

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

TUESDAY, 12 SEPTEMBER 2006
9.15 A.M.
TRIAL

TRIAL CHAMBER II

Before the Judges:

Richard Lussick, Presiding
Julia Sebutinde

For Chambers:

Ms Carolyn Buff

For the Registry:

Mr Thomas George
Ms Advera Kamuzora

For the Prosecution:

Mr Karim Agha
Mr Charles Hardaway
Mr Vincent Wagana
Ms Maja Dimitrova (Case Manager)

For the accused Alex Tamba
Brima:

Mr Kojo Graham

For the accused Brima Bazy
Kamara:

Mr Mohamed Pa-Momo Fofanah

For the accused Santigie Borbor
Kanu:

Mr Ajibola E Manly-Spain

1 [AFRC12SEP06A-MC]

2 Tuesday, 12 September 2006

3 [Open session]

4 [The accused present]

5 [The witness entered court]

6 [Upon commencing at 9.15 a.m.]

7 WITNESS: DAB-123 [Continued]

8 [The witness answered through interpreter]

9 PRESIDING JUDGE: Good morning. Well, before we proceed,
10 Justice Doherty is ill and will not be coming to court today and
11 we are satisfied that it would be in the interests of justice to
12 continue in her absence, in accordance with Rule 16(A) of the
13 Rules of Procedure and Evidence, and we hereby order that the
14 trial continue in the absence of Justice Doherty for a period of
15 not more than five working days from today, and a formal order
16 will be filed this morning in the Registry.

17 MR FOFANAH: May it please Your Honours. I apologise for
18 the lateness of Mr Spain. He's caught in traffic and he said we
19 should communicate to the Court that he will be here shortly.

20 PRESIDING JUDGE: Thank you, Mr Fofanah. Can I take it
21 that he -- he has no problems with the trial continuing in the
22 meantime?

23 MR FOFANAH: Yes, he indicated that we can hold the fort on
24 his behalf. And the client -- well, he is in accord with that.

25 PRESIDING JUDGE: All right. So you and Mr Graham will be
26 looking after his client's interests until Mr Spain arrives?

27 MR FOFANAH: Yes, Your Honour.

28 PRESIDING JUDGE: Thank you, Mr Fofanah. Now, Mr Witness,
29 I will just remind you that you're still on your oath to tell the

1 truth that you took yesterday; is that clear?

2 THE WITNESS: Yes, My Lord.

3 PRESIDING JUDGE: Thank you. Yes, Mr Graham.

4 MR GRAHAM: Good morning, Your Honours.

5 EXAMINED BY MR GRAHAM:

6 Q. Good morning, Mr Witness.

7 A. Yeah, good morning.

8 Q. Mr Witness, yesterday when you left -- we left off, you
9 were telling this Court about events Yomanda [sic]. And,
10 Mr Witness, you told this Court that Sewafe people that settled
11 there, in Yomandu, even the paramount chief himself was there
12 that night. What do you mean by some of them had settled there?

13 A. Well, that particular attack, there were some Sewafe people
14 there, especially the paramount chief who was there when the
15 attack took place, and there was one prominent Madingo chief who
16 was killed there that particular night. And people from Sewafe
17 were preparing the next morning to go to Sewafe.

18 Q. And, if the name of the -- do you know the name of this
19 prominent Madingo person that you just mentioned, Mr Witness?

20 A. Yes, yes.

21 Q. Can you please tell this Court the name, Mr Witness?

22 A. He was called -- he was called Pa Bri ma Mansaray.

23 MR GRAHAM: Your Honours, Bri ma Mansaray, I believe we've
24 had. B-R-I-M-A, Bri ma. And Mansaray, M-A-N-S-A-R-A-Y.

25 Q. And, Mr Witness, how do you know that Pa Bri ma Mansaray was
26 killed?

27 A. Well, that particular night as we were all standing in the
28 centre of the room, they were taking out people, butchering them.
29 Later we came to understand that people from Masingbi, they were

1 killed and they were hacked. Therefore, they were buried. I
2 knew him very well.

3 Q. And do you know who killed the prominent Mandingo man?

4 A. It was the RUF people, that particular night.

5 Q. And, Mr Witness, you also mentioned the paramount chief.
6 Do you know of which place that he was paramount chief?

7 A. It was in Nimi yama Chiefdom. It was in Nimi yama Chiefdom.
8 The paramount chief was PC MM Tutu.

9 MR GRAHAM: Your Honours, PC MM Tutu is spelt, T-U-T-U.

10 Q. And do you know whether anything happened to this paramount
11 chief?

12 A. Well, that particular night he was very lucky, because the
13 area where he was at that time until they heard the commotion,
14 the people were able to escape with him to the bush. So I was
15 made to understand that nothing happened to him.

16 Q. Who made you understand that nothing happened to him,
17 Mr Witness?

18 A. When I escaped, and when I returned from Masingbi, the
19 paramount chief was at Sandia. I came to look out for my people.
20 That was the time they took him to Sewafe.

21 Q. Okay. Thank you, Mr Witness. Mr Witness, do you know how
22 long attack on Yomanda [sic] took? Do you know how long?

23 A. It was about an hour.

24 Q. And during this period, Mr Witness, did you see any burning
25 of houses, in Yomandu?

26 A. No. That particular night they were not able to burn down
27 houses. They only did things quickly and left.

28 Q. Right. Did you also see any looting in Yomandu, during the
29 attack, Mr Witness?

1 A. Well, no. At that time the people were running
2 helter-skelter, except if some other people were looting, but I
3 didn't see any people looting at that particular moment.

4 Q. And did you see or witness any rape, during the attack on
5 Yomandu, Mr Witness?

6 A. No. What I saw, where I was standing, it just -- when they
7 were beating up people, putting them down. It was -- people were
8 beaten. That was all that I saw. I never saw people being
9 raped. I only saw that people were beaten. By then I didn't see
10 any other activity taking place.

11 Q. Thank you, Mr Witness. And, Mr Witness, during the attack
12 on Yomandu, did you yourself -- did you hear that one Alex Tamba
13 Brima, also known a Gullit, did you hear whether he was part of
14 the rebels that attacked Yomandu?

15 A. No, I never heard such a name. The names that I heard, I
16 know them, but that was not the name. I never heard that name.

17 Q. What names did you hear, Mr Witness?

18 A. Well, in that particular village, in Yomandu, there was a
19 boy called -- his friends called him Kono boy. His name was
20 Sani, in Kono Kandu village. He was born there. He's -- he was
21 even asking for his grandmother, and he was part of the RUF at
22 that time.

23 Q. Thank you, Mr Witness.

24 MR GRAHAM: Your Honours, Sani, I believe is spelt,
25 S-A-N-I.

26 Q. I'll come to Mr Sani later. But, Mr Witness, so did you --
27 what happened? You -- you just told this Court that the attack
28 on Yomandu lasted about an hour. What happened after that one
29 hour? Did you go anywhere?

1 A. Yes, yes. After they had passed us behind a house, there
2 was a footpath going to the other villages. That was the area
3 where they started the journey going to go towards the next
4 village, Mabenteh. I can recall that -- the name of that village
5 again until the next morning.

6 MR GRAHAM: Your Honours, Mabenteh, I believe, is spelt,
7 M-A-B-E-N-T-E-H. Mabenteh.

8 Q. And, Mr Witness, did you get to -- eventually get to
9 Mabenteh?

10 A. Yes, I was with them. We all went.

11 Q. When you say "them," you were with them, whom are you
12 referring to as "them," Mr Witness?

13 A. That is the RUF people. The RUF fighters who, who caught
14 us. That -- those are the people I'm talking about. I was with
15 them.

16 Q. Before I go on, Mr Witness, from Yomanda [sic] to Mabenteh,
17 did you stop on the way?

18 A. Yes, we stopped at Dorokes. It was also the last village
19 going towards --

20 Q. Going towards where, Mr Witness?

21 A. To go towards Fotaneh Junction. That is around the
22 Masingbi /Kono Highway. Fotaneh Junction.

23 Q. Okay, thank you, Mr Witness?

24 MR GRAHAM: Your Honours, Dorokes is spelt D-O-R-O-K-E-S.

25 Q. And, Mr Witness, you said you stopped at Dorokes before
26 you got to Mabenteh. Did anything happen at Dorokes, Mr Witness?

27 A. Yes, exactly.

28 Q. Please, can you tell this Court what happened, Mr Witness,
29 at Dorokes?

1 A. At Dorokes, they placed us inside the house with the
2 civilians. We were there, about 14 of us in number. We were all
3 sent into one hut. That was the time, I think they had -- they
4 wanted to hold a meeting. So we were there in the room, when
5 they decided to come and burn us down, and after the meeting,
6 they took us out and we were counted.

7 Q. Sorry, Mr Witness. Before you go on to the counting, how
8 did you know that the RUF rebels were holding a meeting or were
9 about to hold meeting, Mr Witness?

10 A. Yes, yes.

11 Q. I said: How did you know that they were -- they held a
12 meeting at Dorokes?

13 A. Well, we were in the room and it was -- we had something
14 like local mats that was used as door. We were peeping out. We
15 were seeing them. So we knew that they held a meeting.

16 Q. Thank you. And, Mr Witness, how long -- do you know how
17 long the rebels stayed at Dorokes?

18 A. It was for about an hour, plus. Probably more than an
19 hour, just slightly.

20 Q. And during this period at Dorokes, Mr Witness, did you see
21 any burning of houses?

22 A. No, no, no. I didn't see.

23 Q. Before you go on, you just told this Court that the rebels
24 came, took you out and counted you. They counted. Can you
25 continue with that account? After the meeting -- after the
26 rebels held their meeting, what happened?

27 A. Yes, yes.

28 Q. Please tell the Court, Mr Witness.

29 A. When we had counted ourselves, they said we should count

1 ourselves. We were 14 in number. Then they said anybody who
2 attempted to escape will be killed, so we should stay with them.
3 And they gave us loads to carry, and they gave me something that
4 I toted. It said it was called a hand mortar. So we all --

5 MR GRAHAM: Your Honours, hand mortar, I believe is
6 H-A-N-D, and mortar, M-O-R-T-A-R. Hand mortar.

7 Q. Mr Witness, this hand mortar, do you know what it is used
8 for?

9 A. Yes, yes. Because when I was going along, with my
10 experience, I asked.

11 Q. Who did you ask, Mr Witness?

12 A. It was one of the rebels under whose custody we were. I
13 asked him, what is this thing for? He said they use it normally
14 to launch. They put ammo inside it. They launch it against the
15 enemies.

16 Q. Thank you, Mr Witness. And, Mr Witness, the other people
17 who were with you, what were they -- do you know what they were
18 carrying?

19 A. Yes, yes.

20 Q. Can you please tell this Court, Mr Witness?

21 A. They gave some of the other people who were captured, bags,
22 some bundles and some other small, small items that I saw.

23 Q. And did you know what was contained in these bags, that
24 your colleagues were asked to carry?

25 A. Well, I cannot tell exactly. Except when later one of my
26 co-captives that was arrested, he told me that particular bag he
27 was having, there was money and some papers inside, but I never
28 knew. But he told me that later.

29 Q. Thank you, Mr Witness. And, Mr Witness, when you were at

1 Dorokes, did you yourself see any rape being carried out by the
2 rebels?

3 A. No, no, no.

4 Q. Mr Witness, you told this Court that you stopped at Dorokes
5 before you got to Mabenteh. So, did anything happen when you got
6 to Mabenteh?

7 A. Yes, yes.

8 Q. Can you please tell this Court what happened, Mr Witness?

9 A. When we got to Mabenteh, we met an old man and his family
10 seated outside, and they asked for us to show them a short route
11 to go towards the highway, towards to Masingbi /Kono Highway. And
12 one of the young guys said, "Friend, there is a short route here
13 to go towards Walehun." And they said that it was not that
14 particular road that we were looking for. And the other young
15 guy said, "This is the shorter route." And they called him.
16 They said, "Come here." It appears as if the Kamajors are in
17 that area. They want to take us toward that end. And that man
18 was caught and he was hacked and mutilated in our presence.

19 Q. Who cut and mutilated that man in your presence,
20 Mr Witness?

21 A. It was one of the RUF fighters.

22 Q. And, Mr Witness, apart from what you have told this Court,
23 did anything -- did the rebels, the RUF rebels, do anything else
24 at Mabenteh?

25 JUDGE SEBUTINDE: Mr Graham, according to the
26 interpretation, if I heard the interpreter right, did he say that
27 the old man asked for directions, or was he the one asked for
28 directions?

29 MR GRAHAM: He was the one asked for directions, I

1 understand, but I'll get clarification --

2 JUDGE SEBUTINDE: For the record. I don't know what is on
3 the record, but I heard the interpreter say, "we asked" -- "the
4 old man asked for directions."

5 MR GRAHAM: Thank you.

6 Q. Mr Witness, you just told this Court about the arrival of
7 the rebels in Mabenteh. When the rebels saw the old man you just
8 referred, just told this Court about, did any conversation take
9 place between the rebels and the old man?

10 A. Yes. The rebels said -- they asked the old man to please
11 show them a road, and immediately the old man had two young boys
12 around him, and one of the young boys said there is a short route
13 here. But then the route he told them about towards Walehun,
14 they said there were Kamajors around that area, and he wanted to
15 take them towards that end. So they decided to move. They took
16 the old man. They put him under gunpoint for him to show another
17 route. I don't know what happened in -- at our back, because
18 there were plenty behind us. But that was all that happened.

19 Q. Mr Witness, you just mentioned the name of place, Walehun.
20 Could you say that again?

21 A. Yes, yes.

22 Q. Could you spell that for us, Mr Witness, Walehun?

23 A. Walehun, W-A-L-E-H-U-N.

24 Q. Walehun.

25 A. Yes, because that is the first town entering towards Kono
26 District. There is a bridge towards the town.

27 Q. Thank you, Mr Witness. And, Mr Witness, after the rebels
28 hacked this boy you just told us about, did anything else happen
29 in Mabenteh?

1 JUDGE SEBUTINDE: Was it the boy or the old man?

2 PRESIDING JUDGE: He never, ever said the rebels hacked a
3 boy. He said that man was cut and mutilated in my presence.

4 MR GRAHAM: Very well. Very well, Your Honours. Thank
5 you, Your Honours.

6 Q. Mr Witness, you told this Court that the old man was with
7 two boys. Whom did you say the rebels hacked, Mr Witness?

8 A. It was one of the young boys, not the old man. It was one
9 of the young boys with the old -- the old man. About 21 to 22
10 years old. Not the old man. It was one of the boys who said
11 that Walehun was the shorter route. That was the man they
12 hacked.

13 JUDGE SEBUTINDE: Mr Interpreter, I think you have to
14 listen carefully and interpret accurately. You are making
15 mistakes along the way, and it doesn't look good for the record.
16 Please make every effort to interpret, accurately.

17 MR GRAHAM: Thank you, Your Honours.

18 Q. And, Mr Witness, after the boy had been hacked by the
19 rebels, did the rebels do anything else in Mabenteh?

20 A. Well, in my presence, because there -- some were on the
21 way -- some were behind us, at that time who were there, they
22 said we should go in front. And they pointed -- they put the old
23 man at gunpoint, and he pointed another route to us. And then we
24 went towards that route, because we were in the front. Some were
25 coming behind.

26 Q. Mr Witness, did you get to hear from those who were behind,
27 whether -- as to whether any looting took place in Mabenteh?

28 A. I cannot tell because it was a footpath. People were
29 coming about a mile behind, or so. I cannot tell what was

1 happening at my back, except what happened in front of me.

2 Q. Yes, thank you. My question was that, those who were at
3 the back, did any one of them tell you what had happened, that
4 you didn't see, regarding any form of looting in Mabenteh?

5 A. No, no, no. The only people I had communication with were
6 those around us who said they were supposed to be taking care of
7 us and they should be guarding us. Those are the only people --
8 because at that time they were not doing bad to us any longer.

9 Q. Thank you, Mr Witness. So, Mr Witness, did you go
10 anywhere -- did you go anywhere -- did you eventually leave
11 Mabenteh?

12 A. Yes, we left Mabenteh.

13 Q. And did you go anywhere from Mabenteh, Mr Witness?

14 A. Yes, yes.

15 Q. Can you please tell this Court, Mr Witness, where did you
16 go from Mabenteh?

17 A. We came to Fotaneh Junction.

18 Q. And, Mr Witness --

19 MR GRAHAM: Your Honours, Fotaneh Junction is spelt
20 F-O-T-A-N-E-H. Junction, as in Junction, Fotaneh Junction.

21 Q. Mr Witness, Fotaneh Junction, do you know the distance
22 between Fotaneh Junction and Bamba Foi du village?

23 A. Well, it might be around 15 to 20 miles, because it is a
24 footpath and I was -- I have never been used to going to those
25 areas. But it was a distance that we were covering in -- with
26 speed, and so I can not tell exactly. I was not conversant in
27 that area.

28 Q. Thank you, Mr Witness. And, Mr Witness, when you got to
29 Fotaneh Junction, were you alone when you got to Fotaneh

1 Junction?

2 A. No. We were in the same group with the RUF and the -- and
3 the 14 of us who were captured.

4 Q. And, Mr Witness, did anything happen at Fotaneh Junction?

5 A. Yes, yes.

6 Q. Can you please tell this Court, Mr Witness, what happened
7 at Fotaneh Junction?

8 A. When we got to Fotaneh Junction, we moved -- we left
9 towards the left side, and they said we should make an ambush and
10 we all laid down. In fact, they knocked me to lie down, and it
11 was towards a curve. They captured some other people who were
12 hiding in some bushes around there. And then later, they were
13 listening and they were saying that they were waiting for the
14 ECOMOG troops that was coming from Masingbi area. So --

15 Q. Go on, Mr Witness.

16 A. So I heard when they cocked their guns together. I heard
17 them all cock their guns together. And by then we were all
18 trembling, and the RUF man who was very close to me told me that
19 I should lie down. I should not be afraid. And we heard the
20 jets coming from the Kono area towards Sewafe.

21 And then later we went back to the other side and we
22 heard -- I saw somebody who was having a communication set. He
23 was using a solar cell, and we heard that Superman had a problem
24 with the Kamajors at Sewafe. And I saw the jets coming from that
25 area.

26 Q. Thank you, Mr Witness. Before you go on, you just
27 mentioned an ambush on ECOMOG. Did that ambush happen against
28 ECOMOG?

29 A. Well, yes. In the events later, later we were there until

1 later, when they said we should walk along the line. And then --
2 and that was the encounter with the Kamajors later. And then the
3 armoured tanks came around and there was heavy firing.

4 Q. Mr Witness, you -- before you go on to the attack, or the
5 fight with the Kamajors, how many Alpha Jets did you see,
6 Mr Witness?

7 A. It was only one.

8 Q. And this Alpha Jet that you saw, Mr Witness, did you see
9 the Alpha Jet do anything during the time that you said that you
10 saw it?

11 A. No, no. When it comes around, then we would hide in the
12 bushes. When it comes around our area, then we would hide behind
13 the banana trees. So, in fact, I was very happy, that I wanted
14 it to put the bomb down, so that we just forget about the whole
15 trouble.

16 Q. Thank you. And, Mr Witness, you -- who told you that
17 Superman was engaged in the fight? Who told you that?

18 A. It was the RUF people. They had communication sets with
19 them. I don't know, but they were there. We were close to them.
20 There was Colonel Jebhor who was there. And they said Superman
21 had a fracas with those guys and, indeed, where they were hacking
22 people, ECOMOG was there and they were having communication.
23 They had it from Sewafe. So I came to believe that there was,
24 indeed, fighting at Sewafe.

25 Q. Mr Witness, before we get on to the fighting --

26 MR GRAHAM: Your Honours, he mentioned a Colonel Jebhor. I
27 think the name is spelt, J-E-B-H-O-R.

28 Q. And, Mr Witness, the name Superman, had you heard that
29 name, Superman, before this time that it was mentioned -- you

1 heard the rebels mention it? Had you heard that name before?

2 A. Yes, yes.

3 Q. Where did you hear the name Superman, Mr Witness?

4 A. It was -- it was in Kono. When we were there, we heard
5 that they overthrew, and we heard their names, Mosquito,
6 Superman. We used to hear the names, although we never saw them
7 a day, but we used to hear the names.

8 Q. When you heard this name about Superman, did you hear who
9 he was?

10 A. Yes, they were RUF. He was on the RUF side.

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

12 A. Well, from the public. Everybody knows. The newspapers.
13 They'd say it in radios. So it was not a hidden secret.

14 Q. Thank you. Thank you, Mr Witness. And, Mr Witness, you
15 earlier on also mentioned this RUF rebel, who you said his name
16 was Sani.

17 MR GRAHAM: Sani, S-A-N-I. Your Honours, I've spelled
18 that.

19 Q. How do you know that Sani was an RUF rebel, Mr Witness?

20 A. Well, this Sani man, it was my first time to meet him. He
21 flashed a torch, a torchlight against the other captives who were
22 caught. I don't want to call their names here, but we were all
23 captured, and he asked him where he was born. He said Njala.
24 And then he said, "I am Sani from Kono Kandou." He called his
25 grandmother's name. Immediately I came to notice who he asked,
26 whether I know who was Ngbor Somah, an old woman who was there.

27 Q. Mr Witness, before you go on, please.

28 MR GRAHAM: Your Honours, it's spelt N-G-B-O-R. S-O-M-A-H.
29 N-G-B-O-R. S-O-M-A-H.

1 Q. And, Mr Witness, continue with your account about Sani?

2 PRESIDING JUDGE: Well, look, are we going backwards now?
3 Sani came into your evidence before we got to Mabenteh. Since
4 then we have been to Dorokes, Fotaneh Junction. And now we are
5 going backwards, are we?

6 MR GRAHAM: Your Honours, I just mixed up on something. I
7 am moving on.

8 Q. Mr Witness, did you go anywhere from Fotaneh Junction?

9 A. Yes, yes.

10 Q. Where did you go, Mr Witness?

11 A. During the fighting we were -- whilst we were going from
12 Fotaneh as you stand there you can see Makoli on the same
13 highway, and they spotted some Kamajors. In fact, those areas
14 were predominantly Kamajor areas --

15 Q. Mr Witness --

16 A. And that was when the firing started.

17 Q. Mr Witness, you just mentioned the name of a place. Can
18 you just mention that name again?

19 A. Yes, yes, yes. I managed to escape to Fotaneh Junction --

20 Q. Mr Witness, you just mentioned the name of a town. You
21 said when you left Fotaneh Junction, on the way you could see a
22 certain place and you mentioned the name. Can you mention that
23 name again?

24 A. Masekore. Masekore.

25 Q. Can you spell that for the convenience of the Court,
26 Mr Witness?

27 A. Yes, yes.

28 Q. Please do?

29 A. M-A-S-E-K-O-R-E. Masekore.

1 Q. Mr Witness, how did you know that that area was
2 predominantly a Kamajor area? How did you know that?

3 A. Well, at that time Kamajors were around from Masingbi,
4 going towards Sewafe, Bamba Fodia. Kamajors were positioned in
5 all those towns. In fact, around Dorokes area all the people
6 were running towards there. So I knew those areas were Kamajor
7 areas. And there was no way to approach Masekore. As we were
8 approaching we saw the Kamajors open fire.

9 Q. Mr Witness, you just told this Court you saw the Kamajors
10 open fire at the Masekore. Did anything happen as a result of
11 the Kamajors opening fire at Masekore?

