

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

FRIDAY 28 JULY 2006
9.25 A.M.
TRIAL

TRIAL CHAMBER II

Before the Judges:

Richard Lussick, Presiding
Teresa Doherty
Julia Sebutinde

For Chambers:

Mr Carolyn Buff

For the Registry:

Mr Thomas George

For the Prosecution:

Mr Karim Agha
Mr Charles Hardaway
Ms Maja Dimitrova (Case

Manager)

For the accused Alex Tamba
Brima:

Mr Kojo Graham
Mr Ibrahim Foday Mansaray

(legal assistant)

For the accused Brima Bazzy

Mr Andrew William Kodwo

Daniels

Kamara:

1 [AFRC28JUL06A - RK]

2 Friday, 28 July 2006

3 [The accused present]

4 [Open session]

09:16:16 5 [The witness entered court]

6 [Upon commencing at 9.25 a.m.]

7 PRESIDING JUDGE: Yes, Mr Manly-Spain.

8 MR MANLY-SPAIN: Good morning, Your Honours.

9 PRESIDING JUDGE: Good morning.

09:26:17 10 MR MANLY-SPAIN: Your Honours, we have today witness

11 DAB-079, which I intend to lead.

12 PRESIDING JUDGE: He will be giving evidence in what
language?

13 MR MANLY-SPAIN: English, Your Honour. After he is
sworn,

14 I will be applying to have a short period in closed session
for

09:26:46 15 his particulars.

16 PRESIDING JUDGE: All right. We will have the witness
17 sworn then.

18 WITNESS: DAB-079 [Sworn]

19 MR MANLY-SPAIN: With your consent, Your Honour, I'm
09:27:26 20 respectfully applying that court goes into closed session for
the

21 preliminary stages of the witness's evidence in order that we

maybe 22 might protect his identity, and those of other people that
23 mentioned in his statement, his evidence-in-chief?
24 JUDGE DOHERTY: Why, Mr Manly-Spain?
09:27:52 25 MR MANLY-SPAIN: Because the witness held a peculiar or
26 particular position during the during the period. He is going
to
27 give evidence and the mere mention, he believes, of his
position
28 and also his occupation in the particular area where he lives
at
29 present, will disclose his identity.

SCSL - TRIAL CHAMBER II

written 1 JUDGE SEBUTINDE: Are these matters that cannot be
2 down on a piece of paper that could be exhibited?

place 3 MR MANLY-SPAIN: What I'm talking about his entire
4 preliminary stages: His name -- sorry, his occupation, his
09:28:38 5 of birth, date of birth, his present place of residence, et
6 cetera. Everything, Your Honour. He tells me the mere
mention 7 will definitely disclose his identity and he does not want
that.

8 PRESIDING JUDGE: This is not to do with that. I don't
9 seem to have any witness summary. He is not in that
disclosure 10 list you filed in court, is he.
09:29:07

11 MR MANLY-SPAIN: He is, I believe, number 28 on the
list.

12 JUDGE DOHERTY: Number 28 on my list is 078. I
understood 13 this was 079.

14 MR MANLY-SPAIN: Yes, Your Honour.

09:29:30 15 MR AGHA: I believe, Your Honours, it was changed to
079,
16 so it is actually 28.

17 JUDGE DOHERTY: Thank you.

18 MR MANLY-SPAIN: Thank you, Mr Agha.

19 PRESIDING JUDGE: All right, Mr Manly-Spain. Reading
the

09:31:12 20 summary, it does appear as though there may be some facts
there
21 that would reveal the witness's identity. In that case, we're
22 going to have to close the Court for a short time. The reason
23 being, the witness is about to give evidence that could
present
24 some danger to him by exposing his identity. So we will now
09:31:42 25 order a closed session. Mr Court Attendant, if you will
attend to that.
26 MR MANLY-SPAIN: Thank you, Your Honour.
27 [At this point in the proceedings, a portion of the
28 transcript, pages 4 to 7 was extracted and sealed under
separate
29 cover, as the session was heard in camera.]

1 [Open session]

2 MR MANLY-SPAIN: Thank you.

3 Q. Mr Witness, I want you to recall the year 1997,
4 particularly the month of May. Where were you?

09:43:07 5 A. At that time I was in Freetown when the coup d'etat that
6 happened.

7 Q. What were you doing in Freetown?

8 A. I was about to travel to the USA. I was searching out
for
9 visa.

09:43:27 10 Q. Thank you. Which coup d'etat do you mention?

11 A. The AFRC coup.

12 Q. How did you come to know about it?

13 A. Through the radio, when one Mr Gborie announced it over
the
14 radio.

09:43:50 15 Q. Do you know who this Mr Gborie was?

16 A. I don't know him personally but they told me that he was
a
17 member of the SLA.

18 Q. What do you mean by SLA?

19 A. Member of the Sierra Leone Army.

09:44:03 20 Q. Thank you, Mr Witness.

21 JUDGE SEBUTINDE: Who told him? He says they told him.

22 MR MANLY-SPAIN: Yes.

23 Q. Who told you he was a member of the SLA?

24 A. Friends around Freetown, after when he announced the
coup

09:44:18 25 d'etat, people started saying "The soldiers have taken over
and

26 one of the member is Tamba Gborie."

27 Q. When the coup happened at that time, did you do
anything?

28 A. I was at home when after sometime the RUF also came to

29 Freetown. The place was chaotic, so I decided to go back to

1 Kabala. I ran away.

2 Q. Did you have any reason to go to Kabala?

3 A. Yes, well the place was chaotic, people were causing
4 problem other people were looting and there was a turmoil

between

09:45:05 5 the ECOMOG and SLA at Cockerill. I saw the Alpha Jets flying,
so

6 I decided to leave the place, I went to Kabala.

in

7 Q. Mr Witness, having gone to Kabala, did you do anything

8 Kabala?

9 A. When I arrived there, I stayed there for sometime before

09:45:26 10 also we heard over the media that the ECOMOG has driven the
AFRC

11 from power.

12 Q. Thank you. Do you know how long the AFRC remained in
13 power?

14 A. I think about nine months, '97 May to February.

09:45:51 15 Q. Where were you in February 1998?

16 A. I was in Kabala.

17 Q. You said you heard that the AFRC had been removed from
18 office?

19 A. Yes.

09:46:06 20 Q. Did you know how this happened?

21 A. We were getting this over the BBC.

1998? 22 Q. You were in Kabala and you said that was in February

23 A. Yes.

24 Q. After that, did anything happen in Kabala?

09:46:26 25 A. When I was staying in Kabala, I saw some of the SLA
coming

26 to Kabala. They arrived. Some of them were headed by some of

27 their officers, like Colonel Kis Kamara, SAJ Musa. So when
they

28 arrived they held a meeting -- Kis Kamara held a meeting at
the

29 community centre where most of us turned up.

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1 Q. Okay, hold on a minute. Where was this meeting?

2 A. At the community centre.

3 Q. In Kabala?

4 A. In Kabala.

09:47:05 5 Q. Thank you. Please go on. Were you present at meeting?

6 A. Yes, Your Honour.

7 Q. Do you know anyone else who was present, without
referring

8 to names [indiscernible] positions?

9 A. They were important personalities. It was an open
meeting.

09:47:27 10 Many people turned up.

11 Q. These people, where did they come from?

12 A. Various areas, section chiefs, some are paramount
chiefs,

13 some are police officers, most of us.

14 Q. Apart from Kis Kamara, Your Honour, when you say Kis

09:47:56 15 Kamara?

16 A. He's a colonel.

17 Q. A colonel. How do you spell Kis?

18 A. I think it is K-I-S-S [sic] I don't know what the
initial

19 stands for but we usually call him Colonel Kis Kamara.

09:48:11 20 Q. They are initials?

21 A. Yes, they are initials.

any 22 Q. Thank you. Apart from Colonel Kis Kamara, were there

23 other SLA army officers at that meeting?

do 24 A. There were others but I cannot identify most of them. I

09:48:32 25 not know them, I only know the colonel.

26 Q. Did you know anyone else at the meeting apart from the
27 colonel?

28 A. Yes, a few people. I know a few people.

29 Q. Thank you. Mr Witness, can you now explain whether Kis

1 Kamara said anything to you at the meeting?

2 A. It was a public meeting. He told us that the primary

3 reason for revolting is simply because the government is
arming

4 the Kamajor more than the military and it seems as if they are

09:49:12 5 making a paramilitary, so that is one of the reason why were
are

6 against the government, and also they are going to resist

simply

7 because they believe that the Nigerians want to humiliate them

as

8 military officers to fight them. So they decided they were

going

9 to fight also the Nigerian ECOMOG officers. But their motive

of

09:49:36 10 taking power is not to intimidate the civilians. So he told
us

11 not to create problem, not quarrel with any officer. If

12 something goes wrong, let us go and report to him.

13 Q. Thank you. At that time, Mr Witness, were there

ordinary

14 Sierra Leonean Army soldiers in Kabala?

09:49:58 15 A. Yes, they were there.

16 Q. Were you able to know or estimate how many of them were
17 there?

18 A. When they were arriving, they were arriving as a group.

19 They were about three -- two to 300 military officers because

09:50:24 20 they arrived intermittently. When Kis Kamara arrived, later
SAJ

21 Musa arrived, later others also started coming so the number
22 started increasing. I cannot give you a definite number
there.

23 Q. Thank you very much, Mr Witness. Mr Witness, can you
24 distinguish between the ordinary soldier and an officer
soldier

09:50:49 25 when you see them?

26 A. By their [indiscernible], yes, they have their buttons
that
27 distinguish them.

28 Q. During that period, do you know how many officers were
29 there?

number 1 A. I cannot estimate. I do not know the number. The
2 was large.

officers 3 Q. Thank you. Mr Witness, did these SLA soldiers and
4 stay in Kabala at that time?

09:51:25 5 A. Some of them were born in Kabala, so they went to their
6 various houses and occupied the place. Others who were
strangers 7 like SAJ Musa, he looked out for another area. So they were
8 accommodating themselves.

how 9 Q. Thank you. The ones that stayed in Kabala, do you know
10 long they spent there?

09:51:54 11 A. They were there for about a week when the RUF also
started 12 arriving. So the place became also chaotic.

13 Q. Thank you. Before going on, Mr Witness, how do you know
14 that some of these soldiers and officers were born in Kabala?

09:52:11 15 A. I know some of them. I know some of them.

16 Q. Whilst the SLA soldiers were in Kabala before the RUF
17 arrived, what was the situation, the atmosphere in Kabala
between 18 you, the townspeople and the SLAs that were coming into
Kabala?

19 A. After that meeting that Colonel Kis Kamara held, SAJ
Musa

09:52:42 20 also held another meeting at Yogomaia at the chief compound
where

21 he told his soldiers not to intimidate civilians. The
atmosphere

22 was cordial, because we used to visit them and they used to
visit

23 some of us.

24 Q. Thank you very much. Where did you say that SAJ Musa
held

09:53:06 25 this meeting?

26 A. At the late chief, Chief Alhaji Balan Sama's compound.

27 Q. You said it was at a particular place, what place was
it?

28 A. At the chief's compound, Sengbe.

29 Q. Were you present at that meeting?

1 A. Yes, Your Honour.

2 Q. Apart from SAJ Musa were there any other soldiers at the
3 meeting?

4 A. Many, many officers. In fact what prompted the meeting
09:53:43 5 there was one officer who wanted to intimidate a civilian and
he
6 decided to take the money from the civilian. It was that --
the
7 civilian went and reported the matter to SAJ Musa. It was
then
8 that he called up this meeting to tell the Ministry officers
to
9 stop that habit. That was the motive for calling that
meeting,
09:54:08 10 to tell the --

11 JUDGE SEBUTINDE: Could we have the spelling of that
12 chief's name, please.

13 MR MANLY-SPAIN: Yes, please, the spelling of the chief?

14 THE WITNESS: Alhaji Balan Sama, B-A-L-A-N S-A-M-A,
Mara,
09:54:25 15 M-A-R-A, the second.

16 MR MANLY-SPAIN: Thank you very much.

17 PRESIDING JUDGE: There is another matter, Mr Manly-
Spain.

18 I'm not sure whether this witness is, when he refers to
officers,
19 is actually referring to soldiers in general or to actual
09:54:42 20 commissioned ranks.

21 MR MANLY-SPAIN: Yes, sir, I was going to ask him to
22 clarify.

23 Q. Mr Witness, when you speak about military officers, whom
do
24 you refer to?

09:54:53 25 A. I don't know the township usually but those from
lieutenant
26 above, we call them officers.

27 Q. When you said one military officer tried to take the
money
28 of a civilian, who are you referring to?

29 A. The other ranks, a junior officer.

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1 Q. What I want you to do is to distinguish between the
2 officers, officer, officers, the grounds people and those who
3 were of other ranks when you talk?

4 A. Okay, thanks.

09:55:25 5 Q. Thank you very much. I hope that is clear now, Your
6 Honour?

7 A. It is clear.

8 Q. After the RUF came into Kabala, what was the situation
9 like?

09:55:44 10 A. That was the time when the place became extremely
chaotic,
11 started looting shops, started beating people, entering our
12 houses without permission, taking our food, some people
decided
13 to leave the town.

14 Q. Thank you. Do you recall how many RUF people came to
09:56:12 15 Kabala at that time?

16 A. I cannot put a number. There were many. Many.

17 Q. How did you know that?

18 A. Well, you see younger kids with weapons. You see people
19 calling themselves CO 1, CO 2, CO Blood and also they arrived
09:56:36 20 with one Superman in Kabala. Later also Sam Bockarie arrived.

21 Q. Thank you. Do you know who Superman was?

22 A. Well, they told us that he was one of the head of the
RUF.

23 Sam Bockarie also was head of the RUF.

24 Q. Thank you. When the RUF came into town and started to

09:57:07 25 behave that way, do you know whether the SLAs that were in
Kabala

26 did anything?

27 A. Well, they tried to stop the RUF from intimidating
people.

28 They had tussles, three areas, one at Yogomaia, the other one
in

29 town at the roundabout. After some inquiring we decided, some
of

1 us, to try to see whether we can form, revive the Tamaboro so
2 that we can protect some of the civilians.

3 Q. Thank you. You mentioned a place Yogomaia. Can you
please
4 spell it?

09:57:51 5 A. Y-O-G-O-M-A-I-A.

6 Q. Was Yogomaia in Kabala Town?

7 A. Yes, Your Honour.

8 Q. After these incidents between the -- when the soldiers
9 tried to control, if I can put it that way, the RUF, did
anything
10 happen?

11 A. Well, they started fighting each other so they have
12 different groups. Group controlled by Superman, group
controlled
13 by SAJ Musa, so they started fighting each other.

14 Q. How do you know that?

09:58:43 15 A. We usually see them because I was in town.

16 Q. As a result of these incidents did anything happen with
the
17 SLAs?

18 A. Well it was during that one week crisis, we heard the
19 ECOMOG come into Kabala, so some of the SLAs decided to run,
to

09:59:07 20 go to the interior. So when they went some of the RUF stayed
and
21 still they started intimidating people.

what 22 Q. When you say you heard the ECOMOG coming into Kabala,
23 do you mean? Did you hear that they were coming?
24 A. Yes, they were coming, people told us.
09:59:42 25 JUDGE SEBUTINDE: Sorry, who told you.
26 THE WITNESS: People.
27 MR MANLY-SPAIN:
28 Q. What people?
29 A. Civilians. We have a method of communicating in Kabala.

and
and
are
09:59:57

1 Either people use, at times, footpath they travel, they come
2 tell you, if they arrive in Makeni, others run from Makeni,
3 go to Fadugu. If they arrive in Fadugu, people will run from
4 that area and go to Kabala and tell, "They are coming, they
5 coming." That is the way we get most of the news.

6 MR MANLY-SPAIN:

that
and
Kanu

7 Q. Thank you, Mr Witness. Mr Witness, during this period
8 the SLAs were in Kabala, you mentioned two officers, SAJ Musa
9 Colonel Kis Kamara. Did you get to hear that one Santigie

10:00:27 10 was amongst the SLAs that were in Kabala?

11 A. That is a strange name.

12 Q. Did you hear about somebody called Five-Five --

13 A. No.

14 Q -- amongst the SLAs?

10:00:40 15 A. I heard those names during this Okra Hill crisis that
was
16 the time I heard these names.

the
17 Q. Did you hear that one Ibrahim Kamara was at Kabala at
18 time?

19 A. No.

10:00:56 20 Q. And did you hear about one Tamba Brima?

21 A. No.

22 Q. Mr Witness, whilst the SLAs were there, do you know
whether

23 they had other people with them?

24 A. I did not get your question clear.

10:01:25 25 MR MANLY-SPAIN: I do not know whether my learned friend
26 would object to me leading at this stage.

27 MR AGHA: Yes, I would actually object.

28 MR MANLY-SPAIN:

29 Q. The SLAs, you referred to, were they all soldiers?

I
10:01:51

1 A. Most of them were soldiers, most of them. You see the
2 problem we were having is that there are certain people who --
3 some of them had lived with the military officers who were
4 wearing military uniform but they were not military officers,
5 mean they were not SLA.

6 Q. Thank you. Were they all men?

7 A. Most of them were men.

8 Q. Thank you. Mr Witness, you said that the SLAs left
Kabala.

9 Do you know where they went to?

10:02:13 10 A. They went to the interior, places like Koinadugu, places
11 like Gberefe, Mongor, Sekuniya and to the interior.

12 Q. Can you please spell those names for us?

13 A. Koinadugu.

14 Q. Koinadugu we already have, sorry.

10:02:33 15 A. G-B-E-R-F-E [sic].

16 Q. Thank you.

17 A. Mongor M-O-N-G-O [sic].

18 Q. Is Mongor the complete name of the place?

19 A. Yes, Mongor Bendugu.

10:02:54 20 Q. Thank you. Mr Witness, how do you know that, they went
to

21 these places?

22 A. In this respect, later when they were coming to
surrender,

23 some of them told us where they were.

24 Q. Thank you very much. You said when they were coming to

10:03:13 25 surrender, do you know where -- whom do you refer to as
"they,"

26 first of all?

27 A. The SLAs.

28 Q. Thank you. Do you know where they went to surrender?

29 A. Yes, Kabala. When the ECOMOG arrived, they settled in

their
1 Kabala, so they sent messages to the interior. They sent
2 relative to tell them to come and surrender, so some of them
3 started coming. I even wrote letter to some of those officers
4 because I know some of them personally. So they came and then
10:03:53 5 surrendered in Kabala.

6 Q. Please, "they," who do you refer to?

7 A. Okay, the SLA.

8 Q. Do you recall seeing any of the SLAs who came back to
9 Kabala to surrender?

10:04:13 10 A. Yes, like one Major Marah, Ben Marah, Captain JR Sesay,
11 Captain Mohammed O Mansaray, Lieutenant Buba and Captain OJ
12 Sesay.

13 Q. Where were you when you saw them?

with
14 A. Well, I was working with the ECOMOG officers. I was
10:04:47 15 them.

16 Q. Thank you. Were you working with them only in Kabala?

17 A. Within the township. The interior was hostile so I
18 stayed
19 in Kabala with the Civil Defence Force.

10:05:09 20 Q. Thank you. Were you working with the ECOMOG in your
21 position X?

22 A. Yes, Your Honour.

year
23 Q. Thank you very much. Do you recall what time of the

23 that these SLA soldiers came to surrender at Kabala to ECOMOG?

24 A. I think it is around February.

10:05:39 25 Q. Around February?

26 A. Around February the 22.

27 Q. 22, thank you. Mr Witness --

28 JUDGE SEBUTINDE: Which year is this.

29 MR MANLY-SPAIN:

1 Q. What year is that?

2 A. 1998.

3 Q. Thank you, Mr Witness. Mr Witness, did these SLA
soldiers
4 and officers actually surrender to ECOMOG?

10:06:07 5 A. Yes, most of them. Most of them surrendered. Only few
of
6 them who were afraid, like SFY Koroma who refused to come and
7 surrender and Johnny Paul Koroma also refused to come and
8 surrender, because they were afraid.

9 MR AGHA: Can we have some foundation, please, Your
Honour,
10:06:34 10 as to how he knows that.

11 MR MANLY-SPAIN: I will lead on that.

12 Q. How do you know that, Mr Witness, that first of all SFY
13 Koroma was afraid to come and surrender?

14 A. He went and settled at a place called Dogoloya so people
10:06:49 15 met him there and talked to him, but he refused to come.

16 Q. Can you spell Dogoloya?

17 A. D-O-G-O-L-O-Y-A.

18 Q. Do you know which people went to talk to him?

19 A. One of the chiefs in Dogoloya, the section chief went to
10:07:14 20 talk to him. I even wrote a letter and gave it to somebody at
21 CDF telling them that if he comes and surrender, he is safe.

