

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

WEDNESDAY, 11 OCTOBER 2006
9.15 A.M.
TRIAL

TRIAL CHAMBER II

Before the Judges:	Richard Lussick, Presiding Teresa Doherty Julia Sebutinde
For Chambers:	Ms Carolyn Buff
For the Registry:	Mr Thomas George
For the Prosecution:	Mr Karim Agha
For the accused Alex Tamba Brima:	Mr Kojo Graham
For the accused Brima Bazy Kamara:	Mr Andrew William Kodwo Daniels Mr Mohamed Pa-Momo Fofanah
For the accused Santigie Borbor Kan:	Mr Ajibola E Manly-Spain Mr Silas Cherkera

1 [AFRC11OCT06A - MD]

2 Wednesday, 11 October 2006

3 [Open session]

4 [The accused present]

5 [The witness entered court]

6 [Upon commencing at 9.15 a.m.]

7 WITNESS: DBK-131 [Continued]

8 [The witness answered through interpreter]

9 PRESIDING JUDGE: Mr Witness, I will remind you, you are
10 still on your oath to tell the truth.

11 MR GRAHAM: Good morning, Your Honours.

12 CROSS-EXAMINED BY MR GRAHAM:

13 Q. Good morning, Mr Witness.

14 A. Good morning, sir.

15 Q. Mr Witness, I'm going to continue from where we left off
16 yesterday, regarding events at the Pademba Road Prison. But,
17 before I go on, yesterday, in the course of your testimony you
18 mentioned that Mr A was a yard provost. What do you mean by
19 that?

20 A. [No interpretation]

21 JUDGE SEBUTINDE: Is there an interpreter? There is no
22 interpreter on the English channel. What is the problem,
23 Mr Interpreter?

24 PRESIDING JUDGE: Mr Interpreter, are you there? How come
25 we can't get an English translation on the English channel? You
26 are not on the English channel. You are on N1. Mr Interpreter,
27 I'm going to -- are you there? I'm going to switch to the
28 English channel and you tell me if you hear anything. I will get
29 back to you on N1. I am now speaking on the English channel.

1 Can you hear me, Mr Interpreter. Obviously, Mr Interpreter,
2 there is something wrong with the English channel. I just spoke
3 to you, you did not hear me on the English channel, did you? But
4 I am not on the English channel. That's what I'm trying to tell
5 you. Look, I am on N1 now. Do you understand that? No, this is
6 not the usual channel through which we receive you. We receive
7 you through the English channel. We are receiving you on N1.

8 All right. Go ahead, Mr Graham.

9 MR AGHA: Your Honour, before my learned friend continues,
10 I would just like to raise a concern of the Prosecution that
11 perhaps some of this evidence may tend to disclose the identity
12 of some Prosecution witnesses. So, I am wondering whether -- if
13 it can be done in such a way as not to reveal their identities,
14 or the Prosecution may be seeking a closed session.

15 PRESIDING JUDGE: All right. Did you take note of that,
16 Mr Graham?

17 MR GRAHAM: Yes, Your Honour. Your Honours, to be a little
18 bit more precise, I want who to understand if by that whether my
19 learned friend means I shouldn't refer to some of the names I
20 have mentioned. He is talking about past or is he looking
21 forward, because I want to be certain about what he is asking
22 for.

23 PRESIDING JUDGE: Well, this is something that could have
24 been discussed before we came on the Bench. Now we are sitting
25 here while you have a discussion with the Prosecution. What is
26 your answer to Mr Graham's concern?

27 MR AGHA: Yes, I apologise, Your Honour, perhaps this
28 should have been discussed beforehand. It's just that regarding
29 any specifics as to job functions, let us say.

1 PRESIDING JUDGE: No, but Mr Graham is asking you referring
2 to the past evidence that's been given or are you referring to
3 something that may be said in the future?

4 MR AGHA: Future. From today onwards, Your Honour.

5 PRESIDING JUDGE: All right. Does that clear that up,
6 Mr Graham?

7 MR GRAHAM: That is so.

8 PRESIDING JUDGE: Go ahead.

9 MR GRAHAM:

10 Q. Mr Witness, do you know how he got that position?

11 JUDGE DOHERTY: I am sorry to interrupt, Mr Graham, but
12 because of this problem with the interpretation channel, I missed
13 a large part of the answer. If we could have it repeated please.

14 MR GRAHAM: Okay. I am grateful.

15 Q. Mr Witness, I asked you earlier on that you mentioned that
16 Mr A was a yard provost during the time that you were there. And
17 I asked you that what do you mean by yard provost?

18 A. [No interpretation]

19 PRESIDING JUDGE: Mr Witness, I am sorry to interrupt you.
20 We are still having interpretation problems here.

21 MR GRAHAM: Your Honours, still there is no interpretation
22 from my end, from Krio. Your Honour, I will switch to N1, I
23 believe.

24 PRESIDING JUDGE: It's on 1. I have been trying to get
25 through to the interpreter that the English channel is not
26 working and that's the usual channel that the Court operates on;
27 try N1. I am sorry this has happened, Mr Witness. We will have
28 to ask you to repeat your answer again.

29 THE INTERPRETER: Yes, Your Honour, I just want to have a

1 mic check with the interpreters to see what the problem is,
2 because normally that is the channel we are on, but we wonder
3 what the problem is. If it's not with the interpreters', maybe
4 we have to check with the technicians again.

5 PRESIDING JUDGE: How long will that take?

6 THE INTERPRETER: Five minutes will do.

7 PRESIDING JUDGE: We will go off the Bench.

8 [Break taken at 9.27 a.m.]

9 [Upon resuming at 9.38 a.m.]

10 PRESIDING JUDGE: Mr Interpreter, we are now on the English
11 channel, can you hear us?

12 THE INTERPRETER: Yes, Your Honour. We are now hearing
13 you.

14 PRESIDING JUDGE: Before you start, Mr Graham, we will
15 direct Court Management to carry out tests of the equipment,
16 including the audio equipment before this Court sits of a
17 morning, not afterwards. Go ahead, Mr Graham.

18 MR GRAHAM: Thank you, Your Honours.

19 JUDGE SEBUTINDE: Perhaps you could start. Restart.

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

21 PRESIDING JUDGE: I just point out to Court Management
22 that's 25 minutes lost because this equipment wasn't checked
23 before we came on the Bench.

24 MR GRAHAM: Thank you, Your Honours.

25 Q. Mr Witness --

26 MR GRAHAM: Your Honours, during the brief recess I did
27 agree with my learned friend on the other side that in respect of
28 [redacted] we will refer to him as Mr A and then for [redacted]
29 we will refer to him as Mr B for the purposes of going forward in

1 respect of this matter. If Your Honours have no objection, I
2 will adopt that as for the designations. Thank you.

3 Q. Mr Witness, at any time I ask you about Mr A, I'm referring
4 to [redacted], and Mr B as [redacted], are you clear on that?

5 Did you hear me, Mr Witness?

6 A. [Redacted] A, [redacted] B.

7 Q. Thank you, Mr Witness. Let me continue, Mr Witness.

8 Yesterday, in the course of your testimony you mentioned Mr A was
9 yard provost and I asked you what do you mean by that?

10 A. Yard provost was in charge of helping the prison officers
11 to put the prisoners in the prison when they were opened.

12 Q. Thank you. And do you know who gave Mr A that position?

13 A. Yes.

14 Q. Who gave Mr A that position, Mr Witness?

15 A. Superintendent Findley.

16 MR GRAHAM: Finley [sic], Your Honours, I believe is spelt
17 F-I-N-L-E-Y [sic].

18 Q. And do you know why Superintendent Findlay gave Mr A that
19 position?

20 A. Well, I do not know.

21 Q. Well, I'm putting it to you that Mr A was given that
22 position in order to enable him to recruit willingly detainees to
23 come and testify at the Special Court; do you agree?

24 A. Well, I believe that, but I did not know really what was
25 the reason because the man was like a begger in the prison.

26 Q. Thank you, Mr Witness. Thank you. Yesterday, you told us
27 about the meeting at Mr A's cell and what happened after that,
28 and I asked that after that meeting, did you observe any changes
29 in the life of Six Finger, Ayo?

1 A. Yes.

2 Q. What did you observe, Mr Witness?

3 A. He, too, he was a yard provost and he, too, used to live in
4 the better form in the prison because he was eating chicken, he
5 had money, he had pega, he had marijuana, which was jamba.

6 Q. Thank you. And, Mr Witness, do you know why he had all
7 these privileges?

8 A. Well, that one was a secret known to them, but everybody
9 was saying that because they were people that were looking for
10 opportunities, that was why they concerned him that they are
11 people that talk against people. They lied about people. It was
12 their own work. That was why they called them bellers.

13 Q. Can you spell that for the Court, the bellers?

14 A. B-E-L-L-E-R.

15 Q. Mr Witness, you just told --

16 JUDGE SEBUTINDE: Is there an English interpretation to
17 that word?

18 MR GRAHAM:

19 Q. Mr Witness, do you know any other name -- what do you mean
20 by bellers, Mr Witness? Please tell this Court?

21 A. When they say a beller, beller is a person who lies about a
22 person. That is -- was one. He talked against -- for something
23 for which somebody does not do and anything that he says he may
24 interpret it in a different way. He is somebody that sabotages a
25 person. He will destroy your will, finally.

26 Q. Thank you, Mr Witness. And, Mr Witness, did you know --
27 thank you, Mr Witness. What about Ranger; did you also observe
28 any change in his life after the meeting at Mr A's cell?

29 A. Yes, yes.

1 Q. What did you observe? Please tell this Honourable Court,

2 Mr Witness.

3 A. He did not have money but later, after that incident, he
4 had money. He was doing some commerce. He was having different
5 articles. He was eating chicken, buying Pega.

6 Q. Mr Witness, you said he was buying what? Could you spell
7 that? Buying what?

8 A. He used to eat chicken every day. He buy Pega.

9 Q. Could you spell that? Could you spell that?

10 A. Pegapak. P-E-G-A-P-A-K. Pegapak.

11 Q. What was in this Pegapak?

12 A. Gin. Wine.

13 Q. Thank you, Mr Witness. And, Mr Witness, what about Mr B;
14 did you also observe any changes in the life of Mr B after the
15 meeting at Mr A's cell?

16 A. Yes. Mr B had money. Every day he used to cook. Every
17 day he used to cook in his cell. He lived in a luxurious way.
18 He was enjoying.

19 Q. Thank you. So it is your testimony that Mr B was living
20 the big life in the prison, isn't it?

21 A. Exactly. He was living in a big life.

22 Q. Thank you, Mr Witness. And, Mr Witness, how did you get to
23 know that these people had money and all of the things that
24 you've told this Court about? How did you know that?

25 A. The men were trying to involve me in the game. It was a
26 business. That was how they used to call it. They were trying
27 to involve me so they used to call me and I was seeing them
28 eating and when they're eating they used to call me to eat at
29 them. At any time they were eating they wanted me to eat but --

1 Q. Thank you, Mr Witness. And, Mr Witness, who used to call
2 it a business? And just -- be brief, just mention the names and
3 no more. Who used to call it a business? You said they used to
4 see it as a business?

5 A. Mr A and Mr B, both of them. They were -- formed that
6 habit.

7 Q. Thank you, Mr Witness. Mr Witness, yesterday, you also
8 told this Court about the restricted -- sorry, Your Honours.
9 Before I go on -- and, Mr Witness, normally, before you are taken
10 into the prison you are thoroughly searched, isn't it?

11 A. Yes, yes.

12 Q. So I'm putting it to you that it is not possible for anyone
13 in any of the prison blocks at Pademba Road Prison to have
14 marijuana, gin and all the things you've mentioned in their cells
15 without being allowed to do so by the prison authorities; is that
16 right?

17 A. Well, what you've said, just said is not correct. These
18 men, when the Special Court officer used to -- used to collect
19 them from there, when they were returning they did not check
20 them. So long as it was the Special Court officer that went and
21 collected them. If it were another prisoner they would shout
22 you. Except you smuggle it because there are prisoners who are
23 so many that will take in marijuana in, so what you said is not
24 correct.

25 Q. Thank you, Mr Witness. But, Mr Witness, to the best of
26 your knowledge did -- they didn't smuggle these items into the
27 prison, did they?