12 A. Well, during the firing I did not see anything. It was
13 smoke all over the place, the firing all over the place. So just
14 see how God is wonderful. I only found myself in the bush. The
15 RUF people were calling me, "Come here, come here." But then I
16 did not wait. I run away. I escaped and went to another town
17 called Makonteh.

18 MR GRAHAM: Makonteh is spelt, M-A-K-O-N-T-E-H. Makonteh.

19 Q. And, Mr Witness, when you got to Makonteh, did you --
20 before that, did you escape alone?

21 A. No, no.

22 Q. With whom did you escape, Mr Witness?

23 A. We are about six. I was with six other people. And even
24 one of my co-captives from Bamba Foi du village, we all went
25 together.

26 Q. And, Mr Witness, did anything happen when you got to --
27 when you escaped?

28 A. Well, during that time, it was the firing. I was fighting
29 for my life. The firing was going on. I heard the armoured

1 tanks coming from the highway. There was fighting on the
2 highway. Then I left. I went to Makonteh. We went to Makonteh.
3 We met Kamajors there. There we explained ourselves. And I
4 asked them to show me a road to go towards Masingbi. Then I
5 begged. And thus, it was the Kamajors who escorted us towards
6 the route to Masingbi, to Kono.

7 Q. Thank you. And, Mr Witness, the fighting that you said you
8 witnessed at Masekore between the rebels and Kamajors, do you
9 know whether ECOMOG was also part of that fight?

10 A. Yes, yes. Later I was at Masingbi, I heard it. When the
11 ECOMOG troops themselves came, they said they killed some. I
12 heard the information. Because at that time Masekore to Masingbi
13 was about 10 miles or so. So I was there at Masingbi when I
14 heard it, that troops went there. The Kamajors -- who told the
15 Kamajors they went there. So fighting was going there, because
16 they had wanted to block -- blockade the Masingbi /Kono Highway.
17 So I heard about it.

18 Q. Who had wanted to block the Masingbi /Kono Highway,
19 Mr Witness?

20 A. It was the RUF people. Like I said, when a group attacks,
21 you are afraid. The others went through Bamba Foidu and some
22 went towards the Masingbi Highway. So I believe it was the Kono
23 area that they wanted to block. And -- so one said I should go
24 with him to Makeni -- I would stay with him at home. I said --

25 Q. Who said that to you?

26 A. It was one of the RUF men under whose custody we were. He
27 was the one who told us that, when we go to Makeni, I would stay
28 with him at home. But then I just listened to his words, and I
29 was praying and hoping that God will see me through.

1 Q. Thank you. And, Mr Witness, you -- just a few questions
2 to -- you told this Court that they were using a communication --
3 some form of communication equipment. Can you describe that?
4 Did you know what type of communication equipment it was?

5 MR HARDAWAY: Objection, Your Honour. I believe that was
6 asked and answered. He mentioned something about solar powered
7 equipment.

8 PRESIDING JUDGE: He did, yes.

9 MR GRAHAM: Thank you, Your Honours.

10 Q. Mr Witness, this communication equipment you referred to,
11 did -- whilst you were being held as a captive, did you hear them
12 use that to communicate in any way?

13 A. Yes, yes. I knew. I used to hear them talk. They talk
14 about communication. Even the soldiers, I normally see
15 communications amongst them. I am not that kind of man who can
16 not know about that.

17 Q. And did you hear them say anything whilst they were using
18 this equipment?

19 A. Well, at that time we were there, according to them, the
20 RUF, they said, according to the operator, Superman had had a
21 fracas with the Sewafe Kamajors and ECOMOG. And that presently
22 Superman is there. And I saw the jets are flying over Sewafe
23 area.

24 PRESIDING JUDGE: We've heard all this evidence before.

25 THE WITNESS: So I knew that that communication was a
26 reliable one.

27 PRESIDING JUDGE: Do we need to go over this evidence
28 again? We've heard it.

29 MR GRAHAM:

1 Q. We've heard that before, Mr Witness. And, Mr Witness --

2 A. Yes, my Lord.

3 Q. -- you've told [overlapping speakers] all out during the
4 period that you were under the captive of the RUF up to the time
5 you escaped, did you hear whether the rebels were taking any
6 command from one Alex Tamba Brima, also known as Gullit?

7 A. No, no. I never heard that name at all. What I heard Bai
8 Bureh, and he was the leader, and where I was, he was being
9 guarded.

10 Q. Thank you, Mr Witness. We have heard that before.

11 MR GRAHAM: Your Honours, I don't have any further
12 questions for the witness.

13 PRESIDING JUDGE: Is there anything else in chief?

14 MR MANLY-SPAIN: May it please Your Honours. I'm
15 apologising for coming late this morning.

16 PRESIDING JUDGE: No, that's quite okay, Mr Manly-Spain.
17 We got your message and it didn't cause any inconvenience.

18 MR MANLY-SPAIN: Thank you, Your Honours. No questions for
19 the third accused.

20 PRESIDING JUDGE: Thank you.

21 MR FOFANAH: Just one question, Your Honours.

22 PRESIDING JUDGE: Yes, Mr Fofanah.

23 CROSS EXAMINED BY MR FOFANAH:

24 Q. Now, throughout your account of what you went through, did
25 you hear the name, Ibrahim Bazy Kamara, being mentioned to you,
26 as being one of the rebels who captured, and did what they did to
27 you and other people?

28 A. No, no. I never heard, I never heard a name like that.

29 MR FOFANAH: That is all for the witness.

1 PRESIDING JUDGE: Thank you. Yes, Mr Hardaway.

2 MR HARDAWAY: Thank you, Your Honours. Good morning, Your
3 Honours.

4 CROSS EXAMINED BY MR HARDAWAY:

5 Q. Mr Witness, good morning, sir.

6 A. Yeah, good morning, sir.

7 Q. I have some questions for you. I just would ask that you
8 listen to them fully before you respond, and then answer them
9 clearly and concisely. A lot of times the answers can be yes, no
10 or I don't know. Do you understand, sir?

11 A. Yes sir. Yes sir.

12 Q. Now, you had stated in your evidence that you had heard
13 about the coup that overthrew the Kabbah Government; is that
14 correct?

15 A. Yes. I am a Sierra Leonean, so it was not a hidden thing,
16 yes.

17 Q. How did you hear about it, sir?

18 A. Over the radio.

19 Q. Did you hear over the radio, or through any form of
20 communication at any time, that Alex Tamba Brima, also known as
21 Gullit, was one of those who overthrew the Kabbah Government?

22 A. Well, I never heard that over radio. I never heard that
23 statement.

24 Q. But did you hear it anywhere else, sir?

25 A. No, I never heard that name. And Superman. That name, I
26 never heard it. Where I was, it was in a village.

27 Q. Just please listen to the question, sir. I just want you
28 to answer the question. Did you ever hear the name, Ibrahim
29 Bazy Kamara, as one of those who overthrew the Kabbah

1 government?

2 A. Yes, I heard that name, only very recently. That was
3 almost around the time the peace was signed. This was around the
4 peacetime, and the peacetime or the disarmament time, that was
5 the time I used to hear such names now.

6 Q. Did you hear the name Santigie Borbor Kanu, also known as
7 Five-Five, as being one of those responsible for overthrowing the
8 Kabbah government?

9 A. Well, no. I did not hear such a statement.

10 Q. Now, you have stated that after the overthrow of the Kabbah
11 Government, the AFRC was in power; correct?

12 A. Yes, yes. At that time we heard it. It was for about nine
13 months in power.

14 [AFRC12SEP06 - MD]

15 Q. During the time that the AFRC was in power, the SLA and the
16 RUF were working together in Eastern Province, in Kono District,
17 weren't they?

18 A. No, no, I don't have any idea about that.

19 Q. I put it to you, sir, that during the AFRC government, the
20 RUF and SLA were working together in the Eastern Province,
21 including Kono District; what is your response?

22 A. The village where I was, I didn't notice that.

23 Q. During the AFRC government, the RUF and SLA were engaged in
24 diamond mining in the Eastern Province, weren't they, including
25 Kono District?

26 A. My own village, there were no soldiers there. I don't know
27 about that.

28 Q. I'm not asking you about your village, sir. I'm asking you
29 about the entire of Eastern Province, including Kono District.

1 RUF and SLA were engaged in diamond mining in Kono District and
2 Eastern Province, during the AFRC government, weren't they?

3 A. Where I was, I didn't hear about that, because, where I
4 was, we didn't have that time.

5 Q. I put it to you, sir, that, during the AFRC government, the
6 RUF and the SLA were engaged in diamond mining throughout Eastern
7 Province, including Kono District. What is your response? I
8 apologise for the delay, Your Honours?

9 A. I didn't have that idea.

10 Q. The RUF and the SLA forced civilians to mine for them
11 during the AFRC government in Eastern Province, including Kono
12 District, didn't they?

13 A. I don't have that -- I didn't have that idea, where I was.

14 Q. Did you ever hear of it, sir, while you were in Kono
15 District?

16 A. That the RUF and the RUF were mining?

17 Q. No, that the RUF and SLA forced civilians to mine diamonds
18 for them in Eastern Province; did you ever hear about it, sir?

19 A. Well, the time we were running away from Bunumbu, I used
20 hear these stories. At that time, around 1998, I was running
21 away.

22 Q. All right. Since we've established that you were running
23 when you heard these stories, I will ask you again specifically:
24 While you were running, did you ever hear -- no, I withdraw that,
25 Your Honour. I want to take you back to the attack on Bamba
26 Foi du; all right?

27 A. Yes, yes.

28 Q. Now, you would agree with me, sir, that, from the time of
29 the attack on Bamba Foi du, which is April 1998, until you finally

1 escaped, it was within the time period from April to early June
2 of 1998; would you agree with that?

3 A. Yes, yes. I was in the village.

4 Q. The group that attacked Bamba Foi du, in April 1998, what
5 were they wearing?

6 A. They had combat on; some had jackets, some had shirts on.
7 It -- they were mixed up. It was not all of them that had combat
8 al together.

9 Q. But some had combats on al together; is that correct?

10 A. Yes.

11 Q. And you stated that this was the RUF that attacked Bamba
12 Foi du; is that correct?

13 A. Yes.

14 Q. Now, Mr Witness, before you came here today to give your
15 evidence, did you speak to anyone from the Special Court
16 concerning what you would be testifying here today?

17 A. Except the people who approached us to come and testify
18 here, to be witnesses, what happened during the war, and I was
19 one of the victim in the war. Then I said it was right for me to
20 come and talk about what happened. Thank God for the people who
21 had died so far.

22 Q. Now, you spoke to someone in relation to being a witness,
23 and you told them what happened, didn't you?

24 A. Yes. That's why I've come here to talk about it, not to
25 any other person but to the Court.

26 Q. And they took a statement from you concerning everything
27 that happened to you, what you told them; is that correct?

28 A. Yes, yes. In fact, the people are all alive.

29 Q. Now, based upon some of the earlier questions from my

1 I learned friend, I take it, sir, that you are able to read and
2 write?

3 A. Exactly.

4 Q. Now, after you gave your statement to the people from the
5 Special Court, did they give you a chance to review your
6 statement; to look over it to make sure that it was complete and
7 that nothing was left out.

8 A. Yes, I looked over it. I looked over it because I could
9 read and write. So, I looked over it.

10 Q. In that statement, sir, did you mention that it was the
11 RUF -- specifically the RUF -- that attacked Bamba Foi du, in
12 April of 1998?

13 A. It was them, it was nobody else. It was them. I gave
14 evidence about that but, that particular area, it was them.

15 Q. Mr Witness, please listen to the question: Did you tell
16 the people who took your statement that it was the RUF that
17 attacked Bamba Foi du?

18 A. I gave a statement and, during my statement, I said that
19 they have it, and that is exactly what I'm explaining here. I
20 told them that the people who attacked me were RUF.

21 Q. Mr Witness --

22 A. Because --

23 Q. -- I'm sorry, please finish. I didn't mean to interrupt
24 you.

25 A. Because of the proofs, when they captured me, we spent
26 almost two days with them. They are proofs.

27 Q. Mr Witness, the Prosecution has a summary of the statement
28 that you gave to the Defence, as it relates to the evidence of
29 your testimony, supposedly stating what you are going to be

1 giving evidence to, and nowhere in the summary does it say that
2 the RUF attacked Bamba Foidu.

3 A. I didn't make that statement. My own statement was RUF.

4 MR GRAHAM: Your Honour --

5 THE WITNESS: I didn't see that document.

6 MR GRAHAM: Your Honours, I have an objection to this kind
7 of line of questioning. Your Honours, you recall that when I led
8 the witness in evidence, he mentioned rebels. After he mentioned
9 rebels, then I went on to further question him on what he meant
10 by rebels and whether they referred to themselves by any
11 particular -- that is how come the RUF even came into the
12 witness's testimony in the first place. But the way my learned
13 friend seems to be putting the question across, it seems to
14 appear as if the witness has contradicted himself in Court, in
15 respect of what has been put in the summary. I don't think that
16 that is a fair question, Your Honour.

17 PRESIDING JUDGE: What do you say?

18 MR MANLY-SPAIN: May it please Your Honour, before going to
19 that, I believe, to be fair to the witness, counsel should
20 inquire whether the witness has read the summary. The witness --

21 PRESIDING JUDGE: Well, I think the witness is handling
22 himself all right. He said, "It's not my statement."

23 MR MANLY-SPAIN: As Your Honour pleases; I didn't get that.

24 PRESIDING JUDGE: Yes, Mr Hardaway. Your question is under
25 objection. What do you say?

26 MR HARDAWAY: I say, Your Honour, that all we have to go on
27 is the summary that's provided. The witness has clearly stated
28 that, in his statement, he says it was the RUF, it wasn't rebels.
29 That it was RUF. We do not have that. I am just challenging and

1 testing the witness's credibility, as it relates to this aspect,
2 as has been done with other witnesses in the past.

3 PRESIDING JUDGE: Yes. All right. You are questioning his
4 credibility vis-a-vis the statement?

5 MR HARDAWAY: That is correct, Your Honour.

6 PRESIDING JUDGE: He has given sworn evidence that, by
7 rebels, he meant RUF. Go on from there.

8 MR MANLY-SPAIN: Your Honour, that is exactly the point
9 we're making. If counsel does not have the statement of the
10 accused, how can he challenge the witness by putting to the
11 witness that the witness did not state that in his statement;
12 what is the point?

13 PRESIDING JUDGE: Yes.

14 MR MANLY-SPAIN: He does not know what is in his statement.
15 How can he come and say, "But you didn't say that in your
16 statement."

17 PRESIDING JUDGE: I take your point, Mr Manly-Spain, but
18 the witness has already disowned that summary as being his
19 statement, and I'm giving Mr Hardaway permission to go on from
20 there.

21 MR MANLY-SPAIN: Thank you.

22 MR HARDAWAY: If I may, Your Honour, also, as has been done
23 in the past, if there is any issue --

24 PRESIDING JUDGE: Let's confine yourself to this witness.

25 MR HARDAWAY: I will confine it to this witness,
26 Your Honour.

27 Q. Mr Witness, I put it to you that you did not say in your
28 statement that it was the RUF who attacked Bamba Foi du, and that
29 you are only coming up with the term RUF during your evidence

1 here today; what is your response?

2 A. My statement, I didn't say it wasn't RUF. I said the
3 rebels who attacked us were RUF. I have proofs. They called the
4 names of the leaders, one or two among them, and those people are
5 RUF.

6 Q. I put it to you, sir, that Bamba Foi du was attacked by a
7 mixed force of SLA and RUF; what is your response?

8 A. I do not agree to that, because the leaders and those that
9 I knew, soldiers -- I didn't see soldiers or AFRC or Kamajors
10 among them. There were one or two people that I had known from
11 Sewafe. I heard Superman's name and Bai Bureh, and they were the
12 leaders. And it was confirmed that they were RUF.

13 Q. Mr witness, were there any children involved in the attack
14 on Bamba Foi du?

15 A. Yes, yes. Little children were there.

16 Q. Were they part of the group that attacked Bamba Foi du?

17 A. No. I said civilians were there but the rebels who came, I
18 didn't see little, little children among them.

19 Q. Other than the killings and amputations you referred to in
20 the attack on Bamba Foi du, did you see any mutilations, sir?

21 A. Well, some people were wounded. They were referred to as
22 wounded. Though their hands were not cut off, they were wounded.
23 Those are the ones I saw.

24 Q. And other than the woman who you testified to, who had a
25 stick inserted into her vagina, did you see or hear of any other
26 rapes, or sexual assault, in Bamba Foi du?

27 A. At that particular night, where I was laid down, and the
28 place where the women were was far from me, so I wasn't able to
29 see that. But, for that woman -- I was at Sandia. They took her

1 to Freetown and a stick was inserted into her. I didn't see the
2 action at that time.

3 Q. But other than that night, sir, did you hear of any other
4 rapes taking place during the attack on Bamba Foidu?

5 A. It was only that night that they attacked. That is the
6 only incident I know about.

7 Q. Now, Mr Witness, you were taken to Yomanda by the same
8 people who attacked Bamba Foidu; is that correct?

9 A. Yes, yes.

10 Q. And --

11 A. The RUF.

12 Q. And these were the same people who you testified to that
13 some had full military combat and some had mixed; is that
14 correct?

15 A. Yes, yes.

16 Q. Again, I put it to you, sir, that the group who were taking
17 you to Yomanda was a mixed force of SLA and RUF; what is your
18 response?

19 A. I don't believe that.

20 Q. In Yomanda, sir --

21 JUDGE SEBUTINDE: Mr Hardaway, is this place called Yomanda
22 or Yomandu? We don't want to end up with the same problems we
23 had earlier of the same place being referred to differently.

24 MR HARDAWAY: I have heard it Yomanda. The pronunciation,
25 I am trying to extract from the summary, is Yomanda, Your Honour.
26 But I will ask the witness.

27 Q. Mr Witness, the place you went to, was it Yomanda, or
28 Yomandu?

29 A. It's Yomanja. I can spell it for you, Yomanja.

1 JUDGE SEBUTINDE: Please spell it, Mr Witness. Spell the
2 name of the place.

3 THE WITNESS: Y-O-M-A-N-J-A. That is another section town.

4 THE INTERPRETER: Your Honours, Your Honours, could the
5 witness be audible so that the interpreters can get him clearly?

6 PRESIDING JUDGE: Yes, you will have to speak up, please,
7 Mr Witness.

8 THE WITNESS: Okay.

9 MR HARDAWAY:

10 Q. Mr Witness --

11 A. Yes.

12 Q. At Yomanja, did you see or hear of any killings?

13 A. Yes, yes.

14 Q. Please explain what did you -- how did you see or hear of
15 any killings at Yomanja?

16 A. I didn't hear, I saw. I was standing there when they came
17 with us at the big courtyard, we were standing there. When they
18 captured the people, they threw them to the ground. They hit
19 them with cutlasses and they were hacked. I even confirm that
20 the Madingo chief in Sewafe was killed there. Some other people
21 were hacked there and some went to the bush. So at that
22 particular night I was there I was tied and they were hacking
23 people there although they didn't stay for long there.

24 Q. Did you see or hear of any amputations in Yomanja, while
25 you were there?

26 A. That particular night, because it wasn't too clear, I stood
27 there. I saw the action. But I wouldn't be able to know the
28 persons who were -- the person who was being hacked. People were
29 being beaten and hacked and later you will know who was being

1 hacked, but I couldn't see anybody's face at that moment.

2 Q. Thank you, Mr Witness. I want to take you now to -- you
3 had mentioned in your direct evidence the People's Army; do you
4 remember that?

5 A. Yes, yes. I can recall.

6 Q. And who was it specifically that told you about the
7 People's Army?

8 A. It was in Sewafe Town, when the RUF came from the bush,
9 they said we should not refer to them as that. They said we
10 should call them People's Army. That was how we used to call
11 them. It was something that was common in Sewafe Town.

12 Q. Now, Mr Witness, in your statement to the Defence, did you
13 mention the term "People's Army"?

14 A. Yes, I mentioned that name, People's Army.

15 Q. And when you reviewed your statement you saw the words
16 "People's Army" in your statement; is that your testimony?

17 A. Well, that particular portion, I described somebody who was
18 connected with People's Army in my statement. That was one
19 Lieutenant Sule. He was with the RUF and later referred to them
20 as People's Army. That was how I came up with the word People's
21 Army. It's connected with a soldier who was a RUF.

22 Q. Just please answer the question: When you reviewed your
23 statement, you saw the words "People's Army" in the statement
24 when you reviewed it; yes or no?

25 A. No, no, no, I didn't see it in writing.

26 Q. Mr Witness, you had also mentioned the name Sani Boy, who
27 you said was RUF; do you remember that?

28 MR GRAHAM: Your Honours, objection. He said Kono Boy who
29 was also known as Sani.

1 PRESIDING JUDGE: That is right, it is Kono Boy.

2 MR HARDAWAY: I didn't catch the first one. Kono Boy.

3 PRESIDING JUDGE: Also known as Sani.

4 MR HARDAWAY: Also known as Sani. Thank you, Your Honour.
5 I thank my learned friend for the clarification.

6 Q. You had stated that you had heard the name Kono Boy, also
7 known as Sani Boy; do you remember that?

8 A. I remember. His name is Sani. And his father, according
9 to his people --

10 THE INTERPRETER: Your Honour, please, can the witness go
11 over that portion again?

12 PRESIDING JUDGE: Mr Witness, the interpreter missed what
13 you were saying; could you please repeat?

14 THE WITNESS: Yes, My Lord. I said Sani is his real name.
15 His father is a Nigerian and his mother is a Kono from -- so
16 Kono Boy was a name given to him by his colleagues, so that
17 particular night he introduced himself. The other man who was
18 captured with us knew him very well, so he was asking for his
19 grandmother. Again, he was a RUF, Sani.

20 MR HARDAWAY:

21 Q. Mr Witness, did you mention Sani, also known as Kono Boy,
22 in your statement to the Defence?

23 A. Yes, I remember that.

24 Q. Mr Witness, in our summary given to the Prosecution, there
25 is no mention of Sani, aka Kono Boy. I put it to you, sir, that
26 you never told the Defence about Sani, aka Kono Boy, and that you
27 are making it up and you are just coming up with this during your
28 evidence-in-chief; what is your response?

29 MR MANLY-SPAIN: Four questions in one, Your Honour.

1 PRESIDING JUDGE: You will have to break it down.

2 MR HARDAWAY: I will break it down, Your Honour.

3 PRESIDING JUDGE: I gather your strategy here is you are
4 going to be submitting to the Trial Chamber that the evidence of
5 this witness should not be believed; is that right?

6 MR HARDAWAY: That's correct, Your Honour.

7 Q. I put it to you, sir, that you never mentioned to the
8 Defence anything about Sani, aka Kono Boy; what is your response?

9 A. I mentioned Sani. I didn't say I didn't mention him.

10 Q. I put it to you, sir, that the only time you have mentioned
11 Sani is during your evidence?

12 A. That is not correct.

13 Q. I put it to you, sir, that you are lying about Sani Boy,
14 Sani, aka Kono Boy, and that it was never mentioned at all?

15 A. I don't remember that but something I've been used to, I
16 know about Sani.

17 Q. And, Mr Witness, I now want to go to Mabonte. You have
18 testified about that and of a person being killed there; remember
19 that?