22 Q. Thank you. Mr Witness, do you know who SFY Koroma was?

saying

23 A. He was a, I think military colonel and people were

24 he was a brother of Johnny Paul Koroma.

10:07:35 25 Q. Who was Johnny Paul Koroma?

26 A. He was the head of the AFRC.

27 Q. How do you know that he refused to go and surrender?

28 A. The same method that we used, send people to them to go
and

29 talk to them. People who go and talk to them and if they
don't

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1 turn up, we assume they have refused.

2 Q. Thank you very much. Mr Witness, at the time the ECOMOG
3 arrived in Kabala, do you know who was in charge of them?

4 A. Yes, they have the CO, who was called Unoka at that time
10:08:22 5 and the adjutant was Lieutenant Kabiru Abdula.

6 Q. Okay, do you know the rank and spelling of Unoka?

7 A. U-N-O-K-A.

8 Q. Do you know his rank?

9 A. I think he was a colonel. They called him colonel.

10:08:40 10 Q. Colonel. And Kabiru, how is that spelt?

11 A. It's Captain K-A-B-I-R-U.

12 Q. Do you know what nationality?

13 A. They were all Nigerians. They were under what they call
14 NIBATT, Nigerian Battalion.

10:09:10 15 Q. How do you spell that?

16 A. N-I-B-A-T-T, NIBATT.

17 Q. Were there any other ECOMOG soldiers in Kabala at any
time
18 who were of other -- any other nationality apart from
Nigerian?

19 A. Yes, sir, Guineans were also there.

10:09:26 20 Q. Were they there at the same time as the Nigerians?

21 A. Yes, but because of communication problem we
communicated

22 more with the Nigerians than the Guineans, they speak French.

the

23 Q. Thank you, Mr Witness. Mr Witness, let us please go to

at

24 surrender. You said you were working with the Nigerian ECOMOG

10:09:53 25
and

that time. Do you recall how many Sierra Leone Army soldiers

26 officers actually surrendered?

problem

27 A. I do not know the number, but many surrendered. The

28 we had was when they started surrendering, they told them that

29 they are going to take them to Freetown. At that particular

1 point in time people started moving from Freetown, going to
the
2 interior and telling people that some of the officers in
Freetown
3 have been arrested by the ECOMOG officers. Call name like
4 Colonel Sesay was arrested and other nationalities were been
10:10:42 5 burnt down, like Chief Abu Black and Shek Mustaba because they
6 were collaborators, so this thing frightened some of the SLA
so
7 some refused to come and surrender.

8 Q. Do you know who -- do you know what happened to those
who
9 surrendered?

10:11:11 10 A. Most of what I'm saying, some of these things we get
them
11 through hearsay.

12 MR AGHA: Your Honour, I would object again to this line
of
13 questioning, the reason being is that I suspect that my
learned
14 friend is going where we have been before on this issue.
There

10:11:26 15 are no allegations of SLA soldiers being killed. It is just
16 purely civilians in this area. If we are talking in terms of
17 collective punishment, then that would be a collective
punishment
18 against civilians, not against soldiers and there is no issue
of
19 child soldiers either, so I think this line of questioning is

10:11:45 20 wholly irrelevant in relation to the indictment as the matter
are

21 charged.

22 PRESIDING JUDGE: I think I know what Mr Manly-Spain is
23 going to say. What do you reply to that, Mr Manly-Spain?

24 MR MANLY-SPAIN: We have been through this before, Your
10:12:02 25 Honour.

26 PRESIDING JUDGE: Correct me if I am wrong but you are
27 leading this evidence to show that the people killed were not
28 civilians, they were SLA soldiers, is that correct.

29 MR MANLY-SPAIN: That is why I am [indiscernible] we are

were 1 not leading any evidence that people were killed, soldiers
were 2 killed in Kabala. I think my learned friend prejudged the
were 3 situation. I merely asked what happened to the soldiers who
4 -- who surrendered and if we go a few steps more, we will know
10:12:30 5 that nothing happened to them, such as being killed in Kabala,
by 6 ECOMOG. I take the point my learned friend is making, he has
7 made that point before. While I'm trying to avoid those
8 situations which are of controversy, I want to lead evidence
that 9 shows a story as to what happened until they arrived in
Freetown 10 or wherever, whatever he knows about that. I also have
10:12:53 11 that in another place some of these surrendered soldiers from
evidence 12 Kabala suffered a certain fate. I'm not going to go over that
in 13 much detail anymore but it will be mentioned.

14 PRESIDING JUDGE: But your present evidence is a link in
10:13:17 15 the story this witness is telling.

16 MR MANLY-SPAIN: Yes, sir, with previous evidence that
has 17 been led.

18 PRESIDING JUDGE: All right. Go ahead then.

19 MR MANLY-SPAIN: Thank you, Your Honour.

10:13:24 20 MR AGHA: Your Honour, I still object.

21 PRESIDING JUDGE: No, I have ruled.

22 MR MANLY-SPAIN:

23 Q. Mr Witness, do you know what happened to the SLA
soldiers

24 who surrendered to ECOMOG at Kabala?

10:13:37 25 A. Most of them were kept at the Kabala secondary school.

26 Others were taken to Freetown, as we were told.

27 Q. Thank you. Do you know what happened to those who were
28 kept at Kabala secondary school?

29 A. They were there only for some time and then they were
taken

1 to Freetown.

by

2 Q. Thank you very much. Mr Witness, after this surrender

3 SLA soldiers to ECOMOG in Kabala, did anything else happen in

4 Kabala at that time?

10:14:20
of

5 A. Yes. There are certain civilians who were angry, most

them

6 them have this political way of looking at things. Some of

7 were members of the ruling party, so they handled two military

8 officers, shot them, burnt their body. So I and one other

who

9 individual we went and reported the matter to Kabiru Abdula

10:14:55
stop

10 also called a meeting at the barri in Bawoya and civilian to

11 lynching military officers.

12 Q. Thank you. You said the barri, what is the barri?

13 A. Where they usually settle disputes, locally.

14 JUDGE SEBUTINDE: Mr Manly-Spain, I haven't understood.

10:15:22

15 These officers that were lynched, were they part of those that

16 surrendered?

17 THE WITNESS: Yes, they were coming to surrender.

18 PRESIDING JUDGE: Were they lynched or shot?

were

19 THE WITNESS: Some of them were shot and others body

10:15:31

20 burnt.

21 PRESIDING JUDGE: I thought you said there were two

22 military officers who were shot.

23 THE WITNESS: Yes. No, one was shot the other was burnt
24 alive.

10:15:42 25 JUDGE SEBUTINDE: And you said, Mr Witness, that these
26 officers had surrendered or were going to surrender?

27 THE WITNESS: They were coming to surrender. They were
on
28 the way coming when the civilian captured them.

29 MR MANLY-SPAIN:

1 Q. How did you know this, Mr Witness?

2 A. I went there. I saw the fire burning. I was amazed, I
3 went, I reported the matter to one of my senior. We went and

met

4 the ECOMOG officer, Kabila, who called an immediate meeting
10:16:17 5 admonishing the civilian not to repeat the action.

6 Q. You mentioned earlier, Mr Witness, that there were the
7 Nigerian ECOMOG and the Guineans, also ECOMOG. Do you recall
8 where they stayed, that is each group stayed in Kabala?

9 A. Kabala secondary school.

10:16:42 10 Q. The two group?

11 A. Yes, sir, originally.

12 Q. Later on what happened?

13 A. We had another five days attack because when some of the
14 military officers who refused to surrender were in the

interior

10:16:56 15 heard about these people being burnt alive, so they came and
16 virtually occupied the whole town again, drove the ECOMOG
17 officers and the Guineans so they were combined with some RUF
18 officers.

19 Q. I want you to take it step by step. After the lynching
or
10:17:18 20 the shooting and burning of these two officers, what happened?

21 A. We held a meeting at the barri where the civilians were
22 told not to repeat the action. It was during that time that

that 23 those people in the interior, some SLAs officers, were told

burnt 24 their brothers are being killed in Kabala, they are being

10:17:45 25 alive, so some of them attacked the town.

26 Q. How do you know that they were told?

27 A. When they occupied Kabala some of us were there, they

28 usually tell us, when they come, they would tell you "We heard

29 that you want to kill our brothers. We won't accept it. We

it's
Some
then."

1 heard that's ECOMOG," -- we have to argue and tell them "No,
2 not the ECOMOG is killing your brothers, it's civilians."
3 of them will say "We're going to deal with you civilians

4 Q. Thank you.

10:18:13 5 JUDGE SEBUTINDE: Mr Witness, is that the SLAs?

6 THE WITNESS: Some of the DLAs, yes.

7 JUDGE SEBUTINDE: Some of the SLAs threatened, attacked?

8 THE WITNESS: Yes.

9 MR MANLY-SPAIN:

10:18:23 10 Q. When they attacked Kabala, did you see any of them?

11 A. I saw, I saw many officers, only officers.

12 Q. Did you recognise any of them?

13 A. Yes, few of them.

14 Q. Can you recall those you recognised?

I 10:18:39 15 A. One of them was called a honourable during the AFRC, but
16 don't know -- he's something Tete, Honourable Tete. I don't
17 know the other name.

what 18 Q. Thank you very much. When they attacked, do you know
19 happened to ECOMOG?

10:19:49 20 A. Well, ECOMOG, most of them ran away. They scattered all
21 over, some of them went even to Guinea, from Guinea they came
to

22 Sierra Leone. After some time there was also another
23 intervention from the SLAs and the -- another ECOMOG group who
24 also arrived in Freetown to augment those who were there.

10:19:49 25 Q. Thank you, before we go on to that, Mr Witness, did the
26 SLAs who drove out the ECOMOG stay in Kabala?

27 A. Yes, they stayed for some time.

28 Q. Could you recall how long?

29 A. Five days.

1 Q. Five days. Do you know how they left Kabala?

2 A. It was when they heard that another reinforcement was
3 coming from Freetown. We heard the vehicle. It was then that
4 they retreated back into the interior.

10:20:01 5 Q. Did you personally get any information that ECOMOG was
6 going to Kabala in your role as --

7 A. It was when they were arriving.

8 Q. -- position X?

9 A. It was when they were arriving, we heard these people
10:20:44 10 family saying, "The ECOMOG are coming," so when the SLA left
11 Kabala and the RUF, it was then we saw the ECOMOG also coming.
12 So they went and occupied KSS and also the KIDP lodge.

13 Q. Thank you. Who do you refer to as when we heard from
these
14 people?

10:20:44 15 A. The CDF.

16 Q. Thank you very much. Mr Witness, when the ECOMOG came
17 again to Kabala, what happened? Did anything happen?

18 A. When they arrived, still we sent messages to the
interior
19 to tell some of these people to come and surrender but at that
10:21:02 20 time the attack were frequent.

21 Q. Who do you refer to as "these people."

22 A. The problem we were having --

we 23 Q. No, just please clarify whom you refer to when you say

24 sent to these people to come?

10:21:17 25 A. The SLA.

26 Q. The SLA. Yes, please go on.

27 A. So I want to clarify just an issue. The problem we were

28 having at times, you would have one group of people, they say

29 they are RUF, you have another group of people, they say they
are

RUF, 1 SLA. At times you see some with the RUF, they call them the
2 so there is no permanent line of demarcation between these
3 people. So that is the problem at times we have in referring
to
4 them as the SLA, the AFRC. We regard the AFRC as those
officers
10:22:37 5 who took political appointment and refer to the SLA as those
6 people who never participated in administering [indiscernible]
we
7 would refer to them in Kabala. I want to make that clear.

8 Q. Thank you very much for the clarification, Mr Witness.
So
9 you said that there frequent attacks on Kabala. Now, who were
10:22:37 10 attacking Kabala, if you know?

11 A. Well, we have one lady who attacked Kabala, she was
called
12 Teresa, he was a -- she was an SLA and one Rambo. I don't
know
13 his real name. People said he was also an SLA, I don't know,
so
14 they attacked Kabala once. Some of them were killed,
especially

10:22:43 15 Teresa, she was killed during the attack.
16 Q. How do you know that Teresa and Rambo attacked?
17 A. After the war we went and saw some of the corpses of
people
18 and some captured SLA soldiers. They said that it was Rambo
and

realise 19 Teresa who brought them to Kabala. And also you have to

10:23:11 20 that we have also SLAs among the ECOMOG who were also
defending

21 the Kabala. So we had this problem of SLA fighting SLA.

22 Q. Thank you. Mr Witness, after this incident in which
Teresa

23 got killed, did anything happen in Kabala?

24 A. Well, I only sent information to Freetown explaining to
10:23:47 25 them that people were attacked and many people have died, even
26 the issue was put over the BBC.

27 Q. Thank you. Mr Witness, around what time of the year was
28 that?

29 A. I think it was around September 2009 -- sorry, 1999.

1 Q. 1999?

2 A. Yes, around September. We call it Teresa night.

3 Q. Mr Witness, I want you to go back to 1998 after you had
set
4 up this Civil Defence Force. Was that force set up only in
10:24:34 5 Kabala?

6 A. No. As time went on we started expanding the number,
7 people started coming from the villages and joining.

8 Q. Were there any villages close to Kabala?

9 A. Yes, many villages, you have Dogoloya.

10:25:00 10 Q. Please go slowly?

11 A. Malaforia.

12 Q. And spell them us?

13 A. Have Malaforia.

14 Q. Please spell them for us, as you call them?

10:25:08 15 A. M-A-L-A-F-O-R-I-A, Malaforia.

16 Q. Yes?

17 A. You have Nafagia, N-A-F-A-G-I-A and Condeya, C-O-N-D-E-Y-
A.

18 Q. Thank you. Do you know which of these villages had CDF.

19 A. Well, most of CDF are not permanent. At times we send our
--

10:25:58 20 call them reckey to go and see whether the RUF, SLA are still
21 occupying that place. Like in Koinadugu we had one Mr Brima.

22 Q. Please don't call names?

23 A. Sorry, my apologies.

Your

24 MR MANLY-SPAIN: I apply for that name to be redacted,

10:26:21 25

Honour.

26 PRESIDING JUDGE: Is that going to lead to his identity.

maybe

27 MR MANLY-SPAIN: I don't want him to [indiscernible]

28 he will call other names, that is why I'm cautioning him.

29 PRESIDING JUDGE: Well, there's no point redacting it if

1 it's not going to have any impact on his identity. But if you
2 tell me it is?

3 MR MANLY-SPAIN: No, if he goes further and start
calling

4 other names, I don't think this name in [indiscernible] will
10:26:44 5 disclose that.

6 PRESIDING JUDGE: All right. We will leave that on the
7 transcript.

8 MR MANLY-SPAIN:

9 Q. Yes, please don't call other names of people who were
10:26:54 10 working with you. What I want to know, actually, Mr Witness,
is

11 whether these villages you have mentioned had CDF people
working
12 there?

13 A. Yes, it was after the peace accord that we had permanent
14 CDF people there.

10:27:16 15 Q. Before then, what was the situation?

16 A. No. The place was hostile.

17 Q. Mr Witness, whilst the Nigerian ECOMOG were at Kabala
the

18 second time, what was the nature of the relationship between
them
19 and the people of Kabala?

10:27:38 20 A. It was cordial and the second officer, I think, who went
21 there was Major Brispy [phon], the second officer who went
there

22 was Major Brispy and you have another Major Albert.

23 Q. Thank you. You said that you tried to explain the

24 [indiscernible] of the SLA. Some are referred to as the RUF,

10:29:34 25 some are referred to as SLA and you had other SLAs who were

26 working with the Nigerians?

27 A. Yes, with the Nigerians.

28 Q. I want you to focus on the SLAs who were working with

the

29 Nigerian ECOMOG. Do you remember any of them?

1 A. Yes, I know Colonel Gboni.

2 Q. Can you please spell that?

3 A. G-B-O-N-I-E [sic].

4 Q. Thank you.

10:29:34 5 A. Colonel Gbonie and Major Marah. He was his assistant?

6 Q. Thank you?

7 A. And we have one Lieutenant -- we call him Portokolo,
that
8 is his popular name.

9 Q. Can you please spell that?

10:29:34 10 A. P-O-R-T-O-K-O-L-O.

11 Q. Thank you. What was the relationship between the people
of
12 Kabala and the SLA officers?

13 A. It was cordial. One Lieutenant Nguwuja, he was the
14 adjutant.

10:29:34 15 Q. Nguwuja, can please can you spell that?

16 A. [Indiscernible]

17 MR MANLY-SPAIN: I think we have it before in another
18 context, but I think it's N-G-U-W-U-J-A?

19 Q. At the time, Mr Witness, when -- I am just going back a
10:29:41 20 little. At the time these SLA soldiers surrendered, do you
21 recall how they were dressed?

22 A. Some of them were wearing the SLA uniform.

23 Q. What do you mean by that?

24 A. The combat.

10:29:53 25 Q. Combat?

26 A. Yes, military combat.

27 Q. Mr Witness, when they came to surrender, were they
carrying

28 anything?

29 A. Few of them came with weapons and handed the weapons
over

1 to ECOMOG.

2 Q. Thank you very much. Mr Witness, I want you to recall
3 after the second group of ECOMOG had come and you said that
there
4 were -- were there any attacks on them?

10:31:56 5 A. By the other SLA in the interior, yes and the RUF.

6 Q. Do you know how often?

7 A. Many times. They come and attack and then retreat.
Come
8 and attack and then retreat.

9 Q. Mr Witness, do you recall saying that the SLAs, who had
10:31:56 10 surrendered were taken from Kabala, I believe first group and
a
11 second group?

12 A. Yes.

13 Q. Did you come to know what happened to them?

14 A. Well, not as an eyewitness. When they started bringing
10:31:58 15 these people to Freetown, others were saying a few people, I
16 don't know whether they were ECOMOG officers or other CDF,
they
17 made a checkpoint at Fadugu, they called that place hellgate
18 where they said they started killing some of the SLA but I
cannot
19 testify to that because I was not there. Some of the other
10:31:58 20 military officers also refused to surrender because of that
type
21 of information.

22 Q. Yes, but how did you get to know that?

23 A. The same bush information, people come and tell us, have
24 bypasses.

10:31:59 25 Q. Did you get to know that in your capacity as position X?

26 A. Yes.

27 Q. Mr Witness, during the period you had this organisation,

28 this Tamanboro, do you recall how many of you were operating
in

29 this area?

1 A. The strength?

2 Q. Yes, how many of you?

3 A. The number is not permanent, but about almost 1,000,
1,700,

4 maximum.

10:32:40 5 Q. Do you, Mr Witness, how often did you get information
about

6 the other groups that were fighting in that area?

7 A. Well, virtually every two or three days because we have,
8 like for example, some of the ladies who will go to the
interior

9 and then will come back and then give informations; others
will

10:33:12 10 go again, the others were in love with the SLA; others in love
11 with the RUF; others were also in love with the ECOMOG, so at
12 times they carried this information to fro.

13 Q. To and fro?

14 A. Yes.

10:33:28 15 Q. Mr Witness, when you said they went into the interior,
what

16 do you mean by the interior?

17 A. Out of the township.

18 Q. Do you have in mind any particular places that they went
19 to?

10:33:45 20 A. Same area. Gberefe, Koinadugu, Mongor, Musaia, Falaba,
21 Yifin.

were

22 Q. Thank you. During this period, Mr Witness, when you

Did

23 getting information from these people who went to and fro.

as

24 you get to hear about any of the accused persons in this Court

10:34:11

25 being in one of those places?

26 A. No.

other

27 Q. Thank you, Mr Witness. Did you get to hear about any

SLAs

28 people who were in those places, by that I mean, any other

29 or RUF that were in those places like Mongor?

SAJ 1 A. Yes, like Superman was in Koinadugu, he was there with
2 Superman
3 That
4 took the Alkaliya route and SAJ Musa took the Musaia route.
5 was the time they came to Freetown.

10:34:49 5 Q. Thank you. How did you know?

6 A. The same information, the same reckey, usually send
7 people
8 report.
9 I even have -- come with letters.

10 Q. Thank you. Mr Witness, you've used the word reckey, how
11 do
12 you spell that word?

13 A. I think it is a military --

14 Q. I just want you to spell it [indiscernible], the way you
15 have used it?

16 A. R-E-C-K-Y [sic].

10:35:27 17 Q. Do you know whether that is English or any other
18 language?

19 A. No, no.

20 Q. Do you know any other word for it?

21 A. Well, you can say spy.

22 Q. And can you explain what reckey is all about?

10:35:41 23 A. It's to go and look out for information and then come
24 and

girls
21 report to us. At times we have men who are reckys, we have
22 who are reckys.
23 Q. When you receive those information from the people who
have
24 gone to, do you do anything with the information?
10:36:08 25 A. Yes, we share the information with the ECOMOG and then
send
26 a letter to the co-ordinator in Freetown, Mr Dumbuya.
27 Q. As a result of those information, did you and your
group,
28 together with ECOMOG, act on them?
29 A. Yes, once we attacked them at Koinadugu because every
now

1 and then we hear threat that they are going to attack us. The
2 next day, they are going to attack us, the next day. So we
3 decided to go and attack them. To drive them from that area.