28 A. It was not smuggling. I said that thing happened. They
29 had privilege.

1 Q. Thank you.

2 A. They put them in the polythene bag. They be put in sugar.

3 Q. Thank you, Mr Witness. Thank you. I'm grateful for the
4 answer. And then, Mr Witness, yesterday, you told this Court
5 about the restricted areas in the prison, being the hospital,
6 kitchen, bakery and tailoring shop. And, during this period, I'm
7 putting it to you that Mr A was not bound by any restrictions in
8 respect of his visits to these areas, was he?

9 A. The men, they went everywhere where others were not
10 supposed to go but they were having the privilege to go there.

11 Q. Thank you, Mr Witness. And Mr B also had unrestricted
12 access to these restricted areas, didn't he?

13 A. Yes, yes.

14 Q. Thank you, Mr Witness. And, Mr Witness, I'm right in
15 saying that all other prisoners in Pademba Road Prison at the
16 time did not have or enjoyed the privileges that Mr A and Mr B
17 enjoyed at the time; is that right?

18 A. Exactly so, yes.

19 Q. Thank you, Mr Witness. Mr Witness, normally at Pademba
20 Road Prison, during the time that you were there, how many times
21 a day were you served with food by the prison authorities,
22 Mr Witness?

23 A. In the morning.

24 Q. In the morning, around what time, Mr Witness?

25 A. 8, 8.30. Tea and bread and, in the afternoon, rice.

26 Q. And am I right in saying that apart from the morning and
27 afternoon food you were not served any food at all by the prison
28 authorities; is that right?

29 A. The prison authorities, to give us other special food?

1 Except you had a privilege like Alabama, and Mr A and Mr B, they
2 had privilege. They had a special diet but, apart from that, you
3 would not have -- except you have a privilege.

4 Q. Okay. What special diet did they have, Mr Witness?

5 A. They had cocoa, milk, sugar, Marmite and egg.

6 Q. Thank you, Mr Witness. And, Mr Witness, you've also told
7 us about Mr A and Mr B bringing in food at different periods
8 during the time that you were there. And am I right in saying
9 that apart from the normal feeding hours, Mr A and B had the
10 privilege to eat and cook in the prison any time they wanted?

11 A. Yes. Exactly so.

12 Q. And, Mr Witness, I'm also right in saying that all other
13 prisoners, in Pademba Road Prison at the time, did not have these
14 privileges; is that right?

15 A. Yes.

16 Q. Thank you, Mr Witness. And, Mr Witness, I'm going to ask
17 you briefly about visiting hours. During the time that you were
18 in Pademba Road Prison, you had special designated hours for
19 visitors, isn't it?

20 A. Yes.

21 Q. And that you could only receive your visitors during these
22 special hours, isn't it?

23 A. Yes.

24 Q. And that -- was Mr A and Mr B, did they receive any
25 visitors outside the normal designated visiting hours by the
26 prison authorities?

27 A. Yes.

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

29 A. Because we were in the same block. When somebody came to

1 you, almost everybody in the prison would know that somebody had
2 come to you and these men, every day they used to have visitors.
3 I was with them.

4 Q. Okay. Thank you, Mr Witness. And, Mr Witness, once again
5 I'm right in saying that this reception of visitors, at these
6 times by Mr A and Mr B, was not enjoyed by the other prisoners in
7 the prison at the time; is that right?

8 A. Yes.

9 Q. Thank you, Mr Witness. And, Mr Witness, I'm going to ask
10 you also, in Pademba Road Prison when, on a typical day, when are
11 you allowed out of your cells in the morning? At what time?

12 A. 7.45 to 8.

13 Q. Thank you. And at what time are you locked up in your
14 cells for the night?

15 A. Six.

16 Q. And after all the prisoners are locked -- 6 what? 6 in the
17 evening? 6 p.m.?

18 A. 6 p.m.

19 Q. Thank you, Mr Witness. And, Mr Witness, am I right in
20 saying that once the prisoners are locked up around 6 p.m. you
21 are not allowed to get out again until the following morning?

22 A. Yes.

23 Q. And, Mr Witness, during this period, do you know whether
24 Mr A and Mr B were also locked up around 6 o'clock when all other
25 prisoners were being locked up at Pademba Road Prison,
26 Mr Witness?

27 A. No. They did not lock them up. They were outside. All of
28 them who had that programme to come to this Court were all
29 outside till late hours. When we were inside they were around

1 the corridors.

2 Q. And would they be doing anything when they were outside in
3 the corridors, as you've told this Court?

4 A. Yes. They used to smoke marijuana, drinking Pega. Moving
5 up and down, singing, making noise to people. Playing draught.
6 Playing draught and Ludo.

7 Q. And normally, would you be able to tell this Court how long
8 they were allowed to stay up after others were locked up at 6?

9 A. They were there up to 9 o'clock, 9.30.

10 THE INTERPRETER: Your Honour, the interpreter did not hear
11 the last part of the witness's testimony. He was mumbling.

12 MR GRAHAM:

13 Q. Mr Witness, please, for the convenience of the Court, speak
14 a little bit more audibly into the mic and the interpreter did
15 not hear the last part of your answer. My question was that
16 normally, how long? Yes, please go ahead.

17 A. I said they used to pass, to move up and down from 6 up to
18 that time.

19 Q. Up to what time?

20 A. Till 9 o'clock. At times 9.30.

21 Q. Is that in the evening or in the morning?

22 A. In the night. In the evening.

23 Q. Thank you, Mr Witness.

24 A. 9.30 p.m.

25 Q. Thank you, Mr Witness. Mr Witness, I'm going to ask you
26 just the last few questions on the prison issues. During the
27 time that you were there, you had designated hours for, were you
28 allowed to visit outside during the time that you were there?

29 A. No.

1 Q. And during the period that you were there, did you observe
2 Mr A and B enjoying any special privileges in respect of their
3 house-going, outside the prison?

4 A. Yes. They were enjoying special facilities.

5 Q. Please tell us how do you know that they were enjoying
6 special facilities in respect of outside visits? Going out of
7 the prison, I mean?

8 A. When they were going out they would say, "Today I had an
9 affair with a woman. I and my wife had spent time in that guest
10 house. I went to my relative. I enjoyed. I went to a
11 restaurant. I went to a hotel." When they returned, those were
12 the things that, information that they used to tell us. That was
13 what they used to tell me.

14 Q. And did they tell you where this guest house was?

15 A. Well, I cannot recall the name of the guest house.

16 Q. Thank you, Mr Witness.

17 A. But they really used to tell me.

18 Q. And Mr Witness did they also used to tell you who took them
19 to all these places, to the restaurant and to the guest house,
20 the places you've told this Court?

21 A. Yes. They said it was the Special Court people who came
22 and took them, that was the Prosecution. Where they were the
23 ones that took them there.

24 Q. Thank you, Mr Witness. And, Mr Witness, do you know when
25 Mr B was released from Pademba Road Prison?

26 A. Well, I was there when he was released, but I could not
27 remember -- I think it was 2004 and 2005 but I came out this
28 2005, yes.

29 Q. Thank you, Mr Witness. And, Mr Witness, do you know why he

1 was released?

2 A. Well, he was boasting that he was going to talk and then
3 they would release him. He was boasting. He said it was for his
4 for them that he was going to be released, so I believe it
5 because of that they wanted to come and talk here. That was why
6 he was released.

7 Q. And [redacted], too, was boasting at the time, wasn't he?
8 Sorry, Mr A. Sorry, Your Honours. Mr A was also boasting at the
9 time, wasn't he?

10 A. Yes.

11 Q. Can you tell this Court what Mr A used to say, when he was
12 boasting during this period?

13 A. Well, he was boasting that it was for themselves that they
14 were going to release their companions. He was boasting, telling
15 me that since I don't want to be free, then they are going to
16 release them. So I -- he said since I want to suffer, he was
17 coming to come out of prison. He had no child.

18 Q. Okay. Mr Witness, you just told this Court that he was
19 boasting that it was for him that his companions were going to be
20 released. Which companions was he referring to?

21 A. They were 60 in number that were under safe custody. But
22 they went and convinced some of them, so as for them to come and
23 talk here. But they only had three of them, yes. They were
24 trying to even convince Foday Bah, but they were unable to get
25 him, Foday Bah Marah.

26 Q. And Foday Bah Marah, is his other name Bulldoze? Is he
27 also known as Bulldoze?

28 A. Yes, yes, but he did not agree that time, although he --

29 Q. Although he what, Mr Witness? Can you complete your

1 statement?

2 A. He was given confidence that if he came out, he would be
3 with them. Yes. But he said when he was there, he was unable to
4 say anything.

5 Q. Thank you, Mr Witness. And, Mr Witness, during this time
6 that you were there with them, was the first accused, do you know
7 whether the first accused, Tamba Brima, was also in the Pademba
8 Road Prison at the time?

9 A. Yes. They took him there.

10 Q. And during this period, do you know whether the second
11 accused was also in Pademba Road Prison at the time, Mr Witness?

12 A. Yes.

13 Q. And did you, during this same period, know whether the
14 third accused, Santigie Borbor Kanu was also in Pademba Road
15 Prison at the time?

16 A. Yes.

17 Q. And --

18 JUDGE SEBUTINDE: What kind of answers are these?

19 MR GRAHAM: Yes, I was about to --

20 Q. Mr Witness, please clarify.

21 JUDGE DOHERTY: Mr Graham, when you say "at the time,"
22 could you be a little more specific as to what time you mean.

23 MR GRAHAM: Grateful.

24 Q. And, Mr Witness, do you remember which year this was, that
25 you were there, together with the first, second and third
26 accused, in Pademba Road Prison; do you remember which year?

27 A. Well, just after they were brought -- before they were
28 brought at the Special Court they took them to the prison.

29 Q. But my question is the year. If you don't remember?

1 A. 2003. 2003.

2 Q. Thank you, Mr Witness. And, Mr Witness, do you know
3 whether they were also contacted by these Special Court people,
4 the people whom you describe as the Prosecution from the Special
5 Court? Do you know whether they would contact the first accused,
6 Tamba Brima, was contacted by the Prosecution?

7 A. Well, I do not know about that.

8 Q. Thank you. Mr Witness, you have told this Court that you
9 were part of the fighting forces that arrived in Freetown, in
10 January of 1999. There is evidence before this Court that the
11 Pademba Road Prison was broken into during the Freetown attack.
12 Were you part of the fighting forces that broke into Pademba Road
13 Prison, in January of 1999, Mr Witness?

14 A. No.

15 PRESIDING JUDGE: Is this the time that he had six bullet
16 wounds?

17 MR GRAHAM: Yes, Your Honours. His evidence was that he
18 has six bullet wounds but he had a vehicle in which he could move
19 around any time he wanted.

20 Q. And, Mr Witness, but did you get to hear, during that time
21 that Pademba Road Prison had been broken into? Did you hear
22 that?

23 A. I heard, but I did not go there.

24 Q. From whom did you hear that?

25 A. Well, over hundreds of people, everybody came and said that
26 place had been broken into and during that time the population
27 was thrice than ours.

28 Q. Mr Witness, before I go on, did you get to hear the names
29 of those who were responsible for the break-in of the Pademba

1 Road Prison?

2 A. The people who broke into the prison?

3 Q. Yes, Mr Witness.

4 A. Well, I heard that it was Pikin who broke into the prison.

5 Q. Did you get to hear that the first accused, Tamba Brima,
6 was the one who ordered and commandeered the break-in into
7 Pademba Road Prison? Did you hear that during the time you were
8 in Freetown?

9 A. The man did not come. How would I have heard about it?

10 Q. Mr Witness, I'm going to go onto ask you that, did you get
11 to hear that some detained SLA soldiers had been released from
12 the Pademba Road Prison as a result of the break-out? "Yes" or
13 "no"?

14 A. Yes, yes.

15 Q. Thank you, Mr Witness. And, Mr Witness, did you get to
16 hear the number of detained SLA soldiers that were released from
17 Pademba Road Prison during the break-in?

18 A. Yes.

19 Q. Please tell the Court.

20 A. 3,000 SLA.

21 Q. Thank you, Mr Witness. And, Mr Witness, are you aware of
22 the strength, the manpower, of the fighting forces that entered
23 Freetown, that invaded Freetown, in January of 1999? The
24 strength? The numbers?