20 A. Yes, yes. I remember that.

21 Q. Did you tell the Defence, in your statement, about Mabonte
22 and of the old man being killed?

23 A. Mabonte, I explained -- I said it was not an old man that
24 was killed. Somebody was killed there.

25 Q. I'll rephrase it. But you told the Defence, in your
26 statement, of a killing that took place in Mabonte by a group who
27 you say was the RUF; correct?

28 A. Yes, yes.

29 Q. There is no indication in the summary provided to the

1 Prosecution about that, sir. I put it to you, you never
2 mentioned to the Defence about Mabonte or any killing there by a
3 group?

4 A. Well, that is not correct because I explained what happened
5 there. I'm not lying.

6 Q. I put it to you, sir, that you are lying when you mentioned
7 about an attack on Mabonte by the RUF; or the killing of a person
8 in Mabonte by the RUF?

9 A. I am not lying. I didn't lie about that. I was present,
10 so, there is no need for me to lie about that.

11 Q. Mr Witness, you had said you had heard of Superman, in Kono
12 District; is that correct?

13 A. I said, in my explanation, that I heard that Superman and
14 the Kamajor had a fracas, that was what they said. That was in
15 Sewafe.

16 Q. I will try and be clear with the question: In response to
17 a question from my learned friend, you had testified that you had
18 heard, that when you heard of Superman, it was in Kono; it had
19 nothing to do with the fracas you are describing about, but you
20 heard about Superman in Kono. Is that correct?

21 A. I heard, I heard that Superman was in Sewafe. He had had a
22 fracas with the Kamajors. I heard when they were talking about
23 it.

24 Q. While you were in your village, Bamba Foi du, did you ever
25 hear the name Superman?

26 A. Yes, yes. Exactly.

27 Q. How did you hear the name Superman while in your village?

28 A. Well, through people were coming from Freetown,
29 communication was going on. They would go to Sewafe. People all

1 about would explain those things to me when they would come from
2 Freetown, about the issues, country's issues. That was how I
3 heard the name.

4 Q. Okay. So you talked with people from Freetown concerning
5 the issues in the country; is that what your testimony is?

6 A. I said I heard the name. I heard that name through public
7 discussions and there were communication.

8 Q. What did they say -- what did you hear about Superman,
9 while you were in Bamba Foidu?

10 A. I heard that he was one of the RUF commanders, one of the
11 leaders; that's all.

12 Q. And did you get any of your information over the radio as
13 well, as relates to Superman?

14 A. Yes, yes. At that time, there was communication where --
15 about the issues of the country.

16 Q. Mr Witness, did you ever hear, during your time in Bamba
17 Foidu, that Alex Tamba Brima, also known as Gullit, was a member
18 of the AFRC government?

19 A. I didn't hear about that, except during the peace time.
20 That was when I started hearing about that name, during the peace
21 time.

22 Q. Did you ever hear the name Santigie Borbor Kanu, as being a
23 member of the AFRC government, while you were in Bamba Foidu?

24 A. No, no. Except during the peace time, then those names
25 came up.

26 Q. Did you ever hear the name Ibrahim Bazy Kamara, while you
27 were in Bamba Foidu, as being a member of the AFRC government?

28 A. No, no.

29 Q. While you were in Bamba Foidu, other than Superman, did you

1 hear of any other RUF people?

2 A. Yes, yes.

3 Q. Who were they, sir?

4 A. I heard about rebels like Foday Sankoh, Gi briil Massaquoi ,
5 Fayia Musa. We used to hear those names.

6 Q. And part of how you heard it was over the radio and through
7 newspaper; is that correct?

8 A. As times from radio, yes. At times newspaper, at times
9 Sewafe. Sometimes newspapers, sometimes when people come from
10 Freetown, but most of the time it was through the radio because I
11 used to listen to the radio and BBC.

12 Q. So just so I'm clear, sir: You heard through forms of
13 communication, radio, newspaper, et cetera, you heard of various
14 members of the RUF, but you did not hear of any members of the
15 AFRC; is that your testimony?

16 A. Well, at that time, you know, there was communication. It
17 was later we heard about AFRC, when they overthrew.

18 Q. But during --

19 A. We heard about the overthrow.

20 Q. You heard about the overthrow of the AFRC?

21 A. Yes, yes. It's not anything new to me in Sierra Leone. We
22 heard.

23 Q. Now, when you heard the names of Foday Sankoh and Superman,
24 were the AFRC in power during that time, when you heard about
25 Foday Sankoh, Superman and the other RUF you've described?

26 A. No, no. At that time, no.

27 Q. Mr Witness, have you ever heard the name Ibrahim Bazy
28 Kamara as being the senior AFRC official in Kono after the AFRC
29 was overthrown?

1 A. No, no. In Kono, no. I didn't hear. I didn't get that
2 information.

3 Q. I put it to you, sir, that Ibrahim Bazy Kamara was the
4 senior AFRC official, in Kono, after the AFRC was overthrown;
5 your response?

6 A. Well, I didn't have that idea, because where I was --
7 where, the information wasn't flowing there.

8 MR HARDAWAY: With the Court's indulgence for one moment,
9 please. I thank the Court. Mr Witness, I have no further
10 questions of you, sir. Your Honours, this concludes my
11 cross-examination.

12 PRESIDING JUDGE: Thank you, Mr Hardaway. Any
13 re-examination?

14 MR GRAHAM: No, Your Honours.

15 PRESIDING JUDGE: Mr Witness, we would like to thank you
16 for coming to Court and giving evidence. Your testimony is now
17 finished and you will be free to leave. If you will just sit
18 there for a few moments, we will adjourn the Court and you will
19 be able to go.

20 THE WITNESS: Okay. Thank you, My Lord.

21 [The witness withdrew]

22 PRESIDING JUDGE: Well, we will take our usual morning
23 break a little early because it's not much point getting the next
24 witness in and then adjourning at the usual time. So we will
25 adjourn now and we will come back at 10 to 11. Thank you.

26 [Break taken at 10.35 a.m.]

27 [AFRC12SEPT06C-CR]

28 [Upon resuming at 10.53 a.m.]

29 [The witness entered court]

1 PRESIDING JUDGE: What is the pseudonym of this witness?

2 MR GRAHAM: Your Honour, the pseudonym is DAB-128. And his
3 order number 36 on the witness summaries. Your Honours, he will
4 be testifying in Krio; DAB-128, Your Honours. Order number 36 on
5 the witness summaries.

6 PRESIDING JUDGE: Unfortunately, the summaries don't always
7 have a number on them. They have got page numbers but
8 not witness numbers.

9 MR GRAHAM: Your Honours, I will let you have the page
10 number.

11 PRESIDING JUDGE: Page 31. I've got it. Thanks,
12 Mr Graham. I have it, thank you. He is giving evidence in Kono,
13 is that correct?

14 MR GRAHAM: Krio, Your Honour.

15 WITNESS: DAB-128 [Sworn]

16 [Witness answered through interpreter]

17 MR GRAHAM: Your Honours, respectfully, the witness, I
18 believe, was not included in the original list of witnesses who
19 were granted protective measures by this Honourable Court, and so
20 I humbly would apply that we grant him that on a rolling basis,
21 as we have been doing. I'm grateful, Your Honour.

22 PRESIDING JUDGE: Thank you, Mr Graham. Yes. We will
23 order that the protective measures granted by the Court in our
24 decision of 9th May 2006 entitled "Decision on joint Defence
25 application for protective measures for Defence witnesses" shall
26 also apply to witness DAB-128.

27 EXAMINED BY MR GRAHAM:

28 Q. Good morning, Mr Witness. Mr Witness, I didn't hear any
29 response.

1 PRESIDING JUDGE: Did you hear what counsel said to you,
2 Mr Witness?

3 THE WITNESS: Yes, yes.

4 MR GRAHAM: Thank you.

5 Q. Mr Witness --

6 A. Yes, sir.

7 Q. -- you are 22 years old, isn't it?

8 A. Yes, sir.

9 Q. And you are currently single; that is, you are not married,
10 isn't it?

11 A. Yes, sir.

12 Q. And I am right in saying that you went to school up to
13 class 3, after which you were taken --

14 A. Yes, sir.

15 Q. -- to mine for diamonds by your aunty; is that right?

16 A. Yes, sir.

17 Q. And that you are a resident of xxx xxx?

18 A. I was not born there, but that is where I reside.

19 Q. Yes. You are resident in xxx xxx and that is in the
20 xxx Chiefdom in the Kono District; is that right?

21 A. Yes, sir.

22 Q. And that, during the period 1991, or thereabouts, you lived
23 in a number of towns in the Kono District, including Kombayendeh
24 and Yomandu?

25 MR GRAHAM: Your Honours, Kombayendeh is spel t

26 K-O-M-B-A-Y-E-N-D-E-H, and Yomandu, Your Honours, is spel t

27 Y-O-M-A-N-D-U.

28 Q. And that you are presently learning to be a tailor in xxx
29 Town, isn't it?

1 A. Yes, sir.

2 Q. Mr Witness, have you heard the name Kono Spark before?
3 Your Honours, Kono Spark is spelt K-O-N-O, for Kono, and then
4 Spark S-P-A-R-K. Kono Spark. Mr Witness, have you heard the
5 name Kono Spark before?

6 A. That was where I was staying with my uncle.

7 Q. And do you remember what year you were staying there with
8 your uncle, Mr Witness?

9 A. Yes. The year that I was there, well, it was before '92.

10 Q. And during the time that you were at Kono Spark, do you
11 remember anything happening during that time?

12 A. Yes. Because I was there '91, '92, we heard that rebels
13 had attacked Kono, so I saw people running. I also decided to
14 run away and go to Koyoh. I stopped there with a soldier called
15 Corporal Marrah.

16 Q. Mr Witness, before you go on, who told you -- how did you
17 hear that the rebels were about to attack in Koidu Town? How did
18 you hear that?

19 A. Well, I saw people running and, at that time, I was very
20 small, so that gave me the cause to run away to go to Koyoh.

21 Q. And, Mr Witness --

22 MR WAGONA: Objection, Your Honours. We object to this
23 evidence about '91, '92, on the grounds of relevance,
24 Your Honours.

25 PRESIDING JUDGE: Do you have any reply to that?

26 MR GRAHAM: Your Honours, indeed, I'm not dwelling at all
27 in very much detail at all, except that we're trying to get the
28 witness, the issue of dates and things, a little bit of
29 chronology helps them to get into sequence. But I'm not in any

1 way going to dwell at all on events and I do recognise the dates
2 in the indictment. I am not dwelling at all on that.

3 PRESIDING JUDGE: All right. Well, I take it you're going
4 to move on from there fairly soon?

5 MR GRAHAM: I am. I'm grateful.

6 PRESIDING JUDGE: I will allow the question on that basis.

7 MR GRAHAM:

8 Q. And Mr Witness --

9 A. Yes, sir.

10 Q. -- these rebels that you said you heard were attacking
11 Koidu Town, do you know whether they were referred to by any
12 other name?

13 A. Well, the name that I heard them called by was RUF.

14 Q. Mr Witness --

15 A. Yes, sir.

16 Q. -- you just told this Court that you --

17 A. Yes, sir.

18 Q. -- when you heard about the attack, people were running and
19 you also ran, where did you run to?

20 A. It was Koyoh.

21 MR GRAHAM: Your Honours, Koyoh is spelt K-O-Y-O-H.

22 Q. And did anything happen when you got to Koyoh, Mr Witness?

23 A. Yes. It was because I saw people running here and there,
24 that was why I went to Koyoh.

25 Q. I'm asking, did anything happen, or what did you do when
26 you got to Koyoh, Mr Witness?

27 A. They did nothing to me, but when I saw people running, and
28 my uncle was a worker, he went for a job, that I saw people
29 running, I decided to run away to Koyoh.

1 Q. Thank you. Did you see anyone when you got to Koyoh,
2 Mr Witness?

3 PRESIDING JUDGE: Are we still in this period in 1992?

4 MR GRAHAM: Your Honours, he stayed in there for quite a
5 period of time, moving into the period of the indictment. I'm
6 not, as I said, I'm not -- I don't think I'm going to ask more
7 than two more questions in this regard, whilst we move into the
8 indictment period, with your kind permission.

9 PRESIDING JUDGE: Go ahead, Mr Graham. But I'll hold you
10 to that, because there's a long period of time between 1992 and
11 the indictment times.

12 MR GRAHAM: Thank you.

13 Q. Mr Witness, do you remember where you were in 1998?

14 A. Yes, I can recall.

15 Q. Mr Witness, can you tell this Court, where were you in
16 1998?

17 A. It was in my village called xxx.

18 Q. Your Honours, xxx, I've spelt that. And during --

19 JUDGE SEBUTINDE: This is not xxx?

20 MR GRAHAM: Your Honours, no, not xxx.

21 JUDGE SEBUTINDE: This is different?

22 MR GRAHAM: Yes, Your Honours.

23 Q. Mr Witness --

24 A. Yes, sir.

25 Q. -- do you know the spelling of your town? Can you spell
26 it?

27 A. No, sir. Because, where I was staying, I -- my level
28 cannot allow me to spell that.

29 JUDGE SEBUTINDE: But witness, is this place, your village,

1 is it xxx or xxx?

2 THE WITNESS: xxx.

3 MR GRAHAM:

4 Q. Is it xxx or xxx?

5 A. xxx. It is not Yo, it's Ya. xxx.

6 Q. xxx?

7 A. Yes, sir.

8 MR GRAHAM: It may simply also because most of these
9 places, when even you go in there, the sign boards and this, and
10 the spellings are most of the time you realise they are
11 pronounced the same and they reflect differently, but I will go
12 with xxx, Your Honours.

13 JUDGE SEBUTINDE: Is it xxx, or xxx?

14 MR GRAHAM: xxx.

15 Q. Mr Witness --

16 A. xxx.

17 MR GRAHAM: xxx. xxx.

18 Q. And, Mr Witness --

19 A. Yes, sir.

20 Q. -- during this time in 1998, that you were in xxx, were
21 you there alone?

22 A. No, sir.

23 Q. Can you tell this Court who were you there with,
24 Mr Witness?

25 A. Yes, sir. Well, for 1998, I was staying with my mother.

26 Q. And, Mr Witness, during this period in 1998, that you were
27 in xxx, were you doing anything?

28 A. Yes, sir.

29 Q. Can you tell this Court what you were doing, Mr Witness?

1 A. Well, I am a farmer.

2 Q. And, Mr Witness --

3 A. Yes, sir.

4 Q. -- I am asking you that you -- sorry, Your Honours. You've
5 told this Court that you were a farmer. During this period, were
6 you farming alone?

7 A. No, no, sir. Because we are staying towards the border
8 area. We sometimes come together as a team, with the kids, to
9 make farms.

10 Q. And did you -- those of you -- you have just told this
11 Court you used to come together with other kids to make a farm.
12 Did you refer yourselves by any name?

13 A. No. The job that we normally do, we call it Burma. That
14 is in our own language. Burma, meaning it's a club. For
15 instance, you -- everybody will come and do my own job. Then
16 later, I team up and go and do the next man's own job.

17 MR GRAHAM: Your Honours, Burma, I believe is spelt
18 B-U-R-M-A. Burma.

19 Q. And during this period that you've told this Court you were
20 doing Burma, did anything happen, Mr Witness? Do you recall
21 anything happening during this period?

22 A. Well, if I can recall anything, in fact, I cannot recall
23 something too far off, except those around me in my village. The
24 things that happened around me and my village, I can recall those
25 ones, but those that happened very far, I cannot recall.

26 Q. Mr Witness, I need you to tell me the things that happened
27 around your village; do you remember? Please tell this Court
28 what happened, during that period, around your village.

29 A. Well, whilst we were in the village, we were only

1 concentrating on our farming job. Sometimes after the farming,
2 we join kids into society. Then we do the happiness and joy
3 together. That is -- that was all we used to do around that I
4 can recall. But I cannot recall any other bad thing that
5 happened around me.

6 Q. And, Mr Witness --

7 A. Yes, sir.

8 Q. -- during the time that you were in Yamadu in 1998, did you
9 hear about any fighting?

10 A. Yes, sir.

11 Q. Mr Witness, what did you hear? Can you please tell this
12 Court?

13 A. Yes, I can explain a little bit because, in 1998, we were
14 in our village in xxx. We had our club. Later, we understood
15 that rebels had attacked the paramount chief headquarters, which
16 was Saema. To my mother, I was the only child.

17 MR GRAHAM: Your Honours, Saema is spelled S-A-E-M-A.

18 Q. And, Mr Witness, who told you that Saema had been attacked
19 by rebels?

20 A. It was our people who were staying in our chiefdom
21 headquarters that told us. They said we should not sit down.
22 They said the rebels had attacked the chiefdom headquarters, so
23 that gave us a cause that my mother told me that you are now my
24 only kid. I do not have any other kid. That you are a young
25 man, because, we are two in number, given birth to by my mother.
26 The other is a woman, a small girl. She said, "We will take the
27 kid and go the other way." Then she said we should take the
28 bypass and cross over to Guinea.

29 Q. Thank you, Mr Witness. Mr Witness, before you go on --

1 A. Yes, sir.

2 Q. -- the people who told you that the rebels had attacked the
3 chiefdom headquarters, did they refer to the rebels by any name,
4 that you know?

5 A. It was just RUF. That was the only name that I heard, I
6 knew.

7 Q. From where did you hear the name RUF, Mr Witness?

8 A. Even amongst us, we had people who were educated, who came
9 from the chiefdom headquarters. Some were -- went to school,
10 they were educated, and some of us now, although we are not that
11 educated, but some went to school. They could differentiate
12 between things. That was how I came to know what was RUF. It's
13 not that I just said it out of my own making.

14 Q. Thank you, Mr Witness.

15 A. Yes, sir.

16 Q. Mr Witness --

17 A. Yes, sir.

18 Q. -- you told this Court that you -- your mother advised that
19 you leave the area because of the attack by the rebels.

20 A. Yes, sir.

21 Q. Did you eventually leave Yamadu with your mother?

22 A. As they told us that Saema had been attacked, my mother
23 decided to go -- to use the main highway. And then she said we
24 should use the Gborgboma route. That was the bypass route, and
25 that was the shorter route, for me to be able to cross over
26 quickly to Guinea, so that I can find a way for her to cross over
27 also. As we reached Gborgboma, we realised that there was nobody
28 to cross us over, and the ones who were crossing people over in
29 the canoes, were not there at that time. So they said we should

1 wait until in the morning before they cross us over.

2 Q. Okay. Mr Witness, you just mentioned a name. Could you --
3 what did you say? Did you say Boma? Could you say that again?

4 A. Gborgboma, Gborgboma.

5 MR GRAHAM: I believe we have to do with a phonetic
6 spelling of that. Gborgboma, what I have here is
7 G-B-O-R-G-B-O-M-A.

8 Q. And, Mr Witness --

9 A. Yes, sir.

10 Q. -- so how long did you stay at this crossing that you just
11 told this Court about, that when you got there, the men who used
12 to ferry the canoe were not there; how long did you stay there?

13 A. Now, we reached there around 6.30. Those people who used
14 to ferry across, in Guinea, they were not allowing people to
15 cross at that time. The stagnant time was 6.30. So when that
16 time is passed --

17 Q. Mr Witness, is this 6.30 in the morning or 6.30 in the
18 evening, Mr Witness?

19 A. In the evening, at night. They said nobody should cross at
20 that time.

21 Q. So when they said nobody should cross at that time,
22 Mr Witness, did you do anything as a result of that?

23 A. Yes, sir.

24 Q. What did you do, Mr Witness?

25 A. We slept there. So, we spoke to those who normally ferry
26 the canoe and said, "Please, tomorrow morning, you have to cross
27 us over." They said, "Okay." We should sleep and then in the
28 morning they will cross us over. 6.00 in the morning, rebels
29 entered. Because I was very small, and I was captured by them.

1 The one that captured me shouted, "Captured live." And as he
2 said, "Captured live" another boy came and he hacked me on my
3 head. You can see it now.

4 Q. Mr Witness --

5 A. Yes, sir.

6 Q. -- please, you are going too fast. The interpreters will
7 have to interpret your testimony.

8 A. Okay. Okay. I'm very sorry.

9 Q. Before you go on, you told -- you just told this Court that
10 the rebels entered where you were. Mr Witness --

11 A. Yes, sir.

12 Q. -- how do you know it was the rebels that attacked you at
13 that place? How do you know?

14 A. Hey, I just saw because, at that time, a small boy like me,
15 I never knew about government. My mother never knew about
16 government. I was a farmer. I believed in farming. Then
17 somebody just captured me automatically and said "Captured live.
18 Captured live." Then he hacked me on my head and he said "Sam
19 King, come." Sam King came, and he brought the axe and hacked me
20 on my head. He called another one called Bingy Man.

21 Q. Please take your time, as I said, please take your time.

22 MR GRAHAM: Your Honour, he mentioned the name Sam King. I
23 believe Sam King can be spelt phonetically.

24 Q. Mr Witness, please take your time. The Court will need to
25 record all aspects of your testimony. And just give us your
26 account slowly. Mr Witness, you said that you were captured and
27 that someone shouted, "Captured alive." Did you observe how many
28 rebels entered the place that time?

29 A. There were plenty.

1 Q. Mr Witness, did you observe the way they were dressed?

2 A. Yes, sir.

3 Q. Mr Witness, can you please describe to this honourable
4 Court the way you observed their dressing?

5 A. Some of them were dressed in a civilian clothing, like the
6 man who captured me, and there were some Bingy Man, who forced --
7 took actions against me. They were all dressed in civilian
8 clothing, but they all had guns. They all -- they were all
9 carrying RPGs, and Bingy Man was having AK, together with Sam
10 King.

11 MR GRAHAM: Bingy, Bingy Man, B-I-N-G-Y M-A-N. Bingy Man.

12 Q. And, Mr Witness, this Sam King --

13 A. Yes, sir.

14 Q. -- did he do anything to you?

15 A. Yes, sir.

16 Q. What did he do, Mr Witness?

17 A. Just as they shouted, "Captured alive" he hacked me on my
18 head. Somebody can even come and see it, to prove it. Bingy Man
19 now came, and he -- he used the knife and -- into my stomach.
20 The commander among them, called Butterfly, he said they should
21 not -- they shouldn't kill me. He said they should tie me up,
22 and I was tied up.

23 MR GRAHAM: Your Honours, Butterfly, I believe, is
24 Butterfly.

25 Q. And, Mr Witness --

26 A. Yes, sir.

27 Q. -- Sam King, and Bingy Man and -- so sorry, Your Honours.
28 First, how did you know that Butterfly was the commander of the
29 rebels? How did you know that?

1 A. How I managed to know? It was because when I was captured
2 Yenewa was the one who captured me, because I knew him
3 personally, even before he became a rebel. So as he captured me,
4 I knew he was Yenewa who captured me. And then, Butterfly
5 said -- he came, and then he said, "CO, colonel, here is the man
6 whom we have captured." He said they should tie me up, and then
7 Yenewa said they shouldn't tie me up.