Court

4 Q. Please clarify a couple of points for me and for the

10:36:55 5 I hope. Mr Witness, when you said "we attacked them," who are
6 "we"?

7 A. A combination of SLA and the CDF.

8 Q. Which SLA now are you talking about?

9 A. The surrendered SLA, those with the ECOMOG.

10:37:14 10 Q. Those with the ECOMOG. And when you said "them" --

11 A. I meant the RUF and the SLA in the interior, those who
12 refused to surrender.

13 Q. Thank you very much. Mr Witness, you said you attacked
14 them in Koinadugu Town?

10:37:39 15 A. Koinadugu village.

16 Q. Koinadugu village. Do you recall when that happened?

17 A. I cannot fix a date, but it was -- I cannot fix a date
now.

18 Q. Thank you. Mr Witness, did you personally go on that
19 attack?

10:37:59 20 A. Yes.

21 Q. Those who were at Koinadugu village, do you know who
their
22 leaders were?

23 A. Yes, it was SAJ Musa and Superman.

24 Q. Thank you. Do you know what happened as a result of
that

10:38:22 25 attack?

26 A. They realised that the place was not safe, so they
divided

27 into two groups. Superman took the Alkaliya route and SAJ
Musa

28 took the Musaia route. It was then that they came to
Freetown.

29 Q. Thank you, Mr Witness. Mr Witness, apart from the CDF
and

fighters 1 the surrendered ECOMOG -- surrendered SLA, did any other

2 go with you?

3 A. Only the CDF and the SLA. Only CDF and SLA.

4 Q. Thank you very much. Mr Witness, you said that Guinean

10:39:20 5 ECOMOG were at Kabala at one time?

6 A. Yes.

7 Q. At this time that you were going on this attack --

8 A. They were at KSS they did not go.

9 Q. They were still at?

10:39:31 10 A. KSS.

11 Q. What about the Nigerians?

12 A. They were at the KIDP office.

13 Q. Did they take any part in this attack?

14 A. No, they did not.

10:39:41 15 Q. Thank you very much.

16 A. They only gave us weapons.

to 17 Q. Thank you. Do you recall what type of weapons they gave

18 you?

think 19 A. I think it is AK-47, there were some berettas and I

10:40:12 20 one RPG, was used by one --

21 Q. Sir, please do not call any names.

22 A. Okay.

23 Q. Thank you very much. Mr Witness, I want you to
24 recall after this attack, what happened?

10:40:31 25 A. After the attack at Koinadugu?

26 Q. Yes.

27 A. I made it quite clear that after the attack we retreated
28 back to the Kabala. I don't know what happened between the

SLA

29 and the RUF. People told us that they quarrelled, so they

1 divided into the two groups. The SLA led by SAJ Musa went to
2 Musaia and the RUF led by Superman took the Alkaliya route.

a 3 Q. That is what I wanted you to clarify, whether it was as
4 result of your attack --

10:41:04 5 A. Yes, yes.

6 Q. -- that they left Koinadugu village?

7 A. That may be one of the reasons.

8 Q. Thank you, Mr Witness. Mr Witness, when you made this
9 attack did you find out, apart from SAJ Musa, who the other --
10:41:32 10 sorry SAJ Musa and Superman -- whether there were other senior
11 SLA officers in Koinadugu at the time of your attack?

a 12 A. Yes, they were military officers. I have forgotten the
13 name of some. One is something Komba Gbundema. I think he's
14 colonel, but I have forgotten his real name?

10:42:08 15 Q. Did you find out whether any of the three accused in
court 16 today were at Koinadugu village at the time when you attack?

17 A. No, no.

18 Q. When you say no?

19 A. No idea.

10:42:20 20 Q. Did anybody tell you that they were there?

21 A. Nobody told me.

when 22 Q. Thank you, Mr Witness. Mr Witness, during this period

to 23 you were acting in your role as position X, did you have cause
24 leave that area, Kabala and its environs at any time?
10:42:53 25 A. Left Kabala?
26 Q. Yes, to go somewhere?
27 A. Yes, I came to Freetown once to give information to the
28 authorities here.
29 Q. Do you recall how long you were in Freetown?

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1 A. I think I spent here almost two weeks.

2 Q. Thank you very much. The authorities you were talking
3 about, who were they, I don't mean for you to call names, just
4 offices?

10:43:22 5 A. One is a member of the ECOMOG. The other is a member of
6 parliament and the others are just influential personalities
from
7 Kabala.

8 Q. Thank you very much. After -- with your trip to
Freetown,
9 did you go back to Kabala?

10:43:44 10 A. Yes.

11 Q. When you returned, did anything happen?

12 A. I don't know what you want me to say here.

13 Q. I just want you to continue with your story.

14 A. Okay. When I arrived here I was given some weapons by
the

10:45:07 15 government and some cash, about 2 millions, and some bags of
16 rice, so we told one of the surrendered SLA officers --

17 Q. When you returned?

18 A. -- yes, yes, when I came to Freetown after the meeting.

19 Q. Yes.

10:45:07 20 A. One of the SLAs, surrendered SLA officer was here, who
was

21 here, who was a captain, a major, sorry, and one retired SSD,
so

22 they gave them the weapon and the food and they took it to
23 Kabala. That was the time that we attacked Koinadugu.

24 Q. Okay. Thank you. When you said the government, whom do
10:45:07 25 you --

26 A. The people in authority.

27 Q. People in authority. Okay, thank you. That is good
enough

28 for me. Mr Witness, was that the only time you received this
29 kind of support from Freetown?

1 A. No. No. During that time also other people were given,
2 like my superior in the Civil Defence Force, he came to
Freetown,
3 and he also was given bags of rice and some money.

4 Unfortunately, when he arrived at Kambia, he realised that
there
10:45:33 5 was a trouble in Makeni, so I think they sold the rice and
went
6 with the money to Kabala, in Kambia.

7 Q. Thank you very much. Mr Witness, when you had gone
back,
8 was there any other attack on Kabala?

9 A. The attacks were so frequent that I can say up to nine
10:45:52 10 times, but the main attack you usually remember is that five
days
11 attack and that Teresa night which most of us will never
forget.

12 These are the two events that we will never forget in Kabala.
So
13 the intermittent attack, they will attack and retreat, attack
and
14 retreat which were the major attacks.

10:46:15 15 MR MANLY-SPAIN: Your Honours, at this stage may I ask
for
16 a break?

17 PRESIDING JUDGE: Yes, that is an appropriate time.
18 Mr Witness, we are going to have a break. I may as well tell
you

are 19 this now: That throughout the course of your testimony you
10:46:34 20 not permitted to discuss the evidence or the case with anybody
21 else; is that clear?
22 THE WITNESS: Yes.
23 PRESIDING JUDGE: All right. We're going to have a
break 24 now until 11.00.
10:47:07 25 [Break taken at 10.45 a.m.]
26 [Upon resuming at 11.05 a.m.]
27 PRESIDING JUDGE: Mr Manly-Spain, go ahead.
28 MANLY-SPAIN: Thank you, Your Honour.
29 Q. Mr Witness, welcome back.

1 A. Yes. Right.

certain

2 Q. Mr Witness, we are about to finish now. So I have

the

3 questions to ask. Mr Witness, you have told this Court that

4 attacks on Kabala continued up until sometime in 1999; do you

11:06:59

5 remember saying that?

6 A. Yes.

and

7 Q. Thank you. Mr Witness, do you remember whether the CDF

8 the SLAs that were with ECOMOG attacked any other places?

9 A. Koinadugu.

11:07:14

10 Q. Apart from Koinadugu Town, Koinadugu Village?

11 A. Okay. Koinadugu Village and they also went to Musaia?

12 Q. Musaia?

13 A. Yes, Musaia.

14 Q. Can you spell that?

11:07:32

15 A. M-U-S-A-I-A.

16 Q. And can you tell this Court whom you attacked?

17 A. SAJ Musa group.

18 Q. SAJ Musa. You have been speaking, Mr Witness, about the

19 unsurrendered SLAs. Who -- do you know who their leader was?

11:08:04

20 A. Well, we get names, many names, but most are -- I've

21 forgotten some of their names, except if I'm reminded about.

22 They have -- most of them have code names or false names, yes

23 sir.

those

24 Q. Yes. But what I'm asking you specifically now, among

11:08:24

25 names, did you hear the names of the accused who are here now?

26 A. No.

in

27 Q. Okay. Mr Witness, you, as in your position X, you have

28 told this Court that you received information about activities

29 areas surrounding Kabala. I want to ask you what this

1 information consists of?

2 A. The one, like, for example, at Fadugu, I told you, they
3 told us that there was a checkpoint at Fadugu where some SLA
4 people were victimised. But this are just information. I

cannot

11:09:19 5 justify it or deny it. Some of the SLAs refused to surrender
6 because they said they are being killed at Fadugu and Fadugu

was

7 called the Hell Gate, as far as they were concerned.

8 Q. Thank you. What I'm really asking you about is that
9 whether you received information about specific things that

11:09:38 10 happened in the area. For example, when there were lootings.

11 A. Okay.

12 Q. Did you, in your capacity, receive information in the
13 network on that?

mixed

14 A. The problem with the interior is that you have this

11:10:03 15 group. At times you may hear, for example, at Koinadugu, that
16 they used the word "rebels are looting." The rebels may imply
17 the SLA, they may imply the RUF; so these are the type of
18 information that usually -- they are looting.

19 Q. Thank you. In that capacity, would you be receiving
11:10:25 20 information about the terrorising of people in the area?

21 A. Yes, in the villages, yes.

22 Q. And you will be receiving information, I take it, about
23 killings?

24 A. Yes.

11:10:40 25 Q. By these combination --

26 A. Combination.

27 Q. -- of rebels, SLAs, et cetera?

28 A. At times we have also a method of judging these people.

29 They have trademarks. For example, if the SLA attack, the way

1 they shoot attacks may be different from when the RUF attack,
the
2 way they shoot. For example, the SLA, when they shoot, it is
3 restrained. At times there is -- it is not frequent. But
when
4 the RUF is attacking, it is sporadic. It is rampant. It is
11:11:18 5 indiscriminate. So at times we judge them from that way of
6 shooting. At times, if the SLA is attacking, they don't make
7 noise, they don't shout, while the RUF will shout threatening
8 remarks; they will abuse. So at times, when they also loot,
the
9 method of looting may be different. The SLA, some of them
will
11:11:42 10 only take food and then move, while the RUF will burn down the
11 houses at times. At times rape people. So that is the way we
12 look at them.

13 Q. Thank you. Thank you, Mr Witness. You also received
14 information about sexual violence --

11:11:56 15 A. Yes.

16 Q. -- and things like that?

17 A. Yes, yes.

18 Q. Abductions?

19 A. Abductions, yes.

11:12:14 20 Q. Mr Witness, I want you now to please tell this Court how

Kabala

21 many times these (unsurrendered) soldiers, SLAs, stayed in

22 Town?

the

23 A. After, after the intervention, they stayed there up to

was

24 time when they were attacked at Koinadugu Village, because it

11:12:34

25 from Koinadugu Village that they started moving. They came to

26 Makeni. From Makeni they came to Freetown.

27 Q. I want you to concentrate on Kabala itself.

28 A. Okay.

29 Q. How many times they stayed in Kabala?

1 A. Well, for a long time. Almost -- almost eight to nine
2 months. They stayed there for long time. They moved from one
3 village to another, one section to another.

4 Q. Okay. Thank you.

11:13:02 5 A. Okay.

6 Q. During that period you've told this Court that you met
with
any
7 them, et cetera. Did you witness any the SLAs perpetrating
8 sexual violence on women and children, on girls?

9 A. No, I don't have, no. In Kabala Town, no.

11:13:25 10 Q. Yes.

11 A. In the interior towns, we hear rumours about what they
call
12 bush wives, but I cannot authenticate it. I cannot --

13 Q. Just in Kabala, did you witness the use of any physical
14 violence by SLAs on the population?

11:13:44 15 A. On the population?

16 Q. People resident in Kabala, the town?

17 A. No.

18 Q. And did you witness any acts of mutilation?

19 A. No.

11:13:59 20 Q. By SLA soldiers on civilians in Kabala?

21 A. No, no.

22 Q. Did you, yourself, Mr Witness, see any person in Kabala
who

23 had the letters AFRC carved on them, their foreheads or
 chests?

24 A. No.

11:14:26 25 Q. Mr Witness, did you witness any abductions of women and
 26 child from Kabala?

27 A. No.

28 Q. Men, women, children from Kabala?

29 A. No.

the
1 Q. Did you yourself also witness any child soldiers among
2 SLAs whilst they were in Kabala?
3 A. Among the SLAs?
4 Q. Yes.
11:14:57 5 A. No.
that
6 Q. Mr Witness, were you given any reports of such things
7 I asked you specifically about?
8 A. If I?
9 Q. If you received any reports of those things in Kabala,
not
11:15:13 10 in the surrounding villages?
11 A. No, no.
12 Q. Thank you, Mr Witness. That is all I have for you.
13 MR MANLY-SPAIN: Thank you, Your Honours.
14 PRESIDING JUDGE: Thank you Mr Manly-Spain. Can I
assume
11:15:27 15 as with the other witnesses that that witness is a common
16 witness.
17 MR DANIELS: That is so Your Honour. I may have a few
18 questions.
19 PRESIDING JUDGE: Yes, go ahead.
11:15:38 20 EXAMINED BY MR DANIELS:
21 Q. Morning, Mr Witness?

22 A. Good morning.

23 Q. Mr Witness, this morning you told us about the RUF
coming

24 into Freetown and you mentioned that the place became chaotic.

11:16:00 25 Do you recall?

26 A. Yes.

27 Q. When exactly was this?

28 A. After the May coup -- after the AFRC coup, then they
were

29 summoned through the media to come to the Freetown and then
they

1 arrived.

2 Q. Did you see them yourselves?

3 A. Yes.

4 Q. Where was this?

11:16:16 5 A. The place.

6 Q. Yes?

7 A. At Circular Road.

8 Q. And about how many of them came?

9 A. Many, I cannot count, sir.

11:16:25 10 Q. Do you know where they were coming from?

11 A. From the interior.

12 Q. Do you know who their leader was?

13 A. He was called Sam Bockarie.

14 Q. Was he also in Freetown?

11:16:40 15 A. Yes, he came later.

16 Q. You also told us today about a meeting in Kabala Town?

17 A. Yes.

18 Q. When SAJ Musa and one Kis Kamara were present. When
19 exactly did that meeting take place?

11:16:56 20 A. It was, I think February, around the 15th of February.

21 Q. And you said that at that meeting it was alleged that
the
22 government was arming the Kamajors?

23 A. Yes, that is what he said.

24 Q. Who said?

11:17:23 25 A. Kis Kamara.

26 Q. Do you know whether it was true?

27 A. I have no idea.

28 Q. You also mentioned about officers who were born in
Kabala

29 returning to Kabala?

1 A. Yes.

2 Q. Which officers are you referring to?

3 A. Colonel Kis is one of them.

4 Q. Any others?

11:17:52 5 A. Lieutenant Buba is another.

6 Q. Can you spell Buba, please?

7 A. B-U-B-A. Then Lieutenant -- Captain MO Mansaray, is
8 another.

9 Q. You also mentioned another meeting held by SAJ Musa at
the
11:18:12 10 Sengbe chief's compound?

11 A. Yes.

12 Q. Do you recall?

13 A. Yes.

14 Q. And when exactly was that one?

11:18:14 15 A. It was within the same week.

16 Q. In February 1998?

17 A. Yes.

18 JUDGE DOHERTY: Mr Daniels, I did not here the year the
19 witness said.

11:18:28 20 MR DANIELS: Can you kindly repeat.

21 THE WITNESS: Within the same week. After the meeting
at
22 the community then SAJ Musa called another meeting at the
chief's

23 compound.

24 Q. Could we have the year, please? The year?

11:18:40 25 A. 1998, February around 15, first meeting.

26 JUDGE SEBUTINDE: 1988, you said?

27 THE WITNESS: 1998, sorry.

28 Q. Thank you. You also mentioned that the RUF came into

29 Kabala Town one week after that, the meeting?

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1 A. Yes.

2 Q. How do you know that they came into --

3 A. I was there. They met me at my place.

4 Q. Do you know where they came from?

11:19:11 5 A. They told us from Freetown. They were driven from

6 Freetown.

7 Q. The RUF, when you say the RUF, who do you mean?

8 A. They were headed by Superman and one Captain Abdul

Rahman D

9 Kobah, alias Blackman, Johnny Hemoe, another captain.

11:19:32 10 Q. Can you spell the second, Hemoe for us please?

11 A. H-E-M-O-E, Johnny, he is called Johnny Hemoe.

12 Q. How long did they stay?

13 A. They stayed there about a week before ECOMOG arrived and

14 they went to the interior.

11:19:58 15 Q. When they came, during the period that they were in

16 Kabala --

17 A. They drove us from our houses.

18 Q. I'm coming to that. Were any houses burnt by the RUF in

19 Kabala during that period?

11:20:13 20 A. Only one house was burnt. Only one house. Others were

21 saying it was the RUF. Others were saying it was not the RUF,

22 but I cannot --

23 Q. Do you know whether the RUF committed any rapes --

24 A. Yes, many.

11:20:27 25 Q. -- against young ladies?

26 A. Yes, yes.

27 Q. How do you know?

28 A. The ladies told me. I don't want to call their names
here

29 but they themselves told -- like Superman raped one lady that
I

1 know of.

2 Q. Please don't mention her name. When you say many ladies
3 were raped, can you try your best to be a bit more specific?

4 PRESIDING JUDGE: You said not to mention the name, do
you
11:20:53 5 mean how many?

6 MR DANIELS: How many. The numbers, I'm talking about
7 numbers, I'm not talking about those who.

8 THE WITNESS: It was four or five of them. In fact,
that
9 was what motivated some of us to form the CDF, that raping.

11:21:12 10 MR DANIELS:

11 Q. I see. Are you aware of any abductions that took place
12 while the RUF were in -- during that [overlapping speakers]?

13 A. Yes.

14 Q. Without mentioning names, can you tell the Court,
please?

11:21:31 15 A. Well, like that Captain Abdul Rahman D Kobah, alias
the
16 Blackman. I know of a lady that he abducted. Still I know
and
17 lady, she is still around. And one junior also raped a lady
18 the lady is there still with the child in Kabala.

19 Q. Do you know whether the RUF conducted any mutilations?

11:22:01 20 A. No, I only heard about that, I didn't see. But I have
seen
21 a man on his chest was written RUF.

22 Q. You saw a man?

23 A. Yes, he is living in the village around Koinadugu and

24 Badala.

11:22:18 25 Q. Do you know who put that mark?

26 A. He told me it was the RUF.

27 Q. He told you it was the RUF?

28 A. Yes.

29 Q. Do you know whether the RUF at that period had any child

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1 soldiers with them?

2 A. Well, a greater percentage of them were children.

3 Q. When you say children --

4 A. Below the age of 18.

11:22:41 5 Q. They were mostly below the age of 18?

6 A. Many of them.

7 Q. Do you know whether they were free to do what they
wanted,

8 the children?

9 A. Well, I don't know the relations with their bosses, but

11:23:02 10 there were many.

11 Q. Do you know of any killings that took place in Kabala
Town

12 at that period by the RUF?

13 A. Yes. Even they killed themselves at times within the
town.

14 Q. So within that week, do you know how many civilians lost
11:23:28 15 their lives?

16 A. I only know of one that I saw.

17 Q. And the RUF, were they armed?

18 A. Yes, they were armed. Most of them were armed, in fact
at

19 times they would attack the SLA and take the weapons from the
11:23:45 20 SLA.

21 Q. What kind of arms were they?

22 A. AK-47. They have different types of guns.

Superman 23 Q. You also told this Court that you were told that

24 was their leader?

11:24:14 25 A. Yes.

26 Q. Who told you this?

27 A. One of them. Who told me Superman, it is a common

28 knowledge that we regard all the RUF -- as soon as we hear

29 Superman, we take him as their boss. Because he gives them

1 command. He sends them. I was even there once when a lady at
2 Gbaworia was captured, she was taken to Superman. She slept
with
3 Superman in the morning, she came and then she told some
others
4 that she was raped by Superman.

11:24:41 5 Q. How do you know this?

6 A. She told me. She is still in Makeni presently.

7 Q. Did you see Superman personally?

8 A. No, I did not see him.

9 Q. Have you ever seen him?

11:25:00 10 A. No.

11 Q. You also mentioned that Mosquito also came?

12 A. Yes, to Kabala.

13 Q. To Kabala. During that period?

14 A. Yes.

11:25:10 15 Q. Who told you that?