25 A. 900.

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

27 A. Well, I knew about that because the --

28 THE INTERPRETER: Your Honour, the witness has used a term
29 that the interpreter did not hear well.

1 MR GRAHAM:

2 Q. Mr Witness, please speak a little bit loudly and clearly so
3 the interpreters can hear you and interpret your testimony for
4 the Court, please. And please go over your --

5 A. Okay.

6 Q. -- my question was simply that: How did you know that the
7 strength of the fighting forces was 900?

8 A. Well, the nominal roll, I used to look at it. The entire
9 nominal roll I used to look at it and I would know that we would
10 have so-and-so number, which was about 900 and everybody's
11 name --

12 Q. Thank you, Mr Witness. Thank you. And, Mr Witness, you
13 will agree with me, based on what you told the Court that the
14 number of released SLA soldiers from Pademba Road Prison was
15 three times the size of the fighting forces that entered Freetown
16 in January of 1999?

17 A. Yes. They were many. They were many. They were more than
18 our own number.

19 Q. Okay, Mr Witness. And, Mr Witness, did you yourself get to
20 hear whether the 3,000 or so soldiers that were released from
21 Pademba Road Prison, did you hear that they conducted any
22 killings of innocent civilians in Freetown, after they were
23 released?

24 A. Yes. I heard a boy who told me that the soldiers who came
25 from the Pademba Road said they were going to revenge, they were
26 going to do bad things. Those who caused their arrest, some of
27 those people who took them to prison, they will put revenge on
28 them.

29 Q. Yes. Thank you. And, Mr Witness. Apart from the

1 killings, did you hear whether these released soldiers from
2 Pademba Road engaged in any looting and burning of houses in
3 Freetown?

4 A. Yes, I heard about that.

5 Q. How did you hear about that, Mr Witness?

6 A. As I was seeing the smoke, when the houses were burning, I
7 asked. They said it was the soldiers who came from Pademba Road
8 and the jet, the bomb, it was dropping from Lungi, were burning
9 houses, so those soldiers who came from Pademba Road --

10 Q. Go ahead, Mr Witness.

11 A. I said those soldiers who came from Pademba Road were the
12 ones who caused a lot of problems, which even --

13 Q. Go on.

14 A. Many fell under disciplinary action.

15 Q. And, Mr Witness, if you say they fell under disciplinary
16 action what do you mean by that? Please briefly tell this Court,
17 just briefly?

18 A. Well, when I talk about disciplinary action, if you
19 committed a type of crime, according to SAJ, if you killed an
20 innocent civilian, you cut your hand, a hand, or you burn the
21 house of somebody you should be shot on sight, if you are caught
22 there. If -- when I talk about disciplinary action there are
23 people that are in charge of that. When I said many of the
24 surrendered soldiers lost their lives as a result of that.

25 Q. And, Mr Witness, who was in charge of -- who meted out this
26 discipline to these soldiers who were doing bad things in
27 Freetown at the time?

28 A. Well, the commanders were many, like NPFL was one. Pikin,
29 who was Abubakar Conteh was another one, Ashim was another one.

1 Yes.

2 Q. So, Mr Witness, am I right in saying that the -- it was
3 very difficult for the fighting forces to control the prisoners,
4 the ex -- the soldiers that were released from Pademba Road
5 Prison; is that right?

6 A. They were difficult to be brought under control because
7 they were many. It was difficult to put them under control
8 because they were scattered about. They were here and there, you
9 know. Because it was in Freetown that I saw a different style.
10 When we were coming we were not burning houses, we were not
11 committing crimes. Except in Freetown, when Pademba Road was
12 broke into, and prisoners came out, I began to see prisoners
13 doing things, and that did not auger well, to me.

14 Q. These released soldiers, they committed amputations on
15 civilians in Freetown, didn't they?

16 A. Well, I -- I never saw a hand being cut in my presence. I
17 never saw somebody had been cut in my presence but I believe that
18 many things that happened --

19 Q. But did you hear that they conducted amputations of
20 civilians in Freetown? Did you hear that? You just told us you
21 didn't see that but did you hear about that? "Yes" or "no",
22 Mr Witness?

23 A. When we were in Freetown, I did not hear about that. It
24 was later when we had returned that I heard about the atrocities
25 that took place in Freetown. As I told you, I only used to move
26 once in a while.

27 Q. Thank you, Mr Witness. And, Mr Witness, it is fair for me
28 to say that because the number of soldiers that were released
29 from Pademba Road was three times the size of the fighting

1 forces, there was no way you could have controlled their conduct
2 all over Freetown; is that right?

3 A. Yes, there were many. There were more than three. Those
4 that were at stadium they were at a larger number. I don't know
5 their number, apart from the 3,000.

6 Q. Thank you, Mr Witness. And, Mr Witness, I was just going
7 to ask you: You just told us about the prisoners that were at
8 the stadium. What do you know about what you -- sorry, Your
9 Honours. Were there, apart from the Pademba Road Prison, there
10 were also soldiers retained at the stadium, isn't it?

11 A. Yes, there were soldiers at the stadium.

12 Q. And these detained soldiers were under the control of
13 ECOMOG, isn't it, Mr Witness?

14 A. Yes, they were under ECOMOG control.

15 Q. And, Mr Witness, did you get to know approximately how many
16 soldiers, SLA soldiers, were being detained at the stadium under
17 the control of ECOMOG?

18 A. Well, I heard Pademba Road, 3,000 were at stadium.
19 Pademba Road is about 3,000 with other prisoners. At stadium
20 there were about 1,000.

21 Q. Thank you, Mr Witness. And this 1,000 SLA soldiers who
22 were detained at the stadium, do you know -- they were released
23 by the fighting forces, weren't they?

24 A. Yes.

25 Q. And when they were released they also posed the same
26 control problems that were posed by those who were released from
27 Pademba Road Prison, isn't it?

28 A. Yes. Because, you know, they were disgruntled and
29 especially the armed robbers that was among them, those that were

1 at Pademba Road, they were disgruntled. They had criminals that
2 have committed, and some of them they are condemned men, so most
3 of them were disgruntled.

4 Q. Thank you, Mr Witness.

5 JUDGE SEBUTINDE: Are we talking about the prisoners at
6 Pademba Road? I think that is what I heard.

7 MR GRAHAM: Yes, Your Honours. He was referring to the
8 prisoners, criminals who were released together with the
9 soldiers.

10 JUDGE SEBUTINDE: Yes, but I think your last question
11 referred to prisoners released, SLAs released from the national
12 stadium.

13 MR GRAHAM: That's right.

14 JUDGE SEBUTINDE: But his answer related to some
15 personalities at Pademba Road.

16 MR GRAHAM: Yes. Thank you.

17 Q. Mr Witness, please focus on the questions as they come
18 through to you. Did you -- just a second, Your Honours. And,
19 Mr Witness, the soldiers that were released from the stadium, did
20 the fighting forces have to discipline them, like the way they
21 did to those who were released from the Pademba Road Prison?

22 A. Well, they were mixed. You would not be able to know those
23 that came out from the stadium and those from the Pademba Road
24 Prison. They were all together.

25 Q. Thank you. And do you know whether they were all released
26 on the same day, weren't they? That is the SLA --

27 A. Yes.

28 Q. And, Mr Witness, I'm going to move on. During the time you
29 were being led by my learned friend, Mr Fofanah, he asked you

1 where you were in May of 1997, when you heard about the coup, and
2 I believe your response was that you were at the RDF, at the RDF.
3 Where was the RDF at the time, in May of 1997?

4 A. Sumbuya.

5 Q. Your Honours, Sumbuya is spelt S-U-M-B-U-Y-A. Sumbuya.

6 And, Mr Witness, where is Sumbuya?

7 A. 32 miles, 33 miles, 32 miles from Freetown. Towards
8 Masiaka Highway.

9 Q. And what did the RDF, I mean, what were you doing -- sorry,
10 Your Honours. What did the RDF used to do at the time, in May of
11 1997?

12 A. RDF was fighting against RUF because I was an SLA. We were
13 fighting against the RUF. Anywhere the RUF were, we would go and
14 attack.

15 Q. And so during that time it is your testimony that you were
16 a member of the RDF at -- during the period of May 1997?

17 PRESIDING JUDGE: He has already testified to that. There
18 is no doubt about his testimony on that, Mr Graham.

19 MR GRAHAM: Thank you.

20 Q. Mr Witness, I'm going to move on to Kabala. You've told
21 this Court that you were in Kabala. Did you see the first
22 accused, Tamba Brima, at Kabala?

23 A. No.

24 Q. You also told us about the Dankawallie attack. Was the
25 first accused, Tamba Brima, part of that attack?

26 A. No.

27 Q. Mr Witness, you also told this Court that you were at
28 Kurubonla and, during this period, did you see the first accused,
29 Tamba Brima, at Kurubonla?

1 A. No, he's never been there.

2 Q. Thank you, Mr Witness. And, Mr Witness, you've also told
3 this court about Tumaniya where SAJ Musa formed three battalions.
4 Did you see the first accused, Tamba Brima, at Tumaniya? "Yes"
5 or "no"?

6 A. No.

7 Q. Did anyone tell you that they had seen the first accused,
8 Tamba Brima, at Tumaniya?

9 A. No.

10 Q. Mr Witness, I'm going to take you to Bafodia. You told
11 this Court you were in Bafodia for three days. During the period
12 that you were in Bafodia did you see the first accused, Tamba
13 Brima; "yes" or "no", Mr Witness?

14 A. No.

15 Q. Did anyone tell you during that period that they had seen
16 Tamba Brima, the first excused?

17 A. No. No.

18 Q. Thank you.

19 A. No.

20 Q. Mr Witness, you also have told us about your presence at
21 Kamakwei in Laminaya, where Father Mario was contacted by the
22 fighting forces. During this period was the first accused, Tamba
23 Brima, with you?

24 A. No.

25 Q. Did any of the fighting forces -- did anyone tell you that
26 they had seen Tamba Brima around during that time?

27 A. No.

28 Q. Thank you, Mr Witness. Mr Witness, you also told us about
29 the Lunsar attack where ECOMOG was dislodged. Did you, at the

1 time, was the first accused, Tamba Brima, part of the attack on

2 Lunsar?

3 A. No.

4 Q. Did he command or did he order anyone to attack Lunsar?

5 A. No.

6 Q. You also told us about the Sumbuya attack. Was the first
7 accused, Tamba Brima, part of the Sumbuya attack?

8 A. No.

9 Q. Did he order, or command, any of the fighting forces to
10 conduct the Sumbuya attack?

11 A. No.

12 Q. You also told us about the Mile 38 attack. Did the first
13 accused, Tamba Brima, order or command any fighting forces for
14 the Mile 38 attack?

15 A. The man was under arrest. How could he go and command an
16 attack?

17 Q. Thank you, Mr Witness. Mr Witness, I'm going to ask you at
18 Benguema. After the death of SAJ Musa, is it true that the first
19 accused, Tamba Brima, took over overall command of the fighting
20 forces?

21 A. No.

22 Q. Thank you, Mr Witness. And, Mr Witness, did you ever hear
23 that during the -- after the death of SAJ Musa the first accused,
24 Tamba Brima, was seen wearing the military uniforms of SAJ Musa?

25 A. It's a lie.

26 Q. Thank you, Mr Witness. Mr Witness, I'm going to ask you a
27 few questions on Colonel Eddie Town and then I will be done.

28 Mr Witness, we have expert evidence before this Court about the
29 command structure that was set up by SAJ Musa at Colonel Eddie

1 Town, and that during that period you were listed as being the
2 RDF commander; is that true?

3 A. Yes.

4 Q. And who appointed you as the RDF commander?

5 A. SAJ Musa.

6 Q. And is it true that during this period that you were
7 appointed as RDF commander, the third accused in this case,
8 Santigie Borbor Kanu, was also appointed by SAJ Musa as the
9 battalion supervisor for the 1st Battalion; is that true?

10 A. That's a big lie.

11 Q. Why do you say it is a big lie, Mr Witness?

12 A. Because there was no military supervisor at that battalion.

13 Q. I said battalion supervisor, was appointed battalion
14 supervisor?

15 A. That's what I'm saying. There was no supervisor over
16 battalion. It was a lie. There was no overall supervisor or an
17 adviser. Only battalion commander and 2IC adjutant operation
18 commander and company commander.