8 MR GRAHAM: Your Honour, the name of Ynoah who captured him
9 is spelt --

10 THE WITNESS: No, not Ynoah. It is not Ynoah. It is
11 Yenewa. Yenewa.

12 MR GRAHAM: Your Honours, Yenewa, I believe is Y-E-N-E-W-A.
13 Yenewa.

14 Q. And when the commander said they should tie you up, did
15 they tie you up, Mr Witness?

16 A. I was tied up. They used their military fatigue uniform
17 clothing to tie me up, and he took it off from his head, from
18 his -- it was as a headband -- he used it to tie me up. We
19 walked for more than six miles, and I was tied up at that time.
20 And we are now walking. When we reached to a place --

21 Q. Mr Witness, hold on. Before you go on, and I said again,
22 you are moving a bit, even too fast for me. Please take your
23 time, Mr Witness. Mr Witness, you just told this Court that they
24 tied you with a military fatigue.

25 A. Yes.

26 Q. What do you mean by military fatigue.

27 A. That was the combat clothing, which he used as a headband.
28 He just took it off and it was tored [as interpreted] in the
29 middle, and then he used it to tie me -- my hands at my back. He

1 asked me about my mother and I said my mother was not around.

2 Q. Thank you, Mr Witness. Mr Witness --

3 JUDGE SEBUTINDE: Mr Graham, before we leave this area, I
4 am not quite sure this place that we're talking about. Does it
5 have a name? Because initially he said the rebels entered.

6 MR GRAHAM: Okay, thank you.

7 JUDGE SEBUTINDE: But he didn't say the name where they
8 entered.

9 MR GRAHAM: Thank you.

10 Q. Mr Witness, this place where you said the rebels entered
11 whilst you were waiting to -- for the canoe to cross, do you know
12 the name of that place?

13 A. Where we were waiting?

14 Q. Whilst you were waiting for the rebels to capture you?

15 A. It was Gborgboma.

16 MR GRAHAM: And, Your Honours, I believe Gborgboma, I've
17 spelt that.

18 Q. And do you know how -- the distance between Gborgboma and
19 Yamadu?

20 A. The distance, let me just estimate it roughly. It is like
21 from here to PZ because these are villages in between. They are
22 not too far from each other.

23 Q. Okay. Mr Witness, and if you --

24 JUDGE SEBUTINDE: Mr Graham, you can assist Court.

25 MR GRAHAM: Yes, I'm doing that, Your Honour.

26 JUDGE SEBUTINDE: We don't know where PZ is, if you can
27 estimate?

28 MR GRAHAM: Yes, Your Honours, I'm going to, yes.

29 Q. Mr Witness, if you had to walk from Yamadu to Gborgboma,

1 how long would it take you?

2 A. How long it would take me? It's not actually a far
3 distance. Okay. Let me say, that is normally where we go to, to
4 fish. Sometimes we go there, we fish there and then, in the
5 evening, we would come back. It is around the border area. Just
6 after Gborgboma now, there is no other village, it is just the
7 river that you cross. That is normally where we go to fish.

8 Q. Would you agree with me if I say it is about a mile, in
9 terms of distance, from Yamadu to Gborgboma?

10 A. Sir, I didn't understand.

11 Q. I was talking about the distance that -- is it about a
12 mile, one mile?

13 A. Yes, sir. Yes, about that. It can be around one mile.

14 Q. Thank you, Mr Witness. Mr Witness, you told this Court
15 after you were tied up, you said you walked for about six miles;
16 did you go anywhere after you were tied up and walked that
17 distance with the rebels?

18 A. Yes, sir. When they tied me up, they said we should go.
19 Whilst we are going, my right foot, there was -- there was that
20 local kind of bridge where we were crossing, and I accidentally
21 fell into it, and my right foot had a problem and then Bingy Man
22 said I don't want to go. So he used a machete and hacked me on
23 my head and -- and there was a Major Jusu who said -- he said,
24 "This man, instead of straining [as interpreted] him, let us kill
25 him at once."

26 Q. Take your time, Mr Witness.

27 A. Yes, sir. Yes, sir.

28 MR GRAHAM: Your Honours, he mentioned the name Major Jusu.
29 Jusu is J-U-S-U, Your Honours.

1 THE WITNESS: Major Jusu.

2 MR GRAHAM:

3 Q. And when major -- do you know whether, at the time, Major
4 Jusu was taking instructions from anyone?

5 A. Well, he was the 2 IC, according to what he said. He said
6 he was the 2 IC to Butterfly. So he told Butterfly that I should
7 be killed, but Butterfly said, no, according to the instructions
8 from the brigade, they shouldn't kill anybody. If they see
9 somebody, they should capture the person.

10 Q. And, Mr Witness, when did Major Jusu tell -- when did he
11 tell you -- or when did you hear him say that he was the 2 IC?

12 A. It was an argument that started going on in between them.
13 And he said, "This man is the CO for this patrol, but you should
14 know that I am the 2 IC. Therefore, if I say anything, you
15 shouldn't argue. That boy should be killed." But then,
16 Butterfly said no. He said the instruction that he had from the
17 brigade was that they shouldn't kill anybody and their
18 instruction is what he goes according to.

19 Q. Thank you, Mr Witness, we have heard. Mr Witness --

20 A. Yes, sir.

21 Q. -- at this time, were you the only person who had been tied
22 up who was with the rebels?

23 A. Yes, sir.

24 Q. And, Mr Witness, did --

25 A. Yes, sir.

26 Q. -- where did you go from after the walk, the 6-mile walk,
27 did you go anywhere?

28 A. Yes, sir.

29 Q. Where did you go, Mr Witness?

1 A. We went to Gborddu where they chopped off my hand. They
2 call the place Gborddu.

3 MR GRAHAM: And Mr -- sorry, your Honours, Buedu, we have
4 here a spelling G-B-O-I-D-U, Gboi du [sic].

5 THE WITNESS: Not in Buedu, I'm sorry, please. It is not
6 Buedu, I am sorry, please. It is Gborddu. It is Gborddu. It is
7 not Buedu.

8 MR GRAHAM: Your Honours, G-B-O-R-D-U, Gborddu. Thank you.

9 Q. And, Mr Witness, how did you know that the place was Gborddu
10 Town? How do you know that?

11 A. What did you talk about?

12 Q. How did you know that you had arrived at this place called
13 Gborddu Town?

14 A. At that time, they had not chopped off my hand. By then, I
15 had been hacked on my head, but I was still sensible. I still
16 had my senses around me. Those were our areas. Those are our
17 chieftdom areas so, as I reached there, I knew I was in Gborddu.

18 Q. And, Mr Witness, and the person who hacked you on the head
19 was a rebel?

20 A. He was a rebel.

21 Q. Do you know whether he was RUF?

22 A. The man? He was RUF.

23 Q. How do you know that he was RUF, Mr Witness?

24 A. It was at the time when my hand was now chopped off. I had
25 known at that time that no -- nobody could have done that to me,
26 except RUF. Because, in the first instance, when we were at
27 Yamadu, when people came from Saema, they talked about RUF, so I
28 had had that in my mind, and that anybody who does that kind of
29 bad to somebody like me, I will know that it was RUF. Even

1 though I was a kid, by then, I knew it was the RUF.

2 Q. Mr Witness, do you know who amputated your hand?

3 A. Yes, sir.

4 Q. Can you please tell this Court who amputated your hand,
5 Mr Witness?

6 A. Yes, sir. Yes, sir.

7 Q. Please tell this Court, Mr Witness.

8 A. The man who chopped off my hand, Yenewa first took a knife
9 and cut my veins, and he told Sam King to come and complete the
10 cutting. And at that time, just when he cut off the veins, he
11 called Sam King and said, "Sam King, come and chop off his hand."
12 And then he chopped off my hand and left me there. And when he
13 left me, they tied my hand that was not cut on my left foot, and
14 then they went and left me.

15 Q. Mr Witness, before I go on --

16 A. Yes, sir.

17 Q. -- this Sam King who amputated your hand, do you know where
18 he is now?

19 A. For now, I cannot -- I cannot know that, where he is.

20 Q. And, Mr Witness, when they tied you up, did --

21 JUDGE SEBUTINDE: Could we, just for the record, get on the
22 record which hand was amputated.

23 MR GRAHAM: Thank you, Your Honours.

24 Q. Mr Witness --

25 A. It was my right hand. My right hand.

26 Q. Can you raise your right hand.

27 A. Yes, sir. It is my right hand.

28 PRESIDING JUDGE: All right. For the record, the witness
29 is displaying his right arm. The forearm is missing up until

1 about three inches from the elbow; the rest of the arm is gone.

2 MR GRAHAM: Thank you, Your Honours, I'm grateful.

3 Q. Mr Witness --

4 A. Yes, sir.

5 Q. -- when they tied you up and left you, did you do anything?

6 A. Yes, sir.

7 Q. What did you do, Mr Witness?

8 A. When they tied my hand up, I got up. I saw around me there
9 was fresh blood, but I never knew -- realised myself that my hand
10 was actually finally chopped off. So, I drew my hand -- I
11 couldn't make it. Then, I read some surahs from the holy Koran,
12 called "jajanasurula" and I asked the Almighty God to help me, so
13 that somebody would come across me and be able to assist me.
14 Then, as I drew -- as I completed reading, I drew my hand. The
15 rope got loose. Then and I tried to check myself. I wiped my
16 face, and then I started crying. I recalled that my mother must
17 be straining at that point in time.

18 Q. And, Mr Witness, did you go anywhere after you untied
19 yourself?

20 A. Yes, sir.

21 Q. Where did you go, Mr Witness?

22 A. Yes, sir. It was Sagbawa.

23 MR GRAHAM: Your Honours, Sagbawa is spelt S-A-G-B-A-W-A.
24 Sagbawa.

25 Q. And did you do anything at Sagbawa, Mr Witness?

26 A. Yes, sir.

27 Q. What did you do at Sagbawa, Mr Witness?

28 A. I slept there. And, in the morning, when I got up, I
29 started going. As I was going, I met with some of my family

1 members who came from the other side, looking out for me. And
2 then, I met with them on the way. Then they took me and crossed
3 with me over to Guinea. And, right from there, we met with a UN
4 vehicle.

5 Q. And, Mr Witness --

6 A. Yes, sir.

7 Q. -- during the time that the rebels, the RUF rebels,
8 attacked you at Gborgboma, during the time that they attacked
9 you, did you hear that one Alex Tamba Brima, also known as
10 Gullit, was one of the rebels who attacked you at Gborgboma?

11 A. No, no, no. I never heard that.

12 Q. And did you hear that the rebels that attacked you at
13 Gborgboma were taking command from one Alex Tamba Brima, also
14 known as Gullit?

15 A. No, sir. I cannot lie.

16 Q. And, Mr Witness, during the time --

17 A. Yes, sir.

18 Q. -- the rebels attacked you at Gborgboma, did you witness
19 any burning of houses, at Gborgboma?

20 A. Except at the time when they were shooting at random,
21 bullets will probably go above the roofs and then burn some
22 areas. But, at the time I was captured, I did not really see
23 somebody holding fire to put it into the house.

24 Q. And during the time that the RUF rebels attacked Gborgboma,
25 did you witness any rape, Mr Witness?

26 A. No, sir.

27 Q. And did you witness any abduction of children to be trained
28 as soldiers?

29 A. No, sir.

1 Q. And, Mr Witness, you also told us that when you left
2 Gborgboma, you walked for a 6-mile -- you walked on a 6-mile
3 journey until you got to Buedu Town. I'm asking you that, from
4 the time that you left Gborgboma to Buedu Town, that you were
5 with the rebels, did they stop on the way from Gborgboma to Buedu
6 Town?

7 A. If they --

8 Q. Did they make any stop on the way?

9 A. If they stopped anywhere whilst they were going?

10 Q. Yes, did they stop in any towns or villages on their way to
11 Buedu Town?

12 A. No. I can't recall that.

13 Q. And, during the time that you were with the rebels,
14 Mr Witness, the RUF rebels, did you observe them using any
15 communication equipment?

16 A. Communication, even if it was amongst them, I didn't see
17 it.

18 MR GRAHAM: Okay. Thank you, Your Honours. I don't have
19 any further questions for this witness. I'm grateful for the
20 time.

21 PRESIDING JUDGE: Thank you, Mr Graham. Is there anything
22 else in chief?

23 MR FOFANAH: Yes, sir.

24 EXAMINED BY MR FOFANAH:

25 Q. On behalf of the second accused, Mr Witness, I will ask you
26 a few questions. Now, throughout the period that you spent with
27 the RUF rebels, did they mention to you the name Ibrahim Bazy
28 Kamara, as being one of their commanders?

29 A. No, sir.

1 Q. Apart from the rebels, were you told by anyone that the
2 rebels who captured you were taking command from any Ibrahim
3 Bazy Kamara?

4 A. No, sir.

5 MR FOFANAH: That is all for the witness.

6 PRESIDING JUDGE: Thank you.

7 EXAMINED BY MR MANLY-SPAIN:

8 Q. Mr Witness --

9 A. Yes, sir.

10 Q. -- did you, afterwards, ever meet with the person that
11 amputated your right arm?

12 A. Yes, sir.

13 Q. Can you tell this Court when you met with that person?

14 A. Yes, sir.

15 Q. Please tell the Court.

16 A. It was in 2002. 2002, we were at Koakoyima, and the man
17 with whom I was staying, my guardian, he met him, and he said, "I
18 know this boy." And he told Mr Bonga that he should plead with
19 me that I -- that he was the person who chopped off my hand.

20 When I reached him, Mr Bonga told me --

21 Q. [Microphone not activated]?

22 A. Oh, God.

23 Q. Who were you staying with at Koakoyima then?

24 A. Mr Bonga.

25 Q. And who spoke with Mr Bonga about you?

26 A. Yenewa.

27 Q. So what did he say to Mr Bonga?

28 A. He went and told Mr Bonga that he was the one who chopped
29 off my hand.

1 Q. And you said the name was -- tell me the name again?

2 A. Yenewa. Yenewa. He went to Mr Bonga.

3 MR MANLY-SPAIN: I can hazard a guess Y-E-N-E-W-A. That
4 will be all for him.

5 PRESIDING JUDGE: Thank you. Yes, go ahead.

6 MR WAGONA: Thank you, Your Honours.

7 CROSS-EXAMINED BY MR WAGONA:

8 Q. Yes, good morning, witness.

9 A. Good morning to you.

10 Q. Yes, witness, I'm sorry about what happened to you.

11 A. Yes, sir.

12 Q. But I need to ask a few questions.

13 A. Yes, sir.

14 Q. You said that when the rebels captured you --

15 A. Yes, sir.

16 Q. -- they used their military fatigue to tie you?

17 A. Yes, sir.

18 Q. Now, some of those rebels were dressed in military uniform,
19 weren't they?

20 A. It was only Butterfly who tied the combat around his head
21 so, when they captured me, they untied the combat and tied me.

22 Where they captured me was a town, so they captured me and said
23 we should continue the journey, but they had on civilian
24 clothing. Some had on jeans, some had the clefts that has the
25 pockets.

26 Q. And what they tied themselves with, what was it? Could you
27 describe it, the military --

28 A. That I was tied with?

29 Q. -- the military cloth, can you describe that, please?

1 A. Military fatigue. It was tied onto Butterfly's head, so
2 when they captured me, they said, "CO, we have captured a man."
3 Then he said, "Well, tie him." Then Yenewa, when he shouted and
4 when they hacked my head, I saw him. I wasn't too conscious.

5 JUDGE SEBUTINDE: Mr Witness, you were asked a question to
6 describe the thing which they used to tie you up. Can you do
7 that, to describe the cloth which they used to tie you up with?
8 That is all that you were asked.

9 THE WITNESS: It was combat. It was only combat.

10 MR WAGONA:

11 Q. Was it a shirt; was it a shirt; was it a trouser; what type
12 of military fatigue was this?

13 A. It was the shirt that they tore. The man tied his head
14 with one -- it was behind him, so when they captured it, he
15 untied it, and it was that combat that they used to tie me and he
16 took the rest to tie his head and said we should go.

17 Q. Otherwise, you say that they were all in military
18 uniform -- in civilian clothes; is that right?

19 A. Yes, sir.

20 Q. I put it to you that some of them were in full military
21 uniform; what do you say?

22 A. Well, even if they had it, I didn't see it. I wouldn't
23 come and tell a lie in the Court and when they asked me later, I
24 wouldn't be able to explain. What I saw was civilian clothing.
25 Even if they had it, I didn't see it.

26 Q. And I put it to you that some of them had a mixture of
27 military and civilian clothes.

28 A. That's what I'm saying, sir. I wouldn't lie to you. What
29 I -- those that I saw, they had on civilian clothing, so if there

1 were those with military fatigue, I wouldn't know that.

2 Q. And after your own experience, after the attack, following
3 the attack, how long did you stay in Gborgboma Village before
4 crossing over to Guinea? How long were you able to stay there
5 before leaving the village?

6 A. After they had cut off my arm?

7 Q. From the time of the attack, how long did you stay before
8 you finally reached Guinea?

9 MR MANLY-SPAIN: I'm sorry --

10 THE WITNESS: It was --

11 MR MANLY-SPAIN: [Microphone not activated] I didn't hear
12 him say he went to Guinea.

13 MR WAGONA:

14 Q. Sorry. Sorry, Mr Witness. But I want to know how long you
15 were able to remain in Gborgboma after you had been captured?

16 A. When I was captured --

17 PRESIDING JUDGE: Just pause for a minute, please,
18 Mr Witness. Just on your objection, Mr Manly-Spain, he did say
19 that he crossed over to Guinea with his family members.

20 MR MANLY-SPAIN: Yes, finally. Finally.

21 JUDGE SEBUTINDE: But I think what is confusing the witness
22 is the way counsel is asking this question. The witness's
23 evidence is that, from Gborgboma, he was taken to Gborddu, you
24 see.

25 MR MANLY-SPAIN: Yes.

26 JUDGE SEBUTINDE: So when you ask him how long he stayed
27 before he crossed over, there is a whole lot that happened.
28 Maybe you mean how long he stayed in Sierra Leone before
29 crossing, but not the way you are asking this question.

1 MR WAGONA: Thank you, Your Honour.

2 Q. Following the attack, how long --

3 A. Yes, sir.

4 Q. -- did you remain in Sierra Leone before you left for
5 Guinea?

6 A. Well, after they had amputated me in Gbord, I returned and
7 got onto Gborgboma. That morning I was held, so that caused me
8 to go and sleep to Sagbawa. The next day, I started travelling,
9 little by little. I was on my way to go to the stream and I met
10 my mother's relations. They were going in search of me.

11 Because, then, the attack, they didn't see me, so I met them on
12 the way, searching for me. So, from there, when they saw me,
13 they took me and crossed over with me. So it was that time we
14 met with the UN vehicle and we were taken to Conakry.

15 Q. So was it within about two days of the attack?

16 A. Before I went to Sagbawa? It was a day. When I was
17 captured in the morning, it was the same morning that my arm was
18 amputated, and it was the same day that I travelled to Gbord. I
19 passed through Gborgboma and went to Sagbawa, and the next day I
20 travelled and when I met my mother's relation and they took us to
21 Guinea.

22 Q. Okay. Thank you.

23 A. Thank you, too.

24 Q. Now, did you finally come back to any of these villages;
25 Gborgboma? Did you finally come back, at any one time?

26 A. After I'd left Conakry?

27 Q. Yes.

28 A. Yes, because that's my uncle's land and my mother's land,
29 so when I left Conakry I was a --

1 THE INTERPRETER: Please, Your Honour, I didn't get the
2 name of the place.

3 MR WAGONA:

4 Q. Could you repeat the name of the place, please?

5 A. Gborgboma. Gborgboma. But because I'm a bit fast, that's
6 why.

7 Q. Yes. Well, when did you finally return?

8 A. I finally returned from Conakry to Sierra Leone? It was in
9 the year 2000.

10 Q. And when you returned, did you hear that during that attack
11 by the rebels people were abducted?

12 A. No, sir. But two people had died on the spot during the
13 attack.

14 Q. Were they killed by the rebels?

15 A. Yes, the time they were shooting. It was a stray bullet
16 that met them.

17 Q. Did you hear that people were forced to carry loads?

18 A. No, sir.

19 Q. Did you hear that people's properties were looted?

20 A. In Gborgboma?

21 Q. Gborgboma, Sagbawa and --

22 A. No, rebels didn't get to Sagbawa.

23 Q. And your village, xxx.

24 A. The rebels didn't reach Sagbawa, and they didn't reach

25 xxx. They stopped at Gborgboma, when I was captured. So I

26 slept in Sagbawa but, during those times, people were in there.

27 They didn't cross over. The rebels didn't get on to Sagbawa, and

28 from Sagbawa to Gborgboma, it's a short distance, but they didn't

29 get there.

1 Q. But, you see, I'm asking you about what you heard when you
2 came back from Guinea; do you understand?

3 A. Yes. You know, during the wartime, some people will say
4 that they took my property, or they did this to me, or they
5 killed my relatives, because it's a war. You wouldn't disagree
6 or you wouldn't say it's true. It's what happened to me is what
7 I'm telling you. So what happened the next day is what they told
8 me.

9 Q. So you heard about those?

10 A. Yes, sir.

11 Q. And you were talking about RUF; have you heard about SLA?

12 A. SLA. The SLA that I knew about was the one I stayed with
13 in Koyoh, who was Corporal Marrah, but he didn't do anything bad
14 to me. I'm a -- I'm a Muslim. I'm speaking the truth. They
15 didn't do anything bad to me. That was the only SLA I knew. I
16 don't know any other SLA.

17 Q. Now, I'm putting it to you that the people who attacked and
18 captured you --

19 A. Yes, sir.

20 Q. -- including both SLAs and RUF; what do you say?

21 A. No, it was not RUF and SLA. It was RUF. There was no SLA.
22 If there were, I didn't see them. But, because I got a problem.
23 If they were there, I would tell you that they were there. But I
24 didn't see them, sir.

25 Q. And you said you never heard the names Ibrahim Bazy
26 Kamara, Alex Tamba Brima?

27 A. I've never heard them, sir. Not at all. I didn't hear it.

28 Q. I'm putting it to you that Ibrahim Bazy Kamara --

29 A. Yes, sir.

1 Q. -- was one of the people based in Kono at that time; what
2 do you say?

3 A. No, sir. Even if he was there, he didn't do anything bad
4 to me or any of my relatives. I wouldn't tell a lie. I don't
5 want to tell a lie to you.

6 Q. And I put it to you that Ibrahim Bazy Kamara --

7 A. Yes, sir.

8 Q. -- was the most senior SLA official based in Kono at that
9 time.

10 A. SLA. Well, I'm not talking about SLA, I'm talking about
11 the RUF. I'm not talking about SLA, I'm talking about RUF.

12 Q. Now, how old were you at that time?

13 A. Before the rebels captured me? Because I was mature, but
14 we don't have that kind of way, to say, as a child is being born,
15 you can have every experience. No, but then I can say I was much
16 older a little bit. I can recall things that happened.

17 Q. So do you know the government that was in power at that
18 time?

19 A. I wouldn't tell a lie to you, sir, because where I was is
20 far from the city.

21 MR WAGONA: Just a moment, Your Honours. Thank you,
22 witness. That's the end of my questions. Thank you,
23 Your Honours.

24 THE WITNESS: Thank you, too.

25 PRESIDING JUDGE: Thank you, Mr Wagona. Any
26 re-examination?

27 MR GRAHAM: No, your Honours.

28 PRESIDING JUDGE: Witness, thank you very much for coming
29 to Court to give evidence, your testimony is finished now.