16 A. That was the first time I saw him, somebody pointed him
out
17 to me, that that man is Sam Bockarie. We were hiding.

18 Q. So you saw him personally?

19 A. Yes.

11:25:25 20 Q. Can you describe him?

21 A. Well, he is not that tall. He is relatively small.

22 Q. You also mentioned that the ECOMOG eventually came to

23 Kabala Town?

24 A. Yes.

11:25:49 25 Q. Do you know where they were coming from?

arrived 26 A. They told us from Freetown. They told us when they

places 27 in Kabala, give them water, after drinking we showed them

told 28 where they -- we told them to go and camp. It was they who

29 us that they came from Freetown.

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1 Q. Do you know whether they came directly from Freetown?

2 A. From Freetown? No from Freetown to Kabala.

3 Q. I'm saying do you know whether they came directly?

4 A. No.

11:26:18 5 Q. You don't know or the answer is no?

6 A. They told me in Kabala that they were from Freetown.

7 Q. Very well. And you also mentioned about surrendered SLA
8 soldiers who you were told were sent to Freetown?

9 A. Yes.

11:26:35 10 Q. You recall?

11 A. Yes.

12 Q. Do you know whether the surrendered SLA soldiers
eventually
13 got to Freetown?

14 A. Well, few -- some of them got to Freetown. I got

11:26:46 15 information that some of them got to Freetown, but the others
I
16 have no idea, because I didn't see them up to now. I haven't
17 seen them up to now.

18 Q. You also told us of a five day attack by the SLA.

19 A. SLA RUF combined.

11:27:03 20 Q. Could you, for emphasis and clarity, please tell us when
21 exactly that took place?

22 A. The five days attack, I think it was also in February.

It

23 was the end of February, around the 22 February 1998.

24 Q. Do you know where that group were coming from before
they

11:27:38 25 attacked?

26 A. From the interior, the villages.

27 Q. And you also mentioned the Rambo attack.

28 A. Yes, Teresa night.

29 Q. Is that the same as the Teresa night?

1 A. Yes, the Rambo attack, and Teresa night is the same.

2 Q. And that took place?

3 A. In September, I think but that is 1999, not
4 '98.

11:28:06 5 MR DANIELS: Thank you very much.

6 PRESIDING JUDGE: Thank you, Mr Daniels. Nothing else
7 arising in chief?

8 MR GRAHAM: Your Honours, with your kind permission I
would
9 have a few questions for the witness.

11:28:20 10 PRESIDING JUDGE: All right. Try to avoid repetition,
Mr
11 Graham.

12 EXAMINED BY MR GRAHAM:

13 Q. Good morning, Mr Witness.

14 A. Good morning.

11:28:29 15 Q. Mr Witness, you earlier on in your testimony told
16 this Court that the RUF, and I stand to be corrected, attacked
17 the SLAs and took their weapons; is that right?

18 A. Yes.

19 Q. How do you know that, Mr Witness?

11:28:47 20 A. I was there in town. I see sitting down, I saw them
21 meeting the SLA, taking the weapons from some of them. Some
SLAs
22 were even avoiding the quarrel because they did not want to

23 fight. One SLA made it quite clear that they were together in
24 Freetown, they see no reason why they should fight in Kabala.

11:29:08 25 These guys wanted weapons so they took it from some of the SLA
26 soldiers.

27 Q. Mr Witness, you said you saw them. How many RUF did you
28 see attacking the SLA to take their weapons, how many of them

did

29 you see?

see
1 A. It is frequent. It's frequent. Every day or two you
2 that.

the
3 Q. And did you see the kind of weapons that they took from
4 SLA?

11:29:35 I 5 A. Like AK-47 is one. I even -- I even saw even one of --
6 don't know whether the -- how do you call it, this RPG. They
7 call it RPG.

this
8 Q. Thank you, Mr Witness. Mr Witness, you have just told
9 Court that this attack that you referred to too place
frequently;

11:29:58 10 can you tell this Court approximately, to the best of your
11 knowledge, how many times did you see or hear about such
attacks
12 by the RUF on the SLAs, for their weapons?

13 A. In Kabala, about nine times.

can
14 Q. Thank you, Mr Witness. And how come you know, if you
11:30:25 15 tell this Court that it was nine times, Mr Witness?

16 A. I said about nine. We count the attacks. The major
17 attacks were three of them; the major attacks. Others, they
will
18 come and go.

19 Q. Thank you, Mr Witness. And Mr Witness, if I may go back

11:30:36 20 again to your earlier testimony before this Court, you did
tell

21 this Court that there was an attack on SAJ Musa; am I right?

22 A. Yes.

23 Q. And you did also tell this Court, I stand to be
corrected,

24 that you were part of this attack; am I right?

11:30:53 25 A. Yes.

Your 26 Q. Mr Witness, how many times, if at all, did you, sorry,
apart 27 Honours, did you conduct any other attack against SAJ Musa

28 from this one that you've mentioned to this Court?

29 A. Well, I only travel. I only went with them once.

1 Q. Okay.

2 A. And the reason being that among them I was the man who
was
3 little bit literate, so I was doing the paperwork. So I went
4 there to, just to experience, to see what an attack was. That
11:31:32 5 was what took me there.

6 Q. Thank you, Mr Witness. And Mr Witness, you just
mentioned
7 that you were literate and that you used to do the paperwork.
8 Without mentioning or disclosing any information that will
reveal
9 your identity, can you tell this Court what you mean by doing
the
11:31:53 10 paperwork?

11 A. Like giving passes to people, like writing, sending
12 information, co-ordinating with ECOMOG, taking interviews,
13 reading letters, responding to letters; that is the paperwork
I
14 mean.

11:32:11 15 Q. And, Mr Witness, from whom were these letters coming
from?

16 A. From Freetown, and from people in the villages who are
17 giving us -- who usually give us information.

18 Q. Thank you. And you also did mention passes?

19 A. Yes.

11:32:25 20 Q. And what kind of passes are you talking about?

was
may
then

21 A. If somebody wants to come to Freetown because the place
22 volatile, we want to identify him as a CDF officer so that he
23 get security. We give him pass. He comes to Freetown and
24 deliver message or take something and then return.

11:32:42
back
do

25 Q. Thank you, Mr Witness. Mr Witness, I'm bringing you
26 to the attack on SAJ Musa that you've told this Court about;
27 you know how this attack was planned?

28 A. Yes. Well, I was part of that group that planned that
29 attack. We were angry with --

1 Q. Mr Witness, before you go on, please, let's take our
time.

2 We want this Honourable Court to have all your testimony, so
3 please just take your time.

4 A. Okay.

11:33:09 5 Q. Mr Witness, you just told this Court, and I stand to be
6 corrected --

7 PRESIDING JUDGE: He was part of the group that planned
the
8 attack. Let's go from there.

9 MR GRAHAM: Yes.

11:33:18 10 Q. What, when you say "the group," I was going to ask you,
11 what group are you referring to?

12 A. The SLA and the CDF, because they were at Koinadugu
Village
13 and we needed food, and they are on the highway. We don't
14 usually get food. And this frequent psychological threat was
15 there, so we decided the best thing to do is to go and
11:33:39 15 frighten
16 them, so that they leave the place, at the end of the day we
17 would get respite.

18 Q. Okay.

19 A. So we met together and discuss with the ECOMOG boss and
the

11:33:50 20 Guineans, and they gave us weapons and then some of the SLAs

us 21 volunteered to accompany us to Koinadugu Village. They gave

22 one lieutenant who decided to be the commander and then we
went.

23 Q. And, Mr Witness, do you know approximately how many of
you

24 constituted this group that planned the attack on SAJ Musa?

11:34:16 25 A. Well, about -- I cannot give you the exact number
because

26 the SLA had their number, the CDF has their own number. The
SLAs

27 almost a platoon, I think, a platoon or two. I don't know the
28 number.

29 Q. Thank you, Mr Witness. Mr Witness, you said the group
was

1 made up of the -- also the SLAs, but earlier on you did draw a
2 distinction in this Court between the SLAs, and when you say
the
3 SLAs, which type of the SLAs are you referring to that was
part
4 of this group?

11:34:46 5 A. The surrendered SLA.

6 Q. Thank you, Mr Witness. And, Mr Witness, this group that
7 you said planned the attack, did this group have a leader?

8 A. Yes.

9 Q. Do you know who that person is, Mr Witness?

11:35:01 10 A. Yes.

11 Q. Can you tell this Court the name?

12 A. Lieutenant Portokolo.

13 Q. Thank you. Can you spell that, Mr Witness?

14 JUDGE DOHERTY: He spelled it already, Mr Graham.

11:35:17 15 MR GRAHAM: Okay. Thank you, Your Honour.

16 Q. And, Mr Witness, do you know the size of the manpower
that
17 attacked SAJ Musa?

18 JUDGE DOHERTY: He answered that too.

19 JUDGE SEBUTINDE: You already asked him and he said he
11:35:34 20 could not estimate.

21 MR GRAHAM: Thank you.

22 Q. And, Mr Witness, do you know the types of weapons that
were

23 used in the attack?

24 A. We used one RPG, AK-47, and that traditional gun called

a

11:35:49 25 -- usually you call them the single barrel gun, went with some
of

26 them.

27 Q. Mr Witness, do you know who provided these weapons?

28 A. The SLA and the ECOMOG provided them.

29 Q. And, Mr Witness, do you also -- do you know whether
there

there
1 were any civilian deaths as a result of the attack? Were
2 any civilian deaths as a result of the attack on SAJ Musa?
3 A. No.
4 Q. Thank you, Mr Witness. Mr Witness, earlier on you told
11:36:24 5 this Court that - and I stand to be corrected -- that you came
to
6 Freetown for, and you were given money and arms by people in
7 authority?
8 A. Yes.
9 Q. Could you, if you can, explain to this Court what you
mean
11:36:40 10 by people in authority?
11 A. Except if you want me to call their names, I can do
that.
12 Q. Yes, Mr Witness, you can do that.
13 A. Okay. Honourable SB Marah.
14 Q. Could you spell the Marah for this Court, please?
11:36:57 15 A. M-A-R-A-H.
16 Q. And do you know what -- whether he had any position?
17 A. He was the leader of the house.
18 Q. And when you say "leader of the house," what do you
mean,
19 Mr Witness?
11:37:03 20 A. Parliament. Leader of parliament.
21 Q. And are you referring to the parliament of Sierra Leone?

22 A. Yes.

23 Q. Thank you, Mr Witness.

24 A. And also Chief Mangalahai.

11:37:11 25 Q. And could you spell that for the Court, please?

26 A. M-A-N-G-A-L-A-H-A-I.

27 Q. And do you know whether this chief also held any
position?

28 A. He was also representing the chiefs in parliament.

29 Q. Thank you. And apart from these two names that you've

1 mentioned, do you know the names of any other individuals?

2 A. Yes. One Dr Barria was also a member.

3 Q. Could you spell Barria for the Court, please?

4 A. B-A-R-R-I-A.

11:37:45 5 Q. Thank you, Mr Witness. And, Mr Witness, this, apart
from

6 these three names, do you recall any other names?

7 A. Maxwell Khobe, the head of the ECOMOG boss.

8 Q. That is four names. Do you recall any other additional
9 names, Mr Witness?

11:38:09 10 A. I cannot recall now.

11 Q. Thank you. And, Mr Witness, if you can, when you were
12 given the money and arms, that you told us, was it given to
you
13 by the people that you just mentioned?

14 A. Yes. When they told me about the weapon, told me about
the

11:38:29 15 money and the rice, I told you I -- we recommended one Captain
16 Ben Marah, and one CPO TK Mansaray to take the weapons to
Kabala.

17 They used the chopper and they took the weapons to Kabala. I
did
18 not go with it.

19 Q. Thank you, Mr Witness. And, Mr Witness, after you met
them

11:38:50 20 and they gave the money and arms, did they tell you anything
21 before this?

strengthen 22 A. They only told me [indiscernible] they want to
23 the CDF. That is the support they are going give the CDF.
testimony 24 Q. Thank you, Mr Witness. Mr Witness, also in your
11:39:08 25 before this Court earlier on, you did draw a distinction in
the, 26 according to you, the shooting pattern of the RUF --
27 A. Yes.
the 28 Q. -- and the SLA. Can you tell this Court how you know
SLA? 29 distinction between the shooting patterns of the RUF and the

1 A. Well, the SLA at times when they shoot they --

2 PRESIDING JUDGE: Look, you've already told us that.

3 MR GRAHAM:

4 Q. How do you know that?

11:39:30 5 PRESIDING JUDGE: The question is how do you know --

6 MR GRAHAM: Thank you.

7 PRESIDING JUDGE: -- about that difference in the
shooting
8 patterns.

9 THE WITNESS: Is the way they shoot.

11:39:37 10 PRESIDING JUDGE: The question is: How do you know
about
11 that?

12 THE WITNESS: I hear it every now and then in Kabala.
13 Every two, three, four days they have an attack.

14 PRESIDING JUDGE: Well, that's your answer.

11:39:49 15 THE WITNESS: What?

16 PRESIDING JUDGE: You have already told us about the
17 shooting pattern. I think, Mr Graham, you are asking how he
18 knows; is that right?

19 MR GRAHAM: Yes. Mr Witness --

11:40:01 20 PRESIDING JUDGE: And his answer is I hear it in Kabala
21 every few days.

22 MR GRAHAM: Yes, that is so.

according

23 Q. And, Mr Witness, you also told this Court about,

24 to you, the difference in the looting style, if I may, between

11:40:21

25 the RUF and the SLA, and I would ask you, how do you know that

and

26 there is a difference between the looting styles of the RUF

27 the SLA, Mr Witness?

28 A. The SLA at times enter --

29 PRESIDING JUDGE: We don't want to hear what the looting

1 style is. It is already on the record. You are being asked
how
2 do you know about the difference in the looting style, not
what
3 the looting style is. How do you know about the difference.

4 THE WITNESS: At times when they come after looting,
when
11:40:56 5 they retreat, if it's the SLA, when we come to town we find
most
6 of our property there, minus only food, and other things, but
if
7 it is the RUF, when we come to town we see different things
8 scattered all over. At times houses burnt. At times doors
were
9 broken down. That is the way we regard it. This is the way
the

11:41:19 10 SLA loot. This is the way the RUF loot. By what we see.

11 MR GRAHAM: Thank you, Mr Witness.

12 Q. Mr Witness, you also told this Court about the arrival
of
13 Sam Bockarie in Kabala? And do you know how -- and you told
this

14 Court he arrived -- sorry, Your Honours. Did Sam Bockarie and
11:41:58 15 SAJ Musa arrive in Kabala at the same time, do you know?

16 A. It's the same individual.

17 Q. So Sam Bockarie and SAJ Musa?

18 A. No. SAJ Musa first arrived. He arrived with the SLA
and
19 others. Later Sam Bockarie came.

11:42:07 20 Q. Do you know how long after SAJ arrived that Sam Bockarie
21 also came to Kabala?

22 A. I think a week difference; about a week difference.

23 Q. How do you know that it was a week difference, Mr
Witness?

24 A. I was in Kabala when all of them arrived.

11:42:29 25 Q. Thank you. And, Mr Witness, do you know whether when
Sam

26 Bockarie arrived in Kabala he arrived alone?

27 A. No, he arrived with some people in the vehicles.

28 Q. How do you know that?

29 A. I was standing at the roundabout when I saw them coming.

1 Q. And you said vehicles; do you know how many vehicles,
2 Mr Witness?

3 A. About three; about three vehicles.

4 Q. And were these vehicles carrying anything, Mr Witness,
if
11:42:57 5 you know?

6 A. People.

7 Q. And can you tell this court approximately how many
people
8 were carried in these vehicles?

9 A. I cannot -- I cannot guess the number.

11:43:04 10 Q. And, Mr Witness, do you know how long Sam Bockarie
stayed
11 in Kabala?

12 A. No.

13 Q. And during the period that Sam Bockarie was in Kabala,
did
14 you hear of him committing any killings in Kabala?

11:43:19 15 A. I did not.

16 Q. Did you hear of the -- and, Mr Witness, you said Sam
17 Bockarie came along with -- he didn't come alone and the
people
18 that he came with, do you know whether they were armed?

19 A. Some of them were armed; they were sitting on the
vehicle.

11:43:43 20 Q. And how -- and these people that you said came with Sam

Kabala 21 Bockarie, did you hear of them committing any killings in

22 during the time they were there?

23 A. They, that particular group?

24 Q. Yes.

11:43:57 25 A. No, I did not.

26 Q. Thank you. And you also told us, Mr Witness, that there

whether 27 were a number of frequent attacks on Kabala. Do you know

28 any civilian deaths resulted from these attacks?

29 A. Yes, yes.

1 Q. Mr Witness, can you tell this Court approximately how
many
2 civilian deaths you know resulted from --
3 A. During the terrorism night about nine of them.
4 Q. How do you know that, Mr Witness?
12:24:36 5 A. We counted them.
6 Q. Mr Witness, I'm going to ask you a question relating to
the
7 Civil Defence Force and you have told this Court why it was
set
8 up. Did you at any time have to -- that is the CDF of which
you
9 were a part -- did you, at any time, have to defend civilians
12:24:36 10 from any attack or harassment by the SLAs or the RUF or the
11 ECOMOG during that period under reference?
12 A. Only the RUF, only against the RUF. SLA never.
13 Q. How do you know that, that it was only the RUF that you
had
14 to defend civilians from -- against, sorry.
12:24:37 15 A. At times if there is an attack from the villages, when
they
16 come, they attack. At times we will fight against the SLAs,
17 those who had not surrendered, we will fight and try to
protect
18 the town. The RUF will do the same, but the difference is
this:
19 If the SLA happens to occupy Kabala and then they retreat,
most

12:24:38 20 of them are not -- as they attack Kabala, you see civilian
21 working among the SLA without fear. But if it is the RUF,
then
22 it becomes a problem. They will start beating people and
start
23 taking your property and, in fact, even to recruit you. The
two
24 groups have a different way of operation, out of our
experience

12:24:38 25 that is the way we judged them.

26 Q. Thank you, Mr Witness.

27 MR GRAHAM: Your Honours, I don't have any further
28 questions for this witness.

29 PRESIDING JUDGE: Thank you, Mr Graham.

1 Yes, Mr Agha.

2 CROSS-EXAMINED BY MR AGHA:

3 Q. Witness, I'm going to ask you a few questions and, just
4 like with my learned friend, if you could answer them as
12:24:39 5 concisely and as truthfully as possible, that would be
6 appreciated. Yes or no or I don't know answer may very well
7 suffice. Do you understand?

8 A. Yes.

9 Q. Now, you mention that from 1997 to 2001 you fulfilled
your
12:24:39 10 role as X; do you remember that?

11 A. Yes.

12 Q. Presumably you acquired a lot of information about the
13 conflict during this period. You would agree?

14 A. Yes.

12:24:39 15 Q. You were in Freetown in May 1997 when President Kabbah's
16 government was overthrown?

17 A. Yes.

18 Q. Did you ever learn from the radio or from any other
source
19 that Alex Tamba Brima was a part of the soldiers that
overthrew
12:24:39 20 the government?

21 A. Yes, people usually say it in Freetown that Tamba Gborie
22 and Alex Tamba Brima.

23 Q. And Alex Tamba Brima was known as Gullit as well?

24 A. Okay. I heard about that in Freetown.

12:24:39 25 Q. Whilst you were in Freetown, did you hear that Ibrahim
26 Bazzy Kamara was also one of the soldiers who took part in the
27 coup?

28 A. No.

29 Q. What about Santigie Kanu?

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1 A. No.

2 Q. Alias Five-Five?

3 A. No.

4 Q. Now, did you ever hear that Alex Tamba Brima became a
12:24:39 5 member of the AFRC government?

6 A. Yes, I heard about that.

7 Q. And did you ever hear that Ibrahim Bazzy Kamara became a
8 member of the AFRC government?

9 A. No, I did not.

12:24:40 10 Q. What about Santigie Kanu, Five-Five?

11 A. I did not.

12 Q. Now, after --

13 A. May I say something, please.

14 Q. Actually I should really ask the questions.

12:24:40 15 A. I want to make an observation here. These three names I
16 only heard about these three names during these -- the West

Side

17 Boys issue. I do not know whether -- that was the only time I
18 heard about them these names that you are calling.

19 Q. That 's when you heard these names; right?

12:24:40 20 A. Yes.

21 Q. Okay. Now, after the overthrow of the government you
22 mentioned that you returned to Kabala.

23 A. Yes.

24 Q. What date did you actually arrive back in Kabala?

12:24:41 25 A. After the overthrow I was here only about ten days
before I

26 went to Kabala.

27 Q. So you would have returned by July/August 1997; is that
28 right?

29 A. No, same May.

1 Q. In May 1997?

2 A. Um-hum.

3 Q. Now, was it in February 1998 that the senior officers of
4 the SLA started to arrive in Kabala?

12:24:41 5 A. Yes.