19 Q. So I'm right in saying that any information to this Court
20 which -- sorry, Your Honours. What about Abdul Sesay, was he --
21 is it true that he was appointed the battalion supervisor for the
22 2nd Battalion by SAJ Musa? "Yes" or "no", Mr Witness?

23 A. No.

24 Q. Lieutenant-colonel Gold Teeth, is it true that SAJ Musa
25 pointed him as the battalion supervisor for the 3rd Battalion?

26 A. No.

27 Q. Lieutenant-colonel Adamu, also known as Chicken Soup, is it
28 true that at Colonel Eddie Town SAJ Musa appointed him as the
29 battalion supervisor for the 4th Battalion, Mr Witness?

1 A. No.

2 Q. And Lieutenant-colonel Rhino, is it true, Mr Witness, that
3 at Colonel Eddie Town, SAJ Musa appointed Lieutenant-colonel
4 Rhino as the battalion supervisor for the 5th Battalion?

5 A. That's a big lie.

6 Q. Did he also -- is it also true that Colonel Hassan Papa
7 Bangura, also known as Bomb Blast, was appointed as the RDF
8 battalion supervisor by SAJ Musa; is that true, Mr Witness?
9 "Yes" or "no"?

10 A. As I said, the battalions, they don't have supervisor.
11 They hadn't a supervisor.

12 Q. Thank you. But was there a 5th Battalion -- did SAJ Musa
13 set up a 5th Battalion at all at Colonel Eddie Town, Mr Witness?

14 A. I couldn't recall.

15 Q. And, Mr Witness, is it true that during this period, SAJ
16 Musa appointed one Major Lagah, spelt L-A-G-A-H, as artillery
17 commander?

18 A. Major Laga? He was not an artillery commander. He was
19 only ordinary mortar fire.

20 Q. How do you know that?

21 A. Well, the man was with me. I used to use him, so I knew
22 that.

23 Q. Thank you. And Lieutenant-colonel Foday Bah, also known as
24 Bulldoze, is it true that SAJ Musa appointed him as the commander
25 of the 2nd Battalion at Colonel Eddie Town?

26 A. Foday Bah?

27 Q. Sorry, Your Honour, as commander of the 6th Battalion at
28 Colonel Eddie Town; 6th Battalion?

29 A. No. Foday Bah, he was leading the B Company. And it was a

1 B Company that continued.

2 Q. But was there a 6th Battalion? Did SAJ Musa set up a 6th
3 Battalion at all at Colonel Eddie Town?

4 A. No, I couldn't remember. I don't recall.

5 Q. Thank you, Mr Witness. And Lieutenant Colonel Kido, is it
6 Kido spelt K-I-D-O, is it?

7 A. Yes, yes.

8 Q. Is it true that SAJ Musa appointed him as the commander of
9 the 4th Battalion at Colonel Eddie Town?

10 A. No.

11 Q. Thank you, Mr Witness. Mr Witness, why do you say no? And
12 very briefly, please.

13 A. Kido was not a battalion commander. He was not battalion.
14 He was not battalion commander at Eddie Town.

15 Q. Thank you. And Lieutenant-colonel Tito, is it true that
16 SAJ Musa appointed him as the commander of the 1st Battalion at
17 Colonel Eddie Town, Mr Witness?

18 A. I knew of A Company. A Company.

19 Q. Thank you. What about Major Osman Sesay? Is it true that
20 SAJ Musa appointed him as the commander of the 3rd Battalion at
21 Colonel Eddie Town?

22 A. This is a lie.

23 Q. And what about Lieutenant-colonel Saidu, Your Honours,
24 Saidu is spelt S-A-I-D-U, Lieutenant-colonel Saidu Kambolai,
25 spelt K-A-M-B-O-L-A-I, also known as Basky, B-A-S-K-Y, is it true
26 that Basky was appointed as the commander of the 5th Battalion by
27 SAJ Musa?

28 A. I couldn't recall.

29 Q. Thank you. And Lieutenant-colonel Foyoh, spelt F-O-Y-O-H,

1 also known as Cambodia, Mr Witness, is it true that at Colonel
2 Eddie Town SAJ Musa appointed Cambodia as deputy operations
3 commander?

4 A. It's a lie.

5 Q. Thank you. Mr Witness, is it also true that at
6 Colonel Eddie, and please, I want you to answer "yes" or "no"
7 without any further explanations, is it true that SAJ Musa
8 appointed the third accused in this case, Santigie Borbor Kanu,
9 as the chief of staff at Colonel Eddie Town? "Yes" or "no",
10 Mr Witness?

11 A. No.

12 Q. Thank you. And Lieutenant-colonel Eddie, is it true that
13 SAJ Musa appointed him as the brigade commander at
14 Colonel Eddie Town, and, yes, go ahead.

15 A. No.

16 Q. Lieutenant-colonel Charles, do you know one
17 Lieutenant-colonel Charles?

18 A. Yes.

19 Q. How do you know him?

20 A. I knew he was at the movement.

21 Q. And is it true that SAJ Musa appointed him as brigade
22 adjutant at Colonel Eddie Town?

23 A. No, no.

24 Q. Lieutenant-colonel FAT Sesay, is it true that SAJ Musa
25 appointed him as the brigade administrator at Colonel Eddie Town?

26 A. No.

27 Q. Lieutenant-colonel Konjoh, Your Honours is spelt
28 K-O-N-J-O-H, Mr Witness, do you know Lieutenant-colonel Konjoh?

29 A. Yes. He's dead now. He's a late man.

1 Q. How did you know him then?

2 A. He was an SLA soldier, and he used to come to my house, so
3 I knew him.

4 Q. Was he -- did you see him at Colonel Eddie Town?

5 A. Yes.

6 Q. Is it true that SAJ Musa appointed him battlefield
7 inspector at Colonel Eddie Town?

8 A. No, I couldn't recall.

9 Q. Do you know Lieutenant-colonel Ibrahim, also known as Road
10 Block?

11 A. Yes.

12 Q. How do you know him? Was he part of the movement?

13 A. Yes.

14 Q. Was he at Colonel Eddie Town?

15 A. Yes.

16 Q. Mr Witness, is it true that SAJ Musa appointed him as
17 brigade task force commander at Colonel Eddie Town?

18 A. No.

19 Q. Lieutenant-colonel Akim, do you know him?

20 A. Yes.

21 Q. Was he part -- was he at Colonel Eddie Town?

22 A. Yes.

23 Q. Is it true that at Colonel Eddie Town SAJ Musa appointed
24 Lieutenant-colonel King as provost marshall of the military
25 police?

26 A. Yes. King, MP provost marshall.

27 Q. Is that a yes, it is true he was appointed; is that your
28 evidence?

29 A. Yes. King, he was an MP but MP commander. He was not

1 provost marshall.

2 Q. Thank you. And Lieutenant-colonel Eddie, was he appointed
3 as brigade commander by SAJ Musa?

4 PRESIDING JUDGE: You've asked that already.

5 MR GRAHAM: Okay, Your Honours. I'm sorry.

6 Q. And, Mr Witness, do you know one Colonel Coach Bomo, spelt
7 B-O-M-O?

8 A. Yes.

9 Q. Was he at Colonel Eddie Town?

10 A. Yes.

11 Q. Is it true that SAJ Musa appointed him as the political
12 adviser to the movement?

13 A. I couldn't recall.

14 Q. Thank you, Mr Witness. Mr Witness, I'm also going to --
15 Your Honours, just a second. Mr Witness, before I go on, is it
16 true that during the time that the fighting forces were in
17 Freetown it was part of the military strategy of the fighting
18 forces to burn houses every 100 metres or so, in order to
19 indicate the progress or the position of the other groups; is
20 that true?

21 A. I didn't know about that.

22 Q. Your Honours, one last question. And, Mr Witness, after
23 the death of SAJ Musa at Benguema, did the first accused, Tamba
24 Brima, appoint or promote you to any command position among the
25 fighting forces?

26 A. No.

27 MR GRAHAM: Your Honours, I don't have any further
28 questions for the witness and I'm grateful for the time.

29 PRESIDING JUDGE: Thank you, Mr Graham. Yes, Mr Agha.

1 MR AGHA: Yes, Your Honours. There are two issues. The
2 first issue I would like to raise is something which I probably
3 missed at the resumption, when we came back when the microphones
4 was fixed, and that was where my learned friend, Mr Graham, was
5 explaining about A and B and who their identities were, and the
6 witness repeated who A and B's identities were. So I would like
7 to request this Court humbly that that part of his evidence, just
8 after the resumption, be redacted or be put under closed
9 transcript certainly, so that it's not open to the public.

10 PRESIDING JUDGE: That's just the explanation of who Mr A
11 and Mr B were.

12 MR AGHA: Yes. And when Mr Graham said who they were, and
13 the witness said A was so-and-so and B was so-and-so. Just that
14 small portion.

15 PRESIDING JUDGE: Yes. We are not convinced that it would
16 serve any useful purpose, Mr Agha, because those two witnesses
17 were named freely yesterday in the evidence but, if you feel it
18 will be of any effect at all, we will certainly consider the
19 application. What does the Defence say?

20 MR GRAHAM: Your Honours, we don't have any objections to
21 that. We leave it to the superior wisdom of the Court.

22 PRESIDING JUDGE: All right. You press your application,
23 do you, Mr Agha?

24 MR AGHA: Yes, by way of abundant caution.

25 PRESIDING JUDGE: All right. Well, there's a passage in
26 the transcript at the beginning of today's session in which two
27 witnesses are given initials instead of names. There is Mr A and
28 Mr B. That part of the transcript that refers to their full
29 names is to be redacted. Yes.

1 MR AGHA: Thank you, Your Honour, I am grateful for that.
2 The second matter is the Prosecution would like to move an
3 application to adjourn the cross-examination of this witness; the
4 reason being is that the Prosecution, on 29 September, received a
5 summary in respect of this witness. But it was only up to his
6 evidence as when he reached Colonel Eddie Town. The Prosecution
7 then received the balance of the summary of his evidence from
8 Colonel Eddie Town onwards on 6 October, which was five days ago.
9 Now, usually, under the 21-day rule, the Prosecution would be
10 seeking an adjournment until 18 October. However, in this case,
11 since the Prosecution only received the second part of the
12 summary five days ago, we would ask for an extra seven or eight
13 days, so that we would request an adjournment until Thursday, 26
14 October.

15 PRESIDING JUDGE: What does the Defence say about that?

16 MR GRAHAM: Your Honours, we don't have any objections to
17 the submissions of my learned friend Mr Agha.

18 PRESIDING JUDGE: Well, that application is not opposed and
19 we grant it, Mr Agha.

20 MR AGHA: Thank you, Your Honour.

21 PRESIDING JUDGE: We will adjourn it until -- the rest of
22 this witness's testimony -- until Thursday, 26 October.

23 Mr Witness, we are going to have to ask you to come back to
24 Court to finish your testimony on Thursday, 26 October. In the
25 meantime, between now and then, we renew our caution to you that
26 you are not permitted to discuss this case, or your evidence,
27 with any other person; is that clear?

28 THE WITNESS: Yes.

29 PRESIDING JUDGE: All right. Thank you. We will take the

1 normal morning adjournment now and resume at 5 past 11.

2 [Break taken at 10.45 a.m.]

3 [Upon resuming at 11.09 a.m.]

4 PRESIDING JUDGE: What's the pseudonym for this witness,
5 Mr Daniels?

6 MR DANIELS: The pseudonym, respectfully, Your Honours, is
7 DBK-126. And the witness will be testifying in the Krio
8 language.

9 WITNESS: DBK-126 [Sworn]

10 [The witness answered through interpreter]

11 EXAMINED BY MR DANIELS:

12 Q. Good morning, Madam Witness.

13 A. Good morning to you.

14 Q. Madam Witness, I shall be asking you a few questions and,
15 after that, my colleagues to my left side shall ask you a few
16 questions and my colleagues to the right will also ask you some
17 questions. I would be grateful if you could answer the questions
18 that I ask you and speak slowly because what you say will be
19 translated; do you understand?