1 THE WITNESS: Okay.

2 PRESIDING JUDGE: You can leave the courtroom.

3 THE WITNESS: Okay, sir.

4 PRESIDING JUDGE: Just sit there for a few moments. We'll
5 pull those curtains across so you can leave.

6 THE WITNESS: Okay, sir.

7 [The witness withdrew]

8 PRESIDING JUDGE: Now, the next witness is what pseudonym?

9 MR GRAHAM: Thank you, Your Honours. The next witness is
10 DAB-101. Your Honours, he's number 8 -- I don't have the
11 numbers, I'm sorry. He's on page number 13, Your Honours.
12 Your Honours, he will be testifying in Krio. DAB-101, page 13 of
13 the summaries, Your Honour.

14 PRESIDING JUDGE: Thank you, Mr Graham. I have that.

15 [The witness entered Court]

16 WITNESS: DAB-101 [Sworn]

17 [The witness answered through interpreter]

18 MR GRAHAM: Your Honours, in terms of protective measures,
19 I have just left my list that I have prepared in that respect,
20 but I believe -- I'm not really very sure, but I believe this
21 witness took a statement in April of 2006. I'm not really very
22 sure whether he -- I just left my file with the indications as to
23 which of the witnesses have given protective measures. Just, for
24 the sake of caution, Your Honours, I humbly would plead with
25 Your Honours to provide him with the protective measures, as we
26 have done on a rolling basis.

27 PRESIDING JUDGE: I don't think he was covered by the
28 original list, Mr Graham.

29 MR GRAHAM: Grateful, Your Honours.

1 PRESIDING JUDGE: We'll order that the protective measures,
2 given in our order of 9th May 2006, also apply to this witness.

3 MR GRAHAM: Thank you, Your Honours.

4 EXAMINED BY MR GRAHAM:

5 Q. Good afternoon, witness.

6 A. Good afternoon, too.

7 Q. Mr Witness, you are from xxx in the xxx
8 Chiefdom?

9 A. Yes.

10 Q. And that is in the Kono district, isn't it, Mr Witness?

11 A. Yes.

12 Q. And that you are presently 75 years of age, Mr Witness,
13 isn't it?

14 A. Exactly.

15 Q. And that is --

16 JUDGE SEBUTINDE: Are you going to spell any of these
17 names?

18 MR GRAHAM: Okay. Your Honours, xxx is spelled

19 xxx. xxx. And xxx Chiefdom is spelled

20 xxx, Your Honours. xxx Chiefdom.

21 Q. You are married with four children, Mr Witness.

22 A. Yes, yes.

23 Q. Three of whom are dead, isn't it, Mr Witness?

24 A. Yes, yes.

25 Q. You are Madingo by tribe?

26 A. Yes.

27 Q. Mr Witness, did you hear about -- do you know where you
28 were in May of 1997?

29 A. Yes.

1 Q. Where were you, Mr Witness? Please tell this honourable
2 Court.

3 A. 1977?

4 Q. No, 1997. May of 1997.

5 A. Okay. I was in Kono.

6 Q. During the time that you were in Kono, in May of 1997, did
7 you hear that the government of President Kabbah had been
8 overthrown by a group of soldiers?

9 A. Yes, I heard that.

10 Q. How did you hear that, Mr Witness?

11 A. Well, I heard that through an announcement that they had
12 overthrown President Kabbah.

13 Q. That announcement, did you hear who had overthrown
14 President Kabbah?

15 A. Well, I heard that they said that -- how did they call
16 them? AFRC.

17 Q. Thank you. Did you hear who -- whether the AFRC, those --
18 the AFRC that had overthrown Kabbah, did you hear whether they
19 had a leader?

20 A. Well, we heard that Johnny Paul Koroma was the one who did
21 it.

22 Q. Did you, Mr Witness, hear that one Alex Tamba Brima, also
23 known as Gullit, was one of those who was responsible for the
24 overthrow of the Kabbah government, Mr Witness?

25 A. Well, I didn't understand that. It was only Johnny Paul
26 Koroma who was in power that I knew about.

27 Q. Apart from Johnny Paul Koroma, did you hear the name of any
28 person as being part of those who were responsible for the
29 overthrow of the Kabbah government?

1 A. No.

2 Q. Thank you, Mr Witness. Mr Witness, you've told this Court
3 you were in Kono in May of 1997, when the AFRC overthrew. How
4 long did you continue to stay in Kono after May of 1997,
5 Mr Witness?

6 A. Well, when they overthrew, it didn't take a long time.
7 Then they brought Mr Tejan Kabbah; he was reinstalled.

8 Q. Thank you. Thank you, Mr Witness. Mr Witness, during the
9 period that the AFRC overthrew the Kabbah government, up to the
10 time that you said the Kabbah government was brought back, how
11 was life in Kono?

12 A. Well, when they brought him again -- is that what you mean?
13 How life was; is that what you mean?

14 Q. Yes, I'm asking you how life was in Kono in May 1997, when
15 Kabbah was overthrown, up to the time he was brought back, within
16 that period, how was life like in Kono?

17 A. Well, life was difficult, a little, until Tejan Kabbah was
18 brought back, then we started feeling better.

19 Q. Mr Witness, when you say life was a bit difficult during
20 that period, what do you mean by that?

21 A. What I mean? The cost of living was actually hard. Then
22 we were in fear.

23 Q. Mr Witness, during the time that the Kabbah government was
24 overthrown in May of 1997, that you were in Kono, did you observe
25 anything happen in Kono after you heard that Kabbah's government
26 had been overthrown?

27 A. Like?

28 Q. Did you see any fighting forces in Kono during that time?

29 A. Well, when he was overthrown, there was no fighting. The

1 only thing, we were not happy. We were in fear.

2 Q. Why were you in fear, Mr Witness?

3 A. Well, the government had been overthrown, and we had hope
4 in that government. Then, the other thing was that the rebels
5 were about to come, so we were in fear. We said that another
6 fight is going to erupt.

7 Q. Thank you. Mr Witness, before you go on -- Your Honours,
8 the third accused needs to use the restroom.

9 PRESIDING JUDGE: He can leave the Court.

10 Q. MR GRAHAM: Mr Witness --

11 A. Yes.

12 Q. -- how did you hear that the rebels were about to come?

13 A. Well, this was something that was on. We'd heard
14 information, through rumours, that the rebels were coming.

15 Q. And when you heard that the rebels were coming, did you
16 know who the rebels were, Mr Witness?

17 A. Well, the rebels were the RUF members.

18 Q. Mr Witness, can you tell this Court, how did you know that
19 the rebels that you just referred to were RUF? How did you know
20 that?

21 A. Well, that was something -- I think they had come to Kono
22 once. They were there. We ran away until we came back, so it's
23 obvious that we would know that they were rebels.

24 Q. Mr Witness, you just told this Court that the RUF were
25 there once. When was it, that the RUF came to Kono once? When
26 was it?

27 A. When they came to Kono, they came in 1992. They attacked
28 Kono in 1992, the first attack.

29 Q. Thank you. Thank you, Mr Witness. Mr Witness, you heard

1 that the rebels were about to come to Kono. Did the rebels come
2 to Kono, Mr Witness?

3 A. Yes, they came there.

4 Q. Was this after the overthrow of the Kabbah government?

5 A. Their first coming was not after the overthrow. The last
6 one was after the overthrow. They were all together then, with
7 those who had overthrown Tejan Kabbah.

8 Q. Thank you. Mr Witness, I want you to focus on the period
9 after the overthrow of the Kabbah government. Mr Witness, how
10 did you know that the rebels had arrived in Kono, after the
11 overthrow of the Kabbah government, Mr Witness?

12 A. Well, the rebels, how I came to know they came to Kono,
13 they would open fire before coming.

14 Q. Mr Witness, did you hear them opening fire when they were
15 coming to Kono?

16 A. Yes.

17 Q. Where were you when you heard them open fire, Mr Witness?

18 A. We ran into the bush.

19 Q. Mr Witness, you told this Court that the rebels came along
20 with those who had overthrown President Kabbah. How did you know
21 that the rebels came along with those who had overthrown
22 President Kabbah, Mr Witness?

23 A. Because, the rebels, we would know them. They don't have a
24 proper uniform. Those other ones had a proper uniform.

25 Q. And these other ones who had the proper uniform, do you
26 know whether they were referred to by any particular name,
27 Mr Witness?

28 A. Well, they were referred to as AR -- AF, something like
29 that. AFRC.

1 Q. Thank you. Mr Witness, how did you know that they were
2 referred to as AFRC?

3 A. They themselves called their names. They said it over the
4 radio.

5 Q. Thank you. Mr Witness, how did you know that the rebels,
6 and these people who described themselves as AFRC, came along to
7 Kono?

8 A. What?

9 Q. How do you know that they came together to Kono after the
10 overthrow of President Kabbah's government?

11 A. Well, I said, according to the announcement, when they
12 overthrew Tejan Kabbah's government, the first people that they
13 called were leaders of RUF, you see.

14 Q. Mr Witness --

15 A. So, through that, we came to know that they were together.

16 Q. Mr Witness, thank you. Mr Witness, where did -- how did
17 you know that the first people who were called were RUF leaders?
18 How did you know that?

19 A. They were far away, and we heard that information that the
20 rebellion was about to come, and we heard that until they
21 attacked. And they did not come unannounced. They noticed the
22 government, that they'd given the government three months to step
23 down, or else they will rebel against them. So it was obvious
24 for us to know that the rebels were coming.

25 Q. Mr Witness, where were you when you heard this information?

26 A. We were at our places. I was in Kono, in my house.

27 JUDGE SEBUTINDE: Mr Graham, is Kono a place, a town, or is
28 this Kono District?

29 MR GRAHAM: Kono District.

1 THE WITNESS: It's a district.

2 MR GRAHAM:

3 Q. Which part of Kono District were you, at this time?

4 A. Okay. I was in Nimi koro Chiefdom, Simbakoro Town.

5 MR GRAHAM: Your Honours, Simbakoro, we spelled that
6 before.

7 Q. When you heard that they called the RUF leaders, did you
8 hear the names of any RUF leaders?

9 A. The names that I heard that were RUF leaders, Foday Sankoh
10 was one.

11 Q. Did you hear any other name, Mr Witness?

12 A. Sam Bockarie.

13 Q. And did you hear any other name, apart from Foday Sankoh
14 and Sam Bockarie, Mr Witness?

15 A. Well, Colonel Vandy was there.

16 Q. Mr Witness, hold on a second.

17 MR GRAHAM: Your Honours, Vandy is spelled V-A-N-D-Y.
18 Vandy.

19 Q. Apart from these names that you've mentioned, did you hear
20 the name of any other RUF leader, Mr Witness?

21 A. I heard about Issa.

22 Q. When you say Issa, is that -- does he have any other name,
23 apart from Issa?

24 A. Well, that was the only name we knew. They were calling
25 him General Issa.

26 Q. Thank you. Apart from these names, did you hear any other
27 name, Mr Witness?

28 A. These are the only ones I know.

29 Q. Did you know whether, at the time you heard this

1 information, any of these people that you mentioned, do you know
2 whether any of them were in Kono District at the time?

3 A. Yes.

4 Q. Who was in Kono District? Which of them was in Kono
5 District at the time, Mr Witness?

6 A. Issa was there.

7 Q. How do you know that Issa was there, Mr Witness?

8 A. Well, Issa -- they used us as manpower, under his regime.
9 They used us as manpower. We would mine for them, for their
10 government.

11 Q. Mr Witness, I will come to that. But, before that, do you
12 -- you told this Court earlier that you heard -- I mean, the
13 coming of the rebels was preceded by -- Your Honours, I -- for
14 lack of use of a word, by gunshot or firing, I believe you said,
15 and that you ran into the bush at the time. So do you know
16 whether the rebels, and those whom you describe as AFRC, do you
17 know whether they eventually came to Kono Town after the
18 overthrow of the Kabbah government?

19 A. After they had overthrown Kabbah's government. Well, I
20 would say yes, because they had overthrown the government; they
21 had taken over.

22 Q. Did you see any of these rebels and AFRC in the Kono
23 District yourself, Mr Witness?

24 A. I said they were mixed up. I wouldn't be know -- I
25 wouldn't tell the differences. The only difference we knew was
26 that those had full combat, and the other one had mixed attire.

27 Q. Thank you. Mr Witness, you told this Court that, during
28 that time, you were in Simbakoro. Did anything happen at
29 Simbakoro, after the overthrow of the Kabbah government,

1 Mr Witness?

2 A. After they overthrew Kabbah government, I wasn't -- they
3 didn't do much bad things to me, but it was difficult for us to
4 carry on with our lives.

5 Q. Mr Witness, you just told this Court that General Issa used
6 you as manpower. What --

7 A. I said that, yes.

8 Q. Where were you when you were used by General Issa as
9 manpower?

10 A. We were at Simbakoro. They captured us and said we should
11 go and mine for them.

12 Q. Now, Mr Witness --

13 A. Yes.

14 Q. -- who captured you in Simbakoro?

15 A. These people, we wouldn't know their names, all of them.
16 We wouldn't be able to get all of their names. They will go in
17 groups, they captured you. So you wouldn't know the difference.
18 You wouldn't know their names.

19 Q. Thank you. This group that captured you, how were they
20 dressed, Mr Witness? Do you know?

21 A. They were in civilian clothing.

22 Q. Mr Witness, were you captured alone at Simbakoro?

23 A. I said, they gathered us together. They gathered us
24 together and captured us, and said we should go and mine for
25 them, for their government.

26 Q. Do you remember, approximately, you don't have to be exact,
27 how many of you had been captured at Simbakoro?

28 A. We were plenty.

29 Q. How many of you? About ten, 20, 30?

1 A. It was more than ten.

2 Q. Thank you, Mr Witness. These people who were in civilian
3 clothing who captured you, were they carrying anything on them?

4 A. They had guns, yes.

5 Q. Did they tell you who they were?

6 A. I said, the rebel government, they were in Kono. So, if
7 they should go and gather us together, and then what I will --
8 will I say -- they captured us.

9 Q. Thank you, Mr Witness. Mr Witness, when you were captured
10 in Simbakoro, you, together with the other individuals you've
11 told this Court, were you taken anywhere?

12 A. Yes.

13 Q. Mr Witness, can you tell this honourable Court, where were
14 you taken by your captives?

15 A. The first place to where they sent us was Small Sefadu.

16 MR GRAHAM: Your Honours, Small Sefadu, small then Sefadu,
17 S-E-F-A-D-U. Small Sefadu.

18 Q. Mr Witness, Small Sefadu, do you know which chiefdom Small
19 Sefadu is located?

20 A. It is Gbense Chiefdom.

21 Q. Do you know which district Gbense Chiefdom is located,
22 Mr Witness?

23 A. Kono District.

24 Q. Thank you, Mr Witness. Mr Witness, when they took you to
25 Small Sefadu, did anything happen at Small Sefadu?

26 A. Well, when we went there, they said we should make a pit,
27 for us to mine. We dug a pit and we started mining. They used
28 to give us a single cup of gari. Each of us, a single cup of
29 gari is what we used to feed on.

1 Q. Thank you, Mr Witness. Before you go on, who gave you the
2 single cup of gari?

3 A. Those who were sent to guard us and monitor us mining,
4 those were the people who used to bring the gari for us.

5 Q. Do you know who sent them to guard you whilst you were
6 mining?

7 A. Well, it was their boss.

8 Q. Do you know who their boss was, Mr Witness?

9 A. It was General Issa. It was General Issa.

10 Q. Mr Witness, how do you know that General Issa was the boss?

11 A. Those people who went, they told us. Their men used to
12 tell us.

13 Q. Apart from General Issa, did those people you referred to,
14 did they tell you whether they were taking instructions from
15 someone else, apart from General Issa?

16 A. Well, this is what I know.

17 Q. Thank you. Mr Witness, back to the mining, what did you --
18 how did you mine? Can you describe to this Court how did you
19 mine? What did you use to do the mining?

20 A. Shovels. Shovels. Pickets. Buckets.

21 Q. During this period, how long did you engage in this mining
22 at Small Sefadu, Mr Witness?

23 A. Well, the first pit, we spent about a week on it.

24 Q. During the time that you spent this week in -- did you say
25 first pit, Mr Witness, first pit?

26 A. The first pit.

27 Q. Thank you. During the time that you mined this first pit
28 for a week, did you find anything? Sorry, before I go on,

29 Mr Witness, what were you mining for in Small Sefadu?

1 A. It was the rebel government.

2 Q. I said, what were you mining for? What were you mining for
3 when you were digging; what were you looking for?

4 A. It was diamond.

5 Q. During the time you said you spent one week at the first
6 pit, did you find any diamonds, Mr Witness?

7 A. Yes.

8 Q. What -- did you do anything with the diamonds that you
9 found at the first pit, Mr Witness?

10 A. Well, the diamonds, those people whom they sent to monitor
11 us working, we used to hand over everything to them. They knew
12 what they did with it.

13 Q. Did they ever tell you what they did with the diamonds?

14 A. They said they were going to take them to their boss.

15 Q. Did they tell you who their boss was that they were taking
16 these diamonds to?

17 A. Yes.

18 Q. Can you tell this Court the name of their boss?

19 A. General Issa.

20 Q. Mr Witness -- thank you, Mr Witness. Mr Witness, after you
21 spent one week at the first pit, did you go anywhere else to do
22 mining?

23 A. Well, when we completed with that pit, they released our
24 own group, and they told us to go back to our places where we
25 came from, and they went for another group and captured them.
26 That was how they used to do.

27 Q. Mr Witness, how do you know that they went for another
28 group and captured them? How do you know that?

29 A. They don't do it unannounced. They told us that our own

1 time has finished. We are now going to look out for some other
2 people.

3 Q. Mr Witness, were you ever paid for the mining that you did
4 at the first pit?

5 A. No. We were just giving them manpower.

6 Q. When you say you were just giving them manpower, what do
7 you mean by that, Mr Witness?

8 A. It was something like slavery, because you work against
9 your wish, you don't work for pay.

10 Q. Thank you. Mr Witness, do you know whether General Issa,
11 upon receiving the diamonds, do you know whether he gave them to
12 anyone?

13 A. Well, no.

14 Q. Mr Witness, have you heard the expression before, Operation
15 No Living Thing? Have you heard that before?

16 A. Yes.

17 Q. Mr Witness, can you tell this Court, how did you hear
18 Operation No Living Thing? How did you hear that?

19 A. Yes.

20 Q. Can you tell this Court, from where did you hear that?

21 A. We heard it over the news.

22 Q. And do you remember, when you heard it, was it after the --
23 do you remember what year you heard about Operation No Living
24 Thing on the news, Mr Witness?

25 A. Well, if I'm not forgetting, I think it was '98, around
26 that.

27 Q. Thank you, Mr Witness. Mr Witness, you said you went back
28 to your Simbakoro after you were released by your captives. Did
29 you eventually -- did you do anything when you got to Simbakoro,

1 after you had been released?

2 A. After they had released us, when I went back to Simbakoro,
3 except that I was looking out for my leaving, I didn't do any
4 other thing.

5 Q. Okay. Thank you. Mr Witness, when you heard this
6 Operation No Living Thing on the news, did you get to hear what
7 it meant?

8 A. Well, that was what we heard. All of what I could
9 understand about it was Operation No Living Thing, which was to
10 me, meaning they shouldn't leave anything alive. That was how I
11 interpreted it.

12 Q. Thank you. Do you know who -- when you heard on the news
13 about Operation No Living Thing, do you know who made that
14 statement, Operation No Living Thing?

15 A. Well, according to the news, I heard about Sam Bockarie,
16 alias Mosquito.

17 Q. And Sam Bockarie, alias Mosquito, Mr Witness, do you know
18 who he was?

19 A. Like what? What do you mean? He's a human being.

20 Q. Okay. Thank you, Mr Witness. Do you know whether he was a
21 rebel?

22 A. Yes.

23 Q. How do you know that Sam Bockarie, aka Mosquito, was a
24 rebel, Mr Witness?

25 A. Well, they had captured me once and twice. I used to
26 escape from them. That is how I came to know that.

27 Q. Do you know whether Mosquito was RUF?

28 A. He was RUF.

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

1 A. That was why I said they had captured me once, twice,
2 thrice. Most times, when we are being captured by their boys,
3 they don't hide things away from us. They tell us. They boast
4 about it.

5 Q. Mr Witness, you said you had been captured once, twice,
6 thrice by the RUF.

7 A. Yes.

8 Q. Apart from what you told us about you being captured in
9 Simbakoro for mining, when were you captured by the RUF, just the
10 time, without going into details, the year that you were
11 captured?

12 A. Well, we were in hiding when we heard about the news about
13 Operation No Living Thing. There was an old man whom they found
14 in the bush. We were just staying very close to each other.
15 They had to get rid of that old man and killed him. His son was
16 my nephew. The boy went -- he searched out for me until he saw
17 where I was hiding and told me that his father has been killed.
18 Then we tried to go and bury the old man.

19 Q. Mr Witness, before you go on, who found this old man in the
20 bush?

21 A. It was the rebels.

22 Q. Do you know who killed this old man?

23 A. I was not there.

24 Q. But did his son tell you whether he knew who killed the old
25 man?

26 A. He did not tell me about a particular name. He said the
27 rebels who came and attacked him killed his father.

28 Q. So, when he came and told you that, what did you do?

29 A. What I did, I told him that we shall wait. We were going

1 to dig a grave for him to be buried, and, on his way going back,
2 he was captured, and he was asked by them for him to show where
3 there was any other hideout, so that he will be set free.
4 Because, at that time, they used to go and harass us for our
5 properties, our food, which we had for us to be managing. The
6 boy, too, was frightened. And then he pointed out where we were
7 hiding. But, luckily for us, I had told my people for us to move
8 from that location. On our way going, we met up with another
9 group, and they also captured us.

10 Q. Mr Witness, this area that you were hiding, where was this
11 area? What was the area called?

12 A. The area where we were hiding, we hid in our own area bush.
13 We hid in a place called Konkodadoko.

14 Q. Mr Witness, can you say -- mention the name again, Konka --
15 Konkodadoko.

16 MR GRAHAM: Your Honours, I would guess. It's phonetic,
17 K-O-N-K-O-D-A-D-O-K-O.

18 Q. Mr Witness, before I go on to you being captured when you
19 left Konkodadoko, how did you know that this boy, whose father
20 was killed, how did you know that he had also been captured by
21 the rebels?

22 A. Well, how I managed to know that, when we had moved from
23 that particular location where we were, and found a new hidden
24 place, I saw him bringing them, coming together with them, to
25 show them where we were. But they did not see us. After they
26 had returned, looking out for us, we also moved from that
27 location where we were again, and we met up with another rebel
28 group that captured us.

29 Q. This rebel group, Mr Witness, did you observe how they were

1 dressed?

2 A. They were dressed -- they had weapons in their hands, they
3 had on civilian clothing.

4 Q. Mr Witness, during this capture when you were hiding and
5 I left your hideout from Konkodadoko, how many of you were captured
6 by these rebels?

7 A. Well, we were four in number, but they only took three of
8 us away. The other woman was a pregnant woman, so I had my other
9 younger girl child. They said I should hand her over to the
10 pregnant woman for her to take care. Then we were captured, and
11 we were carried away. And some Limba men, who were in the bush,
12 they also gathered everything from them and gave us -- for us to
13 tote, for us to carry for them.

14 Q. Okay. Mr Witness, when you were captured this time, did
15 they take you anywhere? You, together with your three other
16 people, were you taken anywhere?

