be free to leave the Court and we thank  
17 you for coming to the Court to give evidence today. Please wait  
18 where you are for a short time and, when we leave, you will be  
19 assisted to leave the Court. Do you understand?

12:52:04 20 THE WITNESS: That's okay.

21 PRESIDING JUDGE: Counsel, as we already noted --

22 THE WITNESS: But I want to pray for this Court a little,  
23 the people in this Court.

24 PRESIDING JUDGE: Mr Witness, we are very grateful for your  
12:52:29 25 prayers and know we need those prayers, and we thank you for  
26 them.

27 THE WITNESS: Because that's our own law. Muslims, even  
28 Christians, when you finish, you would pray for your elders. I'm  
29 praying for you. May you stay well to return our lives. You are

1 talking to protect us, may the Lord bless you. This Court, may  
2 God bless this Court, and you, the people in this Court, may God  
3 bless you.

4 PRESIDING JUDGE: We thank you, Mr Witness, and we, too,  
12:53:15 5 wish you a safe journey back to your home. We thank you.  
6 Counsel, we are making up for Wednesday afternoon. We will  
7 resume on Monday morning at 9.15.

8 [Whereupon the hearing adjourned at 12.57 p.m.,  
9 to be reconvened on Monday, the 24th day of  
12:54:50 10 July 2006, at 9.15 a.m.]

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