20 A. Yes.

21 Q. Thank you.

22 A. No problem.

23 Q. Madam Witness, you are about 30 years of age at the moment?

24 A. Yes.

25 Q. You live in Freetown?

26 A. Yes.

27 Q. At the moment you are a single mother?

28 A. Yes.

29 Q. With a seven year old son?

1 A. Yes.

2 Q. You can read and write?

3 A. Yes.

4 Q. And you speak Krio and Temne?

5 A. Yes.

6 Q. Thank you. Now, Madam Witness, before I go on, I have to

7 ask of you whether you know the second accused in this matter,

8 Ibrahim Kamara; do you know him?

9 A. Yes, yes. I knew him.

10 Q. For how long have you known him?

11 A. Well, I knew him 1998.

12 Q. Do you know him well?

13 A. Yes.

14 Q. And do you know why you are here today?

15 A. Yes.

16 Q. And why are you here?

17 A. I'm here for me to talk what I know what happened during

18 the war, the time I was captured.

19 Q. Thank you very much. I want you to take your mind back to

20 13 May 1997. I beg your pardon, 25 May 1997. 25 May 1997.

21 Where were you in 1997, May?

22 A. I was in Freetown [redacted]. In my mother's house.

23 Q. Do you recall anything happening in Freetown on 25 May?

24 JUDGE SEBUTINDE: Mr Daniels, are you not concerned about

25 this address at all?

26 MR DANIELS: Very well.

27 Q. Madam Witness, we are all concerned about your

28 identification. We do not want it to be revealed to the public,

29 so, with respect to information which will identify you, please

1 do not say it over or into the microphone.

2 A. Okay.

3 Q. If I need you to say something, you can write it down so
4 that we can protect your identity; do you understand that?

5 A. Okay. Yes, yes.

6 MR DANIELS: In the circumstances, Your Honour, I would be
7 grateful if the address revealed by the witness be redacted from
8 the record.

9 PRESIDING JUDGE: Madam Witness, will that address reveal
10 your identity, the address you just gave?

11 THE WITNESS: Like what?

12 PRESIDING JUDGE: That's what I'm just asking you. You
13 just gave an address to the Court and I'm asking you: Will that
14 reveal your identity or not?

15 THE WITNESS: No, no, no.

16 MR DANIELS: I will try again.

17 Q. Madam Witness, what we are saying is: Do people know that
18 you stay at the address you've just given?

19 PRESIDING JUDGE: Just a minute, that's why I'm asking, Mr
20 Daniels. She did not say that's a current address. Go ahead.

21 MR DANIELS:

22 Q. Do people know that address to be your mother's address?

23 PRESIDING JUDGE: That is if it still is.

24 THE WITNESS: Yes, people know.

25 MR DANIELS:

26 Q. Is it still your mother's address?

27 A. That is my mother's address because my mother is the owner
28 of the house.

29 PRESIDING JUDGE: All right. The address given by this

1 witness will be redacted from the transcript.

2 MR DANIELS: I'm most grateful, Your Honour.

3 Q. Madam Witness, I will start again. Do you remember
4 anything happening in Freetown, on 25 May 1997?

5 A. Yes.

6 Q. What do you recall?

7 A. I was conscious that evening. We heard, I heard an
8 announcement on the radio saying that we've got a new leader by
9 the name of Johnny Paul Koroma.

10 Q. How -- how did you hear this information?

11 A. Through the radio.

12 Q. And do you know who made Johnny Paul Koroma the new leader?

13 A. No.

14 Q. Do you know who was the old leader?

15 A. Yes.

16 Q. And who was the old leader?

17 A. It was Ahmad Tejan Kabbah.

18 Q. Did you do anything after that?

19 A. Well, when this civil war came I was in Freetown. I didn't
20 do anything. I was an innocent civilian, and I don't have any
21 idea. I don't know anything.

22 Q. Did you get to hear that the second accused, Ibrahim
23 Kamara, was responsible for putting the new leader into power?

24 A. I don't have any idea about this. I don't -- I don't know
25 anything about that. All I knew was Johnny Paul Koroma was the
26 leader.

27 Q. Did you eventually get to hear who were some of the other
28 leaders?

29 A. I have no idea.

1 Q. Thank you. Madam Witness, where were you in February 1998?

2 A. Well, when the rebels came, jets was around bombing people.

3 People died. The incidents that made me to leave Freetown, I

4 went to Kono. One day, two streets between our streets, the jets

5 came and bombed and people died.

6 Q. Please. My question was where were you in February 1998?

7 A. February 1998 I was in Kono.

8 Q. What were you doing in Kono, in February 1998?

9 A. I'm a hairdresser, so I run and went to Kono, to do hair.

10 Q. And why did you run to go to Kono?

11 A. I ran away because the jets was bombing around. People

12 were dying. People were running. They said intervention was

13 coming. So I said -- I saw that there were not a lot of people

14 in Freetown. I couldn't get money through, so I knew Kono had a

15 lot of population, so I decided to go there to continue my

16 hairdressing, to have more money.

17 Q. When exactly was it that you went to Kono?

18 A. I went to Kono in October 2007.

19 Q. And what do you mean by the jets? You went to Kono, what

20 year did you say?

21 PRESIDING JUDGE: She said October 2007.

22 MR DANIELS:

23 Q. Mr Witness, we are not yet in the year 2007. 2007 is next

24 year. So I want to ask again: When was it that you went to

25 Kono?

26 A. I forgot. 1997. October 1997.

27 Q. Thank you, Madam Witness. You mentioned some jets bombing

28 in Freetown -- some jets bombing which caused you leave. Just

29 very briefly, go over that, please?

1 A. Why I left Freetown and went to Kono, jets was bombing
2 around. Sometimes in the afternoon, just see a jets coming
3 around, dropping bombs on the houses, and why I finally left
4 Freetown, two streets between our street named Naimbana Street,
5 it bombed there and I went and I saw wherein skull all around,
6 and the fragment went to one of the men around. And, in fact, he
7 is, up to this time he is not normal. That was why I had to run
8 and went to Freetown. Then the other thing, people were packing,
9 and they were leaving Freetown.

10 Q. So you told us that --

11 THE INTERPRETER: Correction, interpreter. Kono, instead
12 of Freetown.

13 MR DANIELS: Thank you, Madam Interpreter.

14 Q. You also mentioned that you heard that the intervention was
15 coming. What did you mean by the intervention?

16 A. Well, because at one point some of the boys in our street,
17 we were discussing in our street. One of them said from the time
18 he was born, this was the time he had been starting -- he had
19 embargo and he started to make fun over it. He said over --
20 intervention meant government would take another troop. They
21 will invade and repel the AFRC men. So that they will come and
22 reinstate the government. So this -- I said this is what is
23 called intervention, so we were laughing over the issue.

24 Q. Now, I'm taking you back to February 1998. When you were
25 in Kono, in February 1998, did anything happen?

26 A. It was one morning, when we were sitting outside in Kono,
27 people were running around. They packed their belongings and
28 they left and most of them they left. They -- some other times
29 we will see people running. I can remember one morning, Sullay

1 Ajazy mobilise a convoy. They said they were going to collect
2 Kamajors. The Kamajors -- they said junta had left Kono.

3 Q. Madam Witness, how do you know that Sullay Ajazy was going
4 to collect Kamajors?

5 A. I was there and I went to Opera, where -- when the convoy
6 was leaving. A lot of civilians were there and they were
7 clapping.

8 Q. Which convoy was leaving?

9 A. Sullay Ajazy's vehicle, with some other podapodas that was
10 around, all of them left. But he was with some other civilians,
11 the youth in Kono. They were all -- they boarded the vehicle and
12 they left.

13 Q. Do you know where they left to?

14 A. Main Motor Road Kono, by Opera. Main Motor Road. That's
15 how they called that street by Opera. They called it Main Motor
16 Road. They took off from there.

17 Q. The question I asked you was: Where were they going to,
18 when they took off?

19 A. They went Jama Sewafe. They said there they would stay.
20 That was where the Kamajors were.

21 Q. Were they -- did the Kamajors eventually come to Kono?

22 A. Yes, they came.

23 Q. About how many of them came to Kono?

24 A. They were many. They came in a number but when they were
25 walking around they were walking by line, they walk by the
26 streets. The one would be in front. Then the next one would
27 come at behind them. So they were walking in a single file along
28 the streets.

29 Q. For how long did the Kamajors stay in Kono?

1 A. The Kamajors, they stayed for about a week.

2 Q. And during the stay of the Kamajors, in Kono, did anything
3 happen in Kono?

4 A. Yes.

5 Q. What happened?

6 A. What happened when the Kamajors came, one, when they came
7 they had guns. They had cutlasses. They were carrying
8 cutlasses, so when the civilians saw them they started grumbling.
9 They said now you brought these Kamajors, we thought they were
10 going to protect us. They hadn't anything that -- they only had
11 cutlasses. Then the Kamajors, they were telling us that we
12 should not wear any short dress. Their society is against that.
13 Woman shouldn't put on a short trousers. That then you should
14 not -- you should tie your head.

15 Q. Apart from telling you not to wear short skirts and to tie
16 your hair, did the Kamajors do anything in Kono?

17 A. Yes.

18 Q. What did they say?

19 A. Wherever soldier is, they will hacked him. I could still
20 remember, I was in Kono. I was at Gbonbor Street. When we left
21 Gbonbor Street --

22 Q. Madam Witness, I reminded you to speak slowly because what
23 you are saying is being interpreted. You were on what street?
24 What street at that time?

25 A. At Gbonbor Street, because of this laws.

26 Q. Hold on. Your Honours Gbonbor Street I will spell
27 phonetically, G-B-O-N-B-O-R Street. And where is Gbonbor Street?

28 A. Gbonbor Street is inside Koidu Town.

29 Q. So you were at Gbonbor Street and what happened?

1 A. I was -- I used to wear short trousers. I left Gbonbor
2 Street. I went to Hollywood. Hollywood. I was conscious. One
3 soldier, he was inside the house. He was on top of the roof and
4 the soldiers came and show where he was hiding and the Kamajor
5 brought him down and he was tied down. He was begging the
6 Kamajors not to -- for him to be killed in front of me. Then the
7 Kamajors said if it were you that, you, what were you going to do
8 with us but the soldier didn't say anything.

9 Q. Did anything happen to the soldier apart from being tied
10 up?

11 A. Yes.

12 Q. What happened?

13 A. They took him. He was shot.

14 Q. And when he was shot, did anything to him?

15 A. When he was shot he was laid flat on the ground. He was
16 slit in the middle.

17 Q. Who slit him in the middle?

18 A. I can still recall. I can still describe the man. I don't
19 know his name but I can still remember the incident because I was
20 there.

21 Q. Madam Witness, maybe I didn't make myself clear. I'm
22 asking, not about the soldier who was slit, but who slit him?
23 Who slit the soldier?

24 A. The Kamajor. The Kamajor man.

25 Q. And when you say slit him, what do you mean?

26 A. He was slit in the middle. He was open. They removed the
27 heart. They started to chew it amongst themselves.

28 Q. Okay. Madam Witness. After the one-week presence of the
29 Kamajors in Kono town, did anything happen?

1 A. Yes. The Kamajors, after the Kamajors have come around,
2 early in the morning, we heard a bomb that was launched. So,
3 myself and one of my friend, we packed and we left for Tombodu.

4 Q. Now, where was the bomb launched?

5 A. We were hearing -- we were hearing the shelling. We didn't
6 know the right place where it was coming from.

7 Q. Do you know who was launching the bombs?

8 A. I did not know.

9 Q. And after you went -- you said you went with your friend to
10 Tombodu; did anything happen?

11 A. Yes, no.

12 Q. Did anything happen?

13 A. No, nothing happened to us when we were in Tombodu.

14 Q. And from Tombodu, did you go anywhere?

15 A. From Tombodu we were there for a while, so my aunt that I
16 went to, somebody came to tell her that they saw her, saw me in
17 Koidu Town. So I told my friend.

18 THE INTERPRETER: Your Honours, can the witness go slow.

19 MR DANIELS:

20 Q. Madam please. The interpreters are having difficulty
21 catching up with you, so speak a bit slowly. Now, let me remind
22 you where you were. You were talking about your aunt. Your aunt
23 said what?

24 A. Somebody told me that the aunt I was staying with, that the
25 person said he saw the aunt in Koidu Town.

26 Q. And did anything happen after that?

27 A. So, I left Tombodu. I went to look for my aunt in Koidu
28 Town.

29 Q. Carry on.

1 A. So, as I was going in Koidu Town, I met a civilian and he
2 said that his younger sister had been left behind and he was
3 going in search for her.