17 A. Yes.

18 Q. Where did the RUF rebels take you, Mr Witness?

19 A. Well, at that particular time, they were at Mortema. They
20 were based at Mortema. When we started moving --

21 Q. Mr Witness --

22 A. -- they said we should show them a shortcut.

23 Q. Mr Witness, before you go on -- Your Honours, Mortema is
24 spelled M-O-R-T-E-M-A. Mortema. Before you go on, Mr Witness,
25 do you know which chiefdom Mortema is located?

26 A. It is within the same Nimi koro Chiefdom. From Simbakoro to
27 there is not even up to two miles.

28 Q. Thank you, Mr Witness. And that is in the Kono District,
29 isn't it, Mr Witness?

1 A. Yes.

2 Q. How did you know that the rebels were based at Mortema,
3 Mr Witness?

4 A. That was the place where they took us to.

5 Q. You just was telling this Court that -- did you eventually
6 get to Mortema, Mr Witness?

7 A. Well, when we went, we did not reach Mortema itself. When
8 we went -- there is a patrol station, a field station around
9 Simbakoro area, going towards Mortema. That was where we
10 reached, and then they told me that those of my two younger girl
11 children that they had captured, they were now going to remain
12 their wives, and that you, if you accept that, then we'll release
13 you. I never had wanted to accept it, but, then, the eldest
14 among the two girl children told me that, "Daddy, you can accept
15 it. If they have said that we are going to stay as their wives,
16 please accept it."

17 Q. And, Mr Witness, did you accept the offer made to you by
18 the RUF rebels?

19 A. Oh, yes. Because even the kids themselves advised me that,
20 before I allow myself to be killed, then, if they cannot kill me
21 when they are being made their wives, then let me accept. Then I
22 accepted.

23 Q. Mr Witness, these two females that you've just told this
24 Court, do you know how old they were at the time that the rebels
25 made you this offer?

26 A. Well, the elder one was about 17 years old. The younger
27 one close to her was about 15 to 16 years.

28 Q. How do you know that their ages were 17 and 15?

29 A. I said those were my younger brother's own children. They

1 were born with me. They were living with me.

2 Q. Thank you, Mr Witness. So, Mr Witness, after you accepted
3 the offer, what happened?

4 A. What happened later, no sooner I accepted, then one of
5 their leaders, their boss -- I cannot recall his name -- he came
6 with a vehicle. Whilst he was passing, the wheel fired, and they
7 told me -- they said, "Now, if you have any route here that you
8 know, you can cross over." Probably like the Papay is coming
9 now. He will have to tell us to assist him to bush the vehicle.
10 And it was themselves who managed to hide me and covered me up.
11 And they managed to accept me -- to allow me to cross over the
12 road, and that is how I easily went.

13 Q. From there, where did you go, Mr Witness?

14 A. From there -- from there, where I went to, I went back to
15 the bush where I was captured for me to look out for my -- my
16 remaining family members, my wife and my other children. And I
17 was fortunate that I saw them.

18 Q. Mr Witness, before you go on, after you accepted the offer
19 from the rebels, did you know what happened to the two girls?

20 A. Well, I don't know what happened to them. They only told
21 me that they were going to convert them into their wives. And,
22 at that time, after the war was completed, then I was able to see
23 them again.

24 Q. Did they tell you anything when you saw them, after the war
25 was over, Mr Witness?

26 A. Well, they will just have to explain to me their stories,
27 their ordeals they went through.

28 Q. And what ordeal --

29 MR GRAHAM: Your Honours, I'm looking at the time. I will

1 probably be another 30 more minutes when we come back.

2 THE WITNESS: Just the things that happened to them whilst
3 they were in the bush, those were the things that they explained
4 to me. They did not tell me that they were beaten up. In fact,
5 the eldest among the two girls, the man who was his own husband,
6 he was killed later. She said, when they finally captured or
7 conquered Koidu Town, they said nobody should go in there until
8 they realise that they have consolidated their positions well.
9 And, when they came back later, the man did not wait, and he went
10 inside and started looting. So, it was his own comrades who shot
11 at him, and he died. That was the story she ended up explaining
12 to me.

13 PRESIDING JUDGE: That might be a convenient time.

14 MR GRAHAM: That is so, Your Honour. I'm grateful,
15 Your Honours.

16 PRESIDING JUDGE: Mr Witness, we're going to take a break
17 for lunch now.

18 THE WITNESS: Okay.

19 PRESIDING JUDGE: I have to tell you that you are not
20 permitted to discuss this case, or the evidence, with any other
21 person while you are still giving evidence yourself; is that
22 clear?

23 THE WITNESS: Okay, sir.

24 PRESIDING JUDGE: We'll adjourn the Court until 2.15.

25 [Luncheon recess taken at 12.47 p.m.]

26 [AFRC12SEPT06D-MC]

27 [Upon resuming at 2.15 p.m.]

28 PRESIDING JUDGE: Continue, Mr Graham.

29 MR GRAHAM: Thank you. Good afternoon, Your Honours.

1 Q. Good afternoon, Mr Witness.

2 A. Good afternoon.

3 Q. Mr Witness --

4 A. Sir.

5 Q. The two girls that were taken away by the rebels, you said
6 they came back. When they came back, did they tell you anything
7 about -- sorry -- do you know whether, when they were taken away
8 by the rebels, any of them got married to the rebels, Mr Witness?

9 MR AGHA: Objection, Your Honours. That is a leading
10 question.

11 PRESIDING JUDGE: Yes. It is leading, Mr Graham.

12 MR GRAHAM:

13 Q. Mr Witness --

14 A. Yes.

15 Q. -- did --

16 A. Yes.

17 Q. -- did they tell you the way they were treated during the
18 period they were taken away by the rebels?

19 PRESIDING JUDGE: Well, look, we -- we -- we have heard
20 certain evidence regarding these two girls again. I don't want
21 to hear that evidence again --

22 MR GRAHAM: Very well --

23 PRESIDING JUDGE: The -- he's -- they've already -- the
24 witness has already told the Court that the two girls told him
25 that they were not beaten up. Now, if you want to take it from
26 there, but I don't want to go over this evidence again,
27 Mr Graham.

28 MR GRAHAM:

29 Q. Mr witness, apart from what they told you that you've told

1 this Court, these two girls, did they tell you anything else?

2 A. Yes. No.

3 Q. And, Mr Witness, you told this Court you went out looking
4 for your family, your relations, and you eventually found them.
5 Did anything happen when you found your relations?

6 A. Well, when I found -- when I went out for them, I met them.
7 They were all right. So while we were captured when I went back
8 in search of them, where they scattered our belongings, they took
9 those that were good away. There I went and picked some of them,
10 the balance that was left. I went with them. As I was putting
11 them in the sun, because they were soaked by the rain.

12 Q. Mr Witness --

13 A. There another group came again. [Overlapping speakers]
14 yes.

15 Q. Before we get to this other group, which you said came
16 again, who scattered your things, do you know, Mr Witness?

17 A. Those who captured us, who took -- who took my two girls,
18 it was their wives that scattered them, and they picked the ones
19 that were -- that were good. They took them away.

20 Q. How do you know that it was their wives that scattered your
21 things, Mr Witness?

22 A. I did not say that their wives. I said that those that
23 caught us, those were the ones that scattered our things, the
24 rebels. They picked the good ones. I, and my two girls, we went
25 with them.

26 Q. And you just told this Court that you were -- you dried out
27 the things. Did anything happen during the time you were doing
28 that?

29 A. Well, as we were drying -- the balance that are left, when

1 we gathered them, when I came to the same place, I gathered them.
2 Because I did not have any clothes to wear, the halves that were
3 left. When we were trying to dry them, another group came and
4 captured us.

5 Q. And, Mr Witness, this other group that came and captured
6 you, did you observe how they were dressed?

7 A. They dressed like civilians, but they had weapons.

8 Q. And when -- did they say anything to you when they captured
9 you?

10 A. Well, they said to us that -- say -- they asked us where
11 our property was, because we are on food-finding, you see. So
12 they went around. There were some Limba people. They went and
13 took their rice from them. They came and told me that, well,
14 they said let me dry my clothes. But the only thing was, that I
15 should give them the pregnant woman I had been talking about,
16 with -- with her husband. They said they were to carry their
17 loads halfway.

18 Q. So do you know whether they eventually carried their loads
19 halfway, Mr Witness?

20 A. Yes, they carried those loads. As they were going, that of
21 my younger brother. And when he saw that they had forgotten
22 about him, he ran away. He went. They captured him. He did
23 that twice. So they put him under a gunpoint, so they went. So
24 when they reach where they were supposed to go with them, that
25 was the time that they said that he was trying to escape from
26 them and they said he would not run again from them. So they
27 pass an order to shoot at him. Luckily, when they cocked the
28 gun, he had -- he shouted my name.

29 Amongst the rebels, somebody was there who knew me. And

1 he said, which [redacted] are you talking about? Sorry, which
2 name are you calling? All right. It was then that he said that
3 it was my brother. He said, "Is he here?" He said, "Eh, well
4 that name has saved you." He said, "That man is good to me."

5 Q. Who said that?

6 A. It was one of the rebels who said so. It was one of the
7 rebels. He was one of the commanders.

8 Q. Mr Witness --

9 A. Yes.

10 Q. -- do you know why he said that you were good to him? Do
11 you know why?

12 A. I don't know, because I did not know him. I did not see
13 him. Both of us did not see each other. When they released that
14 boy, he was the one that came and explained to me. He said,
15 "Brother, it was your name that saved me. So when he cocked the
16 gun, when I shouted a name, it was the time that the man asked
17 me -- he say who it was, and I explained that it was you." And
18 that was the time that he said that --

19 Q. Thank you, Mr Witness.

20 A. Thank you too.

21 JUDGE SEBUTINDE: Mr Graham, before you proceed. Perhaps
22 any names mentioned by the witness could be redacted from the
23 record.

24 MR GRAHAM: Yes, I am grateful, Your Honour.

25 Q. Mr Witness, this last time you just told this Court that
26 you were captured, did the rebels do anything to you?

27 A. No.

28 Q. And during the period that they came, you were captured,
29 did you see any houses on fire?

1 A. The time that they captured me, yes, I saw houses burning.
2 It was my very town where I said I was captured. Let me explain
3 to you.

4 Q. Go ahead, Mr Witness.

5 A. Where I said -- where I said that -- where I saw houses
6 being burnt. When I said that I was freed because of my two
7 girls, when they said that it was their wives, that was the area
8 where I saw houses being burnt.

9 Q. And do you know the name of this area where you saw the
10 houses being burnt? Do you know the name?

11 A. It was my village xxx Town. It was my real town.

12 Q. And did you know who was responsible for the burning of the
13 houses?

14 A. Well, I cannot tell you. These people, when you are --
15 when they capture you, see, we were afraid. It was -- we
16 couldn't even look at their faces, properly. So we were afraid.
17 So I cannot say that I knew his face or I knew his name. In
18 fact, these were people whose names you wouldn't ask for, at all.

19 Q. Mr Witness, during this period did you witness any rape
20 in --

21 MR AGHA: Objection, Your Honours. These are leading
22 questions. [Overlapping speakers]

23 PRESIDING JUDGE: Well, they go to the indictment -- just a
24 minute, Mr Witness. Yes, they go to the indictment, Mr Agha. I
25 think he should be -- Mr Graham should have the right to ask
26 them. I'll overrule the objection.

27 MR GRAHAM:

28 Q. Mr Witness --

29 MR GRAHAM: Thank you, Your Honours.

1 Q. Mr Witness, during this period did you witness any rape in
2 Simbakoro, during that -- the time that you were captured?

3 A. No. In Simbakoro Town?

4 Q. Yes.

5 A. I did not see them do that in the town. But where I saw
6 that again, when I reached to that point, I will explain that to
7 you again. The other time --

8 Q. Okay, thank you. Mr Witness --

9 A. Okay.

10 Q. -- but --

11 A. Yes.

12 Q. -- apart from your village xxx, did you witness any
13 rape in the Kono District during the periods you've told this
14 Court you were captured?

15 A. Well, I am telling you now that my own wife that I married,
16 she was raped before me.

17 Q. Mr Witness, who raped your wife before you?

18 A. Yes. Oh, my friend, I am telling you that you would not be
19 able to know these people's names. These are people that you
20 couldn't argue with. To say that you would have to ask them, it
21 would be a bad thing for you.

22 Q. And these people who -- and, Mr Witness, do you know --

23 A. Yes.

24 Q. -- how many people raped your wife? Do you know?

25 A. They're about seven. Even my brother's wife who was
26 pregnant. Because of that, she miscarried. It was only God that
27 helped him -- helped her not die.

28 Q. Thank you, Mr Witness. Mr Witness, apart from --

29 A. Thank you, too.

1 Q. -- these people who you said raped your wife, do you know
2 who they were?

3 MR AGHA: That has been asked and answered already, Your
4 Honour.

5 PRESIDING JUDGE: What part of the testimony was that?

6 THE WITNESS: It was the rebels.

7 MR AGHA: I believe before he was asked who they were, and
8 he said he couldn't know their names.

9 PRESIDING JUDGE: I must have missed that, Mr Agha.

10 MR GRAHAM:

11 Q. Mr Witness, I asked you --

12 A. Yes.

13 Q. -- do you know the people who raped your wife?

14 A. I said I couldn't identify them. I was -- to say that our
15 eyes could meet, it was not easy.

16 Q. Thank you.

17 A. You see, I was afraid.

18 Q. Mr Witness, do you know, were they rebels, those who raped
19 your wife, were they rebels?

20 MR AGHA: It's leading again, Your Honour.

21 PRESIDING JUDGE: No, I won't allow that question --

22 THE WITNESS: They were rebels.

23 PRESIDING JUDGE: Don't lead, if it is objected to,
24 Mr Graham.

25 MR GRAHAM: Your Honour -- very well. Very well, Your
26 Honour.

27 Q. Mr Witness --

28 A. Sir.

29 Q. -- these people who raped your wife, do you know whether

1 they belonged to any armed faction?

2 A. They were rebels.

3 Q. How do you know they were rebels, Mr Witness?

4 A. Okay. I told you long since that these people used to
5 boast before us, that they would say that they were this, they
6 were that. I've told you that, long since.

7 Q. Thank you, Mr Witness.

8 A. They didn't hide themselves.

9 Q. Mr Witness --

10 A. Sir, sir.

11 Q. -- you've heard the name ECOMOG before, haven't you?

12 A. Yes.

13 Q. And do you know -- do you know what ECOMOG means,
14 Mr Witness?

15 A. When we used to hear ECOMOG, we did not know the meaning.

16 Q. And do you know who was ECOMOG, Mr Witness?

17 A. Well, ECOMOG -- what our understanding was that, that these
18 soldiers came from Nigeria to come and help. These fighters, so
19 that the fighting could come to and end in this Country. This
20 was all that we knew.

21 Q. Thank you, Mr Witness.

22 A. That was all that we heard.

23 Q. Mr Witness --

24 A. Thank you too.

25 Q. -- during the time that --

26 A. Sir.

27 Q. -- during the time that you were captured in Kono on the
28 occasions that you've told this Court, did you -- do you recall
29 seeing any ECOMOG in Kono District?

1 A. Yes.

2 Q. Mr Witness, where did you see ECOMOG?

3 A. Where I saw ECOMOG. When we had been captured, when we
4 were in the bush, it was ECOMOG that entered which made us
5 finally to come. It was first at Mortema that they were
6 stationed.

7 Q. Mr Witness, how do you know that ECOMOG was stationed at
8 Mortema?

9 A. Eh, I said we were in the bush and we had -- we had our
10 small radios. We heard that on BBC that ECOMOG had cleared such
11 and such a place, so that civilians could come out. So we came
12 out. They themselves told us that, that place that we are going
13 is not as clear, so you can come to Mortema and stay with us.

14 Q. So did you go to Mortema, Mr Witness?

15 A. Yes.

16 Q. And did you go to Mortema alone, Mr Witness?

17 A. I and my family.

18 Q. During the time that you were at Mortema, Mr Witness, did
19 you witness any killings at all?

20 A. Yes.

21 Q. Mr Witness, can you tell this Court what killings you
22 witnessed at Mortema?

23 A. Okay. The killings that I witnessed at Mortema, I had
24 explained that earlier. Look at the field station. There was
25 one man --

26 THE INTERPRETER: Your Honours, would the witness be
27 instructed to go over the last bit of his testimony?

28 MR GRAHAM:

29 Q. Mr Witness --

1 A. Yes.

2 Q. -- I implore you to speak slowly, so the interpreters can
3 hear you and you interpret your testimony to the Court. And
4 please speak a little bit loudly.

5 A. Okay. Okay.

6 PRESIDING JUDGE: Mr Interpreter, from what point do you
7 want to take up the witness's testimony?

8 THE INTERPRETER: From the field station, Your Honour.

9 PRESIDING JUDGE: All right. Mr Witness, continue your
10 answer from there, please.

11 THE WITNESS: Yes. So when they came and attacked that
12 place, so as to take the food that was being sold by that woman,
13 that was the time that a lot of civilians were killed. Even the
14 other witness who was supposed to come and testify here, he died
15 in August. That was why he did not come. He was shot at, in his
16 leg.

17 MR GRAHAM:

18 Q. Mr Witness --

19 A. Yes.

20 Q. -- who attacked Mortema?

21 A. It was the rebels.

22 Q. How do you know that it was the rebels that attacked
23 Mortema, Mr witness?

24 A. How I managed to know? In the morning, they told us that
25 it was rebels, because we were there and we heard the gunshots.
26 The checkpoints that were there in the fuel station, those were
27 the ones that they attacked. They got rid of the food that they
28 came in search of. That was a time when ECOMOG was coming, they
29 had already gone away. That was how I came to know.

1 Q. And, Mr Witness, do you know who the rebels attacked --

2 A. Yes.

3 Q. -- at Mortema?

4 A. Yes.

5 Q. Please tell the Court, whom did the rebels attack at
6 Mortema, Mr Witness?

7 A. I have told you the purpose, who came and attacked. I said
8 that a woman used to come and sell rice. When the rebels heard
9 that, you know that the rebels would send informants. You
10 wouldn't know the difference between them.

11 The ladies that were captured, see, they were transformed
12 to their wives. So they sent them to come and spy. When they
13 heard about that food, in that place, that was the reason why
14 they came and attacked the place, and they took the food. By the
15 time ECOMOG decided to come and meet them, they had already gone.

16 Q. Thank you. And, Mr Witness --

17 A. Yes.

18 Q. -- during the period that --

19 A. Yes.

20 Q. -- that you've told this Court about, the numerous -- the
21 number of times that you were captured -- during this period that
22 you were captured by the rebels, did you at any point in time
23 hear that one Alex Tamba Brima, also known as Gullit, was one of
24 the rebels?

25 A. No.

26 Q. Mr Witness, during the period that you were captured by the
27 rebels, did you observe them at any point -- do you know --

28 MR GRAHAM: Sorry, Your Honours.

29 Q. Did you observe them at any point in time, using any form

1 of communication equipment?

2 A. No, I didn't have an understanding of that.

3 Q. And, Mr Witness, during the attack on Mortema, did you hear
4 of any rapes being committed?

5 A. I only knew about that killing. I did not hear about
6 raping.

7 Q. Thank you. Mr Witness, how long did you stay at Mortema?

8 A. Well, when we were at Mortema, when the ECOMOG pulled out,
9 that's why we left. I did not stay there for long.

10 Q. And, Mr Witness, do you remember what year the attack on
11 Mortema took place?

12 A. The year? It was around '70 -- no -- '90, about '98.

13 Q. Thank you, Mr Witness.

14 MR GRAHAM: Your Honours, I don't have any further
15 questions from this witness. I am grateful for the time.

16 PRESIDING JUDGE: Thank you, Mr Graham. Anything else in
17 chief?

18 MR FOFANAH: Yes, Your Honours, again on behalf of the
19 second accused.

20 EXAMINED BY MR FOFANAH:

21 Q. Mr Witness, you've used the word "rebels." You've also
22 used the word "RUF rebels" before. Is there any difference
23 between rebels and RUF rebels, as used by you?

24 A. The difference?

25 Q. Do you understand them to be one and the same?

26 A. Well, let me don't say a lie. I don't to say that I know
27 between these two people, you see.

28 Q. So, when you use the word "rebels," what do you mean?

29 A. RUF.

1 Q. Now, throughout your encounter with the rebels, did you
2 hear, or did anyone mention the name, Ibrahim Bazy Kamara, to
3 you as being one of the rebel commanders, during this period?

4 A. No.

5 MR FOFANAH: That is all for the witness. Thank you.

6 MR MANLY-SPAIN: No questions for the third accused, Your
7 Honour.

8 WITNESS: Thank you, too.

9 PRESIDING JUDGE: Yes, Mr Agha.

10 CROSS-EXAMINED BY MR AGHA:

11 Q. Yes. Mr Witness, I am going to ask you some questions.
12 Most of them can be answered with a short answer, yes --

13 A. Okay.

14 Q. -- or no. So if you can answer these questions as
15 truthfully as possible, that would be helpful. Do you
16 understand?

17 A. Yes.

18 Q. Now, before the overthrow of the Kabbah government in May
19 1997, were members of the Sierra Leone Army based in Kono?

20 A. At that time, yes, some were there.

21 Q. Now, after the overthrow of the Kabbah government, did you
22 hear that the AFRC government had taken its place?

23 A. Yes.

24 Q. Now, after the overthrow of the Kabbah government you said
25 that the AFRC came to Kono; is that right?

26 A. Yes.

27 Q. And that these AFRC had full military combats on. Do you
28 remember saying that?

29 A. Yes, I said so.

1 Q. And the rebels came at the same time as the AFRC soldiers,
2 after the overthrow of the government, didn't they?

3 A. Yes.

4 Q. Would you agree with me that when the AFRC soldiers and
5 rebels came to Kono, they were working together?

6 A. Yes.

7 Q. Do you remember the names of any of the AFRC commanders who
8 came to Kono?

9 A. No, I cannot recall the names.

10 Q. You say that you were forced to mine for diamonds against
11 your will for the government; is that right?

12 A. Yes, it's right, for the rebel government.

13 Q. By the rebel government, do you mean the AFRC government
14 which overthrew President Kabbah's government?

15 A. It was -- it was the RUF itself that forced me to mine. It
16 was the RUF themselves that forced me.

17 Q. But were the RUF working with the AFRC soldiers at that
18 time?

19 A. Well, at that time that I was referring to, it was not
20 they. In fact, they were with them. When the AFRC had been
21 gathering property, shovels, pick axes, they would take them.
22 They would say that they had been transferred to Sandor, and that
23 they were going to start their own mining there. Except, when
24 ECOMOG pulled out, when we went with ECOMOG from Sewa Bridge up
25 to Masingbi, I saw -- saw that the road was spoiled and they
26 spoiled the bridges. Little did I know that was the reason why
27 they had been gathering the pick axes and the shovels. Vehicles
28 could not ply through.

29 Q. So were the AFRC soldiers also forcing civilians to mine?

1 MR FOFANAH: Objection, Your Honours. The question, as it
2 is framed, suggests that the first answer given was referable to
3 the AFRC. The witness has said that it was the RUF rebels that
4 forced him to mine for diamonds. So the -- if he's using -- if
5 my learned colleague is using the word "also," then I will object
6 on the grounds that it assumes that the first answer was
7 referable to the AFRC.