6 Q. Okay. And would you agree with me that the SLA, when
they

7 were in Kabala, were more disciplined than the RUF?

8 A. Yes.

9 Q. Now, you mentioned two meetings that were held in
public,

12:24:41 10 one by Kiss Kamara and another by SAJ Musa, both of which were
in

11 February 1998. Now, SAJ Musa also held meetings with his
12 soldiers in private, didn't he?

13 A. In public.

14 Q. No, but he would also have held other meetings with his
12:24:41 15 soldier without the public, wouldn't he?

16 A. I don't know.

17 Q. You don't know, but he may have done?

18 A. Well, I cannot commit myself.

19 Q. That is fine. Now, SAJ Musa also held a meeting with
12:24:41 20 Superman in Kabala, didn't he?

21 A. I have no idea.

to

22 Q. You are not aware. Now, how long after the SLAs started

23 arrive did Superman arrive?

24 A. About a week, within a week.

12:24:42 25 Q. You don't know all the names of the SLAs who came to

26 Kabala, do you?

27 A. I know some of them.

28 Q. But not all?

29 A. Not all.

1 Q. I put it to you that in February of 1998 Ibrahim Bazzy
2 Kamara came to Kabala.

3 A. I wouldn't deny.

4 Q. Okay. I put it to you that in February 1998 Santigie
Kanu,

12:24:42 5 alias Five-Five came to Kabala?

6 A. I don't deny that too, but I did not see them.

7 Q. Now, would you agree with me that by the end of February
8 the SLAs and the RUF had both left Kabala?

9 A. By when?

12:24:43 10 Q. The end of February 1998?

11 A. Yes.

12 Q. Now, I put it to you that the SLAs and the RUF co-
operated

13 together whilst they were in Kabala?

14 A. Yes.

12:24:43 15 Q. Now, I would also put it to you that SAJ Musa and
Superman

16 were driven out of Kabala by ECOMOG forces and CDF forces?

17 A. Yes, at Koinadugu.

18 Q. Now, I believe SAJ Musa then headed off to Koinadugu; is
19 that right?

12:24:44 20 A. No, from Koinadugu to Musaia.

21 Q. Okay. And Superman went to Kono?

22 A. To Alikalia, Makeni, Kono, yes.

Kabala, 23 Q. In which month do you say that Sam Bockarie came to

24 and year?

12:24:44 25 A. When the SLA arrived around the 15th, it was then the
RUF

26 arrived around the 22 of February. It was around the 24th of
27 February that Sam Bockarie arrived.

28 Q. And do you know where he had come from?

29 A. No. We assume that it was from Freetown after the

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1 intervention.

2 Q. I would suggest to you that Sam Bockarie never came to
3 Kabala and that you are mistaken about this.

4 A. Well, it is an observation, but I saw him. Somebody
told
12:24:44 5 me that man, and he was an RUF man [indiscernible] black man.
He
6 that's our boss.

7 Q. Are you aware that Kono was attacked in -- Koidu Town in
8 Kono was attacked around the end of February/March 1998?

9 A. Koidu?

12:24:44 10 Q. Yes.

11 A. I don't know about Koidu. I cannot tell.

12 Q. So most of your information is more related to the
13 Koinadugu District?

14 A. Yes.

12:24:44 15 Q. Thank you. In your position as X you were receiving
CDF 16 information from the bush and from ECOMOG and also from other
17 people in similar positions; is that correct?

18 A. Yes.

19 Q. So you would have a reasonably good idea about the SLA
and
12:24:45 20 RUF movements in the Koinadugu area?

21 A. Yes.

22 Q. You have already mentioned the joint attacks that took

23 place on Kabala between RUF and the SLA?

24 A. Yes.

12:24:45 25 Q. And you also mentioned that SAJ Musa and Superman were
in

26 Koinadugu village?

27 A. Yes.

28 Q. Roughly, do you know the months in 1998 when SAJ Musa
and

29 Superman were occupying Koinadugu village?

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after
for a
12:24:46
at
question
12:24:46
to
there?
12:24:46
Bombali;

1 A. Roughly. They were there for a long time. I think
2 when they arrived in Kabala, they went -- they stayed there
3 long time.
4 Q. Would you know when they left, roughly? Would they have
5 left around October/November, this kind of period?
6 A. I can't recall. They only left there after the attack
7 Koinadugu. That was the time they left there, both of the.
8 Q. This may be my memory, so I will have to ask you and I
9 apologise if I have asked you this question, or if this
10 has already been asked. In which month did you make your trip
11 Freetown when you were able to discuss acquiring arms?
12 A. I think it was around July.
13 Q. And how did you go to Freetown? How did you travel
14 A. The route?
15 Q. Yes.
16 A. The route I took. At times I travelled with ECOMOG
17 themselves.
18 Q. And which districts did you pass through?
19 A. Passed through Bombali.
20 Q. Now, this was after the attacks had taken place in

21 is that right?

22 A. No.

23 Q. It was before. Are you aware that there was an attack
on

24 Karina?

12:24:46 25 A. I'm not aware.

26 Q. Not aware. Now, how long, roughly, did you stay in

27 Freetown before you returned?

28 A. Two weeks.

29 Q. Now, I want to take you to the period where SAJ Musa and

you,
learnt
12:24:47
took
know
they
12:24:47
that
12:24:48
invade
Barracks,
you

1 Superman had been driven out of Koinadugu and I want to ask
2 based on the information you had gathered, about what you
3 about the attack on Freetown in January of 1999. So starting
4 from when SAJ Musa and Superman were driven out of Koinadugu,
5 what did you learn?
6 A. They divided themselves into the two groups, Superman
7 Alikalia route and SAJ Musa took the Bafodia route. I don't
8 which particular group went to Kono and then we heard that
9 entered in Freetown.
10 Q. If I could just pause there a moment. Are you aware
11 SAJ Musa was killed before the invasion in Freetown in January
12 1999?
13 A. During the invasion?
14 Q. Just before the invasion?
15 A. The information I heard was that they were coming to
16 Freetown. They had arrived at this barracks, Benguema
17 that something happened to him when he died.
18 Q. Right. SAJ Musa died at Benguema Barracks. And what

Freetown? 19 learned was that the RUF and SLA were going to attack

12:24:48 20 A. More the SLA than RUF.

21 Q. Did you hear the SLA attacked Freetown?

22 A. Over the media, yes.

23 Q. What did you hear over the media?

24 A. That they occupied Freetown. That they were fought by
the

12:24:48 25 ECOMOG, later driven out of Freetown.

26 Q. Did you hear that Alex Tamba Brima, alias Gullit was a
part

27 of the Freetown invasion?

28 A. Yes, I heard the name Gullit.

29 Q. Did you later that Ibrahim Bazzy Kamara was a part of
the

1 invasion?

2 A. No.

3 Q. What about Santigie Kanu, alias Five-Five?

4 A. Yes, the Five-Five I heard, but not Santigie.

12:24:48 5 Q. Okay, you heard Five-Five?

6 A. Yes.

7 Q. After the ECOMOG forces forced the SLAs out of Freetown,
8 were you aware of is a splinter group that became known as the
9 West Side Boys?

12:24:49 10 A. Yes.

11 Q. How did you learn about that group?

12 A. Over the media again.

13 Q. Did you know that Ibrahim Bazzy Kamara was the commander
of
14 the so-called West Side Boys?

12:24:49 15 A. I know that he was part of them, but not whether he was
a
16 commander, but part of them.

17 Q. Were you aware that the West Side Boys were committing
18 crimes?

19 A. According to the information over the media, yes, that
is
12:24:49 20 what they were saying.

21 Q. During the attack on Freetown, coming back to that, in
22 January 1999 did you learn that crimes were committed by the
SLAs

23 on the civilians?

24 A. Yes, I heard that.

12:24:50 25 Q. What sort of crimes did you hear?

26 A. Looting, at times threats.

27 Q. You did hear killings as well?

28 A. Yes.

29 Q. Burning?

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1 A. Yes.

2 Q. Amputations?

3 A. No.

4 Q. Rape?

12:24:50 5 A. No.

6 Q. Now, I now want to come back in time to Kabala and talk
7 about the Koinadugu District and I want to put to you that the
8 SLA did, in fact, attack villages in the Koinadugu District?

9 A. While they were going to the interior?

12:24:50 10 Q. Yes. At any time. In 1998 SLA attacks villages in
11 Koinadugu, didn't they.

12 A. Yes, some SLA. You know here we have two different
groups,
13 we have those splinter groups in the bush and we have SLAs who
14 are working with ECOMOG.

12:24:50 15 Q. So just to be clear, so everyone is clear, we have what
one
16 would call loyal SLAs who were working with ECOMOG and were
not
17 part of the AFRC?

18 A. Okay.

19 Q. Would you agree with that?

12:24:50 20 A. Yes.

21 Q. Then you would have the so-called SLAs that were part of
22 the AFRC government and not working with ECOMOG?

23 A. Okay.

24 Q. Did you also hear that the SLAs were not working with

12:24:51 25 ECOMOG, or at least I put it to you that the SLAs were not
in 26 working with ECOMOG, also burnt villages which they attacked

27 Koinadugu?

28 A. Yes. The problem there are certain groups which are
mixed,

29 a mixture of the SLA and RUF.

were 1 Q. So these attacks and burning of villages in Koinadugu

2 by joint RUF/SLA forces?

3 A. Yes, yes.

4 Q. Working together?

12:24:51 5 A. Yes.

6 Q. Okay, thank you, witness.

7 MR AGHA: I have no further questions.

8 PRESIDING JUDGE: Yes, anything arising in re-
examination?

9 MR GRAHAM: Yes, Your Honour. Just a few questions for
the

12:24:52 10 witness.

11 RE-EXAMINED BY MR GRAHAM:

12 Q. Mr Witness, in the course of the cross-examination, you
13 were asked a question relating to whether you had seen Tamba
14 Brima in Kabala and you responded by saying you wouldn't deny
15 that?

12:24:52 15

16 A. I wouldn't deny what.

17 MR AGHA: Your Honours, I don't believe that I said he
saw

18 him.

19 MR GRAHAM:

12:24:52 20 Q. Okay. Mr Witness, did you see Alex Tamba Brima in
Kabala

21 in the period under reference?

22 A. No.

Kabala

23 Q. Did you anyone tell you he saw Alex Tamba Brima in

24 during the period under reference, Mr Witness?

12:24:52 25 A. No.

26 Q. Mr Witness, did you later see Alex Tamba Brima in Kabala

27 during the period under reference?

28 A. No.

Brima

29 Q. Did you anyone tell you that he heard that Alex Tamba

1 was in Kabala?

2 MR AGHA: Your Honour, I object to these questions. I
3 believe they were asked in chief by Mr Manly-Spain. He asked
4 whether the three accused, whether they were present in Kabala
12:24:52 5 and he gave his reply then.

6 PRESIDING JUDGE: I agree. Mr Graham, you are going
over 7 the same ground.

8 MR GRAHAM: Okay.

9 Q. Mr Witness, you were asked and you said you wouldn't
deny

12:24:53 10 that, and if I may ask you, what do you mean by you wouldn't
11 deny?

12 A. Deny what?

13 Q. You were asked whether the accused persons were in
Kabala 14 and I believe in your response you said you wouldn't deny that
--

12:24:53 15 I stand to be corrected?

16 A. What I was saying is that as far as I'm concerned, I did
17 not see them. If somebody else have seen them, I would not
deny 18 that. But I did not see them.

19 Q. Thank you, Mr Witness.

12:24:53 20 MR GRAHAM: Your Honours, I don't have any further
21 questions.

22 PRESIDING JUDGE: Thank you, Mr Graham. Any other
23 re-examination?

24 MR MANLY-SPAIN: Yes.

12:24:54 25 RE-EXAMINED BY MR MANLY-SPAIN:

26 Q. You said you heard about Five-Five after the attack on
27 Freetown?

28 A. Over the media.

29 Q. That's the question I wanted to ask you, where did you
hear

1 about it?

2 A. I think on Focus.

3 Q. Focus on Africa?

4 A. Yes.

12:24:54 5 Q. You did not get it from your intelligence?

6 A. No.

7 MR MANLY-SPAIN: That is all.

8 MR DANIELS: If I may just also ask a very brief
question.

9 RE-EXAMINED BY MR DANIELS:

12:24:54 10 Q. In answer to a question by my learned friend about the
West

11 Side, you were asked whether the second accused, Ibrahim Bazzy

12 Kamara, you were asked whether he was a leader. You said he
was

13 part of them?

14 A. I heard over the media that he was part of them.

12:24:55 15 Q. Did you ever get to know who was the leader?

16 A. No.

17 MR DANIELS: Thank you very much.

18 PRESIDING JUDGE: Mr Witness, we would like to thank you
19 for coming to court today and giving evidence. Your testimony
is

12:24:55 20 finished now. If you will just sit put for a moment, the
Court

21 Attendant will pull the curtains across and you will be able
to

22 leave the Court.

23 THE WITNESS: Thank you.

24 [The witness withdrew]

12:24:55 25 PRESIDING JUDGE: What is the number of the next defence
26 witness that is coming along?

27 MR GRAHAM: Your Honours, I believe the next witness is
28 DAB-025.

29 PRESIDING JUDGE: What language, Mr Graham?

1 MR GRAHAM: Your Honours, I believe he will be
testifying 2 in English.

3 Your Honours, I have just been informed that I think the
4 witness will be testifying in Kono.

12:24:55 5 [The witness entered court]

6 THE INTERPRETER: Your Honours, may I have a word. I
think
7 this has taken us by surprise, because when we found out, it
was
8 this morning that it was Krio that the witness elected to
speak.

9 I spoke to him myself and he said he was going to speak Krio.
If
10 he is going to speak Kono, I will need to bring the
12:24:55 10 interpreters
11 up here.

12 PRESIDING JUDGE: Yes. How long will you need?

13 THE INTERPRETER: I will need about ten minutes.

14 PRESIDING JUDGE: There appears to be some technical
12:24:56 15 problem with the audiovisual that will take about ten minutes
to
16 rectify. Mr Witness, before we go off the bench, can you tell
me
17 what language you will be testifying in?

18 THE WITNESS: Krio, sir.

19 THE INTERPRETER: In Krio.

12:24:56 20 PRESIDING JUDGE: Mr Interpreter, do you still need ten

21 minutes?

22 THE INTERPRETER: No, we are ready for Krio.

23 PRESIDING JUDGE: Mr court Attendant, we are relying on
you

24 to come and get us on the Bench as soon as the technical
problem

12:24:57 25 is resolved.

26 MR GEORGE: Yes, sir.

27 PRESIDING JUDGE: We will adjourn for about ten minutes.

28 [Break taken at 12.15 p.m.]

29 [Upon resuming at 12.35p.m.]

1 PRESIDING JUDGE: Yes, all right. Swear the witness,
2 please. Who is going to conduct the examination in chief?

3 MR GRAHAM: Your Honours, myself, Mr Graham.

4 PRESIDING JUDGE: All right. Thank you.

12:38:25 5 WITNESS: DAB-025 [Sworn]

6 [Witness answered through interpreter]

7 PRESIDING JUDGE: Go ahead, Mr Graham.

8 MR GRAHAM: Thank you, Your Honours.

9 EXAMINED BY MR GRAHAM:

12:39:22 10 Q. Good afternoon, Mr Witness.

11 A. Good afternoon.

12 Q. Mr Witness, you are Sierra Leonean by nationality,
aren't

13 you?

14 A. Yes, sir.

12:39:37 15 Q. And you were born at xxx xxx in xxx Town sometime
16 around March of 1970; is that true?

17 A. Yes.

18 Q. And in which chiefdom is xxx Town?

19 A. Nimikoro.

12:40:03 20 Q. Nimikoro, we've heard that before. Do you know which
21 district Nimikoro Chiefdom is?

22 A. Yes.

23 Q. What district, Mr Witness?

24 A. Kono District.

12:40:24 25 Q. Mr Witness, what is your tribe?

26 A. Kono tribe.

27 Q. What languages do you speak?

28 A. I spoke Kono and Krio.

29 Q. Of what is your religion, Mr Witness?

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1 A. I'm a Christian.

2 Q. Have you attended any schools for purpose of education?

3 A. No.

4 Q. Are you married?

12:40:55 5 A. Yes.

6 Q. How many wives do you have, Mr Witness?

7 A. I have two wives.

8 Q. And do you have any children?

9 A. Yes.

12:41:38 10 Q. How many children, Mr Witness.

11 JUDGE SEBUTINDE: Please put the microphone on.

12 MR GRAHAM:

13 Q. Please, Mr Witness, speak directly into the microphone,
so

14 we can hear you. I asked you - I did not hear your response -

12:41:40 15 and the question was: How many children do you have, Mr
Witness?

16 A. I have three children.

17 Q. Before coming to the Special Court, can you tell this
Court

18 where were you living, your home?

19 A. Where I was staying?

12:42:32 20 Q. Yes, Mr Witness.

21 A. Yes, yes, yes.

22 Q. Where were you staying before you came to the Special

23 Court?

24 A. I was in Yengema.

12:42:32 25 Q. Thank you, Mr Witness. How long have you been staying
at

26 Yengema?

27 A. Well, from '70 throughout I have been there.

28 Q. Do you presently live in Yengema Town with your wife and
29 children?

1 A. Yes.

2 Q. Do you have a profession, Mr Witness?

3 A. Yes. From the time before the war I was doing
carpentry.

4 Q. Mr Witness, how long did you do carpentry?

12:43:06 5 A. Well, from '83 until '85.

6 Q. Okay. Mr Witness, did you do anything else, apart from
7 carpentry?

8 A. Yes.

9 Q. Please tell this Court.

12:43:26 10 A. Well, I am a miner. Since I left the work, I was doing
11 mining.

12 Q. Mr Witness, can you tell this Court what you mine?

13 A. Yes.

14 Q. I wanted to know. You said you were a miner and I am
12:43:49 15 saying what do you mine?

16 A. Um-hum. Yes, I mine gold and diamonds.

17 Q. Thank you, Mr Witness. Mr Witness, do you recall where
you
18 were in May of 1997?

19 A. Yes.

12:44:35 20 Q. Mr Witness, please tell this Court, where were you in
May
21 of 1997?

22 A. In May 1997 I was in Yengema Town.

23 Q. And do you, Mr Witness, recall anything significant
24 happening whilst you were in Yengema Town in May of 1997?

12:44:50 25 A. Yes.

26 Q. Please tell this Court what happened, Mr Witness?

27 A. Well, that was the time when the ones who had attended
28 school, that the government has changed over, that the AFRC
had
29 taken over at that time [as interpreted].

1 Q. Thank you, Mr Witness. How did you come to know, please
2 tell this Court, that the AFRC had taken over power?

3 A. Well, the news, those who had attended school, they
heard
4 the news and they told us.

12:45:31 5 Q. Did they tell you where they heard the news from,
6 Mr Witness?

7 A. Yes, they heard the news through the radio.

8 Q. Thank you, and Mr Witness, did they tell you from whom
the
9 AFRC had taken power?

12:46:15 10 A. They said they took it over from SLPP.

11 Q. Thank you, Mr Witness. And Mr Witness, did you know
what
12 SLPP was?

13 A. What?

14 Q. I asked, do you know what, at the time they told you the
12:46:21 15 AFRC had taken over power from the SLPP, did you know what the
16 SLPP was at the time?

17 A. Yes, they were ruling the country.

18 Q. Mr Witness, after you had been told that the AFRC had
taken
19 over power from the SLPP, did anything happen where you were
in

12:47:02 20 Yengema -- sorry, Your Honours, did anything happen after you
21 heard about the AFRC taking over power?

22 A. Yes, because.

23 Q. Go ahead, Mr Witness.

24 A. Because we were there at that time, that very day. It
took

12:47:16 25 up to four days, within the four days we saw Alpha Jets in the
26 air.

27 Q. Hold on, Mr Witness. Before you go on, you just said
"we

28 saw" - I stand to be corrected - whom are you referring to as
we?

29 A. I said we saw it. We were many because it was a
community,

we
gave
1 a town, a big town like that. We were all together there and
2 were all there at the same time and we saw the jet so that
3 us the cause to disperse.

12:48:02 4 Q. Thank you, Mr Witness. If you know, Mr Witness, did you
5 see these Alpha jets yourself?

we
6 A. Well, this is a military business concerning the jet, so
7 have no idea about that.

8 Q. Did you know where the jets were coming from?

9 A. No, I don't know.

12:48:26 10 Q. How many jets did you see flying at the time you that
11 referred to?

12 A. It was only a jet on that I saw on that day flying.

13 Q. Do you know how long the jet flew over that day?

14 A. No, I don't know the time, but it was not long at that
12:48:56 15 time. It went back.

to
16 Q. Mr Witness, when you saw the jet flying and, according
17 you, it left, did you do anything after that?

out
18 A. Yes. I prepared together with my family and we pulled
19 of the town.