4 Q. And what happened?

5 A. So, as we were going through a road, I saw a white Toyota
6 Hilux coming.

7 Q. And who was in this white Toyota Hilux?

8 A. When I saw the white Toyota Hilux approaching me, the man,
9 the men ran away and I also ran and then a boy who was from the
10 Hilux said, "If you run out I will shoot at you."

11 Q. And what happened?

12 A. So he -- he captured me and he put me in the Hilux.

13 Q. And this person who captured you, who was he?

14 A. His name was Bravo.

15 Q. Madam Witness --

16 A. Yes.

17 Q. -- after -- do you know which group he belonged to?

18 A. Well, after he captured me, we went into the vehicle. Then
19 he introduced me to a man. He said that that was his boss.

20 Q. And what was the name of his boss?

21 A. The name of the boss, the name they called him was Chief.

22 Q. Did he have any other name --

23 A. Yes.

24 Q. -- that you got to know; what was the other name?

25 A. The other name we used to call him was Junior Johnson,
26 Junior Lion.

27 Q. And when Bravo introduced you to Chief, or Junior Lion, did
28 anything happen?

29 A. From that point, we went to Tombodu. The vehicle went onto

1 Tombodu and we -- it returned. They took me to Masingbi Road.

2 Q. Now apart from Bravo and Chief, Junior Lion, was there
3 anyone else in the vehicle?

4 A. The Chief's boys were in the vehicle.

5 Q. How were they dressed, the Chief's boys and Chief himself?

6 A. Let me start with the Chief. He wore -- the cap -- the
7 Alpha's wear, a round, small cap.

8 Q. Is that all he was wearing, a cap?

9 A. No.

10 Q. What else?

11 A. He wore a Bob Mali T-shirt. He wore a black jeans
12 trousers. His lip had a split on one part. And his eyes were
13 covered with blood. And he hung the chain Fathers put on.

14 Q. I beg your -- I believe the witness mentioned, I am told
15 cross, a cross?

16 THE INTERPRETER: Correction, yes; a cross chain.

17 JUDGE SEBUTINDE: Did the witness say his eyes were covered
18 in blood?

19 THE INTERPRETER: One eye was covered with blood.

20 Correction interpreter. One eye was covered with blood.

21 MR DANIELS:

22 Q. Madam Witness, did you get to know the reason why Chief had
23 a bloodied eye and some stitches on his lips?

24 A. No.

25 Q. Please carry on with the description you were talking
26 about. You were describing Chief and the other gentlemen, how
27 were they dressed?

28 A. He was in the front and beside him was the driver. The
29 driver was dark and fat. I can still remember the name. His

1 name was Crack. He wore a black waistcoat and black jeans.

2 Q. And anyone else?

3 A. In there, we had another boy, Junior Jones. He wore jeans,
4 jean coat and trousers. He had the same Jesus Christ cross on
5 his neck.

6 Q. Now, Madam Witness, were, were these gentlemen, were they
7 carrying any arms or weapons?

8 A. They all, all of them held guns. Except the Chief, he had
9 two pistols. One was on his hand. The other one was in his
10 pocket.

11 Q. And Madam Witness, you said that these persons captured
12 you. What do you mean by they captured you?

13 A. Well, what I mean, that they captured me, they met me on
14 the road. And they came down with guns and ordered me to enter
15 into the vehicle.

16 Q. And from Tombodu, did they take you anywhere?

17 A. To Masingbi Road.

18 Q. And what did you go to Masingbi Road to do?

19 A. When we arrived, as we were, he, he went to collect some
20 things.

21 Q. Who went to collect some things?

22 A. Bravo went to take the things to cook because --

23 Q. And who was going to cook?

24 A. I was supposed to cook.

25 Q. And for how long were you at Masingbi Road?

26 A. We were in Masingbi Road for over three weeks. Then the
27 jets raid, the jets raided. We went up Five-Five Spot, as you
28 climb up.

29 Q. Madam Witness, at this time, was the second accused,

1 Ibrahim Kamara, was he present at Masingbi Road?

2 A. No.

3 Q. Was Chief, Junior Johnson, was he reporting to anyone at
4 this time that you were at Masingbi Road?

5 A. When we were at Masingbi Road, the house was opposite. He
6 was on this side with his men, bodyguards, but I was on the other
7 side with his other security. So I had no idea what my purpose
8 was but, in the morning, I cook. In the afternoon I cook. Then
9 Bravo would come and collect the food and take it to him. He was
10 the only one I saw. He was the one I knew.

11 Q. The question I was asking was whether Chief was reporting
12 to anyone, if you know?

13 A. No.

14 Q. He was not reporting to anyone, or you don't know?

15 A. I don't know.

16 Q. And during the three weeks that you stayed at
17 Masingbi Road, apart from cooking in the morning and cooking in
18 the evenings, did you do anything?

19 A. That was my function, to cook for him, wholly and solely.

20 Q. And please tell us if you know, were there other soldiers
21 at Masingbi Road, apart from Bravo, Chief and the driver and
22 those who arrested you?

23 A. Yes.

24 Q. Tell us, if you know, how many were there?

25 A. We were in our own apartments. Some soldiers were down
26 around in Masingbi Road.

27 Q. Can you give us the number?

28 A. I will -- I am unable to give you a number because I would
29 just see them come and pass around our area. I went -- I was not

1 going out. That was my -- my purpose was to cook. There were
2 securities guarding me so that I would not escape. I was just
3 there to cook for him. So, except I saw them passing.

4 Q. I understand, Madam Witness. So, apart, after the three
5 weeks that you were at Masingbi Road, did you go anywhere?

6 A. After the -- after the jet travelled we left. We went -- I
7 don't know that area but when you get to Five-Five Spot, you
8 climb up a little bit, that was where we were.

9 Q. And I'm saying, for how long were you there? After the
10 three weeks, did you go anywhere apart from -- away from
11 Masingbi Road?

12 A. Apart from Masingbi Road, that's what I'm saying. After
13 Five-Five, going up, that's the spot. That was where we were.

14 Q. And the new spot you are talking about, how long did you
15 stay there for?

16 A. We spent about two weeks.

17 Q. And who was with you?

18 A. I was there with Chief, and his boys, and some of the wives
19 of the boys, whose -- who said they were cut off and they were
20 running after them to kill them, so they joined up with us. We
21 were the ones staying there.

22 Q. Were there any children with you, apart from the wives of
23 the soldiers?

24 A. The only child that was with us, who was a suckling mother,
25 was the wife of a soldier, Cat. By the name of Cat.

26 Q. And after you stayed for two weeks at this spot, did you go
27 anywhere?

28 A. From that point, early in the morning, another morning, in
29 fact, I was sleeping. They told us: You are sleeping, the

1 ECOMOGs have come. We are leaving. So we left. We left the

2 Five-Five area and we went to Tombodu.

3 Q. And who did you go with to Tombodu?

4 A. In the morning we -- I went with the -- we went with the
5 wives of the soldiers. In the evening Chief came with his boy,
6 all of them, so we were all based in Tombodu.

7 Q. And who escorted you to Tombodu?

8 A. For example, of the women, we went by ourselves.

9 Q. And about how many women were you that went to Tombodu?

10 A. I -- I went. A friend of mine, Mariama.

11 Q. Can you just give me a figure, so we can move on. Roughly?

12 A. Five. Five of us.

13 Q. And for how long were you at Tombodu?

14 A. We were there for the whole day. In the evening, when
15 Chief returned, he told us to move off, to take off.

16 Q. Take off to where?

17 A. The very day we took off we -- we spent the night in
18 Yomandu.

19 Q. Madam Witness, was the second accused with you at Tombodu
20 or at Yomadu?

21 A. No.

22 Q. And at Yomadu, did anything happen?

23 A. No. We slept there and in the morning we continued the
24 journey.

25 Q. Where did you continue to?

26 A. To Masofinia.

27 Q. How long did it take you to get from Yomadu to Masofinia?

28 A. We passed the night in Yomadu. The other day, we took --
29 we arrived at 1 o'clock.

1 Q. 1 o'clock in the morning or in the afternoon?

2 A. 1 p.m.

3 Q. So you arrived at Masofinia at 1 p.m.?

4 A. Yes.

5 JUDGE SEBUTINDE: Mr Daniels, does "other day" mean the
6 next day or what does the "other day" mean, Madam Interpreter?

7 THE INTERPRETER: Your Honours, can counsel ask the
8 question again.

9 MR DANIELS:

10 Q. Madam Interpreter, you used the expression the "other day"
11 and the question is what is the meaning of the other day? Does
12 it mean the next day? This is the question?

13 A. Yes, the other day, the next day. The next day.

14 Q. Thank you very much. When you got to Mansofinia, did you
15 see anything?

16 A. As we arrived at Masofinia, there were petty traders
17 around, so they went to purchase things and they told me to cook.

18 Q. And at Masofinia about how many soldiers were present?

19 A. Soldiers, a lot of soldiers were there.

20 Q. And do you know what group they belonged to?

21 A. No.

22 Q. And who asked you to cook?

23 A. Chief.

24 Q. And for how long did you stay at Masofinia?

25 A. Masofinia, I spent a week there.

26 Q. And apart from yourself, were there other civilians at
27 Masofinia?

28 A. Many.

29 Q. And, if you know, who was looking after the civilians at

1 Masofinia?

2 A. I don't know.

3 Q. And, from Masofinia, did you go anywhere?

4 A. No.

5 JUDGE SEBUTINDE: Mr Daniels, just for the record, this
6 place that the witness is referring to as Masofinia, is it the
7 same as Masofinia, or is this a different place?

8 MR DANIELS: I will clarify.

9 Q. Madam Witness, do you know whether Masofinia, that you keep
10 mentioning Masofinia, is it the same as Masofinia? Do you know?

11 A. Yes, yes, it's the same.

12 Q. Masofinia, not Masofinia. Thank you.

13 A. Yes. That's it.

14 Q. And, Madam Witness, apart from cooking in Masofinia, did
15 you do anything else?

16 A. Yes. Yes, I used to braid -- after I finished cooking my
17 colleagues would come and I would braid their hair.

18 Q. And you said you spent one week in Masofinia?

19 A. Yes.

20 Q. And after that, after the one week, what happened?

21 A. Well, after the week passed, when we were at Masofinia, in
22 the morning, Chief would leave and go to SAJ. So, after that
23 week, one morning he said, he told me today pack up your things
24 because in the evening we would leave, we would go on the
25 journey.

26 Q. And who is SAJ?

27 A. SAJ, SAJ is a soldier.

28 Q. Do you know his full name?

29 A. We called him SAJ Musa.

1 Q. And you've told us that he was a soldier, but what kind of
2 soldier was he?

3 A. He was a big man.

4 Q. And when you say big man, what do you mean?

5 A. He was a head of all the soldiers; he was the boss.

6 Q. How do you know that he was the boss?

7 A. Because when we got to Masofinia, Chief said that he was
8 going to see his boss at Kurubonla. So, in the morning, he would
9 leave me and go to Kurubonla, saying that he was going to see his
10 boss, SAJ.

11 Q. And do you know how far Kurubonla is, or was, from
12 Masofinia?

13 A. No.

14 Q. Thank you. You said that while you were at Masofinia,
15 Chief came to tell you to pack your things. Did you pack your
16 things?

17 A. I had a single pair of clothes and I put it in a plastic
18 bag.

19 Q. And where did you go to?

20 A. He said we were going to use the jungle, so we went into
21 the bush and we walked in the bush road.

22 Q. And for how long did you walk?

23 A. That I cannot tell you. I cannot estimate. We walked for
24 a long time.

25 Q. Before I return to that topic, in Mansofinia, did you see
26 the second accused, Ibrahim Kamara?

27 A. No.

28 Q. And after you started walking in the jungle, on the
29 instructions of Chief, how many of you was it that walked in the

1 jungle? How many were you, civilians?

2 A. We were many.

3 Q. I am -- can you give an estimation? 100, 50, 200, or more?

4 A. Civilians, we were more than 100 because we were mixed.

5 There were wives of soldiers. Some of the wives of the soldiers

6 had their children. The sisters of these soldiers. The younger

7 brothers of these soldiers, and we -- us.

8 Q. And do you know whether anybody was in charge of the

9 civilians during the jungle march from Mansofinia?

10 A. Yes.

11 Q. Please tell us?

12 A. It was a very slim Kono man. He was called Fasuluku. He

13 was an SLA soldier.