8 PRESIDING JUDGE: I don't agree with that, but I'll -- I'll
9 let you answer that, Mr Agha. Well, what's your reply to that
10 objection?

11 MR AGHA: My reply to that objection, Your Honour, is that
12 my understanding is that the witness went on and said that AFRCs
13 or them, or other people, were doing their own thing. So I just
14 wanted to confirm whether that is the case. There was a lot of
15 use of "them."

16 PRESIDING JUDGE: Yes, all right. I'll let you ask that
17 question. I overrule the objection.

18 MR AGHA: Okay.

19 Q. So is it your understanding that the AFRC soldiers were
20 also forcing civilians to mine for diamonds?

21 A. I said the ones that forced me, the ones that I knew, these
22 ones -- these are the ones that I've referred to.

23 Q. But did you know about any other forced mining going on in
24 Kono?

25 A. I don't know.

26 Q. I suggest to you that the AFRC soldiers were also forcing
27 civilians to mine. What do you have to say about that?

28 A. Well, I would deny and then I wouldn't say yes. Because
29 those who did that to me, those are the ones that I have spoken

1 about.

2 Q. I say to you that after the overthrow of the Kabbah
3 government, there was no rebel government in place but, instead,
4 a government known as AFRC. What do you have to say about that?

5 A. Well, I'm telling you that when they overthrew Tejan
6 Kabbah, Tejan Kabbah's government, the first person that they
7 called to go with them was Foday Sankoh.

8 Q. So would you --

9 A. So that has shown me that --

10 Q. -- so did you regard the AFRC government as a rebel
11 government?

12 A. So that has shown me that they worked together. I am
13 saying that when they overthrew him, the first individual that
14 they called Foday Sankoh, by then Foday Sankoh was in the hands
15 of the Nigerians. There was no chance for him.

16 Q. My question to you was: Did you regard the AFRC government
17 as a rebel government?

18 A. I do not accept it like that.

19 Q. What was the difference between the RUF government and AFRC
20 government?

21 MR FOFANAH: Objection. He has not talked about an RUF
22 government.

23 JUDGE SEBUTINDE: Yes, he did. He said he was mining for
24 the rebel government, earlier when Mr Agha asked him --
25 [Overlapping speakers]

26 MR FOFANAH: Respectfully, I did not hear -- [Overlapping
27 speakers]

28 JUDGE SEBUTINDE: I am telling you what I heard from the
29 Bench.

1 MR FOFANAH: As Your Honour pleases.

2 JUDGE SEBUTINDE: This witness [Overlapping speakers] --
3 Mr Witness, please. This witness has used the phrase, "rebel
4 government" in answer to some of Mr Agha's questions. And I
5 think it is right and proper that Mr Agha elicits an explanation.

6 MR FOFANAH: Much obliged. Thank you.

7 MR AGHA:

8 Q. So, Witness --

9 A. Yes.

10 Q. -- what was the difference between the rebel government and
11 the AFRC government?

12 MR MANLY-SPAIN: Objection, Your Honour. This has been
13 answered. The question has been answered.

14 MR AGHA: Well, what was the answer?

15 PRESIDING JUDGE: Well, when was that, Mr Manly-Spain?

16 MR MANLY-SPAIN: About three questions ago. What was the
17 difference between the AFRC government and the rebel government.
18 And then he went on to ask --

19 JUDGE SEBUTINDE: What was the answer, Mr Manly-Spain?

20 MR MANLY-SPAIN: I am coming now -- I will check it, but he
21 went on to ask after that --

22 JUDGE SEBUTINDE: We want to know the answer, because we
23 are ruling. We want to rule on your objection.

24 MR MANLY-SPAIN: We can check the records.

25 JUDGE SEBUTINDE: Please check, because I have no
26 recollection of this witness telling the difference.

27 MR MANLY-SPAIN: No, he was asked.

28 PRESIDING JUDGE: Well, I don't remember the answer either.

29 JUDGE SEBUTINDE: He may have been asked, but he hasn't

1 answered that question. Could the record - the recording person
2 tell us?

3 PRESIDING JUDGE: Well, look, let's not waste time. If it
4 has been asked, there's an answer. Let's hear the answer again,
5 because apparently even Mr Manly-Spain would have to check the
6 records. It's quicker to simply hear the answer again.

7 MR AGHA: Okay.

8 Q. Witness, what --

9 A. Yes.

10 Q. -- in your view, was the difference between the AFRC
11 government and the rebel government?

12 A. What was the difference? Like what?

13 Q. Well, I'm asking you. You referred to one as rebel
14 government and then you say it's not the AFRC government. What
15 is the difference between the two? You tell me.

16 A. Well, the time that I was talking about, the difference
17 between the two, when these ones overthrew Tejan Kabbah's
18 government, in fact did not spend a long time there. So they
19 reinstated the Kabbah government. I have said that from the
20 beginning. Their own time had passed.

21 Before ever we started doing this mining for the RUF
22 government, when they had reinstated Tejan Kabbah, these ones had
23 gone. Later, the rebels came and attacked, and the ECOMOG pulled
24 out.

25 When we returned -- when ECOMOG came and overcome them
26 again, that was the time that this thing happened. Before the
27 ECOMOG came and ousted them, that was the time that we were
28 forced to mine. That was the time that we were mining and they
29 came and overpowered them. So I knew that the AFRC were also

1 forcing us to mine diamonds for them. They did not stay in power
2 for long.

3 Q. Thank you, witness. Did you hear that whilst the AFRC were
4 in power, they opened a secretariat in Kono?

5 A. No.

6 Q. And did you remain in Kono for the whole time, from the
7 period of the overthrow of Kabbah's government, until the end of
8 the conflict?

9 A. Well, Kono, I would just stay there from time to time. At
10 any time they attacked, I would go. And when it took some
11 time -- when they said that ECOMOG had taken over, or such and
12 such a government had taken over, we would come from the bush. I
13 would come to town.

14 Q. But did you still remain within the district of Kono?

15 A. Yes. This later on, yes.

16 Q. Now, you mentioned that the AFRC government didn't remain
17 for long and it was overthrown, I believe, by the ECOMOG came; do
18 you remember that?

19 A. What?

20 Q. The AFRC government didn't remain for long. Do you
21 remember saying that?

22 A. Yes, I can remember. I said so, did not stay in power for
23 long.

24 Q. Thank you. Thank you. As I mentioned earlier, it's much
25 easier if you answer the questions shortly, with a yes or no, if
26 possible. Now, after the AFRC government was removed, you
27 mentioned that Kabbah's government was reinstated; yes?

28 A. Yes.

29 Q. Now, when the AFRC government was removed, SLA soldiers or

1 AFRC soldiers came to Kono, didn't they?

2 A. Yes.

3 Q. Now, when they came to Kono, they joined with the rebels,
4 didn't they?

5 A. That is -- that's initially. When they came, initially
6 they came together, we saw them walking together. These -- some
7 of them had full uniform, the others did not have full uniform.
8 So we were not able to know exactly what had been happening. So
9 some of us that were cowards we were not able to go near them, in
10 fact.

11 Q. Did you hear about an operation called Operation Pay
12 Yourself?

13 A. Yes, Operation Pay Yourself. I heard about it.

14 Q. And what did you hear about it?

15 A. What I heard -- heard about it. They said Operation Pay
16 Yourself. So those that had their mission -- you see, that was a
17 time that they had been looting.

18 Q. And it was --

19 A. The rebels had been looting, the AFRC had been looting.
20 Everybody had been looting.

21 Q. Now, did you hear that Johnny Paul Koroma came to Kono at
22 one point after the AFRC had been driven out of government?

23 A. No.

24 Q. Now, you mentioned earlier that you had heard about
25 Operation No Living Thing. Do you remember that?

26 A. I talked about it, yes.

27 Q. I say to you that both AFRC soldiers and rebels, both took
28 part in Operation No Living Thing. What do you have to say about
29 that?

1 A. Both of them took part? No. Operation No Living Thing, it
2 was not both of them that took part.

3 Q. How do you know it wasn't both of them that took part?

4 A. Because, just like I have explained, when they declared
5 Operation No Living Thing, it was the time we heard an
6 announcement from BBC Focus, that ECOMOG had taken over Kono and
7 that civilians should come out. But, in fact, I did not believe.
8 My people had been harassing me to go to town, but I did not
9 agree. I said I was to go and spy. When I went and spied, what
10 I saw, that was what made me to know that it was RUF that did it.

11 Q. I say to you that it was AFRC as well RUF who did it. What
12 do you have to say about that?

13 A. Well, I don't know about that. You see, I know that it was
14 RUF that did it.

15 Q. According to you, you were captured by a group of rebels;
16 is that right?

17 A. Yes.

18 Q. I say to you that you were captured by a group of rebels
19 and AFRC soldiers. What do you have to say about that?

20 A. I'm saying that it was RUF group, the rebel group. They
21 were the ones that captured me. And it was they themselves that
22 had been saying it from their mouth. You see, I did not -- I did
23 not take it for granted, because I did not know them. They were
24 the ones that were boasting about what they did to me. It was
25 only God that saved me from their hands.

26 Q. I say to you that [overlapping speakers] RUF group, but
27 there were also AFRC soldiers. What do you have to say about
28 that?

29 A. Well, I don't know about that.

1 Q. So there could well have been AFRC soldiers amongst the
2 group who captured you?

3 MR FOFANAH: Objection. Asked and answered.

4 PRESIDING JUDGE: What was the answer?

5 MR FOFANAH: That he doesn't know about that, Your Honours.
6 That -- the previous question was -- he put to the witness that
7 the AFRC soldiers were among the RUF rebels. He put to him, and
8 the second one again, he is saying I say to you. He is also
9 putting the same question.

10 PRESIDING JUDGE: Well, I think he said he didn't know,
11 Mr Agha. And the logical deduction from that, is that there
12 could have been. He doesn't know one way or the other.

13 MR AGHA: Yes, I stand guided by Your Honour. Thank you.

14 Q. Now, I say to you that each time you were captured, you
15 were captured by a group, comprising of both rebels and AFRC
16 soldiers?

17 A. Well, I don't know their difference. The only thing I know
18 is that it was the rebels that captured me. They confessed it to
19 me and they were boasting about it.

20 Q. Now, that you mentioned about seven people raped your wife.
21 I say to you that the seven people who raped your wife were a
22 mixture of RUF and SLA soldiers?

23 A. I only know rebels.

24 Q. And I say to you that within the rebels there were former
25 SLA soldiers?

26 A. I don't know the difference, but what I know is rebel.

27 Q. You mentioned that Mortema was attacked, didn't you?

28 A. What?

29 Q. Do you remember saying that Mortema was attacked by rebels?

1 A. Mortema was an NP station. Is that what you mean?

2 Q. Yes. Do you remember saying that it was attacked by
3 rebels?

4 A. Yes.

5 Q. I say to you that rebels also consisted of SLA, AFRC
6 soldiers, who attacked Mortema?

7 A. Well, I particularly -- I know rebels -- because the time
8 I'm referring to, the ECOMOG were in Mortema. In fact, the ones
9 that they killed, it was the ECOMOG that forced us to bury those
10 people, so that we wouldn't be suffocated by the odour.

11 Q. When was this? Was this at the end of 1998 or 1999?

12 A. 1999? It would be so, probably so. Between 1998 and 1999,
13 it would be so.

14 [AFRC12SEP06F- MD]

15 Q. Okay. But you say towards the end of 1998?

16 A. I said it could be between 1998 and '99, it would be
17 between.

18 Q. Yes. My question to you essentially is this: Was it at
19 the start of 1998 or the end of 1998?

20 A. Well, that one I wouldn't say. I cannot recollect. For
21 the year, I can tell, but to say it was from the beginning or the
22 ending, I cannot say. Really, I cannot tell.

23 Q. I say to you that Ibrahim Bazy Kamara was in command of
24 the AFRC soldiers who were mixed with rebels in Kono, in 1998?

25 A. Well, I don't know about that. I don't know about that.
26 The ones whose names I heard frequently, I have mentioned them.
27 If I had heard his name, why shouldn't have I called this name?
28 Well, if they had stayed longer in power, maybe I would have
29 known.

1 Q. So your answer is "I don't know."

2 A. No.

3 Q. No, you don't know?

4 A. I don't know. I don't know.

5 MR AGHA: Thank you, Your Honour. That completes my
6 cross-examination.

7 PRESIDING JUDGE: Thank you, Mr Agha. Anything in
8 re-examination?

9 MR GRAHAM: No, Your Honours.

10 PRESIDING JUDGE: Well, Mr Witness, thank you for coming to
11 Court to give evidence. You will be able to go now, so just
12 please --

13 THE WITNESS: Yes, sir.

14 PRESIDING JUDGE: -- please remain seated for a few
15 moments. The curtains will be pulled across and you will be able
16 to go.

17 THE WITNESS: Okay, okay.

18 [The witness withdrew]

19 PRESIDING JUDGE: Who will be taking the next witness?

20 MR GRAHAM: Your Honours, respectfully, it is me, Mr Graham
21 who will be taking this witness, pseudonym DSK-103. Your Honour,
22 he is number 57 on the witness -- he is on page 63. He is on
23 page 63 of the witness list and is -- if Your Honour Justice
24 Sebutinde has the number, it's number 57, page 63 of the
25 summaries, please. And, Your Honours, the witness will be
26 testifying in Krio. Page 63.

27 PRESIDING JUDGE: Is this -- is this the common witness
28 list?

29 MR GRAHAM: Yes, Your Honour.

1 PRESIDING JUDGE: I don't have 63 pages.

2 MR GRAHAM: Sorry, Your Honours.

3 JUDGE SEBUTINDE: What is the witness number?

4 MR GRAHAM: DSK-103.

5 [The witness entered court]

6 JUDGE SEBUTINDE: The list number?

7 MR GRAHAM: 57, Your Honour. Your Honours, it's page 52.

8 Page 52. Yes, yes, page 52, Your Honours. Page 52.

9 PRESIDING JUDGE: It's page 51 on my list.

10 JUDGE SEBUTINDE: Mr Graham, the list shows DAB-103 but you
11 are talking of DSB or DSK-103, who is not indicated on your
12 witness list. Are you sure of the pseudonym?

13 MR GRAHAM: I have DSK-103.

14 [The witness stood down]

15 MR AGHA: Actually, Your Honours, if I may be of
16 assistance: DSK-103 was one of the witnesses who has been
17 disclosed but, according to us, it should be DAB-130 who is up
18 next. Now, Mr Hardaway is actually dealing with DSK-103, so he
19 shortly will be down but DSK-103 was disclosed on 31 August.

20 MR FOFANAH: Your Honours, just to save some time, I mean,
21 the witness who just came in is DAB-130. I rather we call that
22 witness since Mr Hardaway is not here. They brought in a witness
23 who is 130-DAB, and she is number 22 on the witness list. I
24 think she can be found on page 22.

25 PRESIDING JUDGE: But who is being called? She's just left
26 so what is happening?

27 MR FOFANAH: Yes, it was because, I mean, she was not the
28 witness who is DSK-130. She is DAB-130.

29 PRESIDING JUDGE: But you are still insisting on calling

1 DSK-103 not DAB-130, is that right?

2 MR FOFANAH: Mr Hardaway is not here and to save time --

3 PRESIDING JUDGE: Forget Mr Hardaway. Who is the next
4 witness you are going to call?

5 MR FOFANAH: It's supposed to be DSK.

6 PRESIDING JUDGE: We can get Mr Hardaway. It's just a
7 matter of who you want to call next.

8 MR GRAHAM: Your Honours, in terms of our order, it's
9 DSK-103 that is next.

10 PRESIDING JUDGE: So we are waiting for Mr Hardaway, is
11 that right, Mr Agha?

12 MR AGHA: Yes, Your Honour. But in fairness to
13 Mr Hardaway, the next witness we were told the order of, was
14 DAB-130, so we could have proceeded on that basis as before.

15 PRESIDING JUDGE: Well, the witness came in.

16 MR AGHA: Yes, but we were told it was someone else, so I
17 therefore sent for Mr Hardaway.

18 MR GRAHAM: Your Honour, we just asked the witness to leave
19 because we were expecting that the next person was going to be
20 DSK-103. But, in any case, we are still ready to proceed with
21 DAB-130, and then after that we can take DSK.

22 PRESIDING JUDGE: All right. Thanks, Mr Graham. That
23 would seem fairer to the Prosecution too. That's the one you
24 were expecting, wasn't it, Mr Agha?

25 MR AGHA: Yes, Your Honour, and hopefully now Mr Wagona
26 will come back after collecting Mr Hardaway, but we can carry on
27 at any rate.

28 PRESIDING JUDGE: All right. Well, look, if that lady,
29 poor lady who was brought in can come back in again, please.

1 MR FOFANAH: Your Honours, she is number 22. I don't know
2 if you've found her on the summaries. And, Your Honours, she
3 will testify in Kono.

4 [The witness entered court]

5 THE INTERPRETER: Your Honours, the interpreters would
6 appreciate it if they could give us some time so as to readjust
7 ourselves because we thought this was the Krio witness who was
8 coming, so now that we have a Kono witness, we would like to get
9 the Kono interpreters in.

10 PRESIDING JUDGE: How long do you need, Mr Interpreter?

11 THE INTERPRETER: Five minutes, Your Honour.

12 PRESIDING JUDGE: All right. Well, look, I would like to
13 apologise to the witness but, unfortunately, we don't have a Kono
14 interpreter here for me to do that, so we will simply have to go
15 off the Bench. So there is no -- before we leave the Bench --

16 THE INTERPRETER: Your Honours, we would also need five
17 minutes to bring the Kono witnesses up here, because actually the
18 order we had was a gentleman that would have testified in Krio,
19 and not the lady. But now, as the lady has come out, we have to
20 call the interpreters from down the office. That will take five
21 minutes and the technology adjusted as well.

22 PRESIDING JUDGE: Mr Interpreter, you need five minutes; is
23 that correct?

24 THE INTERPRETER: Yes. Yes, Your Honours.

25 PRESIDING JUDGE: Well, please try to make it as quick as
26 you can.

27 THE INTERPRETER: Yes, I will.

28 PRESIDING JUDGE: We will go off the Bench hopefully for
29 five minutes while the interpreter is obtained.

1 THE INTERPRETER: Thank you, Your Honours.

2 [Break taken at 3.11 p.m.]

3 [Upon resuming at 3.20 p.m.]

4 WITNESS: DAB-130 [Sworn]

5 [The witness answered through interpreter]

6 EXAMINED BY MR FOFANAH:

7 Q. Good afternoon, Madam Witness?

8 A. Yes, good afternoon.

9 Q. Madam Witness, you are a native of xxx?

10 PRESIDING JUDGE: I am sorry to interrupt, Mr Fofanah, we
11 better check on that protective measures issue.

12 MR FOFANAH: She is not -- she is not protected. I am
13 sorry I didn't inform the Court earlier.

14 PRESIDING JUDGE: She is not on the original list.

15 MR FOFANAH: Yes, Your Honour.

16 PRESIDING JUDGE: But you will be asking for the same
17 protective measures?

18 MR FOFANAH: Yes, Your Honour.

19 PRESIDING JUDGE: All right. Well, we will order that the
20 protective measures ordered by the Court in its decision on 9 May
21 2006 also apply to this witness.

22 MR FOFANAH: I am grateful, Your Honours.

23 Q. Madam Witness, please listen carefully to the questions,
24 and then you give your answer after I have finished.

25 Madam Witness, you are a native of xxx xxx. xxx, Your
26 Honours, is xxx. We have had xxx before. You are a
27 native of xxx xxx, xxx Chiefdom, Kono District?

28 A. Yes.

29 Q. You've lived there all your life?

- 1 A. Yes.
- 2 Q. Madam Witness, you do not know your age?
- 3 A. I am 45 years old.
- 4 Q. Thank you very much. Madam Witness, you've given birth to
5 nine children, but only four of them are alive?
- 6 A. Yes.
- 7 Q. Madam Witness, is your husband alive?
- 8 A. He died -- he died some time ago.
- 9 Q. Do you know when he died?
- 10 A. Yes.
- 11 Q. When did he die?
- 12 A. He died during the war; he was killed.
- 13 Q. And by the war, what war are you referring to?
- 14 A. The just past war; the last just past war.
- 15 Q. When you say he was killed, who killed him?
- 16 A. Who killed him? The fighting that came killed him.
- 17 Q. Madam Witness, can you please lift the mic up a bit and
18 then please talk into the mic and be audible.
- 19 A. Okay.
- 20 Q. Now again I will ask you the question: We've heard you say
21 that he was killed during the war. Do you know who killed your
22 husband during the war?
- 23 A. I don't know.
- 24 Q. Now, you said you've also lost five children. How did you
25 lose the five children?
- 26 A. I said four. The one was -- fell ill and died. As for the
27 others, they were killed by those people.
- 28 Q. So how many of your children got killed by -- first of all,
29 who are "those people," when you say "those people"?

1 A. The RUF.

2 Q. And how many of your children were killed by the RUF?

3 A. Three of my children, including my husband.

4 THE INTERPRETER: Correction, interpreter. Correction,
5 interpreter. Three children and my husband.

6 MR FOFANAH: Thank you very much.

7 Q. Now, did you hear about the overthrow of the SLPP
8 government in 1997? May 1997?

9 A. This name you have just mentioned, I don't know about that.

10 Q. Did you hear about the overthrow of the government of
11 Sierra Leone, in May 1997?

12 A. What year is that?

13 Q. I'm talking about 1997, when President Ahmed Tejan Kabbah
14 was overthrown?

15 PRESIDING JUDGE: Well, you are putting all the words in
16 her mouth. All she has to do now is say "yes," isn't it,
17 Mr Fofanah?

18 MR FOFANAH: I'm sorry about that, Your Honours.

19 Q. Again, Madam Witness, did you hear about the overthrow of
20 the government in 1997? "Yes" or "no"?

21 A. No, I never heard about that.

22 Q. Have you ever heard the word "ECOMOG"?

23 A. Yes, I heard it.

24 Q. So did you hear about ECOMOG intervention into Freetown, in
25 February 1998?

26 MR WAGONA: Objection, Your Honours. This is leading.

27 PRESIDING JUDGE: It is leading, Mr Fofanah.

28 MR FOFANAH: I will rephrase. Thank you very much.

29 Q. Did you hear about anything happening in Sierra Leone in

1 February 1998?

2 A. I heard it.

3 Q. What did you hear?

4 A. What I heard, what I heard, we were in town. They said
5 "The soldiers have come." They were saying there are so many
6 that we should leave the town. We left the town and fled into
7 the bush, together with my husband and my children.

8 Q. Hold it there.

9 A. And we went into the bush.

10 Q. Hold it there. What town were you in when the soldiers
11 came?

12 A. Jagbwema.

13 Q. And how did you know that those who came were soldiers?

14 A. How I came to know? I said we fled into the bush, together
15 with my son, and my children and my husband. We were there for
16 one week. There was a time at about 3.00 in the afternoon, eight
17 people went and captured us. They said --

18 Q. Okay, Madam Witness, go slowly. I mean, firstly, when --
19 before you fled into the bush --

20 A. Okay.

21 Q. -- did you see these soldiers yourself?

22 A. I did not see them with my eyes.

23 THE INTERPRETER: Your Honours, let the witness repeat the
24 last part of her answer.

25 MR FOFANAH:

26 Q. Please go over what you just said.

27 A. I said we were in Jagbwema Town when we heard that the
28 soldiers have come. We all left the town and fled into the bush.