12:49:20 20 Q. Thank you, Mr Witness. Is there a reason why you
prepared
21 with your family and pulled out of the town?

22 A. Yes. The only reason is because the RUF were within the
23 township around that time, so for that, to keep us safe, so we
24 avoided the area.

12:49:47 25 Q. Mr Witness, you said the RUF were around the township,
what

26 township are you referring to?

27 A. Yengema, Tongo Yengema [as interpreted] as a whole they
28 were there around that time.

29 Q. Mr Witness, if you know, can you tell this Court, how
did

reference? 1 you know that the RUF were around during the period in

2 A. Well, they were first in town with the people, with us,
3 together with us. So later we saw things change. So that is
the
4 whole thing I know about it.

12:50:32 5 Q. Mr Witness, if you say you saw things change, please can
things
6 you explain briefly to the Court what you mean by you saw
7 change, Mr Witness?

8 A. Yes. Because the brother with whom you used to work
with,
9 but a time came -- after some time the brother you see him
with a

12:51:01 10 weapon and then you must be afraid. That gave me the cause to
11 avoid the area.

12 Q. Mr Witness, if you say brother, whom are you referring
to
13 as brother?

14 JUDGE SEBUTINDE: Do you want him to mention the name?

12:51:23 15 MR GRAHAM: No, Your Honours, not to mention the name.

16 THE WITNESS: No. To me they are brothers, like we are
17 here, we can call ourselves brothers and sisters. That is why
I
18 am saying this.

19 MR GRAHAM: Your Honours before I proceed, with your
kind

12:51:48 20 guidance I need to know whether we are going to add up the
time.

21 PRESIDING JUDGE: Well, we will go up to 1.00, Mr
Graham,

22 and then we will adjourn to 2.30.

23 MR GRAHAM: Thank you, Your Honours. I'm grateful.

24 Q. Mr Witness, you just mentioned the RUF to this Court.
Do

12:52:10 25 you know what the RUF stands for?

26 A. Well, I don't know.

27 Q. Well, do you know who the RUF are?

28 A. No.

29 Q. Okay, Mr Witness, you told -- so when you decided to

your 1 prepare to leave with your family, did you eventually leave

2 Yengema Town?

3 A. Yes.

4 Q. And did you -- apart from you and your family, did you
12:52:40 5 leave Yengema Town with any other persons?

6 MR HARDAWAY: Objection, Your Honour, leading.

7 PRESIDING JUDGE: All right. There is an objection to
8 leading, Mr Graham.

9 MR GRAHAM:

12:52:53 10 Q. Mr Witness, did you leave Yengema Town alone?

11 A. I went together with my family.

you 12 Q. Mr Witness, where did you -- did you go anywhere when
13 left Yengema Town?

14 A. Yes.

12:53:12 15 Q. Please tell this Court where did you go, Mr Witness?

16 A. I went to Samaikwadu.

17 Q. Mr Witness, before you go on.

18 MR GRAHAM: Your Honours, I will spell Samaikwadu,
19 S-A-M-A-I-K-U-W-A-D-U, Samaikwadu.

12:53:45 20 Q. Samaikwadu, do you know whether it is a town or a
21 village?

22 A. It is a village.

23 Q. Do you know how -- the distance between Yengema township

24 and Samaikuwadu village?

12:54:05 25 A. It is 4 miles off.

26 Q. Thank you, Mr Witness. Mr Witness, how do you know that
it

27 is 4 miles off Yengema Town?

28 A. Well, we get drivers who told us.

29 Q. Thank you, Mr Witness. And, Mr Witness, when you -- did

1 you eventually arrive at Samaikuwadu village with your family?

2 A. Yes.

3 Q. Mr Witness, did you do anything when you arrived at
4 Samaikuwadu with your family?

12:55:04 5 A. Yes. When we reached there, we decided to live there.
So

6 we were there for up to three days, but because of the
pressure

7 we avoided there.

8 Q. Mr Witness, you said because of the pressure you avoided
9 there. What do you mean by there? Which place are you
referring

12:55:40 10 to as "there"?

11 A. I said we decided to avoided the place, that very
12 Samaikuwadu where I was. So I decided to avoid it.

13 Q. Why did you decide to avoid Samaikuwadu, Mr Witness?

14 A. Well, because of the same war that was on that was in
the

12:55:51 15 central. Then we came again. So the war drove us from there
and

16 came to hide and then the pressure continued, so that gave us
the

17 cause to avoid there.

18 Q. Mr Witness, you just told this court -- how did you know
19 that there was war during the period that you were in
Samaikuwadu

12:56:32 20 village?

21 A. How I knew about it?

22 Q. Yes?

23 A. Well, according to the way the things -- how you see
people

24 with whom been living together and these people were being
killed

12:56:37 25 and so if you hear about these things and you don't have to
stay

26 or stop there.

27 Q. Mr Witness, did anything happen while you were at

28 Samaikuwadu village?

29 A. Yes. We were there the day we were arrested for food.

1 That was the very day we saw one house was burnt in that very
2 town.

3 Q. Mr Witness, you just told this Court that you were
arrested
4 for food.

12:57:17 5 A. Yes.

6 Q. Who arrested you, Mr Witness.

7 A. Well, the RUFs.

8 Q. Mr Witness, how do you know it was the RUF that arrested
9 you?

12:57:36 10 A. Well, by the way they were dressed and they carried arms
then
11 and if you have somebody dressed in a civil dress with arms,
12 that is how I knew about them.

13 Q. Thank you, Mr Witness. Mr Witness, can you tell this
Court
14 where did they arrest you?

12:58:02 15 A. Well, the village are difficult to call. Kwardor
village,
16 that was the place I was arrested.

17 MR GRAHAM: Your Honours, if I may, with your kind
18 permission, spell Kwardor village. I think it is spelled
19 K-W-A-R-D-O-R, Kwardor.

12:58:38 20 Q. And, Mr Witness, when you were arrested by the RUF at
21 Kwardor were you alone?

they 22 A. No, we were many, even down to my mother. My family

23 were all there when I was arrested.

24 Q. Mr Witness, do you know how many of you were arrested at
12:59:00 25 this time that you spoke to this Court about.

fourth, 26 A. Well, around that time three old men and I made the

27 on that day they took us along.

28 Q. And, Mr Witness, did they tell you anything when they,
29 according to you, arrested you?

fighting
bush.

1 A. Yes. The only thing they said was that they were
2 for righteousness, so we should not strain ourself in the
3 So wherever they were, we should be there with them.

4 Q. Thank you, Mr Witness.

12:59:44 5 JUDGE SEBUTINDE: Mr Graham, this witness said "We were
6 arrested for food." Did I hear him right? I'm not sure I
7 understand what that means.

8 MR GRAHAM: Thank you, Your Honour.

for
13:00:01 9 Q. Mr Witness, you told this Court that you were arrested
10 food. Can you tell this Court what you mean by that?

11 A. To eat, so what we gathered to eat with our family, when
12 they came, they took it from us. That is what I mean by that.

arrested
13 Q. Mr Witness, were you going anywhere when you were
14 by the RUF?

13:00:31 15 A. Yes. I said it that I moved from Samaikwadu and went
16 to Kwardor village and there I was when I was arrested.

17 Q. Were you doing anything when you were arrested?

was
18 A. Yes. That day I was in the bush fetching yams. That
19 the only work we were do doing. There was no other work
except

13:01:02 20 fetching yams in the bush.

21 Q. Thank you, Mr Witness?

22 MR GRAHAM: Your Honours, I'm looking at the time and I
was
23 going to move into a new area of questioning, if this is the
24 propitious time.

13:01:18 25 PRESIDING JUDGE: Mr Witness, we're going to have a
break

26 for lunch now. I should inform you that you are not permitted
to
27 speak about your evidence or the case itself either, in the
28 course of giving evidence.

29 We will adjourn until 2.30.

1 [Luncheon recess taken at 1.00 p.m.]

2 [AFRC28JUL06C-RK]

3 [Upon resuming at 2.35 p.m.]

4 PRESIDING JUDGE: Yes, Mr Witness, I will remind you are
14:37:37 5 still on your oath that you took this morning.

6 MR GRAHAM: Good afternoon, thank you, Your Honours.

7 Q. Mr Witness, good afternoon?

8 A. Yes, good afternoon to you.

9 Q. Thank you. Mr Witness, prior to the recess, you told us
14:38:13 10 about the RUF in Kwardor. In Kwardor, I want to ask you
during
11 the time you were in Samaikwadu --

12 A. Samaikwadu?

13 Q. Samaikwadu, thank you, do you know whether the
RUF
14 came there during the time that you were there, in
Samaikwadu?

14:38:46 15 A. I was answered this question just now. I said they were
16 the people that made me to move from the place and went to
17 another town.

18 PRESIDING JUDGE: Incidentally, Mr Graham, I see your
19 client is not there. We will waive his appearance under Rule
60.

14:39:10 20 MR GRAHAM: I apologise for not informing the Court. He
21 informed me prior to his departure that he was not feeling
well

as
22 and he also confirmed it during the break. So he is not here
23 of his own accord so he has waived his rights under Rule 60.
24 PRESIDING JUDGE: He has no objection to you continuing
in
14:39:20 25 his absence?
26 MR GRAHAM: That is so, Your Honour.
27 PRESIDING JUDGE: We will deem Mr Brima to have waived
his
28 right to be present.
29 THE WITNESS: I'm feeling here. Cold. I'm feeling
told.

1 PRESIDING JUDGE: Please don't interrupt me, Mr Witness.
2 We will attend to you in a minute. We will take it that Mr
Brima
3 has waived his right to be present under Rule 60. Now,
perhaps
4 if we have got anybody here from WVS, we can get the witness a
14:39:53 5 coat. Mr Witness, you are feeling cold. We will get you
6 something warm to put on.

7 Go ahead, Mr Graham.

8 MR GRAHAM: Thank you, Your Honour.

9 Q. Mr Witness, did you get back to Yengema township any
time
14:40:22 10 after you left, did you get back?

11 A. Yeah, at that time when they took me to Koidu, when I
had
12 escaped, I went back to Yengema.

13 Q. Okay. Mr Witness, you just told this Court about --

14 MR GRAHAM: Your Honours, I will hold on for a second
while
14:40:43 15 the witness gets his jacket on. Thank you.

16 Q. Are you feeling better, Mr Witness?

17 A. No, no really I'm affected by the cold.

18 Q. I'm sure with the jacket you will get better but please
let
19 us know if after a while, you still feel cold.

14:41:19 20 JUDGE SEBUTINDE: I'm just wondering if the Court
Attendant

cover
to
21 could put maybe a piece of paper or something over the vent
22 because he is sitting directly over the A/C vent. If you
23 the vent, it makes a difference. If you put something there,
24 cover the vent, the cold won't go inside.

14:41:43 25

MR GRAHAM:

you
RUF
26 Q. Mr Witness, when you were captured by the RUF -- sorry,
27 said you were arrested, if I may use your own words, you were
28 arrested. Did anything happen when you were arrested by the
29 in Kwardor as you told this Court?

place
until

1 A. Kwardor, Kwardor. Yes, when they arrested me, they
2 rice on my head with three old men. We went with the rice
3 Koidu Town.

14:42:39 4 Q. How did you get to Koidu Town, and when I say how, I'm
5 asking how did you travel? How did you travel from where you
6 were arrested until you got to Koidu Town, Mr Witness?

passed

7 A. From that village Tombodu, it is not that far. We
8 through Tombodu and we came to Koidu.

14:43:31 9 PRESIDING JUDGE: Is there another vent underneath the
10 witness.

11 MR GEORGE: Yes, Your Honour, but it is already closed.

12 PRESIDING JUDGE: Go ahead, Mr Graham.

13 MR GRAHAM:

14:43:44 14 Q. Mr Witness, you told this Court that you went along with
15 three other. Did the RUF go along with you to Koidu?

16 A. Yes.

17 Q. Do you know how many RUF went with you to Koidu?

say

18 A. Well, there were many, so I wouldn't call the number to
19 this is the number, at all.

14:44:10 20 Q. And do you know whether they were armed, Mr Witness?

21 A. Yes, I was forced through the use of the weapon.

used

22 Q. And can you tell this Court what kind of weapons they

23 to force you, Mr Witness?

24 A. Well, that of their weapons which they used to carry.

14:44:42 25 Q. And Mr Witness, when -- did anything happen when you

26 arrived in Koidu?

27 A. Yes.

28 Q. Please tell this Honourable Trial Chamber what happened,

29 Mr Witness?

1 A. Well, the time we arrived in Koidu, they placed us in a
2 township house and said they wouldn't want to see anybody in the
3 you who was not part of the movement, so if you were a civilian,
4 commander, should be under a commander. If you were not under a
14:45:21 5 you were liable to be killed. So since they effected that
law, it wasn't too long, that was the time Superman came, because
6 he was the boss during that time.
7

8 Q. Mr Witness --

9 A. Yes.

14:45:36 10 Q. Just told on a bit. Before you go on, you have told
this Court about them passing a law. Who passed a law that you
11 just referred to, Mr Witness?
12

13 A. What do you mean?

14 Q. I'm saying you just told this Court about a law that you
14:46:02 15 said was passed regarding -- I stand to be corrected --
16 A. That is what I said, the law in the sense they put a law
17 leave that if you were not under any commander, you should either
18 the town or you were placed under certain conditions.

19 Q. Thank you. Mr Witness, how did you know about this law?

14:46:26 20 A. Well, the only law that they put in place was killing.

21 That is why they put the law.

22 Q. Thank you, Mr Witness. Do you know who put the law in
23 place?

24 A. Yes, during that time, the commander, who was Superman,
was
14:46:46 25 the one that put the law all over Kono.

26 Q. Thank you, Mr Witness. Mr Witness, if you can tell this
27 Court, how do you know that it was Superman who passed this
law
28 that you are talking about?

29 A. According to his boys that arrested me, they were the
ones

1 that said it.

2 Q. Thank you, Mr Witness. Mr Witness, do you know how long
3 you stayed in Koidu when you were taken there by the RUF?

4 A. Well, at that time, it was a period time. You wouldn't
14:47:26 5 think much. You wouldn't think that this is what is going to
6 happen. This is going to happen. Since it was a period that
one
7 would expect death, one would not have to think much. One was
8 expecting that at any time, so you wouldn't think much about
what
9 was going to happen next.

14:47:48 10 Q. Mr Witness, is there a reason why you are saying that
one
11 was expecting death at any time?

12 A. Well, it was the man's decision and he was the boss at
that
13 time. Whatever he said was implemented. I don't know the
reason
14 why he passed that law.

14:48:13 15 Q. When you say boss, are you referring to Superman?

16 A. It was Superman.

17 Q. Mr Witness, after you were taken to Koidu by the RUF,
did
18 you ever leave Koidu?

19 A. Yes.

14:48:35 20 Q. How did you leave Koidu, Mr Witness?

21 A. I escaped from them.

RUF? 22 Q. How -- and when you say them, are you referring to the

23 A. Yes.

24 Q. Mr Witness, can you tell this Court how you escaped?

14:48:56 25 A. Yes. I escaped with one of my uncles during that time,
26 because I saw him -- I met with him there and he was trying to
27 escape too. But we were so lucky, we had to use some path
roads,
28 footpath roads and we entered into the bush and finally there
29 they had to capture me again.

1 Q. Okay, Mr Witness. You said who captured you again?

2 A. I said the RUF.

3 Q. When you were captured, did they take you anywhere,
4 Mr Witness?

14:49:43 5 A. I said Koidu.

6 Q. Okay. Mr Witness, you have told us that -- how many
times
7 were you arrested during this period by the RUF?

8 A. Well, you know that when they -- when they captured
Kono,
9 we only escaped from them only at one time. So at any time
they

14:50:19 10 made their patrols, if they came across you, you would be
11 captured again.

12 THE INTERPRETER: The interpreter is sorry. Can the
13 witness go a little bit so he can interpret for him.

14 MR GRAHAM:

14:50:39 15 Q. Mr Witness, please try as much as you can to speak
directly
16 into the microphone and also please speak a little bit slowly
and
17 loudly so the interpreter can hear you. Thank you.

18 A. Thank you.

19 Q. Mr Witness, when you were captured, what happened?

14:51:00 20 MR HARDAWAY: Your Honour, can we get some clarification
as
21 to which time he was captured.

22 MR GRAHAM: Thank you.

23 Q. Mr Witness, you told this Court you tried to escape from

24 Koidu and a footpath and then you were arrested and I'm asking

14:51:18 25 you that when you were arrested, did anything happen?

26 A. I said only that we carried some load for them and went

27 with the load.

28 Q. Thank you. Mr Witness, I need you to clarify.

29 A. Um-hum.

1 Q. When you got to Koidu and you told this Court that you
2 escaped from Koidu -- and I stand to be corrected -- with your
3 uncle, you escaped from Koidu using the footpath were you
4 arrested again, when according to you --

14:52:02 5 A. Yes, the time when they arrested me, it was not the time
6 when we escaped from these people again. It was the time when
we
7 came to understand that the ECOMOG had captured Koidu, that
they
8 were based at Mortema, so when we escaped through the bush and
9 came to that town and I and family used the bypass roads and
came
14:52:30 10 to Mortema where the ECOMOG was based. There was a time when
we
11 spent about four months in the bush. Okay little by little.

12 Q. Yes, let's take our time and get --

13 A. Um-hum.

14 Q. Mr Witness, you said when you escaped from Koidu you
came
14:52:59 15 to Mortema; is that right?

16 A. I came to Tombodu. I told you that I returned to the
bush.

17 After I had returned to the bush finally the ECOMOG had come.
I

18 was in the bush when I heard that the ECOMOG had come to
Mortema.

19 That was the time we decided that we should come out of the
bush

14:53:23 20 and come to Mortema.

21 Q. Thank you, Mr Witness. Mr Witness, who told you that
22 ECOMOG had come?

23 A. Well, it was those people who are literate and who were
24 listening to news. They were the people that told me that the
14:53:38 25 ECOMOG had come to that place.

Mortema,
26 Q. Mr Witness, when you heard that ECOMOG had come to
27 did you do anything?

28 A. Yes, only that I made up my mind to come out of the bush
29 and I was glad to come to a place where I could gain my
freedom

1 once more.

where

2 Q. I ask you that when you left the bush, as you said,

3 did you go?

4 A. Mortema.

14:54:16
Mortema

5 Q. Thank you, Mr Witness. Mr Witness, did you go to

6 alone?

7 A. I, my wife and children.

did

8 Q. Thank you. And, Mr Witness, when you got to Mortema,

9 you do anything?

14:54:40 10 A. No. The only thing, I was doing some mining there.

11 Q. Okay. Mr Witness, you told us about ECOMOG in Mortema.

12 When you got back to Mortema, did you see ECOMOG in Mortema?

13 A. Yes, I met them there.

14 Q. Where -- do you know how many of them, approximately,

14:55:12 15 ECOMOG did you see in Mortema?

many.

16 A. At that time it was their headquarters, so there were

please?

17 Q. Mr Witness, please, if you can tell us, how do you know

18 that it was -- Mortema was the headquarters for ECOMOG,

19 A. We had a certain place at the school compound. That was

14:55:42 20 the headquarters, that is what I'm aware that that was their

21 headquarters, that is the RC school compound at Mortema.

you

22 Q. Thank, Mr Witness. Mr Witness, during this period that

23 said ECOMOG came to Mortema, do you know whether during this

you

24 period it was the -- do you recall what time of the year that

14:56:15 25 got back to Mortema and ECOMOG was there?

26 A. The time I'm referring to was 1998, when ECOMOG was at

27 Mortema.

28 Q. Okay. Do you, at this time when ECOMOG was in Mortema,

29 know who was in charge of the government in Sierra Leone?

1 A. No.

2 Q. And, Mr Witness, during the time that you were in
Mortema

3 and ECOMOG was also in Mortema, did anything happen?

4 A. Yes. We were working together with some ECOMOG. They
were

14:57:10 5 the ones that used to lead us to the mining areas, because
they

6 were the only people opportuned to mine.

7 Q. Mr Witness, before you go on, you said, "we were
together

8 with ECOMOG," -- I stand to be corrected. When you say "we,"
9 whom are you referring to as "we," Mr Witness?

14:57:36 10 A. I said I was working with them during that time, but
11 although there were other people working together with them,
but

12 I can say about myself.

13 Q. Thank you. Mr Witness, how were you working with
ECOMOG?

14 A. Well, if I had a diamond, I sold it to them. During
that

14:58:04 15 time there was no money. They used to measure some rice and
give

16 it to me.

17 Q. And to whom did you give the diamonds?

18 A. Well, they introduced us one -- to one particular Kono
man

19 who was their -- who was the middle man so when we had a
diamond

14:58:36 20 we took it direct to the man.