14 Q. And how do you know that he used to look after the

15 civilians?

16 A. Because when we were in the jungle, he was in charge of us.

17 We would go in a file, in a straight line. He was in charge; if

18 you had to use the toilet, if you wanted to drink water. For

19 example, if we had to drink, if we got to a point where there was

20 water, we would stop and he would go to the waterside and give us

21 all water. After that, we would continue.

22 Q. Did he have a deputy, do you know?

23 A. No, he was the only one.

24 Q. And during this jungle march, where did you get to? Where

25 did you arrive at?

26 A. When we were in the jungle, we were going wherever night

27 fell. Most of the jungle -- we walked at night because we were

28 afraid of the jet. At dawn, we'd go to the nearest bush; we

29 stayed the whole day. In the evening --

1 THE INTERPRETER: Your Honours, can the witness take that
2 last bit again?

3 MR DANIELS:

4 Q. Can you just repeat the last bit. You said in the morning
5 you would do what?

6 A. In the morning, we would stay -- we would go to anywhere
7 and sleep the whole day because of the jet. If we are walking
8 and the jet comes around, there would be a bombing, so in the
9 afternoon we would not walk. At night, whenever there is dawn,
10 if we cook and the jet is passing and see the smoke, there would
11 be a bombing. So we would not cook until 7 o'clock at night and
12 we will eat quickly and jungle the whole -- the rest of the
13 night.

14 Q. And you told us you left Masofinia and you jungled and you
15 jungled and you jungled. The question is did you eventually
16 arrive somewhere?

17 JUDGE SEBUTINDE: Mr Daniels, what is jungling? This is a
18 Court record. What does jungled mean? We jungled and jungled;
19 what is that?

20 MR DANIELS: Madam -- it's the interpretation. I believe
21 it's an interpretation problem. Madam Interpreter, can you give
22 us an interpretation for the word "to jungle"?

23 THE INTERPRETER: Your Honours, we have to seek
24 clarification. Jungle is jungle. She says jungle.

25 MR DANIELS:

26 Q. Madam Witness, can you explain what you mean by jungling?

27 A. Well, I don't know. That is what I heard -- that is what
28 we hear the soldiers say, that we are jungling.

29 Q. How do you jungle?

1 A. Well, jungle, we walk in the bush. Whenever it's dawn, we
2 sleep the whole day.

3 Q. Thank you, Madam Witness. So where did you walk to in the
4 jungle, as you were telling us?

5 A. We were just walking. The first point that I was, I
6 noticed, and that place was tarmac [as interpreted] that was
7 Kamabai Highway.

8 MR DANIELS: Madam Interpreter, is that tarmac or road?

9 THE INTERPRETER: Tar ground.

10 THE WITNESS: Tar ground.

11 MR DANIELS:

12 Q. And do you know the month it was that you arrived at
13 Kamabai?

14 A. I can't remember, but I knew -- I can remember it was the
15 rainy season because the rain fell the whole night when we were
16 in the jungle. So, in the morning, at around half past 5, we
17 went to Kamabai high road.

18 Q. And, Madam Witness, were there soldiers with you during
19 this walk to Kamabai high road?

20 A. Yes, there were soldiers around.

21 Q. And if you know, please tell us, who was in charge of the
22 soldiers?

23 A. Well, the one I believed was the head of all of them was a
24 Colonel FAT.

25 Q. Do you know -- I withdraw that. And for how long were you
26 at Kamabai?

27 A. No, we did not settle at Kamabai. In fact, we -- we
28 arrived in Kamabai around dawn so we were hurrying up to find the
29 bush. After that, we -- we appeared in a road where vehicles

1 pass, but it's covered with sand. That was where we -- that was
2 where we got to.

3 Q. This area that you arrived at, does it have a name?

4 PRESIDING JUDGE: What is that, Mr Agha?

5 THE WITNESS: Yes.

6 MR AGHA: I apologise for interrupting my learned friend,
7 but I'm wondering whether we could have some foundation how she
8 knew that FAT was the commander.

9 MR DANIELS: I was going to go there. I will do that, for
10 my learned friend.

11 Q. Madam Witness, the bush that you were referring to, you
12 said it had a name. What name was that? I mean, the area.

13 A. What [indiscernible] bush. Initially, we were at Kamabai
14 highway. We were hurrying up because it was getting to dawn. We
15 were hurrying up because we did not want the jets to meet us. So
16 we got to another road, but it's not tarred, but it's a road
17 where vehicles pass.

18 Q. And the question is: Do you know the name of that road or
19 the name of the area?

20 A. The road is Karina Road.

21 Q. Thank you, Madam Witness. You also told us that Colonel
22 FAT was in charge of the soldiers. How do you know that Colonel
23 FAT was in charge of the soldiers?

24 A. I knew that because I was with them, so I knew the seniors,
25 the superiors. I was with them, so I knew.

26 Q. Can you describe FAT?

27 A. Yes.

28 Q. Please do so.

29 A. He is fat. He has a huge stomach. He's dark brown in

1 colour, in complexion. He has a very low haircut and he likes to
2 wear gowns, very long dress.

3 Q. If you know, at this time, where was SAJ Musa?

4 A. SAJ Musa had left Kurubonla. He had left Kurubonla.

5 Q. Did you enter Karina Town itself?

6 A. No.

7 MR AGHA: Your Honour, can we have some foundations how she
8 knows SAJ Musa left Kurubonla?

9 PRESIDING JUDGE: What is your reply to that, Mr Daniels?

10 MR DANIELS: Well, I don't have an objection. I can ask,
11 you know, but we will see what the witness can come up with.

12 Q. Madam Witness, you said that SAJ Musa was left behind at
13 Kurubonla -- had left Kurubonla. How do you know this?

14 A. Well, I told you. I was with Johnson in the house, Chief.
15 Chief, in the morning, he will say he will go and see SAJ at
16 Kurubonla. So, in the evening when we were to take the jungle,
17 he carried some ammunition. He said SAJ had given him this
18 ammunition because the men that were with us, they were not well
19 armed, so SAJ had given him more ammunition. So we were going to
20 take the jungle so that we'll go ahead. Later, he would come and
21 join us. Chief told me all of this, so that was why I said you
22 should pack and we are going to leave today.

23 Q. And, Madam Witness, you mentioned Karina Town. How do you
24 know that that town was Karina Town?

25 A. I came to know it was Karina Town. In fact, Karina, it's
26 in the highway. You will see the town. It's like when you are
27 going, the houses that we met, it was by the highway. We met
28 those houses and I saw a lady that was with us in Kono. He
29 called me, in fact. She called me. She said, "What have you

1 come to do here? Are you staying here." I said, "Yes. I told
2 you my husband is a soldier. Now I have seen him. He is with
3 you, so I join you." I said, "Yes, I have seen him." She said,
4 "Here, this is Karina."

5 Q. Madam Witness, how long -- or did you spend any time at
6 Karina?

7 A. No.

8 Q. And from Karina, where did you go to?

9 A. From Karina, we went to a town that was called Mandaya.

10 Q. And what time did you arrive at Mandaya?

11 A. As we left Karina, we were running. It was almost in the
12 morning, so we were running so that the jets wouldn't come and
13 bomb. So we were just running. Mandaya was the nearest village
14 where we thought we were able to reach inside and go into the
15 bush.

16 Q. So, for -- did you stay at Mandaya?

17 A. Yes.

18 Q. For how long did you stay at Mandaya?

19 A. We were at Mandaya for about -- about five days.

20 Q. And did anything happen at Mandaya?

21 A. Yes.

22 Q. What happened?

23 A. Fifth day, early in the morning, 6 o'clock, we heard the
24 bombing. At that time I woke and people were running. Everybody
25 was running helter-skelter. By the time I came out I saw some
26 corpses. Then I asked what happened. But I had the zeal. I
27 didn't go anywhere. I stood. And when I was standing there I
28 noticed people. They wore ronko. They were armed. They were
29 fighting. They were fighting with our men. They fight and some

1 of them ran away. The one that was left was a black one that
2 they captured. A huge black man.

3 Q. And this person is wearing the ronko, do you know whether
4 they belonged to any particular faction or group?

5 A. This person that they've captured, when he was asked he
6 said they came with ECOMOG to come and attack the base, their
7 base. But the ECOMOG said these are your Sierra Leonean
8 brothers, so you can go ahead. So we, the Kamajors, would go at
9 the rear.

10 Q. So did anything, apart from the fighting that you saw, did
11 anything else happen at Mandaya, that morning?

12 A. Mm-hmm. Mm-hmm.

13 Q. What happened?

14 A. In the morning, we were sleeping. We were not conscious
15 that enemies were around, so they came in. They killed. Some
16 ran. They wanted to escape. Those who --

17 Q. Who did they kill?

18 A. I saw three children, corpses of children, with two armed
19 men amongst us. Their corpses.

20 Q. Do you know who killed the children?

21 A. It was the Kamajors that came. They were the ones who
22 launched the attack.

23 Q. And these children, were they with the civilians or were
24 they from Mandaya Town?

25 A. It was the relatives of the soldiers that were with us. As
26 I said earlier, some of them, they had sisters. Some of them,
27 they had their wives. The relatives of their family. They were
28 killing soldiers. They were killing the relatives of soldiers.

29 Q. You mentioned that the ECOMOG asked the Kamajors to go

1 ahead on the attack at Mandaya. Did the ECOMOG troops enter
2 Mandaya Town?

3 A. They didn't enter. They, the Kamajors, they asked the
4 Kamajor to go ahead so the Kamajor that they captured was the one
5 that was explaining. And I was there. Because I didn't run when
6 they came and attacked. I was standing at the veranda. I was
7 afraid because I don't know the terrain. So I was afraid so I
8 would not go out of my way. Some of them that went, we never saw
9 them again.

10 Q. Some of who, who went?

11 A. When they came and attacked us, the relatives of the
12 soldiers, even some of the soldiers, because of the panicked,
13 they came in, they went right inside where we were sleeping. We
14 never knew there were enemies around. So when they opened fire
15 we were all afraid. Some went and some of them, where they went,
16 they fell in an ambush of Kamajors. Some were able to escape.
17 They came back and tell us that some that have left earlier,
18 they've captured them. Then I said oh, thank God I didn't go.

19 Q. Madam Witness, where was Chief, Junior Johnson, at this
20 time?

21 A. In fact, they were fighting. I was looking at them. They
22 were fighting the Kamajors. They were the ones that fought with
23 the Kamajors.

24 Q. And at this time was the second accused present, Ibrahim
25 Kamara?

26 A. No.

27 Q. And after the five days that you stayed at Mandaya and this
28 incident took place, did anything happen? Apart from the
29 fighting you are talking about, did anything happen?

1 A. Well, what happened, after everything had ceased, we
2 noticed that a lot of men had disappeared. Those that went, they
3 said they've captured some of the men. Some, they would say I
4 wouldn't see this person. We noticed that some people were
5 missing. So we -- they organised a patrol team to go and look
6 for the others that got lost and they were able to bring some of
7 them. When they came, that day we left.

8 Q. And where did you leave to?

9 A. We started the jungle again, and we left.

10 Q. And for how many days did you walk in the jungle?

11 A. I couldn't tell the days.

12 Q. Did you arrive anywhere?

13 A. The next sign we reach, we arrived, because I can read and
14 write, at times it's a big place. I know that this is the place.
15 The next time that -- where I believe we reached was, it was in
16 Bendembu area. There I believe it was a big town.

17 Q. Can you describe Bendembu Town?

18 A. I will try little bit.

19 Q. Just do your best.

20 A. We went this way. You will see that it's a motorable line.
21 We go and we found out that it's a roundabout and that was the
22 town. We didn't stay there for a long time. We diverted and we
23 used a bush road and we saw some houses at -- it's not like the
24 other houses wherein there are huts. Some of the houses were
25 concrete houses.

26 Q. Did anything happen at Bendembu?

27 A. No, nothing happened there.

28 Q. And from Bendembu, where did you continue to?

29 A. From Bendembu, the other big town that I noticed we reached

1 was Batkanu.