29 Q. Now, what time of the day was it when you heard that the

1 soldiers have come?

2 A. On that day, I cannot tell.

3 Q. Was it during the day or at night?

4 A. During the day.

5 Q. And where did you flee to?

6 A. Fled into the bush.

7 Q. How far from Jagbwema Town did you flee?

8 A. The distance is one mile.

9 Q. Now, you've told the Court that whilst in the bush some
10 rebels came and captured you. Now how were --

11 PRESIDING JUDGE: I thought she said "eight people captured
12 us." I don't recall her saying rebels at all.

13 MR FOFANAH: I am sorry about that.

14 PRESIDING JUDGE: You see, Mr Fofanah, from the beginning
15 of this testimony, I'm forming the impression she doesn't have a
16 really good memory for dates and other details. So if you
17 continue to ask her leading questions you are just feeding her
18 the answers, so I would desist.

19 MR FOFANAH: Respectfully, Your Honours, I am not sure I
20 have deliberately led this witness on anything that will suggest
21 answers to her.

22 PRESIDING JUDGE: Well, I think you have so, please don't
23 ask leading questions.

24 MR FOFANAH: As Your Honour pleases.

25 Q. So who were these eight people whom you said captured you
26 and your -- members of your family?

27 A. Which people, I said they met us in the bush, eight of us,
28 they captured us. Say we never heard that -- saying that people
29 who were coming here, who killed people, saying soldiers. I said

1 no -- should I continue?

2 Q. Okay, hold it there. Now, the people --

3 JUDGE SEBUTINDE: Mr Fofanah, or is it Mr Interpreter,
4 first, we thought we heard the witness say eight people came and
5 caught them in the bush. You interpreted that to us. Now she is
6 saying people came and captured eight of her family; which is it?

7 THE WITNESS: I'm explaining and saying -- I say, the
8 people came and asked us, saying you never heard -- say people
9 are coming that who are killers. [As interpreted] we said no.

10 MR FOFANAH:

11 Q. Okay. Hold it, hold it there, Madam Witness. I mean,
12 these people who came, how many of them came?

13 A. Eight of them; those who captured us.

14 Q. And how many of you were captured, altogether?

15 A. Together with my children and my husband.

16 Q. How many children were captured?

17 A. Four children and myself.

18 Q. Now, the eight people who captured you, how were they
19 dressed?

20 A. They had on a uniform, a black one.

21 Q. Now, when they captured you, did anything happen to you?

22 A. Yes.

23 Q. What happened to you and members of your family?

24 A. Initially, I said they killed my children and my husband.

25 Q. Where did they kill them?

26 A. Njardu.

27 Q. Njardu, Your Honours, is --

28 A. Njardu.

29 Q. Can you go over the name again?

1 A. Nj ardu. Kombayendeh Road.

2 Q. Nj ardu, Your Honours, is N-J-A-R-D-U. Can you go over the
3 road again, Mr Interpreter?

4 A. Kombayendeh.

5 Q. Kombayendeh, Your Honours, is K-O-M-B-A-Y-E-N-D-E-H,
6 Kombayendeh Road. Now, when you were captured, did you leave the
7 bush together with your family?

8 A. We did not leave. When they killed these children, they
9 captured us and they told us to go. We went and we met a rock
10 and we were asked to sit there, so I was crying.

11 Q. So --

12 A. They were about to kill me and I pleaded to them not to
13 kill me and I was crying.

14 Q. At this time, were you still with the people who captured
15 you?

16 A. Yes, I was with them. Four of them at our back and four of
17 them in front of us; we were in the middle.

18 Q. Now you said they were about to kill you; what happened
19 after that?

20 A. What happened was that I told them not to kill me and they
21 said we should go, so we went and surfaced in one village. We
22 met some vehicles there, brand new vehicles, and they took us --

23 THE INTERPRETER: Your Honours, can the witness kindly
24 repeat this last bit? She is speaking very fast.

25 MR FOFANAH:

26 Q. Madam Witness, please go very slowly and try to be as
27 audible as you can. Now what is the name of the village that you
28 said you went to, where you saw vehicles?

29 A. Kunduma.

1 Q. Kunduma, Your Honours, is spelt K-U-N-D-U-M-A. And you
2 said you saw vehicles; how many vehicles did you see?

3 A. I do not know their number. We were -- we were captives
4 and they were threatening to kill us. And when they -- they set
5 fire to the town and they told us to go, to go ahead.

6 Q. What town did they set fire to?

7 A. Kunduma.

8 Q. Who set fire on Kunduma?

9 A. Those who captured us.

10 Q. Were you with them when they set fire on Kunduma?

11 A. Yes, we were there. We were in their hands.

12 Q. Now, those who captured you, do you know if anyone was in
13 charge of them?

14 A. I know the person.

15 Q. Who was in charge of them?

16 A. He was there.

17 THE INTERPRETER: Can I learned counsel -- can she kindly
18 take the names again. She is not very audible at all.

19 MR FOFANAH:

20 Q. Can you try to talk as loud as you can, please, or you draw
21 the mic closer to you, so that you can at least -- now, we want
22 you to name the person who was in charge of the eight people that
23 captured you and your -- and members of your family?

24 A. Can I start?

25 Q. Yes. Give us the name of the person who was in charge?

26 A. Gi bo.

27 Q. Gi bo, Your Honours, is spelt G-I-B-O. Now, how did you
28 know that that person was called Gi bo?

29 A. We were together with them. They captured us. He was

1 their boss.

2 Q. And how did you know that he was their boss?

3 A. They themselves, he himself said that he was the leader of
4 that group.

5 Q. Do you know if the group had any name?

6 A. I don't know. I don't know that one.

7 Q. So did you go anywhere after Kunduma?

8 A. Yes. I said we stopped at Tuyor. That is where we
9 stopped.

10 Q. Tuyor, Your Honours, we've had it before, but it's
11 T-U-E-Y-O-R [sic]. So when you arrived at Tuyor, did you meet
12 anyone there?

13 A. We met -- we met them there. Just them. They were all
14 wearing these black clothing.

15 Q. And were they armed?

16 MR WAGONA: Objection, Your Honours. Leading.

17 PRESIDING JUDGE: Yes.

18 MR FOFANAH:

19 Q. Did they carry anything, those whom you met?

20 A. Yes.

21 Q. What did they carry?

22 A. They had -- they had guns and cutlasses.

23 Q. Did you stay in Tuyor?

24 A. Yes, we stayed long there.

25 Q. How long did you take?

26 A. We spent two weeks.

27 Q. And by this time was your husband and the other child, who
28 was alive, with you?

29 A. Yes. My husband was no longer there.

1 THE INTERPRETER: Can she kindly repeat the -- this answer.

2 MR FOFANAH:

3 Q. The question, Madam Witness, please try to talk as loud as
4 you can. Was your husband with you, was your husband and the
5 child who was alive, were they with you at Tuyor?

6 A. The children who were alive and I, we were together. At
7 that time my husband had died. I had explained a while ago.

8 Q. Madam Witness, it was not clear. You told the Court that
9 they killed three of your children and that your husband,
10 yourself and one child were --

11 A. Yes, we were alive.

12 Q. So where did they kill your husband?

13 A. Njardu.

14 Q. Now, apart from your husband and the three children, did
15 anything happen to the other child?

16 A. Yes, I was beaten on my head.

17 Q. Now I'm talking about the other child. I will come to you
18 later. The child who was still alive, did anything happen to him
19 or her?

20 A. The child that I had, nothing happened to that child.

21 Q. So you've just told the Court that you were beaten; where
22 were you beaten? What town or village?

23 A. Tuyor.

24 Q. Who beat you?

25 A. Manda.

26 Q. Can you go over that again? Is that the name of the person
27 who beat you?

28 A. Manda.

29 Q. Who is Manda?

1 A. They were there. He took a knife and told me he was going
2 to kill me but I said, I asked him not to kill me, so he decided
3 to beat me up.

4 Q. Phonetically, it's M-A-N-D-A. So why did he want to kill
5 you, if you know?

6 A. He said I was a Kamajor wife.

7 Q. Now, this Manda, was he with you at the time the people
8 captured yourself and members of your family? Was he with that
9 group?

10 A. He was not there. We met him and others in Tuyor.

11 Q. How many of these people, who were dressed in black
12 uniforms, did you meet at Tuyor?

13 A. There were more than 100.

14 Q. Do you know if anyone was in charge of them?

15 A. Yes, I have named one a while ago. Can I repeat that?

16 Q. Yes, please do.

17 A. I said Gi bo.

18 Q. Now apart from Gi bo and Manda, do you recall the name of
19 anyone else, the people who were at --

20 A. Yes.

21 Q. Please go on.

22 A. Mara.

23 Q. Mara, M-A --

24 A. Ballah, Ballah.

25 Q. Ballah, Your Honours, is spelt B-A-L-L-A-H. Who was
26 Ballah?

27 A. He was one of their bosses.

28 Q. And how did you know that?

29 A. They themselves were saying it, that they were bosses.

1 Q. Apart from Ballah, was there any other name that you can
2 recall? Apart from Ballah, Gibo and Manda?

3 A. Yes.

4 Q. Yes; what was the other name?

5 A. Gassama.

6 Q. Gassama, Your Honours, is spelt G-A-S-S-A-M-A. And is
7 there any other name?

8 A. Mosquito.

9 Q. Mosquito, as in the insect. Now, who was Mosquito?

10 A. He too was there.

11 THE INTERPRETER: Again, she's not audible this time
12 around.

13 MR FOFANAH:

14 Q. Madam Witness, please talk loud enough so that they can
15 interpret what you are saying. Did you see Mosquito yourself?

16 A. He was living there, in Jagbwema.

17 Q. Did you see him?

18 A. I saw him, indeed. He was going around Tuyor, passing
19 orders for them to kill people.

20 Q. Now, when you saw Mosquito, how was he dressed?

21 A. He was dressed -- he had a gun. He had on rings on all of
22 his fingers. Wherever he went, he would kill people.

23 Q. Now, do you know if Mosquito belonged to any armed group,
24 that you can recall?

25 A. I can't recall. It's -- it's his name that I can recall.

26 THE INTERPRETER: Your Honours, the interpreter would like
27 to make a correction. Instead of he would kill people everywhere
28 he went, he killed people on every Saturday.

29 MR FOFANAH:

1 Q. You've mentioned the word RUF before; do you know if these
2 people whom you've mentioned belonged to that group?

3 MR WAGONA: I object, Your Honour.

4 MR FOFANAH: Your Honours, it's mentioned that, when she
5 started, that was the first -- I mean, he said that --

6 JUDGE SEBUTINDE: She. This witness is a she.

7 MR FOFANAH: I am sorry, Your Honour. I've been referring
8 to her as a she. It's just lapses. She's mentioned -- I mean, I
9 stand guided by the transcript. She's mentioned RUF before. The
10 very first questions that I put to her.

11 PRESIDING JUDGE: Yes, you are right, Mr Fofanah.

12 MR FOFANAH: As Your Honour pleases.

13 Q. So do you know if these rebels that you have mentioned,
14 Gibo, Manda, Mosquito and the others, Ballah, do you know if --

15 JUDGE SEBUTINDE: Mr Fofanah, I am going to correct you.
16 She has not once used the word "rebels". She's referred to them
17 as people dressed in black uniform.

18 MR FOFANAH: I'm very sorry, Your Honours. This is the
19 second time I have been warned. I mean, it's all my fault. I'm
20 sorry about that.

21 Q. I'm talking about the people, the people; the people that
22 you have referred to as Ballah, Gassama, Gibo, Mosquito and
23 Manda; do you know if they belonged to this group which you have
24 earlier referred to, the RUF?

25 A. I said they captured us. On the town where we went, they
26 said they were in charge of that town. That's what I explained.
27 They said they were the bosses. They were calling their names.

28 Q. Please carefully. Just a "yes" or "no" answer is what I
29 want. Now, the people that you have mentioned, including

1 Mosquito and Gi bo, do you know if they were members of the group
2 that you had earlier referred to, the RUF?

3 A. I don't know. I don't know that.

4 Q. Now you said you saw Mosquito at Jagbwema Town; do you
5 recall that?

6 A. Yes.

7 Q. Now, when you saw him there, did he stay there?

8 A. He did not stay there; he left us there.

9 Q. You also said that he killed people on Saturdays; what do
10 you mean by that? Every Saturday?

11 A. Yes. I said on every Saturday he would kill people and I
12 saw that.

13 Q. Where did Mosquito kill people on Saturdays?

14 A. Tuyor.

15 Q. How many times did you see him kill people?

16 A. I saw him so many times; I can't remember how many times.

17 Q. You've told the Court that you spent two weeks in Tuyor?

18 A. Yes.

19 Q. Did Mosquito kill people during these two weeks?

20 A. Yes. In these two weeks, he killed people there. When we
21 left there, I don't know what happened.

22 Q. How many people did he kill in Tuyor?

23 A. He killed four people and he took another and he ordered
24 that he should be put in a bag and they put that person in the
25 bag and they tied the bag.

26 Q. What happened to the person after he was tied in a bag, if
27 you know?

28 A. He stayed like that and he was put in a hole.

29 Q. Did anything happen after he was put in a hole?

1 A. They put some earth on top of him.

2 Q. Some what?

3 A. Earth. They put earth on top of him and they departed.

4 Q. How were the other four people killed by Mosquito?

5 A. He shot them.

6 Q. So you said you spent two weeks in Tuyor. Where did you go
7 to after Tuyor?

8 A. They were taking us to Jagbwema and we stayed there --

9 THE INTERPRETER: The last bit of her statement was not
10 audible enough for me to interpret.

11 JUDGE SEBUTINDE: Mr Court Attendant, how about you go and
12 shift the mic close to the witness, please.

13 MR FOFANAH:

14 Q. Madam Witness, can you kindly repeat the last bit of your
15 answer regarding your arrival -- your return to Jagbwema. You
16 said they took you to Jagbwema from Tuyor?

17 A. I said -- I said they took us from Tuyor to Jagbwema and
18 that's where we stayed. We did not go anywhere else.

19 Q. Who took you to Jagbwema from Tuyor?

20 A. We went there because we saw them killing people so we
21 escaped and went.

22 Q. You and who went to Jagbwema?

23 A. We were many. We, the civilians, including my children,
24 and one person, and -- and some other people.

25 Q. Now, when you arrived at Jagbwema, did you meet people
26 there?

27 A. Nobody was there, except those of us who had been captured.

28 Q. And, whilst there, did the people who captured you return
29 to Jagbwema?

1 A. I can't say because I did not see them. There were many.

2 Q. Now again I will ask you: When these incidents that you
3 have recounted were happening, do you know what government was in
4 power?

5 A. I don't know that.

6 Q. Now, whilst with the people who captured you, the people
7 who were dressed in black, black uniforms that you said, now,
8 first of all, how -- how was this black uniform? What form of
9 clothing was it?

10 A. They tied a piece of cloth around their head. They had
11 their shirt and the trousers, and they had this piece of cloth.
12 It was red; the piece of cloth was red.

13 Q. Was the shirt and the trousers black? Were they black?

14 A. It was mixed.

15 Q. Mixed with what?

16 A. There's black in it but not all that black. It -- that was
17 how it was.

18 Q. Okay. Madam Witness, throughout this period, did you hear
19 any name called Ibrahim Bazy Kamara, as being among the people
20 who captured you?

21 A. I did not hear that among them. Those whose names I know I
22 have mentioned.

23 Q. Did you hear any Tamba Brima, as being among the people who
24 captured you?

25 A. I did not hear it.

26 Q. Did you hear the name Santi gie Borbor Kanu, as being among
27 the people who captured you?

28 A. I did not hear that.

29 Q. Now, you've given us the names of several people, as being

1 bosses of those who captured you. You've given us names like
2 Gibo, Manda, Ballah and Gassama. Do you know if all of them had
3 an overall boss who was in charge of them?

4 A. I don't know that. I don't want to tell lies. They are
5 the ones I knew and that's what I've said.

6 MR FOFANAH: I have no further questions for the witness.
7 Thank you.

8 PRESIDING JUDGE: Thank you, Mr Fofanah. Are there any
9 other questions?

10 MR MANLY-SPAIN: No questions.

11 MR GRAHAM: Just the one question for the witness, please.

12 EXAMINED BY MR GRAHAM:

13 Q. Madam Witness, good afternoon. You told this Court about
14 Mosquito in Jagbwema. How did you know that the person you
15 called -- how did you know that his name was Mosquito?

16 A. He himself said that that was his name.

17 Q. When did he say that? Did he say that to you?

18 A. We were many, those of us who were captured. That's where
19 he said it.

20 Q. And apart from telling you that his name was Mosquito, did
21 he tell you anything else?

22 A. What he said, I had already spoken about a while ago.

23 Q. Thank you. Mr Witness, this Mosquito, when he spoke to
24 you, did he refer to himself; do you know whether he referred to
25 himself by any other name, apart from Mosquito?

26 A. He did not tell us any other name.

27 Q. Thank you. And Madam Witness, the men that you said you
28 saw at Tuyor, that you said there were many of them, were they
29 all in the same uniform?

1 A. All of them had on the same uniform.

2 Q. And what was the colour of the uniform that they had on,
3 Mr Witness?

4 PRESIDING JUDGE: We have heard that so many times,
5 Mr Graham.

6 MR WAGONA: Objection.

7 MR GRAHAM: Very well, that is my last question for the
8 witness. I don't have any further questions for the witness.
9 Thank you.

10 PRESIDING JUDGE: Thank you. Yes, Mr Wagona?

11 CROSS-EXAMINED BY MR WAGONA:

12 MR WAGONA: Thank you, Your Honours.

13 Q. Good afternoon, witness.

14 A. Good afternoon.

15 Q. I have a few questions for you, please. Now, do you
16 remember the year when the things you are talking about happened?

17 A. I cannot recall the year.

18 Q. Do you remember the government that was in power when all
19 these things happened?

20 PRESIDING JUDGE: I think she just mentioned she can't.

21 MR WAGONA: Much obliged.

22 Q. Now, you said that those people were dressed -- that they
23 had black uniform and it was mixed?

24 A. Yes.

25 Q. Have you ever seen army men wearing uniform?

26 A. Army men?

27 Q. Yes.

28 A. Yes, I saw them.

29 THE INTERPRETER: Your Honours, may the witness repeat the

1 last part of her answer?

2 MR WAGONA:

3 Q. Could you repeat your answer, please. Should I ask the
4 question again?

5 PRESIDING JUDGE: Ask it again.

6 MR WAGONA:

7 Q. Have you seen army men, soldiers, in uniform?

8 A. Yes, initially, yes. Long ago I saw them.

9 Q. Now those people were dressed in army uniform, weren't
10 they?

11 JUDGE SEBUTINDE: Which people? Which people?

12 MR WAGONA:

13 Q. The people you had earlier on said were dressed in black
14 uniform, and I asked you whether you have ever seen army men in
15 uniform, and I'm now putting to you --

16 A. I've answered it. I've answered this. I said I saw army
17 men in uniform long ago.

18 Q. Yes. And what I'm now putting to you is the people you've
19 described to Court, the people who captured you, I'm saying they
20 were dressed in army uniform; is that correct?

21 A. You are saying they were dressed in army uniform?

22 Q. Yes.

23 A. I said they had uniform. Their heads were tied with a red
24 piece of cloth which, all of them that they were there, their
25 heads were tied with red pieces on their heads.

26 Q. Yes. And later on I asked you -- please listen to the
27 question: You said you have ever seen soldiers, army men, in
28 uniform; is that correct?

29 JUDGE SEBUTINDE: Yes, she's answered that --

1 PRESIDING JUDGE: Yes, she's answered that twice already.
2 She's seen them long ago.

3 MR WAGONA: Thank you. Thank you, Your Honours.

4 Q. Now, what I want to put to you, I'll first ask you: Have
5 you ever heard about SLA?

6 A. I didn't hear that one.

7 Q. And have you ever heard about AFRC?

8 A. I did not hear that as well.

9 Q. And have you ever heard about RUF?

10 A. What I heard is what I've just explained.

11 Q. Okay, thank you. I put it to you that that group, that
12 those soldiers you said who attacked and captured you, were a
13 mixed force of SLA and RUF; what do you say to that?

14 A. Of me? What I would say, those who captured me, I will
15 explain as how they were; this is what I mentioned earlier.

16 JUDGE SEBUTINDE: Mr Wagona, sorry to interrupt. If the
17 witness says I have never heard of the word SLA, how then can you
18 put to her that the captives, the captors were a mixed force of
19 RUF and SLA, if she doesn't know what SLA is?

20 MR WAGONA: Much obliged, Your Honour. I will leave that
21 and move on.

22 Q. Now you said you had -- you saw Mosquito --

23 PRESIDING JUDGE: You can assume she said that. Now get on
24 with your question, please.

25 MR WAGONA:

26 Q. Now, what I want to put to you is that at that time there
27 was no person called Mosquito in Jagbwema?

28 A. Someone was there.

29 Q. I put to you that at that time the only person called

1 Mosquito was in Kailahun?

2 A. Well, there were younger ones, but there was somebody there
3 called Mosquito; a slim man.

4 Q. Did you hear of a person called Captain Junior?

5 A. Captain Junior?

6 Q. Yes.

7 A. That one, I never heard of him. Not -- except when you
8 mentioned his name. I cannot say anything about him.

9 Q. I put it to you that he was the one in charge of soldiers
10 at Jagbwema, but not the one you talked about?

11 MR FOFANAH: Your Honours, may I interject at this stage?
12 The question is not clear enough. The witness talked about a lot
13 of people. I don't know what my learned colleague means.

14 PRESIDING JUDGE: Yes, I agree with you, Mr Fofanah. I
15 think that question could be confusing. I would ask you to
16 rephrase it.

17 MR WAGONA: I will make it more clear, Your Honours.

18 Q. You said that the person who was in charge of the group
19 that captured you was called Gibo?

20 A. Yes, Tuyor.

21 Q. And then I asked you whether you have heard about
22 Captain Junior?

23 PRESIDING JUDGE: All right. We've got answers.

24 THE WITNESS: I mentioned that -- those whom I know about
25 are those that I've mentioned or talked about.

26 MR WAGONA:

27 Q. So, finally, I put it to you that you don't know the people
28 who captured you and your family?

29 PRESIDING JUDGE: She's made that patently clear. She said

1 "I don't know."

2 MR WAGONA: Much obliged. Witness, that is where I will
3 end my questions.

4 PRESIDING JUDGE: I can't hear you. I can't hear you.

5 THE INTERPRETER: Your Honours, the lawyer's microphone is
6 not on.

7 MR WAGONA: Thank you. Witness, thank you for your
8 answers. Your Honours, that's where I will end with my
9 cross-examination.

10 PRESIDING JUDGE: Thank you, Mr Wagona. Any
11 re-examination?

12 MR FOFANAH: None, Your Honours.

13 PRESIDING JUDGE: Madam Witness, thank you for coming along
14 to Court today. Your testimony is now finished and you will be
15 able to leave the Court. Please, just sit there for a few
16 moments. We are going to adjourn and then you can go home.

17 [The witness withdrew]

18 PRESIDING JUDGE: Thank you.

19 THE WITNESS: We will adjourn Court until 9.15 tomorrow
20 morning.

21 [Whereupon the hearing adjourned at 4.12 p.m.,
22 to be reconvened on Wednesday, the 13th day of
23 September 2006, at 9.15 a.m.]

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