21 Q. And, Mr Witness, during the time that ECOMOG was in
22 Mortema, did you happen to know any of the ECOMOG soldiers?

23 A. Yes. I knew the one. They themselves met him at the
24 mining place, and he was fired at there. That one I knew him.

14:59:14 25 Q. And do you know who was the leader of the ECOMOG troops
in

26 Mortema?

27 A. The only one that I understood, the one whose name I
used

28 to hear frequently from people was Captain Tigie Dan. He was
the

29 man that was commanding during that time.

1 MR GRAHAM: Your Honours, if I may spell Captain Tigie
Dan.
2 Tigie is spelt T-I-G-I-E and then Dan, as in Dan, D-A-N, Your
3 Honours.

4 Q. And, Mr Witness, did you at any time give any diamonds
to
15:00:22 5 this middle man you referred to?

6 MR HARDAWAY: Objection, Your Honour; asked and
answered.

7 PRESIDING JUDGE: He already said he did, Mr Graham.

8 MR GRAHAM: Thank you, Your Honours.

9 Q. And, Mr Witness, during the time that you were working
with
15:00:44 10 ECOMOG in Mortema, did anything happen?

11 A. Yes, we were there --

12 THE INTERPRETER: The interpreter is sorry. The
expression
13 used by the witness there cannot be expressed in the English
14 language by saying that they even attack. The interpreter
does
15:01:10 15 not know the ones that the witness is referring to, and it is
16 very difficult to locate the pronoun.

17 MR GRAHAM: I will seek clarification from the witness.
18 That may be of assistance, Your Honours.

19 Q. Mr Witness, you've just told this Court that they
attacked.

15:01:34 20 Who attacked during the period that we are referring to? Can
you

21 tell this Court?

22 A. It was the RUF that attacked.

23 Q. And, Mr Witness, please, how do you know that it was the

24 RUF that attacked?

15:01:57 25 A. After they had driven us out, and we were gliding so
that

26 -- gliding down and they were chasing us also. If they met
with

27 you by the way, they will go with you to Kono, and that was
the

28 time I came to realise that they were the very people that

29 attacked there.

1 Q. And, Mr Witness, do you know what year this attack took
2 place?

3 A. I cannot tell you the date.

4 Q. Thank you. Mr Witness, do you -- did anything happen to
15:02:48 5 you or ECOMOG as a result of the attack by the RUF?

6 A. Yes. It was from that time they were able to get rid of
me
7 again. So it was during that attack around the Yengema exit,
8 that was where they captured me. During that time I wasn't
with
9 my family.

15:03:19 10 Q. Mr Witness, who captured you?

11 A. It was one colonel called Monica.

12 Q. Colonel Monica. And can you tell this Court, if you
know,
13 was Colonel Monica a male or female?

14 A. A woman.

15:03:46 15 Q. Thank you, Mr Witness. And, Mr Witness, before I go on,
do
16 you know whether after this attack by the RUF ECOMOG continued
to
17 be in Mortema?

18 A. No.

19 Q. When you say "no", Mr Witness, can you explain what you
15:04:09 20 mean by no, please?

21 A. Yes. Because during that time all of us had moved out.
It

I 22 was the RUF who were in control of Kono during that time. So

23 wouldn't expect the ECOMOG to be there during that period.

24 Q. And do you know whether after the RUF attack, the RUF
took

15:04:36 25 control of Mortema; do you know?

26 A. Yes. Continuously. And the entire Kono was under their
27 control during that period.

28 Q. Thank you, Mr Witness. Now, Mr Witness, please, if you
can

29 tell us, how do you know that the entire Kono was under the
RUF,

1 please?

2 A. Because when they captured us, they opened a training
base
3 at Yengema.

4 Q. Okay. Thank you, Mr Witness. Before we go on to that,
you
15:05:18 5 told this Court you were captured by Colonel Monica and was
she

6 alone when she captured --

7 A. No, she was a commander. She had her boys, many of
them.

8 I wouldn't know their number.

9 Q. Mr Witness, please, if you can kindly tell this Court
how

15:05:49 10 you know that Colonel Monica was a commander, please?

11 A. Well, the boys used to call her "boss, boss, this is our
12 commander. This is our commander." So if you were around it,
13 you had to call her by that name.

14 Q. Thank you, Mr Witness. And, Mr Witness, apart from
Colonel

15:06:14 15 Monica, did you get to know of any other RUF commanders in
Kono?

16 A. Yes. She had a deputy called Ritchie. I know that one.

17 MR GRAHAM: Your Honours, I would spell Ritchie, as I
18 believe it is spelt R-I-T-C-H-I-E, Ritchie.

19 Q. And Mr Witness, did you happen to know the rank of
Ritchie?

15:06:51 20 A. Well, I used to hear that he was the deputy to Monica.

21 Q. Thank you. Thank you, Mr Witness. And, Mr Witness, do
you

22 know of any other RUF -- sorry, in addition -- apart from
Colonel

23 Monica and Ritchie, did you, at the time, knew of any other
RUF

24 commanders?

15:07:21 25 MR HARDAWAY: Objection, Your Honour. When my learned
26 friend first asked, he said: Did you know the name of any,
not a

27 few, any being all-inclusive, and he responded with Monica and

28 Ritchie. So I would submit that the question has been asked
and

29 answered.

1 PRESIDING JUDGE: Well, it may not have been exhaustive.
2 It might not have been exhaustive, Mr Hardaway. I will allow
the 3 question.

4 MR GRAHAM: Thank you.

15:07:57 5 PRESIDING JUDGE: You better repeat it.

6 MR GRAHAM: Thank you.

7 Q. Mr Witness, I asked of you whether during the time you
got 8 to know of any other RUF commanders, apart from Monica and
9 Ritchie?

15:08:09 10 A. Yes. I started by saying that Superman was at the
ground 11 and he was the overall boss. Then there was the mining
12 commander, Hamidu. They were the people that I knew.

13 MR GRAHAM: Your Honours, I will spell Hamidu. It's
spelt 14 H-A-M-I-D-U.

15:08:47 15 Q. Mr Witness, when you were captured by Colonel Monica
16 what -- did anything happen?

17 A. Yes. During that time, they opened an area wherein they
18 took people for training, and everybody went there for
training. 19 That -- the place was called the Joe Bush.

15:09:14 20 Q. Mr Witness, before you go on, who opened up the training
21 area?

22 A. The commandant, Monica.

23 Q. Mr Witness, please, if you can kindly tell us how you
know

24 that it was Monica who opened the training ground?

15:09:37 25 A. Because she was in control and she had -- her
principals.

26 THE INTERPRETER: The interpreter is sorry. The officer
27 that was in charge -- the interpreter has lost the name of the
28 officer in charge, and the interpreter kindly regrets about
it.

29 MR GRAHAM:

my 1 Q. Mr Witness, I will ask to re-ask you this question, and
2 question was: Please, how do you know that it was Monica who
3 opened the training area?

during 4 A. All the people at that time, the people in Yengema
15:10:32 5 that time were under her, and she was the only person that
could 6 order us to do things, and she was the person that ordered for
us 7 to be trained.

had 8 MR GRAHAM: Your Honours, before I go on, the witness
9 mentioned a Bush, and a Joe Bush J-O-E B-U-S-H.

15:11:02 10 Q. And, Mr Witness, how do you know that the training, the
11 area was called Joe Bush?

12 A. It was the commandant who named the place.

13 Q. Which commandant are you referring to?

14 A. Colonel -- Commander Monica.

15:11:25 15 Q. Thank you, Mr Witness. Mr Witness, how soon after you
were 16 captured by Colonel Monica were you taken to Joe Bush?

17 A. Well, it was almost about one month, five days, that I
18 spent in the training site.

was 19 Q. And, Mr Witness, do you know where this training site
15:12:00 20 located?

21 A. Yes.

22 Q. Please tell this Court, Mr Witness?

23 A. It was in Yengema, but it wasn't in the town. If you
leave

24 the town, it was about half a mile, and you enter an area
known

15:12:27 25 as Jolavlaun. That was an old village. So after they had
made

26 some plantation there, she went there and made a training base
27 there.

28 Q. Witness, you mentioned the name of a village; if you
could

29 mention that again?

1 A. Jolavlaun. Jolavlaun.

2 MR GRAHAM: Your Honours, if I may do a phonetic
spelling,

3 I think it is J-O-L-A-V-L-A-U-N.

4 Q. And, Mr Witness, what kind of training was given to you
at

15:13:18 5 Joe Bush?

6 A. As of now, as I'm speaking, I'm just speaking because I
am

7 a peaceful citizen in Sierra Leone, because the way I was
beaten,

8 because the training called for beating. They had a
particular

9 stage of training called Alaka. That is a situation wherein
you

15:13:41 10 will be in a very tight position and there were other people
that

11 were flogging you very seriously. So that is why up until
now,

12 even while speaking now, I'm feeling some pains, because I am

13 unable to eat. From that time I wasn't myself.

14 Q. And, Mr Witness, do you know who was in charge of
training

15:14:24 15 at Joe Bush?

16 A. Yes. There was one person called Colonel Long Life.
That

17 is the person I've talked about. The person -- there were two
in

18 the field, Long Life and Gatewa.

19 MR GRAHAM: Your Honours, Long Life is L-O-N-G L-I-F-E.

15:14:36 20 And, Your Honours, earlier on he mentioned Alaka. It is

21 A-L-A-K-A.

22 Q. And, Mr Witness, apart from Long Life, you mentioned
23 another name; could you mention that again?

24 A. RSM Gatewa.

15:14:55 25 MR GRAHAM: Your Honours, that is spelled G-A-T-E-W-A.

26 Q. And, Mr Witness, were you given, apart from what you've
27 told us about the beating, what other form of training did you
28 receive at Joe Bush, Mr Witness?

29 A. Let me say all the trainings that concerned weaponry, we

the 1 went through that. We -- whatever activities that concerned
2 training, that we were asked to do.

3 Q. And, Mr Witness, do you know approximately how many RUF
4 were at Joe Bush during the time that you were there?

15:16:03 5 A. During that time they were in control of the area. They
you 6 were all over. I wouldn't know the number, because every day
7 see different individuals coming into the place.

8 Q. And do you know whether they had arms at Joe Bush, arms
and 9 weapons at Joe Bush?

15:16:22 10 A. Yes. They used them and taught us how to use arms.

11 Q. And, Mr Witness, during the period that you were
undergoing 12 training at Joe Bush, did anything significant happen?

13 A. The time that we were under training, yes, important
things 14 happened, important things happened, because some people lost
15:16:59 15 their lives.

16 Q. Who lost their lives, Mr Witness?

17 A. One of our brothers died during the training.

18 Q. And Mr Witness, you said a lot of things happened.
Apart

19 from the brother who you said died, did anything else happen
15:17:25 20 during the period that you were under training at Joe Bush?

21 A. Yes, a lot of things happened. The only thing we were

22 under pressure. You wouldn't know everything, except when we
23 came back at 6.00, then about half past 7 you go back to the
Joe
24 Bush.

15:17:53 25 Q. Mr Witness, did you eventually leave Joe Bush?

26 A. Yes. During that time there was the passing out and
there

27 was a message that the peace should stand. So when the
UNAMSIL

28 went there with the helicopter, they told us that we passed
out.

29 They told us that we passed out and we should leave the place
and

1 they disperse us during that period.

2 Q. Mr Witness, who told you that you had passed out?

3 A. It was Monica, who was the training commander.

4 Q. And did you understand what she meant by you had passed
15:18:53 5 out?

6 A. Well, I don't know, except that she told us that we were
7 going to fight Kamajors.

8 Q. And, Mr Witness, after Colonel Monica told you that you
had
9 passed out, and that you were going to fight Kamajors, did
15:19:12 10 anything happen after that?

11 A. Yes. She emphasised that since there were no weapons,
we
12 had to be minding different checkpoints within the town ship
and
13 other villages leading to the town. So she dispersed
everybody.

14 Q. How, Mr Witness, please if you can tell us, how do you
know
15:19:41 15 she -- what -- sorry, before I go on, Mr Witness, what do you
16 mean by everybody? She dispatched everybody. Who are you
17 referring to as everybody?

18 A. Those of us who were the trainees. She left us and said
19 everybody should go to his own location.

15:20:11 20 Q. And, as a result of that, did you go to your own
location,

21 Mr Witness?

22 A. Yes.

23 Q. And can you tell this Court where your location was, Mr
24 Witness?

15:20:29 25 A. Well, it was a small -- a junction called Small Makeni,
26 Small Makeni Junction.

27 Q. And, Mr Witness, where -- do you know where Small Makeni
28 Junction was located? In which -- do you know the township

where

29 Small Makeni is?

1 A. That was -- is a mile off from Yengema Town.

2 Q. Thank you, Mr Witness. Mr Witness, how come you know
that

3 little -- that Small Makeni is a mile from Yengema?

4 A. Well, we had drivers there. We had drivers there.
They

15:21:15 5 would always tell you the mileage between one place to
another.

6 Q. Thank you. And, Mr Witness, at your location at Small
7 Makeni, were you alone?

8 A. No, we were three in number, but two of them were bosses
in

9 the RUF. We were subjects under then. When you are there as
a

15:21:42 10 boy they would tell you go there and go there.

11 Q. And, Mr Witness, how do you know they were bosses in the
12 RUF, these people that you referred to, please?

13 A. Well, because by then they had the last saying.

14 Q. And these bosses you refer to, who were with you at
Small

15:22:06 15 Makeni, do you know whether they were armed during the time
that

16 you were at Small Makeni?

17 A. Yes; both of them had guns.

18 Q. Thank you. And, Mr Witness, can you tell this Court
what

19 did you do at Small Makeni, the Small Makeni location?

15:22:29 20
people

A. Well, we were just there. When people were -- when

they

21 bring their goods from outside they would take them and then

the

22 would tell us to carry them to the house by them. That was

23 only thing I knew about that place.

Small

24 Q. And do you know how long you were at your location at

15:22:58 25

Makeni, Mr Witness?

26 A. It was not even up to a week when I was there.

Small

27 Q. And, Mr Witness, during this period that you were at

28 Makeni, did you witness any killings by the RUF?

I

29 A. During that time, except those who died in the Joe Bush,

1 never saw somebody being killed in my presence.

2 Q. Thank you, Mr Witness. Mr Witness, did you go anywhere
3 else apart -- sorry, sorry, Your Honours, let me rephrase the
4 question. Mr Witness, you've told this Court you were at

Small

15:23:52 5 Makeni Junction for a week; did you go anywhere else after
that?

6 A. Well, after that I didn't go anywhere. I only came
because
7 by then the peace -- they had instituted the peace.

8 Q. Mr Witness, how do you know that they had instituted the
9 peace by then?

15:24:18 10 A. Well, we saw UNAMSIL, Opandi went there. He went and
spoke
11 with Colonel Monica in our presence. That gave us courage
that
12 the peace was now there.

13 Q. Mr Witness, I did not hear you well. You said who went
and
14 spoke to Colonel Monica?

15:24:42 15 A. I said Opandi. The first visit he made to Kono he went
to
16 him -- to her first. No sooner he alighted at the field, he
went
17 there and collected her and went to the field and told her
that
18 at the end of the day finally there should be peace.

19 Q. Mr Witness, did you -- did you mention the name -- did
you

15:25:13 20 say Opandi? Could you mention that name again?

21 A. Yes, Opandi.

22 MR GRAHAM: Your Honours, I will spell that
phonetically.

23 I believe it should be O-P-A-N-D-I.

24 Q. And, Mr Witness, if you can tell this Court do you know
who

15:25:26 25 Opandi is?

26 A. Yes. He's a tall -- he is like our fathers. A tall and
a

27 big man; a very nice man.

28 Q. And do you know where was he from, Opandi?

29 A. Well, where I knew he came from was Freetown here. He
came

1 from Freetown here and went there. That is what I knew.

2 Q. And did you see him when he got there?

3 A. I saw him together with his bodyguards. We were in the
4 same community. We were behind him to know, to learn from
him.

15:26:15 5 Whenever something is happening, you -- you want to know what
was
6 happening, so we were behind him to know what was going on.

7 Q. And this Opandi, do you know whether he was with the RUF
or
8 ECOMOG?

9 A. Opandi? Well, it was the peacekeeping force. He was
15:26:52 10 there. He was an UNAMSIL. A UNAMSIL. That was what I heard.

11 Q. From whom did you hear that Opandi was from UNAMSIL,
12 Mr Witness?

13 A. Well, even the UN vehicles can show that.

14 Q. Thank you, Mr Witness. And, Mr Witness, during the
period

15:27:21 15 that you were in -- during the period that we referred to, did
16 you hear -- sorry, sorry, Your Honours. I rephrase that
17 question. And, Mr Witness, you told this Court about the
RUF's

18 total control over Kono. Do you know how long the RUF had
total
19 control over Kono?

15:27:55 20 A. I can't say exactly. Let me don't lie.

21 Q. Thank you, Mr Witness.

22 MR GRAHAM: Your Honours, at this point I don't have any
23 further questions for the witness. I'm grateful for the time.

24 PRESIDING JUDGE: Thank you, Mr Graham. Is there
anything
15:28:44 25 else in chief? I take it this is a common witness, Mr Graham?

26 MR GRAHAM: That is so, Your Honours.

27 PRESIDING JUDGE: Yes. Anything else in chief?

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

29 EXAMINED BY MR MANLY-SPAIN:

1 Q. Mr Witness, good afternoon.

2 A. How do you do, sir?

3 Q. Mr Witness, I just have two questions for your.

4 Mr Witness, before ECOMOG [overlapping speakers] went to Kono
in

15:29:12 5 1998, was there any force over the security [indiscernible]?

6 A. On the side of the government?

7 Q. Yes.

8 A. On the side of the government, I didn't understand.

9 Q. Any force?

15:29:38 10 A. I told you RUF were in charge before the ECOMOG went
there.

11 Q. Mr Witness, were there at any time during the period --

12 during 1998 SLAs in charge of security in Kono, Sierra Leone
Army

13 soldiers?

14 A. Yes. By then in 1998 they were there, but I told that
was

15:30:05 15 the time we were dislodged there. I told you people that.
They

16 were there. They were in control working together with
ECOMOG,

17 but when the pressure came, we were all together dislodged. I

18 told you that just know.

19 MR MANLY-SPAIN: Thank you.

15:30:31 20

EXAMINED BY MR DANIELS:

or

21 Q. Mr Witness, you told this Court that you were arrested

by

22 you were captured, I believe, on two occasions, is that right,

23 the RUF?

24 A. Yes, I explained that.

15:30:47

25 Q. And you said that it was Superman's boys who captured?

26 A. What?

27 Q. You were captured by Superman's boys?

he

28 MR HARDAWAY: Objection, Your Honour. That is not what

29 said.

1 PRESIDING JUDGE: No, I don't think he said that,
2 Mr Daniels.

3 THE WITNESS: I didn't say that, no.

4 MR DANIELS: I stand corrected.

15:31:11 5 Q. Do you know who captured you for the first time?

6 A. The very first time I did say it was Superman's men who
7 were on the ground, by then. By then nobody went there to
fight.

8 It was he only that you would hear he was the commander.

9 Q. In respect of the very first capture, was there a
15:31:36 10 commander? Do you know the commander who captured you, the
name
11 of the RUF?

12 A. The person that captured me initially? There were many
by
13 then. It would not only be a boss man, probably small boys,
who
14 you see four, five, six of them who would come around you and
15:32:01 15 nobody would tell he is this and that.

16 Q. So was the RUF alone, or were they together with any
other
17 faction?

18 MR HARDAWAY: Objection, Your Honour, leading.

19 PRESIDING JUDGE: That is a leading question, Mr
Daniels.

15:32:18 20 MR DANIELS: Very well.

21 Q. Were the RUF with anyone else when they captured you?

22 MR HARDAWAY: Objection, Your Honour, leading again.

23 PRESIDING JUDGE: I will allow it. Go ahead, Mr
Daniels.

24 MR DANIELS: Thank you, Your Honour.

15:32:40 25 Q. Were the RUF with anyone else when you were captured?

26 A. If they were with other people? There were many. There
27 were people who were civilians that were with them. They had
28 captured civilians who were with them.

29 Q. Very well. Do you know who the SLA are?

1 A. Yeah, I knew few of them, but I never knew their names.

2 Q. Can you distinguish between SLA and RUF?

3 A. Yes, for now, because the RUFs were in control of the
SLAs,
4 so by then SLAs had no voice, by then.

15:33:30 5 Q. You just said the RUF were in control of the SLAs. Can
you
6 explain what you mean by that?

7 A. They were their bosses. They were subjects under them.
8 Whatever they say was that you will follow.

9 Q. How do you know?

15:33:55 10 A. Through the commands they gave, because they had killed
so
11 many people then. They had disarmed a lot of soldiers, took
12 their properties, took everything from their houses. There
was a
13 soldier called Chippo, that they did that to. That made us to
14 know that they had the last command.