2 Q. And how do you remember that you arrived at Batkanu?

3 A. Because I saw it was written, at the sign board, that
4 was -- it was written at the sign board, Batkanu.

5 Q. And who was in charge of the troops from Bendembu to
6 Batkanu, if you know?

7 A. Still, it was Colonel FAT that was the leader. He was the
8 head.

9 Q. Did he have an assistant, or a second in command, if you
10 know?

11 A. Yes.

12 Q. And who was that?

13 A. He had Colonel FAT was there. Colonel Eddie was there.
14 Colonel King was there. Those were the three big men. Then they
15 had -- we had Olangba.

16 Q. Thank you, Madam Witness. And for how long were you at
17 Batkanu?

18 A. At Batkanu, we didn't sleep there. We just passed by.

19 Q. And where did you pass to?

20 A. When we passed, we reached to a town called Mateboi.

21 Q. And how did you get from Batkanu to Mateboi?

22 A. We walked to Mateboi.

23 Q. And at Mateboi, did anything happen?

24 A. Mateboi, we slept for a night. We left the next day.

25 Q. And while you were at Batkanu, while you were at Mateboi,
26 about how many civilians were with you?

27 A. We were just the same. As I said, how we were. We
28 soldiers, relatives of soldiers, the wives of the soldiers and
29 their children. How we were walking through the bush, that was

1 how we were.

2 Q. And from Mateboi, did you go anywhere?

3 A. Yes.

4 Q. Where did you go to?

5 A. Well, from Mateboi because that time it was the rainy
6 season. There was heavy rains. So Colonel FAT called them on a
7 meeting and decided that there was a river at Mateboi and we
8 crossed that river. We crossed the river and we based at the
9 town that were just after the river.

10 Q. And what is the name of the town after the river?

11 A. The town was called Camp Rosos.

12 Q. Do you remember when it was, the month that it was, that
13 you arrived at Camp Rosos?

14 A. I couldn't recall but it was rainy season.

15 Q. And at Camp Rosos, did anything happen there?

16 A. Yes.

17 Q. First, before you tell me, how long were you at Camp Rosos?

18 A. I couldn't remember again.

19 Q. Again, I have to ask you: Was the second accused present
20 in Mateboi, Batkanu or Rosos? Was he in any of these towns?

21 A. No.

22 Q. And who was in charge of the troops at Camp Rosos?

23 A. It was Colonel FAT.

24 Q. So tell us what happened at Camp Rosos?

25 A. When we were at Camp Rosos we had the headquarter. The
26 headquarter was where the women, the children, the suckling
27 mothers, we were there with some armed men, with some bosses.
28 Then we heard other group that was around the -- armed men were
29 there to protect if there are enemies to come and attack us.

1 Q. Did any enemies come to attack you while you were at Camp

2 Rosos?

3 A. Yes.

4 Q. Which enemies came to attack?

5 A. The Kamajors and the ECOMOG, they attacked a B Company.

6 That is the group that blocked by the waterside. They came and

7 attacked there. They killed five men. So they sent to the

8 headquarter.

9 Q. Madam Witness, before you go on, how do you know that five
10 people were killed as a result of the attack?

11 A. When the incident took place, when they sent a message to
12 the Chief, the Chief went to the -- to go and chase the enemy so
13 when he came back he told us about it.

14 Q. Did he tell you the names of the persons who were killed?

15 A. No, he didn't. He said the Kamajors had killed five of our
16 men.

17 Q. And apart from the killing of five of your men, at Camp
18 Rosos, did anything else happen at Camp Rosos?

19 A. Yes.

20 Q. Please tell this Court.

21 A. When we were at Camp Rosos we took some -- we took some
22 time because some civilians were in villages. They would come
23 and meet us and say that we have been in -- stayed in the bush
24 for a long time. We are encountering difficulties so we have
25 come to you to work for you. You would just feed us and take
26 care of us, not knowing that they were spies, but it would take a
27 while and these people would, these civilians would disappear and
28 we did not even consider that. Some time, some days later on,
29 the jet would come and bomb, and a group would come over the

1 water and fire. After a series of firing they would -- the jet
2 would come and bomb the houses of people. It would bomb, even a
3 goat, even if a goat is passing by, if the jet comes and see it,
4 it will bomb.

5 Q. Now, these persons who came and -- you said or you referred
6 to them as spies. Before I go on, the first accused would like
7 to use the bathroom.

8 PRESIDING JUDGE: Yes. Mr Brima can leave the Court.

9 MR DANIELS:

10 Q. Madam Witness, you mentioned that some persons came from
11 the bush and you got to know that they were spies. Who were they
12 spying for?

13 A. They were spies for the Kamajors and the ECOMOG.

14 Q. So, after this attack that you referred to from the jets,
15 and the firing, did anything happen in Camp Rosos?

16 A. Yes, they bombed.

17 Q. And after the bombing did anything happen to the civilians
18 and the soldiers at Camp Rosos?

19 A. Yes.

20 Q. What happened?

21 A. The most terrible thing that happened in Rosos was the day
22 after the shelling, in fact, I was counting. I counted up to
23 1,115 bombs that were shelled at Rosos but the most gruesome was,
24 that made us leave Rosos, the man who was sitting on the
25 communication set, immediately the jet came, I think the jet had
26 seen the solar. He followed the route of the solar and left the
27 bomb. It was back of the set. I was there with the Chief. In
28 fact, that was where I was cooking. After the jet dropped the
29 bomb --

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

2 bit after --

3 MR DANIELS:

4 Q. Hold on, Madam Witness. You were telling us about
5 fragments that entered into the food that you were cooking. Can
6 you -- inside the soup.

7 A. In the soup.

8 Q. And that is what you just said, encouraged the troop and
9 yourself to leave Camp Rosos; am I correct?

10 A. That very day we did not sleep in that place. We left
11 immediately.

12 Q. Now, just tell us, did any civilians die at Camp Rosos as a
13 result of these attacks?

14 A. No civilians, there were no civilians who died. It was
15 only the man who was at the seat. The jet, because of the
16 bombing, he was buried. They had to dig him up and remove him.

17 Q. Were any houses burnt as a result of this attack in Camp
18 Rosos?

19 A. In fact, after that incident, they told us nothing. They
20 did not tell us to go. We crossed over the river and we were
21 just running. We crossed over the river and we were running.
22 Everybody was fleeing for their lives.

23 Q. And, Madam Witness, where did you flee to?

24 A. We ran away and we crossed over the river. We travelled
25 for two days. On the third day, because on our own batch, we
26 were -- we were in the last batch with Chief. We were the last
27 batch to leave Rosos. So we met them. They had found a town
28 where we would base.

29 Q. Who had found a town?

1 A. Colonel Eddie.

2 Q. And you said you crossed over the river or the water. Do
3 you know the name of the river or the water that was crossed?

4 A. I don't know the name but, a little after Rosos, if you go
5 a little bit further, you would meet the river and that was the
6 river we crossed over.

7 Q. And when you got to Eddie Town, what did you see?

8 JUDGE SEBUTINDE: There is no evidence of Eddie Town. He
9 said Colonel Eddie and others went ahead. I don't know where
10 they went. That's what I heard.

11 MR DANIELS: Very well. I thought I heard it mentioned
12 specifically.

13 Q. Where did you go to?

14 A. When we left Rosos, there was a group who -- a group had
15 left.

16 Q. Madam Witness, before you go on, the town that Eddie found,
17 did it have a name?

18 A. It had a name but they refused to call it by that name.

19 Q. So what was it referred to as? How was the town referred
20 to?

21 A. They called -- they called it Colonel Eddie Town.

22 Q. Thank you, madam. So when you arrived at Colonel Eddie
23 Town, what did you see?

24 A. When we arrived at Colonel Eddie Town, in the morning, we
25 did not have a place. So the Chief went to find a house. We
26 went there. We were there. Things were going on normally.
27 There was no problem. But the main problem encountered was that
28 there was shortage of food. We were having problems. There was
29 no food to eat.

1 Q. And do you recall when it was that you arrived at Eddie

2 Town?

3 A. It was during the rains. Still in the rains. But it was
4 not so heavy.

5 Q. And you told us that while at Eddie Town there was no food
6 and did anything happen while you were at Eddie Town?

7 A. Yes.

8 Q. Please tell this Court.

9 A. When we were at Eddie Town, there was no food so they
10 organised a patrol team. This, I mean, by men who would go into
11 other villages to -- in search of food. So there was a
12 particular time these men went and they reported that they saw
13 soldiers, soldiers who had escaped from Freetown. They met them
14 in this farm. So the armed men returned to -- in the base and
15 they queued up to Colonel FAT and they explained the problem that
16 they saw armed men. So they organised a patrol team to go and
17 look for these men. So, when they go, when they would go to look
18 for these men, they brought them bound. They would take them to
19 a place. In fact, they would call that place task force and they
20 opened boxes and put them in.

21 Q. Now, were you there when these men were brought to Eddie
22 Town?

23 A. I was there. I was there.

24 Q. And who were these persons that were brought to Eddie Town?

25 A. I saw some soldiers whom I knew.

26 Q. And who did you know?

27 A. I knew, among them, I knew a particular soldier that we all
28 stayed in the same street. He was a soldier who said that after
29 the war, after they had been removed from Freetown, and I saw

1 some other SLAs.

2 Q. I wanted the names, if you know, the names of the soldiers
3 that you saw that were brought to Eddie Town?

4 A. When I went to look, the only person I knew among them was
5 this soldier I'm referring to, that we stayed in Freetown. But
6 the whole of the day, in the evening, Chief brought two of them,
7 took them to the house. So I asked him who are these? So he
8 said that these were the soldiers. Look at them.

9 Q. Madam Witness, Madam Interpreter --

10 THE INTERPRETER: Your Honours, the witness said war
11 soldiers. Run away soldiers who had escaped.

12 MR DANIELS: If the record could reflect. Thank you very
13 much.

14 Q. Now, these soldiers you are referring to who had escaped,
15 where was it that they escaped from?

16 A. Chief told me, because I saw him, he brought two of them,
17 he brought them to the house. So he said, he called one of his
18 boys. He said: "Take care of these men." He said "I would set
19 an example for these men so that they would know we have come for
20 business." So, I heard that, and I came in. I was cooking so I
21 came in to see. So I asked him: "Who are these?" So he said:
22 "These, these are the AFRC men, who were in power who, after the
23 trouble, fled and they allowed us to suffer and they escaped.
24 But since God is still on the throne we will do them what we have
25 to do to them." So I asked him: "What, like, what? What?" So
26 I asked them: "Why did you run away?" But they did not look at
27 me and they did not talk to me. So one of his boys came to meet
28 me and he said: "You see the other one with bulging eyes? You
29 see these are bosses. You see these are the big men at the AFRC

1 but they escaped. After the incursion in Freetown, they fled."

2 THE INTERPRETER: Your Honours, the witness is going too
3 fast.

4 MR DANIELS:

5 Q. Can you just repeat your last sentence a bit slowly, Madam
6 Witness?

7 A. The Chief told me that they would kill these men. They
8 would cut off their heads and hand it over to Kabbah.

9 MR DANIELS: Your Honours, I'm moving into a new area and
10 looking at the time I crave the indulgence to take the lunch
11 break.

12 PRESIDING JUDGE: Yes. It's only have a day, as you know,
13 today Mr Daniels. We will take a break now. Madam Witness, we
14 are going to take a break now until tomorrow morning at 9.15. I
15 just have to warn you in the meantime that you are not permitted
16 to talk about your evidence or this case with anybody else, with
17 any other person; is that clear?

18 MR DANIELS: Do you understand? Answer the question,
19 madam.

20 PRESIDING JUDGE: Mr Court Attendant, put the headphones
21 back. Madam Witness, I just asked you a question. Did you
22 understand what I said to you?

23 THE WITNESS: I'm not aware of any question.

24 PRESIDING JUDGE: Please listen. I will say it again. We
25 are going to adjourn the Court until tomorrow morning. Now, in
26 the meantime, between now and tomorrow morning, you are not
27 allowed to talk about the evidence you have given, or to talk
28 about this case at all, with any other person; is that clear?
29 Did you understand what I said?

1 THE WITNESS: I've understood.

2 PRESIDING JUDGE: All right. We will adjourn until 9.15
3 tomorrow morning.

4 [Whereupon the hearing adjourned at 12.45 p.m.,
5 to be reconvened on Thursday, the 12th day of
6 October 2006, at 9.15 a.m.]

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WITNESSES FOR THE DEFENCE:

WITNESS: DBK-131 2

CROSS-EXAMINED BY MR GRAHAM 2

WITNESS: DBK-126 35

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