15:34:23 15 MR DANIELS: Your Honours, I will try to spell Chippo,
16 C-H-I-P-P-O.

17 Q. For how long were you captured during the first capture?

18 A. I have told you the time. I said I don't know the date,
19 but I said it was in 1998. The very first capture was in 1997
at

15:34:47 20 Samaikuwadu. When we left is Samaikuwadu and went to that
place,
21 Kwardor village.

22 Q. The question was for long were you kept, not when, were
23 capture?

24 A. The time I spent with them? Well, I told you I didn't
stay

15:35:07 25 with them for long. It was only the training site that I took
a

26 long time with them, a months and five days.

27 Q. Mr Witness, you told you about an attack at Mortema.

28 A. During that time all of us moved together with the
29 soldiers. Everybody was dislodged from Kono.

persons

1 Q. Do you know whether, as a result of the attack, any
2 were killed in Mortema?

3 A. That one I don't know the number.

do

4 Q. Again, I'm not asking for the number. I'm just saying,

15:36:01 5 during

5 you know whether or not any persons were killed in Mortema
6 that attack?

must

7 A. People were killed. Where there is an attack, people
8 be killed.

this

9 Q. Do you know whether any civilians were killed during
10 attack?

15:36:17

our

11 A. Yes, because when we were running, some people who were
12 relatives were Kono people, we were going along crying. Some
13 said, "They have killed my child," some will say, "They have
14 killed my husband, my uncle." We heard all of that, so

killing

15:36:38 15

15 must have taken place.

attack

16 Q. Thank you. Do you know whether the RUF, during the
17 on Mortema, raped any women in Mortema?

18 A. That one, let me don't lie. Nobody told me about that.

19 Q. Do you know whether the RUF abducted any persons as a
20 result of the attack in Mortema?

15:37:06

21 A. What?

22 Q. Do you know whether any civilians were forcefully taken
23 away by the RUF as a result of the Mortema attack?

24 A. Yes, I had said this before. Sooner a town is captured,
15:37:41 25 you will know that that will be their target.

26 Q. Do you know whether any looting or burning took place in
27 Mortema as a result of the attack?

28 A. Yes.

29 Q. What do you know?

house 1 A. Well, what I knew, I knew houses were burnt, even the
2 of my uncle was burnt, so I know about it.

many 3 Q. Without mentioning your uncle's name, do you know how
4 houses were burnt?

15:38:22 5 A. I don't know the number, but there are still several
houses 6 that are down. For some people to develop their houses again,
it 7 will not be easy for them. So many houses.

8 Q. Mr Witness, do you know whether the RUF had child
soldiers 9 fighting along.

15:38:48 10 A. Yes, they call them SBUs.

11 Q. What does that mean to you?

12 A. The junior ones.

13 Q. Did you see them with your eyes, personally?

14 A. Yes.

15:39:03 15 Q. How were they dressed, the SBUs?

16 A. Well, some dressed in military clothes and trousers and
17 have a trousers that is civil, sometimes they will have the
full 18 kits with arms with them, going along.

19 Q. You mentioned one Chippie?

15:39:34 20 A. Chippo, Chippo.

21 Q. I beg your pardon. Do you know whether he was an RUF or

22 SLA?

23 A. He was a full SLA.

24 Q. How do you know that?

15:39:52 25 A. He's a brother to me. He used to stay at Wilberforce.
He

26 died last year.

27 Q. Do you know the meaning of AFRC? Do you know what AFRC

28 stands for?

29 A. Since I'm not literate, I cannot say.

Joe 1 Q. Now, you also talked about Joe Bush. Can you describe
2 Bush for us?

3 A. Yes.

4 MR HARDAWAY: Objection, Your Honour, I believe he has
15:40:33 5 already done that.

6 PRESIDING JUDGE: Yes, I think he has, too, Mr Daniels.
Is 7 there something in particular you wanted to ask?

8 MR DANIELS: This Joe Bush has come up time and time
again.
9 And I would like to know exactly what it is all about.

15:40:57 10 PRESIDING JUDGE: Well, he has given evidence on it. If
11 there is some specific thing that you want him to explain,
that 12 is a different matter altogether.

13 MR DANIELS: I wanted to know -- just a minute's grace
14 [Defence counsel conferred]

15:41:25 15 MR DANIELS: Honestly, Your Honours, I do not have a
16 recollection of him describing the Joe Bush. I don't know
17 whether my learned friend could assist me.

18 MR HARDAWAY: My understanding is that in direct answer
to 19 the question of my learned friend across the way, he went into
15:41:37 20 significant detail as to how long he was there, his training -
-

21 how long he there and things of that nature, who his
commandants
22 were, who set it up. He did give evidence to that as related
to
23 direct questions.

24 JUDGE SEBUTINDE: Did the witness describe the place? I
15:41:57 25 don't recall the witness describing this place.

26 PRESIDING JUDGE: I have a note, that he was in Yengema.

27 THE WITNESS: I described it. I described it.

28 PRESIDING JUDGE: It's been described. If there is
29 something you want to explain about that description, Mr
Daniels,

1 you ask the question, but not just a general question.

2 MR DANIELS: Without leading it will be difficult, but I

3 will go on. To do so I will be leading him and I don't know
how

4 else. Very well.

15:42:31 5 Q. You also told us that the RUF were in total control of

6 Kono; is that correct?

7 A. Yes, by then.

8 Q. Can you mention some of the towns that you know that the

9 RUF were in total control of?

15:42:54 10 A. Yes, one of them was Yengema, Bumpah, Koidu Town. Okay.

11 Q. Bumpah, I think is B-U-M-P-E? [Sic]?

12 A. Yes.

13 Q. Please carry on.

14 A. Koakoyima.

15:43:13 15 Q. Koakoyima, I believe we also have this, K-O-R-Q-U-I-M-A

16 [sic], Koakoyima.

17 A. Koakoyima and Koidu Town itself, Koidu Town.

18 Q. Who do you know that?

19 A. I have told you they captured me. So when I was
captured,

15:43:47 20 I must be aware that they were there.

21 Q. Thank you, Mr Witness. My colleague over there will
also

22 ask you some questions.

23 PRESIDING JUDGE: Thank you, Mr Daniels.

24 MR HARDAWAY: Thank you, Your Honours.

15:44:06 25 CROSS-EXAMINED BY MR HARDAWAY:

26 Q. Mr Witness, good afternoon, sir.

27 A. Good afternoon.

28 Q. I have some questions for you, sir. If you could just

29 listen carefully and answer them concisely, usually the answer

1 could be yes, no, or I don't know. Do you understand?

2 A. Yes, sir.

3 Q. Mr Witness, at the beginning of your evidence you had
said
4 that you had heard from people that the AFRC had taken power.
Do
15:44:48 5 you remember that?

6 A. Yes, I could recall.

7 Q. Did any of those people who told about the AFRC taking
8 power, did they mention the name Alex Tamba Brima as being one
of
9 the people who took over power?

15:44:58 10 A. Well, the man's name you have called, I heard the name,
but
11 I don't know him. I have never heard something bad about him
12 that I saw he did. I heard the name.

13 Q. You heard the name as it relates to being one of the
people
14 who took power?

15:45:23 15 A. They only said he's big man in the military, so by then
I'm
16 not used to him and I don't know him officially, I heard that
17 he's a big man.

18 Q. Did you hear the name Gullit as it relates to one of
those
19 who took power, when the AFRC took power?

15:45:45 20 A. No.

those 21 Q. Did you hear the name Ibrahim Bazzy Kamara as one of
22 who took power?
23 A. No.
as 24 Q. Did you hear the name Santigie Borbor Kanu or Five-Five
15:46:11 25 being one of those who took power?
26 A. I would not testify to this, because I didn't
understand.
27 Let me don't lie.
28 Q. Okay. The names that --
29 MR DANIELS: Objection. I would like to bring something
to

1 the court's attention. Respectfully, Your Honours, I notice
that
2 when questions, or at least of the last two questions are
being
3 asked, there is a tendency for those particular accused
persons
4 to appear on the screen when those names are mentioned. I
15:46:44 5 believe, given with some of them the issue of their identity
is
6 called into question, I don't think it is fair, and I would
7 propose that it is not --

8 JUDGE DOHERTY: Mr Daniels, the witness doesn't have a
9 screen.

15:46:59 10 MR DANIELS: Very well.

11 JUDGE DOHERTY: So I'm a little unclear how --

12 PRESIDING JUDGE: I think in any event -- what was your
13 last question, Mr Hardaway?

14 MR HARDAWAY: It was Santigie Borbor Kanu, also known as
15:47:22 15 Five-Five. I believe he answered in the negative. I can ask
16 that question again and move on, Your Honour.

17 JUDGE DOHERTY: I have recorded: "I will not testify to
18 this. Let me not lie."

19 MR HARDAWAY: Very well, I will move on, Your Honours.
15:47:32 20 Thank you.

21 Q. Mr Witness, the names that I had mentioned to you

AFRC

22 previously, did you ever hear of them as being part of the

23 government?

24 A. I have answered. I don't know about them. I only heard

15:47:49 25
position

they are big men in the military, but I never knew the

is

26 they had in the military. The names I heard, but to say this

27 the very man whose name I knew of, no, I don't know.

RUF

28 Q. Thank you, Mr Witness. Now you had testified that the

29 RUF were in control of SLAs; right?

1 A. Yes, of course.

2 Q. So you would agree with me that when the RUF undertook
3 missions, they would have SLAs with them; correct?

4 A. Like what I said? Whatever thing you are doing, you
need

15:48:36 5 to understand for you to say something about it, so I don't
know.

6 Don't say something that you don't understand.

7 Q. I put it to you, Mr Witness, that the SLAs worked
together

8 with the RUF in Kono?

9 A. Yes, by then they worked together, but because of the
15:49:04 10 pressure, when you are captured, you are with them, you work
with

11 them as a soldier.

12 Q. Do you know the names of the people who commanded the
SLAs

13 while they were in Kono?

14 A. There were people who were many. They hadn't only one
15:49:36 15 commandant. They had several of them.

16 Q. Mr Witness, do you know the name Ibrahim Bazzy Kamara as
17 being in charge of the SLAs while in Kono?

18 A. I don't know. I heard the name that he was a big man,
but

19 I never knew he was in charge of any group.

15:50:07 20 Q. I put it to you, sir, that Ibrahim Bazzy Kamara was in
21 command of the SLAs in Kono?

22 A. Well, for me I can't testify to that that he was a
23 commander, because I never saw him go to my own area and say I
am
24 the commander for that or this, so I can't say much about
that.

15:50:40 25 Q. Now, Mr Witness, when you were captured, and I believe
it
26 was the first time you were captured, did any of the people
who
27 captured, you they wearing military uniforms, military
combats?

28 A. I did say they were not wearing the complete uniform.
Some
29 of them had half civil and half combat, then they do carry
arms.

1 Q. But did any of them wear full military combats?

2 A. During the time I was captured, there was nobody amongst
3 them that had a full military combat. Some of them carried
the
4 jackets, some of them had the civil trousers when they met me
in
15:51:28 5 the bush.

6 Q. I put it to you, sir, that when you were captured, you
were
7 captured by a joint force of RUF and SLA soldiers. What is
your
8 response?

9 A. Well, I can't say that, because I didn't see them with
the
15:51:50 10 full kits, so that can't convince me to say they were all
11 together.

12 Q. Mr Witness, for the attack on Mortema - and I hope I am
13 pronouncing it right - that was the done by both RUF and SLA,
14 wasn't it?

15:52:19 15 A. No. It was the RUF who drove the SLAs and the
peacekeeping
16 force that was there.

17 Q. But you also said that the RUF had control over the
SLAs,
18 didn't you?

19 A. Yes. It was during the time when we had retreated from
the
15:52:36 20 centre and then gone out. Because during the war, it was not

stayed 21 everybody that would go away. Those who were captured had

22 with them.

joint 23 Q. I put it to you, sir, that Mortema was attacked by a

24 force of RUF and SLA soldiers?

15:53:03 25 A. I can't testify to that because I was not like them
during

26 the time.

Mortema? 27 Q. Did the RUF attack any other villages other than

28 A. I have called the villages from Mortema, Bumpah, Yigbeda

29 coming down to Sewafe. They captured all those areas since we

1 were dislodged from there.

2 Q. Now, let's take them one at a time, sir. Do you know if
3 there was any killing in Bumpah when the RUF captured it?

4 A. Yes, there was killing there and burning of houses.

15:53:58 5 Q. Were there amputations there in Bumpah?

6 A. During the time for the attack, I didn't see somebody
who
7 was amputated.

8 Q. Did you hear about it, sir?

9 A. Yeah, I heard people were amputated, but for me I didn't
15:54:18 10 witness where such happened.

11 Q. I understand, sir. Did you hear of any rapes in Bumpah
12 when the RUF took control?

13 A. No, sir.

14 Q. Let's move next to Koakoyima. The RUF captured that as
15:54:41 15 well; correct?

16 A. Yes.

17 Q. Did you hear of any burnings or killings in Koakoyima?

18 A. The burning of houses went on. That is the only thing I
19 can testify to.

15:54:55 20 Q. All right. Now, in Koidu Town, also captured by the RUF
21 according to you; is that correct?

22 A. What?

23 Q. Koidu Town was under the control of the RUF; is that

24 correct?

15:55:16 25 A. Yes.

26 Q. Was Koidu Town captured by the RUF to establish control?

27 A. Over Koidu Town?

28 Q. Yes.

29 A. Yes, yes.

28 JULY 2006

OPEN SESSION

1 Q. Did you hear of any burnings and killings in Koidu Town?

Even

2 A. The burning went on. The burning of houses went on.

3 now I'm talking, if you go to Koidu Town, you will see that

4 burning of houses went on.

15:55:48
it?

5 Q. Were there killings in Koidu Town when the RUF captured

6 A. Yes, sir, wherever there was a war, there was an attack
7 that certain thing would happen.

when

8 Q. Did you hear of any rapes or amputations in Koidu Town

9 the RUF captured it?

15:56:13
talking

10 A. I have talked about that. I wouldn't be able to be
11 about it, the rape, the killing of people. Where there is
12 fighting, you will not just see all of those things except by
13 rumour. Even with the rumour you cannot ascertain the truth.

15:56:38

14 Q. I'm not asking if you saw it, sir. The question very
15 carefully: Did you hear about killings, rapes, amputations in
16 Koidu Town?

on,

17 A. About the rape, I didn't hear that. The killing went
18 the burning of houses went on, but the rape, let me don't say
19 anything about it.

15:56:55
Koidu

20 Q. Did you hear about any amputations or mutilations in
21 Town when the RUF captured it?

was 22 A. Yes, that one because, in fact, an uncle of mine, too,

23 amputated.

24 Q. Now, other than those three towns, sir, what other towns
15:57:25 25 did you mention in response to questions from the attorneys
from

26 the other side that you mentioned that the RUF had control
over

27 in Kono?

28 A. I have called the names of the towns. I have called

29 Yengema.

28 JULY 2006

OPEN SESSION

1 Q. And at this time, when the RUF was in control of these
2 towns and captured these towns, they were under -- they had
3 control of the SLAs at that point, didn't they, sir?

4 A. Yes, sir.

15:58:00 these

5 Q. So you would agree with me that when the RUF captured
6 towns, that they did so with the help of the SLAs they had
7 their control?

under

8 A. Yes, because by then, you know, the conflict had

started,

9 so they themselves, most of them who feel they were to stay
10 them, were with them. Those who were willing to stay with

with

15:58:27 them.

11 Q. I did not hear that correctly, sir. You said that they
12 were willing to stay with them. Is that correct? I did not
13 clearly?

hear

14 A. I said those who were ready to stay with them were with
15 them.

15:58:45

16 Q. All right, sir, thank you. I want to take you to Joe
17 when you said you were taken there for training?

Camp

18 MR DANIELS: Excuse me, sir, bush.

19 MR HARDAWAY: Joe Bush, I apologise.

15:59:02

20 THE WITNESS: Joe Bush?

Joe

21 Q. Yes, let me take you back to Joe bush where you did your
22 training. Did you see any children receive any training at

23 Bush?

24 A. The children? The children?

15:59:18 25 Q. Yes.

26 A. Yes, I said they called them SBU.

27 Q. When you were captured and brought to Joe Bush were any
28 children captured with you?

29 A. Yes, I met some children there.

1 Q. And did those children undergo training at Joe Bush?

2 A. Yes.

3 Q. Now, Mr Witness, how many instructors did you have at
Joe
4 Bush?

16:00:00 5 A. We had the training commandant, Monica. The principal
in
6 charge, Colonel Long Life. Then we had RSM Gatewa. It was
those
7 three people that I saw who were dealing with us. Even though
8 they were many, but they were the commanders.

9 Q. Okay. I don't want to deal with the commanders now, I
want
16:00:30 10 to deal with the many. Other than the commanders, how many
11 people helped train you and the other people at Joe Bush?

12 A. They were many, because they came from different places.
13 This one would come from this place and the other would come
from
14 that place and when they come, would pass their orders.

16:01:00 15 Q. And you would agree with me, sir, that the people who
16 helped train you were a combination of RUF and SLA; correct?

17 A. Yes, because the principal in charge, who was Colonel
Long
18 Life and RSM Gatewa. Those two people I knew among them were
19 soldiers.

16:01:45 20 MR HARDAWAY: If I may have the Court's indulgence for
one

21 minute, please.

22 [Prosecution counsel conferred]

23 MR HARDAWAY: I thank the Court.

24 Q. Mr Witness, I want to thank you for your time, sir, in
your

16:01:47 25 time here giving your evidence. I have no further questions
of

26 you.

27 MR HARDAWAY: Your Honours, that concludes my
28 cross-examination.

29 PRESIDING JUDGE: Thank you, Mr Hardaway. Is there

1 anything arising?

2 MR GRAHAM: Yes Your Honour, just a couple of questions.

3 RE-EXAMINED BY MR GRAHAM:

4 Q. Mr Witness, just a few questions. You told this Court
in

16:02:03 5 response to questions from my friend from the other side in
6 reference to the SLA, that those who were ready to stay with

them

7 were with them and by that were you referring to the SLA; is

that

8 so?

9 A. Once again.

16:02:34 10 Q. I'm saying that you told us in response to a question as
to

11 whether the -- when the RUF captured Koidu they were with any
12 SLAs - I stand to be corrected - and I recall in your response
13 you said those who were ready to stay with the RUF ?

14 JUDGE SEBUTINDE: Willing.

16:02:58 15 MR GRAHAM: I'm sorry.

16 Q. Those who were willing to stay with the RUF were with
them;

17 is that right?

18 A. Well, that's why I have explained to you that these were
19 the soldiers, the two names I have mentioned, that those were

the

16:03:15 20 people that were willing to stay with them.

hear

21 Q. Thank you. Mr Witness, do you know about -- did you
22 about any SLAs who were unwilling to stay with the RUF?

23 A. Yes, those -- [overlapping speakers]

not

16:03:39

24 MR HARDAWAY: Objection. That particular question was
25 raised on cross-examination. That issue wasn't raised on
26 cross-examination.

out

27 PRESIDING JUDGE: I think it is something that arises
28 of cross-examination, Mr Hardaway. Go ahead.

29 MR GRAHAM: My learned friend has thrown me off.

were

1 Q. Mr Witness, I asked you whether you knew whether there
2 any SLAs that were unwilling to be with the RUF?

of

3 A. Yes, many of them were there. There were many. A lot
4 them withdrew from the RUF and finally they decided to go on

the

16:04:24 5 side of the government. There were many.

6 Q. How do you know that, Mr Witness?

7 A. The information came through the radio.

time.

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

16:04:42 10 PRESIDING JUDGE: Anything else in re-examination? All

to

11 right. Thank you, Mr Witness. We thank you for coming along
12 court to give evidence today. You will be able to leave soon.

13 We are going to adjourn the Court, then the curtains will be

14 pulled across and you can leave without anybody seeing your

16:05:05 15 identity. We will adjourn now until 9.15 Monday morning.

be

16 [Whereupon the hearing adjourned at 4.00, to

17 reconvened on Monday, the 31st day of July,

18 2005, at 9.15 a.m.]

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WITNESSES FOR THE DEFENCE:

WITNESS: DAB-079 2

EXAMINED BY MR MANLY-SPAIN 4

EXAMINED BY MR DANIELS

43

EXAMINED BY MR GRAHAM

51

CROSS-EXAMINED BY MR AGHA

62

RE-EXAMINED BY MR GRAHAM

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RE-EXAMINED BY MR MANLY-SPAIN

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RE-EXAMINED BY MR DANIELS

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WITNESS: DAB-025

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EXAMINED BY MR GRAHAM

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EXAMINED BY MR MANLY-SPAIN

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EXAMINED BY MR DANIELS

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CROSS-EXAMINED BY MR HARDAWAY

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RE-EXAMINED BY MR GRAHAM

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